

Repression of Dissent in Sri Lanka

January 2022



Activist Sandya Ekneligoda shaved her head praying to the Goddess Kali asking to punish the perpetrators who abducted her husband journalist Prageeth Ekneligoda 12 years ago. The case still remains in impunity.

Photo courtesy: Ishara Danasekara

INFORM

Human Rights Documentation Centre

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Repression of Dissent in Sri Lanka in January 2022.

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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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1. Summary

Sri Lanka's economic crisis caused by foreign exchange crisis and indebtedness was gradually worsening with huge inflation, frequent power cuts, fuel shortage and other issues. Sri Lanka fell further below in the Corruption Index from the rank 94 to 102. Like many other cases in the recent past, another corruption case against a Minister was withdrawn after the Commission on Corruption and Bribery withdrew the case. Former Prisons Commissioner Emil Lamahewa was sentenced to death, while the other suspects were acquitted in connection with the 2012 Welikada Prison massacre. Despite the pending verdict, the first suspect Inspector of Police (IP) Neomal Rangajeewa was promoted, indicating possible political interference in the case.¹

Media rights groups and family members of victims of assassinated and abducted journalists commemorated the Black January campaign demanding justice for killed media workers and other crimes against journalists. Scheduled hearing of the murder of Editor Lasantha Wickramatunge in the People's Tribunal in the Hague was postponed to May 2022, due to prevailing Covid19 restrictions in the Netherlands. Shani Abeysekera, the former CID Director who directed investigations on key human rights cases including the crimes against journalists faces a legal case for allegedly fabricating false evidence. He filed a writ petition against the Presidential Commission on Political Victimisation for violating a court order. The long detained poet Ahnaf Jazeem who was released after 18 months of detention filed a case against the remand officer for detaining him for another day, despite him having completed the bail conditions.

A social media activist and actor was summoned and questioned for publishing social media content that has been allegedly contemptuous of the government. Police media spokesperson said insulting the President is a punishable offence. A journalist was harassed for taking a photograph of the Court's name board. Another journalist was obstructed when she was reporting on the weekly fair run by the Municipal Council and she had been asked to obtain prior approval to take photographs of the venue. Journalists were not allowed to be in the court premises when the former defence secretary appeared before the court in relation to Easter Sunday bomb attack. A youtube channel and Youtube company were issued with an order to remove content based on a complaint made by an educational institute.

Janatha Vimukthi Peramuna (JVP), a leftist political party and its members were subjected to multiple harassment including surveillance, intimidations, egg attacks on its leader, and supporters at two instances. The Police obstructed an event to remember those who were killed by the Sri Lankan military in a massacre that occurred in 1987. The Minister of Justice stated that some labour strikes should be banned and constitutional amendments should be brought to do so.

Local government elections were postponed for another year. The Parliament Secretariat appealed to the Court of Appeal against an order issued by the Right to Information Commission allowing a request made by a journalist on information relating to asset declarations of the members of parliament. The Personal Data Protection bill was tabled in the parliament that restricts RTI and restricts journalists' access to information. The government gazetted some amendments to the draconian law Prevention of Terrorism Act (PTA). However the changes were minimalistic, and inadequate and do not address the key issues lying with the PTA, human rights groups said.

¹ https://www.dailymirror.lk/latest_news/Shani-files-writ-petition-against-Presidential-Commission/342-229538

2. Context:

Economic crisis: The economic crisis in Sri Lanka continued and gradually worsened in January 2022 along with the shortage in fuel and domestic gas. And a series of liquefied petroleum gas explosions around the country reported since December 2021 or earlier, continued in this month as well.^{2 3} Scheduled electricity power cuts also began from 24th January, owing to the fuel crisis in Sri Lanka.⁴ According to the Central Bank of Sri Lanka (CBSL) food inflation increased up to 25% in January 2022, while non-food inflation (Y-o-Y) increased up to 9.2%.⁵ In the context of the Sri Lanka foreign exchange crisis, some bank customers who were having foreign currency accounts published social media posts alleging that their banks have informed them of forcibly converting their foreign currency accounts into local currency, even though the CBSL chairperson has denied issuing any such instruction to do so.⁶ A number of socio-economic issues caused by the foreign exchange crisis in Sri Lanka were seen throughout the month.

