



No. 20/ 2015

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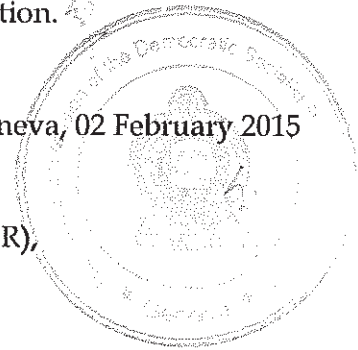
The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and Other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights (Office of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Office of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, the Office of the Special Rapporteur on the Situation of Human Rights Defenders and the Office of the Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions) and has the honour to refer to the Joint Urgent Appeal dated 26 November 2013 addressed to H.E. Mr. Ravinatha Aryasinha, Ambassador / Permanent Representative of Sri Lanka to the United Nations in Geneva, by Mr. Frank La Rue, former Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Mr. Maina Kiai, Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Ms. Margaret Sakaggya, former Special Rapporteur on the Situation of Human Rights Defenders and Mr. Christof Heyns, Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions, concerning the alleged death threats made against Ms. Nimalka Fernando via a programme broadcasted by the Commercial Service of the Sri Lanka Broadcasting Corporation.

The Permanent Mission of Sri Lanka has the honour to transmit to the Office of the High Commissioner for Human Rights the response received from the Government of Sri Lanka on the Joint Urgent Appeal under reference. (Please see Annex)

The Permanent Mission of Sri Lanka would also appreciate an acknowledgement of this communication.

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to Office of the High Commissioner for Human Rights (Office of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Office of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, the Office of the Special Rapporteur on the Situation of Human Rights Defenders and the Office of the Special Rapporteur on Extrajudicial, Summary and Arbitrary executions) the assurances of its highest consideration.

Geneva, 02 February 2015



Office of the High Commissioner for Human Rights (OHCHR),  
Palais Des Nations,  
1211- Geneva.

[Attn.: Mr. David Kaye, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression,

Mr. Maina Kiai, Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association,

Mr. Michel Forst, Special Rapporteur on the Situation of Human Rights Defenders,

Mr. Christof Heyns, Special Rapporteur on extrajudicial, summary and arbitrary executions].

**Response of the Government of Sri Lanka to the Joint Urgent Appeal dated 26<sup>th</sup> November 2013 from the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Special Rapporteur on Right to Freedom and Peaceful Assembly and Association, Special Rapporteur on Situation of Human Rights Defenders and the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.**

01. Ms. Nimalka Fernando, had made a complaint at Police Headquarters regarding a program that was broadcast by the Commercial Service of the Sri Lanka Broadcasting Corporation, alleging that her character was tarnished and death threats were issued to her by Mr. Hudson Samarasinghe during the live broadcast.
02. During Police investigations, it was revealed that the recordings of the program had been destroyed by the Sri Lanka Broadcasting Corporation, after one week, as per usual practice. Therefore, the Sri Lanka Police are unable to verify the authenticity of the allegations.
03. However, the Government of Sri Lanka wishes to state that Mr. Hudson Samarasinghe/Chairman of Sri Lanka Broadcasting Corporation has been replaced and no longer holds this office.
04. The Government of Sri Lanka wishes to inform that the situation with regard to freedom of expression, freedom of peaceful assembly and the protection of human rights defenders continues to improve. It is the stated policy of the new government which assumed power pursuant to Presidential Elections on 08<sup>th</sup> January 2015, to vigorously protect the rights of human rights defenders while ensuring freedom of expression including media freedom. Towards this end, the Government will actively pursue the enactment of Right to Information legislation and Victim and Witness Protection legislation amongst other measures such as ensuring the independence of the judiciary and strengthening institutions such as the Human Rights Commission.
05. Furthermore, any person who seeks to vindicate their rights has the option of filing a Fundamental Rights application in the Supreme Court, or a Writ Application in the Court of Appeal, or making a complaint before the Human Rights Commission of Sri Lanka on their own behalf or in the public interest. The full gamut of constitutional guarantees, including effective remedies, is available to individuals or groups who wish to canvass their rights.