



Missionary Oblates of Mary Immaculate

Justice, Peace & Integrity of Creation Office, United States Province

Statement on the Recent Arrest of Fr. Praveen Maheesan OMI, Ruki Fernando and Ms Balendran Jeyakumari

We welcome news of the release of Fr. Praveen Maheesan, OMI and Ruki Fernando on Tuesday night, but note with grave concern the continued incarceration of Ms. Balendran Jeyakumari, in apparent retaliation for her vigorous campaigning against enforced disappearances. We believe she should be released immediately and unconditionally.

Remaining Concerns about Fr. Praveen Maheesan OMI and Ruki Fernando:

Fr. Praveen Maheesan OMI and Ruki Fernando were detained for three days without access to legal counsel, during which time they were subject to a smear campaign in the media. We remain concerned about the allegations that have been made in the government-controlled press about connections to ‘terrorists’, and possible retaliation in the future against the two men for their human rights advocacy. (see below for details on this)

Concern about Ms Balendran Jeyakumari

Ms Jeyakumari has been accused by the government of harboring a suspected criminal who shot and wounded a policeman on Thursday of last week, but there are grave concerns that this is a trumped up charge to silence a committed human rights defender who is asking uncomfortable questions about disappearances at the same time that the Human Rights Council in Geneva is examining concerns around the Sri Lankan government’s record on the subject.

As an outspoken advocate of families of the disappeared in Sri Lanka, Ms Jeyakumari and her 13-year-old daughter have been prominent in campaigns to establish the whereabouts of missing people. She was a leader of the demonstration that greeted the British Prime Minister, David Cameron, last year, and has allowed herself to be filmed in several documentaries about the problem of disappearances in Sri Lanka.

Ms Jeyakumari’s teenage son was conscripted by the Tamil Tigers towards the end of the war and surrendered to the Sri Lankan army. He then disappeared. She reportedly has a photograph of him in a Sri Lankan rehabilitation center – part of materials produced by the government to showcase their rehabilitation effort – and has been asking the government for his whereabouts, to no avail.

The alleged shooting incident appears to have been used by the government to silence Fr. Praveen and Ruki Fernando as they worked to help Ms Jeyakumari's daughter in the aftermath of her mother's arrest. The Representative of the Permanent Mission of Sri Lanka to the United Nations in Geneva made a statement on March 18, 2014, which accused Mr. Ruki Fernando, Rev. Praveen Mahesan and Ms. Balendran Jeyakumari of "terrorist connections" with the Liberation Tigers of Tamil Eelam (LTTE). The statement was made in response to concerns raised by several NGOs against the detention of the three defenders during the 25th session of the UN Human Rights Council, which is currently taking place in Geneva, Switzerland.

Further attacks have been made in the State-run newspaper, Daily News, in which they were accused of "defending the human rights of terrorists" and of having established links with "a known terrorist who not only escaped from an IDP camp, but attacked a law enforcement officer by discharging a firearm in broad daylight recently". The article went on to say: "what these NGO con-artistes want, it seems, is on the one hand to exploit a normal law enforcement arrest for the purpose of making a case against Sri Lanka at the UN HRC (as a resolution on Sri Lanka is currently being discussed at the 25th session of the UN Human Rights Council), and on the other to make sure that nobody can be arrested for terrorism related issues - thereby granting impunity for potential acts of terrorist subversion.ⁱ

We respectfully ask that the Government of Sri Lanka:

1. Guarantee in all circumstances the physical and psychological integrity of Ms. Balendran Jeyakumari, the continued safety of Fr. Praveen Maheesan OMI and Ruki Fernando, as well as of all human rights defenders in Sri Lanka;
2. Release Ms. Balendran Jeyakumari immediately and unconditionally since her detention is arbitrary and only aims at sanctioning her human rights activities;
3. Repeal the above-mentioned slandering statements formulated by high Sri Lankan officials and publicly affirm the legitimacy of the work of human rights defenders;
4. Put an end to any kind of harassment - including at the judicial level - against Mr. Ruki Fernando, Rev. Praveen Mahesan and Ms. Balendran Jeyakumari and more generally against all human rights defenders in Sri Lanka and ensure that they are able to carry out their peaceful and legitimate activities without any hindrance and fear of reprisals;
5. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially regarding the following Articles:
 - ▶ Article 1: everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels;

- ▶ Article 5 (a): For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels (a) To meet or assemble peacefully;
 - ▶ Article 12.2: the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of his or her rights [...];
6. Ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Sri Lanka.

ⁱ <http://www.dailynews.lk/editorial/defending-human-rights-terrorists>