

THE HUMAN RIGHTS SITUATION IN SRI LANKA

ISSUE

The election of the People's Alliance (PA) government in August 1994 brought with it a sense of cautious optimism that fundamental change in the field of human rights can and will be achieved. Several positive measures initiated by the PA government in the months succeeding its election have demonstrated that the political will for real improvement does exist.

BACKGROUND

In the early 1990's the UNP government responded to domestic and international pressure and began a program of reform intended to address serious and systematic human rights abuses. Following the assassination of President Premadasa in May 1993, the Wijetunga administration continued efforts to improve the human rights situation in Sri Lanka, although the pace of reform remained slow. In 1994 observers agree that there was a steady, if not dramatic improvement, including a reduced rate of detention under the Prevention of Terrorism Act (PTA) and the Emergency Regulations, as well as an improvement in the manner in which security operations in Colombo were conducted. Largely because of the reduced intensity of the conflict, particularly in the east, "disappearances" and extra-judicial killings attributed to the security forces were significantly reduced in 1994. Although some violations do still occur, especially in the north and east, observers including AI and the ICRC, agree that a positive trend was maintained throughout 1994.

Measures undertaken by the previous UNP government include, among others: the creation of a relatively effective Human Rights Task Force and a less useful Presidential Commission of Inquiry into the Involuntary Removal of Persons. Invitations were extended to AI and the UN Working Group on Enforced or Involuntary Disappearances to send missions to Sri Lanka.

At CHR50 the Wijetunga government made a number of specific commitments. While only a few of these were addressed before the change of government in August (e.g. ending of air attacks against civilians crossing the Jaffna lagoon and the drafting of legislation related to Sri Lanka's accession to the UN Convention on Torture), subsequent to the election of the PA government there has been substantial progress towards meeting the remaining commitments. For example, the Emergency Regulations have been revised, limiting their scope and focusing them more precisely on legitimate security needs in the north and east. Legislation has been presented in Parliament dealing with the provision of death certificates in cases of disappearances and in support of the UN Torture Convention. Several persons have been indicted on charges related to the disappearance of school children at Embilipitiya, the economic blockade on the north has been relaxed, and the issue of long-term detention has been effectively addressed. Some issues remain as yet unresolved, but the PA government has certainly made a genuine effort to fulfil its international obligations. We