Introduction

The biennial Commonwealth Heads of Government Meeting (CHOGM) is one of the world’s most important global summits. 54 heads of state gather to discuss global issues and to agree upon common policies. Holding this year’s meeting in Sri Lanka has brought great controversy; rather than hosting the Commonwealth’s flagship event, many within the international community believe the country ought to be facing sanctions for the failure to address its appalling human rights record and war crimes allegations. Meanwhile, the Government of Sri Lanka views this summit as a chance to draw a line under the allegations of atrocities, to shore up domestic support for the regime, and present an apparently reformed and reconciled Sri Lanka to the world.

We have produced this journalists’ guide to CHOGM 2013 because we do not believe that visitors to the Commonwealth Summit will see what lies behind the veneer of this holiday destination. By intimidating their critics into silence, carefully managing media opportunities, and clamping down hard on civil society, the Government will be able to portray Sri Lanka as a country enjoying a successful reconciliation process. This is simply untrue, and with this guide, it should be possible to expose these inaccuracies and the suffering still endured by too many Sri Lankans.

CHOGM will see the largest congregation of the world’s media ever to assemble in Sri Lanka. This guide will assist journalists in telling the story of Sri Lanka and the summit. To this end, we also include useful practical and logistical information to help you to make the most of your visit.

In addition, this guide gives a full background to the Commonwealth’s embarrassing decision to allow Sri Lanka to lead an organisation whose values it has repeatedly violated. We have provided information regarding the security and ethical implications of the media’s coverage of this event, as well as some useful contacts which will help you report on the real story taking place in Sri Lanka.

This is the web version of the guide. On request we are happy to provide the full version which also includes:

- Practical information on getting around Sri Lanka
- Security tips and a guide to visiting the north of the island
- Contact information for Sri Lanka experts

This guide was published and prepared by the Sri Lanka Campaign for Peace and Justice Ltd. We are a multi-ethnic non-partisan group who campaign for a just and lasting peace in Sri Lanka based upon accountability and respect for human rights. We are not affiliated with any political or ethnic group inside or outside of Sri Lanka. You can contact us on info@srilankacampaign.org, via our website www.srilankacampaign.org and via further contact information at the back of this guide.
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What is CHOGM and why does it matter?

CHOGM is the biennial Commonwealth Heads of Government Meeting at which the leaders of all 54 member states gather to discuss global issues and to agree on collective policies and initiatives. The 22nd CHOGM meeting will take place in Sri Lanka in November.

This comes at a time when many believe Sri Lanka to be in contravention of the Harare Declaration committing all Commonwealth nations to the promotion of human rights and democracy under the rule of law, as well as the Commonwealth’s “Latimer house” principles of good governance (following last year’s highly politicized impeachment and replacement of Sri Lanka’s Chief Justice – the leader of the judiciary).

Furthermore, as host of the event, Sri Lanka’s President Mahinda Rajapaksa will become the Commonwealth’s Chairperson in Office – this effectively means that Sri Lanka will lead the Commonwealth, in addition to chairing all Commonwealth meetings, for the next two years.

The Commonwealth has just finished a process which ended with the publication of a new “Commonwealth Charter” this spring, which was intended to redefine the Commonwealth as a “community of shared values”. Given Sri Lanka’s behaviour many are now questioning what these values are.

The Commonwealth once stood up to rights violators: making a significant contribution to the struggle against apartheid and demanding human rights’ improvements from the Government of Nigeria before it could host the Commonwealth Summit in 2003. However this kind of robust action now appears to be a thing of the past. Moreover, there appears to be a double standard within the Commonwealth whereby African nations are held to account for violations of Commonwealth values, but non African nations are not.

The Commonwealth now risks losing it’s already struggling political relevance. The Commonwealth “brand” still retains considerable diplomatic power, but if it allows Sri Lanka’s behaviour to tarnish that brand then the Commonwealth will lose all credibility and will cease to have any relevance to the modern world.

As well as using the summit to whitewash its international reputation, the Sri Lankan Government is making a significant amount of domestic political capital out of it. Over the last two years many billboards have gone up over Sri Lanka showing President Rajapaksa with various world leaders, in photographs taken at the last Commonwealth Summit. It is likely that the summit itself will be an even greater source of such propaganda material, and there is even talk of President Rajapaksa calling early presidential elections in the spring to take advantage of a “CHOGM bounce”.

The Commonwealth Ministerial Action Group (CMAG) – created to investigate serious or persistent violations of human rights – has failed to place Sri Lanka on its official agenda, despite two UN reports and two resolutions documenting serious human rights abuses within the country. It therefore seems likely that CHOGM 2013 will be a major embarrassment for all those in attendance.

The UK Parliament’s Foreign Affairs Select Committee stated in 2012 that: "continuing evidence of serious human rights abuses in Sri Lanka shows that the Commonwealth’s decision to hold the 2013 Commonwealth Heads of Government Meeting in Colombo was wrong. The [UK] Prime Minister should publicly state his unwillingness to attend the meeting unless he receives convincing and independently verified evidence of substantial and sustainable improvements in human and political rights in Sri Lanka."

Canadian Prime Minister Stephen Harper has announced his decision not to attend and for the first time in 40 years, Queen Elizabeth II - Head of the Commonwealth - will miss the meeting in November.

