

41st Regular Session of the UN Human Rights Council
Agenda Item 4: General Debate

Joint Oral Statement delivered by Anna Magdalena Srokowska

Mr President,

Franciscans International and would like to draw the Council's attention on the human rights situation in Sri Lanka, in particular on the restoration of death penalty and the situation of asylum seekers and refugees.

We expressed our grave concern that the President of Sri Lanka has signed the death warrant for four persons on the death row¹, convicted of drugs-related crimes², after 43 years of moratorium³. The death penalty is an irreversible form of punishment which grants no space to consider new evidence that may emerge after a conviction is made, for example through new technology, indicating a wrongful conviction.

It is our observation and many UN experts that there are serious deficiencies in the criminal justice system in Sri Lanka, including a lack of easily accessible, quality, legal aid, the lacuna in the witness protection system, and this increases possibility of wrongful convictions. It is our position that if some detainees are engaged in drug-related offenses from within prison grounds, security in prisons must be strengthened, including through the use of new technology and holding prison officials accountable for allowing drugs inside prison.

Regarding the situation of asylum seekers and refugees, we are also shocked to hear about the reprisals and hostilities against the small asylum seeker and refugee population in Sri Lanka numbering about 1700, including children, in the aftermath of the Easter Sunday terrorist bombings. Some faced physical violence while about 2/3 were evicted from the rooms and houses they had been renting.

We recognize the efforts of some government agencies and officials, especially the Negombo Police, as well as civil society and UNHCR to provide protection and support to asylum seekers and refugees. We call on the government to guarantee the right to health, education, religion, freedom of movement, access to friends and relatives of about 700 persons who are currently in refugee camps. We call on UNHCR to expedite the processing of asylum applications, countries like USA and Canada that has offered permanent resettlement to expedite the process and increase numbers they take in and other UN member states to come forward to offer permanent resettlement to refugees in Sri Lanka.

We are alarmed to hear of some imminent deportations and call on the Sri Lankan government to strictly adhere to its non-refoulement obligations under customary international law and human rights treaties it has ratified. Considering the present crisis, we call on them to expedite the permanent resettlement of refugees whose applications are being processed and call on

¹ <https://www.thehindu.com/news/international/date-fixed-to-execute-drug-offenders-says-maithripala-sirisena/article26695314.ece>

² Statement of Amnesty International <https://www.amnesty.org/en/latest/news/2019/06/sri-lanka-president-maithripala-sirisena-signs-execution-warrants-for-four-prisoners-plans-shrouded-in-secrecy/>

³ The last application of death penalty in Sri Lanka death penalty was in 1976.

other UN member states to consider offering quick permanent resettlement to refugees in Sri Lanka.

We call on the Sri Lankan government to ratify the 1951 Refugee Convention and its 1967 Protocols and enact national laws to guarantee rights and dignity of refugees.

I thank you.