

Repression of Dissent

March 2023



Military personnel wearing facemasks, carrying wooden poles with iron rings were deployed to disperse the protest organized by IUSF on 7th March. As the Army denied their involvement in controlling the protest, details of these soldiers or their force remains unknown. Photo Courtesy: Shehan Gunasekera

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Repression of Dissent in Sri Lanka in March 2023.

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INFORM was established in 1990 to monitor and document human rights situation in Sri Lanka, especially in the context of the ethnic conflict and war, and to report on the situation through written and oral interventions at the local, national and international level. INFORM also focused on working with other communities whose rights were frequently and systematically violated. Presently, INFORM is focusing on election monitoring, freedom expression and human rights defenders. INFORM is based in Colombo Sri Lanka, and works closely with local activists, groups and networks as well as regional (Asian) and international human rights networks.

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1. Executive Summary

Context: Three new draft bills were gazetted in the month of March, to introduce a new anti-terrorism act (ATA), to amend penal code to decriminalise homosexuality, and to amend the Protection of victims of crime and witnesses act 2015. ATA was subjected to strong criticism of human rights activists and organisations. The proposed Assistance to and Protection of Victims of Crime and Witnesses Act in 2023 reduces the maximum duration of imprisonment period from 12 years to 5 years, but increases fines against the offenders. Decriminalisation of homosexuality is a long delayed action by many governments, despite decades long advocacy. The Human Rights Commission of Sri Lanka (HRCSL) launched the Guidelines for Police officers to protect Transgender Persons. Two custodial deaths were reported, including a suicide case. While the Sri Lankan economy is slowly recovering, the inflation remained higher reporting overall monthly headline inflation as 50% according to official data.

Case updates: The Election Commission announced 25th April as the new date for holding the postponed local government election. The Supreme Court issued an interim order preventing the Ministry of Finance from withholding any funds allocated for the Local Government Election 2023 by the government budget. However, Election Commissioner Nimal Punchihewa said that it is unlikely that Finance would release sufficient funds to conduct the local government election as ordered by the Supreme Court. The government printer Gangani Liyanage said that if there is a further delay in processing payments for papers and other material borrowed for printing ballot papers, the supplier may ask to return the stocks. Some websites predicted this as a possible new tactic for postponing elections further. An independent investigative report found that Sri Lanka Police have used expired tear gas that expired two decades ago, causing serious respiratory problems for those who were exposed to them. The Court of Appeal dismissed the writ petition seeking arrest of Senior Deputy Inspector General of Police Deshabandu Tennakoon for his failure to prevent attacks on peaceful protesters in Galle Face on 9th May 2022. The revision application filed by the Attorney General (AG) against the release of Wasantha Mudalige was taken for hearing at the Colombo High Court. The AG argued that Magistrate's Court has no jurisdiction to release an individual who had been arrested under the Prevention of Terrorism Act. Hearing the case of the death of a protester, who died after being exposed to teargas, the magistrate ordered the Director of Public Order and Management Division of Sri Lanka Police to submit a report within two weeks on teargas. The Supreme Court lifted the overseas travel ban previously imposed on former President Mahinda Rajapaksa, and others in relation to accountability on Sri Lanka's economic crisis. Charges against former Finance Minister Ravi Karunayake in relation to the central bank bond scam were quashed by the Court of Appeal. The case on the citizenship of state minister Diana Gamage and illegally obtaining a Sri Lankan passport by submitting forged documentation was taken for hearing. Lawyer appearing on behalf of the petitioner pointed out that the Criminal Investigation Department (CID) of Police is not arresting the Minister despite ample evidence against her. The Supreme Court issued summons against the Inspector General of Police (IGP) for allegedly neglecting an order to prepare a set of guidelines to prevent the deaths of suspects who are under police custody while being taken out for various investigations.

Repression of Media and journalists: Parliament passed a resolution to refer the case of alleged infringement of parliamentary privileges by Siyatha Telewakiya, a television programme to the Attorney General, in order to take further steps which probably could include legal action against the media institution. The CID summoned the web journalist G P Nissanka Mayadunna, running the news website Ravana Lanka on 27th March and questioned him for over three and half hours, regarding the investigative articles published in the website and demanded to reveal his sources. Lankadeepa regional journalist Nimal Jayarathne in Manampitiya in Polonnaruwa district received a threatening phone call, demanding him to report on a certain incident.

Repression of Freedom of Assembly: Police arrested Dananjaya Rathnayake an activist of Kandy Gota Go Gama protest site under the charges of violating the curfew and engaging in unlawful assembly last year. Police arrested the head of the Association of Relatives of the Disappeared, Kasipillai Jayavanitha, for allegedly illegally obtaining electricity for the shed they used as the base for their six-year-long protest. Lawyers representing the Opposition political party National People's Power (NPP) alleged that they have received reliable information that the Police have used expired tear gas canisters and contaminated water against protesters, causing three deaths, and other health complications during last week. Submitting an RTI request, they requested a comprehensive report on teargas. Fort magistrate court issued an order preventing a protest march organised by the Inter-University Student Federation (IUSF) in Colombo. The Police attacked their protest with teargas and water cannons when it was passing the University of Colombo. Police also forcibly entered the university premises and fired teargas disturbing the academic activities. A security officer named Priyantha Wanninayake employed at the University died after being exposed to tear gas. Military deployed to disperse the protest organised by university students in Colombo on 7th March were seen carrying wooden clubs with iron rings. Army Spokesperson Brigadier Ravi Herath speaking to media said that an investigation has been launched into the matter, and denied the involvement of the Sri Lankan Army to control the protest. While academics, and university students demanded legal action against the Police for forcibly entering university premises, Police justified their actions. The Colombo university students who organised a protest on the following day to condemn the attack on university premises were also attacked with tear gas and dispersed by the Police. University of Kelaniya students who organised a protest near its university premises were also dispersed, firing tear gas and water, while nine protesters were arrested. On 31st of March, Police disrupted the first anniversary of the Aragalaya that was planned to be held at the Jubilee Post in Mirihana area in Nugegoda in Colombo suburbs, with a protest calling for abolition of the executive Presidency system. State Minister of tourism Diana Gamage stated that people will attack the protesters soon, as the protesters are trying to sabotage the gradually reviving economy.