Various international political figures and bodies have voiced their concern about CHOGM taking place in Sri Lanka. These include:

- Desmond Tutu
Mary Robinson, former president of Ireland
Malcolm Fraser, former Prime Minister of Australia
David Miliband, former UK Foreign Secretary
Sir Malcolm Rifkind, former UK Foreign Secretary
Sir Ronald Saunders, prominent Caribbean diplomat
Geoffrey Robertson QC, human rights lawyer
Peter Kellner, Royal Commonwealth Society President
Ricken Patel, founder, Avaaz
Those campaigning for justice for murdered British tourist Khuram Shaikh
Bloomberg
The Washington Post
The Guardian
Amnesty International
The International Commission of Jurors and fifty-six eminent jurists from around the world
Human Rights Watch
International Crisis Group
Minority Rights Group International
International Federation for Human Rights
Commonwealth Journalists Association
Commonwealth Lawyer’s association (which called for Sri Lanka to be expelled from the Commonwealth)
East and Horn of Africa Human Rights Defenders Project
Forum Asia
Asian Legal Resource Centre
Civicus
Commonwealth Human Rights Initiative
And a number of Sri Lankan NGOs

What is happening, and where?

Officially opening on November 15 in Colombo, CHOGM will include a number of cultural and civil society fringe events surrounding the main executive sessions and leaders’ retreat. Hambantota, the President’s home town on the country’s South coast, will host the Commonwealth Youth Forum; Hikkaduwa on the South-West coast, will host the People’s Forum; whilst Colombo’s Cinnamon Grand Hotel will host the Business Forum. Events for the spouses of delegates will also take place in Galle and Kandy.
### List and description of key events and meetings

