

His Excellency, the Hon. Mahinda Rajapaksa
President of the Democratic Socialist Republic of Sri Lanka
Office of the President
Temple Trees
120 Galle Road
Columbo 3
Sri Lanka

Brussels, 24 April 2014

Re: Concerns regarding the trial against former Chief Justice Ms Shirani Bandaranayake

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further twelve European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law, which includes the principles of independence of the legal profession and of independence and impartiality of the judiciary.

The CCBE previously wrote to you on 17 April 2013 to express its serious concern over the impeachment and replacement of Chief Justice, Ms Shirani Bandaranayake. By a decision of the Sri Lankan Parliament, endorsed by you, Ms Bandaranayake was removed from her functions and duties. This occurred after she presided over two Supreme Court panels that gave rulings against the government. The CCBE expressed its concerns about the fact that the enquiry against Ms Bandaranayake evidenced a failure of due process, a lack of independence and a denial of a fair hearing.

The CCBE has recently been informed that the Commission to Investigate Allegations of Bribery or Corruption charged Ms Bandaranayake with non-disclosure of assets. In September 2013, Sri Lanka prosecutors brought criminal corruption charges against Mrs Bandaranayake accusing her of allegedly failing to disclose empty bank accounts during a required declaration of assets while she was in office. The next date of the trial against former Chief Justice was fixed for 12 May 2014.

The CCBE believes that the dismissal of the former Chief Justice and her political harassment seriously threatens the independence of the judiciary and undermines public confidence in Sri Lanka's rule of law.

In view of the above, the CCBE respectfully urges you to take immediate and effective steps to stop the political and judicial harassment of former Chief Justice Shirani Bandaranayake and to ensure that fair trial standards, rule of law and democracy are upheld. The CCBE also asks you to take all

necessary measures to guarantee the full independence of the judiciary and legal profession in your country.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI
President