

Repression of Dissent in Sri Lanka

May 2024



Armed military personnel at the university non-academic workers' protest. Photo courtesy: Nisal Baduge.

INFORM

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Repression of Dissent in Sri Lanka in May 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 level. 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: It is reported that the House Committee of the Parliament has approved the provision of duty-free vehicle import permits for Members of Parliament. The Public Financial Management Bill and the Economic Transformation Bill have been introduced to Parliament. The State Minister for Finance, Ranjith Siyambalapitiya, said in Parliament that the government has lost about 1700 Crore LKR due to the sugar tax fraud. According to budget forecasts for 2024, the defence industry will spend a substantial LKR 75 billion more on uniforms and diets than it did in 2022—a 258 per cent increase.

In the 2024 edition of Reporters Without Borders' (RSF) annual Press Freedom Index, Sri Lanka is ranked 150, a notable decline of 15 spots from 135 to 150 in comparison to 2023.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) recently released a report that insisted the GSL establish accountability for enforced disappearances that occurred during the armed conflict with the LTTE. In response, Sri Lanka has questioned the timing of this study as well as its mandate.

After multiple human skeletons were discovered by construction workers while building a warehouse, excavation at a mass grave in Pungudutivu began. The excavation of the grave began after permission was granted from the magistrates' courts.

The Sub-committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) has suggested that the Human Rights Commission of Sri Lanka (HRCSL) should receive re-accreditation with an "A" status.

The Election Commission has ruled out a request to take proper action regarding UNP's National Organizer Sagala Ratnayake addressing political meetings while holding the position of Chief of Staff of the President, a staff-level official of the government. The request was made by senior journalist Lasanta Ruhunage.

President Ranil Wickremesinghe declared a rise in the daily salary of plantation workers to 1700 LKR. The statement was made as part of his speech at the May Day rally of the Ceylon Workers' Congress (CWC) at the Kotagala Public grounds.

Case Updates: A new three-member High Court bench has been named by the Chief Justice to hear the case filed against 9 members of the Army Intelligence concerning the kidnapping and disappearance of journalist Pragith Eknaligoda, which has been delayed due to occasional vacancies in the three-member High Court bench.

Considering the writ application filed by the former Minister of Health, Keheliya Rambukwella, the Court of Appeal scheduled a fresh hearing to reverse the Maligakanda Magistrate's decision to remand him over the import of subpar immunoglobulin vials.

The Treasury Secretary was ordered by Maligakanda Magistrate to issue a statement to the CID with regard to why an extra 50 million USD was allocated with the approval of the cabinet to purchase medication from the private sector when 200 million USD had already been allocated under the Indian loan scheme for the purchase of medicines.

Colombo Additional Magistrate ordered the CID to complete the investigation regarding the X-Press Pearl ship which caught fire off the coast of Colombo in 2021 and report the facts to the court immediately.

The Gampaha High Court ordered the acquittal of four suspects, including former army Major General Aruna Deshapriya Gunawardena, in the case of the shooting death of three people

and injuring approximately 50 others during a protest held by the people of Rathupaswala in Weliveriya town in 2013.

The Supreme Court decided to finalise the fundamental rights petitions filed by parties and organisations including the Samagi Jana Balawegaya demanding that the provincial government elections, which have not been held in due time, be ordered to be held immediately, over four days in front of a full bench of judges.

The government has appointed the same Director General appointed by Gotabhaya Rajapaksa in 2020 to the same position of the Bribery or Corruption Investigation Commission. It was believed that under this person, the bribery and corruption fraud cases of many associated with the Rajapaksa regime were withdrawn for various reasons.

Families of Disappeared in Sri Lanka allege a bid to withdraw charges against Ex-Navy Commander Wasantha Karannagoda in a court case over the disappearance of 11 males from Colombo during the war.

Colombo Additional Magistrate ordered the release of former minister Marvin Silva on bail, accused of threatening and scolding a former news director of the Sri Lanka Television Corporation.

The Attorney General's Department informed the court that the Attorney General's Department will not appear on behalf of the respondent Nilantha Jayawardena in the writ petition filed against him requesting to proceed under criminal law.

Repression of Freedom of Assembly: The police officers obtained a court order from the Muthur Magistrate's Court, prohibiting any ceremony planned for the distribution of Mullivaikkal Kanji in memory of the people who died in the last phase of the war for the coming 14 days.

People protesting the government's purported decision to grant automobile permits to legislators were reportedly approached by several police officers, creating a tense scene close to the Presidential Secretariat in Colombo.

The event organized by students of Eastern University in Batticaloa to commemorate the Mullivaikkal genocide was abruptly interrupted by officers from the Eravur police station.

In Colombo, police stopped a group of Sinhala nationalists carrying lion flags from causing disturbances at a memorial ceremony honouring those who lost their lives in the war.

The Police Media Division said that on May 13, they used water cannons to disperse a group of university non-academic employees who were protesting.

Repression of State Officials: Puttalam Divisional Secretary Sampath Weerasekera complained to his superiors after facing intimidation from MP Ali Sabri Raheem while he attempted to investigate an incident involving the unlawful occupation of government-owned land on the Old Mannar Road in Puttalam.

Repressive Legal and Policy Action: The Recovery of Loans by Banks (Special Provisions) (Amendment) bill which was amended to facilitate legal provisions for the suspension of Parate Law till 15 December 2024, passed in parliament without amendments. The Bill endeavours to amend the Recovery of Loans by Banks (Special Provisions) Act No 4 of 1990. It is believed the suspension of the Parate law will result in the benefit of a few large-scale businessmen who have not paid their debts.