<table>
<thead>
<tr>
<th>What</th>
<th>When</th>
<th>Where</th>
<th>Additional Info</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee of the Whole (CoW) Meeting</td>
<td>17-18 Oct 2013</td>
<td>London</td>
<td>This is a meeting of foreign ministers from every Commonwealth Nation. Its purpose is to set the agenda for the Commonwealth Summit and to make any significant decisions that are to be made with respect to the Commonwealth and the Summit.</td>
</tr>
<tr>
<td>Senior Officials Meeting</td>
<td>18 Oct</td>
<td>London</td>
<td>This is a meeting of senior civil servants attached to foreign ministers to discuss the implementation of the decisions of the CoW.</td>
</tr>
<tr>
<td>Information Desks open at Airport/Hotels/Venue</td>
<td>01 Nov</td>
<td>Colombo, Hikkaduwa, Hambantota</td>
<td>It is not clear what purpose this meeting will serve that cannot be served by the CoW but it may be that because the CoW is taking place in London the Sri Lankan Government felt the need to duplicate the meeting in Sri Lanka.</td>
</tr>
<tr>
<td>Pre-CHOGM Foreign Ministers' Meeting</td>
<td>13-14 Nov</td>
<td>Bandaranaikke Memorial International Conference Hall (BMICH), Colombo</td>
<td>CMAG is the meeting of the foreign ministers of Australia, Bangladesh, Canada, Jamaica, Maldives, Sierra Leone, Tanzania, Trinidad and Tobago and Vanuatu to discuss persistent violations of Commonwealth values by member states. Currently only Fiji is formally on CMAG's agenda. Sri Lanka has been repeatedly raised at CMAG meetings and is likely to be discussed but does not have a formal agenda slot. The Sri Lankan Government has advertised this CMAG meeting as being &quot;to discuss the Harare declaration&quot;. This is something of a misnomer as all CMAG meetings are to discuss Commonwealth values as set out in the Harare declaration. We have been assured that this will be an entirely normal meeting of CMAG.</td>
</tr>
<tr>
<td>Commonwealth Ministerial Action Group (CMAG)</td>
<td>13 Nov</td>
<td>BMICH, Colombo</td>
<td>These stage managed media briefings are unlikely to provide any candid information.</td>
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<tr>
<td>Pre-CHOGM Media Briefing</td>
<td>13 Nov</td>
<td>BMICH, Colombo</td>
<td>See above.</td>
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<tr>
<td>Daily CHOGM Press Conferences</td>
<td>14-17 Nov</td>
<td>BMICH, Colombo</td>
<td>One of several social events planned for spouses of delegates.</td>
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<tr>
<td>Foreign Ministers' Spouse Programme</td>
<td>13-16 Nov</td>
<td>Colombo, Galle, Kandy</td>
<td>One of several social events planned for spouses of delegates.</td>
</tr>
<tr>
<td>Heads of Governments' Spouse Programme</td>
<td>15-16 Nov</td>
<td>Colombo, Kandy</td>
<td>The Youth Forum is supposed to provide young Commonwealth citizens with the opportunity to discuss issues, share their experiences, build consensus and identify best practices. At the end of the forum they issue a communiqué. It is not at all clear how delegates are chosen or decisions made but the event is administered by a Commonwealth affiliated charity called the Commonwealth Youth Exchange Council. The Business Forum is the premier business event in the Commonwealth, bringing together around 1,000 business leaders from around the world.</td>
</tr>
<tr>
<td>Commonwealth Youth Forum</td>
<td>10-14 Nov</td>
<td>International Convention Centre, Hambantota</td>
<td>The People’s Forum is supposed to brings together civil society representatives from around the world to discuss and debate key issues contained in the Civil Society Statement - drafted and presented to Commonwealth leaders prior to CHOGM. It is organised by the Commonwealth Foundation, which is the charitable arm of the Commonwealth Secretariat. The Foundation traditionally acts as a gatekeeper between Civil Society and Commonwealth Heads of Government – and have been criticized in the past for ensuring the People’s forum does not effectively hold Commonwealth Governments to account. This is likely to be even more true for this CHOGM as the People's forum will be in Hikkaduwa, a good 100km from the main summit, because the forum is being organised by a committee chaired by the President's brother-in-law Dr Lalith Chandradasa, and because all applications to attend are being screened by the military. Furthermore two organisations with a longstanding track record of working closely and uncritically with the Sri Lankan Government - Sarvodaya and Sevalanka - will be the official partners of the event. Additionally the Federation of Sri Lankan Local Government Authorities will be given an enhanced role within the event, allowing the Sri Lankan Government a greater ability to observe and control the event. The Forum will share this year’s CHOGM theme, 'Growth, Equity and Inclusive Development' and will focus on the Post-2015 development agenda framework. This theme was chosen to allow the Sri Lankan Government to showcase its economic progress and its model of &quot;reconciliation via development&quot;.</td>
</tr>
<tr>
<td>Commonwealth Business Forum</td>
<td>12-14 Nov</td>
<td>Cinnamon Grand, Colombo</td>
<td>The People’s Forum is supposed to brings together civil society representatives from around the world to discuss and debate key issues contained in the Civil Society Statement - drafted and presented to Commonwealth leaders prior to CHOGM. It is organised by the Commonwealth Foundation, which is the charitable arm of the Commonwealth Secretariat. The Foundation traditionally acts as a gatekeeper between Civil Society and Commonwealth Heads of Government – and have been criticized in the past for ensuring the People’s forum does not effectively hold Commonwealth Governments to account. This is likely to be even more true for this CHOGM as the People's forum will be in Hikkaduwa, a good 100km from the main summit, because the forum is being organised by a committee chaired by the President's brother-in-law Dr Lalith Chandradasa, and because all applications to attend are being screened by the military. Furthermore two organisations with a longstanding track record of working closely and uncritically with the Sri Lankan Government - Sarvodaya and Sevalanka - will be the official partners of the event. Additionally the Federation of Sri Lankan Local Government Authorities will be given an enhanced role within the event, allowing the Sri Lankan Government a greater ability to observe and control the event. The Forum will share this year’s CHOGM theme, 'Growth, Equity and Inclusive Development' and will focus on the Post-2015 development agenda framework. This theme was chosen to allow the Sri Lankan Government to showcase its economic progress and its model of &quot;reconciliation via development&quot;.</td>
</tr>
<tr>
<td>Commonwealth People's Forum (CPF)</td>
<td>10-14 Nov</td>
<td>Chaya Tranz, Hikkaduwa</td>
<td>The People’s Forum is supposed to brings together civil society representatives from around the world to discuss and debate key issues contained in the Civil Society Statement - drafted and presented to Commonwealth leaders prior to CHOGM. It is organised by the Commonwealth Foundation, which is the charitable arm of the Commonwealth Secretariat. The Foundation traditionally acts as a gatekeeper between Civil Society and Commonwealth Heads of Government – and have been criticized in the past for ensuring the People’s forum does not effectively hold Commonwealth Governments to account. This is likely to be even more true for this CHOGM as the People's forum will be in Hikkaduwa, a good 100km from the main summit, because the forum is being organised by a committee chaired by the President's brother-in-law Dr Lalith Chandradasa, and because all applications to attend are being screened by the military. Furthermore two organisations with a longstanding track record of working closely and uncritically with the Sri Lankan Government - Sarvodaya and Sevalanka - will be the official partners of the event. Additionally the Federation of Sri Lankan Local Government Authorities will be given an enhanced role within the event, allowing the Sri Lankan Government a greater ability to observe and control the event. The Forum will share this year’s CHOGM theme, 'Growth, Equity and Inclusive Development' and will focus on the Post-2015 development agenda framework. This theme was chosen to allow the Sri Lankan Government to showcase its economic progress and its model of &quot;reconciliation via development&quot;.</td>
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<tr>
<td>Event</td>
<td>Date</td>
<td>Location</td>
<td>Details</td>
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<tr>
<td>CHOGM 2013 Opening Ceremony</td>
<td>15 Nov</td>
<td>Nelum Pokuna Theatre,</td>
<td>This is the highlight of the summit from the perspective of pageantry and will, President Mahinda Rajapaksa hopes, provide the photo opportunities he needs to legitimize his regime. It is happening in the theatre built for Rajapaksa as a gift by the Chinese Government.</td>
</tr>
<tr>
<td>CHOGM Main Meeting: Executive Sessions/Retreat/Bilateral Meetings</td>
<td>15-17 Nov</td>
<td>BMICH/Waters Edge, Colombo</td>
<td>This is the actual summit itself. Traditionally the summit had a formal agenda and then the retreat took place afterwards and was an opportunity for Heads of Government to talk candidly to each other, off the record. Here it appears the summit and the retreat are happening in parallel - albeit in different locations (the Summit in BMICH and the retreat at the Water's Edge) - potentially reducing the opportunities for candid discussion.</td>
</tr>
<tr>
<td>Youth Dialogue</td>
<td>15 Nov</td>
<td>BMICH, Colombo</td>
<td>Representatives of the Youth Forum will meet with Commonwealth leaders to discuss the outcomes of its session.</td>
</tr>
<tr>
<td>Civil Society Roundtable</td>
<td>15 Nov</td>
<td>BMICH, Colombo</td>
<td>The culmination of the People's Forum, the issues discussed by Civil Society groups in Hikkaduwa will be presented for discussion at the Civil Society Roundtable.</td>
</tr>
<tr>
<td>Commonwealth Games Federation Sports Breakfast</td>
<td>16 Nov</td>
<td>Waters Edge, Colombo</td>
<td>The tradition of the sports breakfast has in the past involved Commonwealth heads and representatives of the Commonwealth Games Federation, as well as special guests. There has also been a media pool opportunity accompanying this event.</td>
</tr>
<tr>
<td>Concluding Press Conference</td>
<td>17 Nov</td>
<td>BMICH, Colombo</td>
<td>It has been suggested that CHOGM is to conclude on the 17th as the 18th is Mahinda Rajapaksa's birthday.</td>
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Security and seeing the real Sri Lanka