Corruption: Sri Lanka dropped from its rank in the International Corruption Perception Index (CPI) from the position 94 to 102. CPI is based on perceptions of public sector corruption, reflecting the views of experts and surveys from businesspeople, and external sources including the World Bank, World Economic Forum, private risk and consulting companies, think tanks and others. Over the past 10 years, Sri Lanka's CPI score has remained largely stagnant between the scores 36-40. Types of public sector corruption captured in the CPI encompasses bribery, diversion of public funds, effective prosecution of corruption cases, adequate legal frameworks, access to information, and legal protections for whistleblowers, journalists and investigators.⁷

Minister of Highway Johnston Fernando, Former Lak Sathosa Chairman Eraj Fernando and Minister's Former Private Secretary Raj Mohideen Mohammad were acquitted by the Magistrate on 28 January 2022 after the Commission to Investigate Allegations of Bribery or Corruption (CIABOC) withdrew the case.⁸ The case was filed against them for unlawfully using the 153 Sathosa employees in the election campaigns during 2010 -2014 period, when Fernando was the Minister of Cooperative and Internal Trade Minister.⁹

Prisoners Rights: Former Prison Commissioner Emil Lamahewa was sentenced to death for the killing of 8 prison inmates during the prison massacre that occurred on 9th and 10th

2 https://www.dailymirror.lk/breaking_news/Johnston-released-from-three-corruption-cases/108-230031

3 <https://ceylontoday.lk/news/ciaboc-withdraws-charges-johnston-released-from-three-cases>

4 <https://www.youtube.com/watch?v=p100oDgwxj0>

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

6 [Memorial service held to mark 13 years since Lasantha's assassination](#). Published on 12th Jan 2022. Last accessed 3rd March 2022.

7 http://www.fmmsrilanka.lk/wp-content/uploads/2022/02/MFRM_Desk_E_Media_Freedom_Jan_Report_2022.pdf

8 <https://divaina.lk/epaper/#> Page 4

9 [හේමසිරිගේ නඩුවට මාධ්‍යවේදීන්ට අවසර නැ](#). Lankadeepa (online).

November 2012. The alleged 'prison riot' took place at the Welikada prison in Colombo, killing 27 prison inmates and injuring 43. As later revealed, it was a coordinated operation to eliminate certain identified prisoners. This case too has been marked by extensive intimidation of victims and witnesses, and attempts to portray those accused as victims of political victimization. At the time of the massacre, current Sri Lanka president Gotabaya Rajapakse had acted as the Defence Secretary and the raid that led to the incident had been conducted due to the pressure exerted by him.¹⁰ Though 27 inmates were killed, evidence has been gathered in the case of 8 deaths of inmates. According to the state prosecutor, eight prisoners who had been called by name, have been killed in execution style, and weapons have been later introduced to their dead bodies implicating that they had died during a crossfire.¹¹ The co-accused, police commando Neomal Moses Rangajeewa was acquitted of all charges. Indictments were not filed against many alleged responsible parties including Rajapakse. Despite the pending verdict of the case, Rangajeewa was promoted to the rank of Senior superintendent of police (SSP)¹² the day before the day that the verdict was scheduled to be issued. On that day, the verdict was postponed to the following week. The whole saga brought suspicions whether there were any political influences or actors involved in acquitting the accused Rangajeewa.¹³



9th November 2012 Welikada Prison inmates riots and massacre. Photo courtesy: Sri Lanka Guardian

10 රාගන ජිල්ලේ සුදුන්ත තිලකසිරිගෙන් සිදුකෙරුණ පැය 4 ක් ප්‍රශ්න කරයි.

