

Briefing Notes



Sri Lanka Monthly Briefing Note | Issue No 02 – June 2013

Period covered: 1 May 2013 – 31 May 2013

Implementation Progress of the UN Resolution On Sri Lanka, A/HRC/22/L.1/Rev.13

SUMMARY:

UN Human Rights High Commissioner Navanethem Pillay has accepted the invitation by the Government of Sri Lanka to visit Sri Lanka and the visit will take place from 25 to 31 August 2013. GoSL has not agreed to invite any of the UN Special Rapporteurs, whose requests to visit Sri Lanka are pending.

The Government of Sri Lanka provided detailed description of steps it has taken and completed in the context of Implementation of the LLRC recommendations, to the 23rd session of the UNHRC. In the first week of June President Rajapaksha submitted memo to the cabinet to incorporate 53 more LLRC recommendations to National Action Plan and it was approved.

The uncertainty regarding the Provincial Council election in the North prevailed throughout the month. The GoSL has assured the UN on number of occasions that 13 Amendment to the constitution will be implemented as a political solution to the ethnic conflict.

As noted in the [Sunday Times](#) "on the government's side, while the extremist in the JHU and NFF seek to reduce the powers granted to provincial councils, the Left parties within the ruling coalition are strongly advocating power devolution. There is a lack of clarity at present relating to some attempts to further amend the 13th Amendment. While there has been no Government endorsement of the JHU-NFF bid to remove police and land powers from the NPC, reports say two other changes are under consideration. One relates to enabling parliament to pass bills that may affect subjects coming under the PCs with the approval of a majority of provincial councils (and not all of them as the 13A now requires). The other relates to dropping the provision that allows two or three adjoining provinces to merge and form one administrative unit with one elected provincial council. "

Tamil Political parties including the ruling coalition partners has opposed any dilution of the 13 A, but Sinhala nationalist forces and the powerful defense secretary has continued to oppose its full implementation.

Militarisation of Tamil areas continued land acquisition for the military use being the major issue. Freedom of expression and right to association and peaceful assembly too came under censorship and intimidation. Independence of Judiciary received further blows while number of incidents challenged the democratic governance.

Religious Freedom came in to focus in early June with 4 attacks on minority religions being reported.

See full report below.



GoSL provided detailed information to the 23rd session of the UNHRC

Implementation of significant LLRC recommendations by July 2013

In addition to the majority of the recommendations which were deemed most significant and incorporated in the National Plan of Action (NPOA) for immediate implementation by 22 key government agencies in July 2013, GOSL is presently in the process of integrating into the NPOA further recommendations made by the LLRC.

Resettlement of IDPs completed

With the last batch of IDPs having been resettled in Mullaithivu in September 2012, and 23,398 choosing to live with host families, all 295,873 IDPs resulting from the ending of the conflict have been successfully integrated.

Only 96 Square KM remains to be demined

As at end March 2013, only 96 square kilometers remains to be demined, out of 2,064 square kilometers left contaminated with landmines and UXOs at the conclusion of the terrorist conflict.

11,551 former LTTE combatants rehabilitated and released; 194 charged in courts

Of approximately 12,000 ex-LTTE combatants who were arrested or surrendered at the end of the conflict, as of 15 May 2013, 11,551 persons, which included 594 child soldiers, have been rehabilitated and reintegrated into society. Legal proceedings have been instituted against 194 ex-combatants who are under judicially mandated custody, remanded or enlarged on bail by Court.

A centralized, comprehensive database of detainees established

The Government has also established a mechanism to ensure the right of information of the relatives of the LTTE suspects. A centralized, comprehensive database of detainees established by the Terrorist Investigation Division (TID) of the Police with units operating around the clock in Colombo, Vavuniya and Boossa enables next-of-kin (NoK) to receive details of detainees and those who are released from detention.

Tracing disappeared persons

The Ministry of Defense and the ICRC have also held a series of discussions on the issue of disappeared persons and continue to maintain a positive dialogue on areas of cooperation. In an ongoing operation, a Family Tracing and Reunification Unit (FTR) has been established in collaboration with UNICEF, primarily to trace missing children. The Unit recorded 2,564 untraceable persons out of which 676 were children, while 1,888 were adults. About 64 percent of tracing requests were reported by parents of children who had been recruited by the LTTE.

