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

Written statement* submitted by Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), 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.

[13 February 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Attacks on human rights defenders, press freedom and political activists and non-governmental organizations in Sri Lanka

The Pax Romana wishes to communicate to the UN Human Rights Council a series of concerns with regard to the critical situation of human rights defenders in Sri Lanka, which continues to comprise amongst the most numerous and grave violations in the Asian region.

Background

Threats and attacks against human rights defenders (HRDs), press freedom and political activists and non-governmental organizations (NGOs) in Sri Lanka continued in 2012. There has been a sustained campaign accusing them helping the revival of the LTTE and being part of a conspiracy against the motherland by contributing to the UN Human Rights Council.

Obstruction and threats in relation to “Black January” protest:

The Alliance of Media Organizations in Sri Lanka had organized a protest “Black January”, calling for press freedom and an end to impunity for attacks on press freedom, on 25th January in front of the Fort railway station. The Police tried to obstruct this by requesting a court order. After the court allowed the protest to go ahead with some restrictions, government organized protesters armed with poles and sticks and chanting slogans against Free Media Movement (FMM) and exiled press freedom activists¹ occupied the space, violating conditions of the court order while Police watched by. The “Black January” protest was shifted to another venue to avoid attacks by the protesters supportive of the government.

Use of state media to threaten, intimidate and discredit press freedom activists:

On 10th January 2012, media reported the Government of accusing leaders of the FMM of carrying out a campaign requesting the termination of the GSP+ tariff concession by sending more than 700 petitions, using FMM funds for this and gathering information with opposition politicians.² The FMM denied this and asserted that they campaigned for retaining GSP+ by urging Sri Lanka government to respect human rights obligations.³

Throughout January 2012, state controlled Independent Television Network (ITN) repeatedly broadcasted visuals of press freedom activists participating in protest campaigns in Sri Lanka and events during the September 2011 UN Human Rights Council session.⁴ Accusations were made that these activists were supporting the LTTE and were obtaining

¹ Specific names mentioned includes Sunanda Deshapriya and Poddala Jayantha, two prominent press freedom activists, both of whom are in exile due to treats and attacks

² See http://www.colombopage.com/archive_12/Jan11_1326226327CH.php

³ See http://www.bbc.co.uk/sinhala/news/story/2012/01/120111_fmm.shtml

⁴ See for example “Vimasuma” program broadcasted on the ITN channel on 11th, 20th and 23rd h Jan. 2012

money from their supporters. The tone and contents appeared to make indirect death threats⁵

The Minister in charge of Media, Mr. Keheliya Rambukwella has been engaged in a sustained campaign of false and unsubstantiated accusations against press freedom activists and organizations, compelling Sunanda Deshapriya, a well known press freedom activist now in exile, to write an open letter to the Minister insisting that he was not a terrorist.⁶ Referring to statements broadcasted on “Athulathaya” program on ITN, the journalist questioned whether the Minister was taking information that would not stand scrutiny in a court of law to build a hate campaign against the journalist in the minds of the people.

On 26th January, Minister Rambukwella was quoted saying that some journalists who fled overseas are joining hands with NGOs and foreign media to tarnish the good image of the country (...), and threatened that journalists who are unfaithful to the country will not be forgiven by the country.⁷ The newspaper also reported the Minister saying “We have a list of journalists who have been working against the state (...)”.⁸ On 27th January, Minister Rambukwella was quoted saying “certain journalists in the country are funded by the defeated LTTE and foreign Non-Governmental Organizations (...) and that these journalists are working to tarnish the image of the country.”⁹

The state run Sinhalese daily “Dinamina” carried a news report on 3rd February 2012, accusing the Free Media Movement (FMM) and the Tamil National Alliance (TNA)¹⁰ of planning to inconvenience the Government and reported that 6 members of the FMM and some members of the TNA had already gone to Geneva,¹¹ to sling mud at the Government, and even attacked the wife of a press freedom activist.¹²

On 7th February, the “Dinamina” carried a news item that reiterated the above allegations.¹³ But it didn’t carry the FMM’s strong denial of the above news item nor did it carry the response of the “Dinamina” to the challenge posed to prove accusations.¹⁴ And the “Dinamina” carried another news item accusing the FMM of sending photographs to an exhibition against the motherland organized by LTTE supporters in London that

⁵ For example, the “Vimasuma” program of 11th Jan. said “Those who betrayed the motherland for gold and titles even killed in time of kings. Their decedents live on today” and predicts that “They do no good to this country, some day they will also face no good.”

⁶ See Sunanda Deshapriya’s open letter to Minister Keheliya Rambukwella, available at <http://groundviews.org/2012/02/05/mr-minister-my-name-is-sunanda-deshapriya-i-am-not-a-terrorist/>

⁷ See http://www.dinamina.lk/2012/01/26/_art.asp?fn=p1201261 and at <http://www.srilankamirror.com/english/the-news/10544-journalists-in-exile-conspiring>

⁸ See http://www.ceylontoday.lk/news-detail.php?news_id=2001&news_category_id=16

⁹ See Ceylon Today at http://www.ceylontoday.lk/archives-online-details-more.php?news_id=2030&news_category_id=16&cal_date=27&dateSelect=2012-01-01

¹⁰ TNA is a the leading Tamil political party, and have won comprehensive victories at both Parliamentary and Local Government elections for Tamil dominated North and East provinces in 2010 and 2011

¹¹ See original news at http://www.dinamina.lk/2012/02/03/_art.asp?fn=u1202031

¹² From the description, it appeared to refer to the wife of the present convener of the Freed Media Mvement, Mr. Sunil Jayasekera

¹³ See original news item at http://www.dinamina.lk/2012/02/07/_art.asp?fn=n1202079 and English translation at <http://nfrsrilanka.wordpress.com/>

