

# Repression of Dissent in Sri Lanka

## April 2024



*It was reported that 24 people died in police custody and another 11 passed away during arrests in 2023. Source: Getty Images.*

**INFORM**

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Repression of Dissent in Sri Lanka in April 2024.  
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*INFORM was established in 1990 to monitor and document the 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 levels. INFORM also focused on working with other communities whose rights were frequently and systematically violated. Presently, INFORM is focusing on election monitoring, freedom of 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:** The month of April saw a series of police brutality cases, which is an alarming indicator of the rather problematic conduct of the police concerning human rights violations. A man who was said to be holding a woman hostage and terrorising residents in Mawanella Padidora village was shot dead by the police.

The Kandy Headquarters Police said that the chief monk of the Diyakapanathota temple, and a Home Guard were arrested in connection with the death of a person who was beaten and tied to a tree at the said temple in Gatambe, Kandy.

The police stated that two persons, including a person allegedly involved in the crimes, were killed when the police fired at a three-wheeler that was fleeing after firing at the police at Millawa Puwakwatta on the Padukka Moragahena road.

A young man's testicles were amputated at the Anuradhapura Teaching Hospital, purportedly as a consequence of a police beating.

A Tamil man reportedly requested the return of a cell phone that the police had taken earlier this month, and as a result, he was allegedly beaten. Following the assault, 42-year-old Pradeepan was brought to the Mannar District General Hospital, where he received medical attention for his physical injuries.

April 21st marks 5 years since the 'Easter Sunday' terrorist attack, which is one of the most violent terrorist attacks in the history of Sri Lanka. According to official records, 273 people were killed and more than 500 were fully or partially injured.

The 19th commemoration of journalist Sivaram who was assassinated was held at Gandhi Park, Batticaloa on April 28. Even though 19 years have passed since his murder, justice has not been served.

Amnesty International stated in a new investigative report entitled *Ready to suppress any protest in Sri Lanka: Unlawful use of weapons during protests* that widespread human rights violations by Sri Lankan law enforcement officials in the context of violent suppression of protests must be held accountable. This report analyses the use of force during policing of 30 protests that took place in Sri Lanka between March 2022 and June 2023.

Along with a uniform suspected to belong to an LTTE cadre, several human skeletons were found in Muhamalai, and another mass grave was found in the Tamil homeland. While a team of workers from a non-governmental organisation was performing demining operations, the grave was discovered.

The President of the Sri Lanka Bar Association, Kaushalya Navaratne informed the Colombo Magistrate's Court that the case filed under the Online Safety Act against eight persons, including the private secretary of the former chairman of the Sri Lanka Public Utility Commission Janaka Ratnayake restraining leaking his personal information and circulating them on the internet will be under the review of the Bar Association of Sri Lanka. He said that this case was filed under the Online Safety Act and is a case that affects people's right to free expression.

The Public Security Minister Tiran Alles' recent statement to recently graduated police recruits that it is not a sin to rid the world of criminals was denounced by the Bar Council of the Bar Association of Sri Lanka (BASL).

The 2023 annual economic commentary report of the Central Bank of Sri Lanka states that the nutritional status of children and women is unsatisfactory and weakening due to the adverse economic situation.

It has been revealed in a study conducted by a group of specialist doctors of the Ministry of Health that 350 specialist doctors in public hospitals have left the country recently. Many doctors have left for England, Australia and other countries.

**Case Updates:** MP Wimal Weerawansa, the leader of the National Freedom Front (NFF), has been acquitted and set free from the legal proceedings concerning the utilisation of an inappropriate passport.

The Colombo High Court rejected a request made by his lawyers to release Galagodaatte Gnanasara Thero, who has been sentenced to 4 years in prison after being convicted of making a statement that violates the harmony between religions.

Central Provincial High Court Judge W. Darshika Wimalasiri ordered to hear the case pending before the Kandy High Court on July 26 against four defendants, including the former Minister of Health, Keheliya Rambukwella, concerning the incident of killing a person and seriously injuring five persons, including former Minister Mahindananda Aluthgamage, while engaged in election campaigning in 1999.

The widow of the carpenter who perished in the Narammala police shooting during the "Yukthiya Operation" was allowed to continue with her Fundamental Rights case by the Supreme Court. While Sub Inspector Gunawardena was on duty in civilian clothes, he shot and killed the deceased Roshan Kumarasiri as he was making his way home from work.

On April 30, the Colombo High Court ordered to acquit former minister Mahindananda Aluthgama who was accused of having committed an offence under the Prevention of Money Laundering Act by spending over 27 million rupees of illegally earned money to purchase a luxury house on Kinsey Road, Colombo while working as a minister.

Hirunika Premachandra, a former member of parliament, has been served with a notice to appear before the Court of Appeal over allegations of contempt of court. The complainant, Hisham Jamaldeen, claims that former MP Hirunika spoke to the media about the magistrate's decision to give him bail while there is an ongoing proceeding before the Magistrate's Court of Mount Lavinia. It was alleged that the conduct of the respondent was tantamount to interference with ongoing judicial proceedings and an attempt to create suspicions in the minds of the public towards the administration of justice.

The Gampaha High Court (HC) Trial-at-Bar has postponed rendering a decision in the prosecution of a Brigadier and three Army soldiers for fatally shooting three people and seriously wounding multiple others at a protest by Rathupaswala, Gampaha, villagers demanding clean drinking water.