Speaker Mahinda Yapa Abeywardena informed the Parliament that the President issued a special order to call the armed forces for the security of the country.

By the powers vested in terms of section 2 of the Essential Public Services Act, 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.

Other: Under the Online Safety Act, Colombo Chief Magistrate issued a conditional order prohibiting a YouTube channel from disseminating and publishing any derogatory content about Lieutenant General Vikum Liyanage, the commander of the Army.

On the 6th, lawyer Sadaru Kumarasinghe was summoned to the airport police for expressing his views against the assignment of issuing visas and charging money to the Indian Global VFS company at the BIA.

State Finance Minister Shehan Semasinghe received a threat of being killed and set on fire, and subsequently, Fort police opened an investigation into the threat.

UNP General Secretary Palitha Range Bandara said on the 28th that it has become an essential matter to pass a resolution in Parliament postponing the election for another two years.

Election monitoring body PAFFREL wrote a letter to the Election Commission questioning the decision taken by the Ranil Wickremesinghe government to distribute nearly 15 billion rupees through informal and political mechanisms for rapid development activities.

The accused chairman of the Cricket Board, who has illegally suspended the complainant's service, has illegally and arbitrarily initiated a disciplinary inquiry against the complainant, who revealed in a press conference that there is corruption and irregularities in the Cricket Board.

2. Context

2.1. Cabinet approves duty-free vehicle permits for MPs

It is reported that the House Committee of the Parliament has approved the provision of duty-free vehicle import permits for Members of Parliament (Bandara, 2024). A letter with the signatures of 116 MPs was handed over to the Speaker asking them to be given tax-free vehicle permits similar to the facilities provided to senior executives in the public service (Lanka C News, 2024).

The MPs who were elected to the present Parliament during the 2020 general election were not granted this privilege as a result of the economic downturn and the prohibition on importing vehicles to conserve foreign currency. There have been previous instances where Members of Parliament were reported to have sold their permits, resulting in them earning millions of rupees in revenue (Bandara, 2024).

2.2. Economic Transformation Bill and Public Financial Management Bill tabled in Parliament

The Public Financial Management Bill and the Economic Transformation Bill have been introduced to Parliament (Ada Derana, 2024). Acting Finance Minister Shehan Semasinghe stated that the "Public Financial Management Bill" and the "Economic Transformation Bill" aim to improve public finance management to protect against future economic downturns (news.lk, 2024).

Explaining the bills, he said the "Economic Transformation Law," is aimed at preventing future economic collapses and that the legislation stems from the vision of President Ranil Wickremesinghe, rather than being proposed by the IMF¹ (Ada Derana, 2024).

The "Public Finance Management Bill" is set to be presented with a focus on enhancing accountability in managing public finances. This legislative initiative aligns with recommendations from a collaborative program with the IMF and holds significant importance for the country's future financial management, the state minister said. Further elaborating on the Economic Transformation Bill, he said it holds paramount importance for the country's economic growth. The establishment of a new Economic Commission in Sri Lanka, aimed at attracting investments to enhance competitiveness, fostering a conducive environment for investors, expanding international trade, establishing the National Productivity Commission, and developing export-related institutions, is also outlined in this bill (Ada Derana, 2024).

2.3. Sugar tax corruption

The State Minister for Finance, Ranjith Siyambalapitiya, said in Parliament on the 22nd that the government has lost about 1700 crore LKR due to the sugar tax fraud. The State Minister said that 50 crores of LKR have been collected from the relevant companies from whom the income was lost and that a full report in this regard will be submitted to Parliament soon (Hewajulige & Weeraratne, 2024).

Meanwhile, Siyambalapitiya said that the introduction of the Public Financial Management Bill was a historic decision and a response to the demands made by international financial organisations for two decades (Hewajulige & Weeraratne, 2024).

¹ International Monetary Fund.

2.4. 40% of the tax revenue increase goes to finance the military diet and uniforms

According to budget forecasts for 2024, the defence industry will spend a substantial LKR 75 billion more on uniforms and diets than it did in 2022—a 258 per cent increase (Sri Lanka Brief, 2024). Put another way, it is anticipated that this increase in the defence budget for uniforms and diets will be paid for entirely with an additional forty per cent of the personal income tax collection (Public Finance, 2024).

2.5. Sri Lanka drops in World Press Freedom Index

In the 2024 edition of Reporters Without Borders' (RSF) annual Press Freedom Index, Sri Lanka is ranked 150, a notable decline of 15 spots from 135 to 150 in comparison to 2023. According to the index, Sri Lanka's overall score has dropped from 45.85 to 35.21 (Reporters without Borders, 2024).

The RSF's ranking is based on five indicators, such as political context, legal framework, economic context, sociocultural context and safety of journalists. According to the RSF annual report, there is still a danger to journalism in Sri Lanka since the media is too dependent on powerful political clans and lacks diversity. Although no journalist has been killed since 2015, according to the research, the murders of journalists in the past have all gone unsolved (Siriwardana, 2024).