Repressive legal actions and policies: The proposed [Anti Terrorism Act \(ATA\)](#) which expects to replace the existing draconian legislature [Prevention of Terrorism Act \(PTA\) of 1979](#), was gazetted on 17th March 2023. ATA was subjected to strong criticisms of human rights advocates for its potential of being used to crack down dissent, restrict freedom of expression and other human rights. Aruna newspaper published a news article saying that the government has been recently paying attention to establish a Presidential commission to investigate those who funded, assisted and encouraged Aragalaya, the anti-government protest movement. Same as the previous months, a gazette notification was issued by the President calling out the Armed forces for the maintenance of public order, a clear indication

of continuing militarization. Two other gazette notifications were issued declaring postal services, supply of electricity and distribution of fuel and petroleum products as essential services. Declaration as essential services has been historically used by repressive governments in Sri Lanka to prevent trade union actions. This draconian law allows to impose 2 to 5 years of rigorous imprisonment, forfeiture of property, and removal from professional registration against those who engage in trade union actions. Though this law has not been implemented in the recent past in such a scale, United National Party (UNP) Chairman, MP Vajira Abeywardena speaking to the media this month warned the trade unionists not to engage in unreasonable protests, and said that their property would be confiscated. The President speaking at a school event also said that he will introduce a new law declaring school education an essential service, in a bid to control trade union actions by teachers.

Other incidents: National People's Power leader Anura Kumara Dissanayake informed the parliament that three retired military officers including retired Air Vice-Marshal Sampath Thuyacontha had been blacklisted by the Sri Lanka Air Force (SLAF), allegedly for engaging in politics with his party. Dissanayake pointed out that blacklisting or restricting them of facilities available to other former military officers based on their political opinion is discriminatory, as there are many other former military officers who have been active in politics and still enjoy the facilities available to retired military personnel.

2. Context



In early March, the Committee for Protecting the Rights of Prisoners staged a protest outside the UN Office in Colombo urging the UN High Commissioner for Human Rights to intervene in repealing the Prevention of Terrorism Act (PTA). Photo Courtesy Nimalsiri Edirisinghe/ Daily Mirror.

Legal reforms: Three new draft bills were gazetted in the month of March, to introduce a new anti-terrorism act (ATA),¹ to amend penal code to decriminalise homosexuality,² and to amend Assistance to and Protection of Victims of Crime and Witnesses Act of 2015³. The proposed Ant-Terrorism Act (ATA) was subjected to strong criticism of civil society for being more repressive, same as the controversial Prevention of Terrorism Act (PTA) that ATA is trying to replace. For more than four decades, PTA has been frequently misused by the relevant governments to target HRDs, political dissenters, protesters, and minority communities, and at many instances detainees under PTA have been subjected to arbitrary arrest, detention, routine torture and inhuman and degrading treatment. The newly proposed ATA was a more sophisticated version of the PTA that offered few tokenistic reforms to the previous PTA.⁴ The proposed Assistance to and Protection of Victims of Crime and Witnesses Bill in 2023 reduces the maximum duration of imprisonment period from 12 years to 5 years, but increases fines against the offenders.⁵

¹ http://documents.gov.lk/files/bill/2023/3/304-2023_E.pdf

² http://documents.gov.lk/files/bill/2023/3/305-2023_E.pdf

³ http://documents.gov.lk/files/bill/2023/3/308-2023_E.pdf

⁴ <https://srilankabrief.org/sri-lanka-an-anti-terrorism-act-worse-than-the-pta/>

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https://www.srilankalaw.lk/YearWisePdf/2015/ASSISTANCE_TO_AND_PROTECTION_OF_VICTIMS_OF_CRIME_AND_WITNESSES_ACT,_No._4_OF_2015.pdf

LGBTIQ+ Rights: Decriminalisation of homosexuality is a long delayed action by many governments, despite the appeals and advocacy by local and international LGBTIQ+ groups, human rights groups, and recommendations by various United Nations institutions and governments. It was presented as a private member Bill by ruling party politician Premanath C Dolawatte who previously had several consultations with the LGBTIQ+ groups. On 15th of March HRCSL launched the Guidelines for Police officers to protect Transgender Persons.⁶ Arbitrary arrests and inhuman, degrading treatment towards transgender persons in Sri Lanka by Police have been well documented by many researchers and LGBTIQ+ community organisations.^{7 8}

Custodial deaths and protection of prisoners: A 27 years old drug offender died by suicide on 20th March at Pallekale Dumbara prison.⁹ A prisoner was killed by shooting, after he had allegedly attempted to escape the prison at the Kegalle prison.¹⁰ Two detainees named Nadun Chinthaka Wickramaratne alias Harak Kata and Salindu Malishka alias Kudu Salindu who have been arrested for drug trafficking and detained under PTA, requested measures to ensure the safety of their life, as they had received information of alleged plans to murder them while in custody.^{11 12} A number of similar custodial deaths have been reported in recent years.

Economic crisis: According to the official data of the Sri Lankan government, the headline inflation was 50% in the month of March, while clothing and transport costs showed a more than 70% increase.¹³ It was reported that the professorial unit of the paediatric ward of the Anuradhapura Teaching Hospital has been shut down as all the three paediatricians working with the ward had left the country. Amidst Sri Lanka's economic crisis, brain drain and labour migration increased making a significant impact on a number of sectors in Sri Lanka.^{14 15 16 17}

⁶ <https://www.hrcsl.lk/hrcsl-launches-the-guidelines-for-police-officers-to-protect-transgender-persons/>

⁷ <https://journals.sagepub.com/doi/10.1177/1557085110366226>

⁸ <https://www.equal-ground.org/wp-content/uploads/Trans-Gender-Report-.pdf>

⁹ <https://satahan.blog/2023/03/22/pallekale/>

¹⁰ <https://satahan.blog/2023/03/08/kegalle0308/>

¹¹ <https://www.dailynews.lk/2023/03/30/law-order/300456/police-ordered-ensure-safety-%E2%80%99harak-kata%E2%80%99-%E2%80%99kudu-salindu%E2%80%99>

¹² <https://satahan.blog/2023/03/14/kudu-salidu/>

¹³

https://www.cbsl.gov.lk/sites/default/files/cbslweb_documents/press/pr/press_20230331_inflation_in_march_2023_ccpi_e_0.pdf

¹⁴ <https://www.adaderana.lk/news/89479/paediatric-ward-at-anuradhapura-hospital-closed-down>

¹⁵ <https://restofworld.org/2022/newsletter-south-asia-sri-lankas-brain-drain-problem/>

¹⁶ <http://www.adaderana.lk/news/84066/sri-lanka-to-experience-severe-brain-drain-in-coming-years->

