

## **Submission to the Universal Periodic Review of Sri Lanka**

### **Sri Lanka Democracy Forum (SLDF)**

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### **Summary**

SLDF has been campaigning for greater attention at the Human Rights Council towards human rights and humanitarian issues in Sri Lanka. SLDF believes that attention and pressure emanating from the Human Rights Council is absolutely necessary to address the deteriorating human rights situation in Sri Lanka. Such attention is all the more necessary as the Government behaves in an increasingly authoritarian manner and the LTTE, while seeking to wipe out any space for dissent within the Tamil community inside Sri Lanka, continues with its militaristic strategies and tactics that can only bring further destruction to the Island. The Human Rights Council should call on the perpetrators of human rights abuses in Sri Lanka to halt their atrocities or suffer tangible measure of censure and isolation.

## **1. Failure by the state to address the grievances of minorities**

1. While this submission focuses on the last four years, the current situation in Sri Lanka with respect to its minority communities cannot be understood outside the context of sixty years of systematic discrimination against minorities. The current Government, led by President Mahinda Rajapaksa, through its expressed mistaken view of Sri Lanka as a Sinhala Buddhist nation and public claims that the President's primary loyalty is to the Sinhala constituency, has re-invigorated the sixty year history of economic and political marginalisation of its Tamil and other minority populations.
2. Since the resumption of hostilities, the abrogation of the ceasefire and the subsequent pulling out of the Sri Lanka Monitoring Mission (SLMM), there has been a marked increase in the terrorising of Tamil and Muslim communities through targeted killings and collective punishments. The Government is failing to differentiate between the Tamil people and the LTTE and is seeking to justify persecution of the Tamils under the pretext of fighting terrorism.
3. State discrimination against minorities and economic and political marginalisation is compounded by the totalitarianism and problematic claims to sole representation by the LTTE, which has further marginalised the minorities by suppressing pluralism and democracy within the Tamil community and isolating the Muslim community which faces severe persecution at the hands of the LTTE. Historically the state has failed to protect the minorities from armed non-state forces such as the LTTE and the Karuna faction.
4. While emphasising that there is no military solution to the current conflict, SLDF believes that a political solution to the problems of the minorities should involve significant changes to the current system of extreme centralisation of power. The solution should include substantial devolution of power to the regions and significant power sharing at the centre, which would empower minorities at not just the regional level but also at the national level.

## **2. Political killings, extra-judicial killings, arbitrary detention, torture, and mass arrests**

5. A state of emergency has been in place in Sri Lanka since August 2005 following the assassination of Foreign Minister Lakshman Kadirgamar by the LTTE. As in past periods when states of emergency were in place, minority communities, in particular the Tamil population, find themselves extremely vulnerable to the abuses of state security forces, the LTTE, and other armed groups.
6. **Right to life:** Right to life is not protected in the Constitution of Sri Lanka. Minority communities are deprived of this right by the systematic actions of the state and its security forces. The state also fails to provide security to members of the minority communities. Since the execution of five Tamil students on the Tricomalee foreshore in January 2006, the security forces and state-linked armed groups have been alleged to be responsible for the targeted killings of many Tamil and Muslim civilians; none of these allegations have been properly investigated by the Government. The security forces and the police also failed to protect civilians from political killings committed by the LTTE when the ceasefire was in affect. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions who visited in December 2005 stated that "[t]he purpose of these killings has been to suppress and divide the population for political gain." All armed groups are responsible for killings of humanitarian workers, human rights defenders, journalists, civil servants, community leaders and political activists.<sup>1</sup>

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<sup>1</sup> A local organization documenting 60 killings, disappearances and abductions of humanitarian workers between January 2006 and August 2007, of which fifty-seven were Tamil. (give reference)

