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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Action of Human Movement (AHM), a non-governmental organization 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.

[31 May 2021]

* Issued as received, in the language(s) of submission only.



Fears over Sri Lanka's Rising Coronavirus cases and its Militarised response

At first glance, it seems as if those in Sri Lanka were paying little heed to what was taking place just North of the island. The political and financial elite of Sri Lanka mingled in the hills of Nuwara Eliya, clinking glasses as they watched horses race at the exclusive annual Governor's Cup festival. Elsewhere in the South, the omnipresent military continued to hold religious and sporting events, some with hundreds in attendance, whilst a high-powered Chinese military delegation met with senior government officials and toured Colombo. In the Tamil North meanwhile, a Tamil Hindu religious festival took place in Jaffna, with hundreds of devotees in attendance. All whilst the death count on the island continued to creep up.

"There is no decision to go for a complete lockdown," declared the head of Sri Lanka's army Shavendra Silva just days ago as cases continued to rise. "Therefore, there is no need to panic." Yet, in the last 24 hours alone, more than 1,500 new COVID-19 cases have been recorded, with the UK variant of the coronavirus confirmed to be present and spreading. As Sri Lanka's case count continues to tick upwards Silva's words, will provide little comfort.

The veteran army commander, who was promoted to a four-star general by the current Srilankan genocidal government, has been placed in charge of the island's COVID task force despite having no prior public health experience. Indeed, the military man is not known for his humanitarian tendencies. As a senior commander during Sri Lanka's military offensive in 2009, he led a unit that stands accused of executing surrendering Tamils, sexual violence and the deliberate shelling of hospitals. Reports of those crimes have led Silva and his immediate family from being banned from travel to the United States of America, amidst growing calls from rights groups for Silva to face international prosecution. Yet, it was Silva and his military that has been charged with leading Sri Lanka's pandemic response.

"You have to confide in us," he told the public last year, as the first wave of coronavirus swept across the world. "We are an Army which has won a war," he added triumphantly.

Lessons from the first wave

For those on the island however, there is little trust in the security forces, which have a long history of systemic rights violations and unaccounted massacres. The Tamil people, who bore the brunt of the security force's abuses throughout the armed conflict, are particularly wary of the commander's words and of the military's actions.

During Sri Lanka's first wave, more than 40,000 people were arrested for reported breaches in coronavirus regulations and curfews, as troops patrolled streets and security forces confiscated thousands of vehicles. With tens of thousands of soldiers stationed still across the North-East, arrests of Tamils have once more become commonplace and have ramped up in recent months. Whilst currently arrests are taking place under the guise of anti-terror legislation, there is a fear that the latest wave of infections may usher in new military enforced regulations, providing the state with another excuse to launch a crackdown.

In addition, many are apprehensive of the economic repercussions that another lockdown could bring. The military occupation of the Tamil homeland, which has led to soldiers running everything from barbershops to tourist resorts, has deeply impacted on the civilian and economic life of the region. Tamil National Alliance parliamentarian M A Sumanthiran warned that last year's military enforced curfew had left people in the North-East "near starvation". The state's policy of setting up quarantine detention centres also led many in the North-East smarting. The move, which saw the military take over schools and other educational buildings to isolate suspected coronavirus cases, was heavily opposed by locals. These centres, set up hundreds of miles away from infections and from the island's international airport, were almost entirely set in the North-East.

Sri Lanka's COVID Military Overlords

As COVID struck the island last year, instead of strengthening civil society organizations, improving health education and building health infrastructure, Sri Lanka chose instead to lead with a militarised response to the pandemic. Sri Lanka's president Gotabaya Rajapaksa – another former military man and credibly accused war criminal – used it as an opportunity to further embolden and expand the already massive military. Sri Lanka's defence secretary acknowledged the use of military intelligence operatives and computer software to track people it suspects of having contact with the coronavirus, in an admission last year that gave a glimpse into the extent of the military's reach across the state. Meanwhile, Silva announced the use of a "Drone Regiment" that was deployed in parts of the island last year where the armed forces arrested those it claimed were breaking coronavirus lockdown regulations.

