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# Sri Lanka

*Decision adopted by the Committee on the Human Rights of Parliamentarians at its 163<sup>rd</sup> session (virtual session, 1 to 13 February 2021)*



LKA-69 – Sivaganam Shriitharan

## Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Impunity

### A. Summary of the case

Mr. Sivaganam Shriitharan has been a member of parliament since 2010, belonging to the Tamil National Alliance (TNA). On 7 March 2011, Mr. Shriitharan was travelling from Vavuniyaa to Colombo to attend parliament the following day. At around 6 p.m., when his vehicle was passing Nochchiyagama, on the Anuradhapura Puttalam Road (a 100% Sinhalese area, according to the complainant), at a place called Udukkulam, three persons got out of a vehicle parked on the roadside without a number plate, opened fire at the vehicle and hurled two hand grenades under it. Owing to the skills of the driver, Mr. Shriitharan escaped unscathed and the vehicle was only lightly damaged. The Eelam People's Democratic Party, an allegedly government-backed paramilitary group and political party, was said to be responsible for the assassination attempt.

In its latest report of January 2021 on “Promoting reconciliation, accountability and human rights in Sri Lanka”, the Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that “developments over the past year have fundamentally changed the environment for advancing reconciliation, accountability and human rights in Sri Lanka, eroded democratic checks and balances and civic space, and reprised a dangerous exclusionary and majoritarian discourse. These trends threaten to reverse the limited but important gains made in recent years and risk the recurrence of the

## Case LKA-69

**Sri Lanka:** Parliament affiliated to the IPU

**Victim:** Opposition member of parliament

**Qualified complainant(s):** Section I.(1)(a) of the [Committee Procedure](#) (Annex I)

**Submission of complaint:** April 2011

**Recent IPU decision:** October 2015

**IPU Mission:** [July 2013](#)

**Recent Committee hearing:** Hearing with the Deputy Speaker and other members of the Sri Lankan delegation to the 133<sup>rd</sup> IPU Assembly (October 2015)

### Recent follow up:

- Communication from the authorities: Letter from the Chief of Protocol of Parliament, forwarding a report from the Attorney General's Department (January 2021)
- Communication from the complainant: Meeting with the complainant at the IPU Secretariat (March 2019)
- Communication addressed to the authorities: Letter addressed to the Speaker of Parliament (December 2020)
- Communication addressed to the complainant: January 2021

policies and practices that gave rise to the grave violations of the past”. In its chapter on “Political obstruction of accountability for crimes and human rights violations”, the report states that “the current Government has proactively obstructed or sought to stop ongoing investigations and criminal trials to prevent accountability for past crimes. On 9 January 2020, the Government appointed a Presidential Commission of Inquiry to investigate alleged “political victimization” of public officials, members of the armed forces and police, and employees of state corporations by the previous government. With its broad mandate, the Commission has intervened in police investigations and court proceedings and had the effect of undermining the police and judiciary in several high profile human rights and corruption-related cases”.

## **B. Decision**

The Committee on the Human Rights of Parliamentarians

1. *Thanks* the parliamentary authorities for the latest information provided; *notes*, however, that this information does not contain any information on any progress made to establish accountability for the attempt on Mr. Shriritharan’s life in 2011;
2. *Believes* that the absence of such information may well indicate that those responsible for the attempted murder have yet to be identified and are still at large; *expresses concern* in this regard about the reported political obstruction of accountability for crimes and human rights violations by the current Sri Lankan Government;
3. *Reaffirms* that the Sri Lankan authorities are duty-bound to do everything possible to ensure that the attempt on Mr. Shriritharan’s life does not go unpunished; *urges* them, therefore, to carry out an effective investigation aimed at producing concrete results; and *wishes* to be informed of any steps taken to this end;
4. *Recalls* that parliament, in the exercise of its oversight function, can help ensure that justice is effectively pursued and delivered, especially when it concerns a former member; *wishes*, therefore, to ascertain the views of the current parliament as to the possibility of it regularly monitoring the judicial proceedings;
5. *Remains convinced* that the solution to the case of Mr. Shriritharan has to be part of a comprehensive and serious approach by the Sri Lankan authorities to promote truth, justice and reconciliation for the crimes committed in the context of the violent conflict between the authorities and the LTTE; *is deeply concerned*, therefore, at the latest OHCHR report that signals the clear intention by the current Sri Lankan Government to move away from honouring earlier international commitments to promote accountability and reconciliation in this regard; and *urges* the Sri Lankan authorities to return to the framework of cooperation set up under United Nations Human Rights Council resolution A/HRC/RES/30/1, including by accepting offers of assistance and seeking opportunities to benefit from international expertise that would allow them to make progress in the pursuit of justice and reconciliation, such as in the case of Mr. Shriritharan;
6. *Requests* the Secretary General to convey this decision and the request for information to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Decides* to continue examining the case.