2.6. UN human rights report on enforced disappearances has been rejected by the GSL²

The Office of the United Nations High Commissioner for Human Rights (OHCHR) recently released a report that insisted the GSL establish accountability for enforced disappearances that occurred during the armed conflict with the LTTE. In response, Sri Lanka has questioned the timing of this study as well as its mandate. According to the report by the OHCHR, the government of Sri Lanka has to undertake substantial measures to ascertain the whereabouts and fates of tens of thousands of individuals who have been subjected to enforced disappearances over the years and hold those accountable. This OHCHR report called for renewed action by Sri Lanka at the domestic level to hold it to account through criminal justice. The report also called for the international community to be engaged with Sri Lanka for investigation and prosecutions for targeted sanctions (Business Standard, 2024).

Officials from Sri Lanka's foreign ministry said that the ministry would formally write to the OHCHR regarding its unilateral step to provide a report, particularly its timing.³ According to Sri Lanka, the member states did not mandate the UN High Commissioner for Human Rights (OHCHR) to publish a report of this kind (Business Standard, 2024).

² Government of Sri Lanka.

³ The GSL seemed to be particularly annoyed by the fact that this report came out one day before the commemoration of those who died during the final stage of the war with the LTTE in May 2009. Despite concerns that government troops would repress, celebrations were conducted to commemorate the fifteenth anniversary in the previous battle zones and even in the capital of Colombo.

2.7. Mass grave found in Pungudutivu

After multiple human skeletons were discovered by construction workers while building a warehouse, excavation at a mass grave in Pungudutivu began. The excavation of the grave began after permission was granted from the magistrate's courts. Excavation work is being carried out in the presence of departmental officials including District Court Magistrate, Court Judge Nalini Subakaran, and Forensic Officer C. Pranavan (Tamil Guardian, 2024).



Mass grave found in Pungudutivu. Photo courtesy: Tamil Guardian.

2.8. State minister assaults porter at BIA⁴

According to reports, Prasanna Ranaweera, the state minister for small and medium enterprise development, attacked a porter at the Bandaranaike BIA in Katunayake. Also, it was reported he threatened several security officers at the airport (Ada Derana, 2024). Sources claimed that the minister, accompanied by his wife who was scheduled to travel overseas, attempted to enter the airport through the main entrance along with his armed security personnel (Daily Mirror, 2024). Nonetheless, the minister was informed by airport security that his security detail entourage could not bring firearms into the airport. This allegedly caused Ranaweera to lose his temper and resulted in threatening several airport security officers (Daily Mirror Online, 2024).

According to further airport sources, the state minister also assaulted the porter who was transporting the luggage of the state minister's wife. It was reported that the state minister had

⁴ Bandaranaike International Airport.

only paid the porter 700 LKR when he was supposed to be paid 1000 LKR which was clearly said in public notices at the premises.



CCTV footage of MP Prasanna Ranaweera attacking a porter at BIA

2.9. HRCSL⁵ be re-accredited with 'A' status

The Sub-committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) has suggested that the Human Rights Commission of Sri Lanka (HRCSL) should receive re-accreditation with an "A" status. The Sub-committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) has suggested that the Human Rights Commission of Sri Lanka (HRCSL) should receive re-accreditation with an "A" status. The re-accreditation acknowledges that the HRCSL's existing mandate, appointment procedure, and activities align well with the criteria outlined in the Paris Principles on the Status of National Institutions. The HRCSL's effectiveness and independence were also addressed by the SCA, which put forward several significant recommendations (Human Rights Commission of Sri Lanka, 2024).

2.10. The Election Commission on Sagala Ratnayake's wrongful political interventions

The Election Commission has ruled out a request to take proper action regarding UNP⁶'s National Organizer Sagala Ratnayake addressing political meetings while holding the position of Chief of Staff of the President, a staff-level official of the government. The request was made by senior journalist Lasanta Ruhunage (Sri Lanka Brief, 2024).

The letter of request stated that engaging in public political activities and misappropriation of government funds by a government official, calling it the first campaign rally related to the presidential election, the UNP held a public meeting on March 10, 2024, at the Kuliapitiya Municipal Council Grounds, and Chief of Staff Sagala Ratnayake participated in it and gave a speech. According to Article 41 (3) of the Constitution, the Chief of Staff of the President is considered to be a government official and the position is a government staff-level position. Officials holding positions at the staff level of the government are a group of people who have no known political rights. In such a situation, the President's chief of staff, Sagala Ratnayake, has engaged in illegal work that he is not entitled to. Further, he has also been appointed as the National Organizer of the United National Party and the question is raised whether a

⁵ Human Rights Commission of Sri Lanka.

⁶ United National Party.

government staff-level official can hold a position in a recognized political party (Sri Lanka Brief, 2024).

In addition to that, the letter stated that President Ranil Wickremesinghe, at the same rally, promised to double the Aswesuma government's welfare benefit. Given that government funds provide the Aswesuma welfare benefits, making such a promise at a political party campaign rally constitutes an imminent misuse of public funds (Sri Lanka Brief, 2024).

2.11. Labour law reforms concerning plantation workers

President Ranil Wickremesinghe declared a rise in the daily salary of plantation workers to 1700 LKR. The statement was made as part of his speech at the May Day rally of the Ceylon Workers' Congress (CWC) at the Kotagala Public grounds (President's Media Division, 2024). The gazette notification, on the other hand, clarifies that the purported daily wage of 1,700 LKR is 1,350 LKR and a 350 LKR additional "daily budgetary relief allowance". Another 80 LKR will be paid if workers pluck more tea or collect extra latex than the daily targets set by estate management. Although the specific targets have not been determined yet, tea workers are presently obligated to gather a minimum of 18 kilograms per day, which is an exceptionally challenging quantity. If they fail to achieve this target, their salaries will be reduced. The gazette⁷ does not specify the funding source for the "daily budgetary relief allowance" or the "daily special allowance." Even if these allowances are allocated, the proposed daily wage of 1,350 is considered the actual wage for pension fund calculations (Sunil, 2024).

