

26th November 2020

PRG calls upon the Government of Sri Lanka to act upon the recommendations of the HRCSL and immediately stop forcible cremation of Covid-19 victims.

People's Rights Group (PRG), an advocacy and lobbying rights Group based in the UK, operating with the purpose of taking up issues and/or assisting the victims of human rights violation arising inter-alia from hate speech/crimes, discrimination, harassment, bigotry, and double standards, notes with appreciation and welcomes, the principled stance taken by the Human Rights Commission of Sri Lanka (HRCSL), that mandating cremation of corona virus victims is unacceptable and a gross violation of human rights, in their letter titled "HRCSL observations and recommendations on Extraordinary Gazette No. 2170/8 dated 11th April 2020" addressed to the Secretary of the Ministry of Health. This courageous assertion from a credible body in the calibre of HRCSL, will add much weight to the multitude of voices raised both locally and internationally against the denial of burial rights to victims of Covid 19 as per the dictates of their religious beliefs, by the Government of Sri Lanka(GoSL).

The HRCSL clearly observes that "mandating cremation of those who have died or suspected to have died from Covid-19 is neither necessary nor proportionate to the achievement of protection of public health and therefore is not a permissible restriction of the freedom to manifest religion or beliefs" and that "Forced and rushed cremation of dead bodies prior to without procuring conclusive evidence on the cause of death and not allowing family members the opportunity to, perform final rites while adhering to accepted safety measures is a violation of the freedom to manifest religion or beliefs". It also goes on to boldly recommend to the Government to "permit burials as well as cremations of bodies of persons who succumb to the Covid-19 virus while adhering to required health guidelines".

PRG also notes with regret, that the GoSL has so far failed to revise its circulars on forced cremation, even in the face of mounting medical advice including the WHO Guidelines, as well as the clarion calls to respect the religious rights of the affected communities, as amplified by the UN and other global Human rights watchdogs. PRG hopes for a favourable outcome and that justice be served, when Fundamental Rights petitions filed in the Supreme Court of Sri Lanka challenging mandatory cremation, by several affected parties and activists are taken up for hearing on Monday 30th November 2020, thereby saving such communities from being subjected to further mental torture and demonization in such respect.

PRG therefore calls upon the GoSL to lend a favourable ear to the recommendations of HRCSL, *enacted under the law to promote and monitor protection of fundamental rights guaranteed by the Constitution and ensure compliance by the Sri Lankan State of international human rights standards*, and allow the disposal of bodies of Covid-19 victims as per the wishes of their families with immediate effect. It is unfortunate that the continued violation of religious rights of a section of its populace, without any acceptable basis, has not only been creating unnecessary agony, ill-will and communal tensions among communities, but also will hamper the anti-covid drive in the country as well, in addition to tarnishing its good image, as a respectable member of the community of nations, committed to the ideals enshrined in the UN Charter and human rights enshrined under UDHR.

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Link to statement

<https://www.hrsl.lk/hrsl-issues-observations-and-recommendations-on-the-disposal-of-dead-bodies-in-the-context-of-covid-19/>