Only 7896 are probable conflict related deaths

The Enumeration of Vital Events 2011 in the Northern Province (EVE 2011) by the Department of Census and Statistics (DCS) conducted during the months of June and July 2011, has estimated that the total number dead from 1 January to 31 May 2009 is 8998, including deaths caused due to old age/sickness, natural deaths, deaths due to accidents/homicides/suicides and other causes. Out of this, 7896 are probable conflict related deaths, which include LTTE cadres killed in action,

Killings of the 5 students in Trincomalee and the 17 ACF aid workers

Pursuant to recommendations made by the LLRC, in relation to the killings of the 5 students in Trincomalee, investigations have been concluded and upon studying the material, the Attorney General has advised the Police to initiate non-summary proceedings, and the formal institution of these proceedings before the Trincomalee Magistrate is due to take place in the first week of June. The investigation into the killings of the 17 ACF aid workers is continuing.

The security forces presence in Jaffna peninsula and the islands is 13,200

The security forces presence in the Jaffna peninsula and the islands, which was over 50,000 personnel at the height of the conflict, has today reduced to approximately 13,200.



Acquired land will be compensated

While some lands have been earmarked for use in the expansion of the Palaly airport - KKS harbour complex as part of the redevelopment of the area after almost 3 decades of conflict, owners of private lands acquired would be given compensation at market rates, and additionally alternate lands in adjacent areas.

PC election in the North

Following the conclusion of the Census in the Northern Province and preparation of the electoral register, elections to the Northern Provincial Council is scheduled to be held in September 2013.

[SLB](#)

GoSL Responses (Other)

31 May 2013

GoSL thanks Thailand for support at UNHRC

The President also expressed gratitude to Thailand for its "firm support" to Sri Lanka at the 19th and 22nd U.N. Human Rights Council meetings, adding that Sri Lanka "should be entitled to have time and space to proceed with a delicate process of national reconciliation." President Rajapaksa promised Sri Lanka's assistance for Thailand's candidacy to the Human Rights Council in the period, 2015 - 2017.

[SLB](#)

31 May 2013

LLRC action plan: The Legal Aid Commission covers 70 legal aid centres

It may be noted that the National Plan of Action for the implementation of the recommendations of the LLRC has taken due note of the services that can be extended by legal aid centres in the post-conflict situation. The Commission's mission is to identify those members of society who lack access to the remedies available to them under the law, and to make available to them means through which they can use the law and the legal system to secure justice.

[SLB](#)

11 May 2013

Most countries who voted for resolution on Sri Lanka at the UNHRC did so with other intentions – Sri Lanka FM

External Affairs Minister Professor G.L Peiris says Sri Lanka is being used as a stage by some countries to gain the support of the United States. Speaking at an event organized by the American Chamber of Commerce in Colombo today the Minister said that Sri Lanka was aware that most countries who voted in support of a US sponsored resolution on Sri Lanka at the UN Human Rights Council (UNHRC) recently did so with other intentions. [SLB](#)

International Responses

27 May 2013

UN Human Rights High Commissioner Navanethem Pillay to visit Sri Lanka

Ambassador Ravinatha Aryasinha, Permanent Representative of Sri Lanka to the Human Rights Council informed the council that the High Commissioner for Human Rights, Navanethem Pillay has now decided to undertake a visit to Sri Lanka from 25 to 31 August 2013, in response to an invitation formally extended to her by the GOSL in April 2011. He said Sri Lanka considers this visit as part of its continued, transparent and proactive engagement with the High Commissioner and the OHCHR. [SLB](#)

21 May 2013

Anti minority Violence by Buddhist monks is on the increase - US State Dept

"Buddhist monks were under the protection of the ruling coalition government. Some monks, particularly outside the capital of Colombo, operated with impunity in trying to eliminate Christian and Muslim places of worship. At least 50 incidents of violence against Christians were recorded by Christian groups during the year.. "



Reconciliation

19 May 2013

LLRC recommendation discarded at the 4th anniversary of the end of the war:

