



Tamil Information Centre

தமிழ் தகவல் நடுவம்

THULASI

Bridge End Close (Off Clifton Road)
Kingston Upon Thames KT2 6PZ, (UK)
Telephone: + 44 (0) 20 8546 1560
Fax: + 44 (0)20 8546 5701
E-Mail: admin.tic@sangu.org

Committed to Human Rights and Community Development

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Human rights defenders need to unite and commit to protect their fellow defenders

The year 2008 began in Sri Lanka with horrendous violence in the capital Colombo - the assassination of the opposition United National Party (UNP) MP for Colombo District, T Maheswaran. He faced grave threat to his life following the instruction of the Ministry of Defence to the Inspector General of Police in December 2007 to withdraw personnel from the security units of several parliamentarians, including his security unit. This incident points to a systematic campaign of intimidation and terror aimed at opponents of the Sri Lankan government and human rights defenders. Mr Maheswaran was shot dead by a gunman while attending New Year Day prayers inside the Ponnambala Vanesvarar Hindu temple in Kotahena suburb. It was a calculated step by the perpetrator, choosing a place of worship to commit the crime, taking advantage of a lack of security. It should be remembered that similar attacks on opponents and civilians have taken place earlier in Hindu temples, churches, mosques and Buddhist temples. Places of worship have become attractive targets because they have many points of vulnerability.

“What a horrible way to begin the New Year!” exclaimed a Christian priest in agony. After hearing the news of the assassination, he stopped sending out New Year greetings. The killing portends what lies ahead this year. In the past years, we Sri Lankans lost our cherished freedoms, the freedoms envied by many around the world - the freedom to speak, to debate, to disagree, to object, to challenge and to dissent. The scene now seems to be set for a bloody and painful year with further curbing of freedoms.

The Tamil Information Centre (TIC) is deeply shocked at the assassination of Mr Maheswaran. This heinous crime which has left another deep imprint on the human rights history of Sri Lanka, underscores the menace that impunity poses to the people of Sri Lanka. The TIC communicated with Mr Maheswaran just three days ago, on the protection of human rights defenders. He assured us that he was committed to the welfare of the people and said “I will continue to work for my people, irrespective of what others say of me, and I will continue to speak out on human rights violations in Jaffna”.

Civil society organizations, both within and outside Sri Lanka, have argued for a long time that the government lacks the capacity and the will to carry out its normal functions of protection and that there is little that the government has done to punish the perpetrators of heinous crimes.

The TIC recalls that the UN Declaration on Human Rights Defenders says that ‘States shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action’ carried out as a consequence of his or her legitimate exercise of rights.

The attack against human rights defenders has resulted in many of them fleeing from the country. The TIC understands that others plan to leave the island. This kind of exodus will expose ordinary people to further violence and also lead to the successful suppression of information on human rights violations. In these circumstances, the TIC calls for unity among human rights defenders and commitment on their part to protect fellow defenders. While we say that the Sri Lankan government must bear responsibility for the death of Mr Maheswaran, we also emphasize that the Sri Lankan civil society, the expatriates and the international community must also accept their share of responsibility and rise to the occasion. The TIC urges them to take effective steps to:

- ensure that all reports of death threats, assaults and assassination of human rights defenders are promptly and thoroughly investigated by the appropriate authorities and that suspected perpetrators are brought to justice in accordance with international standards of fair trial;
- ensure that all allegations of human rights abuses by members of the ruling party, or its allied parties, are investigated promptly by an independent and competent authority having the people’s confidence, and those found responsible are brought to justice regardless of their position in these parties or their links to the government;
- raise concerns among the expatriate communities abroad about the situation of human rights defenders in Sri Lanka.

We particularly urge other governments to raise our concerns about the situation of human rights defenders in your bilateral or multilateral meetings with the government of Sri Lanka and press the government to:

- ensure that judicial authorities carry out an independent, thorough and impartial investigation into Mr Maheswaran’s assassination and the perpetrators of this hideous crime are brought to justice;
- make a public commitment to ensuring protection for human rights defenders, inform all law enforcement personnel, at all levels, of their obligations to respect and protect human rights, and make it clear that they will be held accountable for human rights violations perpetrated by them;
- accept the offer of international monitoring of the human rights situation in Sri Lanka to ensure implementation of human rights standards at the national level and to guarantee the safety of human rights defenders to enable them to continue their work.

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