¹⁷ <https://economynext.com/crisis-hit-sri-lanka-sees-record-labour-migration-as-rupee-collapse-high-inflation-weigh-108055/>

3. Case Updates

3.1. Local Government Election



In March, Centre for Monitoring Election Violence (CMEV) launched an Islandwide petition campaign demanding to hold local government elections on time. Wellawaya Bus stand. Courtesy: CMEV

New date for LG election announced: The Election Commission announced 25th April as the new date for holding the postponed local government election 2023. Though the election was previously planned to be held in March 2023¹⁸, as announced in January 2023, it was delayed as the government treasury did not provide required funding citing the economic crisis in the country, among other issues such as failure to print ballot papers in time.¹⁹

Interim order issued to provide funding to the local government election: On 3rd March, the Supreme Court issued an interim order on the Ministry of Finance preventing it from withholding any funds allocated by the 2023 Budget for the expenses of Local Government Election in 2023. The interim order was issued after permission was granted to examine a fundamental rights application that was filed by General Secretary of the Samagi Jana Balavegaya Ranjith Madduma Bandara. The next hearing of the petition was scheduled to be held on 26th of May 2023.²⁰

¹⁸ <https://www.adaderana.lk/news/87780/date-for-local-government-election-announced>

¹⁹ <https://economynext.com/sri-lanka-election-commission-announces-april-25-as-suitable-new-election-date-114428/>

²⁰ <https://www.newsfirst.lk/2023/03/03/supreme-court-issues-interim-order-on-funding-local-government-election-2023/>

Other petitions: Another fundamental rights petition filed by Dr. Paikiasothy Saravanamuttu against postponement of elections, on behalf of Centre for Policy Alternatives (CPA) and Centre for Monitoring Election Violence (CMEV) was granted leave to proceed on 16th March. It was scheduled to be heard on 27th June 2023.^{21 22 23} Another similar petition was filed by the National People's Power (NPP) on 14th March.^{24 25} On 13th of March, Election Commissioner Nimal Punchihewa speaking to the media said that they will have to seek redress from the Supreme court again, as it is unlikely that the Finance Ministry would release sufficient funds to conduct the local government election as ordered by the Supreme Court previously.

Delayed payments for paper may cause further delay in holding elections: The government printer Gangani Liyanage speaking to Divaina newspaper on 20th March has said that if there is a further delay in processing payments for papers and other material borrowed for printing ballot papers, the supplier may take back the stocks.²⁶ Satahan website expressed their doubts whether this is an indication of another tactic to postpone the elections further, even if the funds were provided to the Election Commission.²⁷

3.2. Anti-government protests

Use of expired tear gas: An independent investigative report found that many people who were exposed to tear gas during Sri Lanka's anti-government protests have suffered serious respiratory problems, as the Police have used expired tear gas, in some cases they have expired 20 years ago. The findings are contained in "Tear gas: Tears of twenty million" (in Sinhala), a report based on work of an investigative team led by the freelance journalist Tharindu Jayawardena, with the support of the Right to Information Commission. According to the report, police have used more than 6000 grenades and tear gas canisters worth more than 26 million rupees (or around US\$ 82,000) on 84 different occasions to disperse anti-government protesters in 2022. As Police had initially refused to provide adequate details to the research team as per the Right to Information request they had submitted, the Right to Information Commission has later ordered the Police to provide full details after hearing the appeal made by the research team. Though 20,000 grenades and tear gas cartridges have been newly purchased in 2021, only 2,306 have been used between 2012 and 2015. Although the remaining stocks expired in 2017, they have not been destroyed, and the same has been in the case of grenades and cartridges purchased in 2017 that expired in 2021.²⁸

Attack on protesters in Galle face on 9th May 2022: On 27th March, the Court of Appeal dismissed the writ petition filed by a lawyer named Ramalingam Ranjan seeking an order to arrest Senior Deputy Inspector General (SDIG) of Police in charge of Western Province

²¹ <http://www.adaderana.lk/news/89122/dates-fixed-for-fr-petition-filed-against-postponement-of-lg-polls>

²² <https://www.themorning.lk/articles/xUt6bSqWi9UBFk5Xakkt>

²³ <http://www.adaderana.lk/news/89122/dates-fixed-for-fr-petition-filed-against-postponement-of-lg-polls>

²⁴ https://www.dailymirror.lk/breaking_news/NPP-goes-before-Supreme-Court-demanding-LG-Poll/108-255813

²⁵ <https://www.ft.lk/columns/JVP-led-NPP-scents-sweet-smell-of-polls-success/4-746598>

²⁶ <https://divaina.lk/%E0%B6%9C%E0%B7%99%E0%B7%80%E0%B7%93%E0%B6%B8%E0%B7%8A-%E0%B6%B4%E0%B7%8A%E0%B6%BB%E0%B6%B8%E0%B7%8F%E0%B6%AF-%E0%B7%80%E0%B7%94%E0%B6%AB%E0%B7%9C%E0%B6%AD%E0%B7%8A-%E0%B6%AB%E0%B6%BA/>

²⁷ <https://satahan.blog/2023/03/21/kadadasi321/>

²⁸ <https://www.asianews.it/news-en/Police-used-tear-gas-that-expired-20-years-ago-to-crack-down-on-protests-in-Colombo-57941.html>

Deshabandu Thennakoon for his failure to prevent attacks on peaceful protesters in Galleface on 9th May 2022 during anti-government protests. The petitioner sought an order in the nature of a Writ of Mandamus to compel the Attorney General and the police to make SDIG Deshabandu Tennakoon a suspect in the ongoing case at the Colombo Magistrate's Court relating to the attacks on peaceful protesters at Galle Face. The petitioner claimed that Deshabandu Tennakoon had failed to stop unruly marchers from entering protest sites, and in contrast, aided and abetted the said attacks on the peaceful protesters. The court dismissed the petition following the preliminary objections raised by the defence counsel.^{29 30}

Money discovered by protesters at the President's house: The Court of Appeal further extended its interim order staying the proceedings against Senior DIG Deshabandu Tennakoon in the Fort Magistrate's Court until 19th May, based on a writ petition filed by SDIG Deshabandu Tennakoon.³¹ On 26th January, the Colombo Fort Magistrate's Court issued summons on Deshabandu Tennakoon to appear before Court on 16th of February over a criminal accusation that he had allegedly aided and abetted to commit criminal breach of trust with regard to Rs. 17.8 million recovered by protesters inside the President's House on 9th July. Colombo Fort Magistrate Thilina Gamage decided to name Senior DIG as an accused in a private complaint filed by activist Mahinda Jayasinghe as per the provisions of Section 136(1) (a) of the Code of Criminal Procedure Act.