While South and Central Sri Lanka may not show many of the outward signs of a police state, the Government keeps a tight grip on the public, and the media in particular, through intimidation and fear. This is true throughout Sri Lanka but is particularly true in the North of the country where the considerable military presence – many of whom are out of uniform – act as the eyes and ears of the Sri Lankan state.

Therefore it is important that you realise that the vast majority of Sri Lankans will not be in a position to respond truthfully to questions regarding sensitive political matters unless you can guarantee their anonymity and security. Furthermore it is very likely that you will be watched closely if you attempt to stray from the major CHOGM venues, particularly if you go to the North. If the military believes you have been talking with villagers they may return to those villages later and carry out reprisals – even if the villagers in question did not tell you anything of a sensitive nature.

It is very important that you:

✓ Seriously consider the security implications for your sources when carrying out any journalism into politically sensitive matters.

✓ Exercise the utmost care when visiting the politically sensitive North of the Island.

✓ Ensure your coverage of the situation in Sri Lanka reflects the fact that these security realities mean that the picture of Sri Lanka you are presented with will be significantly skewed.
The situation in Sri Lanka

In this section, we provide a brief background to several of the major themes that you are likely to touch on whilst reporting on Sri Lanka. Whilst there is a great deal of publicly available information about these issues, our aim here is to draw your attention to some of the spin tactics and political manoeuvring that the Sri Lankan Government has frequently deployed in relation to them.

We also wish to emphasise that it is simply not the case that human rights abuses in Sri Lanka are a thing of the past – regrettable instances in a turbulent period of Sri Lanka’s recent history. Not only have the atrocities that occurred during the final stages of the war gone unaddressed, but many new forms of oppression and abuse have emerged since the end of the conflict in 2009.

However, recent rights violations cannot be unlinked from the atrocities committed in 2009. Rather, the lack of accountability for these atrocities has strengthened the prevailing culture of impunity which enables these further violations to take place.

War crimes:

In May 2010, the UN Secretary-General commissioned a Panel of Experts to investigate the events surrounding the final stages of the war in Sri Lanka. Its report, released in April 2011, found ‘credible’ allegations of gross violations of international law by both parties to the conflict, and recommended that the Secretary-General conduct an independent international investigation in order to pursue accountability.1

It found credible evidence of:

- The large scale shelling of the so-called ‘No-Fire Zones’ where the Government had urged civilians to congregate – including the UN hub, food distribution lines and Red Cross ships coming to pick up the wounded.
- The systematic shelling of civilian hospitals on the frontline of the conflict by Government forces.
- The extra-judicial killing, rape, and torture of civilians fleeing the conflict zone by Government forces.
- The use of civilians as human shields by and the forcible recruitment of combatants by LTTE forces.
- The killing of civilians attempting to leave the conflict zone by LTTE forces.

The report found that up to 40,000 civilians may have been killed in the last few months of the civil war. A subsequent UN internal review suggested the figure could be as high as 70,000.

As we pointed out in a recent infographic (see next page), that would make Sri Lanka one of the most intensely violent conflicts of the millennium.

Whilst simultaneously condemning the investigation, the Government of Sri Lanka launched its own parallel domestic inquiry in June 2010 - the Lessons Learned and Reconciliation Commission (LLRC).²

Whilst the strength of some of the recommendations in its November 2011 report surprised many observers, it crucially failed to establish a process for achieving accountability for war crimes and crimes against humanity - a somewhat predictable outcome given that it was appointed by one of the alleged parties, and given that there was no witness protection programme for those wishing to testify against the Government.

To date, no one in Sri Lanka has been prosecuted for war crimes. Meanwhile the many useful recommendations the LLRC did make have been buried inside a ‘National Action Plan’.³ The Government of Sri Lanka would like to maintain that the LLRC and the National Action Plan are one and the same, and that taken as a package they demonstrate progress on reconciliation.