May 19 marked the 4th anniversary of the end of Sri Lanka's three decade long civil war, but with absence of a joint commemoration to remember all who lost their lives in it as recommended by the Lessons Learnt and Reconciliation Commission (LLRC) [SLB](#)

05 May 2013

GoSL is violating the UN recognised IDPs right to return to their original lands by taking over 6381 acres in Jaffna

The government has made moves to acquire over 6381 acres of privately owned land in the Jaffna peninsula, which it says is for a public purpose. The public purpose is presumably for the security forces. The pasting of notices on trees in Valikamam North under section 2 of the Land Acquisition Act coincides with preparations for the Northern Provincial Council elections in September this year. [SLB](#)

Devolution: 13 A Debate

31 May 2013

LLRC Recommendations not met by 13 A - Official website of the GoSL

The recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) have come to be accepted by the International Community judging from the repeated references to it both nationally and internationally, in complete disregard to the Government's National Plan of Action that was developed by incorporating selected recommendations in the LLRC Report. In the meantime, India while supporting International Resolutions to implement LLRC Recommendations is also insistent that Sri Lanka implement the 13th Amendment evidently unaware of significant incompatibilities between the two. [SLB](#)

31 May 2013

Minister who accompanied President to China launches a petition against 13 A

A coalition party of the Sri Lankan government, National Freedom Front (NFF), led by Minister Wimal Weerawansa announced that a petition would be signed demanding not to hold the Provincial Council election in the Northern Province with the powers vested in the administration constitutionally. NFF demands to amend the Constitution to take back the land and police powers from Provincial Councils to the central government. [SLB](#)

24 May 2013

Defence secretary Rajapaksha opposes NPC polls; warns of grave repercussions

Defence Secretary Gotabhaya Rajapaksa yesterday warned the government of dire consequences in case the Tamil National Alliance (TNA) won the first northern provincial council election. The Defence Secretary was responding to a statement attributed to Petroleum Minister Anura Priyadarshana Yapa, at Wednesday's post-cabinet media briefing, that the election would be held in accordance with the 13th Amendment to the Constitution. [SLB](#)

17 May 2013

India asks Sri Lanka not to take any step regarding provincial powers

"Salman Khurshid telephoned his Sri Lankan counterpart G L Peiris and also raised the issue of 26 Indian fishermen who are in detention. Salman Khurshid telephoned his Sri Lankan counterpart G L Peiris and also raised the issue of 26 Indian fishermen who are in detention." [SLB](#)

06 May 2013

Implement the 13th Amendment in full - TMVP

The Tamil Makkal Viduthalai Pullikal (TMVP) has decided to push for devolution of powers to the provinces. TMVP spokesman Azad Maulana said that the decision was taken at the TMVP May Day meeting held last week in the east. Maulana told The Sunday Leader that the party would urge the government to fully



implement the 13th Amendment to the Constitution and through that to devolve maximum powers to the provinces. [SLB](#)

Independent and Credible Investigations

Investigation of the Trincomalee students' killings, promises again

Verily, one is not sure whether to be outraged or amused by assurances made by Sri Lanka Government's Permanent Representative this week that non-summary proceedings into the brutal killings of 5 students of Tamil ethnicity in Trincomalee during 2006 will commence in the first week of June 2013. We have been hearing these claims for quite a while. Indeed, this appears to be part of a monotonously standard response that is trotted out by state representatives each time that the Geneva sessions come around. [SLB](#)

Freedom of Expression

31 May 2013

Attempt to kidnap 'Janarala' news editor

"I was standing on the road at around 10 pm at Ekala waiting for a bus. Then a man on motor bike arrived and offered to take me to Kotugoda. On our way we were engaged in a conversation where he stated that he is a police officer on duty. He showed me a pistol on his person and stated that he needs to see my National Identity Card. I refused. Then he took me up to Gurugewatta Junction and said that he is not alone. When the bike stopped I saw a whit van with its lights off and coming towards the bike. Then a got down from the bike and ran on a by road."

