

# SRI LANKA

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**Democratic Socialist Republic of Sri Lanka**  
Head of state and government: **Mahinda Rajapaksa**

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**Unlawful detentions and torture by security forces were carried out with impunity as the authorities continued to rely on the Prevention of Terrorism Act to arrest and detain suspects without charge or trial. Human rights defenders and family members of people subjected to enforced disappearance were threatened and arrested, and fatal attacks on religious minorities went unpunished. Systematic impunity for alleged war crimes and crimes against humanity led the UN Human Rights Council in March to pass a resolution calling for a comprehensive investigation to be undertaken by the UN Office of the High Commissioner for Human Rights - a move the government opposed and refused to co-operate with. Human rights defenders received threats of reprisals by government officials and supporters if they were suspected of contacting investigators or otherwise advocating human rights accountability. Political violence and intimidation - mainly against political opposition supporters and civil society activists - were reported in the run-up to the snap presidential election called for January 2015.**

## **ARBITRARY ARRESTS AND DETENTIONS**

Tamils suspected of links to the Liberation Tigers of Tamil Eelam (LTTE) continued to be arrested and detained under the Prevention of Terrorism Act (PTA) instead of ordinary criminal law. The PTA permits extended administrative detention, and shifts the burden of proof to a detainee alleging torture or other ill-treatment. It also restricts freedoms of expression and association and has been used to detain critics.

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment of detainees - including sexual violence - remained widespread in Sri Lanka, especially at the moment of apprehension and during early stages of pre-trial detention. Victims reported torture of both adult and juvenile detainees; these included individuals arrested in the context of security operations as well as suspects in ordinary criminal cases.

## **EXCESSIVE USE OF FORCE**

Unnecessary and excessive use of force, causing the deaths of demonstrators, continued to be reported and to go unpunished. In May, four army officers suspended in the wake of an internal inquiry into the shooting and killing of demonstrators in a 2013 protest against pollution of the water supply in Weliveriya were reinstated and assigned to new posts. One victim in this incident was reportedly beaten to death while sheltering in a church. The army's report on the shooting was not made public.

## **DEATHS IN CUSTODY**

In June, the Friday Forum, an informal citizens' group, called on the Inspector General of Police to take action against the killings of criminal suspects while in police custody. Police often claimed that the suspects were killed in self-defence or while trying to escape. The Bar Association of Sri Lanka also condemned the killing of suspects in police custody. In late 2013, four men who had been arrested for the alleged murder of a police constable and his wife died under suspicious circumstances in custody within a two-week period. The Bar Association released a statement in December 2013 expressing concern that the police explanations were virtually identical to those of past cases and that the deaths appeared to be extrajudicial executions.

## **ENFORCED DISAPPEARANCES**

The ad hoc Presidential Commission to Investigate into Complaints Regarding Missing

Persons (the Disappearances Commission) was appointed in August 2013 to examine complaints between 10 June 1990 and 19 May 2009. It received some 15,000 civilian complaints as well as about 5,000 cases of missing armed forces personnel. By August 2014, the Commission had reportedly begun inquiries into less than 5% of these cases, or 462 complaints. Some complaints, which the Commission said were being analyzed for further investigation, were potentially over a decade old.

## IMPUNITY

Serious violations of international law committed during the armed conflict, including enforced disappearances, extrajudicial executions and the intentional shelling of civilians and protected areas such as hospitals, remain unaddressed. The government continued to deny that such violations occurred until 15 July when it announced that it was expanding its Disappearances Commission to investigate other alleged crimes under international law. A panel of international lawyers was appointed to advise the government.

## REFUGEES AND ASYLUM-SEEKERS

Sri Lanka detained and forcefully deported asylum-seekers without adequately assessing their asylum claims, including individuals who were registered with UNHCR, the UN refugee agency, and were awaiting interviews. Authorities arrested and detained 328 asylum-seekers between June and mid-September, and deported 183 of them to Pakistan and Afghanistan. UNHCR said in September that it believed there were still more than 100 people of concern to them in detention, including 38 Pakistani nationals and 64 Afghan nationals. Many belonged to minority religious groups which were subject to discrimination and violence in their home countries.

