

Repression of Dissent in Sri Lanka

before and after the Presidential Election

1st July – 31st December 2019



Prof. Chandraguptha Thenuwara, who filed the writ petition against former defence secretary Gotabaya Rajapaksa's dual citizenship giving an interview to media agencies regarding the threats he received. (Courtesy Daily Mirror - http://www.dailymirror.lk/breaking_news/Gotas-dual-citizenship-Petitioners-facing-death-threats/108-175809)

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Repression of Dissent in Sri Lanka 1st July – 31st December 2019

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Colombo, Sri Lanka

Issues covered

- A. Repression of dissent during election**
- B. Repression of journalists and Media**
- C. Attacks and restrictions on protestors**
- D. Repression of Activists in North and East**
- E. Institutional and legal changes**
- F. Other**

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

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I. Methodology

This report provides some general trends and details of some significant incidents related to the repression of dissent in Sri Lanka from 1st July to 31st of December 2019. Differing from our previous reports, this report focuses on the human rights trends in Sri Lanka before and after the Presidential election held on 16th November 2019. However, the period after the election considered in this report was only limited to 45 days (1/3 of the time period), while period before election is 137 days (2/3 of the time period).

Section I: methodology describes the methodology and the overall structure of the report.

Section II: Executive Summary describes the context of these trends and analyses the incidents and some common findings regarding state and other related parties' conduct.

Section III: coverage of incidents presents a statistical analysis on geographical spread of the incidents, gender of the victims, categories of repression, and victims etc.

Section IV: List of incidents include the running roster of incidents.

The narrative section describes the incidents in presented in the section IV. It is organized under six major themes. (A) Repression of dissent during election (B) Repression of journalists and Media, (C) Attacks and restrictions on protestors, (D) Repression of Activists in North and East, (E) Institutional and legal changes and (F) Other incidents contribute to repression of dissent. Under each theme, incidents are described in detail, separately before and after elections. For the statistical analysis, the violations on the election day were also considered as incidents before election.

This report was prepared mainly based on the information reported in mainstream and social media, however in few cases information was gathered from direct interviews, or discussions INFORM staff had with organizations and survivors. INFORM has not verified the information in majority of the incidents. They are based on media and social media sources and what victims have told to INFORM.

Incidents of repression mentioned in this report include both actual threats such as arrests, investigations of Human rights defenders (HRDs) etc. and potential threats such as new repressive laws which may have a negative impact on freedoms and security of HRDs in the future.

In this report, “dissent” is broadly defined to include acts of protest, resistance, defiance, challenge against, or attempt to record rights violations, social injustice at the hands of state or non-state apparatus, including police, armed forces, religious groups, and politicians among others. “Repression” is defined as any attempt by the above state or non-state actors to suppress the above acts of dissent. Any rhetoric decrying human rights has also been considered as repression of dissent because of its potential to erode rights.

II. Executive Summary

i. Context

When the tensions created by Easter Sunday bombings in April 2019 were slowly being reduced, the emergency regulations were also partially lifted. Then elections were formally announced on 18th September, making Presidential election becoming the major focus of public discourse during this entire period. Since the Easter Sunday Bomb attacks in Sri Lanka, there was an increased discussion on national security, and fear of terrorism which became the key topic in many political debates during this period.

There were two major candidates among 35 total number candidates contested in this election: Gotabaya Rajapaksa who represented Podujana Party (SLPP) and Sajith Premadasa who represented United National Party (UNP). Sajith Premadasa was the son of late President Ranasinghe Premadasa who was assassinated by the LTTE in 1993. Gotabaya Rajapaksa was the former Defence Secretary and the brother of former President Mahinda Rajapakse, who has been accused of crimes against humanity during the war, who also received lot of popularity among Sinhalese for ending the war. Presidential Election was held on 16th November; Candidate Gotabaya Rajapaksa won the election and sworn as the 7th Executive President of Sri Lanka on 18th November 2019. In his sworn in ceremony speech, President Gotabaya Rajapakse noted that most of the support he received was from the Sinhala Buddhist majority, though he would like invite (ethnic) minorities to join with him.

Previously, when a journalist asked candidate Rajapakse (who later elected as the President) about alleged disappearances of LTTE cadres who surrendered to the Sri Lankan government forces, he refused such claims, and also told that he cannot recognize what UN have signed with past governments on accountability indirectly referring to UN Human Rights council resolution 30/1 on Promoting reconciliation, accountability and human rights in Sri Lanka. After he being appointed as the President, controversial appointments of Retired Major General Kamal Gunaratne and Priyanka Fernando steered debate on accountability and impunity¹.

Under the election law in Sri Lanka, one must be a Sri Lankan national either to become a voter or to be appointed as public representative in Sri Lanka. US citizenship of the candidate Gotabaya Rajapakse which he claimed to have renounced became a hot topic of public discussion. In September, a writ petition was filed by two civil society activists Gamini Viyangoda and Prof. Chandraguptha Thenuwara in the Court of Appeal² seeking an Interim Order restraining candidate Gotabaya Rajapaksa from holding out or claiming that he is a citizen of Sri Lanka and from acting on the basis of the purported Dual Citizenship certificate³. This petition was dismissed by the Court of Appeal, and after the victory of Gotabaya Rajapakse two activists received death threats and were subjected to online hate speech.

¹ <https://itjpsl.com/assets/press/Kamal-Gunaratne-dossier-final-optimized.pdf>

² http://www.courtsofappeal.lk/index.php?option=com_phocadownload&view=category&download=6183:ca-writ-4252019-gamini-viyangoda-and-other-vs-rmpsb--rathnayake-controller-general-of-immigration-and-emigration-and-others-hon-yasantha-kodagoda-pcpca-j&id=116:56fgasdf&Itemid=138

³ <https://www.dailynews.lk/2019/11/14/law-order/202823/gota%E2%80%99s-citizenship-issue-ca-order-challenged-sc>

Two UN special rapporteurs also visited Sri Lanka before the elections. United Nations Special Rapporteur on Freedom of Religion, or belief visited Sri Lanka in August 2019⁴, while United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association also visited Sri Lanka in July⁵.

ii. Summary of incidents in the report

The emergency regulations were extended each month since the Easter Sunday bomb attacks in April, 2019 up to 22nd August. These emergency regulations restricted freedom of assembly, association, and many other rights and freedoms. Though these regulations were lifted on 22nd August, a new gazette notification was issued “calling out the members of the Armed Forces for the maintenance of public order” giving the military special powers. Newly appointed President Rajapakse also continued extending this order⁶.

Earlier, president Maithreepala Sirisena made public statements at least at two events saying that those stood against the implementation of death penalty as those who aid drug dealers. Meanwhile several persons accused of crimes related to the last phase of war were appointed to the key positions in the military both before and after Presidential election. NGO Secretariat which was previously under the Ministry of National Integration, Reconciliation and Official Languages was placed under the Ministry of Defence after the elections. This change has coincided with increased surveillance on NGOs and families of disappeared .

Repression of journalists and media workers was a major pattern observed in this period both before and after elections. 24 incidents relating to restrictions, threats, assaults and interrogation of journalists and media workers were reported. While 15 incidents reported before the Presidential election, 9 incidents were reported after the election.

The former President took over the state television Sri Lanka Rupavahni Corporation (SLRC) under the purview of Defense Ministry immediately before announcing the Presidential elections. A female journalist was arbitrarily arrested, assaulted by the Police and was released without any charges. Her home was stoned by mobs few days later. A minister threatened a journalist after he exposed alleged corruption in a development project. Another journalist was threatened with death by few local politicians inside the local council premises, after he reported about a clash between two local politicians. A journalist who exposed an illegal toddy trade was assaulted by a group of persons linked toddy businessmen and local politicians. Two media institutions and few journalists who supported defeated candidate were searched, and interrogated. In total, there were 8 incidents of journalists facing physical attacks, and 6 journalists, being interrogated by the Police, while one newspaper distributor was arrested.

⁴ Preliminary findings of Country Visit to Sri Lanka by the Special Rapporteur on freedom of religion or belief <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24918&LangID=E>

⁵ End of Mission Statement – United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association <https://lk.one.un.org/news/end-of-mission-statement-united-nations-special-rapporteur-on-the-rights-to-peaceful-assembly-and-association/>

⁶ <http://www.adaderana.lk/news/59227/gazette-issued-calling-on-armed-forces-to-maintain-public-order>

Category of incidents	Pre-Election	Post-Election	Sub Total
visits to offices	0	2	2
Questioning	3	2	5
verbal threats	2	0	2
physical attacks	3	5	8
institutional/legal/policy changes	1	0	1
Social media account blocks	4	0	4
arrests	1	0	1
Other incidents	1	0	1
Total	15	9	24

TABLE 1: REPRESSION FACED BY JOURNALISTS

Table 1 provides a breakdown of 24 incidents of repression against journalists before and after election. Out of the total 8 cases of physical attacks to journalists, 5 were reported during the post-election period. Also number of incidents per a day against journalists and media workers increased from 0.11 during pre-election, up to 0.20 incidents in the post-election period.

The pattern of alleged threats by Buddhist monks against those who dissent was evident before the election. The controversial Buddhist monk Galabodaththe Gnanasara who received presidential pardon in May, 2019 along with group of other Buddhist monks allegedly violated a court order, assaulted a lawyer and 2 others, and threatened the protesters in Mullaitivu. In another incident, Buddhist monks made complaints to the Inspector General of Police (IGP) against a minister who talked about alleged child sexual abuse in temples, and the minister was forced to seek pardon from the high priest of the order in Kandy. In another incident, a scientist who named 6 newly discovered geckoes after national heroes was criticized by an ultra-nationalist politician, and immediately a group of Buddhist monks complained to the IGP demanding legal action against the scientist for insulting the national heroes. In both of the last incidents they were also subjected to online hate speech campaigns. In the post-election period, a Buddhist monk linked to an extremist organization intimidated and threatened an interpreter of a foreign journalist with arrest for having different political views. In another incident, an extremist Buddhist monk in Batticaloa slapped a freelance evangelist church worker at a public place, which was exposed after a video of assault went viral⁷. However in general there was a decrease of violations committed by Buddhist monks after the election. In November 2019, the Bodu Bala Sena (BBS): the extremist, ultra-nationalist Buddhist organization accused of committing many violations against human rights defenders and responsible for popularizing islamophobia and allegedly attacking Muslims, issued a statement saying that they will dissolve their organization after general election in 2020 as their goal has been achieved after the appointment of new president⁸.

Attacks and restrictions on protesters were also reported as a pattern. 6 incidents of protests being attacked with tear gas and water cannons were reported before the election. 4 of them

⁷ <https://economynext.com/churches-urge-calm-after-videos-of-monk-attacking-christians-go-viral-47349/>

⁸ Bodu Bala Sena to disband after General Election <https://ceylontoday.lk/news-more/9237>

were organized by student activists mainly against the privatization of higher education. A protest by unemployed graduates on unequal employment opportunities in public sector, and a protest by civilians against the burial of the remains of the suicide bomber in Batticaloa were also attacked with water cannons and tear gas. An environmental activist (a Buddhist monk) was arrested after he protested against environmentally damaging plantation of a private company.

While no tear gas and water cannon attacks or any other attacks on protesters in the South were reported in the post-election period, 3 incidents of repression of protesters were reported from Northern Province after the election. An unknown group of hooligans attacked the villagers who were protesting against the environmental degradation and land disputes regarding a windmill project Chavakachcheri in Jaffna District⁹. During another protest against sand mining in Thottaveli village in Mannar district, Police had verbally threatened a catholic priest and other villagers while remembering them of the violence during the last stage of the war. In another protest organized by families of Disappeared held in Mullaitivu, the intelligence officers have photographed the protesters as a form of intimidation and surveillance.

Repression against the activists in North and East also continued in this period same as the previous years. An anti-disappearance activist in Ampara was summoned by Terrorist Investigation Division (TID) of Sri Lanka Police. Another anti-disappearance activist was pushed off from her motorcycle causing injury when she was travelling with her daughter. Stones were thrown at house of a family of a disappeared person in the East, who had been campaigning for truth and justice. The lawyers who appeared for a disappearance case were photographed inside the court premises without their consent, by a person accompanied by the Deputy Solicitor General. Few days later, the office of an NGO headed by a human rights activist and one of the lawyers who appeared in the previous case was visited and interrogated by the intelligence officers. INFORM was told by several NGOs in the North and East working on various Human Rights issues had their offices visited by the Intelligence officers in civil clothes, and details were asked about ongoing projects, funding, details of the staff, and how events were organized, and information about other organizations in the area. NGOs in North and East as well as some NGOs in Colombo have faced increasing surveillance after the Presidential election. Some NGO representatives were summoned to Colombo for questioning.

Among the other incidents reported, temporary blocking of facebook accounts belonging to several journalists, and political activists for several months beginning from Easter Sunday bomb attacks in April was a notable trend. However this trend did not continue until the election time.

While the election day was generally peaceful except several reported incidents of assaults, more than 20 incidents of violence have been reported in the post election period. However even during the pre-election period, there were systematic attempts to intimidate people of ethnic minorities and to prevent them from voting, and reprisals against ethnic minorities especially against estate Tamils during the post-election period. A large number of Internally displaced Muslims (IDP) had to travel around 180 Km to cast their votes. Two buses carrying IDPs going to vote were attacked during the wee hours of the election day. In addition there

⁹ <https://www.facebook.com/watch/?v=756425948195751>

were allegations that large numbers of registered voters belonging to ethnic minorities were selectively removed in few areas in Colombo. The traditional media and social media were largely biased towards either of two major political candidates, and politicians used ethnonationalism and anti-minority sentiments during their campaigns. While religious places were used to promote specific candidates, female Buddhist monks were prevented from voting as they have not been issued with national identity cards for number of years due to the opposition came from patriarchal Buddhist order.

iii. Progress on some significant cases

Shakthika Sathkumara: the writer who was detained for more than 4 months for writing a short story was granted bail by the High court of Kurunegala on 5th August 2019. Though he had been released on bail, case against him still continues at the magistrate court in Polgahawela, if proven guilty, he could be imprisoned up to 10 years.

Before the election, there was relatively increased attention of law enforcing authorities on several major crimes against journalists, human rights defenders and others which occurred during last regime. This may be due to the visits by UN special rapporteurs, and pressure of the election.

On 11th September 2019, at the Gampaha High Court, Attorney General filed indictments against 4 army officers relating to an incident occurred six years ago in which a group of army officers shot at the protesters during a demonstration demanding clean water, in Rathupaswala in Gampaha district killing three civilians and causing injuries to more than 30 individuals.

Two army officers were arrested in connection with the abduction of the journalist: Keith Noyar in July¹⁰ and August¹¹ separately.

In August 2019, Attorney General had instructed the acting IGP to expedite the conclusion of investigations relating to five high profile cases without further delay as the investigations of these cases had not been concluded so far despite the continuous reminders by the Attorney General¹². Accordingly acting IGP has asked Criminal investigation Department to submit six separate reports into the investigations of the Lasantha Wickrematunge murder case, Waseem Thajudeen murder inquiry, abduction of Keith Noyar, the disappearance of 11 Tamil youths, murders of 17 aid workers of Action against Hunger (ACF) in Muttur in 2006, and abduction of journalist Prageeth Ekneligoda. On 27th November, indictments were filed against 9 army officials regarding the disappearance of Prageeth Ekneligoda: a journalist who disappeared in 2010¹³.

