

Repression of Dissent in Sri Lanka

July – September 2015



The Signature campaign calling for an international accountability mechanism for accountability issues in Sri Lanka came under continuous harassment by the police; A Tamil Catholic Bishop signing the petition (photo Gajen Ponnambalam tweet)

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Issues Covered

- A. Death Threat to Human Rights Defender (HRD)
- B. Violations of Freedom of Expression
- C. Violations of Freedom of Assembly

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

Summary:

The three month period was marked by two significant events – the Parliamentary elections held on 17th August and the events related to Sri Lanka at the 30th session of the UN Human Rights Council in Geneva in September – October 2015.

At the elections, the defeat of former President Rajapakse and his allies was re-established when the United National Party led alliance swept into power. This was widely recognised as stepping stone to more democratic form of governance in the coming years.

The Centre for Monitoring Election Violence (CMEV) which INFORM is also part of, reported 856 election violence related incidents including 146 major incidents with 4 murders. At General elections held in 2010, total number of incidents reported was 414 incidents with 232 major incidents of election violence. The number of incidents reported is increased, though the major incidents of violence have been reduced. This context also needs to be recognized with the dynamics of a post-war society, where nationalist, racist ideologies were popularized with the censorship and sponsorship of the state under the previous regime. Though the regime has been changed, many of the politicians joined the hands with new national government.

The attention the shifted to Geneva – where the report of the Office of the High Commissioner for Human Rights (OHCHR) and the OHCHR Investigation on Sri Lanka (OISL) were released on 16th September, after having been deferred from March 2015, at the request of the new Sri Lankan government. The OHCHR and OISL reports highlighted widespread and systemic abuses by both parties to the conflict, continuing violations in 2015, widespread impunity and emphasized that despite positive changes in 2015, the Sri Lankan criminal justice system was incapable of ensuring accountability. Thus, a Special Hybrid Court with participation of international judges, prosecutors, lawyers and investigators was amongst the recommendations that was highlighted. A consensus resolution was adopted by the Human Rights Council, which the Sri Lankan government also co-sponsored. The resolution's tone appeared to appease the new Sri Lankan government and didn't give the same emphasis to serious allegations highlighted in the OHCHR – OISL reports. But the resolution contained some significant commitments by the Sri Lankan government towards human rights protection, even though the key OHCHR recommendation of establishment of a Special Hybrid Court was left in ambiguity.

As has been the trend, incidents of repression of dissent continued to be reported, especially from the Northern part of the country. But the number of incidents and the intensity was much less than in 2014 and years before. The period also saw some significant breakthroughs and arrests in relation to disappearance of journalist and cartoonist Prageeth Ekneligoda, with several military personnel being arrested. However, there was no progress in investigations, prosecutions and convictions for most cases of repression of dissent in last few years.

A. Death Threats to Human Rights Defender (HRD)

1. Tamil Woman HRD threatened with death and rape



Thavapalan Piriayatharsini

47-year-old Thavapalan Piriayatharsini, who is the head of Women Development Society at Theaththaa-vaadi, a village situated near Iluppaik-kadavai in Maanthai West division of the Mannar district, had said that she and her three daughters have been subjected to death threats by an unknown group. A group of unknown men, who came in a white van entered her house on 11th August and had warned 'rape and death' if she continued to give social leadership to the villagers.

<http://www.tamilnet.com/art.html?catid=13&artid=37886>

B. Violations of Freedom of Expression

2. Assault on Ceylon Teachers Union (CTU) President

The CTU has reported that its President, Mr. Priyantha Fernando, was attacked by an official attached to the Anuradhapura Regional Education office on 30th September 2015, when he went to attend a meeting there. CTU believes that this is due to its advocacy to formalize appointments in the Education Administrative Service.

(Based on letter of CTU to the Chief Secretary of the North Central Provincial Council on 30th September 2015)

3. Journalists attacked

Photo journalists who were taking photographs of distorted national flags being displayed at a public meeting was assaulted by and kept in the custody of security guards of former president Mahinda Rajapaksa. Rajapaksa was to be the main speaker of the meeting. The cameras of the journalists too were taken away by the security guards. Journalists and their cameras were released only after those flags were removed by the organisers. This incident happened on 27th July 2015.

http://www.lankadeepa.lk/index.php/top_story/335695

C. Violations of Freedom of Assembly

4. Sri Lanka police stops signature campaign in Trincomalee



Signature campaign went on despite the intimidations (Tamil Guardian photo)

On 7th September 2015 Sri Lankan Police in Trincomalee called on the organisers of a signature campaign calling for an international accountability mechanism to deal with mass atrocities committed during the final stages of Sri Lanka's armed ethnic conflict. The organisers of the campaign were asked by police to meet the Police Headquarters Inspector over reports that they were forcibly recruiting signatures in Trincomalee. The President of the Tamil National People's front tweeted that the demonstrations had been filmed by Sri Lanka's Police Media Unit, proving that no-one had been forced into signing signatures.

<http://www.tamilguardian.com/article.asp?articleid=15831>

5. Sri Lankan police in Jaffna attempted to halt signature campaign

On 5th September Sri Lankan Police officials have reportedly attempted to stop a signature campaign in Jaffna calling for an international accountability mechanism to examine mass atrocities committed during the final stages of Sri Lanka's armed conflict, where tens of thousands of Tamil civilians were alleged to have been killed. The President of the Tamil National People's

Front (TNP) Gajendrakumar Ponnambalam tweeted that Nallur police officials had subsequently arrived as signatures were being gathered and “ordered it to be stopped”.

<http://www.tamilguardian.com/article.asp?articleid=15804>



Gajen Ponnambalam

@GGPonnambalam



Following

Police are saying that we are forcing people to take part in the campaign. Great victory for democracy indeed.



Tweet from G, Ponnambalam on signature campaign in Jaffna