Arrest of Wasantha Mudalige: The revision application filed by the Attorney General against the release of Wasantha Mudalige was taken for hearing at the Colombo High Court. The case was fixed for hearing on 3rd April 2023. The Attorney General maintained that the Magistrate's Court has no jurisdiction to release an individual who had been arrested under the Prevention of Terrorism Act. The Attorney General further said the Magistrate's Court had released the suspect prior to the Attorney General's advice being received.³²

Protesters taking over President's house: Hearing a separate case, the Magistrate ordered the Government analyst to submit a report on the blood stains found in the President's house in Colombo, hearing the case on damaging property there when anti-government protesters took over the place.³³ Former Opposition leader of the Kotte Municipal Council who was arrested in connection with the arson attack on President Wickramasinghe's private residence was further remanded until 4th April 2023.³⁴

3.3. Protester who died after being exposed to teargas

Nimal Amarasiri, a candidate of the National People's Power (NPP) for the Nivithigala Pradeshiya Sabha of Ratnapura district at the upcoming 2023 Local Government election, died after taking part in a protest on 26th of February in Colombo. He was hospitalised with an eye injury after being exposed to tear gas.³⁵ The Colombo Fort Magistrate's Court ordered the Director of Public Order and Management Division to submit a report within two weeks

²⁹ <https://www.dailynews.lk/2023/03/28/law-order/300281/court-dismisses-petition-against-sdig-deshabandu-costs>

³⁰ <https://counterpoint.lk/writ-filed-deshabandu-dismissed-court-appeal/>

³¹ <https://counterpoint.lk/court-appeal-extended-order-staying-proceedings-deshabandu/>

³² <https://counterpoint.lk/ags-revision-application-mudaliges-release-heard-april-3/>

³³ https://www.lankadeepa.lk/latest_news/1/1-630546

³⁴ <https://www.ravanalankanews.lk/chandima-nayanajit-to-jail-till-april-4/>

³⁵ <https://www.themorning.lk/articles/H3lp7FOsDdDalEIV1zWR>

regarding the condition of tear gas and the way they were used during the protests held in Colombo, taking into consideration the allegations made by the son of the victim who testified before the court.³⁶

3.4. Corruption and financial mismanagement

On 22nd March, the Supreme court lifted the overseas travel ban previously imposed on former President Mahinda Rajapaksa, and his brother, former minister of finance, in relation to the fundamental rights petition filed against them and 33 others calling for an investigation into financial mismanagement that led to the economic crisis of the country.^{37 38} The charges filed against former Finance Minister Ravi Karunanayake in connection with two cases at the Colombo High Court over the Central Bank bond issuance scam in 2015 were quashed by the Court of Appeal, based on a writ petition filed by Karunanayake challenging the Attorney General's decision to file indictments against him.³⁹

In November 2020, former UNP political candidate Oshala Herath filed a complaint with the Criminal Investigation Department of Police against Samagi Jana Balawegaya National list MP Diana Gamage, current State Minister of Tourism, for her disqualification to be a parliamentary member as she is allegedly a British national. 19th and 21st constitutional amendments introduced in 2015 and 2022 proscribe dual citizens from becoming parliamentary members in Sri Lanka, though it is alleged there are at least 10 dual citizens representing the current parliament.⁴⁰ In early December 2022, Herath filed another complaint with the Commission to Investigate Allegations of Bribery or Corruption (CIABOC) and sought a probe into the alleged violation of the Immigrants and Emigrants Act and the misuse of official power to issue a diplomatic passport to Gamage.⁴¹ When the case was taken for hearing at the Colombo magistrate court on 3rd March 2023, CID informed the magistrate that they are awaiting an MLA (Mutual Legal Agreement) report from the Foreign, Commonwealth & Development Office of the United Kingdom, even though counsel appeared on behalf of petitioner pointed out that there is sufficient evidence already to arrest the Minister Diana Gamage.^{42 43} The magistrate also pointed out that the CID had earlier reported the court on details in the Computers of the Immigration and Emigration Department that did not tally with the documents she had submitted to obtain the Sri Lankan passport, and observed that those facts would be sufficient for CID to arrest Minister Diana Gamage. The Magistrate ordered the CID to file a comprehensive report in Court on the next date of hearing on 25th March. On that day, the court ordered the CID to record and submit statements from the Controller General of Immigration & Emigration and the Commissioner General of the Department for Registration of Persons regarding the citizenship of State Minister Diana Gamage. The magistrate also said that he would consider issuing an arrest order against

³⁶ <https://srilankamirror.com/news/court-calls-for-report-on-tear-gas-in-two-weeks/>

³⁷ <https://colombogazette.com/2023/03/22/overseas-travel-ban-on-mahinda-and-basil-lifted/>

³⁸ <https://www.ft.lk/front-page/SC-grants-leave-to-proceed-on-case-against-Rajapaksas-top-officials-for-economic-crisis/44-740738>

³⁹ <https://www.newswire.lk/2023/03/01/2016-bond-scam-two-charges-against-ravi-karunanayake-quashed/>

⁴⁰ <https://www.dailymirror.lk/opinion/Dual-citizenship-and-law-making-in-Sri-Lanka/172-247979>

⁴¹ <https://www.themorning.lk/articles/XeNbrZysqCnVMVuz7Rgl>

⁴² <https://www.ft.lk/news/Magistrate-reprimands-President-s-Counsel-for-disorder-in-Diana-Gamage-s-forged-document-case/56-745902>

⁴³ <https://www.newswire.lk/2023/03/03/documents-regarding-state-ministers-passports-missing-cid/>

Diana Gamage as requested by the lawyers representing the petitioner after receiving these documents. Next court hearing was fixed to the 6th of April.⁴⁴

3.5. Extra judicial killings

The Supreme Court issued summons against the Inspector General of Police (IGP) for allegedly neglecting an order to prepare a set of guidelines to prevent the deaths of suspects who are under police custody while being taken out for various investigations and to take steps to implement it by all police officers. Over the years, a number of extrajudicial killings of suspects under detention have been reported in this manner. In February 2023, hearing a fundamental rights petition filed by the wife of a suspect who had been killed in this manner in 2008, the Supreme Court ruled that fundamental rights have been violated and ordered the Officer-in-Charge (OIC) of Slave Island Police and other Police officers to pay compensation, and IGP was ordered to prepare a guideline to prevent such deaths in the future.⁴⁵

⁴⁴ <https://www.adaderana.lk/news/89280/cid-ordered-to-record-statements-regarding-diana-gamages-citizenship>

⁴⁵ http://www.colombopage.com/archive_23A/Mar25_1679727346CH.php

4. Repression of Media and Journalists

4.1. Parliament passes a resolution on alleged infringement of parliamentary privileges against a television channel



Siyatha telewakiya editor Lal Hemantha Mawalage speaking to media in January 2023. Courtesy: S News

Parliament passed a resolution to refer the case of alleged infringement of parliamentary privileges by a television channel to the Attorney General, in order to take further steps.