Sandya Ekneligoda, a prominent female activist and wife of disappeared journalist Prageeth Ekneligoda, had told media that "some officers serving in the military intelligence are trying

¹⁰ Keith Noyar case - Intel. officer Lalith named a suspect. Daily Mirror. 9th July 2019

¹¹ http://www.dailymirror.lk/breaking_news/Keith-Noyar-case---Intel--officer-Lalith-named-a-suspect/108-170759

¹² <http://www.hirunews.lk/222783/cid-arrest-army-intelligence-officer-for-keith-noyar-abduction>

¹³ Acting IGP calls reports from CID on 6 high profile cases http://www.dailymirror.lk/print/front_page/Acting-IGP-calls-reports-from-CID-on-6-high-profile-cases/238-173056

¹³ http://www.dailymirror.lk/breaking_news/Prageeth-Ekneligoda-case-Nine-army-officials-indicted/108-178597

to destroy evidence and intimidate the witnesses¹⁴.” Meanwhile Ahimsa Wickramatunga, the daughter of assassinated journalist Lasantha Wickramatunga filed a lawsuit against Gotabaya Rajapaksa at the United States District Court for the Central District of California regarding his alleged involvement in the assassination of her father. However, the case was dismissed on the basis that Gotabaya is entitled to official immunity as the alleged acts were committed in his official capacity as the defence secretary of Sri Lanka.

¹⁴ <https://apnews.com/0414ced36fc11c25524aac7311f81c19> and <https://www.newsfirst.lk/2019/12/18/summons-served-to-witnesses-of-ekneligoda-case/>

III. Coverage of the Incidents

While in the narrative report includes the incidents under 76 topics, for the statistical analysis a total of 115 incidents were considered. This occurred as election violence related incidents discussed under common topics, 18 NGOs visited, inspected and questioned by intelligence forces, 6 social media profiles of journalists and activists which were blocked, 2 controversial appointments made in the post-election period were considered as separate incidents in the statistical analysis even though they have been reported under common topics in the narrative report. However when two or more people faced violations due to the same incident, they were considered as single incidents same as they are reported in the narrative report.

Type of violation	Number	Percentage
physical attacks	31	27.0%
visits to offices	21	18.3%
institutional/legal/policy changes	12	10.4%
verbal threats	12	10.4%
Questioning	7	6.1%
Facebook account blocks	6	5.2%
Tear gas and water cannon Attacks	6	5.2%
intimidation	5	4.3%
arrest	3	2.6%
other	12	10.4%
Total	115	100.0%

TABLE 2: TYPE OF VIOLATIONS

When looked at the above graph, the highest percentage 27% of incidents reported in relation to physical attacks excluding tear gas and water cannon attacks faced by protestors. Secondly 18% of the incidents were visits, inspection, and questioning of staff by the intelligence officers. This included 15 NGOs in the North and East and 4 NGOs in Colombo and 2 media institutions. While this has been a regular pattern in North and East, NGOs in Colombo faced this mainly in the post-election period.

There are 10% of incidents which are related to repressive institutional, legal or policy changes which contribute to increase of repression of dissent. There are also another 10% of the incidents are related to verbal threats. 6% of incidents each were related to questioning and interrogation of activists by Police and military, and blocking of facebook accounts of activists and journalists.

When looked at above details, physical attacks were the major trend. Subsequently we looked further into details of who faced physical attacks. Below graph shows the distribution of the physical attacks.

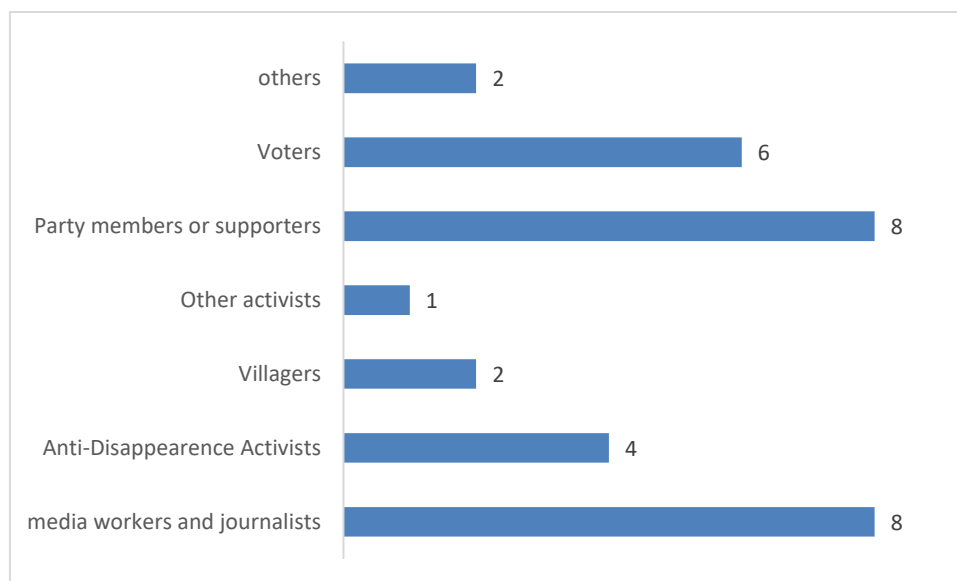


FIGURE 1: DISTRIBUTION OF PHYSICAL ATTACKS

The majority of the incidents relating to physical attacks were directly or indirectly related to election related violence where the party member, supporters, voters, journalists and human rights activists and their property were attacked. However this report only looks at selected incidents relating to election with a specific focus on repression of dissent. All the 6 incidents related to physical attacks on voters were relating to voters from ethnic minorities. There are 8 incidents of physical violence against media workers and journalists, while 4 incidents are relating to anti-disappearance activists, and 1 incident relating to other human rights activists.

Below table describes the categories of victims in relation to all the incidents reported in this report.

Type of victims	Number	Percentage
media workers	24	20.9%
NGOs	20	17.4%
Political Party member or supporters	13	11.3%
Voters	9	7.8%
Anti-Disappearance Activists	7	6.1%
Student activists	4	3.5%
Other human rights activists	8	7.0%
Villagers	5	4.3%
Lawyers	3	2.6%
Others	13	11.3%
Not Applicable	9	7.8%
Total	115	100.0%

TABLE 3: TYPES OF VICTIMS

Those who faced repression are mainly media workers (21%) and NGOs (17%). When taken together, media workers and NGOs have faced 38% of the total number of incidents. Thirdly party members and their supporters have faced 11% of incidents. The voters belonging ethnic minorities have faced 8% of incidents. General human rights activists (7%) and those who work on justice and accountability in cases of disappearances (6%) have also faced significant number of incidents related to repression of dissent. In addition, the student activists (3.5%) who organized protests were subjected tear gas attacks prior to the election a general pattern observed during last several years. It seems tear gas attacks on protestors have stopped after election.

Ethnicity of the victim	Number	Percentage
Sinhala	32	27.8%
Tamil	25	21.7%
Muslim	7	6.1%
Not Applicable	39	33.9%
Not mentioned	12	10.4%
Total	115	100.0%

TABLE 4: ETHNICITY OF THE VICTIM

28% of Sinhalese, 22% of Tamils and 6% of Muslims have faced violations. Ethnic and gender categorizations were considered as not applicable for NGOs and groups. Taking into consideration that Tamils are a minority, it is clearly evident that more Tamil activists mostly based in North and East face more issues. Those marked as 'not mentioned' are some of the incidents which we were unable to verify the ethnicity of the victim, they were mainly related to election violence. However looking at the geographical distribution of which they have occurred it could be assumed those victims could be mostly Sinhala persons. Those incidents reported from Matara, Badulla, Puttalam, Kegalle, Galle, Kurunegala, Monaragala, Gampaha and Kalutara districts while 3 incidents were reported from Galle.

Gender of the victim	Number	Percentage
Male	39	33.9%
Female	13	11.3%
Not Applicable	51	44.3%
Not mentioned	12	10.4%
Total	115	100.0%

TABLE 5: GENDER OF THE VICTIMS

While 34% of cases are related to men, 11% are related women. In 46% of cases, gender categorizations are not applicable. While there are less number of women activists due to the patriarchal norms existing in the society, the violations they face could be underreported in media due to the same reason. Also when it comes to groups and organizations, even though women activists may play key roles, in this statistical analysis groups and organizations were considered as categories that gender identity is not applicable. In 10% of the cases, we were unable to verify the gender related information.

Perpetrator/ Responsible party	Number	Percentage
Military and Police	41	35.7%
Politician/ Political supporters	32	27.8%
social media company	6	5.2%
Buddhist monks	5	4.3%
Government or related officers	4	3.5%
Employer	2	1.7%
Court	1	0.9%
Unknown	9	7.8%
Other	8	7.0%
Not Applicable	7	6.1%
Total	115	100.0%

TABLE 6: TYPES OF PERPETRATOR OR RESPONSIBLE PARTY

In majority of incidents (36%) military and Police were responsible for the violations. Secondly 28% of the cases were committed either by a Politician or political supporters. In 5% of the cases apparently social media companies were responsible for temporarily blocking social media accounts of activists and journalists. In 4.3% of cases Buddhist monks were responsible. In 3.5% of cases government or government officers were responsible, while 8% of cases belonged to other category where responsible party was unknown.

Geographical area	Number	Percentage
North and East	38	33.0%
Western province	30	25.2%
Other districts	24	21.7%
online	10	8.7%
Not Applicable	13	11.3%
Total	115	100.0%

TABLE 7: GEOGRAPHICAL AREA OF THE INCIDENTS

The majority 33% of the incidents were reported from the North and East region, though they were not necessarily organized under the theme of repression of activists in the North and East. For example, some cases relating to journalists in North and East have been presented under repression of journalists and media. 25% of the cases were reported from Western Province. There were 21% of cases from other districts such as Galle, Nuwara Eliya, Kandy, Polonnaruwa etc. 9% of the cases were online.

Time	number of incidents	incidents per day
After Election	48	1.07
Before Election	53	0.39
both	14	0.08
Total	115	0.63

TABLE 8: REGULARITY OF INCIDENTS

Number of days included in the pre-election and post-election periods were different from each other. Since comparison was difficult at a glance, we calculated how many incidents occurred per a day from dividing number of incidents by number of days, to understand how frequent the violations were. Then we found that the number of the incidents relating to repression of dissent happening per a day have increased more than double in the post-election situation, when compared with the pre-election situation. Also more than one incident per day was reported in the post election period.

IV. List of Incidents

	Date	Place/District	Description	Source
A	Repression of Dissent during Election			
1	Late October	Not mentioned	President's Counsel says "Muslims have to face consequences, if they failed to vote for Gotabaya"	Colombo Telegraph "Vote Gota Or Prepare "To Get It In A Big Way": Ali Sabry Video Warning Muslims Goes Viral" https://www.colombotelegraph.com/index.php/vote-gota-or-prepare-to-get-it-in-a-big-way-ali-sabry-video-warning-muslims-goes-viral/ 28 th October 2019
2	N/A	N/A	Female Buddhist monks denied of voting rights	http://hrctl.lk/english/wp-content/uploads/2019/11/HRCSL-letter-to-Election-Commission-of-Sri-Lanka-on-the-rights-of-Casting-Vote-of-Bhikkhuni.pdf
3	16 th November 2019	Various places	Muslim women are harassed for wearing Niqab and Burqa in polling booths	Center for monitoring Election Violence https://cmev.files.wordpress.com/2019/11/final-statement-1.pdf
4	N/A	Colombo	Arbitrary and illegal tampering of minority voters from registered voter lists	Letter submitted to Election Commission by CMEV https://cmev.org/2019/11/06/rbitrarily-and-illegal-tampering-with-registered-voter-lists-2019/ Colombo Telegraph. "Equality Eroded In Our Democracy: A Trust Deficit" https://www.colombotelegraph.com/index.php/equality-eroded-in-our-democracy-a-trust-deficit/
5	15 th -18 th November 2019	Kandy, Kegalle	Intimidation targeted at estate Tamils to prevent them from voting	"Petrol bomb attack in Kandy" https://ceylontoday.lk/news-more/9129a Petrol bomb attack in Gampola estate https://www.dailynews.lk/2019/11/16/local/203043/petrol-bomb-attack-gampola-estate https://www.tamilguardian.com/content/tamils-attacked-kegalle-rajapaksa-sworn
6	16 th November 2019	Anuradhapura	Buses transporting Muslim voters attacked	Sunday Observer. "Mannar and Deraniyagala: Two major cases of election-related violence reported" https://www.sundayobserver.lk/2019/11/17/news/mannar-and-deraniyagala-two-major-cases-election-related-violence-reported published on 17 th November 2019. The Guardian. "Sri Lanka presidential election: buses carrying Muslim voters attacked" https://www.theguardian.com/world/2019/nov/16/sri-lanka-presidential-election-gunmen-fire-on-buses-carrying-muslim-voters 16 th November 2019.

7	10 th Nov -18 th November	Batticaloa, Matara, Badulla, Colombo, Puttalam, Kegalle, Galle, Kurunegala, Monaragala, Gampaha, Kalutara	Other notable incidents of Election Violence	Tweets by CMEV https://twitter.com/cmev
B	Repression of journalists and media			
	Before Election			
8	21 st July 2019	Kandy	Muslim Journalist blocked by security personnel	Free Media Movement https://freemediasrilanka.wordpress.com/2019/07/26/security-forces-obstruct-media-coverage-in-kandy-free-media-movement/
9	13 th Aug 2019	Gampaha	Death threats to journalist	https://www.meepura.com/?p=76292
10	13 th Aug 2019	Gampaha	Assault on female journalist	http://ravaya.lk/?p=175818
11	17 th Aug 2019	Gampaha	Mob stones to female journalist's house	http://www.meepura.com/?p=76525
12	4 th Aug 2019	Nuwara Eliya	Minister Palani Digambaram's threat to up-country journalist K. Prasanna	https://srilankabrief.org/2019/08/mini-ster-palani-digambarams-threat-to-up-country-journalist-k-prasanna-condemned/
13	10 th Sep 2019	Colombo	Taking over Rupavahini Corporation by Defense Ministry	(01) http://www.ft.lk/top-story/President-takes-over-Rupavahini/26-685512 (02) https://srilankabrief.org/2019/09/sri-lanka-fmm-strongly-condemns-the-taking-over-of-the-rupavahini-corporation-to-be-placed-under-the-ministry-of-defense/
14	5 th Sep 2019	Vavuniya	Journalist interrogated by Terrorism Investigation Division (TID)	https://www.tamilguardian.com/content/sinhala-journalist-interrogated-tid-over-reporting-kilinochchi-jmo-arrest
15	11 th July 2019	Mullaitivu	Tamil newspaper distributor arrested	https://www.tamilguardian.com/content/tamil-newspaper-distributor-arrested-army-ltte-leader-cover-photo
16	20 th Sep 2019	Mullaitivu	Tamil Guardian journalist summoned by TID	https://www.tamilguardian.com/content/tamil-journalist-summoned-tid
17	4 th Oct 2019	Jaffna	Virakesari journalist summoned to police Colombo HQ	https://www.tamilguardian.com/content/tamil-journalist-summoned-police-colombo-hq
18	30 th Oct 2019	Colombo	Assault on a Tamil language journalist from Colombo	https://www.tamilguardian.com/content/muslim-journalist-suspended-not-publishing-unverified-anti-tna-news
	After Election			
19	25 th Nov 2019	Vavuniya	Sri Lankan police questions Thinappuyal and demands staff details.	http://www.thinappuyalnews.com/arc-hives/217938
20	27 th Nov 2019	Colombo	Newshub.lk frisked by police with invalid search warrant.	http://newshub.lk/en/2019/11/27/why-was-newshub-lk-frisked-by-police-video/
21	5 th Dec 2019	Kalutara	Lankadeepa correspondent assaulted for reporting on illegal toddy trade	http://www.sundaytimes.lk/191208/news/lankadeepa-journalist-who-exposed-illegal-toddy-trade-attacked-381568.html

