

37th Session of the UN Human Rights Council

Item 6: UPR Outcomes - Sri Lanka

Oral Statement

16 March 2018

Thank you, Mr. President.

Franciscans International and Dominicans for Justice and Peace welcome Sri Lanka's participation with the UPR and recognise that the government has supported numerous recommendations advanced in its last review.¹

However, in light of the transitional justice commitments contained in Resolution 30/1 and renewed by 30/4, we are concerned that the government of Sri Lanka has not accepted many recommendations of steps necessary to implement an effective transitional justice process. We fear that the incremental progression of the commitments enshrined in 30/1 is merely a façade to placate the international community, carefully crafted in order to hide the lack of real change.

Of particular concern is the shrinking space for civil society, and reprisals brought against human rights defenders and journalists.² We continue to receive reports on the intimidation of human rights defenders working on the issue of transitional justice, especially in the North and East Provinces. A family of a disappeared persons leading a protest was assaulted last year and those responsible have not been held accountable. Legislation, such as the Prevention of Terrorism Act (PTA), which has been used in the past to suppress dissent and to curtail the freedoms of human rights defenders remains in force despite the commitment to repeal it two and half years ago.³ Those arrested years ago still languish in prisons, without having their trials concluded. We are also concerned by the proposed amendments to the Voluntary Social Service Organizations (Registration and Supervision) Act No. 31 of 1980 (Document No -31). Its lack of transparency and consultations will be detrimental to the independence of human rights defenders and infringe on the freedom of association.

During the conflict, there were multiple instances of land grabbing by the military, resulting in the forced displacement of Tamil, Muslim and Sinhalese people. The military now engages in economic activities on these lands. Despite the government's promises, and the constant protests, petitions and official requests of the IDPs, the military still controls a significant portion of land.

We urge States to continue their engagement with Sri Lanka, with monitoring and reporting from OHCHR, and also ask that States bilaterally engage with the Sri Lankan government, to ensure the implementation of commitments made and recommendations accepted at the UPR and resolution 30/1. Thank you.

¹ Of note, are the recommendations concerning the National Human Rights Action Plan (116.19, 116.23), discrimination against religious minorities (116.94, 116.98, 116.36), combatting hate speech (116.41-43), anti-terrorist legislation (116.62) and recommendations concerning the Office on Missing Persons.

² Sri Lanka failed to accept Austria's recommendation 117.46 to "Adopt a National Policy on the protection of journalists and human rights defenders to combat intimidation and violence, and to ensure effective investigation of such acts and prosecution of perpetrators" - it was merely noted.

³ Sri Lanka accepted more general recommendations about terrorist legislation but rejected the specific recommendation from Canada (117.27) and Australia (117.45) concerning the repeal of the PTA and ensuring that its replacement, the Counter-Terrorism Act, is compliant with best practice international human rights standards.