However only 85 of the least contentious of the LLRC’s 285 recommendations made it into the National Action Plan, and to date not a single deadline relating to the implementation of even a single one of those recommendations has been kept. There was a subsequent announcement that 53 more recommendations would be added into the action plan⁴, but there has been no further information as to how these recommendations are to be implemented. Even with this announcement, fewer than half (138/285) of the recommendations are present in the action plan.

We must also be mindful of Sri Lanka’s unimpressive history when it comes to internal investigation. In an attempt to curry favour with the international community in the run up to the Commonwealth Summit, Sri Lanka has announced a fresh raft of Presidential Commissions of Inquiry and indictments.

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³ [http://blog.srilankacampaign.org/2013/03/the-human-rights-council-passes-its.html](http://blog.srilankacampaign.org/2013/03/the-human-rights-council-passes-its.html)
with respect to some of the most serious human rights violations. This is nothing new. Many of those suspected of committing the most serious violations have been indicted several times, but prosecution always ceases as soon as the international community loses interest. In 2009, Amnesty International reported that there had been ten Presidential Commissions of Inquiry over the last 20 years, that the vast majority of them were never even published, and that none had had any impact whatsoever. Those numbers have only grown since the end of the war.

We explained the Sri Lankan Government’s repeated lowering of the bar with respect to accountability in another recent infographic (this graphic went to press before the announcement of the inclusion of a further 53 recommendations in the action plan):

The Government of Sri Lanka will attempt to use the Commonwealth Summit to present a version of Sri Lanka which is at peace with itself. It will also use the summit to present its idea that the economic development of the Northern areas of Sri Lanka will bring reconciliation in its wake. It will use the Commonwealth theme (‘Opportunity through enterprise’) and various tame or intimidated Sri Lankan NGOs to showcase this approach, and will demonstrate what it portrays as a truly extraordinary level of infrastructural investment in the North.

However, what it will not show is the extent to which this economic development is not facilitating reconciliation but actually making it less possible, going hand-in-hand as it does, with the entrenchment of military occupation of the North and the exploitation of business opportunities in the North by the President’s cronies – a phenomenon Sri Lankan NGOs have christened

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5 http://www.observatori.org/paises/pais_75/documentos/srilanka.pdf
“Sinhalisation”. Furthermore the experience of every significant internal conflict of the last several decades is that reconciliation cannot be achieved simply through economic development.

We would urge those reporting on Sri Lanka to resist such a narrative, and to understand the Government’s version of development-led reconciliation is nothing more than a facade.

**Militarization and Land Grabs**

A key feature of the post-war period in Sri Lanka has been the persistent presence of the military in the North and East of the country. Despite the LLRC’s calls to reduce troop numbers, the military’s intrusion into civilian life as a result of the numerous checkpoints and camps stationed in these areas, continues unabated. Both troop numbers and overall defence spending are higher now than they were during the war.

We designed an infographic detailing the extent of the military occupation in the North in March. Since then, the Government of Sri Lanka has claimed that it has significantly reduced troop numbers. However as a report posted on citizen-journalism site Groundviews made clear, there is no actual evidence that any troop reductions were made.

Government spin and sloppy journalism has not helped the situation. In July, the Sri Lankan Government issued a press release claiming it was reducing troop numbers in the North. This was reprinted almost verbatim by Associated Press and was subsequently picked up by many major international news outlets.

However a closer reading of the original Government statement showed that in actual fact troop numbers in the North were not to be reduced even slightly – troops were simply to be moved from a series of small bases into one big base in the same area.

Here is our infographic detailing the level of military occupation of the North last winter. There is no credible evidence that troop numbers have reduced since:

![Sri Lanka’s north is under military occupation infographic](http://www.internationalpolicydigest.org/2012/03/20/salt-on-old-wounds-post-war-sri-lanka/)

![1:3](http://groundviews.org/2012/07/10/how-credible-are-the-latest-official-claims-concerning-troop-reductions-in-jaffna/)

Worryingly, there are signs that the military’s entrenchment in the North and East of the country is deepening. Not only has spending on the military actually increased since the end of the war, but there are also indications that a number of vested economic interests have developed around its presence in these areas. Not only does the army continue to profit from lucrative reconstruction and development contracts in the North and East of the country, it has also increasingly been involved in a number of private commercial ventures, including hotels, restaurants, and travel services:

The Sri Lankan Military owns . . .

It is also clear that the Government and army are increasingly prepared to use extra-legal means to exert their dominance over these parts of the country. As we reported in May, the regime began engaging in a massive land grab in the Jaffna peninsula on the dubious premise that lands acquired by the military were for ‘public purpose’. Over 7000 acres of land with a possible value of up to US$2 billion has been seized. Elsewhere, in Kalpitiya, the Government has shown its willingness to violate the land rights of local people in order to pursue its tourism development strategy. ¹⁰

Attacks on the media

Over the last few years, freedom of expression in Sri Lanka has drastically deteriorated, with journalists being subjected to both legal harassment and physical intimidation. Well-known examples of this trend include:

- The disappearance in 2010 of prominent cartoonist and Government critic Prageeth Ekneligoda.
- The murder of Lasantha Wickermatunga, the outspoken editor of the Sunday Leader newspaper.