11 <https://sinhala.srilankabrief.org/?p=40386>

12 <https://www.themorning.lk/tense-situation-arises-at-jvp-youth-protest/>

13 https://www.cbsl.gov.lk/sites/default/files/cbslweb_documents/press/pr/press_20220131_inflation_in_january_2022_ccpi_e.pdf

The Committee to Protect Prisoners Rights (CPPR) which advocated for rights of prisoners in Sri Lanka and played a key role advocating for accountability in Welikada Prison massacre, received an award at the annual human rights day award ceremony organised by Human Rights office Kandy (HROK) on 8th of January.¹⁴ The event that had been scheduled to be held on the international human rights day on 10th December was postponed as a court order banned the event.¹⁵

Another death in custody was reported. The victim Lalith Chaminda Hettige who had been sentenced to 04 years rigorous imprisonment since March 2020 over the theft of 10,000 LKR (around 50 USD), was physically assaulted and killed in the Kadurugas Ara Open Prison. The prison officials claimed that the prisoner had been assaulted by the villagers after escaping from the prison camp. Following the advocacy by CPPR, three prison officers including a Jailor have been interdicted and an inquiry was launched into the incident after 9 days since the death of the inmate.¹⁶

Legal and policy reforms: In January, some amendments to the Prevention of Terrorism Act (PTA) were gazetted. PTA is a draconian law that has been used for arbitrary arrest and detention of persons for long periods which civil society activists and others have long demanded to be repealed. However local and international human rights groups revealed that introduced changes are minimalist and do not address the key concerns relating to PTA.¹⁷ Earlier in the same month, Human Rights Commission of Sri Lanka (HRCSL) wrote to the Inspector General of Police requesting that all arrests and detentions under PTA be informed to the HRCSL within 48 hours.¹⁸

14 <https://economynext.com/sri-lankas-mysterious-gas-explosions-become-nobodys-baby-88920/>

15 <https://economynext.com/sri-lanka-presidential-probe-on-gas-explosions-contradicts-previous-official-claims-89012/>

16 <https://economynext.com/scheduled-power-cuts-in-sri-lanka-from-monday-amid-fuel-shortages-89869/>

17 <https://www.newswire.lk/2022/01/05/banks-forcibly-converting-dollars-more-confusion-with-cabraals-tweet/>

18 <https://counterpoint.lk/colombo-district-court-restrains-tube-publishing-defamatory-videos-russian-education-center/>

3. Case Updates

Commemoration of killed and disappeared journalists: 12 years passed since the disappearance of journalist Prageeth Ekneligoda, and 13 years passed since the assassination of Sunday Leader Editor Lasantha Wickramatunge. Commemorations and protests were held in Colombo and other areas demanding justice for assassinated journalists and other attacks on journalists that remain in impunity for decades. According to JDS Lanka 43 journalists and media workers were killed during 6 years between 2004 and 2010,¹⁹ while CPJ has verified 16 of these killings.²⁰

Sandya Ekneligoda, the wife of the disappeared journalist Prageeth Ekneligoda commemorating 12th anniversary since the disappearance of Prageeth Ekneligoda, shaved her hair at the Modara Kali temple in a special religious ritual of praying and cursing asking god to punish those who are responsible for the crime of disappearing her husband. In a context that law has failed to bring justice, this was a symbolic protest.²¹



It's been 12 years since journalist Prageeth Ekneligoda has been abducted. Sandya Ekneligoda prayed to the Goddess Kali asking to punish the perpetrators, after 12 years of impunity. Photo courtesy Lankadeepa

Another event was organized to commemorate the death of the late journalist Lasantha

19 [“In a Legal Black Hole” Sri Lanka’s Failure to Reform the Prevention of Terrorism Act](#). Human Rights Watch.

20 [කහටගහ පනලේ සේවකයන්ට තහව්‍යක්..](#)

21 <https://www.newsfirst.lk/2022/01/25/sri-lanka-drops-from-94-to-102-in-corruption-perceptions-index/>

Wickramatunge who was assassinated in January 2009. Wickramathunga was the editor in chief and founder of the Sunday Leader newspaper. He was killed soon after exposing a corruption case linked to purchase of arms for the Sri Lankan military.²² The commemoration was held on 8th January 2022 at the slain editor's graveside at Borella Cemetery with family, friends, former colleagues and others who gathered to mark the 13th anniversary since his death.²³



13 Years commemoration of Lasantha Wickramatunge at his grave in the Borella Cemetery.

Photo courtesy: News Wire

People's Tribunal in Hague to conduct Lasantha Wickramatunge's trial: In September 2021, the Permanent People's Tribunal (PPT) on the Murder of Journalists based in Hague, Netherlands announced that they will conduct a trial on the assassination of the journalist Lasantha Wickramatunge. The Government of Sri Lanka has been officially notified about the prosecution's indictment by the independent (PPT).²⁴ Due to the covid19 lockdown restriction in Hague, the hearing was postponed until April, 2022, and the verdict to be delivered in May, 2022.²⁵