22	14th Nov 2019	Galle	Attack on Author Lasantha Wijeratne	https://www.newsfirst.lk/2019/11/14/freelance-journalist-assaulted-in-habaraduwa/
23	4th Nov 2019	Batticaloa	Batticaloa TV journalist assaulted	https://www.dailynews.lk/2019/11/04/local/201866/journalist-attacked
24	26th Nov 2019	Colombo	Lakehouse New Media and digital department journalist assaulted.	http://www.ft.lk/news/International-media-watchdog-accuses-Sri-Lanka-s-new-Government-of-harassing-journalists/56-690903
25	19th Dec 2019	Putt lam	Journalist attacked while reporting the protest against illegal sand mining	http://www.wayambatoday.com/?p=12733 http://www.meepura.com/?p=82619
26	26th Nov 2019	Colombo	TheLeader.lk journalist summoned and questioned by the CID	http://www.ft.lk/news/International-media-watchdog-accuses-Sri-Lanka-s-new-Government-of-harassing-journalists/56-690903
27	28th Nov 2019	Colombo	The editor of the Voicetube.lk website, summoned for questioning by the CID	https://srilankabrief.org/2019/11/fm-m-sri-lanka-expresses-its-concerns-over-journalists-being-questioned
C	Attacks and restrictions on protestors			
	Before Election			
28	9-Jul-19	Colombo	Tear gas and water cannon attack on protest against Batticaloa Campus	https://www.newsfirst.lk/2019/07/09/polic-e-fire-tear-gas-and-water-cannons-to-disperse-protesting-university-students-2/
29	5-Aug-19	Colombo	Tear gas and water cannon attack on protesters against the Private Universities Act	Police Fire tear gas at Protesting Students (1) http://www.adaderana.lk/news.php?nid=56869 (2) http://www.adaderana.lk/news.php?mode=head&nid=3657 (3) http://sinhala.sripuvath.com/2019/08/%E0%B6%B4%E0%B7%9E%E0%B6%AF%E0%B7%8A%E0%B6%9C%E0%B6%BD%E0%B7%92%E0%B6%9A-%E0%B7%80%E0%B7%92%E0%B7%81%E0%B7%8A%E0%B7%80-%E0%B7%80%E0%B7%92%E0%B6%AF%E0%B7%8A%E2%80%8D%E0%B6%BA%E0%B7%8F%E0%B6%BD-3/?fbclid=IwAR2kkRZzJJkhBU_cwim1uBxaM3wbetmiOO3RWK4gZVBN2wBs4yQTLqnkIY
30	28 th Augst	Colombo	A protest was organized by the Inter University Students' Federation (IUSF) against attempts to pass the Quality Assurance and Accreditation Council (QAAC) was attacked with teargas and water cannons	http://www.adaderana.lk/news/57370/police-fire-tear-gas-at-protesting-university-students
31	7-Aug-19	Colombo	Water cannon and tear gas attack to HNDA student activists	(1) http://www.hirunews.lk/221732/update-water-and-tear-gas-attack-on-hnda-student-protest-march (2) https://www.facebook.com/madyawediya/videos/511528879600546/UzpfSTIxODg2OTI0ODY0Njk4Mzo1OTc4NzQ4MzQwNzk3NTQ/ (3) HNDA student's union kandy facebook page
32	29-Aug-19	Colombo	Tear gas attack to protest by unemployed graduates	(1) Graduates protest over irregularities in recruitment. News First. 29th July 2019 https://www.newsfirst.lk/2019/07/29/graduates-protest-over-irregularities-in-recruitment/ (2) Hiru Gossip News. https://www.youtube.com/watch?v=ZTfngbEZmH0

33	4-Sep-19	Puttalam	Protests in Puttalam main road against Aruwakkalu landfill site barred	Court bars protest against Aruwakkalu sanitary landfill in Puttalam http://www.sundaytimes.lk/article/1101151/court-bars-protest-against-aruwakkalu-sanitary-landfill-in-puttalam
34	27-Jul-19	Batticaloa	Protest in Batticaloa attacked with tear gas and 4 Protestors injured	(1) 4 Protestors injured in Batticaloa https://www.newsfirst.lk/2019/08/28/4-protesters-injured-in-batticaloa/ (2) Police fire tear gas at protesters in Batticaloa http://www.adaderana.lk/news/57353/police-fire-tear-gas-at-protesters-in-batticaloa
35	27-Aug-19	Galle	Environmental Activist Chandrajothi Thero arrested during Protest	(1) https://www.lankaviews.com/%E0%B6%9A%E0%B6%A7%E0%B7%94%E0%B6%B4%E0%B7%9C%E0%B6%BD%E0%B7%8A-%E0%B7%80%E0%B6%9C%E0%B7%8F%E0%B7%80%E0%B6%A7-%E0%B6%91%E0%B6%BB%E0%B7%99%E0%B7%84%E0%B7%92%E0%B7%80-%E0%B7%84%E0%B6%AC-%E0%B6%B1/ (2) https://www.facebook.com/sumanasiri.liyanage/posts/10158659884160830
36	23-Sep-19	Mullaitivu	Buddhist monks threaten protestors and assaults a lawyer and two others	https://www.tamilguardian.com/content/lawyers-continue-strike-across-north-east-after-assaults-buddhist-monks
	After Election			
37	December	Jaffna	Protesters attacked by hooligans in Chavakatchery to stop Windmill project	https://www.facebook.com/watch/?v=756425948195751
38	11th Dec 2019	Mullaitivu	Intelligence officers photograph the Families of the disappeared in a rally in Mullaitivu	https://www.tamilguardian.com/content/families-decry-surveillance-sri-lankan-intel-out-force-disappeared-protest
39	21 Dec 2019	Mannar	Sri Lankan police threatened priest and residents protesting against sand mining.	https://www.tamilguardian.com/content/sri-lankan-police-protect-sand-miners-and-threaten-protesting-priest-and-villagers
D	Repression of Activists in North and East			
	Before Election			
40	4-Aug-19	Batticaloa	Anti-Disappearance activist and her daughter attacked in Batticaloa	https://www.tamilguardian.com/content/disappearance-activist-and-daughter-attacked-batticaloa
41	1-Aug-19	Jaffna	Men in civics photograph lawyers and petitioners of a disappearance case at the Court	https://www.tamilguardian.com/content/sinhala-speaking-men-sri-lanka-s-attorney-general-intimidate-tamil-lawyers-court
42	6-Aug-19	Jaffna	TID officials question Adayaalam Centre for Policy Research	https://www.tamilguardian.com/content/tid-officials-question-adayaalam-centre-policy-research
43	30-Sep-19	Ampara	Ampara district Anti-Disappearance Activist summoned by the TID	Based on an interview conducted by INFORM

44	30-Jul-19	Colombo	Former Tamil political activist denied entry to Sri Lanka	https://www.tamilguardian.com/content/former-tamil-political-activist-denied-entry-sri-lanka
45	July-September	North and East Provinces	Patterns of general intimidation faced by Human Rights organizations in North and East	This section is based on the interviews conducted by INFORM. 5 organizations in the North East confirmed that their offices were visited by intelligence officers and that they were questioned on their work and funding.
46	9th Nov 2019	Jaffna	Human Rights Lawyer Kumaravadeivel Guruparan barred from practising	https://www.frontlinedefenders.org/en/case/human-rights-lawyer-kumaravadeivel-guruparan-barred-practising-law (Better put local statement as reference https://www.colombotelegraph.com/index.php/university-dons-condemn-ugc-decisions-to-bar-dr-guruparan-and-university-academics-from-practising-law/ or https://drive.google.com/file/d/0BzazV2px-2H4SnVfWFpyQWVyd29VTElXb2RuYl9CSWVabW5z/view)
47	12th Oct 2019	Ampara	Human Elevation Organisation (HEO) book launch impeded by Election Commission	https://twitter.com/Mari_deSilva/status/1182879412875739137 http://colombogazette.com/2019/10/12/tense-situation-as-officials-attempt-to-stop-ampara-event-on-land-grab/
	After Election			
48	30th Dec 2019	Vavuniya	Vavuniya Citizens Committee Leader K. Rajkumar assaulted	https://www.tamilwin.com/community/01/235088?ref=archive-feed and Based on an interview conducted by INFORM
49	30th Dec 2019	Kilinochchi	Kilinochchi Human Rights activist's son attacked	Based on an interview conducted by INFORM
E	Institution and Legal Changes			
	Before Election			
50	31st July 2019		State of emergency continued until August 22	Third extension for Emergency Regulations passed in Parliament. Sunday Times. 31st July 2019. http://www.sundaytimes.lk/article/1097068/third-extension-for-emergency-regulations-passed-in-parliament
51	22-Aug-19	N/A	Security forces given special powers on maintaining public order	Extra Ordinary Gazette. GoSL. http://www.documents.gov.lk/files/egz/2019/8/2137-67_E.pdf
52	19th Aug 2019	N/A	State appointments with possible negative impact on accountability	Concerns over the appointment of Major General Shavendra Silva as the Commander of the Sri Lanka Army and the need for urgent reforms. Center for Policy Alternative (CPA). 19 Aug 2019. https://www.cpalanka.org/concerns-over-the-appointment-of-major-general-shavendra-silva-as-the-commander-of-the-sri-lanka-army-and-the-need-for-urgent-reforms/
	After Election			
53	11th Dec 2019	N/A	NGO Secretariat which was under the Ministry of National Integration, Reconciliation and Official Languages, placed under the Ministry of Defence.	https://www.newsfirst.lk/2019/12/11/institutions-of-disaster-management-moved-under-the-purview-of-defence-ministry/

54	19 Nov 2019	N/A	State appointments with possible negative impact on accountability	https://itjpsl.com/assets/press/Kamal-Gunaratne-dossier-final-optimized.pdf
55	23 Nov 2019	N/A	Security forces given special powers on maintaining public order	http://www.adaderana.lk/news/59227/gazette-issued-calling-on-armed-forces-to-maintain-public-order
	Other			
	Before Election			
56	11 Oct 2019	Colombo	SLPP Presidential Candidate refuses to honour commitments at the UN	https://www.thehindu.com/news/international/will-not-honour-un-deal-on-accountability-says-gotabaya/article29693188.ece https://ceylontoday.lk/news-more/9222
57	12th Oct 2019	Online	Online hate speech targeting Prof.Chandragupta Thenuwara	https://www.facebook.com/sadharana.samajayak/videos/1359281520912248/
58	8th Oct 2019	Colombo	Threats faced by Professor Chandragupta Thenuwara and Gamini Viyangoda	https://www.newsfirst.lk/2019/10/08/we-receive-threats-very-similar-to-death-threats-prof-chandraguptha-thenuwara/
59	July - September	online	Blocking Facebook Accounts of six activists and journalists	Various online sources including (1) https://www.facebook.com/photo.php?fbid=126273191960340&set=a.106865793901080&type=3&theater (2) http://citizenpostlk.com/2019/08/13/පොහොට්ටු-වෙදිකාවේ-මහඟෙද/
60	2 nd July 2019 and 6 th July 2019	N/A	President says “anyone who stands against death penalty is aiding to drug users”	(1) I am facing death threats: Prez http://www.dailymirror.lk/breaking_news/I-am-facing-death-threats:-Prez/108-170406 (2) Sirisena Says Anyone Who Stands Against Death Penalty Is Aiding Drug Dealers. July 6th 2019. https://www.colombotelegraph.com/index.php/sirisena-says-anyone-who-stands-against-death-penalty-is-aiding-drug-dealers/
61	27-Jul-19	Colombo	CID Director is threatened for not supporting ethnic profiling against Muslim doctor	CID director files complaint against attorney Manoj Gamage. Darshana Sanjeewa Balasuriya, Daily News. 30th July 2019. http://www.dailynews.lk/2019/07/30/local/192577/cid-director-files-complaint-against-attorney-manoj-gamage
62	Jul-19	Colombo/ Kandy/ online	Minister threatened by monks after speaking about Child abuse incidents at temples	Rajan Ramanayake Interview clip with youtuber Ashen https://www.youtube.com/watch?v=pWqXXi0yUsw
63	20 th August	Colombo/ Online	Scientist faces reprisals for naming newly discovered geckos after national heroes	Dilrukshi Handunnetti . What’s in a name? For Sri Lanka’s newest geckos, a political firestorm. Published in Mogabay on 27th August 2019 https://news.mongabay.com/2019/08/whats-in-a-name-for-sri-lankas-newest-geckos-a-political-firestorm/

	After Election			
64	21 st November 2019	N/A	Head Criminal Investigation Department of the Police is transferred into a lower position	“NPC approves transfer of SSP Shani Abeysekera” http://www.dailymirror.lk/breaking_news/NPC-approves-transfer-of-SSP-Shani-Abeysekera/108-178271 published 21 st November 2019
65	23 rd November 2019	N/A	Crime investigations officer flees the country and Travel ban on 700 CID officers	“Top CID investigator Nishantha Silva leaves country” http://www.themorning.lk/cids-ip-nishantha-silva-leaves-country/ published on 24 th November 2019
66	19 th Nov 2019	Badulla District	Interpreter of foreign journalist intimidated and threatened with arrest by BBS affiliated Monk Ambalae Rathana Thero.	Based on an interview conducted by INFORM
67	After elections	Eastern Province	Stones were thrown at house of a female activist campaigning against disappearances	Based on an interview conducted by INFORM
68	After elections	Northern Province	Female former LTTE cadre was questioned by several intelligence personnel about a book written by her on war time experiences.	Based on an interview conducted by INFORM
69	after elections	Gampaha District	Rights activist and campaigner for losing presidential candidate threatened with death	Based on an interview conducted by INFORM
70	after elections		Wife of disappeared journalist Sandya Ekneligoda says children threatened, harassed and attempts to intimidate witnesses	https://apnews.com/0414ced36fc11c25524aac7311f81c19 and https://www.newsfirst.lk/2019/12/18/summons-served-to-witnesses-of-ekneligoda-case/
71	16 th December 2019	Colombo	Swiss embassy employee in Sri Lanka arrested after claiming she was abducted	Swiss embassy employee in Sri Lanka arrested after claiming she was abducted, sexually assaulted and interrogated https://www.telegraph.co.uk/news/2019/12/17/swiss-embassy-employee-sri-lanka-arrested-claiming-abducted/ published on 17 th December 2019
72	19 th December	Colombo	Removal of Anti-American street painting criticizing MCC agreement	https://www.tamilguardian.com/content/anti-american-street-art-mural-sri-lanka-sparks-controversy and social media related sources
73	16 th Nov 2019	Colombo	Threats faced by activist advocating and seeking justice for Welikada Prison massacre	Based on an interview conducted by INFORM
74	20-27 th December 2019	Batticaloa	Monk slaps a former evangelic church worker in public for spreading his religion	https://economynext.com/churches-urge-calm-after-videos-of-monk-attacking-christians-go-viral-47349/
75	12 th December 2019	Sri Lanka	Lawyer faces threats after appearing for alleged abducted employee of Swiss embassy	https://srilankabrief.org/2019/12/sri-lanka-magistrate-wants-threats-against-lawyer-appearing-for-swiss-embassy-employee-probed/
76	November - December 2019	Sri Lanka	Surveillance on NGOs and Human Rights Defenders	Based on an interview conducted by INFORM and according to the Sri Lanka Brief Post Presidential Election Update No 03/16 December 2019

A. Repression of Dissent during Election

The election campaigns were largely peaceful, however rhetoric of Sinhala-Buddhist supremacy along with national security and anti minority sentiments were abundant during the election campaigns. Preliminary statement issued by EU Election Observation mission on Sri Lanka stated that “a peaceful and calm campaign on the ground contrasted with divisive rhetoric, hate speech and disinformation in traditional and social media”. They also noted that “the absence of a campaign finance law and the biased coverage of the election by both private and state media contributed to an uneven playing field”¹⁵. As reported by CMEV “an unprecedented level of fake news and racism evident in both mainstream and social media, and this spilled over onto election day”. Though incidents of violence were less on the election day and before, post election violence was comparatively higher. Also there were targeted attempts to prevent ethnic minorities from voting. Below is a list statistics provided by CMEV on the number of election violence incidents reported.