It was reported that Wickremesinghe's wage increase is primarily intended to alleviate the growing discontent among estate workers towards his government and its austerity measures, which are mandated by the International Monetary Fund. Wickremesinghe has expressed his intention to participate in the upcoming presidential election. He is actively seeking the support of trade unions, especially the CWC, in order to secure the votes of plantation workers (Sunil, 2024).

The new wage proposal put forth by Wickremesinghe has received endorsements from the CWC, as well as various other plantation unions such as the NUW⁸, LJEWU⁹, Up-Country Peoples' Front, and the Democratic Workers Congress.

For the past ten years, the RPCs have been striving to enforce a revenue-sharing model (RSM) based on productivity. This model involves assigning plots of land, containing approximately 1,000 or more tea bushes, to workers and their families for maintenance and harvesting purposes. However, this model comes at the expense of workers' fundamental social rights, such as pensions and other benefits. Instead, workers are only compensated with a portion of the income generated from the tea harvest, after the companies have deducted their expenses and profit margin.

⁷ The announcement in the gazette specifies that all objections to the proposed decision must be submitted to the Commissioner General of Labour by 12.00 noon on 15th May 2024. This serves as a direct invitation for the Regional Plantation Companies (RPC) to challenge the proposed raise. Furthermore, it indicates that any wage increment will be put on hold until the objections raised by the companies are addressed and settled.

⁸ National Workers' Union.

⁹ Lanka Jathika Estate Workers Union.

In this context, the plantation sector expressed its concerns regarding the Government's arbitrary and unilateral decision to significantly increase minimum wages for workers in the tea and rubber industries by an unprecedented 70% (The Morning, 2024). According to Senthil Thondaman, the general secretary of CWC, the government has determined the daily wage of 1,700 for plantation workers, and it is mandatory for the plantation companies to comply with this legal requirement. Minister of Plantations Industries Lohan Ratwatte also made a comparable baseless ultimatum: "They must comply, or we will reclaim the RPCs (Regional Plantation Companies)" (The Morning, 2024).

Amnesty International, together with other organisations, is calling on the Sri Lankan Government to immediately cease the current proposals for a new Labour Law and to ensure that any reforms to the labour laws are implemented only after thorough consultation with workers and their representatives (Sri Lanka Brief, 2024).

2.12. Police distribute Buddhist flags

On the morning of the 22nd, on the occasion of Vesak this year, according to an idea of Inspector General of Police Deshbandu Tennakon, the Biyagama Police started a program of displaying Buddhist flags on three-wheelers in their police area. In this program, 500 free Buddhist flags were distributed to be displayed on three-wheelers (Hennayake, 2024).

2.13. One billion LKR to be allocated for research on the relationship between Buddha's teachings and AI

President Ranil Wickremesinghe highlighted that a budget of Rs. 01 billion has been earmarked for research on the correlation between Buddha's teachings and Artificial Intelligence (AI) in the upcoming year. The President stated that although the research on Buddha's teachings and AI was planned to commence this year, it has been delayed until next year because the necessary legislation for regulating Artificial Intelligence is lacking (Ada Derana, 2024).

3. Case Updates

3.1. New three judges appointed to Prageeth Ekeneligoda's case

A new three-member High Court bench has been named by the Chief Justice to hear the case filed against 9 members of the Army Intelligence concerning the kidnapping and disappearance of journalist Pragith Eknaligoda, which has been delayed due to occasional vacancies in the three-member High Court bench. Accordingly, the three-member High Court bench of Namal Balalle, Mahen Weeraman and Sujeeva Nishanka will examine the relevant case (BBC News Sinhala, 2024).

Given this situation, the case related to the abduction and disappearance of Pragith Eknaligoda is scheduled to be resumed on the 28th of June in front of a new three-judge bench of the High Court (BBC News Sinhala, 2024).

3.2. Keheliya Rambukwella medicine import fraud case

Considering the writ application filed by the former Minister of Health, Keheliya Rambukwella, the Court of Appeal scheduled a fresh hearing on May 31 to reverse the Maligakanda Magistrate's decision to remand him over the import of subpar immunoglobulin vials (Newswire, 2024).

Investigations into the allegations of financial theft involving the importation of substandard pharmaceuticals during Rambukwella's stint as Health Minister resulted in his arrest and placement in remand detention (Newswire, 2024).

3.3. Maligakanda magistrate orders to summoned the Secretary of the Treasury to question on releasing funds to purchasing the immunoglobulin vials

The Treasury Secretary was ordered by Maligakanda Magistrate on May 22 to issue a statement to the CID with regard to why an extra 50 million USD was allocated with the approval of the cabinet to purchase medication from the private sector when 200 million USD had already been allocated under the Indian loan scheme for the purchase of medicines (Gunasekare, 2024).

Magistrate Maligakanda further ordered the Secretary of the Treasury to hand over the cabinet paper authorising the use of 50 million USD in money allotted to the Ministry of Health to acquire pharmaceuticals from the private sector to the CID (Gunasekare, 2024).

3.4. Court orders the CID¹⁰ to expedite the investigation on X-Press Pearl

Colombo Additional Magistrate Keminda Perera ordered the CID on the 25th to complete the investigation regarding the X-Press Pearl ship which caught fire off the coast of Colombo in 2021 and report the facts to the court immediately (Thushara, 2024).