22 <https://twitter.com/JDSLanka/status/1487079863932657670>

23 <https://sinhala.srilankabrief.org/?p=40340>

24 For details see <https://www.inform.lk/repression-of-dissent-in-sri-lanka-oct-dec-2021/>

25 http://documents.gov.lk/files/egz/2022/1/2262-08_E.pdf

Arrest and detention of Hejaaz Hizbulla: On 20th January, the application against the order that refused bail to Hejaaz Hizbulla was taken up before the court of Appeal. State counsel representing the Attorney General has said that they would agree to grant bail at the conclusion of proceedings on 28th of January at the Puttalam High Court, if the defence counsel makes such a request, for which lawyers appearing for Hizbulla agreed.^{26 27} However on the 28th January, the High Court judge at the Puttalam High Court refused to grant the bail saying that in previous legal cases, High Courts have held that they do not have powers to grant bail to an accused under Prevention of Terrorism Act and therefore instructed the settle the issue before the Court of Appeal.²⁸ Also the High Court judge refused a request to amend the indictments against Hizbulla, following the main witness failing to provide evidence related to the key charges levelled against him.²⁹ Hejazz Hizbulla is a human rights lawyer who had been detained under the Prevention of Terrorism Act since April 2020. He has been named as a Prisoner of Conscience by Amnesty International in July 2021.³⁰

Former CID director Shani Abeysekera: Shani Abeysekera filed a writ petition against the Presidential Commission against political Victimisation. Abeysekera was a prosecutor and an investigator involving a number of emblematic human rights cases including murder of Lasantha Wickramatunge and disappearance of Prageeth Ekneligoda. Another officer who worked with him fled the country in fear of reprisals. He was arrested on 30th July 2020 by the Colombo crimes Division alleging that he had been involved in concealing and fabricating false evidence in the case filed against eight suspects including former DIG Vass Gunawardena and his son over the alleged possession of firearms.³¹

Teacher and Poet Ahnaf Jazeem: The long detained poet Ahnaf Jazeem was granted bail on 15th December 2021 after 18 months of detention for allegedly writing and publishing a poetry book that promotes extremism and violence in children, a claim that was completely refuted by literary experts who analysed his work. The magistrate court case was concluded and indictments were filed in November 2021.³² On 6th of January 2022, the case was taken up for hearing at the Puttalam High Court. The case was postponed to 28 February for other preliminary steps and fixing the date for trial.³³ Ahnaf also complained to the National Human Rights Commission of Sri Lanka (NHRCSL), for violating his fundamental rights by Colombo Remand Prison(CRP) Officers, for arbitrarily and wrongfully keeping him in illegal custody, for more than 24 hours, after he was granted bail by the Puttalam High Court on 15 December 2021. Despite having completed all the bail conditions, he had not been released

26 <https://www.sundaytimes.lk/211219/news/govt-cites-pandemic-says-local-council-polls-cannot-be-held-466212.html>

27 <https://www.cpalanka.org/wp-content/uploads/2021/01/Revisiting-Ten-Emblematic-Cases-in-Sri-Lanka-final-draft-1.pdf>

28 <https://www.aljazeera.com/news/2022/1/13/sri-lanka-prison-chief-gets-death-penalty-2012-massacre>

29 <https://www.news19.lk/breaking-welikada-massacre-verdict-neomal-rangajeewa-aquitted-emil-ranjan-sentenced-to-death/>

30 <https://sinhala.srilankabrief.org/?p=40331>

31 <https://srilankabrief.org/killing-of-a-prisoner-investigation-launched-only-after-9-days-because-of-cppr-revelation/>

32 <https://srilankabrief.org/sri-lanka-prevention-of-terrorism-temporary-provisions-amendment-bill-2022-does-not-address-real-issues-cpa/>