Violation Type	Election Day	Post Election
Assaults	3	23
Damage to property	0	4
Bribery/ Treating	3	N/A
Election official related	4	N/A
Election offenses	34	5
Illegal Campaigning (promotional material, regulation violations, use of children etc.)	67	2
Illegal offices	1	N/A
Posters and cutouts	11	N/A
Intimidation/ influencing	58	N/A
Misuse of state resources	2	0
Offering goods	2	0
Others	4	1
Poll Agent related	3	N/A
Public officers Campaigning	1	N/A
Intimidation or threats	3	10
Total	196	45

TABLE 9: TYPE OF ELECTION VIOLATIONS (SOURCE : CENTRE FOR MONITORING ELECTION VIOLENCE (CMEV))

According to Centre for Monitoring Election Violence, there were 23 incidents of assaults and 4 incidents of damages to property during the post election period, even though only 3 incidents of assaults and no incidents related to damages to property were reported on the election day. Below are several selected incidents relating to repression of dissent.

¹⁵ Final Report of EU Election Observation Mission
https://eeas.europa.eu/sites/eeas/files/sl2019_final_report_24_january_2020.pdf

1. President's Counsel says "Muslims have to face consequences, if they failed to vote for" a specific candidate

Colombo Telegraph reported on a video clip went viral on social media, the head of Gotabaya Rajapaksa's legal team President's Counsel Ali Sabry stating that Muslims would get "a massive thrashing" if they failed to vote for the former Defence Secretary. Addressing the crowd, the clip shows Ali Sabry PC saying that Gotabaya Rajapaksa had already won the election with Sinhala votes, hence Muslims must be a part of that victory. He then poses a rhetorical question to the crowd: "If we don't support him, what will happen?" Someone in the crowd replies "ambanaikku kidaikkum" "a massive thrashing." As the crowd laughs nervously, the President's Counsel aligned with Gotabaya guffaws and agrees: "Exactly! Ambanaikku kidaikkum that is exactly what will happen! We need to understand this, this is the reality"¹⁶.

2. Female Buddhist monks denied of voting rights

National Human Rights Commission of Sri Lanka (HRCSL) wrote to Election commission with letter dated 8th November 2019 requesting to arrange an alternative mechanism for Bhikkunis (Female Buddhist monks) to cast their votes¹⁷. They have not been issued their national identity cards due to opposition of patriarchal male Buddhist monks who refused to accept female Buddhist order in Sri Lanka. As mentioned in the HRCSL letter, 8000 female monks have been denied of their voting rights.

3. Muslim women are harassed for wearing Niqab and Burqa in polling booths

CMEV mentioned that they received reports of Muslim women voters wearing face coverings (burqas, niqabs and hijabs) facing difficulties during voting, despite the Election Commission having issued a clear circular which requires face coverings to be removed only to the verification officer at the polling centre at the point of voting, and not while entering or while waiting at the queue at the polling centre.

4. Arbitrary and illegal tampering of minority voters from registered voter lists

Through a letter submitted¹⁸ to Election Commission in November, CMEV stated that certain Grama Niladharis (GN) especially in the Colombo District, have arbitrarily removed the names of long-standing residents from their respective voter lists. Though they had submitted the voter registration forms for 2018, and have been voting for previous elections using the same

¹⁶ Colombo Telegraph "Vote Gota Or Prepare "To Get It In A Big Way": Ali Sabry Video Warning Muslims Goes Viral" <https://www.colombotelegraph.com/index.php/vote-gota-or-prepare-to-get-it-in-a-big-way-ali-sabry-video-warning-muslims-goes-viral/> 28th October 2019

¹⁷ <http://hrcsl.lk/english/wp-content/uploads/2019/11/HRCSL-letter-to-Election-Commission-of-Sri-Lanka-on-the-rights-of-Casting-Vote-of-Bhikkhuni.pdf>

¹⁸ Letter submitted to Election Commission by CMEV <https://cmev.org/2019/11/06/rbitrary-and-illegal-tampering-with-registered-voter-lists-2019/>

residential address for years, their names have been suddenly deleted from the voter registers. On inquiry they have been informed that there is nothing that can be done at this stage, even though they were not provided with any reasons for the deletion of their names. One of the Election Commissioners writing an article to Colombo Telegraph stated that in Colombo people of certain ethnic backgrounds, particularly Muslims, Burghers, and other Christians, have been selectively removed as voters¹⁹. He further mentioned the instances this has occurred. In one instance, a GN officer going on maternity leave had not registered large numbers. At other times, a few from the same family had been deleted from the rolls. In another case everyone from a whole street had been removed. Since the original form is missing, it had been difficult to prove how these selective deletions occurred. However he suggested that it was done in order to make one party win, not because of the overload of work, and highlighted the importance of a larger inquiry into the matter.

5. Intimidation targeted at estate Tamils to prevent them from voting

There were at least 4 major incidents that targeted to intimidating estate Tamils and preventing them from voting. One of them occurred before the election, two incidents occurred on the election date. Estate Tamil are the most underprivileged ethnic group in Sri Lanka with inter-generational poverty and other issues.

Petrol bomb attack in Kandy: On the day before the election, a group of unidentified persons have threatened estate residents asking not to vote, attacked one house with a petrol bomb and attempted to bomb another house Nillamba estate in Galaha, Kandy²⁰.

Petrol bomb attack in Gampola: another petrol bomb attack was reported from the Millawa Estate in Gampola electorate and threatening the residents on the election day²¹.

Attack in Noori estate in Deraniyagala: A group of Tamils in the infamous Noori Estate in Deraniyagala had received threats to vote for a particular candidate. Two persons were hospitalized after one person being stabbed with a broken bottle, another person being attacked with an iron rod, and at two others being assaulted for not voting for a specific candidate. Speaking to the press after the close of polls, Election Commission Chairman Mahinda Deshapraiya said among the suspects arrested in connection to the incident is the son of a prominent politico and also a murder suspect in the area. The two individuals who were injured in the incident were admitted to the Deraniyagala Hospital for treatment.

Attack in the the Kanepola Estate Yatiyantota: According to Tamil Guardian²², Estate Tamils in the Kanepola Estate in Yatiyantota were attacked on 18th November 2019. The attack took place just hours after Sri Lanka's president Gotabaya Rajapaksa was sworn in. They were attacked in their homes at the estate, by Sinhala-speaking men who told they were being

¹⁹ Colombo Telegraph. "Equality Eroded In Our Democracy: A Trust Deficit"

<https://www.colombotelegraph.com/index.php/equality-eroded-in-our-democracy-a-trust-deficit/>

²⁰ "Petrol bomb attack in Kandy" <https://ceylontoday.lk/news-more/9129a>

²¹ Petrol bomb attack in Gampola estate <https://www.dailynews.lk/2019/11/16/local/203043/petrol-bomb-attack-gampola-estate>

²² <https://www.tamilguardian.com/content/tamils-attacked-kegalle-rajapaksa-sworn>

attacked as they voted against Rajapaksa at the polls. One of the victims has told Tamil Guardian that “we didn’t vote for a Tamil or for Prabhakaran”. “We voted for a Sinhala candidate so why did they attack us? We placed a vote and earned a beating.” The attackers broke into their homes and smashed appliances, as well as assaulting residents, he added.

6. Buses transporting Muslim voters attacked

Two buses carrying the internally displaced Muslim persons from Puttalam to Mannar where they are registered as voters were shot with guns, pelted with stones in Thanthirimale in Anuradhapura District, in the North Western Province. Roads were also obstructed with burning tyres. Following the incident, it was also discovered that trees had been felled onto the road to prevent buses from reaching their destination. According to reports these voters consisted of previously internally displaced persons (IDPs) that were driven out by the LTTE from Manar in the 1990s²³. Ratnajeewan Hoole, an election commissioner, said the authorities had ignored his pleas to provide adequate protection to internally displaced Muslims going to vote in the multi-ethnic north-west. “They [Muslims] asked for polling booths in the areas where they are living without having to travel a long distance to their original village to vote,” Hoole said in a statement. “They were sure that a disturbance like this would happen.”²⁴

In another incident a 54 year old woman was injured while travelling in the bus bearing number plate MC0774 belonging to Kurunegala Depot, which was stoned in Chettikulam by an unidentified group on its way from Mannar to Puttalam at around 6.30 pm on 16th November 2019.

7. Other notable incidents of Election Violence

Below are some of the other incidents relating to election violence such as physical attacks, damages to property, death threats and intimidation as reported to Centre for Monitoring Election Violence.

Before election and election date

- I. Petrol bomb attack in Batticaloa: On 10th of November home of a supporter of candidate Sajith Premadasa was attacked with a petrol bomb. Tamil Guardian claimed that attack was allegedly carried out by the members of the Pillaiyan paramilitary group²⁵.

²³ Sunday Observer. “Mannar and Deraniyagala: Two major cases of election-related violence reported” <https://www.sundayobserver.lk/2019/11/17/news/mannar-and-deraniyagala-two-major-cases-election-related-violence-reported> published on 17th November 2019.

²⁴ The Guardian. “Sri Lanka presidential election: buses carrying Muslim voters attacked” <https://www.theguardian.com/world/2019/nov/16/sri-lanka-presidential-election-gunmen-fire-on-buses-carrying-muslim-voters> 16th November 2019.

²⁵ Tamil Guardian. “Petrol bombs flung at home of Sajith supporter in Batticaloa” <https://www.tamilguardian.com/content/petrol-bombs-flung-home-sajith-supporter-batticaloa> published on 14th Nov 2019

- II. A NDF supporter was attacked in Veragampitiya in Matara district by a group led by SLPP Municipal council MP Malindu Gajadheera on November 14th. The victim was hospitalized.
- III. Supporters of Ministers Raveendra Samaraweera assaulted two SLPP supporters near Ohiya railway station in Haputale at 12.30 pm. SLPP supporters and one of their spouses were admitted to Borlanda hospital for treatment for their injuries.
- IV. UNP Kotte Urban Council member Harshani Sandaruwani was intimidated by SLPP supporters at Kotte Sri Siddhartharamagama polling centre in Kotte electorate, Colombo district.

After election

- V. The main gate of a house in Kirimatiyana, Wennappuwa had been damaged by a mob of ten on 17 November 2019 in the presence of a SLPP PC member. A video footage was available regarding the incident.
- VI. 5 SLPP supporters assaulted a NDF supporter in Gewal 25 area in Kegalle around 8.30 pm on 17 November 2019. The victim has had a dental damage and is hospitalized.
- VII. A female UNP member of Imaduwa Pradeshiya Sabha was attacked by 2 cyclists using helmets around 6.00 pm on 17 November 2019. Victim hospitalized and later transferred to Karapitiya hospital.
- VIII. A resident in Deekirikawa in Kuliypitiya area has received death threats from four SLPP supporters who had visited his house and damaged a kiosk selling fish in front of his house. A complaint has been made to Narammala Police.
- IX. An unidentified group has thrown firecrackers into the front yard of a house belong to a supporter of NDF from Kirimatiyana in Wennappuwa on 17th November 2019. Later he received death threats over the phone.
- X. SLPP supporter has intimidated the residents including children in a house owned by a NDF supporter in Wellawaya by exploding elephant deterring crackers in their front yard noon on 17th November 2019.
- XI. Jumma mosque in Thalapitiya, Galle underwent minor damages after having been stoned by an unknown group and the caretaker of the mosque has told that the attack may not have been made intentionally to harm the mosque.
- XII. A house in Pelawatte-Neluwa road has been stoned at by an identified individual around 9.55 pm on 17 Nov 2019. A window has been damaged.
- XIII. A NDF supporter in Dalupana Negambo has been threatened by a SLPP supporter at around 2.30 pm on 17 November 2019.
- XIV. An assault in Bandaragama Kothalawalapura area, aimed at a NDF supporter and another civilian who intervened, by a SLPP supporter around 7.30 pm on 17 November 2019. A complaint has been lodged at Bandaragama Police station.

B. Repression of journalists and Media

Before the Election

8. Muslim Journalist blocked by security personnel

A Muslim journalist working at a government owned media group was discriminated, blocked and denied entry by the Security Personnel of the Chief Buddhist Incumbent of Asgiri Chapter on 21st July at Asgiriya Temple in Kandy, when Sri Lanka Air Force Commander visited the chief incumbent. The Free Media Movement (FMM) issued a statement condemning the incident. Apparently the journalist was discriminated due to his ethno-religious identity.

Journalist M.N. Aminullah, staff journalist from Lake House attended the meeting to provide media coverage based on an invitation from the Sri Lanka Air Force that had been forwarded to media institutions requesting coverage for the Air Force Commander's visit. When being obstructed during the coverage, Mr. Aminullah has shown his media accreditation official identity card to the security personnel and has explained to them that he arrived at the premises on official duty as assigned by his institution. Yet he had been denied entry.

According to FMM, the security team of the chief incumbent is formed by officers attached to the Ministerial Security Division (MSD) and Sri Lanka Police in Kandy.

9. Death threats to journalist

A journalist in Gampaha had been threatened with death by three local politicians after reporting about a clash between two politicians in the same party in Gampaha Pradeshiya Sabha, Lanka ABC News reports²⁶.



FIGURE 2 : JOURNALIST SISIRA KURUPPU SPEAKING TO MEDIA, PHOTO COURTESY: LANKA ABC NEWS

²⁶Lanka ABC News, "Three Pradeshiya Sabha members threatened a journalist" published on 12th August 2019 <https://lankaabcnews.com/2019/08/12/three-mps-in-gampaha-have-threatened-a-journalist/>

When the journalist attended to report on a Pradeshiya Sabha council meeting, three members of Gampaha Pradeshiya Sabha: Sanjeewa Jayakody, Kumudu Priyadarshana, and Anjana Srinath have asked Kuruppu to come into a room inside the Pradeshiya Sabha premises, and then they have verbally abused him and threatened with death. Kuruppu has made a Police complaint on this at the Gampaha Police station.

The threats were related to a previous news reported by the journalist regarding dispute between two politicians in the same party over the business of fish stalls belonging to them²⁷. Kuruppu has been serving as local journalist for around 25 years. Gampaha District journalist collective has issued a statement condemning these threats.

10. Police Assault to female journalist



FIGURE 3: JOURNALIST ANNE RANAWEERA

A female journalist working in Sri Lankan catholic newspaper 'Gnanartha Pradeepaya'²⁸ has been assaulted by the Police officers of Pamunugama Police station in Negambo, Ravaya newspaper reports²⁹.