In November 2022, Siyatha Telewakiya, a regular political commentary published by the Siyatha television channel criticised a discussion held at parliament on 23rd November among parliamentary members and the President to introduce legal and institutional reforms on power sharing, in a bid to recognize the rights of the all communities in Sri Lanka, specifically referring to the rights of ethnic minorities in the North and East.⁴⁶ The commentaries telecasted and also published in their youtube channel on 24th⁴⁷, 25th⁴⁸, 27th⁴⁹ November 2022 argued that the President Wickramasinghe, and a group of leading politicians were attempting to create new tensions among the ethnic communities in order to divert attention, by bringing a proposal on power sharing at a time when the country is going through an economic crisis.

On 13th December 2022, the parliament passed a motion referring these television commentaries to be investigated by the Select Committee of Parliament to investigate incidents of infringement of Privileges of the Members of Parliament in terms of the Section 26(1) (b) of the [Parliament \(Powers and Privileges\) Act, No. 21 of 1953](#). The committee

⁴⁶ <https://www.parliament.lk/uploads/documents/hansard/1670584660012397.pdf>

⁴⁷ <https://www.youtube.com/watch?v=fZf6XWI-ZPM>

⁴⁸ <https://www.youtube.com/watch?v=nenpRAp7ldo>

⁴⁹ https://www.youtube.com/watch?v=PIhrz_OWBC0

submitted its report on 24th February, 2023. Subsequently on 21st March 2023, the Parliament passed a resolution to implement the recommendations made by the Select Committee including referring the recommendations to the Attorney General for further steps with a majority of votes, 75 in favour and 43 in opposition. Those who disagreed with the resolution argued that the action is an attempt to utilise parliamentary privileges to silence dissent. They also pointed out that referring the incident to the Attorney General may result in a legal case against the media institution at the Supreme Court, and noted that issuing a warning to the media institution by the parliament select committee would suffice, as this would set a dangerous precedent.^{50 51}

Soon after, the Federation of Media Employees Trade Unions issued a statement condemning the ongoing attempts to abuse parliamentary privileges to ban TV programme 'Televakiya' and to intimidate its editor Lal Hemantha Mawalage attached to the 'Siyatha' Media Network.⁵² Mawalage is a journalist who had been subjected to assaults and intimidation by politicians in the past. In January 2023, Mawalage also complained to the CID on death threats he had received through social media.⁵³

4.2. CID summons the web journalist and asks to reveal his sources

The Criminal Investigation Department summoned the web journalist G P Nissanka Mayadunna, running the news website Ravana Lanka, on 27th March and questioned him for over three and half hours, regarding the investigative articles published in the website mainly on incidents of corruption and other issues involving high profile state officials including Defence Secretary, Inspector General of Police and officials in the Prisons department. CID has also asked him to reveal his sources which he had denied.⁵⁴

4.3. Lankadeepa regional journalist receives death threats

On 06th March, Lankadeepa regional journalist Nimal Jayarathne in Manampitiya in Polonnaruwa district received a phone call from an unknown phone number threatening to kill his wife and son demanding him to report on a treasure trove incident at the historical Dimbulagala Aranya Senasanaya. He lodged a complaint regarding the threat at the Manampitiya Police station in Polonnaruwa district. He has previously reported similar incidents in the area.⁵⁵

⁵⁰ <https://www.parliament.lk/en/news-en/view/3142?category=6>

⁵¹ <https://parliament.lk/uploads/documents/hansard/1680509310026672.pdf>

⁵² <https://island.lk/media-associations-condemn-govt-bid-to-ban-tv-programme/>

⁵³ <https://www.youtube.com/watch?v=mGRUNdtGwAk>

⁵⁴ <https://www.ravalankanews.lk/the-owner-of-ravana-lanka-brings-the-cid-here-is-the-reason/>

⁵⁵ [මාධ්‍යවේදී නිමල් ජයරත්නට මරණ තර්ජන - Lankadeepa Online](#)

5. Repression of Freedom of Assembly

5.1. Police arrests an activist of Kandy Gota Go Gama protest site

Dananjaya Rathnayake a resident of Ampitya, kandy was arrested by the Kandy Police on 4th March 2023 under the charges of violating the curfew and engaging in unlawful assembly last year. He was an active protester in the anti-government protest site in Kandy.^{56 57}

5.2. Head of the Association of the Relatives of the disappeared arrested



Police arrested the head of the Association of Relatives of the Disappeared, Kasipillai Jayavanitha. Photo Courtesy: Tamil Guardian

Police arrested the head of the Association of Relatives of the Disappeared, Kasipillai Jayavanitha, for allegedly illegally obtaining electricity for the shed they used as the base for their six-year-long protest. The Secretary of the association, K. Rajkumar speaking to the media said that they have been protesting for the last 2,210 days at this shed, and the electricity was provided by the electricity board, and even electricity board workers have visited there to repair the lamps in the hut. He denied the accusation that they were getting the electricity illegally and said the arrest is unacceptable and an attempt to intimidate them.⁵⁸

⁵⁶ <https://twitter.com/JDSLanka/status/1632113253118558210>

⁵⁷ <https://satahan.blog/2023/03/04/kandy-gotagogama/>

⁵⁸ <https://www.tamilguardian.com/content/sri-lankan-police-arrest-leader-association-disappeared-vavuniya>

5.3. Use of expired tear gas against protesters

Lawyers representing the Opposition political party National People's Power (NPP) submitted a Right to Information (RTI) request to the Inspector General of Police (IGP) to obtain a full report on tear gas and water used to disperse protesters. They alleged that they have received reliable information that the Police have used expired tear gas canisters and contaminated water against protesters, causing three deaths, and other health complications among protesters who were exposed to tear gas and water attacks in the previous week.⁵⁹ A report by a team of investigative journalists revealed that Police have used tear gas which expired 20 years ago. See section on case updates.