Apart from the Chief Justice, the President is not allowed to nominate judges to the Supreme Court by an interim order issued by the Supreme Court of Sri Lanka.

Five police officials were given the death penalty by the Anuradhapura High Court after it was determined that they had killed eight Tamil people in the Bharathipuram village in Kantale 26 years prior.

Colombo Additional Magistrate Keminda Perera ordered the Criminal Investigation Department to complete the investigation into the case of the X-Press Pearl ship and report the facts to the court immediately.

**Repression of Freedom of Assembly:** Colombo Chief Magistrate Thilina Gamage rejected the Kurunduwatta Police's request to issue a restraining order to prevent the protest rally organized by the University of Colombo Faculty of Medicine Students' Union in protest against the government at Lipton Roundabout.

On the 22nd, Colombo Additional Magistrate Prasan Amarasena ordered that three persons, including the convener of the Teacher-Principal Trade Union Collective, Ulapane Sumangala Thero, be remanded until the 26th. The five suspects were accused of obstructing the execution of court orders to demolish seven illegal shanty houses in Dabare Mawatha, Narahenpita.

Two student protests were broken up by police using water cannons and tear gas.

**Repressive Laws and Policy:** Speaker Mahinda Yapa Abeywardena informed the Parliament that the President has issued a special order to call the armed forces for the security of the country.

**Other:** Rajapakse Pathirage Dimantha Lakmal, who was an Air Force corporal and a rugby player, was killed in police firing at Padukka, Angamuwa on April 8. Police Media Spokesman, DIG, Advocate Nihal Taldewa told the media that the deceased was suspected to be the shooter involved in the double homicide that took place in the Talgahavila area of Horana on 07th. The police spokesperson told the media that the investigating officers reported to him that the person who was assassinated was the main suspect in the murder.

The Kandy Police Headquarters has arrested a former SLFP party member of the Kandy Municipal Council who allegedly assaulted a worker in the Solid Waste Management Department of the Kandy Municipal Council. According to the hospital sources, the municipal worker suffered serious injuries in the ear area due to that attack and three stitches have been applied to his ear area due to those injuries.

## 2. Context

### 2.1 Extra Judicial killing

The police said that a man who attacked two policemen with a sword while going to arrest him, who was said to be holding a woman hostage and terrorising the residents of Mawanella Padidora village, was shot dead by the police (Bandara, 2024).

The Kandy Headquarters Police said that the chief monk of the Diyakapanathota temple, and a Home Guard were arrested in connection with the death of a person who was beaten and tied to a tree at the said temple in Gatambe, Kandy. It was reported that when he entered the temple premises suspiciously, a group of people in the temple attacked him, tied his hands and feet and then tied him to a tree. Eventually, he was found dead while being tied to the tree. The chief monk of the temple was arrested as police investigations were being carried out to find out whether the deceased person was brutally beaten and tied to a tree, why the police were not informed about it or why he was not taken to a hospital for treatment (Jayasinghe, 2024).

The police stated that two persons, including a person allegedly involved in the crimes, were killed when the police fired at a three-wheeler that was fleeing after firing at the police at Millawa Puwakwatta on the Padukka Moragahahena road. Although the police asked them to stop the three-wheeler at the Meepe Deluketiya police roadblock, they fired at the police and ran away, and later the police officers from the place informed the surrounding police stations (Seneviratne, 2024)

### 2.2 Police Brutality

A young man's testicles were amputated at the Anuradhapura Teaching Hospital, purportedly as a consequence of a police beating. Six Medawachchiya police personnel were accused of trussing up his hands and severely beating him. The victim, who is 23 years old, lives in Medawachchiya's Thulawellia neighbourhood (Chathuranga, 2024).

He told the media that he was driving his mini-truck after getting repaired while carrying another person. He added that he had driven past the traffic checkpoint and travelled approximately a kilometre when a police motorbike passed them, blocked their path, and urged them to stop. His statement also revealed that two police officers dragged him and the other person (who was in the vehicle) out, tied up his hands, and assaulted him. Four more policemen beat his friend with clubs after they arrived in a trishaw. Subsequently, the police brought them both to the Medawachchiya police, where they were abused once more. The 23-year-old said he was not feeling well and asked to be taken to the hospital. After examining him, the physician urged them to admit him to the Anuradhapura Teaching Hospital due to his critical condition. Following a scan, the physicians declared that internal bleeding had damaged the testicle. His testicles were removed during surgery. He also said that he was unaware of the reason for this assault (Sri Lanka Brief, 2024).

A Tamil man reportedly requested the return of a cell phone that the police had taken earlier this month, and as a result, he was allegedly beaten. Following the assault, 42-year-old Pradeepan was brought to the Mannar District General Hospital, where he received medical attention for his physical injuries. His family has since filed a complaint with the Sri Lanka Human Rights Commission (Sri Lanka Brief, 2024).

Speaking to the media, the family said that two officers from the Mannar Police station had visited a home in Pallimunai in Mannar which Pradeepan was visiting to reportedly interrogate the owner. Upon seeing Pradeepan, police officers took both his mobile phone and motorcycle.