• The murder or disappearance of 43 media workers since President Mahinda Rajapaska came to power.

• The persistent attacks against the personnel and offices of the Tamil-language Uthayan Newspaper.

As a result, the country now ranks 162nd on the Press Freedom Index – the lowest of any ‘democratic’ country in the world.

The Government has proven itself consistently unwilling to take action on this issue, opting not to support any of the recommendations urging investigation into disappearances and physical attacks against journalists that were expressed in its recent “Universal Periodic Review” by the UN Human Rights Council in November 2012.11

Given the ongoing climate of fear in which journalists operate, we are extremely concerned by the Government’s proposal for a ‘Code of Media Ethics’, which one Government minister recently described as designed to create a “salutary media culture”.12 Whilst being billed as voluntary, it is likely that the code - which prohibits criticisms of the executive and of Sri Lanka’s foreign relations – may amount to a veiled threat against the broader press by equating dissent with treason.

Whilst encouraging this sort of self-censorship, it is also apparent that the Government is increasingly disposed to crowding out independent expression through the aggressive use of state media. As Reporter’s Without Borders notes for example, at the last election, 96.7% of news programme air-time was devoted to the President, whilst under 3.3% was given to the opposition.13

The Sri Lankan state media has also repeatedly been used to threaten and harass critics and human rights activists – using language such as “dogs” and “traitors” which given Sri Lanka’s culture of vigilante political violence is paramount to incitement.14

The Government prefers to use fear to provoke self-censorship rather than indulge in outright censorship. However there are exceptions: censoring of the BBC World Service led to the termination of the BBC’s Sri Lankan broadcast contract15 and six critical websites have been blocked.16

_Torture and rape_

There remain strong indications of the persistent use of torture by Sri Lankan Government forces – in police offices, prisons, rehabilitation centres, as well as secret detention facilities (where it is suspected that many of the 5,000 ‘disappeared’ are being held). Whilst it is believed that torture has primarily been used as a tool against LTTE (Tamil Tiger) supporters and other Tamil political activists, it is clear that it has also been deployed on a more widespread basis by police authorities seeking to extract false confessions or information during criminal proceedings.17

Until very recently, the Sri Lankan Government made virtually no acknowledgement of the existence of this problem within Sri Lanka, with the LLRC report itself containing almost no mention of the

12 http://www.theguardian.com/media/greenslade/2013/jun/19/press-freedom-srilanka
14 http://blog.srilankacampaign.org/2013/06/the-state-medias-vicious-attacks-on.html
16 http://www.bbc.co.uk/news/world-asia-15621160
issue. Despite the Government’s recent announcement of a ‘zero-tolerance’ policy towards torture in its National Action Plan, this rhetoric has not been matched by any concrete measures aimed at dismantling the structures of impunity that permit continued abuse.  

Given the level of both state and cultural intimidation of victims of rape it is very hard to find rape victims willing to speak about what has happened to them. Thus, the fact that Human Rights Watch was able to document 75 cases of rape by Sri Lankan security force personnel of Tamils in custody suggests that rape likely to be incredibly widespread.  

**Rule of law, the impeachment, and good governance**

Over the last few years, the Sri Lankan state has witnessed a drastic deterioration in good governance, both in constitutional terms, and in practice. With the passage of the 18th amendment in 2010, Rajapaksa successfully removed presidential term limits, granted himself further legal immunity, and established his right to control all appointments to the civil service, the judiciary, and the national Human Rights Commission. But in a yet bolder move which began late last year, he even proved himself willing to launch an assault on the final check on the arbitrary use of state power – the established judiciary.

Following the rejection of the President’s brother Basil Rajapaksa’s ‘Divineguma Bill’ by the Supreme Court in November 2012, 117 MPs submitted a resolution calling for the impeachment of the Chief Justice Shirani Bandaranayake. Her hearing, carried out in secret by a Select Committee of MPs, proceeded to find her guilty on a series of technicalities and prompted her removal in January, in clear contravention of anything resembling a fair process. These acts, as well as being contrary to every notion of good governance, are also in clear contravention of Commonwealth values and inspired the Commonwealth Lawyers’ Association to call for Sri Lanka’s expulsion from the Commonwealth.

However, under the supine leadership of Secretary General Kamelesh Sharma, the Commonwealth has refused to hold the Government of Sri Lanka to account over these clear breaches of the Commonwealth rules, and has even buried critical expert legal opinions which it had commissioned on the subject.

Beyond these constitutional assaults on the rule of law, there is also strong evidence that Rajapaksa has sought to consolidate his power through the use of personal appointments, particularly within his family network. As we reported earlier this year, Rajapaksa and his two brother’s Basil and Gotabaya now maintain control of 45-70% of the country’s budget, whilst over 29 members of his extended family now hold senior posts in government, the civil service, the media and industry – see infographic overleaf.

