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Sri Lanka: Attack against human rights lawyer threatens rule of law and independence of the bar

The International Commission of Jurists (ICJ) strongly condemns the grenade attack on 27 September against prominent Sri Lankan human rights lawyer, J.C Weliamuna, and calls on the Government of Sri Lanka to launch a prompt, independent, impartial and transparent investigation.

At around 11.30 pm on the 27 September a grenade exploded on Mr. Weliamuna's balcony at his residence in Kohuwela, Colombo. The explosion shattered the windows of the house, but fortunately did not cause physical injury to Mr. Weliamuna, his wife or his two young children. A grenade pin was found outside the house, along with a second unexploded device that was defused by the police in the early hours of Sunday morning.

Mr. Weliamuna serves as Executive Director of Transparency International Sri Lanka, an NGO that highlights bribery and corruption and documents the misuse of public property by the state. He is also legal counsel in a number of sensitive fundamental rights cases, some of which involve allegations of torture, extra judicial killings and disappearances.

Earlier on the 27th, Mr Weliamuna had moved a resolution at a meeting of the Bar Council of the Bar Association of Sri Lanka in a case that involved death threats received by a lawyer appearing in a fundamental rights case against the police. Two weeks ago, unidentified assailants killed one of his clients who had initiated a case of bribery against the police and a fundamental rights case.

Mr. Weliamuna is also active in a broad coalition of activists and professionals calling for the re-establishment of the Constitutional Council, a multi-partisan constitutional body that makes recommendations to the country's independent institutions and higher judiciary, including the Human Rights Commission, the Police Commission and Elections Commission. The Constitutional Council has been defunct for two year and the President has refused to make new appointments as required by the Constitution.

"This attack against a senior and well-respected human rights lawyer must be seen in the context of rising human rights violations in Sri Lanka and increasing attacks on freedom of expression and the right to dissent," said Roger Normand, ICJ's Asia-Pacific Director. "The growing climate of fear and intimidation in Sri Lanka constitutes a threat not only to individual human rights defenders, but to the country's democratic institutions and traditions."

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

Mr. Weliamuna has called for an effective investigation into the incident. He told the ICJ, “It is important to have a transparent and open investigation. This is more important than my personal security. This is the beginning of series of threats against the justice system in Sri Lanka. Unless this is stopped right now we will soon see attacks on prosecutors followed by attacks on judges. It is vital to investigate this impartially and independently, identify the perpetrators and bring them to justice if further attacks are to be prevented. It is important that the Bar takes a strong stand on the issue.”

Article 14 of the Constitution of Sri Lanka guarantees the rights of free expression and the right to practice one's profession. Similar guarantees are found in the international human rights covenants to which Sri Lanka is a party and which the Government has publicly vowed to protect and promote.

The ICJ calls upon the Government of Sri Lanka to uphold the rule of law and protect the independence and security of the legal profession by initiating a prompt, impartial and transparent investigation into the attack, in order to bring the perpetrators to justice. The independence of the judiciary and the legal profession have long been cornerstones of Sri Lanka's constitutional government. The state must do its utmost to protect and promote these fundamental values.

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