On 13th August, around 9.30 am in the morning, a group of Police officers have come to journalist Anne Ranaweera's house, and have asked her to come to the Police station with them. She has asked time to have a wash, and get dressed. On previous day, she has organized an Ayurvedic medical clinic with the support of catholic priest Fr. Saxton Kurukulasooriya. While in the bathroom she has managed to call him and asked him to come to the Police station.

Then Police officers have verbally abused her, threatened, assaulted and then arrested her. They have also videoed her and her house using a mobile phone. She has been again assaulted with a chair inside the room of Officer-in-Charge (OIC) in Pamunugama Police station when she complained about the assault to the OIC, in the presence of Fr. Kurukulasooriya. Then she has been released even without informing her why she had been arrested. Later she has been admitted to the hospital when she experienced bodily pain in the night.

²⁷ Divaina. 10th August 2019. Pradeshiya Sabha members clash over a fish stall <http://divaina.com/daily/index.php/pradeshiya-puwath/31817-2800-14004>

²⁸ Gnanartha Pradeepya is the oldest newspaper current being published in Sri Lanka. The catholic newspaper was initially started in 1866 to support the orphanages with its income.

²⁹ <http://ravaya.lk/?p=175818>

11. Mob stones to female journalist's house

Few days later, in the night of 17th August, an unknown mob of people have attacked female journalist Anne Ranaweera's house with stones, Meepura website reports³⁰. Due to the attack her child has been injured and house has been damaged.

12. Minister Palani Digambaram's threat to up-country journalist K. Prasanna

According to a press statement issued by the Free Media Movement (FMM), Minister of Hill Country New Villages, Infrastructure & Community Development Palani Digambaram has threatened up-country journalist K. Prasanna due to an article written by him. The feature article which discusses alleged corruption in Indian Housing scheme was published in Thinakkural newspaper on 4th August 2019. It was based on the information obtained through Right Information Act. Journalist Prasanna has told to FMM that both Minister's coordinating Secretary and the Minister have threatened him following the article being published³¹.

13. FMM criticizes taking Rupavahini cooperation under Defense Ministry

On 9th September, President Maithripala Sirisena brought a state owned television channel- Sri Lanka Rupavahini Corporation (SLRC) under the purview of the Ministry of Defence by an Extraordinary Gazette notification³². The President Sirisena also acts as the Minister of the Defense.

Free Media Movement condemned the President's Act³³ and two civil society leaders and one MP filed a Fundamental Rights petition against the President's action³⁴.

Free Media Movement in their statement mentioned that this taking over will have a negative impact on the upcoming election, suggesting that the decision may be misused benefit a certain candidate in the upcoming elections.

14. Journalist interrogated by Terrorism Investigation Division

Jinasena Rathugmage a senior Sinhala journalist in Vavuniya was interrogated by Terrorism Investigation Division (TID) for around six hours for allegedly threatening national security after reporting on the arrest of Kilinochchi's Judicial Medical Officer (JMO), Tamil Guardian reports³⁵.

³⁰ <http://www.meepura.com/?p=76525>

³¹ <https://srilankabrief.org/2019/08/minister-palani-digambarams-threat-to-up-country-journalist-k-prasanna-condemned/>

³² President Takes over Rupavahini Corporation <http://www.ft.lk/top-story/President-takes-over-Rupavahini/26-685512>

³³ Free Media Movement Strongly condemns the taking over of the rupavahini corporation to be placed under the ministry of defense. Sri Lanka Brief. <https://srilankabrief.org/2019/09/sri-lanka-fmm-strongly-condemns-the-taking-over-of-the-rupavahini-corporation-to-be-placed-under-the-ministry-of-defense/>

³⁴ Rupavahini Corp. under Defence Ministry illegal, say FR petitions. 13th October 2019. Sunday Times.

<http://www.sundaytimes.lk/191013/news/rupavahini-corp-under-defence-ministry-illegal-say-fr-petitions-373165.html>

³⁵ <https://www.tamilguardian.com/content/sinhala-journalist-interrogated-tid-over-reporting-kilinochchi-jmo-arrest>

Kilinochchi JMO and senior Tamil doctor Dr S Sivaruban was arrested by TID on August 18 for alleged links to terrorist activities.

Journalist Jinasena Rathugamage was summoned to the TID in Colombo after publishing reports that the terrorism police were alleging Dr Sivaruban was involved in an assassination plot against former Defence Secretary and presidential candidate Gotabaya Rajapaksa and having links with the LTTE.

15. Tamil newspaper distributor arrested

A Tamil newspaper distributor had been arrested by Sri Lankan Army for possessing newspapers which published a photograph of LTTE leader Velupillai Prabhakaran as its cover photo, Tamil Guardian reported³⁶.



FIGURE 4: NEWSPAPER'S COVER PHOTO, PHOTO COURTESY- TAMIL GUARDIAN

On 7th July 2019, Tamil medium weekly newspaper 'Deepam' carried the photograph of former LTTE rebel leader V. Prabhakaran who was killed in May 2009 during the last phase of Sri Lankan civil war. LTTE was a rebel group who carried out a military fight against Sri Lankan government demanding a separate state. The photograph was published with regards to a feature article on remarks made by different Sri Lankan politicians in South and North about

³⁶Tamil newspaper distributor arrested by army for LTTE leader cover photo. Tamil Guardian. 11th July 2019. <https://www.tamilguardian.com/content/tamil-newspaper-distributor-arrested-army-ltte-leader-cover-photo>

Prabhakaran. The newspaper distributor had been handed over to Oddusuddan police after being stopped and searched on the Oddusuddan-Nedunkeni road by the army. The distributor was released after questioning.

16. Tamil Guardian journalist summoned by TID

Sri Lanka's Terrorism Investigation Division (TID) has summoned Tamil Guardian's Mullaitivu correspondent Shanmugam Thavaseelan for questioning to Colombo. The TID summons stated that Thavaseelan's testimony was required for an ongoing investigation, ordering the journalist to appear in Colombo on September 25.

Previously on 20th April, Thavaseelan was arrested and detained for around 10 days, based on a complaint lodged by a navy officer. The reason for the arrest was involving a navy intelligence officer who had taken the photographs of the protestors during a protest held on 7th April demanding truth and justice to families of disappeared. The journalist Thavaseelan and others have questioned his identity and the incident had led to a dispute and then it had been revealed that the relevant person was a navy officer. Following the incident the navy officer has made a complaint that Thavaseelan had allegedly attacked him.

Last year, when he was reporting about a military acquisition of a burial ground of LTTE rebels in Alampil, he was temporally detained, and threatened by the military officers, as he denied to hand over his camera to the military. National Human Rights Commission of Sri Lanka has conducted investigations into both of these incidents, Sri Lanka Navy have promised that they would not intervene with protests against disappearances in the future.



FIGURE 5: TAMIL GUARDIAN JOURNALIST SHANMUGAM THAVASEELAN, PHOTO COURTESY : TAMIL GUARDIAN

17. Virakesari journalist summoned to police Colombo HQ

Thillainathan Shobithan a Tamil journalist based in Jaffna who reports for the island-wide Tamil language daily newspaper Virakesari was summoned in relation to an article he had published in which he'd reproduced quotes by a disappearances activist about Gotabaya Rajapaksa and EPDP leader Douglas Devananda. Shobithan was told to appear in Colombo on the 4th of October 2019 for an inquiry³⁷.

18. Assault on Razool: a Tamil language journalist from Colombo

Muslim journalist K.M Razool, a senior Tamil language journalist was nearly assaulted after he refused to produce unverified news which specifically attacked TNA (Tamil National Alliance) leadership as well as the UNP (United National Party) by his employer Capital FM. According to the Tamil Guardian Capital FM's Chairman, Vincendrarajan Sathasivam, is the father-in-law of MP Angajan Ramanadan, SLFP's (Sri Lanka Freedom Party) Jaffna District Organizer. The SLFP has reached a political agreement with the SLPP (Sri Lanka's People Front) to support Gotabaya for the presidential election. On 16th October Razool was suspended "alleged insubordination" by Capital FM³⁸.

After the Election

19. Sri Lankan police questions Thinappuyal and demands staff details.

On the 22nd November 2019, Sri Lankan police visited and questioned the management of a Vavuniya-based Tamil newspaper-Thinappuyal and demanded details of all reporters and correspondents, allegedly responding to an anonymous complaint. According to the Tamil Guardian³⁹, The director of the Thinappuyal newspaper Sakthivelpillai Prakash said the police visited the offices on Friday and questioned him for over a hour, asking him about the publication of LTTE-related news and other topics. The non-uniformed men then requested personal details of all Thinappuyal staff members including reporters to which Sakthivelpillai Prakash refused to give. According to the article published in the Thinappuyal official website⁴⁰ the Management has stated that the questioning of Tamil news agencies especially after the government changed is seen as an act to repress the voice of Tamils.

20. Newshub.lk frisked by Police with an invalid search warrant

Newshub.lk⁴¹ reported that their office in Nugegoda was subject to search by police on the 26th of November 2019 based on a false complaint received by sleuths that the company had in its possession defamatory material, targeting one particular candidate in the run up to the recently

³⁷ <https://www.tamilguardian.com/content/tamil-journalist-summoned-police-colombo-hq>

³⁸ <https://www.tamilguardian.com/content/muslim-journalist-suspended-not-publishing-unverified-anti-tna-news>

³⁹ <https://www.tamilguardian.com/content/sri-lankan-police-question-tamil-newspaper-and-demand-staff-details>

⁴⁰ <http://www.thinappuyalnews.com/archives/217938>

⁴¹ <http://newshub.lk/en/2019/11/27/why-was-newshub-lk-frisked-by-police-video/>

concluded Presidential Poll. The police checked the premises, the servers, laptops and the PC's. Subsequently, having found no incriminating evidence, the police took down an entire list containing the names, addresses and NIC numbers of Newshub.lk's staff.

21. Lankadeepa correspondent attacked for reporting on illegal toddy trade.

Thusitha Kumar de Silva is a correspondent of 'Lankadeepa'. On the 5th of December 2019 Thusitha and his wife were assaulted by gangsters and demanded the journalist stop reporting on the illegal toddy manufacture and trade. During the fisticuffs that ensued, the men robbed de Silva's mobile phone and his wallet. The couple have been admitted to Aluthgama Hospital⁴².



FIGURE 6: ASSAULTED JOURNALIST IN HOSPITAL, PHOTO COURTESY LANKADEEPA

22. Attack on Author Lasantha Wijeratne

On the 14th of November 2019 attackers stormed the home of Lasantha Wijeratne, who released his book 'Wasteful Development and Corruption' and gave a copy to candidate Sajith Premadasa. Ceylon Today reported that the attackers had inquired about his book while he was being assaulted.



FIGURE 7: AUTHOR LASANTHA WIJERATNE ATTACKED AND HOSPITALIZED

⁴² <http://www.sundaytimes.lk/191208/news/lankadeepa-journalist-who-exposed-illegal-toddy-trade-attacked-381568.html>

23. Batticaloa TV journalist assaulted



FIGURE 8: JOURNALIST MOHAMED SAJI ASSAULTED AND HOSPITALIZED

Batticaloa based journalist Mohamed Saji who works for Vasantham TV for a TV programme called ‘Athivu’ was attacked in Kathankuddy. The attackers had also warned that his boss Irfan Mohamed, the manager of Vasantham TV will also be dealt with⁴³.

24. Lakehouse New Media and digital department journalist assaulted.



FIGURE 9: CCTV SCREENSHOT OF MADHUKA THAKSHALA FERNANDO AND THE ASSAILANTS

Journalist Maduka Thaksala Fernando, Head of the New Media and Digital department of the Lake House was assaulted by a group that claims to belong to a trade union. The journalists letter to the administration stated that he was taken out of the Resa editorial office by force and took him to a place that was not covered by CCTV and assaulted and threatened me never to come to the premises again⁴⁴.

25. Journalist attacked while reporting the protest against illegal sand mining

As reported by Wayamba Today⁴⁵ and Meepura⁴⁶, the Provincial journalist Prasad Poornimal Jayamanne was attacked by a person related sand mining during a protest held in Mukku Thoduwawa area in Madurankuliya in Puttalam District against illegal sand mining. When Jayamanne was reporting the protest, a person in a truck transporting sand had attacked the journalist and damaged the camera and allegedly caused injury to the journalist. The angry protesters in return have also attacked the person who attacked the journalist.

⁴³ <https://www.dailynews.lk/2019/11/04/local/201866/journalist-attacked>

⁴⁴ <https://www.colombotelegraph.com/index.php/president-gotas-goons-assault-lake-house-new-media-head/>

⁴⁵ <http://www.wayambatoday.com/?p=12733>

⁴⁶ <http://www.meepura.com/?p=82619>

26. TheLeader.lk journalist, summoned and questioned by the CID

Sanjay Dhanushka, a journalist who manages the video channel at TheLeader.lk news website, was summoned and questioned by the Criminal Investigation Department for several hours on the 26 November 2019⁴⁷.

27. The editor of the Voicetube.lk website, summoned for questioning by the CID

FIGURE 10: THE EDITOR OF VOICETUBE.LK INTERVIEWED AFTER QUESTIONING BY THE CID

Thushara Vitharana, the editor of the Voicetube.lk website, was summoned for questioning by the CID on 28 November 2019. She told RSF she was interrogated for two hours about her former activities at TheLeader.lk, for which she no longer works⁴⁸.

⁴⁷ <http://www.ft.lk/news/International-media-watchdog-accuses-Sri-Lanka-s-new-Government-of-harassing-journalists/56-690903>

⁴⁸ <https://srilankabrief.org/2019/11/fmm-sri-lanka-expresses-its-concerns-over-journalists-being-questioned/>

C. Attacks and restrictions on protestors

Before the Election

28. Tear gas and water cannon attack on protest against Batticaloa Campus

On 9th July, Police used tear gas and water cannons to disperse university students who were marching through the Colpetty Junction and attempting to enter the Galle Face area through the barred Galle Road.⁴⁹

The Inter-University Student Federation had organized the protest march showing their opposition against the controversial Batticaloa Campus. The march which started from the University of Sri Jayawardenapura reached Colpetty through the Galle Road passing Nugegoda, Kirulapona, and Thunmulla.

29. Tear gas and water cannon attack on Private Universities Act

On 5th August 2019 the protest organized by Inter-University Student Federation (IUSF) asking to withdraw Private Universities Act was attacked with tear gas and water cannons by Police. Students marched demanding a meeting with the President and the Prime-Minister nearby the Presidential Secretariat when they were dispersed⁵⁰. INFORM was reported that Convener of IUSF Rathkarawwe Jinarathana Thero was hospitalized as water canon attacks hit his eyes.

30. Water cannon and tear gas attack to student activists



FIGURE 11: NEWLY USED HAND THROWING SMOKE TEAR GAS GRENADES, PHOTO COURTESY: IUSF

⁴⁹Police fire tear gas and water cannons to disperse protesting university students. Newsfirst. 9th July 2019. <https://www.newsfirst.lk/2019/07/09/police-fire-tear-gas-and-water-cannons-to-disperse-protesting-university-students-2/>

⁵⁰ Police Fire tear gas at Protesting Students <http://www.adaderana.lk/news.php?nid=56869>

On 28th August, a protest was organized by the Inter University Students' Federation (IUSF) against attempts to pass the Quality Assurance and Accreditation Council (QAAC) Act in parliament, which they claim would nullify the role of the Sri Lanka Medical Council (SLMC)⁵¹. The protest was attacked with tear gas, and water cannons by Police, when students attempted to enter Lotus Road where main access to Presidential Secretariat is located. Protestors told that newly used hand throwing smoke tear gas grenades had a strong effect in causing lasting skin irritation, skin burning and other effects which were different from regular tear gas canisters.

