

Response to the statement issued by the Ministry of Foreign Affairs regarding my statement to the European Parliament Sub-Committee on Human Rights

I note with deep disappointment the contents of the statement issued by the Ministry of Foreign Affairs (MFA) regarding my statement to the European Parliament's Sub-Committee on Human Rights (hereinafter the Sub-Committee). The statement contains numerous misrepresentations and insinuations, and appears to be aimed at silencing critique of government policies and actions.

In my statement to the Sub-Committee, I spoke of a number of issues, many of which I have previously written about with supporting evidence. This is available in the public domain. These are issues that other civil society organisations and activists have raised and documented over the years. In this context, the government labelling my statement "misleading", appears to be an effort to downplay the issues raised and deceive the public.

It is disturbing the government has taken umbrage at my appeal to the European Union (EU) to **advocate** with the government to fulfil its international human rights obligations using GSP Plus trade privileges as a conduit. The GSP Plus privileges are dependent on the recipient fulfilling human rights obligations. The said human rights obligations are obligations the government has a duty to fulfill as a member of the United Nations and signatory to several UN conventions. These are obligations that provide protections to the citizens of Sri Lanka.

It is regrettable the government refuses to acknowledge that any adverse outcome of the GSP Plus review process would only be due to its failure to fulfill the GSP Plus scheme's requirements. Hence, it is the government that has to take responsibility for any adverse outcomes. Instead, the government implies that those who advocate for the protection of the marginalized, such as Free Trade Zone workers, are responsible for a possible adverse outcome because they highlight the government's failures. This is an attempt to deflect blame. To ensure there is no adverse impact on vulnerable communities, the government needs to acknowledge that the crisis is the result of its poor policy decisions, taken without bearing the best interests of citizens in mind.

Efforts to bring lasting peace to Sri Lanka are undermined by denials of the root causes of the armed conflict, i.e. discrimination. Instead, the MFA statement labels discussion of the root causes as LTTE propaganda. This is ominous given the decades long strategy of weaponizing the PTA against Tamils. Implying such discussion is a danger to communal harmony, as the Ministry does in its statement, can be used to weaponize the International Covenant on Civil and Political Rights Act to stifle dissent. The government's use of these phrases will create fear amongst civic activists, especially in the North and East, and shrink civic space further. The very space the government denies is shrinking.

In this regard, the insinuations made in the Ministry's statement are dangerous. My attention has been drawn to articles peddling false information about my supposed links to the LTTE being circulated on social media in the wake of the statement. The

statement therefore could cause persons with racist ideologies to harass and perpetrate violence, including cyber violence against me.

The culture of impunity is well documented, not only by civil society organisations, human rights defenders and the UN, but most importantly the Supreme Court and the Human Rights Commission of Sri Lanka. Since 2020 several incidents of violence by state officials have been publicly recorded. Yet, to date, the number of persons held accountable is negligible.

The “war **on** drugs” (erroneously referred to as war **and** drugs in the statement) is being used to justify arbitrary arrests and detention as well suspected extra-judicial killings by police in Sri Lanka. The Bar Association of Sri Lanka too has raised concerns about this. It is important to curb the supply of drugs and international drug trafficking. However, such policies need to adhere to human rights standards.

Although the MFA claims Sri Lanka is a secular country, several statements have been made by the president in which he mentions inter alia, that “protection of Sinhala Buddhists is his foremost responsibility” and that “all others who would love to live in unity have to be assimilated into this main socio-cultural basis of this country, based on rich Buddhist values”. This is illustrative of the Sinhala Buddhist nationalism to which I referred in my statement. Another example is the Presidential Task Force on Archeological Heritage Management in the Eastern Province, which has the membership of Buddhist clergy and is headed by a Buddhist monk. The One Country One Law Task Force is chaired by Gnanasara Thero, who has publicly made inflammatory and discriminatory statements and incited violence against Muslim community. Such an appointment begs the question whether the government is concerned about the preservation of social harmony.

The Ministry has conflated the process of militarization, with the military occupation of land. The former includes the military undertaking tasks that were and should be within the purview of civilian entities. The phenomenon of militarization has been meticulously recorded by civil society, including myself, and is publicly available for reference.

Despite the Ministry’s claim the government views civil society as partners and not adversaries, regrettably, its statement singling out my statement to the EU, is the perfect example of the government’s intolerance of dissent. Furthermore, several civil society organisations and activists, particularly from the North and East, have been questioned by the Terrorism Investigation Division (TID) during the last year. That they are being subject to these “routine security checks” when there is no prima facie evidence of wrongdoing, casts doubt on the government’s assertion of partnership with civil society.

As a Sri Lankan citizen, it is my right and civic duty to question the actions of elected representatives of this country when such actions lead to the suffering and marginalisation of vulnerable communities, and demand accountability. Only a country that respects this right can be considered truly independent and democratic.

Finally, the Ministry has referred to my position as Chairperson of the Neelan Tiruchelvam Trust in the statement. However, I did not make the statement to the Sub Committee as Chairperson nor represent the Trust at the hearing. I delivered the statement in my capacity as a human rights advocate, and it in no way has any relationship to the Trust.

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