



**PERMANENT MISSION OF THE DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA TO THE UNITED NATIONS OFFICE, GENEVA**

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19 July 2019

Ms. Agnes Callamard
Special Rapporteur on extrajudicial, summary or arbitrary executions

Prof. Nils Melzer
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Joint Urgent Appeal by Mandates of Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

I have the honour to refer to your Joint Letter dated 28 June 2019 requesting clarifications on the information received by the Mandate Holders with regard to alleged re-imposition of death penalty in Sri Lanka.

In this context the Government of Sri Lanka wishes to make the following statement for your information:

"Sri Lanka continues to maintain a Moratorium on death penalty since 1976 although statements have been made from time to time, in this regard. The moratorium however continues to be in place.

At the 73rd Session of the UNGA in 2018, Sri Lanka voted in favour of the Resolution on the universal Moratorium on death penalty. Sri Lanka has also voted in support of this Resolution in the years 2007, 2008, 2010 and 2016 as well.

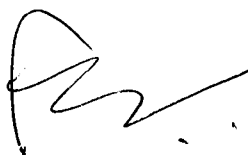
The discourse that is happening in the country at present with regard to the reimplementing of death penalty concerns the significant increase in drug-related crimes. As a mature democracy, Sri Lanka accommodates such a diverse spectrum of views on any issue of public interest.

In the circumstances that Sri Lanka is not a State Party to Optional Protocol II to the International Covenant on Civil and Political Rights (ICCPR) which prohibits executions, the moratorium is considered the only practical alternative, even as the national discourse on death penalty is taking place as stated.

However, considering the Fundamental Rights application filed by a convict in view of reports of execution of death penalty, the Supreme Court of Sri Lanka, in exercise of its jurisdiction under Article 126 of the Constitution, issued an interim order on 5 July 2019, suspending the operation of death penalty until the next hearing of the application on 29 October 2019. This decision by the highest court of Sri Lanka demonstrates that even a convict sentenced to death enjoys fundamental rights that all other citizens of Sri Lanka are entitled to. The matter of the execution of death penalty, accordingly, remains sub judice."

With the reciprocal assurances of continued engagement and dialogue.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized capital 'A' followed by a series of loops and a final horizontal stroke.

Ambassador and Permanent Representative to the UN