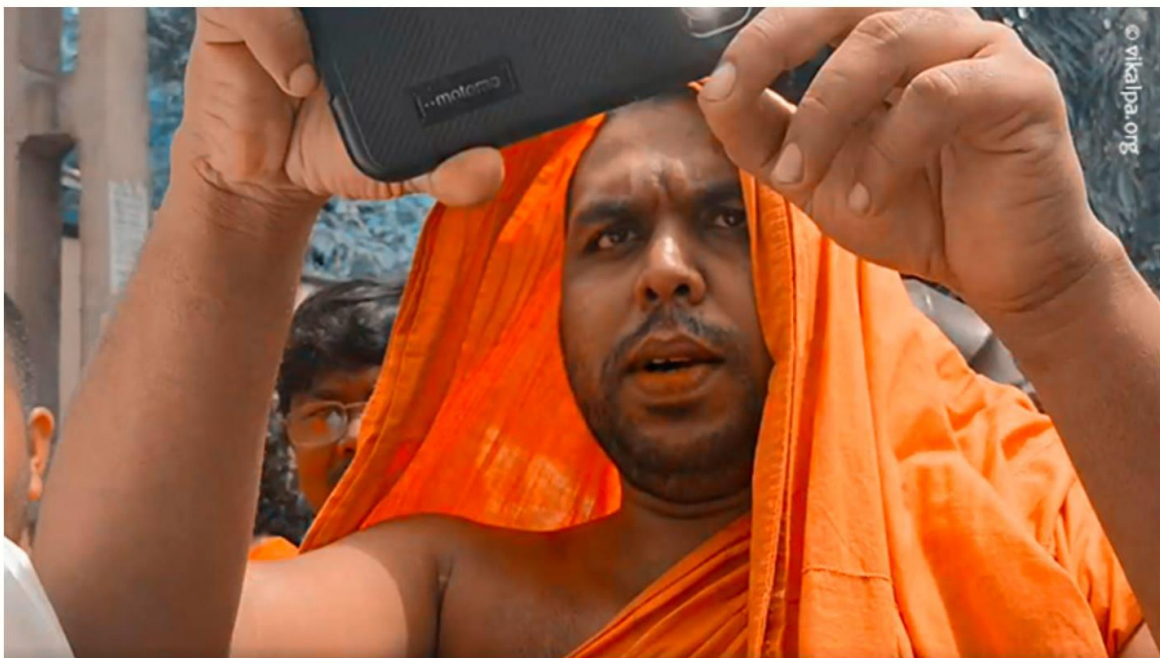


Repression of Dissent in Sri Lanka

April – June 2018



(Image- the Buddhist monk photographed Vikalpa journalist Ishara Danasekara while covering a court case on 14th June, 2018 Photo courtesy-Vikalpa)

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Issues Covered

- A. Obstacles and threats to Tamil activists in North and East**
- B. Threats and obstructions against Media**
- C. Threats and intimidations related to campaigns on disappearances**
- D. Other forms of threats and intimidations**

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

Contents

Methodology	3
Executive Summary	3
A. Obstacles and threats to Tamil activists in North and East.....	4
1. Activist threatened by Railway department staff for trying to protect victim of sexual harassment.....	4
2. Police photographing of protesters in Jaffna	5
3. Fishermen threatened by Navy intelligence.....	5
4. Ban on constructing Mullivaikkal memorial in Jaffna Universty	5
5. Local Tamil activists summoned to TID	6
B. Attacks, threats and intimidations Media.....	7
6. President warns of a ban on Social Media	7
7. Journalist attacked in Jaffna.....	8
8. Journalists photographed by military in Mullativu	8
9. Journalists interrogated by military intelligence in Mullaitivu.....	8
10. Journalist threatened in Jaffna.....	8
11. Arpico Finance company staff threatens journalist.....	8
12. Journalist summoned to the Criminal Investigation Department (CID) in Colombo	9
13. Buddhist monks threaten female journalist in Colombo.....	9
C. Threats and intimidations related to campaigns on disappearances	11
14. Lawyer appearing for families of disappeared reports death threats	11
15. Death threats and hate speech against wife of disappeared journalist Sandya Eknaligoda .	12
16. Police harassment of Tamils protesting disappearances in Batticaloa.....	12
17. Disruption of an event by families of disappeared at the UN in Geneva.....	13
D. Other forms of threats and intimidations	14
18. Whist blower Indian investor received death threats	14

Methodology

This report provides general trends and details of some significant incidents related to repression of dissent in Sri Lanka from April to June 2018. Executive summary describes context and analyses the trends and some common findings including government and other related parties behaviour on the topic. Then, 18 specific incidents are described under 4 topics. Incidents reported to INFORM, observations and experience of INFORM staff and media have served as sources of information to the report.

