



Tamil Information Centre

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Committed to Human Rights and Community Development

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SRI LANKA: DENIAL OF BURIAL RIGHTS RELATING TO COVID-19 DEATHS

In dealing with the Corona virus threat, the Sri Lankan government has chosen a militarized attitude to target the minority communities. The Tamil Information Centre (TIC) is concerned about the methods adopted by the government to infringe the human rights of the beleaguered minority communities. Reports from Sri Lanka indicate that deep-rooted religious practices of the Muslims are currently denied. Islamic religious rites forbid cremation and require dead bodies to be buried.

The Sri Lankan government has ordered the cremation of the bodies of deceased Muslims against the wishes of the families and their religious rights. The World Health Organization's (WHO) advice on *Infection Prevention and Controls for the Safe Management of a Dead Body in the Context of COVID-19*, clearly states that "People who have died from COVID-19 can be buried or cremated". WHO also makes clear that persons who died by communicable disease should be cremated is a common myth and that hasty disposal of a dead body from COVID-19 should be avoided. WHO urges that the dignity of the dead, their cultural and religious traditions, and their families should be respected and protected during the pandemic crisis.

Although Sri Lankan ministers have stated that the government will follow the guidelines, in fact the government had acted against the guidelines. The Ministry of Health guidelines of 27 March 2020 allowed relatives to see the bodies at the hospital and also permitted burial of the dead bodies. But on 30 March 2020, the Sri Lankan authorities ignored the guidelines and cremated the body of a dead Muslim, despite protests by the family. The government guidelines were amended and the *Provisional Clinical Guidelines on COVID-19 and Confirmed Patients* dated 31 March 2020 instructs that the bodies of those dead by COVID-19 "should be cremated within 24 hours (preferably within 12 hours)". Amnesty International has pointed out that the Sri Lankan government has not provided adequate or reasonable justification for departing from the WHO guidelines.

In a letter to President Gotabaya Rajapaksa on 8 April 2020, four UN Special Rapporteurs urged an inclusive and participatory dialogue or consultation with relevant stakeholders, including the civil society and different ethnic or religious communities, before a decision is taken when cultural or religious sensitivities are involved. The Rapporteurs called on the Sri Lankan government to uphold the right of freedom of religion or belief as well as the right of the minorities. They urged the government to firmly condemn any attempt by anyone, irrespective of status, to issue or spread hate messages that are of a nature to instigate ethnic or religious tensions or violence, including through accusations or blame that any particular ethnic or religious community is responsible for the pandemic of COVID-19. The four were the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special

Rapporteur on minority issues; and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

It is of utmost importance that bereaved families are treated with sensitivity, dignity and respect. The grieving process and related formal and informal rituals, through which the bereaved mourn the passing of loved ones, are important for the health and well-being of the bereaved. There is no public health hazard from buried bodies according to the standard practice of people dying of infectious diseases.

The TIC calls upon the Sri Lankan government to respect the customs and practices of the minority communities, including the Muslim community, and to maintain harmony among all the citizens of Sri Lanka. The TIC also urges the Sri Lankan government to refrain from engaging in acts that aim to divide communities and issue new orders including the provisions of the WHO guidelines on the disposal of bodies.

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