



The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international non-governmental organisation, mandated to ensure the practical realisation of human rights in the Commonwealth

Commonwealth Civil Society Disappointment at CMAG

Media Release from the Commonwealth Human Rights Initiative, 5 March 2009

The Commonwealth Human Rights Initiative (CHRI) is disappointed at the continuing silence of the Commonwealth Ministerial Action Group (CMAG) on the deepening humanitarian and human rights crises in Sri Lanka.

CHRI welcomes CMAG's ultimatum to Fiji's military government to hold elections and restore democracy within the next six months. However, it has shown short-sightedness in not also formally reviewing the situation in Sri Lanka. Despite many calls, including a protest held outside its meeting chambers in London, on Wednesday, 4 March 2009, CMAG made no mention of the urgent situation of embattled civilians in Sri Lanka. And, on the day that the CMAG released its formal statement (5 March 2009), the news was released that an International Committee of the Red Cross (ICRC) aid-worker was killed whilst attending to wounded Sri Lankan civilians in a hospital in the conflict zone.

CMAG, a body of nine ministers, is mandated to check persistent violations of the 'Fundamental Values and Principles of the Commonwealth,' including democracy and human rights. Contrary to the norm that limits each country to two-consecutive sittings, Sri Lanka is currently serving its third consecutive two-year term. Sri Lanka's membership has become particularly controversial as its own credentials as a guardian of these values become increasingly questionable.

During 2008, Sri Lanka lost its bid for re-election at the UN Human Rights Council in the face of numerous allegations of human rights abuses. Moreover, the government of Sri Lanka has adopted a consistent pattern of denying its responsibility to protect its civilians. In recent years, Sri Lanka has been facing a growing condition of general impunity buttressed by numerous allegations of human rights violations across the country. A string of disappearances, arrests, uninvestigated murders and assaults involving dissenters, well known journalists and human rights advocates, sometimes in full view of the public, sometimes within tightly monitored high security zones operated by the government, are indicative of a pattern of human rights violation, intolerance, suppression and impunity. By not respecting the independence of its institutions, not allowing independent observation and international organizations into the conflict area, it has repeatedly used "fighting terrorism" as a justification for systematically destroying fundamental freedoms in Sri Lanka. Furthermore, the Government of Sri Lanka appears to have turned a deaf ear to the Commonwealth's official statement of 2005, that "measures to combat terrorism must have regard for fundamental human rights and the rule of law". It also appears to have scant regard for the Commonwealth Secretary-General's statement (30 January 2009) that "[i]t is a matter of deep concern that an estimated 250,000 civilians remain trapped in the conflict zone [...] We are also greatly disturbed by reports of civilian casualties. I welcome the establishment of 'no-fire zones' and urge all concerned to respect these and allow civilians safe passage from the conflict areas." CMAG remains to see the prudence in Sri Lanka's inclusion on its agenda, in spite of mounting concerns.

Sri Lanka is in the midst of a humanitarian disaster. Thousands of displaced civilians (of the minority Tamil community) are being left to choose between the risk of death by military strikes or facing uncertain futures in allegedly unsafe detention facilities.

CMAG has in the past limited its mandate to scrutinising countries where there has been *coup d'etat* or refusals to follow the rule of law and democracy. However, it has not operationalised its mandate to protect the human rights of citizens of Commonwealth countries. In a situation of mounting human tragedy, the body's silence raises serious questions about its credibility. CHRI reiterates its urgent call to the International community and to the Commonwealth in particular, to take immediate notice of the situation in Sri Lanka in order to ensure the safety and security of civilians, uphold democracy and the rule of law, and to promote and protect human rights in Sri Lanka - the Commonwealth and the wider international community must act urgently in a meaningful way, placing human rights principles at the forefront of their response to the growing humanitarian situation in Sri Lanka.

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