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The Rajapakss: keeping it in the family

The government of Sri Lanka is dominated by the family of the President, Mahinda Rajapaksa. One of his brothers, Gotabaya Rajapaksa has developed a reputation as the second most powerful — some would say the most powerful — man in Sri Lanka by holding his position as Secretary to the Ministry of Defence and the National Security Council. Their other brother Basil is both the Minister for Economic Development and the head of the President's Task Force — an organisation that holds enormous power in the war-affected north of the country. Together the three brothers control over 35% of Sri Lanka's budget and manage four of the largest government ministries. A fourth brother is Speaker of the Sri Lankan parliament. In total, 29 members of Mahinda Rajapaksa's extended family hold senior positions within the government, civil service, media, or indeed y...
**Murder and disappearances**

According to the UN Working Group on the subject, Sri Lanka is second only to Iraq for global political disappearances\(^{24}\). While many of these disappearances are historic, more recent research suggests there is still a disappearance every three days\(^{25}\).

This does not include the large numbers regularly rounded up by Sri Lankan police under sweeping counter terrorism powers which allow them to hold, and potentially torture, suspects for months without informing their families of their whereabouts.\(^{26}\)

These disappearances and murders are publicly ascribed to “white van” squads. It is not clear if these squads are operated by the military, or simply by Government-affiliated paramilitary organisations, but what is clear is that they enjoy total impunity.

Despite thousands of political disappearances and the murder of 43 media workers and many human rights activists, not a single white van operator has stood trial, and not a single murder of a journalist or activist has been comprehensively investigated.

It is in the most high profile of these cases that we see the extent to which those close to the Sri Lankan regime, correctly, see themselves as above the law:

- In the worst killing of humanitarian aid workers in history, 17 members of French NGO Action Contre la Faim staff were killed on 4 August 2006. Despite clear evidence of Sri Lankan military involvement, there has never been an investigation.\(^{27}\)

- Lasantha Wickrematunga, the editor of the Sunday Leader, and one of Sri Lanka’s most outspoken journalists, was murdered in broad daylight on a Colombo street on 8 January 2009. To date there has been no meaningful investigation into his murder, and the only person to be arrested died while on parole. Having foreseen that this was likely to happen, Lasantha wrote a posthumous editorial in which he blamed the Government for his death.\(^{28}\)

- On 8 October 2011, a shootout between the President’s advisor on Trade Union affairs and a Colombo district MP left the former dead and two bullets lodged in the latter’s skull. The latter was “not considered a suspect” by police investigating the former’s death.\(^{29}\)

- A horrific incident on Christmas Day 2012 saw British holidaymaker Khuram Sheikh beaten to death and his Russian girlfriend horrifically assaulted and raped after they attempted to break up a fight in their hotel. The prime suspect was the President’s son’s political advisor, Sampath Chandrapushpa – a man with a previous murder to his name for which he had been found not guilty on grounds of insanity\(^{30}\). It took police over a year to arrest Chandrapushpa and he has still to stand trial. Incredibly, he has been reappointed to his previous political offices.

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\(^{26}\) [http://blog.srilankacampaign.org/2013/02/the-four-students-that-were-freed-hides.html](http://blog.srilankacampaign.org/2013/02/the-four-students-that-were-freed-hides.html)

\(^{27}\) [http://www.justiceformuttur.org](http://www.justiceformuttur.org)

\(^{28}\) [http://www.thesundayleader.lk/20090111/editorial-.htm](http://www.thesundayleader.lk/20090111/editorial-.htm)

\(^{29}\) [http://www.huffingtonpost.co.uk/edward-mortimer/what-a-shootout-between-t_b_1096756.html](http://www.huffingtonpost.co.uk/edward-mortimer/what-a-shootout-between-t_b_1096756.html)

\(^{30}\) [http://blog.srilankacampaign.org/2012/01/politicians-running-amok.html](http://blog.srilankacampaign.org/2012/01/politicians-running-amok.html)
Increasingly we are also seeing the Government willing to openly use violence in the streets. A recent demonstration for clean water saw three to six protestors shot dead as the army used live ammunition to clear the streets. This was the third incident in which the state had caused fatality at a peaceful demonstration in the last two years.

A political solution

Sri Lanka’s northern Tamil community has long felt that their right to self-determination has not been respected by the Buddhist nationalist and increasingly Sinhalese supremacist Sri Lankan state. The political fight for Tamil rights started as a non violent movement in 1957. Following the lack of compromise from the Sri Lankan Government, the LTTE or Tamil Tigers eliminated most alternative Tamil voices and waged a brutal 30-year war of secession with the forces of the Sri Lankan Government.

Though the LTTE have been defeated, the question of how best to recognise Tamil grievances has still not been addressed. If this is not done, it is likely that this open sore, and the failure of the reconciliation process, will result in a return to war at some point in the nation’s future.

Ever since it was ratified in 1987, the Sri Lankan Government’s proposed solution to this problem has been the 13th amendment to the Sri Lankan constitution – which allows for a Northern Provincial Council to be established with devolved powers. And yet in the 26 interceding years since this amendment was passed into law, it has never been implemented in full.

In a clear attempt to curry favour with the international community in the run up to the Commonwealth Summit, elections to the new Northern Provincial Council took place on 21 September 2013 amidst allegations of intimidation and harassment. However, even as the elections were taking place, the Sri Lankan Government was working to amend regulations to strip this council of its key powers – policing and land – essentially providing the mere shell of the council envisaged by the 13th amendment without any of the powers that would make it meaningful. This process continues.