7. **Right not to be tortured:** The right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment is protected in Article 11 of the Constitution. Torture is criminalised by the 1994 Torture Act but there have only been three prosecutions in the last 13 years according to Manfred Nowak the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. Both the State and the LTTE have a well documented history of torturing detainees.<sup>2</sup> Sri Lanka's Emergency Regulations provide for administrative detention of up to one year with no judicial oversight by ordinary courts and without the necessary protections set out in international law that would protect against torture.
8. **Right to liberty and security of person:** Article 13 of the Constitution of Sri Lanka provides freedom from arbitrary arrest, detention and punishment and Article 141 recognises the right to *habeas corpus*. However the Emergency Regulations fail to provide the necessary safeguards to ensure protection of these rights during detention.<sup>3</sup> In practice high numbers of mainly young Tamil men are being detained under the Emergency Regulations with many held in Boosa detention centre. Few have access to lawyers, medical care or their families. *Habeas corpus* writs or fundamental rights cases are rarely filed and when they are in some cases do not secure leave to proceed.
9. **Right to privacy:** The Constitution does not provide the right to a private and family life. In addition, the Emergency Regulations provide powers of search and seizure without warrant and also to take possession of buildings and evict residents where the building is alleged to have been used in connection with an offence under the Regulations. The practical impact of this has been regular massive "cordon and search" operations in all areas of Sri Lanka controlled by the Government. On 7 June 2007, over 350 Tamils were forcibly evicted from their places of residence in Colombo on the grounds of "security considerations". In the first week of December 2007, over 1000 Tamil individuals were detained in search operations in Colombo and southern Sri Lanka.

### 3. Internal displacement and freedom of movement

10. Due to the geographically defined distribution of ethnic groups in Sri Lanka, minorities primarily living in the north and the east are disproportionately represented among the displaced. There are currently at least half a million victims of conflict-induced internal displacement.<sup>4</sup> Of these, an estimated 300,000 are newly displaced since the resumption of hostilities in April 2006.<sup>5</sup> Internally displaced persons live in very poor conditions with inadequate access to housing, health care, and education; many have been repeatedly displaced.

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<sup>2</sup> In the last four years, University Teachers for Human Rights (Jaffna) have documented patterns of torture by the LTTE. Following the visit of the Special Rapporteur in October 2007, he stated "the most serious allegations of human rights violations that come to light, including those related to torture and ill-treatment, are in relation to the conflict and are alleged to be committed by both Government and non-State forces, including the LTTE and the TMVP-Karuna group."

<sup>3</sup> For example: allowing for detention of up to 30 days before the detainee must be produced before a court; limiting scrutiny of the detention to an "advisory committee" appointed by the President; allowing detainees to be held in places of irregular detention; failing to require that a list of recognized places of detention be published; failing to ensure access of the detainee to the outside world; restricting bail unless ordered by the Attorney-General; allowing for confessional evidence and reversing the burden of proof.

<sup>4</sup> The Internal Displacement Monitoring Centre puts the figure at 520,000. See their report, *Civilians in the Way of Conflict: Displaced people in Sri Lanka*, 26 September 2007.

<sup>5</sup> Inter-Agency Standing Committee, *Conflict-Related Internal Displacement in Sri Lanka: A Study on Forced Displacement, Freedom of Movement, Return and Relocation*, April 2006 – April 2007.

11. Displaced persons continue to suffer from lack of security and are vulnerable to abductions by armed groups, with children in particular exposed to recruitment.<sup>6</sup>
12. The Government has forcibly returned a number of displaced persons to their homes against their wishes and without ensuring adequate security.
13. The overwhelming majority of the 75,000 Muslims from Jaffna (other than those who have settled outside the north and east) who were evicted or “ethnically cleansed” from the Northern Province in 1990 by the LTTE, still remain displaced. This provides a stark example of not only the LTTE’s treatment of the Muslim community, but also the State’s ongoing failure to protect and ensure the rights of the displaced.
14. The State has imposed a new “High Security Zone” in the Eastern province, infringing upon the right to freedom of movement which is protected by Article 14(1) of the Constitution. SLDF believes that these restrictions are not only unnecessary but that they violate international human rights law. They disproportionately affect Tamil and Muslim communities who, once displaced, have no hope of returning to their homes which fall within these zones.
15. The LTTE has repeatedly prevented civilians from fleeing areas where there are military attacks, with the aim of using them as human shields. The LTTE also places draconian limitations on the movement of Tamils out of areas under its control despite the deteriorating humanitarian and security situation in these areas.
16. The LTTE has stated that it cannot guarantee safe passage to ships carrying humanitarian supplies to the north of Sri Lanka.
17. The Government has also restricted the movement of civilians fleeing areas of attacks, especially through the closure of the A9 highway - the only land route in and out of Jaffna. This road closure also severely restricts the transport of essential items such as food, medical supplies and humanitarian assistance.