On Tuesday, April 1, Pradeepan went to the police station in Mannar to request the return of his possessions. The police asked Pradeepan to provide documentation proving he was the owner of the motorcycle, which he duly did. However, when Pradeepan asked for his mobile phone back, they began to assault him with a sharp weapon. Pradeepan further stated that when he was being assaulted many people were spectating, including a few police officers.

There was no inquiry whatsoever following this brutal attack and neither did they return his belongings (Tamil Guardian, 2024).

It was stated by Mahawela police station that the mother of a thirteen-year-old minor filed a complaint against a sub-inspector of the Yatawatta police for allegedly striking him on the head while riding a bicycle. The police also said that an investigation has been started regarding this sub-inspector (Jayasooriya, 2024).

### **2.3 Five years of impunity for the 'Easter Sunday Attacks'**

April 21st marks 5 years since the 'Easter Sunday' terrorist attack, which is one of the most violent terrorist attacks in the history of Sri Lanka. According to official records, 273 people were killed and more than 500 were fully or partially injured when an extremist religious group detonated bombs simultaneously in the morning of April 21, 2019, in Catholic churches and several star-class hotels in Colombo, Negombo and Batticaloa. Since the day of the attack was 'Easter' which is one of the major religious events of Catholics, it became commonly known as 'Easter Sunday Attacks' (Bhasura, 2024).

The main reason for the conflict between the Catholic Church and the government is the failure to implement the recommendations of the Presidential Commission appointed by President Maithripala Sirisena to investigate the Easter attack. It is no secret that after Gotabhaya Rajapaksa won the November 2019 presidential election, the president gave Colombo Archbishop Cardinal Malcolm Ranjith the opportunity to appoint one or two new members to the said commission. But he rejected that proposal and the constant request of the Catholic Church was to act according to the recommendations mentioned in the presidential commission report when it was released. But the Catholic Church refused the appointment of a committee<sup>1</sup> consisting of 6 members to investigate the report given to the President on February 1, 2021. Then President ordered that the report should be given to him before March 15, 2021. In this context, there was a severe rift between the Gotabhaya Rajapaksa government and the Catholic Church, and the Catholic people who supported the Pohottu Party in the November 2019 presidential election and the August 2020 general election opposed it. The Catholic Church's active contribution to the 'Aragalaya' (people's struggle) against the President Gotabhaya Rajapaksa during the period of April-July 2022 should be understood in the background that the proposals of the Commission appointed by the President were not implemented. A day before his retirement in May 2021, the then Attorney General Dappula de Livera, who led the investigation on Easter Sunday, called the Easter attack a grand conspiracy and refused to give an answer to the police (Ferdinando, 2024).

### **2.4 Journalist Sivaram's death commemoration held in Batticaloa**

The 19th commemoration of journalist Sivaram who was assassinated was held at Gandhi Park, Batticaloa on April 28. Even though 19 years have passed since his murder, justice has not been served. The celebration was jointly organised by the Journalist Forum, Batticaloa Press Club, Association of Professional Web Journalists of Sri Lanka and North East Media Clubs. It was emphasised at the event the freedom of the media should not be compromised.

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<sup>1</sup> This committee was named three weeks after receiving the report, and it consisted of Chamal Rajapaksa (Chairman), Johnston Fernando, Udaya Gammanpila, Dr. Ramesh Pathirana, Prasanna Ranatunga and Rohitha Abeygunawardena. Harigupta Rohanadhira, the President's legal director, was appointed as the secretary of the group.



## **2.5 Amnesty International issues a report on unlawful use of weapons during protests by law enforcement authorities**

Amnesty International stated in a new investigative report entitled *Ready to suppress any protest' in Sri Lanka: Unlawful use of weapons during protests*<sup>2</sup> that widespread human rights violations by Sri Lankan law enforcement officials in the context of violent suppression of protests must be held accountable. This report analyses the use of force during policing of 30 protests that took place in Sri Lanka between March 2022 and June 2023 (Amnesty International, 2024).

Amnesty International's research shows a pattern in the unlawful use of tear gas and water cannon and the misuse of batons by Sri Lankan law enforcement officials with video evidence revealing that in at least 17 protests – more than half of those analysed – the conduct of law enforcement officials fell well short of international law and standards on the use of force. Amid 2022 and 2023, law enforcement authorities in the country reacted to phenomenal public protests with unlawful use of tear gas, water cannons and misuse of batons. Law enforcement authorities used tactics of obstruction, surveillance, and intimidation of protests, creating a chilling effect on the right to freedom of peaceful assembly (Amnesty International, 2024).

## **2.6 Mass grave found in Muhumalai**

Along with a uniform suspected to belong to an LTTE cadre, several human skeletons were found in Muhumalai, and another mass grave was found in Kilinochchi. While a team of workers from a non-governmental organisation was performing demining operations, the grave was discovered. After inspecting the location, the Kilinochchi magistrate issued an order to begin more excavations. According to reports, Sri Lankan authorities have also opened an inquiry into the results (Tamil Guardian, 2024)

After discovering another mass grave site in Kokkuthoduvai, the Sri Lankan government declined to provide funding for further excavation efforts a month ago. Other similar mass graves, primarily in the northeast, are still unsolved. According to some reports, there are at least 33 mass graves on the island (Tamil Guardian, 2024).