¹⁴ See FMM response at <http://sunandadeshapriya.wordpress.com/2012/02/07/fmm-challenges-ancl-editor-dinamina/>

“misinterpret even actions carried out by the security forces of our country with good intentions”.¹⁵

On 8th February, the “Dinamina” accused several organizations of obstructing freedom and democracy (...). It accuses the FMM of having been on the side of the “Tigers” during the war and having worked to support the LTTE and doing innumerable despicable things against the country, saying that “The people will recognize the fraudsters whose actions are driven by this hatred, and on that day Sunil Jayasekera and all the so-called media freedom groups will not have anything left to say”. This appears to be an open incitement for violent attacks against the FMM and its’ convener, Mr. Sunil Jayasekera.¹⁶

On 11th February, a news item in the “Dinamina” accused members of the FMM of having relationships with the LTTE and after the defeat of the LTTE, of still maintaining relationships with LTTE’s international network and working to bring the government into disrepute.¹⁷

Development of accusations, attacks, threats and discrediting human rights defenders

On 13th January, the “Island” English newspaper published a report portraying organizations campaigning on disappearances, arbitrary detention etc., linked with a faction of the Janatha Vimukthi Peramuna (JVP) as working against the government, including at the UN Human Rights Council.¹⁸ They were accused of “relentlessly campaigning against the government” and “pushing for a political front against the government which could accommodate those supportive of the LTTE’s eelam project” and that “those engaged in the ongoing protests were planning to step up their campaign in the run-up to the UN HRC sessions in Geneva.”

In a meeting at the University of Jaffna, the Minister for Higher Education, S. B. Dissanayake was reported as accusing student groups of preparing to launch an armed struggle with youth who were formerly affiliated with the LTTE.¹⁹

In the state run “Daily News” of 11th January, Minister of Health, Maithripala Siripala accused a JVP faction of getting ready to launch another insurgency.²⁰ The “Daily News” reported Higher Education Ministry Secretary, Dr. Sunil Jayantha Navarathna accusing a JVP faction of hampering the university system through strikes on advice of LTTE supporters; putting into practice LTTE’s hidden agenda and receiving LTTE funds in return for destroying and hampering the university system and having connections with LTTE supporters.²¹

On 17 January 2012, a large group of activists travelling to Jaffna in 12 buses, to protest against disappearances in the North were repeatedly harassed and intimidated by police and military and prevented from proceeding to Jaffna.²² On 20th January, the Daily News quoted

¹⁵ See original news item at http://www.dinamina.lk/2012/02/07/_art.asp?fn=n1202074 and English translation at <http://nfrsrilanka.wordpress.com/>

¹⁶ See original news item at http://www.dinamina.lk/2012/02/08/_art.asp?fn=e120208 and English translation at <http://nfrsrilanka.wordpress.com/>

¹⁷ See original news item at http://www.dinamina.lk/2012/02/11/_art.asp?fn=u1202111

¹⁸ See http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=43131

¹⁹ See http://www.colombopage.com/archive_12/Jan11_1326295466JR.php

²⁰ See <http://www.dailynews.lk/2012/01/11/news02.asp>

²¹ See <http://www.dailynews.lk/2012/01/11/news04.asp>

²² See eyewitness account at <http://transcurrents.com/news-views/archives/7430>

President Mahinda Rajapakse as saying “Though we have created a peaceful atmosphere, there are certain elements, trying to ruin this peaceful situation”²³ On 23rd January, the office of an NGO in Viliuthu, North East of SL was broken into.²⁴

In early February, several people who met a visiting US government delegation and a priest who hosted the meeting in the North were questioned by the Police and Military.

On 9th February, a human rights defender in Kandy was questioned by Terrorist Investigation Department (TID) and warned of further actions, after being accused of working to revive the LTTE in the hill country.

Secretary to the Ministry of Defence and the brother of the President was quoted as saying “There are ex-LTTE cadre, pro-LTTE activists and LTTE sympathisers operating in various guises.....Others claim to be rights activists...certain human rights organisations also seem to have been co-opted by radical elements.”²⁵ The Defence Secretary was also quoted as saying “LTTE cadre, activists and sympathisers efforts to portray a bleak picture about Sri Lanka to discredit Sri Lanka’s progress are sometimes helped by individuals and groups within Sri Lanka”.

On 11th February, Ramasamy Prabaharan was reported as abducted, after having received threats to withdraw a fundamental rights case he had filed against senior Police officers in relation to severe torture suffered while in detention.²⁶

Conclusion and recommendations

The crackdown on human rights defenders had resulted in reduction of documentation of past and present violations, complaints lodged to domestic and international bodies, self censorship in writing and speaking about human rights violations in Sri Lanka. And press freedom activists and HRDs who remain in Sri Lanka operate with a deep fear and a sense of vulnerability and helplessness.

The Human Rights Council is urged to address continuing repression against HRDs in Sri Lanka and call on the GoSL to ensure that the above incidences and similar ones are fully investigated in an impartial manner and prosecute and convict perpetrators, irrespective of whether they are State- or non-State actors, and ensure an environment devoid of fear for human rights defenders, press freedom activists and opposition political activists to promote human rights and freedom of opinions in Sri Lanka.

²³ See <http://www.dailynews.lk/2012/01/20/news20.asp>

²⁴ See <http://nfrsrilanka.wordpress.com/2012/01/24/sri-lanka-viluthu-a-tamil-advocacy-institution-in-colombo-attacked-and-ransacked-nfr/>

²⁵ See <http://www.srilankabrief.org/2012/01/ex-ltte-cadres-pro-ltte-activists-and.html>

²⁶ For initial report see <http://dbsjeyaraj.com/dbsj/archives/4199>