5.4. Court order issued against student protest

On 7th March, upon a request made by the Police, Fort magistrate court issued an order preventing a protest march organised by the Inter-University Student Federation (IUSF) in Colombo. The court issued an order barring IUSF convener Wasantha Mudalige and other protesters from marching towards and entering Galle Face Green, Presidential Secretariat, President's House, Finance Ministry premises and other nearby establishments through several roads in Colombo between 11.00 a.m. and 10.00 p.m. and also prohibited them from inconveniencing the pedestrians or vehicular traffic, causing damages to public property.

5.5. Military deployed to disperse the protest were seen carrying wooden clubs with iron rings



Military personnel wearing facemasks, carrying wooden poles with iron rings were deployed to disperse the protest organized by IUSF on 7th March. As the Army denied their involvement, details of these soldiers or their force are unknown. Photo Courtesy: Shehan Gunasekera

⁵⁹ https://www.dailymirror.lk/breaking_news/NPP-lawyers-urge-IGP-to-provide-report-on-tear-gas-water-used-on-protesters/108-255524

On 10th of March, Army Spokesperson Brigadier Ravi Herath speaking to media said that an investigation has been launched to see whether the soldiers deployed to disperse the Inter University Students' Federation (IUSF) protest carried iron rods and clubs. He denied the involvement of the Sri Lankan Army to control the protest. He further said that they have doubts whether the photos published in social media are authentic, and the investigation would take many days to conclude. No outcome of the investigation was published after that.⁶⁰ The claim that the photos being manipulated does not seem as a valid argument as photos from a number of different sources were published in social media. When a journalist questioned whether any other group wearing army uniforms had been deployed to control the protests, the military spokesperson refused any knowledge of such a group.⁶¹

5.6. Student protesters dispersed using tear gas and water cannons



Riot Police entered the University of Colombo Premises and fired tear gas and attacked the student protesters. Photo courtesy: Daily Mirror

On 7th March, Inter-University Student Federation organised a protest march based on several demands including holding of Local Government Election without a delay and repealing the Prevention of Terrorism Act (PTA). As the court order prevented them from organising the protest at Colombo Fort as previously planned, IUSF started their march from the town hall area in Colombo, and planned to march towards Nugegoda, located in Colombo suburbs. On their way near Thummulla junction next to the Colombo university, the Police started firing tear gas and water at the protesters. The police continued firing tear gas canisters into the university premises targeting the protesters who were running towards the University

⁶⁰ <https://ceylontoday.lk/2023/03/10/did-soldiers-use-clubs-iron-rods-at-iusf-protest/>

⁶¹ <https://srilankabrief.org/sri-lanka-military-denies-knowledge-of-men-in-uniform-carrying-clubs-to-suppress-peaceful-protestors/>

premises, and also allegedly assaulted some students inside university premises. It was reported that ongoing academic activities in the university were disrupted and some students were hospitalised as a result of these attacks. Also, a security officer named Priyantha Wanninayake employed at the University died after being exposed to tear gas.⁶² Police later apologised to the University administration for firing tear gas into the university premises.^{63 64} ⁶⁵ While the Inter-University Students' Federation (IUSF) and the representatives of the Federation of University Teachers' Associations (FUTA) demanded that legal action be taken against the Police officers who forcibly entered and tear gassed the University of Colombo premises, the Police defended the entry into university and stated that its officers, in special cases, are able to enter any premise even without permission.⁶⁶

The Human Rights Commission of Sri Lanka (HRCSL) summoned the Minister of Public Security Tiran Alles to make an explanation regarding the measures taken by the Police to control the protests that were held near the University premises. The HRCSL also stated that it has informed Inspector General of Police (IGP) Chandana D. Wickramaratne to submit a list of names of the senior-most police officers who were involved in controlling the situations.

5.7. Police disperse the University of Colombo, Student union protest

On 8th March, student union of the University of Colombo organised another protest march against the forcible entrance, and tear gas attack by the Police into the University of Colombo premises on the previous day. This protest was also dispersed by the Police firing tear gas and water, when it was passing the national museum in Cambridge place in Colombo. School children in the area were also affected by the tear gas.⁶⁷ The University of Colombo Federation of University Teachers Association also staged another protest on the same day opposite the university premises, and the teachers of the faculty of law issued a separate statement condemning the police attack into university premises.^{68 69}

5.8. Police use tear gas and water cannons to disperse the protest by students of University of Kelaniya

University of Kelaniya students organised a protest near its university premises on 8th March demanding the release of the arrested student activists. Police fired tear gas and water to disperse the protesters and arrested nine undergraduates. The arrested undergraduates were produced before the Mahara Magistrate Kanchana Niranjala De Silva and released on bail with sureties of Rs. 50,000 each.^{70 71} The protest was organised demanding the release of President of the Kelaniya University Student union Kalum Madanayake and Student Activists

⁶² <https://island.lk/ex-armoured-corps-nco-died-after-inhaling-police-tear-gas/>

⁶³ <https://lankatruth.com/en/?p=20473>

⁶⁴ <https://www.newswire.lk/2023/03/08/police-apologize-for-firing-tear-gas-into-colombo-uni/>

⁶⁵ <https://www.wsws.org/en/articles/2023/03/10/fjud-m10.html>

⁶⁶ <https://www.themorning.lk/articles/OgBDNchtJwV9qLRhGNTR>

⁶⁷ <https://www.newswire.lk/2023/03/08/school-children-caught-in-police-tear-gas-attack-video/>

⁶⁸ <https://law.cmb.ac.lk/wp-content/uploads/2023/03/STATEMENT-BY-LAW-TEACHERS-7th-March-English.pdf>

⁶⁹ <https://www.newsfirst.lk/2023/03/08/tear-gas-water-cannons-fired-to-disperse-university-of-colombo-student-protest/>

⁷⁰ <https://www.dailynews.lk/2023/03/10/law-order/299078/protesting-kelaniya-undergrads-bailed>

⁷¹ <https://colombogazette.com/2023/03/08/tear-gas-and-water-fired-at-protest-near-kelaniya-university/>

Dilshan Harshana who have been arrested by the Thalangama police on 02nd January under the alleged charges of damaging the gate of the Ministry of Education and obstructing duties of police during a protest held on 10th July 2022.⁷²

5.9. Police disrupts the first year anniversary of Aragalaya

On 31st of March, Police disrupted the first anniversary of the Aragalaya that was planned to be held at the Jubilee Post in Mirihana area in Nugegoda in Colombo suburbs, with a protest calling for abolition of the executive Presidency system. A large number of Police and military personnel deployed in the area did not allow people to gather, or protest.^{73 74} Social media posts published by activists said that three activists who were arrested around 5.45pm were taken to Police and beaten, and then released after a few hours without any formal records being made on the arrests.⁷⁵ However, such an incident was not reported by the mainstream media.