## **2.7 The first case under the Online Safety Act**

The President of the Sri Lanka Bar Association, Kaushalya Navaratne informed the Colombo Magistrate's Court that the case filed under the Online Safety Act against eight persons, including the private secretary of the former chairman of the Sri Lanka Public Utility Commission Janaka Ratnayake restraining leaking his personal information and circulating them on the internet will be under the review of the Bar Association of Sri Lanka. He said that this case was filed under the Online Safety Act and is a case that affects people's right to free expression (Thushara, 2024).

Janaka Ratnayake had filed this case against Polwatta Arachchi's Gayatri Bimba who happened to work as his private secretary, six others, and WhatsApp LLC and Google LLC (doing business as YouTube) identified in the petition as 'internet intermediaries'. After reviewing this case, the Colombo Chief Magistrate Prasanna Alwis issued a conditional order in favour of the Petitioner Janaka Ratnayake in terms of Section 24 (1) and Section 24 (2) of the Online Safety Act No. 09 of 2024 and directed that the order be communicated to the Respondents Gayathri Bimba, Prof. Janaka Rajapaksa, Oshala Herath, Yasalal Perera (Talk with Lal), Kalpa Gunarathne (Meemasso TV) and Jamuni Kamantha Thushara by electronic means as provided for in Section 24 (4) of the Act. Janaka Ratnayake claimed in his application that the respondents had distributed or were attempting to distribute confidential information. In addition, the petitioner claimed that he was a "targeted individual" and that he was being deliberately harassed by one or more of the respondents listed in the petition by spreading false information (Sooriyagoda, 2024).

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<sup>2</sup> <https://www.amnesty.org/en/documents/asa37/7896/2024/en/>

### **2.8 BASL demands Minister Alles to resign due to his remarks**

The Public Security Minister Tiran Alles' recent statement to recently graduated police recruits that it is not a sin to rid the world of criminals was denounced by the Bar Council of the Bar Association of Sri Lanka (BASL). According to the president of the BASL Kaushalya Nawaratne, the resolution was moved in response to the Minister's remarks during the passing out parade of specially trained officers of the first combat motorbike unit to eradicate criminal elements in the Western and Southern Provinces at the STF Camp in Katukurunda, Kalutara. He further added that the Bar Council decided that the president ought to dismiss the minister from his position as the Public Security Minister if he does not resign. If the Minister remained in his position, the Bar Association warned to take legal action both domestically and abroad (Sri Lanka Brief, 2024).

### **2.9 the Ministry of Public Security says that a special campaign will be launched to expose the lawyers who are representing drug traffickers**

The Minister of Public Security stated that during a special program designed to instruct the community police committees in the Matara area last December 18, it came to light that numerous well-known attorneys represented drug traffickers and received millions of dollars in return (Nawarata News, 2024).

One of the senior officers of the Ministry of Public Security went on to say that there will be a special campaign to expose the attorneys who defend drug traffickers against the legal 'Yukthiya' (justice) operation (The Leader, 2024).

### **2.10 Central Bank admits decline in nutrition**

The 2023 annual economic commentary report of the Central Bank of Sri Lanka states that the nutritional status of children and women is unsatisfactory and weakening due to the adverse economic situation. This claim was made based on Sri Lanka's performance concerning recent nutrition indicators (Hewajulige, 2024).

The report suggests that a broader and more targeted strategy is necessary since the consequences of malnutrition are long-term and can trap generations of people in a vicious cycle of poverty. It also states that as a result of the economic crisis, the provision of services in the public health sector has been severely affected, and it has also been recently stated that the lack of a regulatory mechanism allegedly contributes to the problems regarding the quality of medicine (Hewajulige, 2024).

### **2.11 Soaring numbers of specialist doctors leave the country**

It has been revealed in a study conducted by a group of specialist doctors of the Ministry of Health that 350 specialist doctors in public hospitals have left the country recently. Many doctors have left for England, Australia and other countries. A spokesperson of the ministry said that economic hardships are the main reason for them to go abroad. Doctors suggest that the government should provide an immediate solution to this problem. Commenting on this, Health Ministry Secretary Specialist Dr Palitha Mahipala says that there is still a shortage of anaesthetists and paediatricians. According to sources in the health sector, more than two hundred nurses have gone to work in other countries, but the new recruitments have not hindered the work of the hospitals (Hewajulige, 2024).

## 3. Case Updates

### 3.1 Wimal Weerawansa acquitted from the passport case

MP Wimal Weerawansa, the leader of the National Freedom Front (NFF), has been acquitted and set free from the legal proceedings concerning the utilisation of an inappropriate passport. His attempt to travel abroad using an inactive passport in 2015 resulted in the initiation of a legal case (Mawbima, 2024).

Weerawansa's passport, which was presented to immigration officials at the Bandaranaike International Airport for International travel on October 23rd, 2015, was identified as inactive in the data system. Following this, the Member of Parliament presented the expired passport to the Immigration and Emigration Head Office, receiving a new passport the next day. He then proceeded to the BIA with the new passport, and the inactive passport, which contained the valid VISA, where he was arrested by officials from the Immigration and Emigration Department (Newswire, 2024).

