Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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Sunday, March 10, 2013

The UN Human Rights Council
President Remigiusz Henczel
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais des Nations
CH-1211 Geneva 10, Switzerland

Dear Mr. President;

Re: Threat to arrest individuals attending the 22nd Session of the Human Rights Council

As you may know, there is a resolution critical of Sri Lanka set to be tabled before the Human Rights Council this week. Among several organizations and individuals in Geneva to attend Council and advocate for this resolution, are representatives of Sri Lankan NGOs and opposition members of Sri Lanka's parliament (MPs).

LRWC has just been made aware of a threat to arrest five of the MPs and some NGO representatives attending this session of Council, upon their return to Sri Lanka. An article published in the March 9, 2013 edition of Lakbima, a Sri Lankan daily, claimed these people would be arrested upon arrival in Sri Lanka, "if they have made statements [to Council] detrimental to the unitary character of the state." The article quoted a government official as stating that "the country's intelligence agencies are keeping a close watch on all the statements made by the [Tamil National Alliance] members as well as other activists who are now in Geneva."

Lakbima is a media organ of the Sri Lankan government, and therefore this threat can be viewed as coming directly from the government itself. To our knowledge, the government of Sri Lanka has not rejected the threat as untrue.

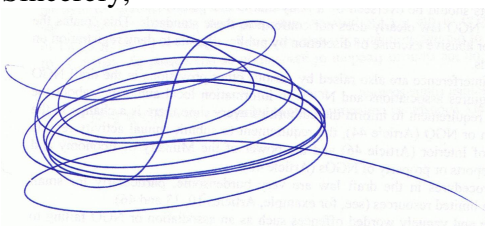
At the 19th session of Council, a representative of Lakbima intimidated NGO representatives by taking photos of them without permission. When a complaint was filed by NGOs, Council responded quickly with a strong statement condemning the intimidation. The government of Sri Lanka was subsequently warned that intimidation and harassment of people participating in Council sessions would never be tolerated.

The Human Rights Council provides a critical forum where representatives of states and NGOs and other interested parties can speak freely and safely about human rights issues of contention or concern around the world. It is the duty of Council to ensure their protection and safety.

LRWC is concerned that the threat to arrest and punish the Sri Lankan MPs and activists for participating in the exchange of information and opinions during Council sessions will deter contributions from other Sri Lankans and have a chilling effect generally on the exercise of free speech before Council. Such threats, if not appropriated restrained, may also encourage other states to take similar action against human rights defenders reporting to Council on wrong doing by states.

LRWC requests Council to take all necessary measures to ensure the safety of the threatened individuals at Council and on their return to Sri Lanka, in keeping with its mandate.

Sincerely,



Gail Davidson, Executive Director, LRWC

Copied to:
Navi Pillay, UN High Commissioner of Human Rights
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