



Side event on the role of the Parliament of Sri Lanka in protecting Democracy, Human Rights and the Rule of Law

Co-sponsors: Human Rights Watch (HRW), Amnesty International, CIVICUS, International Commission of Jurists (ICJ), Asian Forum for Human Rights and Development, Franciscans International, International Service for Human Rights (ISHR), the Commonwealth Human Rights Initiative (CHRI) and the International Movement Against All Forms of Discrimination and Racism (IMADR)

Sri Lanka has been the subject of an innovative partnership process at the Human Rights Council since the adoption on 1 October 2015 of consensus resolution 30/1 on promoting reconciliation, accountability and human rights.

Since 26 October 2018, Sri Lanka is facing an unprecedented constitutional and parliamentary crisis in which the principles and traditions of Asia's oldest parliamentary democracy have been questioned as a result of a "constitutional coup" involving

- a presidential initiative to change prime minister without consultation with parliament, or testing the acceptability of the new appointee through a vote of confidence;
- the prorogation of parliament for a three-week period until mid-November;
- an ongoing challenge to the independence and authority of the Speaker and of the parliamentary secretariat;
- the dissolution of parliament, during the period of prorogation and almost two years before the completion of its mandated term; and
- the calling of new elections in January 2019, without the agreement of the independent Elections Commission.

These moves were challenged by the Speaker of Parliament. On 13 November, in response to fundamental rights petitions by parliamentary parties representing a majority of the members of the current parliament, the Supreme Court granted a stay order on the dissolution.

Parliament duly reconvened on 14 November 2018 and adopted a no-confidence motion in the new government appointed by the President. Although several members of that government then resigned, the President rejected the motion on procedural grounds and, following a display of physical violence in parliament called for the organisation of a new "vote by name" no-confidence motion that would remove references to the legal and parliamentary challenge to his actions in proroguing and dissolving parliament. The holding of such a vote was impeded by further violence and attacks on the Speaker, leading to the suspension of parliamentary sittings until Monday 19 November.

This series of challenges to the established role of parliament in the protection of democracy, human rights and the rule of law in Sri Lanka coincides with the holding of the HRC's Forum on the subject.



Members of the Sri Lankan civil society human rights community who are playing a significant role in the ongoing process will be in Geneva during the week of 19 November. They are available to share their perspectives on the current crisis with members of the HRC and other parties through a **side event at the Forum on Thursday 22 November. It will be held in Room XXIV of the Palais des Nations in Geneva from 13h00 to 15h00.**

Although the final composition of the civil society team will be determined by the course of events within Sri Lanka, the following intend to participate:

- a. Dr Paikiasothy Saravanamuttu, Executive Director of the Centre for Policy Alternatives (CPA);
- b. Dr Asanga Welikala, Acting Director of the Edinburgh Centre for Constitutional Law;
- c. Ms Shreen Saroor of the Women's Action Network (WAN);
- d. Dr Alan Keenan, Senior Policy Analyst of the International Crisis Group (to comment on developments in Sri Lanka from an international perspective).