President's Counsel Sarath Jayamanna, who represented Weerawansa during the court proceedings, emphasised the lack of criminal intent and raised the question as to why an immediate arrest was not made if the use of an invalid passport was considered an offence. Additionally, the proof provided by immigration authorities verified that the passport shown by the MP was not counterfeit or altered (The Island Online, 2024). Furthermore, it was noted that a Deputy Superintendent of Police had authorised the initiation of legal proceedings against the MP, as it falls under the jurisdiction of the Controller General of Immigration and Emigration in accordance with the Immigrants and Emigrants Act. The Negombo Magistrate carefully considered these factors and subsequently approved the acquittal (Farzan, 2024).

### 3.2 Colombo High Court rejects Gnanasara Thero's bail request

The Colombo High Court rejected a request made by his lawyers to release Galagodaatte Gnanasara Thero, who has been sentenced to 4 years in prison after being convicted of making a statement that violates the harmony between religions (Nanayakkara, 2024).

This decision was given by Colombo High Court Judge Aditya Patabandige who sentenced Gnanasara Thero. Pronouncing the verdict, the judge said that the bail request for the convicted Gnanasara Thero was rejected as there were no specific facts to warrant granting bail. Gnanasara Thero has filed an appeal against the four-year prison sentence he has been sentenced to and he has submitted a request to the Colombo High Court through his lawyers to release him on bail until the appeal petition is heard and a decision is announced (BBC News Sinhala).

### 3.3 Election violence case involving the former Minister of Health Rambukwella

Central Provincial High Court Judge W. Darshika Wimalasiri ordered to hear the case pending before the Kandy High Court on July 26 against four defendants, including the former Minister of Health, Keheliya Rambukwella, concerning the incident of killing a person and seriously injuring five persons, including former Minister Mahindananda Aluthgamage, while engaged in election campaigning in 1999 (Mawbima, 2024).

Accordingly, High Court Judge Wimalasiri further ordered the superintendent of Colombo Magazine Prison to present the accused former minister Keheliya Bandara Rambukwella Dissanayake to the Kandy High Court from the Colombo Magazine Prison where he is currently detained (Mawbima, 2024).

The defendants named in this case are Abdul Rahim Mohidin Abdul Kader, Keheliya Bandara Dissanayake Rambukwella (former Minister of Health), Peter Gagana Gedera, Nandana Sisira Kumara and Tuan Nisham Miskin (Mawbima, 2024).

The non-registered preliminary hearing of this case was held before the Kandy Magistrate's Court and on July 24, 2000, the Attorney General filed the indictment against the defendants and referred it to the Kandy High Court for further hearing (Mawbima, 2024).

Taraka Kodagoda, Government Advocate of the Kandy High Court appeared on behalf of the Attorney General on the advice of Deputy Solicitor General Yohan Abeywickrama, and Suresh Dodanwala appeared on behalf of the defendants on the advice of President's Attorney Anuja Pematratne. The Gampola police had conducted investigations into the incident (Mawbima, 2024).

### **3.4 Narammala police firing: SC allows hearing of petitions against police officers**

The widow of the carpenter who perished in the Narammala police shooting during the "Yukthiya Operation" was allowed to continue with her Fundamental Rights case by the Supreme Court. While Sub Inspector Gunawardena was on duty in civilian clothes, he shot and killed the deceased Roshan Kumarasiri as he was making his way home from work. Kamani Rupika Priyangani, the petitioner, is requesting 200 million rupees in compensation from police officers, including IGP Deshabandu Tennakoon, in her fundamental rights application (Sri Lanka Brief, 2024).

The Supreme Court issued notices on the respondents and fixed the matter for argument on November 25. The Attorney General's Department has decided not to appear on behalf of the respondent police officers who were involved in the Narammala police shooting (BBC News Sinhala, 2024).

### **3.5 MP Mahindananda Aluthgama was acquitted in the money fraud case**

On April 30, the Colombo High Court ordered to acquit former minister Mahindananda Aluthgama who was accused of having committed an offence under the Prevention of Money Laundering Act by spending over 27 million rupees of illegally earned money to purchase a luxury house on Kinsey Road, Colombo while working as a minister (Gunasekara, 2024).

Pronouncing the verdict, the High Court judge stated that the evidence revealed that the amount of 27 million rupees used to buy the house in question was 26 million rupees obtained from the sale of a vehicle licence belonging to the defendant and 10 million rupees obtained as a bank loan (BBC News Sinhala, 2024).

### **3.6 Notice issued to Hirunika Premachandra on Contempt of Court charges**

Hirunika Premachandra, a former member of parliament, has been served with a notice to appear before the Court of Appeal over allegations of contempt of court. The two-judge Court of Appeal panel, made up of Justices Sobhitha Rajakaruna and Dammika Ganepola, issued the notice on April 17 following their consideration of the complainant's arguments (Lanka C News, 2024).

The complainant, Hisham Jamaldeen, claims that former MP Hirunika spoke to the media about the magistrate's decision to give him bail while there is an ongoing proceeding before the Magistrate's Court of Mount Lavinia. It was alleged that the conduct of the respondent was tantamount to interference with ongoing judicial proceedings and an attempt to create suspicions in the minds of the public towards the administration of justice (Daily FT, 2024).

Such a statement was alleged to be in contempt of court, and an application was filed seeking for Hirunika Premachandra to be found guilty of the offence. Accordingly, a notice was issued

for former MP Hirunika Premachandra to appear before the Court of Appeal on May 08, 2024 (Newswire, 2024).