33 <https://www.hrcsl.lk/hrcsl-writes-to-police-about-pta-detainees/>

as the CRP officers have claimed that they are required to check with the magistrate court before releasing him. Though Ahnaf's lawyers pointed out, there is no reason to seek the magistrate's permission as the magistrate court case has been concluded and indictments have been filed, he had been arbitrarily taken to the Colombo Remand Prison from Puttalam. On the following day, Ahnaf's lawyers filed a motion at the Colombo Magistrate Court, after which magistrate court ordered to release him.³⁴

Arrest of Asela Sampath: Colombo Chief Magistrate ordered the Criminal Investigations Department (CID) of Sri Lanka Police to surrender the mobile phone that was illegally and unlawfully taken from the consumer Rights Activist Asela Sampath's son to the Court. In June 2021, Asela Sampath and his son were arrested after Asela Sampath published a statement criticising the Astrazeneca Covid19 vaccine. He also alleged that they were assaulted by Police, while being held in detention.^{35 36} In another case, K Vijayadasa a Tamil resident in Batticaloa who had been arrested and detained for sharing a photo of slain LTTE leader Prabhakaran in Social media was released on bail after 14 months of detention under PTA.³⁷

34 <http://www.jdslanka.org/index.php/killed-media-workers>

35 https://cpj.org/data/killed/asia/sri-lanka/?status=Killed&motiveConfirmed%5B%5D=Confirmed&type%5B%5D=Journalist&cc_fips%5B%5D=CE&start_year=2004&end_year=2010&group_by=location

36 එක්තැලිගොඩ වෙනුවෙන් බිරිය හිස මුඩු කරයි. Published on 12th Jan 2022. Last accessed 3rd March 2022.

37 <https://www.tamilguardian.com/content/mig-deal-why-my-father-had-die>

4. Repression of Media and Journalists

4.1. Social Media activist and Actor Sudath Thilakasiri was Summoned to CID

The social media activist and actor Sudath Thilakasiri was summoned by the Social Media Division of Criminal Investigation Department (CID) of Sri Lanka Police on 13th January 2022³⁸ based on a complaint made by the “*Ratata Hithathi Kalakurwo*” (Patriot Artists) alleging that his youtube programme “Talk with Sudantha” and other social media content he published have been contemptuous of the government. CID has questioned him for 4 hours and not allowed his lawyers to be present with him.³⁹



Sudath Thilakarisir after 4 hours of Interrogation of the CID. Photo Courtesy News Wire

4.2. “Insulting the President is Punishable offence”, says Police spokesperson

Speaking to the local newspaper *Divaina* on 03rd January 2022, the Police Spokesperson Senior Superintendent of Police (SSP) Nihal Thaladuwege has stated that “it is prohibited to publish and exchange statements that insult the President on social media or any other media. The Police is vested with authority to take legal action against those who do so.”⁴⁰ ⁴¹ When the Human Rights Commission of Sri Lanka (NHRCSL) summoned him on 10th January to inquire about the controversial statement he had made, SSP Thaladuwege held that he had been misquoted by the newspaper, and that he had written a letter on 5 January 2022 to the newspaper’s editorial about the matter.⁴²

38 <https://twitter.com/sunandadesh/status/1479749463627509762>

39 <https://ptmurderofjournalists.org/sri-lanka-case-hearing-on-the-murder-of-journalist-lasantha-wickrematunge/>

40 <https://twitter.com/Justice4Hejaaz/status/1484143472701771779>

41 <https://www.newswire.lk/2022/01/20/ag-consents-to-grant-conditional-bail-for-hejaaz/>

42 <https://twitter.com/Justice4Hejaaz/status/1487681427626131456>

4.3. Police have disrupted the Journalist while he was taking photographs of Mankulam Court

Police have obstructed the Journalist Shanmugam Thavaseelan on 29th January 2022, while he was going to take a photo of the Mankulam court name board for a reporting purpose. Police have taken his identity card and told him that they will pass it to the judicial officers. Police officials have also photographed him with their mobile phones. He has made a complaint about the incident to the Human Rights Commission Sri Lanka.⁴³



Tamil Guardian correspondent and Journalist Shanmugam Thavaseelan. Photo courtesy: Tamil Guardian

4.4. Lankadeepa Journalist obstructed by the weekly fair staff at Kurunegala.

When Lankadeepa journalist Chandani Dissanayake had visited Kurnageka Weekly Fair to do a video coverage on wastage problem, some of the Weekly Fair staff had obstructed her and embarrassed her in public. She has made a complaint about the matter to the commissioner of the Municipal council. The Commissioner has informed the journalist, she must obtain prior permission necessary to photograph a property of the Municipal council.⁴⁴

