

13th May 2020

VERY URGENT

Dear Mr Eamon Gilmore,

FERVENT REQUEST TO INTERVENE TO STOP FORCED CREMATIONS, WHICH TANTAMOUNTS TO GROSS HUMAN RIGHTS VIOLATIONS IN THE FIGHT AGAINST COVID 19 IN SRI LANKA

We would like to bring to your urgent attention that unfortunately in Sri Lanka, the fight against COVID 19 is being used as a tool and an excuse to further oppress minorities and violate their rights by denying their inalienable right to practice their religion, guaranteed by Article 18.1 of the ICCPR and several other international human rights instruments. As much as Sri Lanka's 'war against terrorism' that was fought at the immense cost of human rights, there is a high risk that Sri Lanka's fight against COVID 19 will also be fought amidst blatant violations of human rights.

We bring to your particular attention the practice of forced cremations of victims of COVID 19 belonging to the Islamic faith in Sri Lanka in violation of WHO's guidelines on the disposal of bodies of victims of the virus. This is affecting members of the Islamic and Christian faiths who have protested against the lack of sensitivity and flexibility shown by the authorities, in spite of detailed submissions made by experts and professionals (of all faiths) with scientific evidence that burial constitutes no risk of contamination of soil or water. The Government of Sri Lanka is consistently insisting on the cremation of bodies of COVID victims without considering their cultural and religious rights and has been forcibly cremating bodies of Muslim victims totally disregarding the wishes of the deceased, their families and their communities. All representations made to the Government by religious, political and civil society leaders to the highest level of the government have been totally disregarded, and the practice continues unfettered.

We are gravely concerned that the inalienable rights of Sri Lankans belonging to the Islamic (and possibly the Christian) faiths are being violated by:

- a) Forcible cremation of their bodies whereas the burial of a dead person's body is an integral part of their faith
- b) Denial of burial rights for the family
- c) Getting the family of the deceased person to cooperate and silencing their objections in exchange for minor 'favours' such as allowing a few more family members to view the body or allowing additional time for family members to spend near the body
- d) Getting the family members to purchase the coffin for the cremation when it is well known that cremation is against their faith
- e) Carrying out the above practices at a time when courts are not fully functional due to the lockdown, and when families of victims are left without access to legal recourse.
- f) Orchestrating and/or tolerating a systematic hate campaign against the Muslim community, portraying those who argue in favour of burial as traitors and unpatriotic.
- g) Racial profiling of victims of COVID 19 to constantly portray Muslim patients as 'carriers' and 'spreaders' of the virus, and the Muslim community as uncooperative.

As a result the Muslim community which strictly believes that bodies should be buried and not cremated, is in a state of shock and helplessness. In this situation even if the COVID19 crisis is overcome, it may take a very long time to heal the psychological wounds caused by this violation that comes on top of the severe impact that the pandemic itself has caused.

The minority Muslim community is in a state of fear and insecurity. Their marginalization has resulted in the breakdown of the community's trust in the health system and in the law enforcement mechanism, which will have far reaching consequences on the fight against COVID 19. While the Director General of WHO has called for unity at national level to address the crisis, it is unfortunate that the Sri Lankan Government's misconstrued strategy to achieve unity has been to impose a majoritarian viewpoint on the minorities, with total disrespect for human rights and human dignity.

If one country fails in the fight against COVID 19, the whole world fails. As such it is of paramount importance that the situation in Sri Lanka is addressed urgently and decisively. Failure to do so will not only be the failure of Sri Lanka, but also the failure of the international community as a whole.

We urge you to take every possible action within your capacity and mandate to impress upon the Sri Lankan government to take corrective action in this regard by immediately stopping forced cremations and other associated practices, and to take immediate measures to end the hate campaign against the Muslim community and those who advocate for the right to burial, thereby respecting human rights and human dignity, and making the fight against COVID 19 an inclusive one. We very much hope that your esteemed office will act on this with a sense of urgency, and before it is too late.

With regards,

Baazir Rahman,
Dissemination Manager

To

Mr Eamon Gilmore
EU Special Representative for Human Rights,

cc.

1. Mr. Thorsten Bargfrede
1st Counsellor/ Deputy Head of Mission
Head of Political, Trade and Communication Section,
Delegation of the European Union to Sri Lanka and the Maldives.