### **3.6 Rathupaswala case verdict postponed**

The Gampaha High Court (HC) Trial-at-Bar<sup>3</sup> has postponed rendering a decision in the prosecution of a Brigadier and three Army soldiers for fatally shooting three people and seriously wounding multiple others at a protest by Rathupaswala, Gampaha, villagers demanding clean drinking water<sup>4</sup> (Gunasekara & Ranaweera, 2024).

Although the Trial-at-Bar announced that the verdict would be delivered on May 17 of this year, the Court was originally slated to deliver its ruling on April 30 (The Morning, 2024).

### **3.7 SC issues interim order against the President**

Apart from the Chief Justice, the President is not allowed to nominate judges to the Supreme Court by virtue of an interim order issued by the Supreme Court of Sri Lanka. The interim order was issued against President Ranil Wickremesinghe on April 30 and is effective until October 4, 2024 (Newswire, 2024).

The order was made in response to a petition challenging the National Constitutional Council's ruling to deny the President's request to name Court of Appeal President Nissanka Bandula Karunaratne as a Supreme Court justice (Colombo Gazette, 2024).

### **3.8 Five police officers sentenced to death**

Five police officials were given the death penalty by the Anuradhapura High Court after it was determined that they had killed eight Tamil people in the Bharathipuram village in Kantale 26 years prior. The sentence was passed by High Court Judge Manoj Thalgodapitiya. Five police officers from the Bharathipuram police post were accused of assembling unlawfully with the intent to murder. Those sentenced were Constable Chandrathna Banadara, Constable Nimal Premasiri Konara, Inspector R.M. Ranaraja Bandara, Sub Inspector Y.L. Somaratne, and Constable Senarath Bandara Medawela (Ananda, 2024).

The investigations showed that the police post had not been attacked, despite the accused police officers' claims that they had searched the village following an attack on it. Following the February 1, 1996 incident, the action was first brought against 13 police officers at the Trincomalee High Court. However, the case was moved to the Anuradhapura High Court after the LTTE killed two suspects during their court appearance. The case was filed 19 years after the incident in 2005 (Padmasiri, 2024).

Deputy Solicitor General Madhawa Thennakoon led the prosecution and requested the court find five suspects not guilty because there was insufficient evidence to proceed with the case against them. Later, two more suspects were found not guilty. There were 37 charges levied against the remaining suspects. The judgement was delayed for many reasons, including the

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<sup>3</sup> In 2019, President's Counsel and Chief Justice Jayantha Jayasuriya appointed a Trial-at-Bar consisting of HC Judges Menaka Wijesundara (President), Nimal Ranaweera and Nishantha Hapuarachchi to hear the Rathupaswala case, after considering the Attorney General's request.

<sup>4</sup> On August 1, 2013, when unarmed residents of Weliveriya protested against a factory they said was polluting their groundwater and demanded clean drinking water, army forces opened fire, killing three and wounding more.


delay in submitting the Government Analyst's report. The court received it only in 2022. The prosecution was led by Deputy Solicitor General Madhawa Tennakoon, and lawyers Lal Kularatne and Chandani Hamangala appeared for the accused (Padmasiri, 2024).

### **3.9 An order to expedite the investigation into the X-Press Pearl case**

Colombo Additional Magistrate Keminda Perera ordered the Criminal Investigation Department to complete the investigation into the case of the X-Press Pearl ship and report the facts to the court immediately. The magistrate also ordered that an audio tape containing data from the conversations between the local agency and the ship be submitted to the court. This order was issued after considering a request made by the defence lawyers to speed up the investigation on whether the captain informed the local agencies that operated the ship that there was a chemical leak before the ship caught fire? the data has been deleted by the representatives of the local agency if so informed? (Thushara, 2024).

## 4. List of Incidents

4.1. Repression of Media and Journalists				
No	Date	District	Description	Source
4.1.1	19 <sup>th</sup>	Colombo	<p><b>Web journalist Darshana Hadungoda has been summoned by Welikada police station</b></p> <p>Web journalist Darshana Handungoda was summoned by Welikada police station. It was vaguely informed that he had been summoned regarding a statement he made but no specific reason was communicated.</p>	<p><a href="#">මාධ්‍යවේදී දර්ශන හඳුන්ගොඩන් CID කැඳවයි.</a> Youtube. Life youtube channel. Published on 19<sup>th</sup> April 2024. Last accessed 6<sup>th</sup> June 2024</p>
4.1.2	11 <sup>th</sup>	Colombo	<p><b>YouTuber and activist Sudath Thilakasiri receives death threats</b></p> <p>YouTuber Sudaththa Thilakasiri has received anonymous death threats forcing him to leave the country, and these threats have allegedly been made as a result of his political commentary on his YouTube channel. Subsequently, Thilakasiri has filed a police complaint for criminal intimidation.</p>	<p><a href="#">මිය වැඩේ නවත්තපන් ඕස්ට්‍රේලියාවට පලයන් බේල්ල කපල අතට දෙනවා සුදාට බිහිසුණු මරණ තර්ජන.</a> Youtube. Suda creation. Published on 12<sup>th</sup> April 2024. Last accessed on 6<sup>th</sup> June 2024</p>
4.2. Repression of Freedom of Assembly				
4.2.1	27 <sup>th</sup>	Colombo	<p><b>The court dismisses the request to prevent the protest of the University of Colombo</b></p> <p>Colombo Chief Magistrate Thilina Gamage rejected the Kurunduwatta Police's request to issue a restraining order to prevent the protest rally organised by the University of Colombo Faculty of Medicine Students' Union in protest against the government at Lipton Roundabout. Rejecting the request, the Magistrate stated that if there is any public inconvenience, the police should act according to their powers and there is no need for court orders.</p> <p>The police stated that more than 250 students of the Faculty of Medicine have organised a protest at Lipton Roundabout, and information has been revealed that this protest has been organised against the privatisation of medical degrees by allowing the awarding of medical degrees by the Kotalawala Defense University.</p>	<p><a href="#">කොළඹ සරසවියේ විරෝධය වළකන ඉල්ලීම විසිවෙයි.</a> Lankadeepa. Published on 26<sup>th</sup> April 2024. Last accessed on 6<sup>th</sup> June 2024.</p>

