



Tom Lantos Human Rights Commission

Accountability and Human Rights in Sri Lanka

Wednesday, December 8, 2021

3:30 – 5:00 p.m.

Virtual via Cisco WebEx

As prepared for delivery

Good afternoon and welcome to this Tom Lantos Human Rights Commission hearing on the human rights situation in Sri Lanka.

I will introduce our distinguished witnesses shortly but want to thank them now for taking the time to share their expertise with us today.

Two of our witnesses are connecting from Sri Lanka where it's currently 2:00 in the morning. We very much appreciate their willingness to join us when they ought to be enjoying a good night's sleep.

I also want to thank Congresswoman Deborah Ross, a member of the Human Rights Commission with whom we've worked closely on this hearing. It is a pleasure to share the virtual dais with her this afternoon.

This week the Biden Administration has invited the governments of dozens of countries around the world to participate in a Summit on Democracy. The Summit is organized around three themes: curbing authoritarianism, countering corruption and safeguarding human rights.

Sri Lanka was not on the invitation list.

It's likely that the issues we will discuss today had something to do with that decision.

The first of those issues is the backtracking on commitments to ensure accountability for the grave human rights violations and war crimes that occurred during Sri Lanka's 26 years of civil war.

Those commitments were laid out in a 2015 U.N. Human Rights Council Resolution that was co-sponsored by Sri Lanka and widely seen as a positive step forward. They included establishing a truth commission, an office to search for missing persons and an office for reparations, and the repeal of the Prevention of Terrorism Act, among others.

Underlying these concrete commitments was the recognition that "accountability is essential to uphold the rule of law" and to make sure that grave abuses would not occur again.

Unfortunately, not only has the promise of the 2015 resolution not been fulfilled, but the current government is proactively rolling back progress, as the U.N. documented in its report last January. The naming of military officials implicated in attacks on civilians to high positions, and the pardon of a staff sergeant who slit the throats of children, pretty clearly signal the government's position.

Twelve years after the end of the armed conflict, impunity for grave human rights violations and abuses is more entrenched than ever.

The second issue we'll hear about today is the recurring violence and deepening discrimination against Sri Lanka's Muslim community.

Attacks against Muslims in Sri Lanka are not new. But since the end of the civil war they have become more systematic.

The state has not only failed to protect the community from mob violence, but is behind policies that explicitly discriminate, such as the forced cremation of Muslim victims of COVID-19, and proposals to ban veils and Muslim religious schools.

Other religious minorities, including Christians, have also faced attacks. The U.S. Commission on International Religious Freedom has highlighted the use of the Preventing Terrorism Act to target Muslims and warned about hate speech against religious minorities by Buddhist nationalist groups.

A third issue is the shrinking space for civil society and dissent.

In September, eight major human rights organizations denounced that Sri Lankan authorities were responding to protests with repression, arbitrary arrests and intimidation against students, unions, teachers and academics.

The government has put in place emergency powers that allow it to detain people and conduct searches without warrants, seize property, and issue orders that cannot be challenged in court.

These three interrelated issues don't exhaust the human rights and democracy problems in Sri Lanka. We're also seeing the use of democratic procedures to strengthen the executive at the expense of the legislature and the judiciary, while concentrating power in the hands of a single family – akin to Ortega's strategy in Nicaragua.

Here's the thing. Sri Lanka is a multi-ethnic, multi-religious country. That's the reality. Either the state figures out how to protect the rights of all its people, whatever their identity, or the future will be a repeat of the past – driven by violent inter-ethnic violence. We should all want to do all we can to prevent that.

In my view the U.S. government and Congress have generally been on the right side of these issues in Sri Lanka.

We have recognized that the only route to stability is through reconciliation and peace, with full respect for the human rights of all.

Last spring several of us wrote to Secretary Blinken to thank him for cosponsoring the newest Human Rights Council resolution that passed last March, and to urge the Administration to continue to prioritize accountability and institutional reform. I think the decision to exclude Sri Lanka from the Summit for Democracy is consistent with that prioritization.

That said, it's clear that things are not going in the right direction in Sri Lanka. Fear of China could lead some U.S. policymakers to give the Sri Lankan government a pass. I believe that would be a costly mistake.

So I welcome the witnesses' ideas as to how we can be more effective advocates for the changes in Sri Lanka that are so desperately needed.

I turn now to Co-Chair Smith for his opening remarks.