Executive Summary

After the completion of 365 days of continued protests by Tamil families of disappeared in the North and East and commencement of consultation meetings by the Office of the Missing Persons, disappearances continued to be a controversial human rights issue. During the period, protesting families faced obstacles from police in the East and an event at the UN building in Geneva where some Tamil families of disappeared were speaking, were disrupted. The wife of a disappeared journalist was at receiving end of death threats and hate speech attacks, when a Buddhist Monk was convicted for having threatened her in court premises in 2016. A lawyer appearing for families of disappeared in a court case where navy officers have been arrested, also reported about threatening phone calls.

Journalists also continued to face attacks, threats and harassments. In the North, four Tamil journalists were subjected to physical attacks, threats, interrogation and intimidation. Another Northern journalist reported being threatened by staff of a private company for coverage of a protest. A Colombo based journalist was summoned for questioning by Police for retweeting a tweet and the summons was withdrawn after it received wide publicity. Another Colombo based journalist reported harassment and threats outside court premises. President Sirisena publicly warned about a social media ban.

In an incident that went viral, a Railway department staff was caught on video engaging in racial abuse against Tamils while on duty. He had been accused of sexually harassing a Tamil woman and threatening a Tamil journalist / activist who had tried to intervene. Both victims were made to wait around 5 hours before Police took down their complaints.

Intimidation of protesters by taking photos continued during the period, by Police as well as security staff of the Indian Consulate in Jaffna, when a protest against killing of civilians in Thoothukodi, Tamilnadu, India was held outside the Consulate. The construction of a memorial for Tamils killed in the war was stopped, while a political / trade union activist was summoned for questioning in relation to remembrance events for war dead.

An Indian investor who had complained about senior Presidential staff and Chairman of a state corporation taking bribes, had complained to the Police about receiving death threats.

Overall, what was seen was regular repression of dissent, in different parts of the country, by police, government officials and private persons against journalists and activists reporting and campaigning on a range of issues such as disappearances, corruption, livelihood, and sexual harassment.

A. Obstacles and threats to Tamil activists in North and East

Tamil activists in North and East continue to face obstructions, threats, intimidation and surveillance in more intense and regular way than those in the rest of the country. Freedom of expression and assembly rights are frequently infringed on. Below are examples of reprisals activists faced when combatting sexual harassment, livelihoods, remembrances of war dead and a solidarity protest of killings in India.

1. Activist threatened by Railway department staff for trying to protect victim of sexual harassment



*Suspected ticket inspector threatening and making racist comments about the activist and the woman –
Photo courtesy - <http://www.jdslanka.org>)*

A ticket inspector of Sri Lankan Railway Department was reported to have sexually harassed a woman and subjected her to racial abuse on a train bound to Jaffna. When an activist / journalist on the train had intervened, the Railway staffer had choked him by gripping his shirt collar and become more aggressive and abusive. The next day, when they tried to lodge a complaint at the Jaffna Police station, they were made to five hours, citing lack of Tamil speaking police officer, though Jaffna is a city where the majority is Tamil speaking. The complaint had reported to have been only accepted after a Tamil Minister had personally intervened with a senior police officer^{1 2}.

¹ <https://twitter.com/uthayashalin/status/993460135488995328> (Last Accessed on 5th of July)

² <http://www.jdslanka.org/index.php/news-features/human-rights/775-tamils-forced-to-wait-half-a-day-to-lodge-complaint-on-sexual-abuse> (Last Accessed on 5th of August)

2. Police photographing of protesters in Jaffna



(Image- One police officer is photographing protesters, Picture Courtesy- Tamil Guardian)

Protesters who were engaged in a protest in front of Consulate General office of India, in Jaffna on 1st June against shooting of civilians in Thoothukodi, Tamilnadu, India, claimed that they had been photographed unnecessarily by Sri Lankan Police and security guards of Consulate General office³.

