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Human Rights and Democracy Report 2014: Sri Lanka - in-year update July 2015

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Contents

The human rights situation in Sri Lanka improved during the first half of 2015, although some concerns remain. Following the [election](#) of President Maithripala Sirisena in January and the appointment of a new government, Sri Lanka took a number of positive steps to address human rights and democracy concerns, including establishing new institutions and undertaking legal reforms.

Freedom of expression improved, with exiled journalists invited to return to the country and a number of banned websites unblocked. The democratic space has opened up with travel bans on foreign nationals visiting the north lifted, and the NGO Secretariat moved from the Ministry of Defence to the Ministry of Policy Planning and Economic Affairs. Local contacts in the north and east noted a significant reduction in surveillance by security forces with increased space for journalists and civil society activism. However, challenges remained, including those related to high levels of militarisation, such as military involvement in civilian life, and the continued occupation of land by the armed forces. There were also concerns over [women's security](#) as well as reports of journalists being intimidated.

A special [Declaration of Peace](#), read out at Sri Lanka's 67th Independence Day celebration, paid respect to all Sri Lankans "...who lost their lives due to the tragic conflict that affected this land for over three decades and for all the victims of violence since Independence." The declaration also pledged "...to adopt consensual approaches through democratic means, to advance national interest, national reconciliation, justice and equality for all citizens. We shall do this in a spirit of tolerance, accommodation and compromise and uphold the unity and territorial integrity of the nation for the progress and development of our pluralistic society".

On 21 January the government announced the [reopening of investigations](#) into several high-profile murders, including those of a number of parliamentarians and journalist Lasantha Wickremetunga, as well as the 2010 disappearance of journalist Prageeth Ekneligoda. On 19 February the Sri Lankan Parliament passed [legislation](#) to "Assist and Protect Victims of Crime and Witnesses". On 28 April it passed the [19th Amendment](#) to the constitution limiting the term of the presidency and paving the way for restoration of independent state

institutions. However, there was no agreement on appointments to the independent institutions, nor on right to information legislation promised prior to the dissolution of Parliament on 26 June.

The unofficial ban on singing the national anthem in Tamil was lifted and the national anthem was sung in Sinhala and Tamil at an [event attended](#) by the President and the Prime Minister in Jaffna on 23 March. On 30 March, the Sri Lankan police announced the [arrest](#) of three navy personnel (including two officers) suspected in the 2006 assassination of Tamil National Alliance MP Nadaraja Raviraj. This was the first time in recent years that security forces personnel have been arrested for politically motivated crimes. Following this, there were a number of convictions against [police](#) and [security forces personnel](#). In a separate case, the Criminal Investigation Department [told](#) courts that a former navy commander was aware of abductions of children by commandos of the Sri Lankan navy.

Nine persons detained without charge under the Prevention of Terrorism Act (PTA) in 2014, including [Jeyakumari Balendran](#) (an activist working on the issue of disappearances), were released on bail on 10 March, while another female detainee was unconditionally discharged. The overseas travel restriction imposed on human rights defender Ruki Fernando, who was [detained and released on bail](#) last year, was removed by the Colombo Magistrate Courts on 30 June. Media [reports](#) indicated that a team of senior legal experts was examining the cases of 275 political prisoners. There has been no progress on investigations into widespread disappearances that occurred during the conflict, including those of missing ex-combatants (who allegedly surrendered to Sri Lankan security forces). Tamil activists and politicians continued to allege the existence of [secret detention centres](#), which authorities have denied.

Violence targeting Muslims and Evangelical Christians reduced significantly during the first two months of 2015 but increased since, although to a much lower level than in previous years. Sporadic incidents continued however, including mob attacks targeting places of worship. Although court cases continue, no one has yet been held to account for past violence including the Aluthgama riots in June last year. A Special Presidential [Task Force](#) on Reconciliation, appointed on 5 February, was tasked, among other things, with promoting inter-ethnic harmony.

Concerns remain over torture and extrajudicial killings. Policemen involved in two incidents of custodial deaths in [Suriyavewa](#) and [Thalawakele](#) were suspended (pending investigation). At least three other policemen were also suspended following two separate deaths of suspects in custody at the [Ja-ela and Dummalasuriya police stations](#) on 4 and 16 March respectively. NGOs raised concerns over the [discovery](#) of dismembered bodies showing signs of torture in several areas around the country in March.

The conduct of the Sri Lankan security forces and of the Liberation Tigers of Tamil Eelam (LTTE) during the final stages of the conflict that ended in 2009 remained on domestic and international agendas. In February, the mandate of the Presidential Commission on Missing Persons was extended by six months, although the commission handed its [interim report](#) to President Sirisena on 10 April. The commission continues to hold hearings in the north and east. The majority of Tamils [boycotted](#) these sessions, calling for progress on the UN Office of the High Commissioner for Human Rights (OHCHR) investigation.

The new government pledged to cooperate with the international community and the UN. Taking note of the “changing context in Sri Lanka, and the possibility that important new information may emerge...”, the UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, recommended the deferral of the OHCHR report on Sri Lanka to its September session. This was agreed by the UN Human Rights Council (HRC) on 16 March. Sri Lanka has invited Prince Zeid and the [UN Working Group](#) on Enforced or Involuntary Disappearance to visit Sri Lanka. The Special Rapporteur on Truth, Justice, Reparations and Guarantees of Non-Recurrence, Pablo de Greiff, visited Sri Lanka from 30 March to 3 April. In his [concluding remarks](#), Mr de Greiff noted: Sri Lanka’s historic overuse of commissions of inquiry leading to a confidence gap; the long process to achieve reconciliation; and the need for a state policy centred on human rights. He also noted the need to take immediate action on missing persons, harassment, violence, detention, land issues, and psycho-social support

FCO Minister for Asia Pacific, Hugo Swire, was the first foreign minister to [visit Sri Lanka](#) following presidential elections in January. [Commenting](#) on the deferral of the OHCHR report, he said that the extra time would “create an opportunity for the new Sri Lankan government to deliver on its commitment to engage with the UN investigation, potentially generating additional material to inform the High Commissioner’s report. And it will allow the Sri Lankan government to establish their own credible accountability processes”. During his three-day visit to the UK in March, President Sirisena noted that an internal mechanism to address issues from Sri Lanka’s past would be set up shortly. Prime Minister David Cameron [welcomed](#) initial steps taken by the new government, but underlined that continuing this course of action was essential. The UK also welcomed positive improvements in the war-affected north and east, including the appointment of civilian governors to both provinces, and the return of over 400 acres of land occupied by the military in Jaffna.