



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

**Joint written statement\* submitted by Franciscans  
International, non-governmental organizations in general  
consultative status, Pax Romana (International Catholic  
Movement for Intellectual and Cultural Affairs and  
International Movement of Catholic Students), non-  
governmental organizations in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 May 2024]

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\* Issued as received, in the language of submission only.



## **Human Rights Situation in Sri Lanka: The Need to Ensure Accountability for the 2019 Easter Sunday Attacks**

The Easter Sunday attacks in Sri Lanka, which took place on the 21st of April 2019, were a series of suicide bombs that targeted three Christian churches, three luxury hotels, a guest house and a residence (1) and can be identified as the most brutal post-war massacre that took place in the country. Although, the exact death count is not a number that has been agreed upon so far, all reports and sources agree that more than 260 people died due to these attacks. The Private Complaint against former President Maithripala Sirisena lists the names of 315 people who died due to the attacks. This extrajudicial killing resulted in victims that were children, tourists on holiday, regular church-goers, staff at the hotels and many more. Victims who have lost their loved ones are still mourning their immeasurable loss and survivors are still undergoing treatment and surgery and some require counselling services for Post Traumatic Stress Disorder (PTSD) they are experiencing as a result of this horrific event. The 21st of April 2024 marked 5 years since the attacks took place. However, justice still has not been served and all those who have been affected are still seeking answers and closure.

Although two organizations, Jaamiyathul Millathu Ibrahim (JMI) and National Thowheed Jama'ath (NTJ), were blamed for carrying out the attacks, evidence arose that high-ranking officials were warned through intelligence reports of the possible attack, with details of date, names, and possible places and modes of attack. Information as early as the 4th of April 2019 warned of a potential attack carried out by Zahran Hashim, who there were warnings against since 2015 (2). A Presidential Commission was appointed to investigate the Easter Attacks, but the full report with the evidence has not been made publicly available despite requests by Centre for Society and Religion and others to do so.

It is difficult to understand how the intelligence failed to prevent the attacks and it must be publicly revealed under whose influence the bomb attacks were not prevented and who the real masterminds behind the attacks were. In March 2024, former President Maithripala Sirisena claimed to know who is actually behind the Easter Attacks and said he was willing to disclose this information before a court of law (3). Later, the Criminal Investigation Department (CID) questioned the former President on two occasions (4). This is a serious claim and we believe this must be thoroughly in a transparent and fair manner to bring justice to all those affected.

In 2019, twelve fundamental rights applications were filed relating to the Easter Sunday Attacks by Petitioners aggrieved by these attacks. On 12 January 2023 a full bench of the Supreme Court ruled that Respondents had violated the fundamental rights of the Petitioners. The court ordered Former President Maithripala Sirisena to pay Rs. 100 million, Former Inspector-General of Police (IGP) Pujith Jayasundara and Former Director of State Intelligence Services Nilantha Jayawardene to pay Rs. 75 million each, Former Defense Secretary Hemasiri Fernando to pay Rs 50 million, Former director of National Intelligence Service Sisira Mendis to pay 10 million, and the State to pay 1 million to compensate the victims (5). However, we note that the compensation ordered is relatively low compared to previous compensation awarded by the Supreme Court to victims of torture, considering the seriousness of the crimes and the large number of survivors, victims' families, and affected communities. Yet, by April 30th 2024, only 20.57% of the total amount ordered has been paid. Former President Maithripala Sirisena had paid only 15 million by the beginning of April 2024, and paid another 28 million afterwards (6). The Court also ordered the State to take disciplinary action against the former director, SIS Nilantha Jayawardena (5), however there is no direction to prosecute him or any of those responsible for the crimes and criminal negligence.

The Presidential Commission of Inquiry (pg. 425) recommended the Government to pay Rs. 2 million for each deceased person and over 500,000 for all injured persons in the Easter Attack. However, the state has paid the deceased only Rs. 1 million and the injured persons have received varying amounts. It is concerning that even after 5 years, families have not been effectively compensated. The process of paying the compensation collected through the victim fund, ordered by court, and paid by those held responsible needs to be done in a more efficient manner.

