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Human Rights and Democracy: The 2012 Foreign & Commonwealth Office Report - Country updates: Sri Lanka

Latest update: 30 June 2013

The human rights situation in Sri Lanka between April and June saw both positive and negative developments, and we continued to regularly raise our human rights concerns with the Sri Lankan government. The UK welcomed the Sri Lankan Permanent Representative's announcement to the EU Parliament that Sri Lanka will investigate the Channel 4 video footage alleging war crimes. The High Commissioner for Human Rights will undertake a visit to Sri Lanka in August. The Sri Lankan Permanent Representative told the UN Human Rights Council in May that a centralised, comprehensive database of detainees had been established by the Terrorism Investigation Division (TID) and investigations on 1,628 cases were completed. Families of missing detainees however maintained that the database was not freely accessible.

The UK welcomed the announcement that Northern Provincial Council elections will take place in September. However, the debate continued over devolution of power. In May a government coalition member introduced a motion in Parliament to abolish the 13th amendment to the constitution which devolves power to the provinces. The Sri Lankan Defence Secretary said that empowering a "hostile" provincial administration with land and police powers would have grave repercussions. There were also increased reports of land takeovers in Tamil areas. On 15 May over a thousand landowners from the north filed writ applications challenging the acquisition of their land as being "illegal and unlawful".

There were continued restrictions on freedom of expression during the last three months. The Jaffna based Uthayan newspaper was repeatedly attacked, including an arson attack on the eve of the Sinhala and Tamil New Year. There was a failed attempt to abduct the editor of an anti-government Sinhala language newspaper on 30 May. Opposition politicians, particularly MPs from the Tamil National Alliance, reported increased threats and harassment. In May, Azad Sally, an anti-government Muslim politician was arrested under the Prevention of Terrorism Act over press comments. He was subsequently released on a Presidential directive.

The BBC World Service suspended Sinhala and Tamil broadcasts citing "targeted interference" of Tamil programming. A number of local and international activists including the Committee to Protect Journalists and Human Rights Watch raised concerns over plans to introduce a code of media ethics. The Media Minister said that the code would not become law, but legal ramifications of non-compliance remained unclear. Government officials were also quoted as stating that new digital/social media needed to be monitored as it had the potential

to “destabilise nations” and “affect serious change”. The UK raised concerns over attacks on media institutions and threats to freedom of expression with Sri Lankan authorities.

There were a number of attacks on minority religious sites and continued campaigns against Christians and Muslims during the quarter. On 12 April a peaceful vigil against religiously motivated hate campaigns was dispersed by the police.

There were also concerns surrounding Freedom of Association. On 21 April a protest held by the political party the Democratic People’s Front calling for wage hikes in the plantations sector was disrupted by persons allegedly connected to a ruling party politician. Party Leader Mano Ganesan sustained minor injuries during the incident.

A ruling party MP told Parliament on 5 June that disappeared journalist Prageeth Ekneligoda was currently living in France. The MP was asked to give evidence at the inquiry into the disappearance. In a separate case regarding the death of a detainee during a prison riot, Chief Justice Mohan Peiris was quoted as stating that “human rights are there to protect the majority and not the minority of criminals”. 25 June marked 18 months since the murder of British National Khuram Sheikh. The High Commission expressed concern that no progress had been made in the murder investigation.

NGOs expressed concern about increasing restrictions on their operations in the country. Amnesty International in its latest report accused Sri Lanka of intensifying its crackdown on dissent and urged the Commonwealth not to hold the Commonwealth Heads of Government Meeting (CHOGM) in Sri Lanka unless the country’s human rights situation improved. In May, the British Prime Minister announced his decision to attend CHOGM. A government spokesman told media that “we do not think that turning away from the problem is the best way to make progress in Sri Lanka....” The Prime Minister will use his visit to “.....shine a light on what is going on in the country, what has been achieved and what more needs to be done”.

The British High Commission in Colombo marked the International Day Against Homophobia in May with a presentation of a cheque to Equal Ground, a non-profit organisation seeking rights for the LGBT community.