## HUMAN RIGHTS DEFENDERS

Authorities continued to threaten, harass and arrest human rights defenders, including lawyers, family members of the disappeared and other activists. None of the incidents known to Amnesty International were effectively investigated, and no prosecutions were initiated. People calling for accountability for past and current human rights violations, including human rights defenders attempting to communicate concerns to the UN, were harassed and threatened. In some instances, individuals suspected of “internationalizing” these issues through association with foreign colleagues were detained. Women activists in northern Sri Lanka were questioned and arrested: significantly, Balendran Jeyakumari, whose son was the victim of an alleged enforced disappearance, remained held since her arbitrary detention under the PTA in March. Prominent human rights defenders Ruki Fernando and Father Praveen Mahesan faced continued restrictions imposed by the courts after they were arrested for attempting to investigate her case.<sup>1</sup>

## FREEDOMS OF EXPRESSION, PEACEFUL ASSEMBLY, ASSOCIATION AND MOVEMENT

There were continuing reports of intimidation and harassment of journalists by state officials, including physical attacks, death threats and politically motivated charges. Perpetrators acted with impunity in these cases; none of the incidents were adequately investigated, and those suspected of criminal conduct were not prosecuted. Impunity also persisted for older cases of violence against journalists, including for unlawful killings and enforced disappearances.

On 18 May, the fifth anniversary of the end of Sri Lanka’s armed conflict, the military sealed the offices of *Uthayan*, a Jaffna-based newspaper. The newspaper and its employees had faced previous forced closures, threats and violent attacks.

Civil society organizations also came under pressure. On 1 July, the Ministry of

Defence issued a memorandum to “all non-governmental organizations” warning them to stop holding press conferences, workshops and journalists’ trainings, or disseminating press releases.

Students in many parts of the country were violently attacked, and there were repeated efforts by the authorities to prevent them from organizing, including by prohibiting student unions and suspending student activists.

In October, travel restrictions were reimposed requiring foreign travellers to the Northern Province to obtain clearance from the Ministry of Defence.

In December, election monitors recorded dozens of reports of political violence, including attacks on political rallies, assaults and arson damage, most perpetrated by members of the ruling party.

## JUSTICE SYSTEM

The independence of judicial institutions in Sri Lanka was compromised by the removal of checks and balances protecting the separation of powers. The 18th amendment to the Constitution, passed in 2010, gave the President the power to appoint and remove: the Chief Justice and judges of the Supreme Court; the President and judges of the Court of Appeal; the Attorney General and members of the Judicial Service Commission, which is the body responsible for appointments, transfers, dismissals and disciplinary control of judicial officers. In 2013, after the Supreme Court ruled against the government in several important cases, the Chief Justice was impeached by Parliament and then removed from office by the President, despite a Supreme Court decision that the impeachment was unconstitutional.

## DISCRIMINATION - ATTACKS ON MINORITIES

Discrimination against ethnic, linguistic and religious minorities, including members of Tamil, Muslim and Christian communities, continued. Minorities were singled out for arbitrary restrictions on freedoms

of expression and association. Tamils, particularly those from the north of the country, were harassed, threatened and arrested by security forces which suspected them of sympathy or links with the LTTE, based largely on their ethnicity and place of origin or residence.

The army and police actively suppressed the rights of northern Tamils to advocate for justice publicly or to commemorate or mourn those killed in the armed conflict. Hindu and Christian religious observance was restricted in Tamil communities of northern Sri Lanka around key dates and the army’s requirement that all public gatherings, including family events, be reported to local military authorities discouraged participation in these activities.

Police failed to protect religious minorities when they faced violence by communal forces, and did not arrest perpetrators of such violence, even when there was photographic evidence to identify them. Threats, harassment and violence against Muslims, Christians and their places of worship escalated in 2014 when large-scale violence in a Muslim neighbourhood in June in Aluthgama resulted in deaths and injuries among residents and the destruction of homes and businesses.

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1. Activists in northern Sri Lanka at risk (ASA 37/006/2014)  
[www.amnesty.org/en/library/info/ASA37/006/2014/en](http://www.amnesty.org/en/library/info/ASA37/006/2014/en)

## SUDAN

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### Republic of the Sudan

Head of state and government: **Omar Hassan Ahmad al-Bashir**

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**Freedoms of expression, association and assembly were severely curtailed, with crackdowns on the media, public dialogue and demonstrations. The armed conflicts in**

**Darfur, South Kordofan and Blue Nile states continued to cause mass displacement and civilian casualties; human rights abuses were perpetrated by all parties to the conflicts. The government armed forces were responsible for the destruction of civilian buildings including schools, hospitals and clinics in the conflict areas, and hindered humanitarian access to civilians displaced and otherwise affected by the ongoing hostilities.**

## **BACKGROUND**

In January, President Omar al-Bashir announced plans to achieve peace in Sudan and protect constitutional rights through a “national dialogue”, open to participation by all parties and even armed movements. He followed this up in April with a promise to release all political detainees. Despite this announcement, restrictions on freedoms of expression, association and assembly prevailed, hindering meaningful attempts at a national dialogue. The national dialogue ceased following the arrest of Al-Sadiq Al-Mahdi, leader of the National Umma Party, over his statements about the Rapid Support Forces (RSF) pro-government militia, whom he accused of committing crimes against civilians.