The protest was planned to be held in remembrance of the beginning of the anti-government protest movement 'aragalaya' in 2022, where thousands of protesters gathered next to the private residence of then President Gotabaya Rajapaksa demanding the resignation of the President and measures to resolve the economic crisis that had led severe shortage of essential items. The Aragalaya protest movement led to a political regime change in the last year, forcing the then President to flee the country.



Police dispersed the people gathered for the remembrance event. Courtesy: theleader.lk

⁷² https://www.inform.lk/wp-content/uploads/2023/02/RoD_Jan23.pdf

⁷³ https://www.dailymirror.lk/breaking_news/Security-forces-on-standby-in-Mirihana/108-256915

⁷⁴ <https://www.youtube.com/watch?v=GFMgMqqnpKY>

⁷⁵ <https://twitter.com/lsharaMadhu/status/1641831308346404864>

5.10. “People will attack protesters soon” State Minister of Tourism Diana Gamage says at the parliament

Speaking at the parliament on 9th March, State Minister of tourism Diana Gamage stated that people will attack the protesters soon, as the protesters are trying to sabotage the gradually reviving economy. “Now, foreign exchanges are slowly flowing into the country. We saw tourists coming. What a joke are you playing when they are coming? You are trying to bring back the ‘cinnamon sticks age’. Because of this, people will assault those who are protesting, as the public is fed up with this. Tourists are unable to get outside the hotels, as they have been intimidated and stuck inside hotel premises. What a joke is this? Please stop this immediately” she said.^{76 77} ‘Cinnamon stick attack’ refers to an incident in October 2013 of attacking the participants of a protest march led by a group of dissident MPs in the United National Party (UNP), with cinnamon sticks while it was passing through the Matara town. A group led by former MP late Mangala Samaraweera who supported Ranil Wickramasinghe’s leadership attacked the protest that was organised by several dissident MPs who protested against Wickramasinghe’s leadership.⁷⁸

⁷⁶ <https://parliament.lk/uploads/documents/hansard/1679888646092980.pdf>

⁷⁷ <https://www.youtube.com/watch?v=BegKm2RbH3o>

⁷⁸ [උඩු යටි-කුරු වූ මංගලගේ කරුණු පොලු ජර්නාලය | සිව්මිණ](#)

6. Repressive Legal Actions and Policies

6.1. Anti-Terrorism Act (ATA) gazetted

THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

Part II of March 17, 2023

SUPPLEMENT

(Issued on 22.03.2023)



ANTI-TERRORISM

A

BILL

to make provision for the protection of the National Security of Sri Lanka and the people of Sri Lanka from acts of Terrorism; other offences associated with Terrorism and certain specified Acts constituting the offence of Terrorism committed within or outside Sri Lanka; for the prevention of the use of Sri Lankan territory and its people for the preparation for Terrorism outside Sri Lanka; to provide for the detection, identification, apprehension, arrest, detention, investigation, prosecution and punishment of any person who has committed an act of Terrorism or any other offence associated with Terrorism; for the repeal of the Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979; and for matters connected therewith or incidental thereto

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Anti-terrorism bill was gazetted on 17th March 2023

The proposed [Anti Terrorism Act \(ATA\)](#) which expects to replace the existing draconian legislature [Prevention of Terrorism Act \(PTA\) of 1979](#), was gazetted on 17th March 2023. Despite the repeal of PTA was a long time demand of the civil society in Sri Lanka, ATA was widely criticised by trade unions, human rights organisations, civil society, legal experts, and press freedom advocates and others, for its potential of being used to crack down dissent, restrict freedom of expression and other human rights reproducing and further expanding some problematic powers in the PTA. ATA provides powers for Police and military to arrest people without a warrant, even without evidence, if they have “reasonable grounds to believe” that an offence has been committed, along with powers given to the President to issue orders proscribing organisations for being ‘terrorist organisations’ and to restrict their access for funding, and maintaining membership. Further the Act empowers Police to detain a person under a Detention Order issued by a Deputy Inspector General of the Police up to one year.

The law would also expand the legal definition of terrorist offences beyond international guidelines and include the infliction of serious damage to any place of public use, the obstruction of essential services, and participation in an unlawful assembly to be connected to 'terrorism'. A number of international and local organisations including Amnesty International,⁷⁹ International federation of Journalists (IFJ),⁸⁰ Forum Asia,⁸¹ Human Rights Watch,⁸² and the International Commission of Jurists,⁸³ Sri Lanka Bar Association⁸⁴ and others⁸⁵ issued statements criticising the bill. Separately 450 civil society activists and organisations wrote a public letter addressing all the diplomatic missions in Colombo, copying to the UN High Commissioner for Human Rights and UN Special Rapporteur on counter-terrorism and human rights.⁸⁶

6.2. Presidential Commission to be established to investigate on “Aragalaya” anti-government protest movement

Aruna newspaper published a news article saying that the government has been recently paying attention to establish a Presidential commission to investigate those who funded, assisted and encouraged Aragalaya, the anti-government protest movement. The news further said, the ruling party has proposed the President to appoint a Presidential Commission to investigate Aragalaya, as various parties have accused that there had been a conspiracy behind Aragalaya to overthrow the government, as it has been evident in the behaviour and acts of those who involved with Aragalaya later, despite Aragalaya being called a 'non-partisan Aragalaya' at the beginning.⁸⁷

6.3. Calling out for Armed Forces for maintaining Public order

Same as in the previous months on 21st of March, a gazette notification was issued by the President calling out the Armed forces for the maintenance of public order under the powers granted in the public Security Ordinance (Chapter 40). The gazette notification provides the powers for the armed forces to intervene in civilian affairs. The Sri Lanka government has been issuing similar monthly gazettes for several years now, indicating the continuing trend of militarization and shrinking civil space.⁸⁸

⁷⁹ <https://www.amnestyusa.org/press-releases/sri-lanka-biden-must-respond-to-dangerous-anti-terrorism-act/>

⁸⁰ <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sri-lanka-proposed-anti-terror-bill-labelled-tyrannical-undemocratic>