The order was issued after considering a request made by the defence lawyers to speed up the investigation on whether the captain had informed the local agencies that operated the ship that there was a chemical leak before the ship caught fire? (Thushara, 2024)

¹⁰ Criminal Investigation Department.

3.5. Army Major who was involved in Rathupaswala shooting case was acquitted

On the 17th, the Gampaha High Court ordered the acquittal of four suspects, including former army Major General Aruna Deshapriya Gunawardena, in the case of the shooting death of three people and injuring approximately 50 others during a protest held by the people of Rathupaswala in Weliveriya town in 2013 (News First, 2024).

On August 01, 2013, army personnel opened fire at unarmed villagers at Weliveriya, killing three and injuring several others, as they protested against a factory which they said polluted their groundwater and demanded clean drinking water (Ada Derana, 2024).



Firing at protesters in Rathupaswala in 2013. Photo courtesy: ews News

3.6. Dates call for SJB petition on postponing the provincial council election

The Supreme Court decided on the 21st to finalise the fundamental rights petitions filed by parties and organisations including the Samagi Jana Balawegaya demanding that the provincial government elections, which have not been held in due time, be ordered to be held immediately, over four days in front of a full bench of judges (Katugampola, 2024).

The provincial government elections were scheduled for March 09 last year, but the fundamental rights petitions that were filed stating that it has yet to be held have been postponed. The Election Commission and its members have been named as respondents in these petitions filed by Samagi Jana Balavega General Secretary Ranjith Madduma Bandara, National People's Power General Secretary Nihal Abeyasinghe, National People's Power MPs Dr. Harini Amarasuriya, and former MP Sunil Handunnetty (Katugampola, 2024).

3.7. TISL¹¹ Challenges the Appointment of CIABOC¹² Director General in Supreme Court

The current government has appointed the same Director General appointed by Gotabhaya Rajapaksa in January 2020 to the same position of the Bribery or Corruption Investigation Commission. It was believed that under this person, the bribery and corruption fraud cases of many associated with the Rajapaksa regime were withdrawn for various reasons (Sri Lanka

¹¹ Transparency International Sri Lanka.

¹² Commission to Investigate Allegations of Bribery and Corruption.

Brief, 2024). This appointment takes place in the context where the government is attempting to bring new laws to prevent corruption and streamline financial governance (Sri Lanka Brief, 2024).

TISL filed a Fundamental Rights Petition (SC FR 110/2024) in the Supreme Court on April 30 challenging Director General of the CIABOC W. Kanishka D. Wijeratne's appointment. In its petition, TISL points out that the appointment is against the provisions of the Anti-Corruption Act and that a fair and transparent procedure has not been followed. Therefore, TISL requests the Supreme Court to declare the appointment null and void or else order the authorities to remove him from the post and make a fresh appointment in a lawful manner (Transparency International Sri Lanka, 2024).

The petition further states that Wijeratne did not fulfil all the qualifications and criteria related to becoming the Director General of CIABOC. The Attorney General, the members of the Constitutional Council and the Secretary-General, the CIABOC Chairman, its Commissioners and Director General, and the candidates who applied and listed for the post of CIABOC Director General are named as respondents in the petition (Transparency International Sri Lanka, 2024).

TISL further requests the court to issue an interim order preventing Wijeratne from acting as the Director General of CIABOC until the hearing of the fundamental rights petition is completed (Sri Lanka Brief, 2024).

3.8. Allegations against Ex-Navy Commander Wasantha Karannagoda

Families of Disappeared in Sri Lanka allege a bid to withdraw charges against Ex-Navy Commander Wasantha Karannagoda in a court case over the disappearance of 11 males from Colombo during the war (Lanka Files, 2024).

The 'Families of the Disappeared' with the parents staged a protest against the attempt to free Karannagoda from the Trial-at-Bar relating to these disappearances. The demonstration was orchestrated by the human rights group, Families of the Disappeared, outside the Superior Courts Complex in Hulftsdorp in anticipation of the upcoming hearing of the writ petition submitted by former Navy commander Karannagoda, which is set to be heard on June 3 at the Court of Appeal (Daily Mirror, 2024).

In March 2020, the ex-Navy Commander submitted a writ application, requesting an interim injunction to halt the ongoing trial against him and his co-defendants until his petition is heard, and to be acquitted of all charges (Daily Mirror, 2024).

3.9. Failure to prevent Easter Sunday attacks

The Attorney General's Department informed the court that the Attorney General's Department will not appear on behalf of the respondent Nilantha Jayawardena in the writ petition filed against him requesting to proceed under criminal law (Jayawardhana, 2024).

3.10. Mervin Silva granted bail for a case that happened in 2007

Colombo Additional Magistrate Tharanga Mahawatta ordered the release of former minister Marvin Silva on bail, accused of threatening and scolding a former news director of the Sri Lanka Television Corporation. The magistrate also ordered that Lal Peiris, a former municipal councillor who is named as the third suspect in the case, be immediately arrested and brought before the court, and also ordered to ban his foreign travel (Thushara, 2024).

3.12. Sri Lankan court takes case of violent assault on SEP members



Two injured members of the Socialist Equality Party (SEP). photo courtesy: World Socialist Party.

On May 20, the Moratuwa Magistrate Court began hearing the case of the violent attack that took place against SEP¹³ members Dehin Wasantha and Lakshman Fernando the year prior. Last November 30, while conducting a campaign next to the University of Moratuwa's rear gate, both men were viciously beaten with long wooden clubs, resulting in severe injuries (World Socialist Party Website, 2024).