Update: 31 March 2013

FCO Minister Alistair Burt visited Sri Lanka from 31 January – 2 February. He met key political figures, NGOs and international organisations during engagements in Colombo and the north of the country. Delivering a lecture in Colombo, the Minister raised concerns about recent developments in Sri Lanka and called on the government to uphold human rights and the rule of law and to implement the Lessons Learnt and Reconciliation Commission (LLRC) report in full. He also said that the UK looked towards Sri Lanka, as host of the Commonwealth Heads of Government Meeting, to demonstrate its commitment to Commonwealth values.

In January the Sri Lankan President ratified the dismissal of Chief Justice Shirani Bandaranayake, who was impeached by Parliament in December. Ms. Bandaranaike and opposition members of the panel walked out of the Parliamentary Select Committee before proceedings concluded, alleging an unfair and highly politicised process. The Sri Lankan Supreme Court ruled that the process was unconstitutional and a number of domestic and international actors also expressed concerns. The UK raised concerns about freedom of expression, the impeachment of the Chief Justice and the rejection of recommendations relating to the independence of the judiciary during the adoption of Sri Lanka’s Universal Periodic Review.

In February the International Crisis Group expressed concern that attacks on the judiciary and political dissent had “accelerated Sri Lanka’s authoritarian turn” and were “a threat to long-term stability and peace”. The report also noted with concern the upsurge in attacks by extremist Buddhists on Muslim religious sites and businesses in recent months. There were a number of attacks on Christian and Muslim religious establishments and Muslim-owned businesses by extremist groups. Physical attacks on mosques, anti-Muslim public rallies and processions were accompanied by calls to boycott Muslim business establishments, a halt to issuing halal certificates and offensive campaigns on social media.

On 5 January a local councillor was shot down by unidentified gunmen in a Colombo suburb. Suspects arrested in connection to the murder were linked to a government Minister. On 3 March there was a further allegation of an enforced disappearance, when Jaffna newspapers reported the disappearance of a 39 year old man who had previously been abducted in 2006. Campaigners have blamed previous abductions on paramilitary groups and security forces. Two Jaffna University students detained following student protests in November 2012 were released in January. Reports from the former conflict zone indicated that over 45 ex-combatants linked to the Liberation Tigers of Tamil Eelam (LTTE) before the final stages of the war were arrested in the north and east. A few have been released, but the majority remain in detention.

A military court of inquiry appointed to investigate allegations against the military over their conduct during the war completed its report in January. The three-page summary said that the Army took every precaution to

avoid civilian casualties but recommended that military operations be re-evaluated to minimize or eliminate collateral damage in future. The final report was not made public.

In the last three months there were a number of incidents involving the media. On 15 February British-Sri Lankan journalist Faraz Shauketaly survived an assassination attempt by unidentified gunmen at his residence. Two days later a BBC crew reporting on a Buddhist extremist rally were threatened by a mob. The team were placed under "citizen's arrest" and temporarily detained. Tamil newspaper delivery staff in Jaffna were attacked on three separate occasions. On 26 March the BBC World Service suspended retransmission of its Tamil language broadcasts by the Sri Lankan Broadcasting Corporation citing "targeted interference" following censoring of programmes.

On 5 March police prevented hundreds of family members of the disappeared in Vavuniya from travelling to Colombo to stage a protest and hand over a petition to the UN calling for information about missing relatives and international interventions to seek justice.

International focus on Sri Lanka also continued during the quarter. On 15 March the United Nations Human Rights Council (UN HRC) adopted Sri Lanka's second Universal Periodic Review report. On 21 March the UN HRC adopted by 25 votes to 13 with eight abstentions a resolution calling on the Sri Lankan Government to promote accountability and reconciliation and encouraging the government to cooperate with the Office of the High Commissioner for Human Rights and special procedures mandate holders. The UK co-sponsored the US-led resolution, which builds on the text of a 2012 resolution.

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