

Rohingya Refugees & Inhumane Responce



Sri Lanka Brief Update | 04 February 2025

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1. On 19 December 2024 116 Rohingya refugees, including 116 persons were rescued by the Sri Lankan Navy off Sri Lanka's northern coast. [They had left Myanmar in three boats](#), and only one made it to Sri Lanka's shores. Tragically, six people, including four children, died of hunger during the journey, and their bodies had to be thrown into the sea.
2. [The group included](#) 57 children, with 17 aged between one and five years, and one three-month-old baby. Among them was a 12-year-old girl who had arrived without her parents. A 21-year-old pregnant woman was expecting her third child, a 31-year-old breastfeeding mother who is also the mother of six children and a 47-year-old man with a disability caused by polio, affecting his right leg and left hand, who relies on a bamboo stick for mobility.
3. JVP (Janatha Vimukthi Peramuna – Peoples Libération Front) is the power behind and deciding factor of the present NPP (National Peoples' Power) government. [Somawansa Amarasinghe](#) who took over the leadership of the JVP and led the reorganization of the party after its leaders were killed in late 1989 was also a refugee. After arriving in Thailand with his family from India on October 19, 1990, he sought political asylum at the United Nations High Commissioner for Refugees on March 6, 1991.
4. President Anura Kumara Dissanayake is the leader of the NPP as well as the JVP. During his presidential election campaign, he travelled to many countries to address the Sri Lankan diaspora consisting sizable number of one-time refugees. Statistics indicate that [there were 132,782 Sri Lankan refugees and 14,008 Sri Lankan asylum-seekers in other countries](#), mainly in India by 2018.
5. Despite its leader (1991- 2015) being once a refugee and its relation to the Sri Lanka diaspora, the NPP-JVP government's response to Rohingya refugees is high-handed, arbitrary, and in violation of international refugee law and standards.

6. Sri Lanka had an opportunity to cultivate international goodwill by accepting and protecting Rohingya refugees. [Since 2008, Sri Lanka, working with the UNHCR](#), has provided temporary asylum to Rohingya Muslims on at least three occasions.¹⁰ First, in 2008, for 55 Rohingya; then in 2013, for 170 Rohingya;¹¹ and most recently, in April 2017,¹² for 30 Rohingya. On all of these occasions, the fleeing Rohingyas were rescued by the Sri Lanka Navy. And they all left Sri Lanka within few years.

7. A day after they arrived, [they were presented before the Trincomalee Magistrate](#). From December 20 to December 23, they were kept in a school in Trincomalee during which time local government officials, local social service organizations, local journalists and UN High Commissioner for Refugees (UNHCR) personnel had access and provided humanitarian assistance. This is the only time such access was provided up to date.

8. On 23 December 2024, out of the group of 115, 103 Rohingya asylum seeker refugees were transferred to the Mullaitivu Air Force Camp. The remaining twelve persons were produced before the Trincomalee Magistrate in terms of section 45 of the Immigrants and Emigrants Act, No. 20 of 1948 (case no. B 1683/MIS/24) and subsequently remanded at Trincomalee Remand Prison for fourteen days. On 7 January 2025, the twelve asylum seekers held at the Trincomalee Remand Prison were transferred to the Mullaitivu Air Force Camp by magisterial order.

9. In late December 2024 a collective of [47 civil society organisations issued a letter addressed to President](#) Anura Kumara Dissanayake requesting humanitarian asylum for Rohingya asylum seekers from Myanmar arrived in Sri Lanka. The letter put forward five recommendations to the government, but the government decided not to respond.

10. The Sri Lanka Air Force (SLAF) base at [Mullaitivu was named as a temporary detention place to house Rohingya refugees](#) from 23rd December 2024 onward in terms of section 48 of the Immigrants and Emigrants Act. The relevant gazette notification was issued by the Secretary to the Ministry of Public Security and Parliamentary Affairs. The military base is surrounded by the jungle and there is an electric fence around it for protection from elephants.