⁸¹ <https://forum-asia.org/?p=38024>

⁸² <https://www.hrw.org/news/2023/04/07/sri-lanka-reject-new-counterterrorism-bill>

⁸³ <https://www.icj.org/sri-lanka-proposed-anti-terror-bill-set-to-introduce-death-penalty-and-break-existing-human-rights-violations-record/>

⁸⁴ <https://lankatruth.com/en/?p=20686>

⁸⁵ <https://reliefweb.int/report/sri-lanka/cpa-statement-anti-terrorism-bill-2023>

⁸⁶ <https://srilankabrief.org/450-sri-lankans-of-all-wakes-of-life-writes-callon-rights-commissioner-to-respond-re-dreadful-ata/>

⁸⁷ <https://satahan.blog/2023/03/04/galleface-aragalaya/>

⁸⁸ http://documents.gov.lk/files/egz/2023/3/2324-15_E.pdf

6.4. Two gazette notifications declaring essential services

On 13th March and 17th March, the President issued two gazette notifications declaring all services connected to postal services,⁸⁹ supply of electricity, and distribution of fuel and petroleum products as essential services, under the Section 2 of the [Essential Public Services Act, No. 61 of 1979](#).⁹⁰ Declaration as essential services has been historically used by repressive governments in Sri Lanka to prevent trade union actions. This draconian law allows to impose 2 to 5 years of rigorous imprisonment, forfeiture of property, and removal from professional registration against those who engage in trade union actions violating the President's order, though we have not seen use of this law in such a drastic scale in the recent past.

6.5. UNP Chairman, MP Vajira Abeywardena threatens to confiscate property of those who engage in trade union action

On 12th March, the United National Party (UNP) Chairman, MP Vajira Abeywardena speaking to media said that under the Essential Public Services Act No. 61 of 1979, all movable or immovable property of every person who commits an offence will be confiscated, referring to a recent gazette notification of essential services issued by the President. He also said that prior to engaging in unreasonable strikes and carrying out sabotage, everyone should gain an understanding of how powerful the Public Services Act is.⁹¹

6.6. President says that he will declare the education an essential service to prevent trade union actions in schools

On 23rd March, addressing a ceremony to distribute free textbooks and uniforms to school children held at the Sanghamitta Girls' College in Colombo, the President stated that he would declare school education an essential service, in a bid to control trade union actions by teachers. President said "we cannot stop providing education, or conducting examinations. One cannot disrupt it. I hope the remaining problems will be resolved soon. Otherwise we will have to present a draft bill that makes schools an essential service. You can debate on its necessity. However, we will not allow school children to be taken hostage, because of various other issues".⁹² Recently there were several trade union actions by teachers against increase of personal taxes,^{93 94} and some trade unions threatened to take trade union action against the government decision to dissolve the teacher transfer board.^{95 96}

⁸⁹ http://documents.gov.lk/files/egz/2023/3/2323-02_E.pdf

⁹⁰ http://documents.gov.lk/files/egz/2023/3/2323-38_E.pdf

⁹¹ <https://www.dailynews.lk/2023/03/13/local/299190/strikers-can-be-dealt-under-essential-public-services-act-unp-mp>

⁹² https://www.dailymirror.lk/top_story/i-will-not-allow-school-children-to-be-held-hostage-by-various-groups-RW/155-256410

⁹³ <https://www.newsfirst.lk/2023/03/15/sri-lankan-schools-empty-as-teachers-principals-go-on-strike/>

⁹⁴ <https://www.newsfirst.lk/2023/03/20/futa-strike-enters-12th-day-cripples-university-activities/>

⁹⁵ <https://ceylontoday.lk/2023/03/18/if-teacher-transfer-board-dissolved-tus-to-strike/>

⁹⁶ <https://island.lk/teachers-on-warpath-over-cancelled-transfers/>

7. Other Incidents

7.1. Three retired security officials blacklisted for working with NPP

National People's Power leader Anura Kumara Disanayake informed the parliament that three retired military officers including retired Air Vice-Marshal Sampath Thuyacontha had been blacklisted by the Sri Lanka Air Force (SLAF) with immediate effect, allegedly for engaging in politics with the National People's Power (NPP).⁹⁷ In a private internal communique issued on 10 March 2023, SSO Provost of the SLAF Group Captain C.M.D Chandrasekara has issued a letter addressing to commanding officers and officers-in-charge of SLAF camps and facilities asking not to allow these retired officers to enter into any of the SLAF camps and use any other facility available for retired personnel.⁹⁸ Disanayake also said another officer named Major General Aruna Jayasekara who supports NPP has also been verbally advised not to attend get together events, parties, meetings, and conferences.⁹⁹

Disanayake pointed out that blacklisting or restricting them of facilities available to other former military officers based on their political opinion is discriminatory, as there are many other former military officers who have been active in politics and still enjoy the facilities available to retired military personnel, including those who are parliamentary representatives, and political appointees.

Responding to the question, State Minister of Defence Pramitha Bandara Thennakoon said no restriction had been imposed on the retired military officer to engage in active politics and added that retired Air Vice-Marshal Sampath Thuyacontha was blacklisted for making a problematic speech during a political rally in Gampaha posing a threat to national security and tarnishing the image and discipline of the Air Force. Minister Tennakoon further added that Thuyacontha as a person who can make a considerable influence on the staff currently serving in the military previously made a problematic statement saying that the military soldiers currently in service are supporting his political ideology. Therefore, he said that it was considered that he may pose a threat to national security, by instigating antagonism/ hostility and disapproval towards the state among those who are currently serving in the military, and thereby contributing to a conspiracy against the state.

However, according to Disanayake, Thuyacontha had not been summoned to any inquiry and neither given any opportunity to clarify his point of view before SLAF decided to blacklist him. Disanayake questioned the basis of picking them to be blacklisted from many other retired military officers who are active in politics, and who may have political conversations with their peers. Responding to this, Minister Tennakoon justified the decision to restrict the said ex-military officers on the basis of national security, saying that Sri Lanka is going through a much complex period, as the country recently went through a wave of anti-government protests.

⁹⁷ https://www.dailymirror.lk/breaking_news/Three-retired-military-officers-blacklisted-for-working-with-NPP-AKD/108-256473

⁹⁸ <https://asianmirror.lk/news/item/34955-decorated-former-slaf-officer-supporting-the-npp-blacklisted>

⁹⁹ <https://parliament.lk/uploads/documents/hansard/1681985435075824.pdf>