31. tear gas attack to protest of unemployed graduates



FIGURE 12: ATTACKED FEMALE PROTESTER BEING ASSISTED BY FELLOW PROTESTORS, VIDEO: HIRU TV

On 29th July, a protest by unemployed graduates was attacked with water cannons and tear gas by the Police, when the protestors marched from the Fort railway station in Colombo towards the Presidential Secretariat⁵². They protested against exclusion of graduates with visual and auditory impairments, and division of external and internal graduates in the recruitment processes. They demanded a meeting with the Prime Minister to discuss irregularities occurred in graduate recruitment process to government employments. However their request was denied, and the protestors were attacked with water cannons and tear gas. In a video published by Hiru News, a Police officer denied that they attacked the protestors, asked others to take the person away when a protestor was being assisted by fellow protestors⁵³.

⁵¹Protesting students met with tear gas and water cannons. Ada Derana. 28 August 2019 <http://www.adaderana.lk/news.php?mode=head&nid=3657>

⁵² Graduates protest over irregularities in recruitment. News First. 29th July 2019 <https://www.newsfirst.lk/2019/07/29/graduates-protest-over-irregularities-in-recruitment/>

⁵³ Hiru Gossip News. <https://www.youtube.com/watch?v=ZTfngbEZmH0>

32. Tear gas and water canon attack on HNDA student protest



FIGURE 13: WOUNDED PROTESTER WHILE BEING TAKEN TO THE HOSPITAL, PHOTO COURTESY - HNDA STUDENT'S UNION KANDY FACEBOOK PAGE

On 7th of August a protest March organized by Higher National Diploma in Accountancy (HNDA) students was attacked with tear gas and water cannons by the Police. The protesters demanded equal recognition given to HNDA similar to Bachelor of Accountancy in public sector recruitments especially for the position of Development officer.

HNDA students have been conducting protests on the same demand at least since the year 2014. Their protests have been time to time attacked by the Police. In October 2015, after a brutal attack by

Police on HNDA students, National Police Commission appointed a committee to conduct inquiry into the attack. However so far no sustainable solution has been provided to the demands of the students.

33. Protests in Puttalam main road against Aruwakkalu landfill site barred

On 3rd September, the Puttalam District Magistrate's Court barred protests along the Puttalam main road and the obstruction of the railway track, against the dumping of waste at the sanitary landfill site in Aruwakkalu. The order had been issued after police had made submissions to court in a case against four persons namely M.A. Mohamed Iflal, A.W. Mohamed Ifham, M. Rizwan, and M. Ajmal who had planned a protest⁵⁴.

34. Protest in Batticaloa attacked with tear gas and 4 Protestors injured

On 27th of August, residents in Batticaloa protested when remains of the suicide bomber who carried out the bomb attack were buried in a cemetery in Kalliyankaadu, Batticaloa nearby Batticaloa Kallady Bridge⁵⁵. Police attacked the protestors with teargas and four protestors were injured and admitted to the Batticaloa Hospital⁵⁶.

⁵⁴ Court bars protest against Aruwakkalu sanitary landfill in Puttalam <http://www.sundaytimes.lk/article/1101151/court-bars-protest-against-aruwakkalu-sanitary-landfill-in-puttalam>

⁵⁵ Police fire tear gas at protestors in Batticaloa <http://www.adaderana.lk/news/57353/police-fire-tear-gas-at-protesters-in-batticaloa>

⁵⁶ 4 Protestors injured in Batticaloa <https://www.newsfirst.lk/2019/08/28/4-protesters-injured-in-batticaloa/>

35. Environmental Activist Chandrajothi Thero arrested during Protest

On 27th August, during a protest against environmental impact of African Oil Palm (Katupol) plantation in Galle, environmental Activist Aduranwila Chandrajothi Thero had been arrested. Lankaview website has reported that the arrest was based on a complaint made by the company management of Namunukula Plantations – a partner of Arpico group of Companies. He has been granted bail on 1st September 2019 after presenting before the Magistrate court in Baddegama.⁵⁷ Next court hearing is scheduled on 17th December 2019.



FIGURE 14 : ENVIRONMENTAL ACTIVIST: CHANDRAJOTI THERO. PHOTO COURTESY- LANKAVIEWS WEBSITE

36. Buddhist monks threaten protestors and assaults a lawyer and two others

On 23rd September, a group of Buddhist monks have threatened protestors and assaulted a lawyer and two others who opposed conducting final rituals of a Buddhist monk at the Neeraviyadi (Gurukande) temple premises in Mullaitivu currently belonging to both Hindus and Buddhists⁵⁸. The Buddhist monks conducted the funeral despite of a court order banning

⁵⁷

<https://www.lankaviews.com/%E0%B6%9A%E0%B6%A7%E0%B7%94%E0%B6%B4%E0%B7%9C%E0%B6%BD%E0%B7%8A-%E0%B7%80%E0%B6%9C%E0%B7%8F%E0%B7%80%E0%B6%A7-%E0%B6%91%E0%B6%BB%E0%B7%99%E0%B7%84%E0%B7%92%E0%B7%80-%E0%B7%84%E0%B6%AC-%E0%B6%B1/>

⁵⁸ The Buddhist temple was built during the last decade, after Buddhist archeological evidence was found in the Neeraviyadi Hindu temple land. Currently there is an ongoing legal case against the building of Buddhist temple.

funeral rites being conducted at the temple premises. The Lawyer was assaulted by the Buddhist monks when he attempted to explain the injunction order to the Buddhist monks⁵⁹.

In September, Colombo Medhalankara Thero – the Chief priest of the controversial Gurukande Temple or Neeraviyadi Hindu temple in Mullaitivu died of cancer at a hospital in Colombo. Other monks decided to hold his funeral at the temple. However according to the Hindu beliefs, cremating a corpse in a Hindu temple is considered polluted and unholy. After devotees of the temple in the area went to the courts stating their opposition to conduct funeral rituals at the temple premises, the court issued an injunction order banning funeral rituals being conducted at the temple. However a large group of outsiders along with Buddhist monks arrived at the temple and started conducting final rituals of the Buddhist monk despite of the injunction order which banned it. Galabodaaththe Gnanasara Thero - the controversial Buddhist Monk and Secretary of Bodu Balasena, who received Presidential pardon while serving a Prison sentence for insulting the court and threatening a witness at the court premises took the leadership of this event.

There have been incidents of threatening to journalists and protestors by Buddhist monks at several occasions previously.

According to Tamil Guardian, on 26th September Lawyers across the North-East have protested against the incident by boycotting court activities for the 'lack of respect' towards the judiciary shown by Sinhala Buddhist monks and Sri Lankan police, and assaulting a lawyer who attempted to defend the court order⁶⁰.

After the Election

37. Protesters attacked by hooligans in Chavakatchery to stop Windmill project

Unknown hooligans attacked the villagers who were protesting against the environmental degradations and land disputes regarding the Maravanpulo windmill project in Jaffna⁶¹.

38. Intelligence officers photograph the Families of the disappeared in a rally in Mullaitivu

On 11th December 2019, The Tamil Guardian reported that Sri Lankan security intelligence officers came out in force and photographed a rally in Mullaitivu organised by the Families of the disappeared. The media report states that the Leaders of the protests, many of whom are vulnerable women, have been routinely attacked and

⁵⁹ Extremist Buddhist monk leads funeral rites in Hindu temple grounds despite court injunction. 23rd Sep 2019. Tamil Guardian. <https://www.tamilguardian.com/content/extremist-buddhist-monk-leads-funeral-rites-hindu-temple-grounds-despite-court-injunction>

⁶⁰ Lawyers continue strike across North-East after assaults by Buddhist monks. 26th Sep 2019. Tamil Guardian. <https://www.tamilguardian.com/content/lawyers-continue-strike-across-north-east-after-assaults-buddhist-monks>

⁶¹ <https://www.facebook.com/watch/?v=756425948195751>

threatened by suspected intelligence personnel since the roadside protests started and gained momentum almost three years ago⁶².



FIGURE 15: INTELLIGENCE PERSONNELS TAKING PHOTOS OF ROADSIDE PROTESTERS

39. Sri Lankan police threatened priest and residents protesting against sand mining.

On 21st December 2019 The Tamil Guardian reported that the police threatened residents and a local Catholic priest who protested against illegal sand mining in the Thottaveli village in Mannar. The residents of Thottaveli have been concerned about the environmental consequences of sand mining. The Tamil guardian media report stated that the local authorities including the divisional and district councils have repeatedly denied giving permission for sand extraction the problem has persisted due to the perpetrators producing ambiguous permits for other purposes, obtained from southern politicians.

The Catholic priest who was threatened told INFORM that one of the police men had threatened him by reminding about the last stages of the war. However, a senior police officer had asked pardon on behalf of the policeman who threatened him. The policeman who threatened also apologised to the priest for his behaviour and the issue was sorted out⁶³.

⁶² <https://www.tamilguardian.com/content/families-decry-surveillance-sri-lankan-intel-out-force-disappeared-protest>

⁶³ <https://www.tamilguardian.com/content/sri-lankan-police-protect-sand-miners-and-threaten-protesting-priest-and-villagers>



FIGURE 16: THOTTAVELI PROTESTERS AGAINST SAND MINING CONFRONTING THE POLICE

D. Repression of Activists in North and East

Before the Election

40. Anti-Disappearance activist and her daughter deliberately knocked off from the motorcycle

A prominent anti-disappearance activist in Batticaloa Amala Nayagi and her daughter have been deliberately hit and knocked off their motorcycle by three unknown persons on 4th August 2019, while they were travelling to attend a funeral in Batticaloa. Soon after the incident, three men have attempted to escape, however one has been arrested by Karadiyanaru police with the help of local youth. According to Tamil Guardian, Unconfirmed reports suggest that the arrested attacker was linked to a paramilitary group.

Amala Nayagi is the vice-president of the North East Families of the Disappeared Association and the president of the Batticaloa District Association. For a long time, she has been campaigning with families of the disappeared in Batticaloa. According to Tamil Guardian, the activist has told them that she was certain the attack was intended to intimidate her⁶⁴.



FIGURE 17: AMALA NAYAGI AND HER DAUGHTER AT THE HOSPITAL, IMAGE COURTESY: TAMIL GUARDIAN

41. Men in civil photograph lawyers and clients of a disappearance case at the Court

When the Navatkuli Disappearances habeas corpus inquiry was taken up in the Chavahacheri Magistrate Court on 1st August, Sinhala speaking men in civil clothes have photographed the lawyers and clients inside the court complex. Tamil lawyer and activist Kumaravadivel Guruparan has seen that one of the persons who photographed them getting into the car of the Deputy Solicitor General who represented Army and continue to take photographs from

⁶⁴ <https://www.tamilguardian.com/content/disappearance-activist-and-daughter-attacked-batticaloa>

inside the car. The lawyers have then complained to the magistrate and told that they plan to write a letter to the attorney General on the matter⁶⁵.

The Navatkuli Disappearances was an incident in 1996 in which more than two dozen Tamil youth disappeared. Army Commander, Major General Duminda Kepetiwolana, is alleged to have been directly responsible for the disappearances.⁶⁶

42. TID officials question Adayaalam Centre for Policy Research

Adayaalam Centre for Policy Research: a Tamil think-tank based in Jaffna was visited and its staff questioned by the Terrorist Investigation Division (TID) officials on 6th August.

Kumaravadivel Guruparan, Executive Director of Adayaalam Centre for Policy Research (ACPR) and senior lecturer in law at University of Jaffna has tweeted that the office of ACPR were visited by three TID officials who claimed to have been sent by their superiors in Colombo to inquire into the human rights policy-think tank⁶⁷.

The officials asked the staff what they were doing and who was funding them alongside other similar questions. When asked whether they were investigating a complaint the officials responded by stating they were asked to make inquiries by their superiors.

43. Ampara district Anti-Disappearance Activist summoned by the TID

A leader of the Ampara district families of the disappeared association: Thambirasa Selvarani was summoned by the TID Tamil after families of the disappeared in Amparai held a remembrance on the 24th of September 2018 to mark the 31st year since Lt Col Thileepan's fast unto death. A ceremonial Pongal (rice cooking) was held at the Sakalakalai Amman temple in Thirukkivil. The commemoration followed by tributes at the office of the families of the disappeared association in Amparai. The association's leader Thambirasa Selvarani told that intelligence officers had threatened the organisers and had even approached the Sakalakalai Amman temple priest, warning him not to carry out the ceremony and had threatened him with arrest as well as arrest of the association leaders. Selvarani was summoned to come to the 2nd floor of the Terrorist Investigation Department Office in Colombo on the 30th of September 2019. She was questioned for 3 hours by the officers and was warned not to conduct protests anymore and particularly told her not to organise any events or protests for the upcoming Maveerar Naal (Great Heroes' Day) in November.

44. Patterns of General Intimidation faced by NGOs in the North and East

Several offices of organizations in the North and East working on various Human Rights issues were visited by the Intelligence officers in civil clothes. They have asked the organizations about their funding, proposals, office branches, projects, employee gender ratio and program details. The Northern organizations were asked questions related to certain events organised by Human Rights

⁶⁵ Tweet by the lawyer. 1st Aug 2019. <https://twitter.com/rkguruparan/status/1156863157396054016>

⁶⁶ 'Sinhala speaking men' with Sri Lanka's Attorney General intimidate Tamil lawyers in court. 1st August 2019. Tamil Guardian. <https://www.tamilguardian.com/content/%E2%80%98sinhala-speaking-men%E2%80%99-sri-lanka%E2%80%99s-attorney-general-intimidate-tamil-lawyers-court>

⁶⁷ <https://twitter.com/rkguruparan/status/1158674539997360128>

organizations in the Eastern Province and vice versa. Most organisations told us that the intelligence officers would go to another organisation in the locality and question about their organisation and about specific employees. They also mentioned that they were extremely friendly while talking to them. One of the organisations told that the intelligence officers mentioned that people working on disappearances are considered to be terrorists. However, the HRDs in the organizations visited by the intelligence officers believe that this sort of monitoring and intimidation is to scare and sabotage the works of NGOs.

45. Human Rights Lawyer Kumaravadivel Guruparan barred from practising



FIGURE 18: KUMARVADIVEL GURUPARAN

Kumaravadivel Guruparan is the founder and executive director of the Adayalam Center for Policy Research, a human rights organisation based in Jaffna and is also a lecturer and head of the Department of Law at the University of Jaffna. He is also a human rights lawyer and advocates for victims of human rights violations in their fight for justice and redress.

Some of the cases aim at holding the Sri Lanka military accountable for crimes including extra judicial killings and enforced disappearances of civilians in the north and east of the country. Recently he has faced threats, intimidation and attempts to suppress his work. It was instigated by the military, to subvert justice and hamper the cases'

successful litigation in court. On 9 November 2019, The Jaffna University Council informed him that he will no longer be permitted to practice as a lawyer in Sri Lankan courts. The decision made by the University Grants Commission (UGC), at the request of the Sri Lankan military and is an act of reprisal against his peaceful human rights work⁶⁸.

