**Sri Lanka BRIEF**

**UPR Papers – 01/2017**

**Freedom of Expression, Peaceful Assembly & Association**

**Freedom of Expression**

**FACTS**

Only a **few investigations** in to killings, abductions and assaults of journalists during the decade ending in 2015 have been initiated. No indictments served on any suspect so far.

**No investigation** has been initiated on killings, abductions and assaults of Tamil journalists and media workers. No investigation has been initiated regarding a single attack on media institutions that took place during the same period.

The present government is planning to establish a **state sponsored media regulation** mechanism disregarding the opposition by journalists’ organisations.

State owned media establishments continue to be **politically controlled** by the ruling coalition. All heads of these institutions are appointed on political loyalty.

Freedom of expression, including the media freedom has been re-established to some degree and these needs to be protected and promoted.

**RECCOMENDATIONS**

* **Expedite the investigations in to the killings, assaults, and abductions of journalists and media workers since 2005 without any discrimination on ethnic grounds.**
* **Strengthen and promote media self-regulation. Democratise state controlled media making them public service media.**

**Right to Peaceful Assembly**

**FACTS**

Government has used **tear gas and water cannons** indiscriminately to contain university students’ protests on many occasions within the last two years. During August 2016 - August 2017, as a result, at least 109 students have been injured and hospitalized. At least 17 students have been arrested. The Police has used tear gas at **least on 09 occasions**.

In July 2017, the **striking workers** of the Ceylon Petroleum Corporation (CPC) were attacked by a group of thugs and the Police gave protection to the thugs.

**Photographing** of protesting Tamil people in Northern Province by Police and military intelligence officers has been reported wildly. People are fearful that this footage may be used to identify and intimidate activists by the state agencies.

In general people have been able to make use of right to peaceful assembly to larger extent to highlight their grievances. This space needs to be protected and expanded.

**RECCOMENDATIONS**

* **Employ the dialogue and consensus building in dealing with peaceful protest marches of the citizens of Sri Lanka.**
* **Allow standing or fasting peace full protests by war affected Tamil people without police intimidation and photographing them.**
* **Protect and promote the democratic space people of Sri Lanka enjoying now.**

**Right to Association/Memorialisation**

**FACTS**

Tamil people’s right to memorialisation has been **accepted by default not by policy**. Under the previous regime memorialisation events organised by the Tamil people were blatantly suppressed.

**Day for memorialisation** for all victims of war, as proposed by the Lessons Learned and Reconciliation Commission has not been materialised yet.

Sir Lanka police obtained a stay order from the Mullaitivu Magistrate’s Court against the memorialisation event organised by the Tamil civil society scheduled to be held on 18th May 2017. Father Father Elil Rajendran who organised the event of placing stones with names of dead Tamils during the war at a private land was harassed by the Police repeatedly. Finally allowed the commemoration at a nearby church, but upheld the **ban on events** at the memorial where stones were placed.

In 2016 and 2017 number of memorialisation events took place in the North and East of Sri Lanka, sometimes under close watch of state intelligence agencies.

**RECCOMENDATIONS**

* **Implement the LLRC recommendation of declaring a day for memorialisation for all victims of the wars in the North and the South and build a common place.**
* **Allow, as a policy, the memorialisation of Tamil victims of war, including the armed militants of all groups.**
* **Initiate an inquiry in to the harassment of Fr. Elil Rajendran for organising a memorialisation event.**