Wasantha's two fingers were fractured in the attack which prevented him from working for almost a month. He was treated at the Colombo South Teaching Hospital for several days. Fernando received injuries to his back and neck. The violent assault is attributed to Indika Perera and Suranga Piyawardena, the president and secretary of the *Podujana Pragathishili Sevaka Sangamaya* (PPSS – People's Progressive Employees Union) chapter, respectively. The union is associated with the *Sri Lanka Podujana Peramuna*, the ruling party of the country, which backs President Ranil Wickremesinghe (World Socialist Party Website, 2024).

3.13. OIC further remanded in Medawachchiya assault case

Regarding the case of a 23-year-old man who was attacked and suffered severe injuries that required the removal of a testicle, Medawachchiya Magistrate Imesha Dharmadasa ordered the OIC of the Anti-Corruption Division of Medawachchiya Police to be placed under arrest until May 15. The Magistrate further ordered the Anuradhapura Superintendent to present the suspected OIC for an identification parade on that day (Daily News, 2024).

Following treatment at the Anuradhapura Teaching Hospital, Dilisha Sangeeth (23), the driver who was reportedly beaten by the suspected police officials, had surgery to remove one of his testicles (Daily News, 2024).

¹³ Socialist Equality Party.

4. Repression of Freedom of Assembly

4.1. Police ban the distribution of *Kanji*¹⁴ at a war memorial in Trincomalee as a threat to national security



Police forcefully arresting women in Sampur, Trincomalee District. Photo courtesy: Tamil Guardian

On the 11th, the police officers obtained a court order from the Muthur Magistrate's Court, prohibiting any ceremony planned for the distribution of *Mullivaikkal Kanji* in memory of the people who died in the last phase of the war for the next 14 days (Sri Lanka Brief, 2024).

Three women were arrested by the Sampur Police on charges of distributing *Mullivaikal Kanji* in Trincomalee's Sampur area. They are Kamaleswaran Tennila, Kamaleswaran Vijitha, and Kaliraja Sujaniya (Sri Lanka Brief, 2024).

Although the court order barred five people from participating in the commemoration, it said that the order "applies to all people" and that they should not gather in schools or temples, and no vehicular protests (Sri Lanka Brief, 2024).

Regarding the recent arrests of people in Trincomalee, Eastern Province, in connection with commemorative acts, the Human Rights Commission of Sri Lanka (HRCSL) wrote to the Inspector General of Police (IGP). On 13 May 2024, the HRCSL launched a suo motu investigation with respect to the alleged arbitrary arrest and detention of four persons on 12 May 2024 in Trincomalee. These persons were arrested for allegedly violating a temporary order of the Learned Magistrate by holding a commemoration event at the Bhuvaneshwari Amman Temple in Chenaiyoor, Muttur at which *kanji* was served to the public, and for allegedly assaulting a police officer (Human Rights Commission of Sri Lanka, 2024).

¹⁴ The porridge called *Kanji* in Tamil, which was eaten by the people who were trapped and died in Kula Mullivaikkal during the last few days of the war in the month of May 2009. It is considered as a symbol of commemoration of the people who died in the war by the North East Tamils.

4.2. Police dispersed a protest near the Presidential Secretariat in Colombo

People protesting the government's purported decision to grant automobile permits to legislators were reportedly approached by several police officers, creating a tense scene close to the Presidential Secretariat in Colombo. In addition to trying to lead the protestors to the Colpetty Police Station and confiscating a banner they were holding with force; a senior police official can be seen verbally fighting with one of the demonstrators in the video. The situation further escalated when the demonstrators refused to go to the police station and questioned the police officer's repressive actions against them. Still, the demonstrators were able to deliver a letter to Kapila Munasinghe, the President's Additional Secretary, voicing their displeasure with the government's decision (Newswire, 2024).

Members of the group "Citizen Against Bribery, Corruption and Waste" organised the demonstration in opposition to the alleged government decision to restore the vehicle permits to MPs (Newswire, 2024).

According to recent media reports, the Parliamentary Committee which looks into the requirements of MPs, approved their request for vehicle permits in line with the similar facilities offered to executive graders in different categories of the public service (Newswire, 2024).

The Members of Parliament, exceeding 100 in number and hailing from various political parties, have allegedly delivered a request to Speaker Mahinda Yapa Abeywardena seeking approval to bring in vehicles duty-free for their use. The decision was made due to the economic crisis and the ban on vehicle imports, as the Members of Parliament elected in the 2020 general election did not receive the usual benefit (Newswire, 2024).

4.3. Police havoc on the Eastern University students' Mullivaikkal commemoration

On May 18, the event organized by students of Eastern University in Batticaloa to commemorate the Mullivaikkal genocide was abruptly interrupted by officers from the Eravur police station (Journalists for Democracy in Sri Lanka, 2024). Forcefully, they destroyed the floral arrangements and forcefully confiscated the *Kanji* containers, subsequently issuing threats of arrest to the students (Tamil Guardian, 2024).



Police removing the flower decorations and candle stands which were set up by Eastern University students to commemorate 15 years of genocide. Photo Courtesy: Tamil Guardian

4.4. The ultra-Sinhala Nationalist mobs disrupt the Mullivaikal commemoration held at Wellawatte beach

In Colombo, law enforcement authorities stopped a group of Sinhala nationalists carrying lion flags from causing disturbances at a memorial ceremony honouring those who lost their lives in the war. Meanwhile, in the northern and eastern regions of Sri Lanka, Tamils commemorating the victims of the Mullivaikkal massacre were subjected to intimidation, physical attacks, and arrests (Lanka Files, 2024).