3. Fishermen threatened by Navy intelligence

Group of Fishermen of Vadamarachchi said that, they had been threatened by Navy intelligence officers because of a protest which had been held by them on 27th of May against farming of sea cucumbers. The farming has been done on the coasts of Thalayadi, Maruthankerny and Sembianpattu by seasonal fishermen from North Western Province and the protesters said that due to this, their livelihood had being badly affected. Organizers of the protest had claimed they received death threats and threatening telephone calls from Navy intelligence officers, who had also threatened them with abductions and asking if the protestors had a wish to “see the 4th floor”, the floor of the CID (Criminal Investigation Department) notorious for torture of detainees⁴.

4. Ban on constructing Mullivaikkal memorial in Jaffna University

University Grant Commission and Higher Education Ministry was reported to have imposed a ban on constructing a Mullivaikkal (village where the war ended, with many deaths) memorial in Jaffna

³ <https://www.tamilguardian.com/content/sri-lankan-police-photograph-tamils-demonstrating-against-thoothukodi-shootings> (Last Accessed on 5th August)

⁴ <https://www.tamilguardian.com/content/vadamarachchi-fishermen-threatened-sri-lanka-navy-intelligence-after-protest> (Last Accessed on 1st of August)

B. Attacks, threats and intimidations Media

Threatens and intimidations and attacks against journalists continued, with at least 5 incidents reported from the North, mostly attributed to the military. Two incidents were also reported from around Colombo, with one of these coming from the extremist group Bodu Bala Sena (Buddhist Power Force). In the other case, a well-known journalist was summoned by the Criminal Investigation Department (CID), but the summons were withdrawn after it received wide publicity. The President also made a public threat to ban social media if they were having negative effect. Below are few examples for attacks, threats and intimidations on journalists and media.

6. President warns of a ban on Social Media



(Image- President Maithripala Sirisena, Picture Courtesy- <https://www.onlanka.com/>)

President Mithripala Sirisena was quoted media as saying that he is ready to ban some social media sites if social media were to harm national security, ethnic harmony and integrity of a family. The President had further told that he has already discussed with an American company about controlling and banning social media and he would take steps to control misusing of social media irrespective of whoever opposed^{7 8}.

⁷ <http://www.dailymirror.lk/article/I-was-the-most-affected-social-media-victim-President-150689.html> (Last Accessed on 31st of July)

⁸ <http://www.dailymirror.lk/article/Social-media-put-on-red-alert-151009.html> (Last Accessed on 31st of July)

7. Journalist attacked in Jaffna

A regional journalist Selvarajah Rajendram of the newspaper “Kaalai Kathir” was reported to have been attacked in Kolumputhurai, Jaffna by masked men on motorbikes with swords on 28th May around 4am. The victim is 56 years old father of three children and works as a circulation manager of the newspaper too. After the attack, the journalist was admitted to the Jaffna Teaching Hospital with critical injuries and the police had started investigations⁹.

8. Journalists photographed by military in Mullaitivu

A group of journalists who were reporting on continuous land grabbing in Mullaitivu were reported to have been photographed by plain clothed military persons on 24th of May. The journalists had travelled to Ottisuddaan, Mullaitivu with a local politician of the area, who had held a meeting with military officials on issues of land grabbing¹⁰.

9. Journalists interrogated by military intelligence in Mullaitivu

A group of journalists who were reporting on protest which was conducting by families of disappeared in Mullaitivu were interrogated by plain clothed military persons on 18th of June. As tweeted by one of journalist, they had been approached and interrogated by seven military intelligence personnel who had stood around menacingly and photographed them¹¹.

10. Journalist threatened in Jaffna

Vasantharupan, Tamil journalist was reported to have been threatened in Jaffna. Unidentified person who covered his face by mask, pointed out a pistol and threatened the journalist to remove an article which was written by him to a website¹².

11. Arpico Finance company staff threatens journalist

Northern freelance journalist Kanapathipillai Kumanan, was reported to have been threatened with death by the manager of the Arpico Finance company, who is also a local politician for publishing the story about a protest by hundreds of women in the northeastern district of Mullaitivu urging micro-finance companies to write off their debts. The march was part of a north-wide protest against unbearable debts that has led to several deaths. Journalist Kumanan had reported how officials of the Arpico Finance Company were filming the indebted protesters in an intimidating manner¹³.