Several criminal cases have been filed regarding the main incidents related to the Easter Sunday Attacks. However, none of the cases have ended up with a conviction. The main Criminal case is case number HC (TAB) 2972 in the Colombo High Court against 24 accused related to all the bomb blasts that took place on 21 April 2019. Due to various reasons, such as the lack of Tamil-speaking lawyers and the non-availability of Tamil translations of the indictments, the trial was greatly delayed. Finally, the case's first trial was on 10 October 2023. Since then, as of 10th May 2024, the case has been called on 59 days (mostly three times a week). As the defence has not admitted to carrying out the bomb blasts, throughout the trial, the prosecution had to call witnesses to establish the fact that suicide bombers carried out bomb blasts on Easter Sunday Attacks. This has proved to slow down the process even further and delay the process of justice.

Following the claim made by former President Maithripala Sirisena, there was a 3-day Parliamentary debate in April on the Easter Attacks. During this debate, few documents were tabled and one of the documents was the minutes of the meeting held by Senior Superintendent of Police (SSP) Mr. JAU Jayasinghe on the 13th of April, informing the police officers in the area of the possible attack and to provide protection to all the Catholic churches. Despite this order being sent out, protection was not given. This is a serious point of concern and must be investigated further.

Recently, a member of the Opposition Party alleged that attempts were being made to hide the identities of persons who had stayed in the room the leader of the group who did the bombings (Zahran) also stayed at a few days prior as that information was not presented to the court in the ongoing High Court of Colombo case (7). According to the case records of HC/TAB 2972/21, on the 25th of October 2023 witness number 2191 testified and the document 'electronic door reading list' was marked as P4. Although it was initially stated that no one stayed in that room the entire month, on the 14th and 15th of April the room registers a guest entry, but the names of the guests are not there and there is no way to find out who it is. This is a point of concern and needs to be further investigated to uncover the whole story behind the attacks.

## **Recommendations**

We call on the UN Human Rights Council to urge the Government of Sri Lanka to:

Conduct a proper criminal investigation into the involvement of Nilantha Jayawardena, former State Intelligence Service (SIS) director for being directly responsible for serious dereliction of duty that led to the Easter Sunday bombings on 21 April 2019.

### **Make the full reports related to Easter attacks publicly available**

Get international assistance to uncover who the real masterminds behind the Easter Attacks, as the local investigations have failed, including below:

- a) Truth behind the lack of protection provided for churches despite an order being given.
- b) Revealing who stayed at the Shangri-La hotel room a few days before the attacks and why this information was not publicly available.

Ensure that the adequate compensations for the Easter attacks reach all the survivors and victim's families in a speedy, fair and transparent manner.

Ensure that those ordered to pay compensation by the Supreme Court do so immediately.

Implement the recommendations from the Presidential Commission of Inquiry.

'I know who is behind Easter Sunday attacks' claims former Sri Lankan president, 25th March 2024. <https://www.tamilguardian.com/content/i-know-who-behind-easter-sunday-attacks-claims-former-sri-lankan-president#:~:text=Sri%20Lanka's%20former%20president%20Maithripala,Sirisena%20told%20reporters%20in%20Kandy.>

Easter Sunday attacks: CID grills Maithripala for second time, 04th May 2024. <https://www.dailymirror.lk/print/front-page/Easter-Sunday-attacks-CID-grills-Maithripala-for-second-time/238-281893>

Supreme Court order Sirisena, Ex-Police Chief & others to pay compensation for Easter Attacks Victims, 31 January 2023. <https://www.newsfirst.lk/2023/01/12/breaking-supreme-court-order-sirisenaex-police-chief-others-to-pay-compensation-for-easter-attacks-victims/>  
Office for Reparations Sri Lanka, last update 02.05.2024.

[https://reparations.gov.lk/web/index.php?option=com\\_content&view=article&id=153:action-taken-by-or-on-orders-made-by-the-supreme-court&catid=8&Itemid=282&lang=en](https://reparations.gov.lk/web/index.php?option=com_content&view=article&id=153:action-taken-by-or-on-orders-made-by-the-supreme-court&catid=8&Itemid=282&lang=en)

Shangri-La Hotel in Easter Sunday Mystery, 23rd April 2024. <https://island.lk/sjb-demands-to-know-who-occupied-rooms-616-and-623-while-zahran-was-on-6th-floor/>