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*Plenary sitting*

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**B9-0363/2021**

8.6.2021

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

**on the situation in Sri Lanka, in particular the arrests under the  
Prevention of Terrorism Act  
(2021/2748(RSP))**

**Anna Fotyga, Karol Karski, Ryszard Antoni Legutko, Raffaele Fitto,  
Assita Kanko, Witold Jan Waszczykowski, Elżbieta Kruk, Angel  
Dzhambazki, Ruža Tomašić, Valdemar Tomaševski, Ryszard Czarnecki,  
Elżbieta Rafalska, Carlo Fidanza, Jadwiga Wiśniewska, Bogdan Rzońca,  
Adam Bielan**  
on behalf of the ECR Group

**B9-0363/2021**

**European Parliament resolution on the situation in Sri Lanka, in particular the arrests under the Prevention of Terrorism Act (2021/2748(RSP))**

*The European Parliament,*

- having regard to its resolution on the situation in Sri Lanka of 11 December 2013,
  - having regard to the Resolution adopted by the United Nations Human Rights Council on promoting reconciliation, accountability and human rights in Sri Lanka of 23 March 2021,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966,
  - having regard to Rule 144 of its Rules of Procedure,
- A. whereas the human rights situation in Sri Lanka is showing signs of deterioration since 2020, following decisions and trends which threaten to reverse gains made in previous years;
- B. whereas on 22 October 2020 the Sri Lankan Parliament enacted the 20th Amendment to the Constitution of Sri Lanka, an amendment that is widely regarded as controversial as it reverses most of the reforms and amendments which were introduced in 2015 and brings back most of the constitutional powers to the President, while it also reduces checks and balances on the executive by weakening the judiciary and independent institutions;
- C. whereas on 13 April 2021 President Rajapaksa promulgated new regulations to the Prevention of Terrorism Act (PTA); whereas rights groups consider the new regulations as vague and overbroad and have warned the law is being used as a weapon targeting dissidents and ethnic and religious minorities in the country; whereas the UN High Commissioner for Human Rights in her most recent report on Sri Lanka has reiterated the call for a moratorium on the use of the Prevention of Terrorism Act for new arrests until it is replaced by legislation that adheres to international best practices;
- D. Whereas the freedom of expression, assembly and association in Sri Lanka is increasingly being curtailed as reports show that there have been widespread threats,

intimidation, attacks, arrests, and surveillance of those questioning and challenging the government, including journalists, lawyers, human rights defenders, NGO workers and even state officials; whereas there has been widespread practice and policy of giving prominence to Sinhalese-Buddhists and marginalizing ethnic and religious minorities;

- E. Whereas there are clear signs of accelerating militarisation of civilian government functions in Sri Lanka, while the military continues their involvement in economic activities, such as in agriculture, transport and tourism sectors; whereas since 2020, at least 28 serving or former military and intelligence personnel were appointed to key administrative posts, whereas those appointments include at least two senior military officials who were implicated in United Nations reports in alleged war crimes and crimes against humanity during the final years of the conflict; whereas reportedly there has been an increasing number of checkpoints and military presence in the former war affected regions;
- F. whereas there are signs that progress achieved in investigations into some high-profile cases of killings and disappearances, as well as commitments made by the previous government to address war time abuses, as well as pre-war and post-war issues to address reconciliation, would be rolled back as the new government has formally announced it will no longer support the UN Human Rights Council Resolution 30/1 and there is uncertainty about the effectiveness of the two domestic offices established under the last government to trace fate and whereabouts of the disappeared and to provide remedies;

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1. Expresses concern at the developments over the past year, which show a deteriorating situation of human rights in Sri Lanka, including the accelerating militarization of civilian government functions, the erosion of the independence of the judiciary and key institutions responsible for the promotion and protection of human rights, ongoing impunity and political obstruction of accountability for crimes and human rights violations and policies that increase the marginalization of persons belonging to ethnic and religious communities, surveillance and intimidation of civil society, restrictions on media freedom, and shrinking democratic space;
2. Expresses serious concern over the new regulations to the Prevention of Terrorism Act (PTA), which refer people who have surrendered or have been arrested on suspicion of an offence under the PTA or the Emergency Regulations No. 1 of 2019, to a so called rehabilitation programme; recalls that such de-radicalization, rehabilitation, and reintegration centres, regulated under similar legislation, have in the past been rife with serious human rights violations such as torture and other ill-treatment including, sexual

and gender-based violence; encourages the Sri Lankan government to amend the Prevention of Terrorism Act and bring it in line with international standards;

3. Calls on the Sri Lankan Government to take the necessary measures to reverse these trends, as the recent developments threaten to reverse the limited but important gains made in recent years, in order to prevent a recurrence of policies and practices that gave rise to the grave violations of the past;
4. Regrets Sri Lanka's withdrawal from its co-sponsorship of the UN Human Rights Council Resolution 30/1 and related resolutions; urges the Sri Lankan Government to act on the calls for accountability for alleged wartime violations of international human rights and humanitarian law; emphasizes the importance of a comprehensive, impartial and transparent approach to dealing with the past, to ensure accountability, to serve justice, to provide remedies to victims, to avoid the recurrence of violations of human rights and to promote healing and reconciliation; underlines in that regard the important role of the independent institutions established in recent years;
5. Encourages the Government of Sri Lanka to foster freedom of religion or belief and pluralism by promoting the ability of all religious communities to manifest their religion, and to contribute openly and on an equal footing to society;
6. Instructs its President to forward this resolution to the Council, the European External Action Service, the Commission, the governments and parliaments of the Member States and to the Government and Parliament of Sri Lanka.