#### **4. Right to reparations and remedies and lack of prosecutions of violations**

18. During the ceasefire, the LTTE were allowed to act with total impunity towards Tamil civilians, constricting Tamil democratic space, indulging in forcible recruitment of child soldiers and carrying out political killings throughout the country. The LTTE has also been immune from prosecution for past violations. The Sri Lankan security forces have an equally entrenched form of protection from prosecution for decades of human rights abuses in the form of state sponsored impunity and immunity clauses provided in Sri Lankan law.
19. **Legal protection:** Article 17 of the Constitution provides that every person may apply to the Supreme Court or the Court of Appeal should the state infringe upon their fundamental rights. With the exception of torture and disappearance, most human rights violations are criminalised under Sri Lanka’s Criminal Procedure Code. However emergency regulations limit the accountability of civilian and military authorities by providing immunity from all acts performed in ‘good faith’, and Sri Lanka’s laws do not provide adequately for establishing command responsibility
20. **Independence of the criminal justice system:** The Constitutional Council, the body responsible for making appointments to independent commissions and bodies, has not functioned since March 2005 due to the President’s failure to appoint new members. Since that time, the President has made direct appointments to the Judicial Service

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<sup>6</sup> Amnesty International, “Armed Groups Infiltrating Refugee Camps”, Press Release, March 2007.

Commission, the Supreme Court and Court of Appeal, and has recently appointed the Attorney-General. As a result, these bodies cannot now be viewed as independent of the Executive. There is no independent public prosecutor in Sri Lanka- the position was dissolved in 1979.

21. **Failure to investigate:** SLDF is not aware of any case involving a serious human rights violation leading to prosecution since the resumption of hostilities.<sup>7</sup>The body responsible for investigating serious human rights violations is the Criminal Investigations Department (CID), which is part of the police force. The result is police officers investigating their fellow officers, and investigations are hardly ever pursued against members of the armed forces. The police also lack the linguistic ability and cultural sensitivity to interview witnesses and gather information required to effectively investigate crimes.
22. Sri Lanka lacks effective witness protection legislation and programmes, and there is entrenched mistrust in the minority communities of the police, which discourage witnesses from coming forward to testify.
23. **Failure to prosecute:** In Sri Lanka, there have been very few cases of human rights violations that have been identified and prosecuted. Even in the few cases where prosecutions have taken place only junior officers were prosecuted, and command responsibility was neither investigated nor established. Prosecution is the responsibility of the Attorney-General's Department, and there is an established history of the Department failing to prosecute cases of human rights violations.
24. **Failure to provide compensation, restitution, rehabilitation and satisfaction:** The concept of reparations per se is not included under Sri Lankan law. Under the Constitution, the Supreme Court is mandated with the powers to award compensation in respect of violations of fundamental rights. Further, the Court of Appeal and Provincial High Courts may award compensation for acts that fall within their writ jurisdiction. There have also been a variety of *ad hoc* administrative awards of compensation in cases of violations of human rights. The *ad hoc* nature of such awards has resulted in administrators, depending on the political climate, stipulating that a death certificate is necessary for the provision of compensation. Death certificates are difficult to come by for several reasons, primarily due to the lack of a body. Security forces, eager to label killings as encounter killings with the LTTE, have been known to use the release of the body as a bargaining tool to force the victim's family to sign a document saying the individual was a member of the LTTE, thereby placing the family in an impossible situation.
25. **Failure to ensure cessation and guarantee non-repetition:** Victims of human rights abuses by all parties to the conflict are too frequently victims of multiple and continuing offences, which is in violation of Sri Lanka's obligation to ensure cessation and non-repetition.

## **5. National institutions and cooperation with international bodies**

26. **Institutions and governance and peace:** Ultimately, human rights, democracy and pluralism in Sri Lanka will only be as strong as its institutions and political culture. Principled and firm international engagement should seek

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<sup>7</sup> Even in cases where witnesses were willing to come forward or where strong evidence of state complicity is available, investigations have failed to identify the perpetrators and cases have not been submitted to the Attorney-General for prosecution. An exception to this has been local magistrates who are empowered by the Criminal Procedural Code to order an investigation if they receive information that a crime has been committed and monitor the investigation. Several brave magistrates have used this to push forward investigations, but face serious threats from both the security forces and the LTTE as a result.

to ensure that these develop in a genuine and legitimate manner. A sustainable and just political solution requires constitutional reform, as well as the revitalization of Sri Lanka's democratic institutions. Reforms should be genuine rather than mere enactments to appease the international community.