11. A team of HRCSL (Human Rights Commission of Sri Lanka) officials headed by the Director of the Research and Monitoring Division visited Mullaitivu Air Force Camp on 26 December 2024 to monitor the conditions of the asylum seekers detained there. They were not permitted entry to the premises by the Air Force officers on duty. The reason given for the denial of entry was that no one could visit these asylum seekers without prior permission.

12. After waiting nearly five hours, their efforts were unsuccessful, and the team was compelled to return.

13. The Chairman of the HRCSL wrote to H.E. the President on 27 December 2024 requesting his intervention with respect to the Rohingya asylum seekers. The letter drew attention to the best interest of the child standard, and the fact that this standard is clearly articulated in section 5 of the ICCPR Act. It was pointed out that this standard is applicable to all children within the jurisdiction of Sri Lanka regardless of citizenship.

14. The letter also observed that the HRCSL is statutorily mandated to enter the above-mentioned Sri Lanka Air Force Camp in Mullaitivu to ascertain the conditions of detention of the said asylum seekers including the children among them.

15. Up to date no official response or even acknowledgement of the letter has been received from the presidential secretariat.

16. The Chairman of the HRCSL requested the President's urgent intervention as Commander-in-Chief of the Armed Forces and Minister of Defence to issue necessary directions to Sri Lanka Air Force and other relevant authorities to cooperate with the HRCSL in granting its officers unimpeded access to the asylum seekers in question.

17. On 26 December 2024 the HRCSL decided to call relevant state officials including the Controller General of Immigration and Emigration to explain reasons for denying the HRCSL access to the Mullaitivu Air Force Camp. The Acting Controller of Immigration and Emigration, representatives of the Commander of Sri Lanka Air Force, and the representatives of the Secretary to the Ministry of Public Security attended the meeting held on 31 December 2024.

18. At the said meeting, the HRCSL presented the following interim recommendations to the Department of Immigration and Emigration concerning the asylum seekers held in the Mullaitivu Air Force Camp. None of the recommendations has been addressed up to date

- Ascertaining the status of asylum seekers: Take steps to ascertain the status of the persons claiming asylum, including the risk of persecution in their home country.
- Enhance assistance: Take steps to increase support from the government to ensure that the asylum seekers' basic needs are met, including food, shelter, and healthcare.
- Provide access to the Office of the United Nations High Commissioner for Refugees (UNHCR)
- Relocate to a separate facility: Take steps to move the asylum seekers to a location other than the Mullaitivu Air Force Camp to ensure better accommodation and security, and in particular, to ensure necessary nutrition and care for the children among the asylum seekers.

19. On 3rd January Minister of Public Security and Parliamentary Affairs [Ananda Wijepala](#) said the government is considering deporting Rohingya refugees, all Muslims, who arrived via sea route last month. Wijepala's statement said his government began discussing the issue with Myanmar authorities, and deportation can occur only after the legal process.

20. On 08 January [Minister of Public Security Ananda Wijepala](#) made an inflammatory statement that information has been received that over 100,000 illegal immigrants are likely to arrive in Sri Lanka in the coming days. This was an attempt to discredit the calls for a humane approach towards Rohingya refugees. Almost a month has passed without any more Rohingya refugees arriving in Sri Lanka.

21. Following negotiations with the government on gaining access to the Mullaitivu Air Force Camp, a team of HRCSL officials headed by the Regional Coordinator, Jaffna were able to visit the Rohingya asylum seekers at the Camp on 9 January 2025. After the visit, HRCL issued a detailed report which included the following recommendations. None of them has been addressed up to date.

- a. Appoint a focal point to enable aid to reach the detained asylum seekers
- b. Grant specialised state institutions and service providers access to the detained asylum seekers
- c. The Department of Immigration and Emigration and Sri Lanka Air Force should provide access to relevant specialised UN entities including UNHCR to ensure that the asylum seekers can be appropriately vetted and, depending on the outcome of the process,
- d. It is recommended that the Department of Government Information take steps to facilitate the access of journalists to the Rohingya asylum seekers so that the Sri Lankan public can be kept informed about their status.

(Info related to HRCSL is from "[REPORT ON THE STATUS OF ROHINGYA ASYLUM SEEKERS DETAINED IN MULLAITIVU, AND RELATED ISSUES](#)")

The end.