In August, the National Umma Party and the Sudan Revolutionary Front signed the Paris Declaration, a joint statement calling for widespread reform in Sudan. The two parties declared that they would boycott future general elections unless a transitional government was first put in place to “provide public freedoms” and end the ongoing conflicts in Sudan’s Darfur, Blue Nile and South Kordofan states. The ruling National Congress Party refused to recognize the Paris Declaration.

The conflicts in Darfur, Southern Kordofan and Blue Nile states continued unabated. Violations of human rights and international humanitarian law perpetrated by government forces and pro-government militias against civilians continued throughout the year in

these three areas, and spread to Northern Kordofan. In Darfur, the government continued in its failure to protect civilians from abuses during a surge in fighting between predominantly ethnic Arab groups over land and other natural resources, in which pro-government militia participated.

The government was preparing for national elections in 2015.

## **FREEDOM OF EXPRESSION**

The authorities increased restrictions on freedoms of expression, association and assembly throughout the country, in what appeared to be a concerted effort to shut down independent dialogue. The government continued to use the National Intelligence and Security Services (NISS) and other security forces to arbitrarily detain perceived opponents of the ruling National Congress Party, to censor media and to shut down public forums and protests. The arbitrary detention of activists, human rights defenders and political opposition figures continued unabated. These restrictions severely undermined the activities of civil society and prevented meaningful public consultation on Sudan’s new Constitution, which the government declared would be based on Shari’a law.

Newspapers continued to be subject to closure and censorship for printing material perceived as being critical of the ruling National Congress Party. Journalists received threats from the NISS, which also seized entire print runs, causing large financial losses for newspapers. Eighteen newspapers repeatedly had their editions confiscated between January and September. By the end of the year, the authorities had confiscated newspapers 52 times. *Al Jazeera* newspaper, an independent daily publication, was arbitrarily confiscated by the NISS on 24 September. *Al Jazeera* had been suspended by the NISS 11 times by the end of the year. *Al Siha*, another newspaper, was suspended indefinitely by the NISS on 6 June.

The government also lifted the ban on three newspapers. On 29 January, the government lifted a two-year ban on *Ray al-Shaab* newspaper, affiliated to the Popular Congress Party. A two-year suspension against *Al Tayar* newspaper was lifted on 5 March. The suspension of *Al Midan* newspaper imposed on 3 May 2012 was lifted on 6 March. *Al Midan* is affiliated to the Sudanese Communist Party.

Taj Aldeen Arjaa, a 23-year-old Darfuri activist and blogger, was released from prison on 11 May. He was arrested by the NISS in Khartoum on 26 December 2013 after he verbally criticized President Omar al-Bashir and the President of Chad, Idriss Deby, at a joint press conference. He was reportedly tortured while in prison.

## ARMED CONFLICT

### Darfur

Widespread human rights abuses continued throughout Darfur. Civilians were displaced in large numbers as a result of violence between warring communities and attacks by government-allied militias and armed opposition groups.

In late February the government deployed the RSF in Darfur. The RSF drew many of its recruits from the former Janjaweed militias that in previous years were responsible for serious human rights violations, including unlawful killings and rape. The RSF destroyed scores of villages, causing a significant increase in displacement and civilian deaths.

Between January and July an estimated 388,000 people were displaced in Darfur, in addition to the 2 million displaced since the conflict in Darfur began in 2003. Many of those internally displaced were in remote areas where they received little or no humanitarian assistance and were vulnerable to attacks, abduction and sexual violence. On 22 March, the Khor Abeche camp for internally displaced persons in South Darfur was attacked by a group of armed men who looted and burned the camp to the ground.