4.5. Police fired tear gas and water at a protest of the university's non-academic staff

The Police Media Division said that on May 13, they used water cannons to disperse a group of university non-academic employees who were protesting (Withanage, 2024).

Since May 02, an indefinite strike has been carried out by approximately 13,000 non-academic staff members across the country's 17 state universities. Their primary demands include a 25 per cent augmentation in the monthly compensation allowance (MCA) and a 15 per cent salary hike to rectify existing 'salary anomalies' (Wasantha, 2024).

The protest on May 12, organised by the NATUC¹⁵, a coalition of various trade unions, took place close to a junction on the road leading to the parliament. More than 200 non-academic staff members from the Colombo, Sri Jayawardenepura, and Open universities participated in the demonstration organised by NATUC to push the government to meet their requests (Wasantha, 2024).

The court order obtained by the police authorised them to cease the NATUC's demonstration, resulting in the deployment of more than 100 riot police officers near the intersection. Additionally, the non-academic workers were instructed to disperse without delay. The police resorted to using high-pressure water cannons after the workers disregarded the court order. Several employees suffered eye injuries due to the utilisation of contaminated water in the high-velocity water cannons (Wasantha, 2024).

The leadership of NATUC had informed its members earlier that Education Minister Susil Premajayantha had given assurance to submit a cabinet paper on May 12 containing suggestions to address the demands of the workers. The minister's proposals were not approved by the cabinet; instead, they were forwarded to the state treasury for its recommendation. President Wickremesinghe, who also serves as the finance minister of Sri Lanka, oversees the management of the Treasury. Before the demonstration scheduled for May 12, Wickremesinghe informed the parliament that there would be no salary increases for government employees in Sri Lanka, which includes non-academic staff (Wasantha, 2024).

¹⁵ Non-Academic Trade Union Collective.

5. Repression of State Officials

5.1. After MP Ali Sabri's threat to Puttalam Provincial Secretary, the office goes on strike



MP Ali Sabri Rahim threatening the Puttalam Divisional Secretary Sampath Weerasekera. Photo Courtesy: Ada Derana Youtube Channel.

On the 26th, Puttalam Divisional Secretary Sampath Weerasekera complained to his superiors after investigating an incident involving the unlawful occupation of government-owned land on the Old Mannar Road in Puttalam. During his investigation, he also faced intimidation from MP Ali Sabri Raheem (Jayasinghe, 2024).

On the 27th, the Puttalam Divisional Secretariat staff went on strike to protest against MP Ali Sabri Rahim threatening Puttalam Divisional Secretary Sampath Weerasekera (Gamage, 2024).

5.2. Death threats to Kantale Magistrate

The Kantale Police has obtained a statement from a Kantale Agrabodhi National School teacher regarding the alleged threat made to the Kantale Magistrate through phone calls. This statement was obtained after an analysis of phone data regarding a threat allegedly made by a teacher impersonating the principal of Agrabodhi National School (Gamage, 2024).

It was later revealed that this teacher is the husband of a lawyer who works at the Kantale Magistrate's Court (Gamage, 2024).

6. Repressive Legal and Policy Action

6.1. The bill to temporarily suspend the Parate law¹⁶ up for debate

The Recovery of Loans by Banks (Special Provisions) (Amendment) bill which was amended to facilitate legal provisions for the suspension of Parate Law till 15 December 2024, passed in parliament without amendments. The Bill endeavours to amend the Recovery of Loans by Banks (Special Provisions) Act No 4 of 1990¹⁷ (Daily Feature, 2024).

Meanwhile, Ranjan Senanayake, General Secretary of Ceylon Bank Employees Union, also told BBC Sinhala News that the suspension of Parate Law may create a risk of collapse of Sri Lanka's banking system. He further said that they accept that there are people who are unable to pay their debts. It is important to provide some relief for them. However, the suspension of the Parate law will result in the benefit of a few large-scale businessmen who have not paid their debts (BBC News Sinhala, 2024).

6.2. Armed forces are being called up to maintain the Public Security Ordinance

Speaker Mahinda Yapa Abeywardena informed the Parliament that the President issued a special order¹⁸ to call the armed forces for the security of the country. The President has taken this decision according to the powers assigned by Section 12 of the Public Security Act which is the 40th authority.

6.3. Gazette issued making some public services essential

By the powers vested in terms of section 2 of the Essential Public Services Act, No. 61 of 1979, President Ranil Wickremesinghe ordered¹⁹ 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.

¹⁶ After mortgaging a property to the bank and obtaining a loan, if you are unable to pay the loan amount and the related interest amount within the initially agreed time period, the bank has been given the authority to collect the loan without judicial process when you continue to default in paying the loan amount to the bank. According to the decision of the board of directors of the bank, the practice of selling the property mortgaged to the bank by a person at a public auction and collecting the loan and interest can be simply called Parate law.

¹⁷ The Bill aims to give legal effect to the following.

Clause 2: This clause amends the Recovery of Loans by Banks (Special Provisions) Act, No. 4 of 1990 by inserting immediately after section 4 of that Act, new section 4A and the legal effect as amended is to suspend, the selling of any property mortgaged to the bank as security for any loan in respect of which default has been made, by public auction during the period commencing on the date of commencement of section 4A and ending on 15 December, 2024."

