

SRI LANKA

CCPR

DECLARATION RE: ARTICLE 41

(Unless otherwise indicated, the declarations were made upon ratification, accession or succession)

"The Government of the Democratic Socialist Republic of Sri Lanka declares under article 41 of the International Covenant on Civil and Political Rights that it recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant, from another State Party which has similarly declared under article 41 its recognition of the Committee's competence in respect to itself."

DEROGATIONS: NOTIFICATIONS UNDER ARTICLE 4 (3) OF THE COVENANT

21 May 1984

Proclamation of state of emergency throughout Sri Lanka, and derogation as a consequence from articles 9 (3) and 14 (3) (b) of the Covenant as from 18 May 1983.

23 May 1984

The Government of Sri Lanka specified that the Emergency regulations and Special Laws were temporary measures necessitated by the existence of an extraordinary security situation and that it was not intended to continue with them longer than it was absolutely necessary.

16 January 1989
(Dated 13 January 1989)

Termination of the state of emergency as from 11 January 1989.

29 August 1989
(Dated 18 August 1989)

Establishment of the state of emergency for a period of 30 days as from 20 June 1989 and

derogation from provisions of article 9 (2).

The notification specifies that the state of emergency was declared in view of the progressive escalation of violence, acts of sabotage and the disruption of essential services throughout the country as from the termination of the state of emergency on 11 January 1989 (see previous notification of 16 January 1989) [*Ed. note: see above*].

4 October 1994
(Dated 29 September 1994)

Lifting of the state of emergency established on 20 June 1989 and notified by notification of 18 August 1989, as from 4 September 1994, except with regard to the Northern and Eastern Provinces and certain areas which border the above two Provinces specifically designated in the Presidential Proclamation dated 1 September 1994.

30 May 2000
(Dated 30 May 2000)

Declaration of a State of emergency in Sri Lanka

Derogation from articles 9 (2), 9 (3), 12 (1), 12 (2), 14 (3), 17 (1), 19 (2), 21 and 22.

9 June 2010

“On 2nd May 2010 His Excellency the President of Sri Lanka promulgated the Emergency Regulations under Section 5 of the Public Security Ordinance (PSO). The Emergency Regulations have been officially proclaimed by the Gazette Extraordinary No. 1651/24 dated 2nd May 2010. The new proclamation amends and repeals a number of Emergency Regulations that have been in operation since their publication in the Gazette Extraordinary No. 1405/14 of 13th August 2005 as amended from time to time.

The Emergency Regulations prior to the recent amendments were promulgated in August 2005 immediately after the assassination of the former Foreign Minister of Sri Lanka Mr. Lakshman Kadirgamar. These Regulations were amended from time to time and continued due to the conflict situation which prevailed in certain areas of the island. As a result of the successful security operations launched by the Government of Sri Lanka, this situation ended in mid May 2009, with the elimination of the menace of terrorism posed by the ruthless organization styling itself the Liberation Tigers of Tamil Eelam (LTTE). However, there does remain a need for

vigilance to ensure the complete recovery of arms caches secreted by the LTTE and the reintegration back into society of LTTE cadres, after successfully completing programmes of rehabilitation and of vocational training. Moreover, Sri Lanka requires to be alert against attempts by residues of the LTTE operating overseas to channel funds for de-stabilization and to try to re-ignite the embers of secession through endeavours such as the Provisional Transnational Government of Tamil Eelam. It is in this context that the Government of Sri Lanka decided to further significantly scale down the Emergency Regulations, while keeping in force only a limited number essential for national security.

The recent amendments to the Emergency Regulations that have come into effect from 2nd May 2010 are in keeping with the consistent commitment of Sri Lanka towards the promotion of human rights and the maintenance of strong judicial safeguards. It is in this context that the Government of Sri Lanka at the outset wishes to enumerate the terminations of derogations of the following ICCPR articles [: 9 (2), 12, 14 (3), 17 (1), 19 (2), 21 and 22 (1)] ... "