4.2.2	22nd	Colombo	<p><b>Ulapane Sumangala Thero gets arrested</b></p> <p>On the 22nd, Colombo Additional Magistrate Prasan Amarasena ordered that three persons, including the convener of the Teacher-Principal Trade Union Collective, Ulapane Sumangala Thero, be remanded until the 26th.</p> <p>Ulapane Sumangala Thero and another were arrested in connection with an alleged incident of disobeying a court order, obstructing government officials, and exerting pressure by presenting a minister's letter. The five suspects were accused of obstructing the execution of court orders to demolish seven illegal shanty houses in Dabare Mawatha, Narahenpita.</p> <p>Eventually, Ulapane Sumangala Thero and four others were granted bail by Colombo Hultsdorf Additional Magistrate Pasan Amarasena on April 26. Bail was imposed by the magistrate at 100,000 rupees for Sameera Chaturanga, the first suspect, and 200,000 rupees for each of the other four accused, including Ulapane Sumangala Thero.</p>	<p><a href="#">උලපනේ නිම් ඇතුළු නිදහනක් රිමාන්ඩ්.</a> Lankadeepa. Published on 22<sup>nd</sup> April 2024. Last accessed on 6<sup>th</sup> June 2024.</p> <p><a href="#">Ven Ulapane Sumangala Thero Gets Bail.</a> New first. Published on 26<sup>th</sup> April 2024. Last accessed on 6<sup>th</sup> June 2024.</p>
4.2.3	3rd	Colombo	<p><b>University student protests get tear-gassed and dispersed</b></p> <p>Two student protests were broken up by police using water cannons and tear gas. Initially, the Police intervened to break up a protest that was taking place close to Sri Jayawardenepura University. Following that, the police had also acted to break up a protest that was taking place close to Moratuwa University. The protests were reportedly called in response to a cabinet decision to privatise higher education.</p>  <p>Police fired tear gas at the protest organized by the students at the University of Sri Jayawardenepura. Photo courtesy: Ada Derana.</p>	<p><a href="#">Protesting students tear-gassed near J'pura Uni.</a> Ada Derana. Published on 3<sup>rd</sup> April 2024. Last accessed 6<sup>th</sup> June 2024.</p> <p><a href="#">Moratuwa &amp; Jayawardenapura uni protests : Police fire tear gas.</a> News Wire. Published on 3<sup>rd</sup> April 2024. Last accessed 6<sup>th</sup> June 2024.</p>



<b>4.3. Repression of Activists and whistle-blowers</b>				
4.3.1	20th		<p><b>Activist Sanjaya Mahawatta receives death threats</b></p> <p>An anti-corruption activist and the founder of “Magen Ratata” (From me to the country) organization have received death threats and the Cheif of Defence Staff Shavendra Silva has been accused for such death threats.</p>	<p><a href="#">සංජය මහවත්තට මරණ තර්ජන!</a> Web News. Published on 20<sup>th</sup> April 2024. Last accessed 6th June 2024.</p> <p><a href="#">සංජය මහවත්තට මරණ තර්ජන.</a> Web News. Published on 20<sup>th</sup> April 2024. Last accessed 6th June 2024.</p>
<b>4.4. Repressive Laws and policies</b>				
4.4.1	25th	Colombo	<p><b>Armed forces are being called up across the country</b></p> <p>Speaker Mahinda Yapa Abeywardena informed the Parliament that the President has issued a special order to call the armed forces for the security of the country.</p> <p>The President has taken this decision according to the powers assigned by Section 12 of the Public Security Act which is the 40th authority.</p>	<p><a href="#">රට පුරා සන්නද්ධ හමුදා කැඳවයි.</a> Lankadeepa. Published on 22<sup>nd</sup> April 2024. Last accessed on 6th June 2024.</p>
4.4.2	03rd	Colombo	<p><b>Declaring certain public services essential</b></p> <p>By the powers vested in terms of section 2 of the Essential Public Services Act, No. 61 of 1979, President Ranil Wickremesinghe ordered all services connected to the supply of electricity and the supply or distribution of petroleum products and fuel to be essential. In Sri Lanka, this has been a common practice by the government to prevent trade union actions enabled by trade unions related to said services.</p>	<p><a href="#">The Gazette.</a> No: 2378/21. Published on 3<sup>rd</sup> April 2024. Last accessed 6th June 2024.</p>
4.4.2	19th	Colombo	<p><b>Declaring certain public services essential</b></p> <p>By the powers vested in terms of section 2 of the Essential Public Services Act, No. 61 of 1979, President Ranil Wickremesinghe ordered all services connected to the supply of electricity and the supply or distribution of petroleum products and fuel to be essential. In Sri Lanka, this has been a common practice by the government to prevent trade union actions enabled by trade unions related to said services.</p>	<p><a href="#">The Gazette.</a> No: 2380/32. Published on 20<sup>th</sup> April 2024. Last accessed 6th June 2024.</p>