[SLB](#)

31 May 2013

UNHRC: Sri Lanka emphasizes need for regulation in funding to NGOs

Sri Lanka has emphasized that regulation, transparency and accountability of funding to NGOs and NPOs is a pre-requisite in the interest of national security and counter-terrorism as recognized by states, and that obligation placed on states to adhere to the regulatory framework in compliance with 40 Recommendations of the Financial Action Task Force. [SLB](#)

23 May 2013

Sri Lanka police probe German NGO Friedrich Naumann Foundation

The Criminal Investigation Department (CID) of Sri Lanka police has commenced an investigation on the Friedrich Naumann Foundation to ascertain whether the German NGO has acted within the country beyond its given legal mandate. The CID has interrogated the Foundation's local representative Sagarika Delgoda for the past two days and it says further investigations are underway based on the information divulged by Ms. Delgoda. [SLB](#)

23 May 2013

14 May 2013

It is dangerous today to be engaged in publication work in Sri Lanka

Lal Wickrematunge, the brother of the assassinated editor of the Sunday Leader, Lasantha Wickrematunge, and until very recently the owner of Leader Publications, spoke yesterday to the BBC Sinhala Service. He stated that it is dangerous today to be engaged in publication work in Sri Lanka. Giving views other than the government's version of things is almost impossible. Under the present conditions media personnel are afraid to engage in free reporting. [SLB](#)

03 May 2013

Jaffna Press Club: The violence unleashed again on the media in the Northern part of Sri Lanka

The violence unleashed again on the media in the Northern part of Sri Lanka has questioned the level of press freedom in the island. During the first quarter of this year alone, murder attempts have taken place against two journalists, five media personnel were violently assaulted on three separate occasions and the printing machinery of a media establishment was set alight by unidentified persons. Furthermore, on at least three occasions copies of daily newspapers were intercepted during transportation and burned. [SLB](#)



03 May 2013

CPJ ranks Sri Lanka 4th worst in the 2013 Impunity Index

The New York-based media watchdog Committee to Protect Journalists (CPJ), in its 2013 Impunity Index, has ranked Sri Lanka as the 4th worst country out of 12 countries for journalists. CPJ's Impunity Index, published annually, identifies countries where journalists are murdered regularly and governments fail to solve the crimes. [SLB](#)

Right to Peaceful Assembly and Association

29 May 2013

Fourth TNA MP summoned to TID

The Terrorist Investigation Department (TID) has asked Tamil National Alliance (TNA) Parliamentarian, Appathurai Vinayagamoorthy, to appear for an interrogation on 25 May, sources said. Vinayagamoorthy is the fourth TNA Parliamentarian to be questioned followed by three other TNA Parliamentarians, S. Sriharan, Suresh Premachandran and Sivashakthi Anandan, in the past two months. [SLB](#)

23 May 2013

It is NGOs that disrupt religious harmony, - President

It is evident that certain NGOs are drafting agendas to dislodge the place given to Buddhism in the constitution. But the government will never allow these forces to achieve their sinister targets, President Mahinda Rajapaksa said. [SLB](#)

19 May 2013

SL Police arrests TNPf politicians on Remembrance Day in Mannaar

Tamil National People's Front (TNPf) politician and former parliamentarian Selvaraja Kajendran and Visvalingam Manivannan of the TNPf and thirteen other TNPf activists were arrested by the Sri Lankan Police at Mannaar Saturday afternoon while they were attending a Mu'llivaaykkaal Remembrance Day function. [SLB](#)

16 May 2013

Acts of intimidation against the academic community including students

The Federation of Peradeniya University Teachers' Associations (FPUTA), comprising eight sister unions, was profoundly disturbed by the report that the President of the Peradeniya Student Union (PSU), Mr. Janaka Nilanga Madushan, was threatened with his life by a group claiming to be of the CID yesterday, May 14th, 2013, at 6:30pm. [SLB](#)

9 May 2013

Jaffna: CVK Sivagnanam's house attacked

The residence of Mr CVK Sivagnanam, a veteran civil activist and joint-secretary of the Ilangkai Thamizh Arasuk Kadchi (ITAK), has been attacked Tuesday night around 11:45 p.m. by alleged operatives of the SL military in Jaffna. Mr Sivagnanam narrowly escaped from the squad that stoned his residence. [SLB](#)