⁹ <https://www.tamilguardian.com/content/journalist-attacked-sword-jaffna> (Last Accessed on 9th of July)

¹⁰ <https://www.tamilguardian.com/content/military-photograph-journalists-reporting-mullaitivu-land-grabs> (Last Accessed on 12th of July)

¹¹ <https://mobile.twitter.com/uthayashalin/status/1008771592023732224> (Last Accessed on 28th of July)

¹² <https://mobile.twitter.com/TamilGuardian/status/1008255058088210432> (Last Accessed on 31st of July)

¹³ <http://www.jdslanka.org/index.php/news-features/media/786-srilanka-journalists-intimidated> (Last Accessed on 5th August)

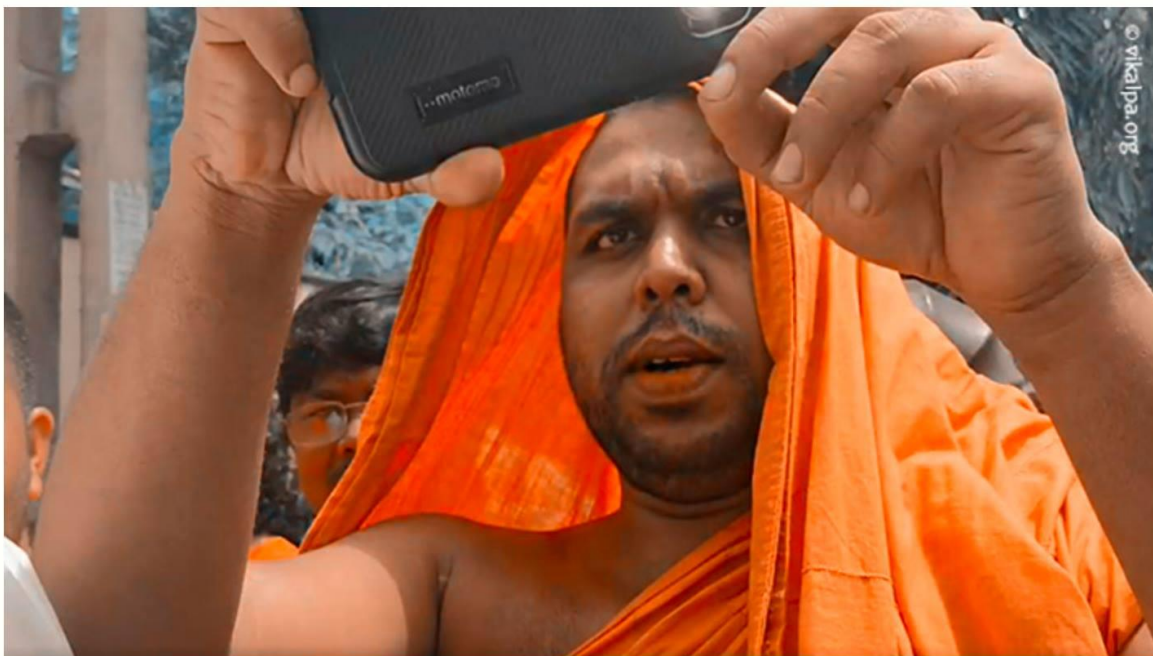
12. Journalist summoned to the Criminal Investigation Department (CID) in Colombo



(Image- Azzam Ameen interviewing the President in January 2016 Photo Courtesy- BBC Sinhala)

BBC journalist Azzam Ameen was summoned by the Criminal Investigation Department on 9th of May to appear before the CID next day to record a statement. Ameen has been summoned to be questioned on his retweet of a tweet from the President’s media division twitter account, The Presidential media division had subsequently removed the tweet and issued a clarification¹⁴.

13. Buddhist monks threaten female journalist in Colombo



(Image- the Buddhist monk photographed Vikalpa journalist Ishara Danasekara while covering a court case on 14th June, 2018 Photo courtesy-Ishara Ishara Danasekara)

Ishara Danasekara, the co-editor of vikalpa.org was harassed by group of Buddhist monks outside the Homagama Court premises on June 14th. The monks were identified as members and supporters of

¹⁴ <http://colombogazette.com/2018/05/09/cid-summons-bbc-journalist-azzam-ameen-over-tweet/> (Last Accessed on 9th of July)

Bodu Bala Sena (BBS - Buddhist Power Brigade) had and they had threatened and harassed the journalist while she was positioning herself to photograph the leader of BBS Galaboda-aththe Gnanasara, as he was about to be taken to prison after being convicted for threatening the wife of disappeared journalist inside court premises. Ishara was amongst many other journalists waiting to photograph the convicted Monk, but she had been targeted as she had been identified as being sympathetic to the victim, Sandya Ekneligoda. “I was threatened & harrassed today when covering the story for @vikalpavoices outside the Homagama MC by thug monk supporters of Ganasara,” tweeted Ishara Danasekara with footage of another monk taking a photograph^{15 16}.