4.4.3	22nd	Colombo	<p><b>Public Security Ordinance</b> President Ranil Wickremesinghe has issued a Gazette Extraordinary calling upon the armed forces to maintain public order in specified areas. Accordingly, the Army, Navy and the Air Force have been called to maintain public order in specified areas.</p>	<p><a href="#">The Gazette</a>. No: 2381/06. Published on 22<sup>nd</sup> April 2024. Last accessed 6th June 2024.</p>
<b>4.5. Other</b>				
4.5.1	8th	Padukka	<p><b>Questions arise regarding the assassination of Air Force rugby player Dimantha Lakmal</b></p> <p>Rajapakse Pathirage Dimantha Lakmal, who was an Air Force corporal and a rugby player, was killed in police firing at Padukka, Angamuwa on April 8.</p> <p>Police Media Spokesman, DIG, Advocate Nihal Taldewa told the media that the deceased was suspected to be the shooter involved in the double homicide that took place in the Talgahavila area of Horana on 07th. The police spokesperson told the media that the investigating officers reported to him that the person who was assassinated was the main suspect in the murder and that he was a person addicted to drugs.<sup>5</sup></p> <p>Many unresolved questions arose in the context of this case, and some of them are as follows: On April 07, Horana's double murder took place at around 11.00 pm. His adoptive aunt Mallika Rajapaksa has stated to the web media that Lakmal, who was killed at that time, was with his girlfriend. If so, has the police spokesperson called for a report on this statement? Did the police spokesperson get a report of Lakmal's blood sample before saying he was drug addicted? Did the police spokesperson not know that blood samples are tested for doping before Air Force Rugby matches? If known, did he ask the Air Force before making that statement? Does the Police Spokesperson know that the Air Force has claimed that Lakmal's blood tests before rugby matches did not confirm that he had taken drugs? Can a drug addict play a sport that requires extreme physical fitness, such as rugby? Did you know that Lakmal has not undergone rigorous training in the use of</p>	<p><a href="#">ගුවන් හමුදා රඟිති ක්‍රීඩක දිමන්ත ලක්මාල් ඝාතනය ගැන පොලිස් මාධ්‍ය ජර්නලයකට ජර්ජන් ක්‍රිස්ටියාන්. Sri Lanka Brief</a>. Published on 12<sup>th</sup> April 2024. Last accessed 6th June 2024.</p>

<sup>5</sup> This killing is in line with the police practice of killing suspects within 24 hours as pointed out by the Human Rights Commission of Sri Lanka. In this way, suspects are killed immediately so that they are not allowed to go to court and get an order for life protection.

			<p>firearms as he has played Air Force rugby for 15 years? Since the Horana double homicide was carried out with a 09 mm pistol on a moving three-wheeler, would not it take a very good shooter to carry out such an attack? Is it not possible to identify any person from the CCTV camera recordings that recorded the double murder of Horana? So how did the investigators find out that Lakmal was the prime suspect in the attack? Was Lakmal killed to protect the real shooter? Are the media reports that a top police officer in the Criminal Investigation Department has links with the drug underworld true? Are the investigating officers who decided that Lakmal is the main suspect linked to that senior police officer? Seeing that there was a police roadblock, as the police media spokesman says, according to common sense, if Lakmal was the killer, should not he have immediately reversed the motorcycle? What roadblock had the police and special task force set up near his house? Can a motorcycle break it? Would an airman be foolish enough to turn around and fire a flintlock at a police team armed with automatic firearms instead of fleeing after breaking through the roadblock?</p>	
4.5.1	02nd	Kandy	<p><b>A former municipal councillor assaults a labourer at the municipal</b></p> <p>The Kandy Police Headquarters has arrested a former SLFP party member of the Kandy Municipal Council who allegedly assaulted a worker in the Solid Waste Management Department of the Kandy Municipal Council. According to the hospital sources, the municipal worker suffered serious injuries in the ear area due to that attack and three stitches have been applied to his ear area due to those injuries. The solid waste management worker had protested when a garbage bag which was not properly segregated was disposed of at William Gopallawa Mawatha in Kandy city limits coming from a vehicle. The police say that the worker was assaulted when he put the garbage bag back into the vehicle and tried to take a photo of the number plate of the car which the former municipal councillor had arrived at.</p>	<p><a href="#">නගර සභා කමිකරුවාගේ කණ පැදු හිටපු නාගරික මන්ත්රී අත්අඩංගුවට.</a> Lankadeepa. Published on 02<sup>nd</sup> April 2024. Last accessed 6th June 2024.</p>

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