The government continued to restrict access to areas of Darfur affected by conflict to the AU, the United Nations Mission in Darfur (UNAMID) and humanitarian organizations. In February, the International Committee of the Red Cross' main activities were suspended, while other organizations, such as the French development organization Agence d'Aide à la Coopération Technique et au Développement (ACTED), had their offices shut down.

On 2 July, UN Secretary-General Ban Ki-moon announced a review of investigations and reviews into UNAMID performance that had been carried out over the previous two years. This review, which was concluded in October, was announced in response to allegations that UNAMID staff had covered up human rights abuses in Darfur. The review did not find any evidence to support the allegations. However, it found that UNAMID had a tendency to under-report and maintained media silence in incidents involving human rights violations.

### South Kordofan and Blue Nile

The armed conflict between government forces and the Sudan People's Liberation Army-North (SPLA-North) continued in South Kordofan and Blue Nile states, with indiscriminate attacks by both parties. Sudanese forces employed indiscriminate aerial bombardment and shelling on civilian villages. They also employed proxy forces in ground assaults, including the RSF. These proxy forces also perpetrated human rights abuses.

Many of the more than 1 million people displaced in the three-year conflict remained in Sudan. More than 200,000 were living in refugee camps in South Sudan or Ethiopia.

On 14 April, the government publicly launched its "Decisive Summer" military operation to "end all rebellion" in South Kordofan, Blue Nile and Darfur. From the onset of the operation, the Sudanese Armed Forces carried out sustained aerial bombardments in and around Kauda, a major town in Heiban County, as well as aerial

bombardments and shelling in Um Dorein and Delami counties, destroying schools, clinics, hospitals and other civilian buildings and forcing people to flee their homes.

Sudan continued to obstruct humanitarian access to areas controlled by the SPLA-North. Both parties to the conflict failed to meet their obligation to facilitate humanitarian access.

## **FREEDOM OF ASSEMBLY**

Amid the calls for national dialogue and political accommodation, Sudan continued to restrict the legitimate activities of opposition political parties and civil society. On 8 March, NISS prevented some 30 civil society organizations from celebrating International Women's Day in Khartoum.

On 11 March, economics student Ali Abakar Musa died from gunshot wounds sustained when security services opened fire during a demonstration at the University of Khartoum. The demonstration took place immediately after the conclusion of a public forum organized by the Darfur Students' Association concerning escalating violence in South Darfur. Students marched to the main university gate, where they were met by the police, NISS and student militias. The security services fired tear gas, rubber bullets and live ammunition at the students.

On 15 March, the authorities banned the National Consensus Forces - a coalition of 17 opposition political parties - from holding a public event in Khartoum North and deployed hundreds of security agents to cancel the event. On 1 May, the Political Parties Affairs Council - a government body - rejected the Republican Party application for registration; the Republican Party was considered heretical for its progressive views on Islam. The founder of the party, Mahmoud Mohammed Taha, was executed for apostasy in 1985.

On 29 May, 13 June and 17 August, the authorities refused to allow political and civil society activists to submit memorandums highlighting human rights violations by the

government to the Sudan National Human Rights Commission office in Khartoum.

On 28 August, security forces forcibly prevented protesters from demanding the release of women political prisoners in front of Omdurman women's prison. The security services arrested 16 women activists and used tear gas and batons to disperse the protesters.

Three high-profile political leaders were arrested either for expressing their political opinion or for participating in peaceful political activities. On 17 May, Al Sadiq al-Mahdi, the former prime minister and leader of the opposition National Umma Party (NUP), was arrested after he accused the RSF of committing violations and abusing civilians. He was released without charge on 15 June. On 8 June, the leader of the Sudanese Congress Party, Ibrahim Al Sheikh Abdel Rahman, was arrested in Nuhud, North Kordofan following his criticism of the RSF. He was released without charge on 15 September. Mariam Al Sadiq al-Mahdi, deputy leader of NUP, was arrested in Khartoum on 11 August after attending talks in Paris, France, between the NUP and the Sudan Revolutionary Front; she was released without charge a month later.

In an attempt to stop a series of events organized to commemorate the deaths of protesters in September 2013, the NISS preemptively arrested over 70 political activists between 17 and 23 September, invoking its powers of "preventive detention". Those arrested were released without charge in early October.

Former detainees reported they were tortured and otherwise ill-treated while in detention.

## **FREEDOM OF ASSOCIATION**

On 23 June, the Ministry of Justice cancelled the registration licence of the Salmmah Women's Resource Centre, a leading women's rights organization in Sudan, and confiscated their assets.