Attacks on Sri Lanka’s Muslims

The Sri Lankan Government seeks to appeal to its supporters through a brand of extremist Sinhalese Buddhist Nationalism – even Singapore’s authoritarian founding father Lee Kuan Yew has said he finds the Rajapaksa brand of nationalism too extreme. The Government forges alliances with overtly racist groups, and patronise them by, for example, opening up a leadership academy for the BBS (Buddhist Power Force – a group behind many anti Muslim demonstrations and assaults).

These groups have lately started to violently target Sri Lanka’s sizeable Muslim community, attacking and damaging 16 mosques, urging Sri Lankans to boycott Muslim shops, and spreading racial epithets via graffiti, often painted onto mosques themselves.

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31 http://blog.srilankacampaign.org/2013/08/3-environmental-protestors-killed-in.html
32 http://cmev.wordpress.com/
35 http://blog.srilankacampaign.org/2013/03/attacks-on-sri-lankas-muslim-community.html
36 http://www.scribd.com/fullscreen/129946499-Muslim-Attacks-Online&access_key=key-3szuxcd2ta360ntijl
In the most recent and potentially most serious incident a coordinated assault, with clear police collusion, was launched on the central Colombo prayer hall of Grandpass on the 10th of August following the first post-Eid Friday prayers, injuring five.\textsuperscript{37}

\footnotesize\textsuperscript{37} http://dbsjeyaraj.com/dbsj/archives/24073
Contacts

For any further information, please feel free to contact Fred of the Sri Lanka Campaign on info@srilankacampaign.org and +447763745402.

If you would like to talk to representatives of Sri Lankan civil society, victims of the Sri Lankan regime, or require help and advice with respect to reporting human rights violations in Sri Lanka, then please do get in touch in good time before the Summit as the security implications of these requests mean they may take some time to arrange. Please also be aware that for security reasons it is not always possible to arrange this.

This is the web version of the guide. On request we are happy to provide the full version which also includes:

- Practical information on getting around Sri Lanka
- Security tips and a guide to visiting the north of the island
- Contact information for Sri Lanka experts

Further reading


Useful websites

CPA (a Sri Lankan research organisation) [http://cpalanka.org](http://cpalanka.org)
Groundviews (Sri Lankan citizen media) [http://groundviews.org](http://groundviews.org)
The CHOGM website [http://www.chogm2013.lk](http://www.chogm2013.lk)
Commonwealth Opinion (blog of the Institute of Commonwealth Studies) [http://commonwealth-opinion.blogs.sas.ac.uk](http://commonwealth-opinion.blogs.sas.ac.uk)
The Commonwealth Secretariat [http://www.thecommmonwealth.org](http://www.thecommmonwealth.org)
The Sri Lanka Campaign [http://www.srilankacampaign.org](http://www.srilankacampaign.org)
Useful Twitter contacts

NGOs:
@SLCampaign (The Sri Lanka Campaign), @francesharris0n (author, former BBC Sri Lanka Correspondent), @nofirezonomovie (the campaign team behind the Channel 4 documentaries on Sri Lanka), @akeenan23 (International Crisis Group’s Sri Lanka expert), @nass_shaikh (the brother of murdered British tourist Khurram Sheikh), @mg2411 (HRW’s South Asia director), @libdemdaisy (knowledgeable Commonwealth and Human Rights expert)

Sri Lankan Media:
@groundviews (citizen journalism website), @JaffnaPressClub (anonymous group of Tamil journalists), @soc_arch (anonymous Tamil civil society collective), @CeylonToday (one of Sri Lanka’s more independent newspapers)

The Sri Lankan Government:
@CabinetSL (Sri Lankan Cabinet), @charith9 (Secretary for the Ministry for Information), @AnuradhaKHerath (the President’s spokesman), @PresRajapaksa (the President), @bundeljayse (Deputy High Commissioner to Australia, very active on twitter)

Opposition Sri Lankan Politicians:
@officialunp (largest opposition party), @KaruOnline, @RamanayakeR (UNP MPs), @TNAmediaoffice (largest Tamil political party), @MASumanthiran (TNA co-leader and human rights activist), @TnpfOrg, @GGPonnambalam (another Tamil Political Party).

Diaspora groups:
@UstpacAdvocacy, @ctconline, @GTFonline, @tamilsforum, @jan_jananayagam, @romesh_h, @SLWBCanada.

The Commonwealth:
@CW_Spokesperson (The Commonwealth’s Press Secretary Richard Uku), @CHOGMSriLanka (the Official news portal of the Commonwealth Summit), @commonwealthsec (The Commonwealth itself)

Other Commonwealth Heads of Government:
@MYPLP_Believe (Bahamas) @PR_Paul_Biya (Cameroon) @pmharper (Canada) @AnastasiadesCY (Cyprus) @JDMahama (Ghana) @PMOIndia (India) @UKenyatta (Kenya) @JosephMuscat_JM (Malta) @johnkeypm (New Zealand) @PaulKagame (Rwanda) @jmkikwete (Tanzania) @David_Cameron (United Kingdom) @SAPresident (South Africa).

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