Throughout his tenure Rajapaksa has already overseen the security forces' swallowing up of various government institutions, in an escalation of militarisation. A hardened Sinhala nationalist, he has worked to widen the role of the military on the island. The pandemic has given his Sinhala racial government an excuse to intensify that process. The International Truth and Justice Project noted how Colombo attempted "to whitewash military officers who face allegations of war crimes" by placing them in charge of civilian health across the island. They were dubbed "Sri Lanka's COVID Military Overlords".

"Their appointment is a cynical attempt to use the COVID emergency to cleanse a tainted organisation," said the organisation's Executive Director Yasmin Sooka. "It poses a serious problem for the international community in how to respond. Diplomats and donors should not facilitate the dismantling and disempowerment of the civilian administration."

Fear of another crackdown

That process of militarisation however has only worsened in recent months, alongside Rajapaksa's brash ethnic chauvinism and authoritarianism. Freedom House highlighted last year how Sri Lanka's actions during the pandemic illustrated a global trend in abuses of power, the silencing of dissent and an undermining of systems of accountability. And earlier this year the UN Human Rights chief warned that the government had 'sown the seeds' of further violence, as the human rights situation on the island deteriorated. Critics of the state have been detained and remain imprisoned, Tamils continue to be arrested and the military continues to occupy – and even attempt to grab – land in the North-East.

With new cases steadily rising, Sri Lanka's prime minister reiterated his army chief's claim that a national lockdown would not be imposed. However, he did not rule out 'local lockdowns', many of which have already been enforced in hotspots, including Jaffna last month. These could prove equally devastating to those caught in them. Just last week, Sri Lanka's police spokesperson confirmed that they had arrested 177 people for supposed COVID regulation violations, in one day alone. As infections across the island rise, so too does the number of those being detained or charged by the security forces.

Sri Lanka already has a well-versed military-led social media monitoring network. Reports have emerged of Sri Lankan security forces also attempting to remove posts from Twitter, whilst over the past year several people have been arrested for posting on social media – including a Batticaloa-based journalist who was detained under anti-terror charges that Reporters Without Borders labelled "Kafkaesque".

Sri Lankan police and military block Tamil politician C V Wigneswaran and all other Tamils politics and civil society and victims from travelling to a memorial event last May 2021

For the Tamil people, this month in particular carries an intensified apprehension of a state clampdown. Tamils around the world will look to mark the 12th anniversary of the massacres at Mullivaikkal throughout May, commemorating the tens of thousands who were slaughtered by the Sri Lankan military. Last year, court orders were issued under the guise of coronavirus restrictions, to prevent memorial services from being held at the offices of political parties and of newspapers. Politicians and activists were blocked from travelling to memorial events. Organisers from the Tamil National People's Front were arrested and their

offices surrounded as small-scale commemoration events were underway. The Sri Lankan police warned one local Tamil activist, “If you light lamps, the army will shoot you”.

“Everyone is nervous,” said one Mullaitivu-based Tamil journalist this week.

“We can already see the setting up of new checkpoints and older supposedly temporary checkpoints becoming more permanent. We worry that just like last year, the army will use coronavirus as an excuse to crackdown on us even more.”

Recommendations

- Stop the Militarization and Occupation of Tamil Eelam using COVID 19 restrictions;
- lift the blockade on Eelam Tamils rights to self-determination;
- refrain from arbitrarily blocking or interfering with, and instead immediately facilitate, the passage of all items necessary to fight the COVID-19 pandemic, including items necessary to treat and contain the spread of the virus, to ensure the proper functioning of the local health care system, and to maintain and develop Eelam Tamils economic, Social, cultural, politics and civil rights in Tamil Eelam;

Gouvernement en Exil du Tamil Eelam, GLOBAL TAMIL MOUVEMENT, ASSOCIATION DES CHRÉTIENS TAMOULS POUR LA PAIX ET JUSTICE, Centre Bishop Rayappu Joseph pour la Justice et la Paix, ASSOCIATION DES ANONYMES ET PERSÉCUTÉS DU GÉNOCIDE TAMOULE, NGO(s) without consultative status, also share the views expressed in this statement.