07 May 2013

Civil Society Condemn the Unlawful Arrest and Detention of Azath Salley

We the undersigned, vehemently condemn the arrest and detention of Former Deputy Mayor and General Secretary of the National Unity Alliance (NUA), Azath Salley, by a team of officers from the Criminal Investigation Department (CID) and the Terrorism Investigation Department (TID), on Thursday, 2 May 2013 morning, and call for his immediate release in the absence of any demonstrable evidence. [SLB](#)

06 May 2013

Activists opposed to Minister Devananda attacked in Jaffna

A 12-member squad that came in 4 motorbikes attacked 48-year-old V. Sahadevan, the president of a newly formed group named War Affected Peoples' Movement (WAPM) and 35-year-old



Puvilan Pushparaja, the treasurer of the group near Jaffna District Secretariat around 2:30 p.m. Monday. [SLB](#)

04 May 2013

Tamil M.P.Sritharan summoned to TID HQ

The Terrorism Investigation Department (TID) has requested the Tamil National Alliance (TNA) Parliamentarian, S. Sritharan, to appear at the TID headquarters over the comments he has made to the press on alleged land acquisition in the Kilinochchi District. Sritharan told Ceylon Today, two men from the TID had even visited his house in Jaffna and inquired about him from his wife.

[SLB](#)

Independence of Judiciary

22 May 2013

When the prison under siege there is no time to read Geneva Conventions - CJ

The Fundamental Rights case of Ganeshan Nimalaruban was taken before the Supreme Court yesterday. In the course of submissions by the petitioner's lawyers, Chief Justice Mohan Peiris made the following remarks: "When the prison is under siege do you want the prisons commissioner have to read to them the Geneva Conventions?" [SLB](#)

15 May 2013

A radical abdication of the court's authority – a blow to the separation of powers

Chief Justice Mohan Peiris stopped further inquiries into a Fundamental Rights application yesterday, stating that the courts do not have the technical competence to go into the issues raised in the case. This decision was made in a case filed against the Sri Lanka Land Reclamation and Development Corporation. The BBC Sinhala service reported that the Chief Justice further went on to state that the lawyers should not file cases relating to all problems within Sri Lanka [SLB](#)

14 May 2013

All Sinhala jury frees soldier from death penalty for killing 5 Muslims

An Army soldier who was sentenced to death over charges of gunning down 5 Muslims including a child was found not guilty and acquitted by a jury at Anurdhapura High Court. A seven member jury before the North Central Provincial High Court judge, Sunanda Kumara Ratnayake made the decision following a hearing of evidence. [SLB](#)

11 May 2013

BASL urges stop to harassment of CJ43 Shirani Bandaranayake

The Executive Committee of the Bar Association of Sri Lanka (BASL) passed a resolution on Friday evening urging the authorities immediately stop harassing and humiliating Chief Justice 43 Dr. Shirani Bandaranayake. [SLB](#)

Militarisation

31 May 2013

Military Governor's control over Eastern PC

Last Wednesday's Cabinet meeting of the Council could not be held as scheduled as the four Provincial Ministers and all other members of the ruling party boycotted it on an unanimously decision. They had taken up the position that they cannot continue to function in a Council where the Governor does not allocate funds nor implement decision of the Ministers or members, political sources said. [SLB](#)

27 May 2013

103 Military personnel teach Sinhala language in Kilinochchi

The army's encroachment into civilian space to exercise further control over the population, particularly children and youth, is illustrated by its involvement in the education sector in the North



..... More recently, visitors to Kilinochchi and Mullaitivu are told that the Civil Security Department (CSD) is managing pre-schools in the area. *Further, reportedly, 103 military personnel are teaching the Sinhala language in schools in Kilinochchi.* [SLB](#)

29 May 2013

SL governor orders removal of Tamil church in East

The governor of the Eastern Province, Rear Admiral (retd.) Mohan Wijewickrema, has instructed officials under him to remove a Catholic church that has been constructed by the uprooted people of Naavaladi village in Moothoor division of Trincomalee district, informed civil sources in Trincomalee said. [SLB](#)

