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இலங்கை மனித உரிமைகள் ஆணைக்குழு  
Human Rights Commission of Sri Lanka

Press Notice No: HRC/P/i/E/09/05/25

## Press Notice

### Meeting on the situation of the Rohingya asylum seekers at the Sri Lanka Air Force Camp in Mullaitivu

The Human Rights Commission of Sri Lanka (HRCSL) convened a meeting on 8<sup>th</sup> May 2025 to review the implementation of the recommendations arising from its observations made in January 2025 regarding the situation of Rohingya asylum seekers currently detained at a detention centre located inside the Sri Lanka Air Force Camp in Mullaitivu. This meeting was chaired by Justice L.T.B. Dehideniya, Chairperson of the HRCSL, with the participation of commissioners Prof. Farzana Haniffa and Dr. Gehan Gunatilleke and senior officers of the Commission. Representatives from the Ministry of Public Security, the Department of Immigration and Emigration, and Sri Lanka Air Force were present.

The following key matters were discussed:

- a) **Nature of the detention centre:** The state officials present at the meeting clarified that the detention centre located within the Sri Lanka Air Force Camp was not a temporary centre but a permanent centre gazetted under relevant provisions of the law. The HRCSL pointed out that there is confusion with respect to the state institution under whose authority the centre falls, and the officials clarified that the relevant authority solely responsible for the centre was the Department of Immigration and Emigration. Sri Lanka Police is responsible for providing security within the centre, and Sri Lanka Air Force officials are only responsible for regulating entry into the camp premises. The officials also reassured the HRCSL that officers of the Commission would be granted access to the centre without the requirement of prior notice.
- b) **Coordination of humanitarian assistance:** The HRCSL emphasised the willingness of civil society organisations and aid agencies to provide assistance to the Rohingya asylum seekers. It was proposed that a dedicated focal point be appointed within the Department of Immigration and Emigration to facilitate the delivery of aid, ensuring that all assistance complies with regulatory standards. The Department confirmed that such a focal point has already been appointed and that aid could be directed to the asylum seekers by contacting the

Department. It was also clarified that ICRC had been recently granted access to the asylum seekers.

- c) **Support for children and infants:** The HRCSL noted the specific needs and vulnerabilities of children and infants at the detention centre. It was recommended that relevant state institutions, including the Provincial Department of Probation and Child Care Services and the Children's Secretariat be provided access to the centre without delay. The HRCSL undertook to engage these institutions to encourage them to formally request access, and the Department of Immigration and Emigration assured the Commission that such access would be granted. It was also highlighted that all detainees, especially infants and children, require access to healthy and nutritious food. The Commission urged relevant authorities to take necessary measures to meet these dietary needs. It was also emphasised that section 5 of the International Covenant on Civil and Political Rights Act of 2007 clearly obliges all state authorities to give paramount importance to the best interests of children and that this legal obligation extends to all children within Sri Lanka's jurisdiction, regardless of their citizenship status.
- d) **Protection of women and children:** The Commission urged the Department of Immigration and Emigration to increase the number of female police officers stationed at the centre to enhance the protection and welfare of female detainees and children. Further discussions were held on deploying female police officers after 10:00 p.m. to improve safety for women. The Department agreed to follow up on these matters.
- e) **Healthcare and reproductive health services:** The HRCSL stressed the importance of improving access to health services, including reproductive health services, and recommended collaboration with the Provincial Department of Health Services (Northern Province). It was also reported that the Office of the Medical Officer of Health conducts regular inspections to monitor hygiene standards and prevent disease outbreaks.
- f) **Principle of non-refoulement:** The Commission clarified that the obligation not to repatriate any persons to their home country when there is a risk of enforced disappearance is not only an international obligation by which Sri Lanka is bound. It is also clearly found in Sri Lanka's domestic law in section 18(1) of the International Convention for the Protection of All Persons from Enforced Disappearance Act of 2018. Therefore, the Rohingya asylum seekers cannot be repatriated without a clear evaluation of the risks of enforced disappearance they face in their home country.
- g) **Classification of the detained persons and access to UNHCR:** The Commission clarified that the use of the term 'illegal migrants' in contrast to 'asylum seekers', and the claim that the persons detained were not 'asylum seekers' because they may have entered Sri Lanka illegally reflects a misunderstanding of the concept of 'asylum seeker'. It was clarified that any person who seeks asylum in another country may be appropriately termed an 'asylum seeker'. Moreover, the Commission urged the Department of Immigration and Emigration to respond to UNHCR's request to access the asylum seekers and to facilitate such access expeditiously to enable UNHCR to support the processing of the asylum seekers and

determine their status. The Department assured the Commission that such access has not been denied and that it would take appropriate measures in this regard.

- h) **Media and civil society access:** The HRCSL proposed that journalists be permitted to visit the camp to inform the general public about the situation of the Rohingya asylum seekers and emphasised that such access is contemplated under the freedom of speech and expression guaranteed by article 14(1)(a) of the Sri Lankan Constitution. However, the Department of Immigration and Emigration cited a policy decision that had been taken to deny access to media personnel and civil society actors to avoid disinformation. The Commission urged the Department to reconsider its position, as the public has a right to know about the situation within the detention centre and that access to the media and civil society could in fact ensure that accurate information reaches the public. The Commission plans to take further action in this regard.

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