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Human Rights and Democracy Report 2015 - Human Rights Priority Country update report: January to June 2016 - Sri Lanka

Updated 21 July 2016

The human rights situation in Sri Lanka continued to improve between January and June 2016. However, much remains to be done for Sri Lanka to fulfil the commitments made in Resolution 30/1 at the UN Human Rights Council (HRC) in October 2015.

At the HRC session in June 2016, the UN High Commissioner for Human Rights (HCHR) [gave his assessment](#) of Sri Lanka's progress against Resolution 30/1. He said the HRC should be encouraged by the steps the Sri Lankan government had taken to implement some of the key commitments in the resolution. He welcomed the government's positive and productive engagement with UN human rights mechanisms, and called for further tangible measures to help build confidence among victims and minority communities in the coming months. In [our statement](#), the UK welcomed the HCHR's assessment, and the Sri Lankan government's continuing determination to address the legacy of conflict.

The past 6 months have seen an improved environment for civil society and human rights defenders. The passing of the Right To Information Bill in June was a positive step towards more transparent and accountable government. Progress has also been made in historic high-profile cases of murder and disappearances, including journalist Prageeth Ekmaligoda, although concerns remain that proceedings continue to be hampered by some elements of the authorities. 4 soldiers have gone on trial for the murder of 26 Tamil civilians in 1996.

In May, Sri Lanka ratified the International Convention for the Protection of All Persons from Enforced Disappearances. The UK welcomed the ratification and urged the government to implement legislation to ensure non-recurrence. In the same month, the government approved draft legislation which would allow certificates of absence to be issued for about 65,000 people who disappeared during the conflict. The UK welcomed this move, which should allow families access to inheritance rights, compensation, social welfare payments and pensions.

A process of constitutional reform began in March, with the government targeting the passing of a new constitution by the end of this year. This represents an important opportunity for Sri Lanka to introduce improved human rights protections. There has been an increase in nationalist campaigns (such as "Sinhale")

over recent months, which have targeted religious minorities and LGBT&T groups. The UK raised concerns with the government, and also joined an [EU statement](#) in May calling for an end to all forms of discrimination.

The UN Special Rapporteur on torture, and other cruel, inhuman and degrading treatment or punishment, Mr Juan Mendez, visited Sri Lanka in April. Mr Mendez highlighted allegations of torture and recommended a comprehensive reform of key institutions. We have urged the government to act on his recommendations, including by adopting measures to ensure structural reform in the country's key institutions, and investigating every alleged act of torture or ill-treatment. The UK continued to provide support to Sri Lankan government efforts to develop a more capable, professional and accountable police force, with the aim of reducing the risk of serious human rights violations, including torture, and improving public confidence in the rule of law.

In January, Sri Lanka endorsed the Declaration of Commitment to End Sexual Violence in Conflict. We have encouraged the government to tackle high levels of sexual and gender-based violence, and funded project work documenting cases and advocating for government action.

Challenges still remain, particularly in the north and the east. The government announced further land releases in January and June, and there have been signs the military have started to disengage from civilian life in some areas. The UK has consistently called for land releases and demilitarisation of the north to be accelerated. As highlighted by the HCHR and the Special Rapporteur on torture, NGOs and media continued to report incidents of surveillance, intimidation and harassment by the security forces, although fewer than under the previous government.

The UK continued to urge Sri Lanka to repeal the Prevention of Terrorism Act (PTA) and replace it with legislation that meets international standards, including protections against arbitrary arrest, absolute individual prohibitions on torture or cruel, inhuman or degrading treatment, and provisions for access to legal counsel. Around 250 detainees are believed still to be held under the PTA. The government has pledged to expedite cases, but there has been little movement in the past 6 months. There were reports of over 25 new arrests under the PTA in the first six months of this year following the discovery of an explosive vest in Jaffna, with allegations that some of the arrests were not conducted in accordance with legal procedures. The President has since circulated guidelines to all security forces on carrying out arrests under the PTA, based on recommendations from the Human Rights Commission of Sri Lanka.

The then FCO Minister for Asia, Hugo Swire, visited Sri Lanka in January. During his three-day visit, Mr Swire met Prime Minister Ranil Wickremesinghe, Foreign Minister Mangala Samaraweera, the leader of the Tamil National Alliance, Rajavarthiam Sampanthan, and Tamil MP Mathiaparanan Sumanthiran. Mr Swire welcomed the Sri Lankan government's commitment to reconciliation and strengthening democracy since the end of its civil war, as well as progress made so far, and he urged all parties to work together to deliver a lasting peace for all Sri Lankans. He visited the north and saw how UK-funded de-mining was helping communities to return to their land, and listened to continuing challenges faced by resettled families. He also welcomed the recent appointment of a non-resident UK Defence Adviser. The military have a crucial role to play in addressing the legacy of Sri Lanka's long conflict, and to fulfil its commitments on reconciliation, including on human rights. Earlier this year the UK started providing strategic leadership training to the military, including on understanding and complying with international law and human rights.

For the remainder of 2016 we expect the positive trajectory to continue, and the government to take steps to address areas of concern. The UK will continue to encourage and support the government of Sri Lanka in fulfilling its commitments to improve human rights and democracy, and to address the legacies of the past. We will continue funding our project work to improve human rights, including on the prevention of torture and ending sexual and gender-based violence, transitional justice, and interfaith work.