

11 February 2022

Sri Lanka: Human rights defender and lawyer Hejaaz Hizbullah released on bail after 22 months of imprisonment

On 9 February 2022, human rights lawyer **Hejaaz Hizbullah** was released on bail by the Puttalam High Court. Hejaaz Hizbullah has been in prison for 22 months charged under the 1979 Prevention of Terrorism Act (PTA) without bail. The decision on bail followed an order by the Court of Appeal on 7 February 2022, directing the human rights defender's release. Local and international human rights have repeatedly condemned Hejaaz Hizbullah's arrest, as it constitutes a reprisal against his human rights work. On 28 July 2021, Front Line Defenders issued a [statement](#) on his case alongside with ten other human rights organizations.

[Hejaaz Hizbullah](#) is a human rights lawyer based in Sri Lanka. He has been a vocal advocate against discrimination and violence against religious and ethnic minorities in the country. Hejaaz Hizbullah was one of the lawyers who challenged the dissolution of the Parliament in 2018 in the Sri Lankan Supreme Court.

Hejaaz Hizbullah was arrested by the Criminal Investigation Department on 14 April 2020. He was initially held in the custody of the Terrorism Investigation Department (TID), and later detained on judicial remand. Bail was routinely denied and charges filed nearly a year later on 3 March 2021. The human rights defender was given restricted access to his family and legal representation during his detention. To date, the state has failed to show any credible evidence against Hejaaz Hizbullah, and the accusations against him have changed at least two times since his arrest. The investigation approach by the Sri Lankan authorities and the prosecution, and the lack of evidence, clearly points to the politically motivated nature of this case.

Hejaaz Hizbullah's case and the misuse of anti-terror legislation is emblematic of the conduct of the Sri Lankan authorities and their approach towards human rights defenders undertaking legitimate and peaceful human rights work. The PTA has been used to [silence or threaten critics](#), as well as surveillance, interrogations, threats and harassment. The PTA is a [regressive law](#) which prevents access to bail, and contravenes Sri Lanka's international commitments. The constant denial of bail and the lack of basic protection and due process mechanisms affect all those detained under this law. Sri Lankan authorities have [ignored calls](#) from human rights groups to [repeal this law](#), and de facto used its provisions to silence critics and voices of dissent.

Front Line Defenders reiterates its deep concern about the ongoing case against Hejaaz Hizbullah and the safety of the human rights defender and his family in Sri Lanka. Front Line Defenders welcomes Hejaaz Hizbullah's release on bail, but it is deeply concerned about the continuation of his trial. It condemns the use of anti-terror laws to punish human rights defenders. Front Line Defenders stands in solidarity with human rights defenders who continue to work and advocate for human rights principles despite the threats against them.

Front Line Defenders urges the relevant authorities in Sri Lanka to:

1. Immediately and unconditionally drop all the charges against human rights defender Hejaaz Hizbullah, as we believe they are a reprisal against his legitimate and peaceful human rights work;
2. Immediately end all forms of harassment against Hejaaz Hizbullah and his family and allow him to carry on his human rights activities without fear of reprisals;
3. Repeal the Prevention of Terrorism Act in line with Sri Lanka human rights and international commitments;
4. Guarantee in all circumstances that all human rights defenders in Sri Lanka are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions—including police and judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (c): *“Everyone has the right, individually and in association with others: (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”,* and to Article 12 (2): *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present declaration.”*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director