

# Lawyers' Rights Watch Canada

*NGO in Special Consultative Status with the Economic and Social Council of the United Nations*

**Date:** 22 September 2009

**Speaker:** Gary Anandasangaree

**Oral presentation of Lawyers Rights Watch Canada to the 12<sup>th</sup> Session of the Human Rights Council on 22 September 2009.**

**Item:** 4

Mr. President,

Lawyers Rights Watch Canada aligns itself with the statements made by the International Commission of Jurists and the Asian Legal Resource Centre with respect to Sri Lanka.

At the 11<sup>th</sup> Special Session of the Human Rights Council, the Sri Lankan government committed to returning the bulk of the IDP to their homes within 180 days.

We are now approaching the 120-day mark of that pledge and so far, the Sri Lankan government has failed to live up to its commitments to the international community. Over 280,000 Tamil civilians, including seniors, women and children, are still being held against their will in “open prisons” and their freedom of movement restricted. Clean water, sanitation, food, medicine and the basic necessities of life are in dire need. The monsoon season has exacerbated conditions, flooding some camps and causing water supplies to be contaminated with sewage.

The Sri Lankan government’s claim that they have to clear land mines prior to releasing the IDP’s is unacceptable. There are 21 million people living in areas where land mines are not a significant problem within the island of Sri Lanka. While landmines may hinder long term settlement for some IDP’s, it should not be a barrier to release. If the IDP’s so choose, they ought to have rights as citizens to move around anywhere in the island. The Sri Lankan government does not appear to have the will to release the IDP’s and is using Landmines as an excuse; landmines that in many cases were placed by its military.

In addition, the Sri Lankan government has failed to allow independent observers access to the camps. Those who report the facts about the camps like UNICEF spokesperson, James Elder, are expelled from the country.

On the heels of the ruthless murder of the Sunday Leader Editor Lasantha Wickrematunga and the arbitrary arrest, detention and release of Uthayan Newspaper Editor Vithyatharan, and the attacks on countless newsrooms, Sri Lanka’s state apparatus sentenced T.S. Tissanayagam to 20 years in jail for simply doing his job as a journalist. Apart from the chills it has sent throughout newsrooms in Sri Lanka, the involvement of the judicial system in sentencing Mr. Tissanayagam is cause for concern as it seriously puts into question the independence of the judiciary in Sri Lanka. We call for the release of Mr. Tissanayagam.

Those who defend the rule of law are increasingly under attack in Sri Lanka. This July, Sri Lanka’s Prime Minister labeled 5 lawyers “traitors” for defending the Sunday Leader newspaper against a defamation action commenced by the President’s brother. Recent death threats made against Dr. Paikiasothy Saravanamuttu, Executive Director of the Centre for Policy Alternatives (CPA) is an alarming sign of how those who defend human rights are at grave risk.

Mr. President, the deteriorating situation in Sri Lanka desperately requires the attention of this Council. The international community must demand the unconditional release of the civilians within the 180-day timeline proposed by the government of Sri Lanka and supported by a majority of council members.

*N.B.* A video of this oral presentation can be viewed at <http://www.un.org/webcast/unhrc/archive.asp?go=0> by scrolling to find LRWC or at <http://webcast.un.org/ramgen/ondemand/conferences/unhrc/twelfth/hrc090922pm2-eng.rm?start=00:26:15&end=00:30:02>