46. Former Tamil political activist denied entry to Sri Lanka

Former Tamil political activist, Mr Kaviraj Shanmuganathan, was denied entry into Sri Lanka upon his arrival at Bandaranaike International Airport on 29th July as reported by Tamil Guardian. He has been told that his entry was denied on the basis as he has been listed as someone who had worked against the sovereignty and interests of the country. He was also told that he may be able to visit Sri Lanka with the permission of Defense Ministry if he make an application to the Sri Lankan High Commission in London.

Shanmuganathan was a leader of the protests in London between April to May 2009 which demanded a ceasefire in Sri Lanka and he has also lobbied for an international independent investigation into the mass atrocities committed in the last stages of the war ⁶⁹.

⁶⁸ <https://www.frontlinedefenders.org/en/case/human-rights-lawyer-kumaravadivel-guruparan-barred-practicing-law>

⁶⁹ <https://www.tamilguardian.com/content/former-tamil-political-activist-denied-entry-sri-lanka>

Shanmuganathan is a former member of Transnational Constituent Assembly of Tamil Eelam of Transnational Government of Tamil Eelam (TGTE). According to Tamil Guardian he has left Politics and engaged in supporting to victims of war in the recent years.

47. Human Elevation Organisation (HEO) book launch impeded by Election Commission

On the 17th of October 2019, the Law and Society Trust (LST) posted a statement on the Official LST Facebook page that a book launch organized by the Human Elevation Organisation (HEO) - Addalaichenai was blocked by the Election Commission. HEO is a partner organization in the People's Alliance Right to Land. The compilation report "Land Grabbing-Denial of our existence" was delayed by the Election Commission on October 12th, 2019.

The launch was designed as a discussion forum for civil societies and the unfairly treated communities of the Ampara region. On the day of the launch regional and national activists, organizers and the media gathered outside the blocked venue at Al Sakki Hall, Addalaichenai, Ampara and questioned the government authorities who were accountable for them for their lost land. The post also mentions that LST believes that the Presidential Election should not delay discussion on pressing issues faced by the people. The statement also says that the Election Law should not hold back people from expressing their grievances.

On the 12th of October 2019, The Colombo Gazette reported that the Centre for Monitoring Election Violence (CMEV) said that it had received notice that a discussion over land rights at the Addalaichennai District Secretary Office had been stopped. CMEV said that though the office "Al Sakki Hall" was locked the public had gathered outside the venue⁷⁰.



FIGURE 19: SCREENSHOT OF HEO BOOK LAUNCH PROTEST, TWEETED BY MARISA DE SILVA

⁷⁰ https://twitter.com/Mari_deSilva/status/1182879412875739137

<http://colombogazette.com/2019/10/12/tense-situation-as-officials-attempt-to-stop-ampara-event-on-land-grab/>

After the Election

48. Vavuniya Citizens Committee Leader K. Rajkumar assaulted

On 30 December 2019, Vavuniya Citizens Committee leader and Coordinator of the Vavuniya families of the disappeared K. Rajkumar, was brutally attacked several times by EPDP supporters after a protest held to show their concerns regarding Douglas Devananda. The protesters threw cow dung and whacked the placards which had Douglas Devananda's image and captions. Rajkumar was hospitalised immediately after the assault⁷¹. Rajkumar has filed a police complaint against the assailants.



FIGURE 20: PROTESTERS IN VAVUNIYA, PHOTO COURTESY-TAMILWIN

49. Kilinochchi human rights activist's son attacked

Human Rights activist Kala's son was severally attacked while his mother was protesting in Kilinochchi with the families of the disappeared. The unknown assailants have entered his workplace and assaulted him on his head, hands and shoulders. Later he was rushed to the Jaffna General hospital for treatment.

⁷¹ <https://www.tamilwin.com/community/01/235088?ref=archive-feed>

E. Institutional and legal changes

Before the Election

50. State of emergency continued until August 22

A gazette notification extending the State of emergency for a period of one month was issued on 22nd July 2019 by the President Maithreepala Sirisena. This was approved by the Parliament on 31st July⁷². Under the state of emergency, human rights were constrained, activists and victims faced significant challenges in organizing and expressing themselves.

However on 23rd August 2019 secretary of Defense General Shantha Kottegoda stated that the Emergency Regulations would not be extended as Sri Lanka has returned into normal situation following the Easter Sunday Bomb Attacks⁷³.

51. Security forces given special powers on maintaining public order

Since emergency regulations were no longer extended beyond 22nd August, special powers were granted to Armed forces to maintain public order. A gazette notification calling out all the members of the Armed Forces for the maintenance of public order was issued on 22nd August⁷⁴. Though gazette has mentioned the order applies only to specific geographical areas, when looked at the schedule referring to list areas, the order is applicable to entire Sri Lanka, also it does not mention of a timeline. This may provide broad legal powers for armed forces to intervene in civilian affairs and undertake responsibilities generally available to Police.

52. State appointments with possible negative impact on accountability

Despite the availability of uninvestigated crimes against humanity against Shavendra Silva during last stages of Sri Lankan civil war, he was appointed as the Commander of the army by the President Maithreepala Sirisena on 18th August. Civil society organizations, and activists have condemned this appointment. According to Centre for Policy Alternative, several public documents have levelled allegations against him of violations of International Humanitarian Law (IHL) and International Human Rights Law (IHRL). In 2011, the United Nations Panel of Experts (POE) named Major General Silva in their report with a recommendation for further independent investigations of violations committed during the war. Again in 2012, Major General Silva was removed from the UN Special Advisory Group on Peace Keeping Operations due to allegations levelled against his conduct during the final phase of the war. In March 2019, the report of the UN High Commissioner for Human Rights raised concerns over the appointment of Major General Silva as Chief of Staff of the Sri Lankan Army, due to documented allegations of rights violations by troops under his command⁷⁵. In January 2019,

⁷² Third extension for Emergency Regulations passed in Parliament. Sunday Times. 31st July 2019.

<http://www.sundaytimes.lk/article/1097068/third-extension-for-emergency-regulations-passed-in-parliament>

⁷³ Emergency regulations won't be extended: Secretary of Defence <https://www.newsfirst.lk/2019/08/23/emergency-regulations-would-not-be-extended-secretary-of-defence/>

⁷⁴ Extra Ordinary Gazette. GoSL. http://www.documents.gov.lk/files/egz/2019/8/2137-67_E.pdf

⁷⁵ Concerns over the appointment of Major General Shavendra Silva as the Commander of the Sri Lanka Army and the need for urgent reforms. Center for Policy Alternative (CPA). 19 Aug 2019. <https://www.cpalanka.org/concerns-over-the-appointment-of-major-general-shavendra-silva-as-the-commander-of-the-sri-lanka-army-and-the-need-for-urgent-reforms/>

when Silva was appointed as the Chief of Staff of Sri Lanka Army International Truth and Justice Project on Sri Lanka (ITJPSL) issued 137 pages long dossier on war crimes allegations against him.^{76 77}

After the Election

53. NGO Secretariat placed under the Ministry of Defence

On 11th December 2019, News first media report stated that a number of institutions including the Ministry of Disaster Management, National Media Center, NGO Secretariat, Sri Lanka Telecommunications Regulatory Commission, Sri Lanka Computer Emergency Readiness Team, Information and Communication Technology Agency of Sri Lanka and related agencies, as well as Rakna Arakshaka Lanka Private Limited have been moved under the purview of the Ministry of Defense⁷⁸.

54. State appointments with possible negative impact on accountability

There were few controversial appointments after the 2019 presidential elections which steered debate on accountability and impunity. Retired Major General Kamal Gunaratne's appointment as secretary of defence and former defence and attaché to the Sri Lankan High Commission in the United Kingdom Priyanka Fernando's appointment as director of real estate and quartering was highlighted in several news platforms. The South Africa based International Truth and Justice Project (ITJP)⁷⁹ in their website has released a 100-page dossier on the newly appointed secretary of defence General Kamal Gunaratne. The dossier published by ITJP has a compelling evidence to charge Sri Lanka's newly appointed secretary of defence, retired Major General Kamal Gunaratne with crimes against humanity. It is also important to mention that Priyanka Fernando was convicted for threatening Tamils by Westminster Magistrate Courts, UK.

55. Security forces given special powers on maintaining public order

Same as the Previous President, newly appointed President Gotabaya Rajapaksa also issued a special gazette which granted special powers to Armed forces to maintain public order. A gazette notification calling out all the members of the Armed Forces for the maintenance of public order was issued on 22nd of November⁸⁰. The gazette notice was issued called upon the army, navy and the airforce to be deployed in all 25 districts including the capital Colombo. The Gazette notification was extended again on 22nd of December⁸¹.

⁷⁶ Alleged war criminal named second-in-command of Sri Lanka army <https://www.aljazeera.com/news/2019/01/alleged-war-criminal-named-command-sri-lanka-army-190110161436349.html>

⁷⁷ Shavendra Silva- Chief of Army staff: Dossier. International Truth and Justice Project. 29th Jan 2019.

http://www.itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf

⁷⁸ <https://www.newsfirst.lk/2019/12/11/institutions-of-disaster-management-moved-under-the-purview-of-defence-ministry/>

⁷⁹ <https://itjpsl.com/assets/press/Kamal-Gunaratne-dossier-final-optimized.pdf>

⁸⁰ <http://www.adaderana.lk/news/59227/gazette-issued-calling-on-armed-forces-to-maintain-public-order>

⁸¹ http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=215862

F. Other

Before the Election

56. SLPP Presidential Candidate refuses to honour UN deal on accountability

According to The Hindu⁸² SLPP presidential candidate Gotabaya Rajapakse (who later won the election) has mentioned that he will work always work with the United Nations, but he can't recognise what the UN have signed with past governments on accountability. The media report states that he mentioned this at a press conference at the plush Shangri-La Hotel and it was his first press conference since being declared candidate of the Sri Lanka Podujana Peramuna.

57. Online Hate speech targeting Prof.Chandragupta Thenuwara

Prof.Chandragupta Thenuwara was targeted online on a Facebook live feed of of a Press meeting organised by the Civil Society and Trade Union Corporation on the 12th October 2019⁸³.



FIGURE 21: SCREENSHOT OF FACEBOOK LIVE FEED FROM A PRESS MEET CONDUCTED BY CIVIL SOCIETY AND TRADE UNION CORPORATION, COURTESY-SADHARANA SAMAJAYAK

⁸² <https://www.thehindu.com/news/international/will-not-honour-un-deal-on-accountability-says-gotabaya/article29693188.ece>

⁸³ (https://www.facebook.com/sadharanasamajayak/videos/1359281520912248/?epa=SEARCH_BOX)

58. Threats faced by Human Rights Defenders Professor Thenuwara and Gamini Viyangoda

Professor Chandragupta Thenuwara and Gamini Viyangoda lodged a complaint at the police head quarters in Colombo on 08 Oct 2019 citing they had received death threats. Professor Chandragupta Thenuwara told News First on 08 Oct 2019 that he and Viyangoda were reminded of the white van culture. The people who threatened him also condemned their conduct. Professor Thenuwara strongly believes that they did something right for the people of this country. If a person has a problem regarding the country they can seek help or advice from the courts or anywhere else. The court has responded, but the hooligans are unable to understand this. The writ petition filed by the duo challenging the dual citizenship of Presidential Candidate Gotabaya Rajapakse was dismissed by the court of appeal recently. Professor Chandragupta Thenuwara told News first⁸⁴ that the threat is because of the court case but the ones who threatened do not know that the complaint was lodged with the IGP long back on the 6th of August 2019. However, they heard about it only when it was taken up to courts. He also told News first that the threats are close to death threats and also threatened by saying they will completely destroy them when they come to power. In addition, Viyangoda's surname was replaced with Ekneligoda and condolences were expressed for losing a natural death.

On 9 October 2019, The lankawebnew.net reported that Prof. Chandraguptha Thenuwara and Gamini Viyangoda have lodged a complaint at the Criminal Investigation Department (CID) regarding the death threats they have faced following the writ petition filed before the Court of Appeal challenging Gotabaya Rajapaksa's dual citizenship. Prof. Chandraguptha Thenuwara stated that the complaint was lodged on the 8th of October 2019.

He said although he hoped that the threats against the judicial process are expected to end within a few days, this has not been done and the threats have been made through social media and telephone calls, and therefore, the complaint was lodged before the CID.

59. Blocking Facebook Accounts of activists and journalists

Several facebook accounts belonging to journalists and social and political activists were blocked during post-Easter Sunday attacks period and the trend continued for several months.

In May 2019, young activist, blogger and author: Chamal Akalanka Polwattage's facebook account was blocked few days after he complained to the National Human Rights Commission against the President.

In July 2019, facebook accounts belonging to artist Wimal Ketapearachchi, Editor of Lankanewsweb: Ruwan Nelu, blogger and writer: Sujith Annamale, and other activists such as Priyantha Jayawardane, Subhaga B Herath were blocked. While certain facebook accounts were completely banned, another set of accounts were banned for periods such as one week, one month, two months etc. While exact reasons are not clear with regards to each facebook account, in general it was pointed out by several social media activists that publishing photographs of extremist monk Galabodaaththe Gnanasara to criticize the monk, and criticizing Presidential candidate Gotabaya Rajapakse as the immediate reasons for the blocking. In

⁸⁴ <https://www.newsfirst.lk/2019/10/08/we-receive-threats-very-similar-to-death-threats-prof-chandraguptha-thenuwara/>

addition political analyst and blogger Philp Shantha's facebook account was hacked also in the month of July.

Later journalist Uvindu Kurukulasooriya's facebook account was blocked for 3 days after he questioned stage model of National Conference of Sri Lanka Podu Jana Peramuna (SLPP) which represented a model of feudal landlord's house "walauiwa." The journalist republished the same photo along with a historic photograph of two Rodiya caste women with upper naked bodies who were not allowed to wear upper garments due to caste discrimination. Apparently this photo was reported for containing nudity without considering the historical importance of the photo and its political importance. This incident occurred in August.

60. President says "anyone who stands against death penalty is aiding to drug users"

Speaking at an event in Polonnaruwa held on 2nd July, President Maithreepala stated that anyone who stands against death penalty is aiding to drug users referring to those who filed fundamental rights petitions against the implementation of death penalty. He also noted that he has faced death threats due to actions taken against drug dealers⁸⁵.

Again on 6th of July, addressing an event in Monaragala he has made a similar statement, and accused that various individuals and NGOs controlled by drug dealers have taken legal actions against his action to implement death penalty. He has further commented that "anyone who works to prevent the death penalty from being implemented is directly or indirectly aiding drug dealers⁸⁶".

61. CID Director is threatened for not supporting ethnic profiling against Muslim medical doctor

Manoj Gamage - a lawyer who had organized a press conference threatened the CID director Shani Abeysekera that "Abeysekera will have to wear jumper" meaning that Abeysekera would be imprisoned if he does not support an act of ethnic profiling against a Muslim medical doctor.

This incident refers to a case of a Muslim medical doctor named Shafi Shahabdeen employed in Kurunegala government hospital who was arrested under ethnically profiled charges of sterilization of Sinhalese women. In this case the Muslim medical doctor was arrested after a nationalist newspaper published an article accusing him of sterilizing Sinhala women without their consent during Cesarean section delivery surgeries he had conducted. Also he was accused of earning assets via illegal or dubious means. Arrest was based on a newspaper article published in an ethnonationalist newspaper. Later after the investigations, Criminal Investigation Division (CID) informed the courts that there are no evidence against these allegations, and the doctor was released.