¹⁵ <http://www.jdslanka.org/index.php/news-features/media/786-srilanka-journalists-intimidated> (Last Accessed on 5th August)

¹⁶ <https://twitter.com/IsharaDanasekar/status/1007196351463972865> (Last Accessed on 6th September)

C. Threats and intimidations related to campaigns on disappearances

Campaigns against disappearances, whether they are court cases, street protests or meeting at the UN in Geneva, generated anger amongst some parties, especially when the suspects / accused are from the military.

14. Lawyer appearing for families of disappeared reports death threats



(Image –Lawyer Achala Senevirathne(R) is addressing the media in front of Colombo Fort Magistrate Court premises with a mother of a disappeared person by her side, Photo Courtesy- www.srilankamirror.com)

Female lawyer Achala Senevirathne, who has been appearing for 11 persons who were abducted in Colombo and suburbs under the previous government, had told media that there has been threatening phone calls, about which there is an inquiry by courts. Ten Sri Lankan Navy officers are accused in this case and Colombo Fort Magistrate Court has been conducting preliminary hearings the missing of 11 civilians¹⁷.

¹⁷ <https://www.srilankamirror.com/news/8333-lawyer-for-missing-persons-receives-threatening-calls-video> (Last Accessed on 13th of July)

15. Death threats and hate speech against wife of disappeared journalist Sandya Eknaligoda



(Image- Speaking at a press conference Sandya Eknaligoda told that a social media campaign to discredit and threaten her is led by a Buddhist monk Ulapane Sumangala Thero. Photograph – Hiru Tv)

Sandya Eknaligoda, wife of disappeared journalist Prageeth Eknaligoda, has received continuous death threats and abuses through social media after the sentencing of a monk to six months rigorous imprisonment for criminally intimidating her. Sandya had complained to the Criminal Investigation Department (CID) of the Police and told media she was also planning to complain to the Telecommunication Regulatory Commission of Sri Lanka, as several threats and harassments had come through the social media. Sandya had won national and international acclaim for her struggles to seek truth and justice for Prageeth's disappearance^{18 19}.

16. Police harassment of Tamils protesting disappearances in Batticaloa

Sri Lankan police officers were reported to have attempted to stop families of the disappeared protesting against the Sri Lankan President's May Day event in Batticaloa on 7th May 2018. But the families went ahead with the protest and condemned the government's failure to provide answers for the tens of thousands who remain unaccounted for and criticized the Office on Missing Persons (OMP) as a mechanism of provide accountability²⁰.

¹⁸ <https://www.ucanews.com/news/wife-of-missing-sri-lankan-journalist-gets-death-threats/82657> (Last Accessed on 14th of July)

¹⁹ <http://www.ifj.org/nc/news-single-view/backpid/1/article/wife-of-missing-sri-lankan-journalist-receives-threats/> (Last Accessed on 14th of July)

²⁰ <https://www.tamilguardian.com/content/police-harass-tamils-protesting-against-sirisenas-may-day-rally-batticaloa> (Last Accessed on 4th of July)



(Image- Police officers are trying to top the protest, Photo Courtesy-Tamil Guardian)

17. Disruption of an event by families of disappeared at the UN in Geneva

On 25th June, a group of Sinhalese speaking persons disrupted a “side event” at the United Nations building in Geneva, where several Tamil families of disappeared were speakers and film about alleged war crimes in Sri Lanka was screened. One speaker said she suspects them to be persons with military connections, as ordinary Sinhalese wouldn’t do this type of things. After the disruption, the family members remained at the head table and one fainted. UN security had to intervene and escorted the disrupters out of the building and also facilitated medical assistance for the person who fainted.

Sources: Eyewitness and victim testimonies to INFORM

D. Other forms of threats and intimidations

18. Whistleblower Indian investor received death threats



(Image- Arrested offices were taken to remand by prison officers, Picture courtesy-www.dailynews.lk)

An Indian investor who had complained that President Maithripala Sirisena's Chief of Staff, I. K. Mahanama and Chairman of State Timber Corporation P. Dissanayake, had allegedly taken a bribe from him, has informed Police that he has been receiving death threats. An unidentified person had visited the Indian businessman's office, in Colombo 7, given his receptionist a two-page letter, threatening him with death and also threatened the receptionist²¹.

²¹ http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=184374 (Last accessed 5th August)