

SRI LANKA

# SERVING AND PROTECTING THE POPULATION



ICRC

JULY - SEPTEMBER 2018



The police are often the most visible of a State's armed and security force. A police officer is mainly tasked with law enforcement which encompasses the following basic responsibilities: maintenance of public order and security, prevention and detection of crime, provision of help and assistance, and to serve and protect the population.

To fulfil their mission law enforcement officials exercise the following basic powers: arrest, detention, search and seizure, and the use of force and firearms. How they exercise those powers can have a major impact on people. Their operations are then governed by their national legislation which must be consistent with the State's international human rights obligations. Their training and equipment must take this into account e.g. their equipment must allow them to make a graduated response and to prevent harm to bystanders. Certain weapons used by the security forces are therefore inappropriate for law enforcement. Giving police officers protective equipment will reduce the need for them to use force.

In keeping with its mandate to protect and assist people affected by conflict and violence, the ICRC sensitizes police forces on the rules governing force, firearms, arrest, detention, search and seizure. According to these, no person shall be subjected to arbitrary arrest or detention. Safeguards in place for arrest state that policing must treat persons who have been arrested with dignity and humanity, inform them of the charges against them, inform them of their rights while making the arrest, presume they are innocent at the time of arrest and prevent disappearances and extra-judicial killings. In detention, persons deprived of their liberty have the right to be brought promptly before a court if accused of a crime. They have the right to see a lawyer and a doctor and to be held in an official place of detention. Communication with the outside world and their families should be facilitated and they should have the right to challenge the lawfulness of their detention without delay. A fair trial should be conducted within a reasonable period of time or they should be released. In search and seizure, searches should be conducted legally and persons being searched should be treated with dignity and their property respected. The ICRC also stresses that police forces should have a system for preventing, monitoring and if necessary punishing violations.

In Sri Lanka, the ICRC conducts awareness raising sessions for the police on international standards in procedures related to search, arrest and detention and the use of force and firearms. In September, over 700 police personnel including women constables and new recruits participated in sessions on judicial guarantees and fundamental safeguards in the treatment of persons during arrest, detention, and investigation. These sessions are coordinated with the Police, Training.

# SAFER ACCESS IN OUR DAILY WORK



More than 28 participants, including branch executive officers, program personnel and volunteers from the SLRCS participated in a training on safer access that was organised by the ICRC.

With the use of presentations and group discussions, they increased their understanding of the safer access framework, familiarized themselves on the practical and operational application of the elements of safer access, strengthened their knowledge on how to better integrate safer access sessions into existing internal trainings and programs, and learnt how to develop training modules.



Having safer access means to have access to those in need, especially during internal violence or tensions. It also means to be able to do so while securing the safety of the individual and the organization. Access is important as otherwise communities in need cannot be assisted.

The SLRCS has branch offices in all 25 districts of the country. The ICRC supports the national society to strengthen their capacity in restoring family links, first aid, disaster response, and the integration of safer access in to program areas, and to promote humanitarian values.



# PROMOTING INTERNATIONAL HUMANITARIAN LAW (IHL) AMONG FUTURE LEGAL CIRCLES



The 14th annual Henry Dunant Moot Court Competition for undergraduates of law was concluded in Colombo in September. Five teams took part in the qualifying rounds. Thereafter, the team from the Department of Law, University of Jaffna and Faculty of Law, University of Colombo competed in the final.

The teams argued the hypothetical case of Brigadier G. Kumanova before the International Criminal Court where he was charged with crimes against humanity and war crimes.



After the memorials and submissions were made for the prosecution and defense, a three-judge bench comprised of international humanitarian law experts gave a judgement in favour of the Colombo University team. The winning team and the runners-up which was the Department of Law, University of Jaffna will now compete at the Regional Moot Court Competition to be held in Tehran, Iran in December.

The winning team from Colombo University: Prashanthi Vignanantha, Vishmi Abeywardena and Shelani Palihawadana receiving the trophy from ICRC Protection Coordinator Bruno Raymond, while ICRC Legal Adviser Samindika Elkaduwe looks on.

The ICRC and Faculty of Law, University of Colombo organise the national rounds of the Henry Dunant Moot Court Competition every year to promote IHL learning among undergraduates of law.



# FACTS & FIGURES

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### ADDRESSING THE NEEDS OF FAMILIES OF MISSING PERSONS

Met 1,380 families to follow up on their tracing enquiries and registered 62 new cases of missing persons; Provided (through the Accompaniment Programme) weekly psychosocial support sessions to relatives of around 700 missing persons; Gave 263 families cash grants to develop their livelihoods.



### DETAINEE WELFARE

Visited 222 detainees throughout the country and shared findings and recommendations confidentially with prison authorities; Gave 88 families each a travel allowance to visit their relatives in detention; Provided 3,433 detainees ad hoc assistance in the form of educational and recreational items.

Maintenance tools were donated to Batticaloa and Trincomalee prisons and construction materials were provided to the Vavuniya and Trincomalee prisons for kitchen upgrades.



### PROMOTION OF INTERNATIONAL HUMANITARIAN LAW (IHL)

Conducted pre deployment briefings on the applicability of IHL to peace support operations and the role and mandate of the ICRC for 345 army personnel to be deployed to Mali; Conducted a two-day seminar on IHL/IHRL to 25 army officers at the Security Forces Headquarters (East). The ICRC Deputy Director of International Law & Policy Ms Eva Svoboda spoke about the Global Challenges of Internal Displacement at the annual Colombo Defence Seminar which brings together delegates from around the world. Conducted a one day training on the use of force, firearms and detention for 610 Sinhala and 20 Tamil women constables at the Sri Lanka Police College, Kalutara; Conducted a one day training on the use of force, firearms and detention for 125 Officers In Charge (OICs), Crime OICs and for police officers at the Children's and Women's Bureau.



### SUPPORT TO THE SRI LANKA RED CROSS SOCIETY (SLRCS)

55 staff and volunteers from SLRCS district branches received training in disaster response techniques; seven first aid camps were held at a range of district level events; 215 volunteers developed their first aid skills by attending an island wide basic first aid exam; 2,000 water cans were distributed to the drought affected in Anuradhapura and Puttlam districts.

Three dissemination sessions on humanitarian principles and the Red Cross Red Crescent movement were delivered by the SLRCS district branches to students and professionals.

28 staff and volunteers learned actions and measures the National Society must take when responding to emergency situations which would also ensure their own safety.

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