Director of the Criminal Investigation Department (CID) Senior Superintendent of Police (SSP) Shani Abeysekera has lodged a complaint with the Police against Attorney at Law Manoj

⁸⁵ I am facing death threats: Prez http://www.dailymirror.lk/breaking_news/I-am-facing-death-threats:-Prez/108-170406

⁸⁶ Sirisena Says Anyone Who Stands Against Death Penalty Is Aiding Drug Dealers. July 6th 2019.

<https://www.colombotelegraph.com/index.php/sirisena-says-anyone-who-stands-against-death-penalty-is-aiding-drug-dealers/>

Damage over an alleged threat. He was the leading investigating officer in the case against Dr Mohamed Shafi⁸⁷.

62. Minister threatened by monks after speaking about Child abuse incidents at temples

Then State Minister of Highways & Road Development Ranjan Ramanayake giving an interview to a youtuber discussed about link between incidents of child abuse and growing extremism among Buddhist monks, and claimed that there could be link between the trauma caused child sexual abuse and extremism in adult life⁸⁸. The extremist Buddhist monk Galabodaaththe Gnanasara threatened that he will slap (kana palanawa) the Prime Minister if he did not tie this ‘dog’ (calling minister Ramanayake a ‘dog’). Also said that anyone does not have a right to probe what is happening inside temples, as Sangha have preached Dhamma for 2500 years in Sri Lanka⁸⁹. Buddhist monks linked to extremist organizations such as Ravana Balaya and Bodu Bala Sena made complaints to the Police against the Minister’s statement.

The Prime Minister had a special meeting with the Minister Ramanayake, and also issued a statement claiming that Minister Ramanayake’s views on the matter do not reflect the opinions of the party⁹⁰. Despite of availability of many cases of child sexual abuse reported in Buddhist temples, Ramanayake was forced to seek apologies from Mahanayake Thero- the Chief Priest of the order⁹¹. Later a group of child Buddhist monks along with their family members came to meet the Minister and revealed their experiences of child sexual abuse at temples in a video⁹².



FIGURE 22: CHILD MONKS REVEALING THE EXPERIENCES OF SEXUAL ABUSE AT TEMPLES TO THE MINISTER

⁸⁷ CID director files complaint against attorney Manoj Gamage. Darshana Sanjeeva Balasuriya, Daily News. 30th July 2019. <http://www.dailynews.lk/2019/07/30/local/192577/cid-director-files-complaint-against-attorney-manoj-gamage>

⁸⁸ Rajan Ramanayake Interview clip with youtuber Ashen <https://www.youtube.com/watch?v=pWqXXi0yUsw>

⁸⁹ Gnanasara threatens Minister Ramanayake <https://www.youtube.com/watch?v=GbhHApqubU>

⁹⁰ Ranjan Ramanayake statement after meeting with Prime Minister <https://www.youtube.com/watch?v=X2pcV1apsgA>

⁹¹ Ranjan Ramanayake’s statement after apology [Sinhala]. Ada Derana. 19th July 2019

<https://www.youtube.com/watch?v=ZuB8suK6yBs>

⁹² Child Buddhist Monks meet with Minister Ramanayake and reveals their experiences of sexual abuse at temples <https://www.youtube.com/watch?v=oLPD6KQ5Nvg>

63. Scientist faces reprisals for naming newly discovered geckos after national heroes

On 20th of August, Wimal Weerawansa: the ultra-ethno nationalist Politician making a statement at the Parliament criticized a scientist who had named 6 species of newly discovered geckos after national heroes⁹³. He argued that the scientist has insulted the national heroes by naming them after geckos because they have fragile tails. On the next day, a group of ethno nationalist groups : Angulugalle Jinannada Thero Executive Director of Buddhist Information Centre⁹⁴, and Ratnpure Sivali Thero and Pradeep Sanjiwa Perera representing ‘Sinhale’ organization complained to the Inspector General of Police demanding legal action against the herpetologist Suranjan Karunarathna who had led the scientific study which discovered these geckos⁹⁵. The scientific paper titled “*Integrative taxonomy reveals six new species of day geckos of the genus *Cnemaspis* Strauch, 1887 (Reptilia: Squamata: Gekkonidae) from geographically-isolated hill forests in Sri Lanka*” was published in the journal *Vertebrate Zoology* 69(3):247-298 in the year 2019⁹⁶.

While the story became viral in social media, Karunarathna also became a target of an online hate speech campaign led by ultra-ethno nationalist groups.⁹⁷



FIGURE 23: CNEMASPIS GOTAIMBARAI - ONE OF THE NEWLY DISCOVERED GECKOS⁹⁸

⁹³ Parliamentary Hanzard report. Page 1329-30. 20th August 2019.

<https://www.parliament.lk/uploads/documents/hansard/1566461853071962.pdf>

⁹⁴ Earlier this year, Buddhist Information Centre made a complaint against a short story writer which resulted arrest and legal action against the writer. See Repression of Dissent April-June 2019.

⁹⁵ Copy of the complaint made by Buddhist Information Centre.

<https://www.facebook.com/buddhistinforcentre/photos/a.572607716258609/1163425600510148/?type=3&theater>

⁹⁶ Suranjan Karunarathna; Nikolay A. Poyarkov; Anslem de Silva; Majintha Madawala; Madhava Botejue; Vladislav A. Gorin; Thilina Surasinghe; Dinesh Gabadage; Kanishka D.B. Ukuwela & Aaron M. Bauer. 2019. “*Integrative taxonomy reveals six new species of day geckos of the genus *Cnemaspis* Strauch, 1887 (Reptilia: Squamata: Gekkonidae) from geographically-isolated hill forests in Sri Lanka*”. The journal *Vertebrate Zoology* 69(3):247-298

https://www.researchgate.net/publication/335207626_Integrative_taxonomy_reveals_six_new_species_of_day_geckos_of_the_genus_Cnemaspis_Strauch_1887_Reptilia_Squamata_Gekkonidae_from_geographically-isolated_hill_forests_in_Sri_Lanka

⁹⁷ Dilrukshi Handunnetti . *What’s in a name? For Sri Lanka’s newest geckos, a political firestorm*. Published in Mogabay on 27th August 2019 <https://news.mongabay.com/2019/08/whats-in-a-name-for-sri-lankas-newest-geckos-a-political-firestorm/>

⁹⁸ **Cnemaspis gotaimbarai* is named after another of in honor of another of Dutugamunu’s loyal warriors, Gotaimbara. The species was discovered from the forested hills of Kokagala in Ampara district, a region of immense archaeological and historical significance. Image courtesy of Majintha Madawala.

After the Election

64. Head of Police Criminal Investigations transferred into a lower position

Director of Criminal Investigation Division of Sri Lanka Police SSP Shani Abeysekera was transferred as the personal assistant to the Southern Deputy Inspector General. The transfer was made with the approval of National Police Commission⁹⁹. Abeysekera headed the CID when CID made significant findings in the prison massacre of 2012 and into investigations into killings and disappearances, including journalists, leading to arrest of Army intelligence personnel, senior Navy officers, senior prison officials etc, and the Attorney General filing indictment in High Courts in some of these cases.

65. Crime investigations officer flees the country and Travel ban on 700 CID officers

Inspector of Police(IP) Nishantha Silva attached to the Criminal Investigation Department (CID) left the country on 24th November seeking relocation. Police Media Spokesman SSP Ruwan Gunasekara said Silva had not applied for leave nor had informed the police. Silva has been involved in investigating several controversial cases within the CID including the assassination of Sunday Leader Editor Lasantha Wickrematunge, the abduction and assault of Journalist Keith Noyahr, and assaults suffered by Upali Thennakoon and Namal Perera¹⁰⁰. He was also the main officer investigating the abduction and murder case of 11 youths. He worked under the supervision of SSP Shani Abeysekera who was transferred for a lower position few days earlier.

66. Interpreter of foreign journalist intimidated and threatened with arrest by a monk

An interpreter of foreign journalist was intimidated and threatened with arrest by BBS affiliated Monk on 19th November 2019 in Mahiyangana, Badulla district. Ambale Rathana, a Buddhist Monk in Mahinyangana town, in the Badulla district, closely associated with the extremist Buddhist group Bodu Bala Sena (BBS), threatened to have the interpreter arrested, based on his (the Monk's) observation that the interpreter was against the ideology and leader of the BBS. The Monk had agreed in advance to the interview with the foreign journalist, but when he saw the interpreter, the Monk had shouted at the interpreter, took photographs of the interpreter in a intimidating manner, demanded to see his national identity card and took copies of the identity card. Fearing an arrest or violence instigated by the Monk who is influential in the area, the interpreter did not object to being photographed or copies of his identity card being taken by the Monk.

⁹⁹ "NPC approves transfer of SSP Shani Abeysekera" http://www.dailymirror.lk/breaking_news/NPC-approves-transfer-of-SSP-Shani-Abeysekera/108-178271 published 21st November 2019

¹⁰⁰ "Top CID investigator Nishantha Silva leaves country" <http://www.themorning.lk/cids-ip-nishantha-silva-leaves-country/> published on 24th November 2019

67. Stones thrown at house of a female activist campaigning against disappearances

Stones were thrown at house of a family of a disappeared person in the East, who had been campaigning for truth and justice. No one was injured, but the activist and her family members, as well as others involved in the campaign were scared. Some damage was caused to the property.

68. Female former LTTE cadre questioned about a book on war time experiences

A former female LTTE cadre in the Norther Province was questioned by several intelligence personnel, about a book she had published about her experiences during the war.

69. Rights activist and campaigner for losing presidential candidate threatened with death

An activist (male) in Western Province, who had campaigned against disappearances, torture etc., and supported the losing UNP candidate in presidential elections, got a call threatening him with death. The same activist had got two calls before the elections, once asking him to support candidate Gotabaya Rajapaksha and in the other, asking where he was and what his plans were.

70. Wife of disappeared journalist says children are threatened and witnesses intimidated

Sandya Ekneligoda, a prominent female activist and wife of disappeared journalist had also stated that her children have been harassed and threatened on multiple occasions on social media, including one person who had said children would be sent to where Ekneligoda is now - which implies death¹⁰¹.

71. Swiss embassy employee in Sri Lanka arrested after claiming she was abducted

Sri Lankan police arrested a local Swiss embassy employee after she claimed she was abducted by government officials, interrogated and sexually assaulted before being released. Government stated that her claims are “fabricated”, and she was arrested on grounds of “stoking anti-government sentiments and fabricating evidence to be used in a court proceedings.” The alleged victim, who works at the embassy’s visa department, claimed she was abducted by CID officials in a white van on November 25, and held for hours, while her abductors sexually abused her and tried to force her to disclose embassy-related information. According to the victim, her abductors particularly wanted information about SSP Nishantha Silva, who fled the country seeking asylum in Switzerland soon after Gotabaya Rajapaksa was elected as the president¹⁰².

¹⁰¹ <https://apnews.com/0414ced36fc11c25524aac7311f81c19> and <https://www.newsfirst.lk/2019/12/18/summons-served-to-witnesses-of-ekneligoda-case/>

¹⁰² Swiss embassy employee in Sri Lanka arrested after claiming she was abducted, sexually assaulted and interrogated <https://www.telegraph.co.uk/news/2019/12/17/swiss-embassy-employee-sri-lanka-arrested-claiming-abducted/> published on 17th December 2019

72. Removal of Anti-American street painting

Young artist Eranga Simal made a street painting criticizing the controversial millennium challenge corporation (MCC). This painting was erased by the authorities on 19th December 2019. The image depicted Sri Lankans getting organized to extinguish the fires breathed by a dragon sitting on US flag into the island of Sri Lanka. Meanwhile number of paintings which promoted ethnonationalism, militarization and appreciation of were allowed, supported and encouraged across Sri Lanka including the images of the officer who threatened Tamil Protestors in London with a throat slit gesture.



FIGURE 24: PAINTING BEFORE ITS ERASURE

73. Threats faced by activist advocating and seeking justice for Welikada Prison massacre

The current National Convener of Prisoners Rights Committee (PRC) and a human rights defender advocating and seeking justice for Welikada Prison massacre in 2012 faced many threats before and after the 2019 presidential elections.

He told INFORM that on 21st April 2019, many Muslim houses were attacked by the mobs. He experienced verbal harassment from local villagers for advising one of the victims to file a police complaint instead of seeking informal settlements.

On the day the election, 16th of November 2019, when he was walking through the village along with his son in order to cast the votes, around 1Km away from the polling station, he was threatened with death and verbally abused by a person named 'Athula' who supported candidate Gotabaya Rajapakse. On 17th November 2019, immediately after election results were released, his house was attacked by a mob of people, while he was not there. The mob damaged the gate, and shouted with abusive words as he was told by this wife and children. His colleague and lawyer advised him to file a complaint at the Police station about the incident. When he went to the Police station, police has refused accepting the complaint.

He also told INFORM that his son was threatened with death in social media by a person named 'Ahamed Asaf': a political supporter of current government.

74. Monk slaps a former evangelic church worker in public for spreading his religion

Between 20th-27th of December, a video of a Christian person who is being slapped by the extremist Buddhist monk Batticaloa Sumana Thero went viral¹⁰³. In the video church worker asks from the Buddhist monk “according to your religion, where do you go after your religion”. The monk asks back “Did you come here to listen to my sermons?” and then he slaps the church worker and continues saying “You go away, outcast. We don’t allow you to build churches inside villages”. Bishop Asiri Perera, head of the Methodist Church in Sri Lanka stated that he identified the man under attack as Nalaka Fonseka, a former worker in his church, who was asked to leave due to “disciplinary reasons.”¹⁰⁴

75. Lawyer faces threats after appearing for alleged abducted employee of Swiss embassy

On 12th December 2019, The Sri Lanka Brief reported that Counsel Upul Kumarapperuma, who appeared on behalf of the victim, Ganiya Banister Francis, complained that he has been targeted by individuals and media for appearing in this case when the Swiss Embassy matter was taken up before the Colombo Magistrate this afternoon Dec 12. Stating that he had already lodged a complaint with the Bar Association of Sri Lanka, Kumarapperuma informed court that statements have been made by certain individuals targeting him in an attempt to intimidate¹⁰⁵.

76. Surveillance of NGOs and Human Rights Defenders

Trusted sources reported to INFORM that the office of the Consortium of Non-Governmental Organisations in Ampara district and 13 other organisations in the North and East has been disrupted by the visits, inspections and questionings conducted by the intelligence officers of various departments. The intelligence officers have questioned about their activities, funding sources, details of the beneficiaries, workflow and inform about all public events so that they could also check the arrangements. According to the Sri Lanka Brief Post Presidential Election Update No 03/16 December 2019, the TID has questioned particularly about the activities or involvement of personalities of three NGOs, the Center for Human Rights and Development, Viluthu Centre for Human Resource Development and the Centre for Policy Alternatives. INFORM got to know from our trusted sources that a total of four Colombo based NGOs were visited by intelligence officers. A person claiming himself to be a police officer visited few NGOs in Colombo including INFORM and later contacted Ruki Fernando, a Human rights defender asking whether they can help him to distribute some wheel chairs in the North. In addition to that on 28th November 2019, an intelligence officer had called an organisation in the North and asked whether INFORM has a branch in that area.

¹⁰³ https://www.youtube.com/watch?v=-6aSvt9tTM0&feature=emb_logo

¹⁰⁴ <https://economynext.com/churches-urge-calm-after-videos-of-monk-attacking-christians-go-viral-47349/>

¹⁰⁵ <https://srilankabrief.org/2019/12/sri-lanka-magistrate-wants-threats-against-lawyer-appearing-for-swiss-embassy-employee-probed/>