27. **Authoritarianism:** In the context of ever-increasing grave violations of human rights the Sri Lankan state has adopted an authoritarian form of governance reminiscent of the late 1980s and early 1990s. This authoritarianism is characterized by the abuse of power under the pretext of national security, the misuse of the police and security apparatus against political opponents, the collective punishing of the civilian Tamil population, the intimidation of the media, and the virulent attacks on the work of international human rights organisations and local activists.
28. **Totalitarianism of the LTTE:** The deliberate erosion of democracy has not taken place in a vacuum. The suicide culture of the LTTE has bred a fascist political culture and the destruction of pluralistic politics within the Tamil community. In areas under its control, the LTTE has prevented the development of any independent and effective human rights institutions. Consistent and credible accounts of torture, abductions, child conscription, detention in inhumane conditions, and forced induction of civilians into the LTTE's ranks are told by the escapees from these areas. Unfortunately, for too long a blind eye was turned by the international community and the Government to the human rights violations of the LTTE, particularly during the ceasefire.
29. **National institutions:** The failure to appoint members to the Constitutional Council, and the President's subsequent decision to directly appoint the members of the Human Rights Commission and the Police Commission, is an indication of authoritarian control by the executive of bodies responsible for criminal justice.
30. The country's **Human Rights Commission**, set up in 1996, has a mandate to investigate incidents of specific violations and recommend redress. Time and again the HRC has been unable to fulfill its mandate, primarily due to lack of cooperation from the Government and the LTTE. It lacks sufficient power or influence to implement its recommendations, and its capacity to monitor the human rights situation and investigate specific incidents in conflict areas is limited.
31. At least four **commissions of inquiry** related to human rights abuses have been established since the beginning of 2006,<sup>8</sup> the most prominent of which is the Presidential Commission of Inquiry (CoI) into grave human rights violations and the associated International Independent Group of Eminent Persons (IIGEP). While the SLDF believed that the CoI and IIGEP had some potential to address impunity, it pointed out that neither should be viewed as a substitute for international human rights monitoring or the criminal justice system. The CoI failed to complete even one case in its first year of existence. The CoI and IIGEP have not served as effective deterrents against ongoing abuses, and have failed to bring justice to the families of the victims.
32. The **Ministry for Disaster Management and Human Rights** was set up in late 2005 and has taken some human rights initiatives which include convening an Inter-Ministerial Committee that committed itself to following up on investigations into human rights violations and a civil society advisory group (from which several members resigned jointly in mid-2007).<sup>9</sup> The Ministry and the Inter-Ministerial Committee have shown little sign of being able to effectively influence the behaviour of the security forces.

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<sup>8</sup> International Crisis Group, *Sri Lanka's human rights crisis*, June 2007, p. 20-21

<sup>9</sup> International Commission of Jurists, *Discussion paper on a human rights field presence in Sri Lanka*, October 2007

33. **Humanitarian obligations:** The Government has only focused on short term military victories without making adequate preparations for the care of the many thousands of civilians that its armed forces displaced and affected through military operations, especially in the East. Simultaneously, Sri Lanka has been labeled by the UN Under Secretary-General for Humanitarian Affairs, John Holmes, as one of the most dangerous places in the world for humanitarian workers, thus making it impossible for such workers to fill gaps left by the Government.
34. **UN human rights field operation:** SLDF believes that a UN human rights field operation is crucial at this juncture and would, through a mandate of protection, monitoring, investigations and public reporting, help to protect human rights and combat the culture of impunity. Such an operation would support and empower local structures to ensure independence of the judiciary, freedom of the press, and enhance space for humanitarian work, and act as a check on the militarization of policing. An international mechanism will have the necessary independence and impartiality to challenge all perpetrators of human rights violations and must have access to all parts of the country, including LTTE controlled territory, to act as a deterrent to human rights abuses.
35. **Engagement with international actors:** The verbal attacks on the international community following visits by international actors to Sri Lanka, such as Special Advisor to the United Nations Special Representative for Children and Armed Conflict in Sri Lanka (Allan Rock) and the UN Under Secretary-General for humanitarian affairs (Sir John Holmes), are all the more shocking in this context. Likewise are attacks on those choosing to engage with such international actors, including labeling them as “traitors”. Engagement with international actors by the Government has been purely with the objective of appeasing the international community, primarily to avoid criticism at the UN Human Rights Council. This is evidenced by the lack of implementation of any of the recommendations of actors who visit Sri Lanka with a human rights mandate.

