



General Assembly

Distr.: General
27 June 2019

English only

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by Society for Threatened Peoples, 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.

[03 June 2019]

* Issued as received, in the language(s) of submission only.



Sri Lanka: Protection of Christian and Muslim minorities in the aftermath of the Easter Sunday Terrorist attacks

In the aftermath of the terrorist attacks on Easter Sunday, 21st of April 2019, Sri Lanka has faced social tensions that has put peace at risk. The religious minorities of Christians and Muslims especially are facing a time of fear and constraints of religious expression. It is within this context that the Society for Threatened Peoples (STP) formulates this statement: to emphasize the urgent call for the government of Sri Lanka to protect these religious minorities, their freedom of religious expression and to maintain social peace. It is also important that under the given State of Emergency, security forces must act within the boundaries of law and in a non-discriminatory manner. As a state that has ratified the ICCPR, Sri Lanka binds itself to upholding the civil and political rights of all individuals in their state. In this case this means upholding the right to life, freedom of religion and rights to due process and a fair trial is of special importance.

The terrorist attacks on Easter Sunday have caused a State of Emergency in Sri Lanka. While the attacks themselves have struck the Christian minority hardest, the social tension in the aftermath and up until now has put the Muslim minority at risk of discrimination and violent backlashes due to general suspicion and incitement of hate. Communal violence that occurred at the beginning of May and again at the 13th not only has left many Muslim homes, stores, mosques and property damaged, but worst of all a Muslim man was killed. This violence is connected to regular incitements of hate by extremist Sinhalese Buddhists against minorities, Muslims especially. Violent outbreaks, including killings, occurred before in 2014 and 2018. Against this background the most important task of the Sri Lankan government is to protect the religious minorities and prevent further communal violence by clearly standing against hate speech and punishing inciters of violence. Upholding constitutional rights and international human rights agreements is of utmost importance for maintaining peace in Sri Lanka.

Christians

The Christian community of Sri Lanka has suffered greatest from the terrorist attacks. In fear of additional attacks, many churches remained closed for 4 weeks after the attacks. As is reported, these closures have not been enforced, but were based on advice by security departments. Furthermore the government has offered and provided increased protection for churches. By now, church services are held again and the Christian communities are able to mourn and rebuild together. It is important that security forces do not constrain religious practice by enforcing control on those communities. Especially small congregations, like converts and house churches have had the need for private and safe spaces in the past, being especially vulnerable to harassment. The renewed State of Emergency must not be used by security and state institutions to infringe these spaces.

Muslims

The Muslim minority is certainly facing the greatest hardship at the moment, having faced violent backlashes. Although communal violence has been detained since the last major upheaval on May 13th, Muslims still live in fear of further violence and experience a general suspicion.

Firstly, it is important that inciters of violence and hate are brought before court and sentenced in a transparent manner, to showcase that such acts are not tolerated and breach the law. In the past, punishment against inciters and perpetrators of hate have been weak. While the government of President Sirisena has promised to act stricter, the very recent presidential pardon (May 23rd) he has given to the hardline nationalist Buddhist monk Galagoda Aththe Gnanasara Thera, who has been sentenced to a six-year term only last year, undermines such intentions. Galagoda Aththe Gnanasara Thera, general secretary of the extremist Buddhist group '*Bodu Bala Sena*', has publicly defamed and spread mistrust against Muslims. Such a presidential pardon shortly after communal violence against the

Muslim community signals tolerance by the government for inciters of hate. We strongly criticize this action.

Secondly, the Human Rights Commission of Sri Lanka has reported, that, on the base of local witnesses, there appeared to be no preventive measures of retaliatory violence against Muslim communities, even though there was a distinct risk. The Commission also reports little to no intervention of security forces in some areas during the violence. The government needs to enforce full commitment within security institutions to protect all its citizens, especially the more vulnerable. Also there need to be briefings of how to prevent violent outbreaks beforehand.

Thirdly, the given State of Emergency must not give room for infringement of religious expression beyond necessary regulations. There have been reports by the Human Rights Commission of Sri Lanka of Muslim women not being granted entrance to public buildings and courthouses due to them wearing headscarves or similar attire. While fully covering the face is reasonably prohibited, headscarves, hijabs and chadors, that reveal face and eyes, do not hinder identification purposes under given emergency regulations. We acknowledge the reasons of security to implement emergency regulations, but religious expression that is within the boundaries of permission must not be repressed. Especially if Muslim women, as in reported cases, are denied access to important public services.

The special case of refugees displaced from their homes

More than 1,000 refugees from Pakistan, Afghanistan and the Islamic Republic of Iran living in Sri Lanka have been displaced from their homes following the terror attacks. Ever since they have been living in communal spaces such as mosques, police stations and community centers under very bad conditions. While the UNHCR and government are working on improving the situation, there have been reports on failed resettlements due to angry crowds. Judicial action is needed against persons that prevent resettlements. It is much needed for those refugees to move into surroundings with better conditions. Many of them belong to Ahmadi, Shi'a and Sunni communities, but there are also Christians. They all fled from persecution in their home countries and Sri Lanka has given them refuge. Most say they have been living well with the rest of the society up until the terrorist attacks. We call on the government of Sri Lanka and the International Community as a whole to provide improvements and solutions as quick as possible. It is duty for every international actor that upholds human rights to protect the most vulnerable.

Conclusion

At the given time it is important to emphasize the urgency of the Sri Lankan government to protect the religious minorities, Christians and Muslims especially. It can be seen, that a lack of determined action against hate speech in past and present puts those communities at risk. Security forces and courts must punish inciters of violence and hate. For Sri Lanka to protect its minorities is to protect the country's peace.

Recommendations

Society for Threatened Peoples calls on the Government of Sri Lanka:

- To ensure that there is no further communal violence against Muslims, by strictly punishing inciters of hate and violence
- Connected to that, to review and possibly revert the Presidents decision to pardon Galagoda Aththe Gnanasara Thera, the general secretary of the *Bodu Bala Sena*, an organization which has reportedly incited violence against Muslims
- To compensate Christian and Muslim communities for their losses due to destruction during the attacks as well as during violent outbreaks in the aftermath

- To ensure that there is no lack of action and protection for religious minorities within security institutions of the state and to develop adequate security strategies to prevent communal violence
- To not breach or undermine the rule of law by enforcing control beyond the given emergency regulations and to not prolong the State of Emergency longer as necessary
- To uphold their commitment to international standards of Human Rights, especially the ones named in the *International Covenant on Civil and Political Rights*, that Sri Lanka has ratified

Society for Threatened Peoples calls on the UN Human Rights Council:

- To monitor the further developments and Sri Lanka's commitment to protecting the vulnerable religious minorities
- To monitor whether the State of Emergency is infringing on basic human rights

To take serious the call for assistance by the Sri Lankan government and provide support for the refugees that were displaced from their homes in the aftermath of the terrorist attacks, by assisting financially, providing necessary goods, as well as by developing solutions to resettle them to safer places or countries.