¹⁸ chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/http://www.documents.gov.lk/files/egz/2024/5/2385-17_E.pdf

¹⁹ chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/http://www.documents.gov.lk/files/egz/2024/5/2385-11_E.pdf

7. Other

7.1. Social media activist Saliya Ranawaka receives summon notice

Under the Online Safety Act, Colombo Chief Magistrate Thilina Gamage issued a conditional order on March 15th, prohibiting a YouTube channel²⁰ from disseminating and publishing any derogatory content about Lieutenant General Vikum Liyanage, the commander of the Army (Shantha, 2024). The defendants were also ordered to immediately remove the defamatory and hateful prohibited statements currently uploaded (Thushara, 2024).

Citing Sections 24 (1) and 24 (2) of the Online Safety Act, No. 9 of 2024, Chief Magistrate Thilina Gamage granted the conditional ruling in favour of the Army Commander. The respondents, Lanka V News-YouTube Channel and its owner, Thushara Saliya Ranawaka, are directed by the order (Shantha, 2024).

7.2. Police summoned the individual who has raised his voice at the BIA²¹ against the Indian VFS process

On the 6th, lawyer Sadaru Kumarasinghe was summoned to the airport police for expressing his views against the assignment of issuing visas and charging money to the Indian Global VFS company at the BIA. He had come to the Katunayake Airport police along with a group of lawyers and he came out of the place an hour and 40 minutes after giving his statement (Kapila, 2024).

7.3. State Minister of Finance Shehan Semasinghe receives death threats

State Finance Minister Shehan Semasinghe received a threat of being killed and set on fire, and subsequently, Fort police opened an investigation into the threat (Daily News, 2024). The threats were reportedly received via a phone call at the State Minister's office on the afternoon of the 15th (Lanka News Web, 2024).

The anonymous caller threatened that Semasinghe would not be permitted to contest in the upcoming elections and warned of assassination if the threats were ignored (Lanka News Web, 2024). The State Minister's office claimed that nine minutes later another call threatening the State Minister had reached the office (Daily News, 2024).

The media division of State Minister Semasinghe said that a complaint was filed with the Colombo Fort Police in response to the threats, which led to the start of an inquiry (Lanka News Web, 2024).

7.4. A resolution in parliament to postpone elections for another two years

UNP²² General Secretary Palitha Range Bandara said on the 28th that it has become an essential matter to pass a resolution in Parliament postponing the election for another two years (Weeraratne, 2024). He further highlighted that the economy of the country is now being brought to a certain place and in order to build the country, the current process should be continued without wasting time. At this moment, it is necessary for the journey of restructuring the country's debt to obtain concessions from the International Monetary Fund and develop international investments and relations (Deshapriya, 2024).

²⁰ <https://www.youtube.com/@lankaunewsofficial/>

²¹ Bandaranaike International Airport.

²² United National Party.

7.5. The distribution of 3400 million public money through informal community committees

Election monitoring body PAFFREL²³ wrote a letter to the Election Commission questioning the decision taken by the Ranil Wickremesinghe government to distribute nearly 15 billion rupees through informal and political mechanisms for rapid development activities (Sri Lanka Brief, 2024).

In this letter addressed to EC Chairperson R.M.A.L. Ratnayake, PAFFREL Executive Director Rohana Hettiarachchi pointed out that even though the LG election has been postponed indefinitely, the election has not been cancelled, meaning that the pre-election laws are still in effect (Samaraweera, 2024). He further elaborated that the government has allocated 10 million LKR for each local government area for development activities. The funds will be used at the discretion of the governor of the province. Since the governor is the president's direct envoy, it is clear that this effort is intended to influence the election (Kuruwita, 2024). He highlighted a circular bearing number MF/02/2023 allegedly issued by the Ministry of Finance, Economic Stabilisation and National Policies, instructing District Secretaries to finalise all development projects slated for completion in 2024 under the Decentralised Budget Programme 2024 by 31 July (Samaraweera, 2024). According to Hettiarachchi, the circular implies that projects that were once supposed to take a year to complete should now be finished in seven months. This would enable the ruling party to take credit for the developments before the anticipated announcement of the presidential election in August (Samaraweera, 2024).

PAFFREL pointed out in the letter that politicians are actively involved in government subsidy programs that include the distribution of land, rice, housing, and job applications. The letter also called the Election Commission's attention to these programs. He remarked that it appears that these actions are also directed toward upcoming elections. He went on to say that although they are not against welfare programs being carried out, particularly during hard times, or development projects being carried out with funds allocated by the government according to its policies, they are against their design being used to advance political parties and candidates (Samaraweera, 2024).

The executive director of PAFFREL stated that the administration utilised the nation's severe economic crisis as an excuse to postpone local government elections indefinitely. But, he added, the government has enough cash on hand to buy off voters ahead of the election (Kuruwita, 2024).

7.6. Injunction against the Chairman of the Cricket Board

The accused chairman, who has illegally suspended the complainant's service, has illegally and arbitrarily initiated a disciplinary inquiry against the complainant, who revealed in a press conference that there is corruption and irregularities in the Cricket Board (Thushara, 2024).

The plaintiff requested the Colombo Chief District Court to issue an injunction preventing the said disciplinary inquiry. The District Judge considered the facts of the complaint and issued an order preventing the conduct of the disciplinary inquiry (Thushara, 2024).

²³ People's Action for Free and Fair Elections.

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