25 May 2013

526 acres of Keppapilavu taken over for military

Last month the government issued a public notice stating that approximately 526 acres of land in Keppapilavu “are required for a public purpose.” (This means the government intends to expropriate the private lands of civilians). According to the English version of the notice, the expropriated land will be used to establish a “National Cadet Corps.” [SLB](#)

13 May 2013

Security forces Grab 1220 Acres of Forest Land in Panama Chasing Sinhala Villagers Away

The Sri Lanka Navy and the Special Task Force (STF) are accused of grabbing 1,220 acres of forestlands in Shasthravela, Ragamwela, Upassawela, Horowkanda and Ella in Panama chasing away the villagers whose forefathers too had been occupying these lands even during the Uva-Wellassa rebellion. [SLB](#)

09 May 2013

Militarization as a way of life: an ‘Orwellian’ note from Kilinochchi

Even though the protracted internal armed conflict has ended, community members have been unable to return to their day-to-day lives. Under the administration of Mahinda Rajapaksa, Sri Lanka’s militarization has continued unabated. The Sri Lanka Army (SLA) has established numerous checkpoints and camps near peoples’ homes. Military personnel frequently patrol these areas – day and night. Sadly, the military’s intrusion into practically all aspects of civilian affairs remains a way of life in the conflict-affected North and East. [SLB](#)

05 May 2013

1000 Jaffna landowners are to file petitions against land grab

More than 1000 Jaffna landowners are to file petitions in courts against an alleged land grab by the military in Valligamam north that local MPs claim is causing severe concern among civilians. Landowners held a public demonstration last Sunday in front of the Pradeshiya Sabha Tellipalai demanding the return of their lands. [SLB](#)

Democratic Governance

29 May 2013

Police refuse to record complaints of Buddhist Monks attack

The monks of Sihala Ravaya and a gang of goons who behaved violently at Kollupitiya this morning demanding the body of the monk who committed suicide, had entered the Kollupitiya municipal people’s market and attacked the meat stalls there . They have forcibly taken out the meat and goods that were there and thrown them out, according to [SLB](#)

20 May 2013

Warranted Sudharman roams freely with Defense secretary

Deputy General Manager of the state owned ITN station, Sudharman Radaliyagoda who is under a police warrant to be arrested for the past one year and 10 months was yesterday seen walking freely with Defence Secretary Gotabhaya Rajapaksa. The court issued a warrant on Sudharman on July 19, 2011. However, the police failed to arrest him although Sudharman was seen in public on many occasions and even photographed by the media. [SLB](#)



20 May 2013

Varsity student leaders remain under State threat: IUSF Convener

Threats to university students continue, said the Inter-University Students Federation (IUSF) Convener, Sanjeewa Bandara. According to the student leader, more students and their parents have been threatened by 'security personnel' demanding they stop all union activities within the universities. [SLB](#)

10 May 2013

Azad Salley conspired to mobilize Sri Lankan Muslims for an armed struggle - Defence Secretary

In a damning revelation, powerful Defence Secretary Gotabhaya Rajapaksa has stated Muslim politician Azath Salley was arrested as he conspired to mobilize Sri Lankan Muslims for an armed struggle along with a Tamil group in Tamil Nadu. Speaking to our sister paper, Rajapaksa said intelligence agencies have uncovered evidence against Salley, who had been held in detention under a controversial detention order obtained by the Criminal Investigation Department (CID) under the Prevention of Terrorism Act. [SLB](#)

Abductions

24 May 2013

TNA activist in Ampaa'rai abducted, tortured after meeting against land grab

An armed squad that came in a white van on Tuesday abducted a 68-year-old activist, Thangathurai Veluppillai, a supporter of the Tamil National Alliance (TNA) in Ampaa'rai district. The victim was blindfolded while he was at Kalmunai public market and was taken away by the squad that tortured him to obtain the names of the TNA activists in Ampaa'rai district. [SLB](#)

Religious Freedom

31 May 2013

Mass protest against placing Buddha statue in Batticaloa

A mass protest urging those concerned to desist from using the statue of The Buddha as a symbol of anarchy, was held in Batticaloa on Wednesday (29), with the participation of TNA Parliamentarians from the Batticaloa District, Eastern Provincial Councillors, members of local bodies and civilians.

[SLB](#)