## **6. Child soldiers**

36. SLDF is dismayed that in spite of assurances given to the UN and international scrutiny at the highest levels, the LTTE and the Karuna Group working alongside the Sri Lankan government have not ceased to recruit children nor kept their commitments to release all children in their ranks.
37. The Government has committed itself to winning the war before the end of the year while the LTTE leader, Velupillai Prabhakaran, has called for great sacrifices in what he calls the final battle for the liberation of the Tamils. Such statements are forewarnings of the intention of both sides to intensify the conflict in a way that is unprecedented, and under this pressure it is more than likely that child recruitment will increase. Intense conflict will put pressure on the LTTE and TMVP to replace lost cadre with children, and difficulties of moving cadre from place to place will also increase pressure to recruit children.
38. SLDF appreciates the interest the issue of child soldiers has attracted from the very highest levels of the UN and the international community. To this end we particularly note report S/2007/758<sup>10</sup> by the Secretary General to the Security Council pursuant to Security Council resolution 1612(2005).
39. The marginal reduction in numbers of children recruited over the last two years can partly be attributed to the high level of scrutiny; however, the fact that recruitment is continuing indicates that more action is required. While international scrutiny is what produces the best results, a more effective and pervasive mechanism is required.

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<sup>10</sup> *Report of the Secretary-General on children and armed conflict in Sri Lanka*, 22 December 2007.

40. With the escalation of the conflict, winning military campaigns has taken priority over respecting the rights of children or honouring commitments made previously. SLDF believes that any marginal reduction in child recruitment achieved over the last two years is likely to be lost quickly unless a pervasive and countrywide UN human rights field operation is instituted without delay. The HRC should stress to the warring parties that the war does not release them from commitments made to the UN and obligations under the Convention on the Rights of the Child (26 January 1990) and the Optional Protocol on the involvement of children in armed conflict (21 August 2000), both of which have been ratified by Sri Lanka.
41. SLDF notes that though the LTTE and TMVP are primarily responsible for recruitment, given the visible and close association between the TMVP and the Government, the TMVP cannot be considered an entity entirely independent of the Government, and the Government cannot absolve itself from taking responsibility for TMVP actions. Further, not holding the Government to account will set a dangerous precedent where in future, the Government would be allowed to commit acts through proxy parties to avoid its treaty obligations and obligations under international humanitarian law.
42. SLDF firmly believes that the real issue with regard to recruitment is one of lack of political will rather than lack of capacity. This is evident from the level of recruitment, attempts to mislead UNICEF inspectors, and at a broader level, the Government's rejection of UN High Commissioner for Human Rights Louise Arbour's offer to assist with monitoring.
43. Since the escalation of the war and the abrogation of the ceasefire, international and civil society presence in the areas of conflict has reduced sharply and is likely to reduce further. This creates a situation in which local leaders of both the LTTE and the Karuna Group/TMVP would be able to recruit children undetected. Thus SLDF believes that any field operation to be effective should include the following;
- Monitoring by persons who have a sufficient level of immunity to protect them from repercussions
  - Monitoring and verifications should be continuous. Unannounced visits should provide a measure against planned obfuscation.
  - Monitors should be able to deter recruitment proactively by providing protection to children at risk, particularly those who are vulnerable to re-recruitment.
  - Parents of children and others should have direct access to monitors, and should be able to access monitors without having to move long distances from their homes or IDP camps. This can be enabled only by a countrywide permanent operation with offices in all the districts in the Northern and Eastern provinces.

## **7. Freedom of expression and freedom of association**

44. The Government, the LTTE and the Karuna group/TMVP continue to kill, severely intimidate and threaten journalists with the objective of gaining political ends, and continue to restrict the right to freedom of expression of ordinary citizens.
45. During the years when the ceasefire was in place, SLDF highlighted the killings of journalists by groups aligned to the Government and the LTTE. Furthermore, journalists both in Sri Lanka and in the Sri Lankan diaspora face systematic intimidation by the LTTE. Since the resumption of hostilities and the re-introduction of the Emergency

Regulations, legal and extra-legal suppression of the media has reached a new level of intensity. It has been reported that since mid 2006, 7 independent journalists and media personal have been killed in Sri Lanka.

