



Human Rights Defenders

SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES

Approx. 120 words noting recommendations made to Sri Lanka on the relevant theme in the first and second cycle .

In 2008, first cycle recommendations highlighted the need for further measures to; ensure a safe environment for defenders and protection against unjust criminalisation and investigate allegations of attacks including against those collaborating with the UN. Second cycle recommendations called for the adoption of a national policy on protection of defenders and journalists, prevent attacks against these groups and prosecute perpetrators, and ensure that missing defenders are investigated by an independent police commission.

NATIONAL FRAMEWORK

Approx. 200 words outlining relevant national legislation, statistics, policies and initiative.

There is no specific legislation addressing human rights defenders such as a Declaration on Human Rights Defenders, but Chapter 3 of the Constitution of Sri Lanka guarantees fundamental rights of citizens. It guarantees freedom of thought, conscience and freedom of speech and freedom of movement.

Right to Information Act, No 12 of 2016 was passed by the new government in 2016, but there is a lack of political will to implement the law.

CHALLENGES

IMPACT

Culture of impunity	Cases regarding abductions and killings of pro human rights persons including Prageeth Ekneligoda and Lasantha Wickamatunga, lacks considerable progress. In both cases Military personnel were suspected. The potential arrest of suspects were criticized by nationalistic movements.
Arrest of Human rights defendants	Ruki Fernando and Fr. Praveen Maheshan were arrested by the Police. Without proper charges, they were later released, showing that the arrests were to put pressure on human rights defenders.
No political will for implementation of Right to information law.	Application for information was openly criticized by the President himself. Certain applications (E.g. application for a copy of Presidential Commission on the death of Roshen Chanaka) are unnecessarily delayed.
Limits on right to expression	Human rights lawyer Lakshan Dias was threatened by the Minister of Justice over his statement that religious minorities are being harassed. The minister’s comments on the potential disbarment of Lakshan Dias further agitated the general public to act against the lawyer.



RECOMMENDATIONS

1. Expedite the existing legal process over crimes against Human Rights defendants in the past.
2. Ensure swift and independent investigation of allegations of mistreatment against human rights defenders and hold perpetrators accountable.
3. Provide representatives of ministries with trainings on freedom of speech and expression to increase domestic compliance with these international rights.
4. Ensure that all government establishments comply with Right to information law.