46. Emergency Regulations reintroduced in 2005 and made more restrictive in 2006, stifle media freedom and freedom of expression in general at an alarming level. SLDF continues to be particularly alarmed by Regulations 9, 18(1), 27, 28, 29, and 33, all of which restrict freedom of expression to some level in the interest of national security and public order.
47. Sri Lanka is a signatory to the UN Covenant on Civil and Political Rights and therefore has committed itself to Article 19 of the Covenant. SLDF recognises that Article 19 allows the imposition of some restriction on freedom of expression in the interest of national security and public order. However SLDF believes, in light of the Johannesburg Principles; that such restrictions should: (1) be proportional and (2) defined clearly so that there is no room for misuse - in terms of both interpretation and execution of the law. SLDF believes that the Emergency Regulations mentioned above fail to adhere to both these fundamental conditions. In addition, the laws do not provide any mechanism for review (except retrospective judicial review) of decisions taken by law enforcement authorities. Also, the Regulations do not sufficiently distinguish between political dissent and the disruption of public order, thus creating uncertainty over the law, resulting in self-censorship.
48. In LTTE controlled areas, a very strict form of censorship exists. However, the methods used by the LTTE are less obvious, and stem from a long tradition of violent crushing of dissent. From the 1980s, the LTTE has killed academics, activists and politicians who have voiced dissenting opinions. This has created a culture of fear whereby hardly any journalist will now express strong criticism of the LTTE in the areas it controls. The problem is particularly severe in the case of the Tamil media, but extends beyond.
49. Emergency Regulations 13(1), 13(2), and 71(1) enable the President to ban any public meeting, procession, or gathering which in his opinion threatens national security or public order. These Regulations, like the Regulations mentioned above, do not give any guidelines that distinguish assemblies that express dissent or take positions critical of or different from that of the Government, from those which disrupt public order.<sup>11</sup>
50. Emergency Regulation 67(1), which enables a member of the police or security forces to order a person in a public place to remove himself from that place, also does not include a mechanism of review or appeal against the decision. There is also no requirement on the official making the decision to justify or provide reasons.

## **8. Conclusions and Recommendations**

SLDF calls on the UN Human Rights Council to respond to the seriousness of the human rights situation in Sri Lanka by adopting a strong resolution condemning violations by the Government of Sri Lanka, the Liberation Tigers of Tamil Eelam and other non-state actors.

The Human Rights Council should also raise its concern about the collapse of the peace process and the associated increase in violence, and call for a political solution, based on principles of respect for human rights and fundamental freedoms, that addresses the aspirations of all Sri Lankans.

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<sup>11</sup> SLDF notes that under Regulation 13(1), the President made an order on 26 April 2006 banning all processions and public meetings without the permission of the Inspector General of Police for an indefinite period.

**SLDF calls on the Human Rights Council to urge the Government of Sri Lanka to:**

- Address minority grievances by means of a political process, and a solution that would involve the devolution of powers to the provinces and power sharing at the centre, and which is acceptable to all minority communities
- Stop attacking civilian members of minority communities, and stop violating the basic rights (including the right to life) of minorities on the pretext of fighting terrorism, and stop using the Emergency Regulations to intentionally harass minority communities.
- Stop extra-judicial killings, torture, arbitrary arrests, and mass arrests immediately, and prosecute those responsible for past violations.
- Stop taking actions which lead to the large-scale internal displacement of people, and ensure that the movement of people including those fleeing conflict areas is not restricted.
- Ensure the independence and integrity of national institutions. Stop interference with the judicial process, and foster democracy and pluralism. Work towards building the capacity of national institutions, and make necessary changes to legislation so that the country can meet its treaty obligations and meet the requirements of customary international humanitarian law.
- Stop the TMVP from recruiting underaged fighters
- Ensure that the right to freedom of expression and the right to freedom of association of all citizens, including the minorities, are respected as enshrined in the UN Declaration of Human Rights.
- Respond positively to recommendations made by the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Adviser on Sri Lanka to the UN's Special Representative on Children in Armed Conflict, and the High Commissioner for Human Rights, ratify the Disappearances Convention, and invite the UN High Commissioner for Human Rights to establish a human rights field operation in Sri Lanka. with a mandate to protect, monitor, investigate, report, and build capacity.

**SLDF also calls on the Human Rights Council to urge the Liberation Tigers of Tamil Eelam to:**

- Stop all killing and abductions of civilians, including political opponents and members of other Tamil groups.
- Stop the use of suicide attacks.
- Stop the targeted and indiscriminate attacks on civilians, including attacks in public spaces and vehicles through landmines and bombs.
- Stop the recruitment of underage fighters and release all members who are under 18 years of age.
- Allow the Tamil and Muslim populations to exercise their rights to freedom of movement, expression, association and assembly, to take part in public affairs and to vote, and to family life, including the right to marry.
- Comply with their legal obligations under Common Article 3 of the Geneva Conventions of 12 August 1949 and customary international humanitarian law.