43 <https://www.themorning.lk/hejaaz-hizbullah-trial-main-witness-stumbles/>

44 <https://www.amnesty.org/en/documents/asa37/4468/2021/en/>

4.5. Colombo court issued an injunction order to Keerthi Dunuwila, Colombo Today and Youtube LLC.

Colombo District Court has issued an interim injunction order to Keerthi Dunuwila of Colombo Today Youtube Channel and Youtube LLC on 4th January 2022. This order was issued revealing that the youtube channel has published a video regarding the Russian Education Centre (REC campus) in Sri Lanka.⁴⁵ The plaintiff REC Campus has claimed that the video content was damaging the business reputation of their institution. While this injunction order sets a bad precedent, it should be also noted that Colombo Today has been a youtube channel that frequently publishes and promotes intolerance and hatred towards ethnic minorities in Sri Lanka and a usual social media platform for the Buddhist extremist organization Bodu Bala Sena (BBS) that is allegedly responsible for multiple anti-Muslim riots in Sri Lanka. Despite their background, the incident was included in the report as there is a possibility that similar orders or measures could be used by the authorities to repress the incidents of dissent.

4.6. Journalists were not allowed when Former defence secretary Hemasiri Fernando.

Court has not allowed the Journalists to be present during the case hearing against the Former Defense Secretary Hemasiri Fernando in relation to the Easter Sunday bomb attack. Former Secretary has been charged with criminal misconduct for failing to take necessary steps to prevent a series of suicide bombings on Easter Sunday despite receiving credible intelligence information. Court officials have informed the journalists to leave the courtroom, based on an order issued by the three bench High Court judges. At the time, journalists had been sitting at the seats reserved for government witnesses at the back of the witness stand, as there were no seats allocated for journalists.⁴⁶

45 <https://www.themorning.lk/poets-court-case-ends-without-defence-counsel-lawyer/>

46 <https://twitter.com/sanjayawilson/status/1479040728646959110>

5. Repression of Freedom of Assembly

5.1. CID visited the People's Power Party office multiple times.

At a meeting organised by the National People's Power Party (NPP) on 13th January 2022, former Parliamentarian and member of NPP Sunil Hadunetti has stated that officers of the criminal investigation department (CID) of Sri Lanka Police have visited four times the temple in Liyanagoda, Kottawa in Colombo District where they organised the meeting and threatened them to stop the meeting. He asked to contact him directly instead of visiting the meeting venues, intimidating, surveilling their supporters at the village level. They also alleged that CID members were present at the meeting when the said meeting was being held.^{47 48}

5.2. An egg attack to the JVP march against the hand over Trincomalee oil tank farm to India.

Janatha Vimukthi Peramuna has organised a protest on 19th January 2022 against the Trincomalee oil tank deal with India.⁴⁹ When the protestors marched towards Colombo Fort from the Technical Junction in Maradana they had been subjected to an egg attack.⁵⁰



The JVP Protest against the Trincomalee oil tank deal. Photo courtesy: Readphotos/ [Ajith Senevirathne](#)

47 <https://srilankabrief.org/sri-lanka-poet-and-teacher-ahnaf-jazeem-complains-to-hrcsl-against-colombo-remand-prison-for-illegal-custody/>

48 <https://www.sundaytimes.lk/210627/news/asela-sampath-gets-bail-mulls-fr-case-against-police-447563.html>

49 http://www.colombopage.com/archive_21A/Jun26_1624684171CH.php

50 <https://www.dailymirror.lk/slide-1/SSP-Thalduwa-Critically-wrong-on-criticism-of-the-president/329-228351>

5.3. The National People's Power leader was subjected to the Egg attack at Gampaha.

National People's Power (NPP)⁵¹ leader Anura Kumara Dissanayake's vehicle was subjected to an egg attack by a group of persons while he was attending the Gampaha district convention. Party supporters who had attended the event have apprehended two suspects and handed them over to the Nittambuwa Police, while sixteen others involved have fled the scene.⁵² The incident has been caught on CCTV camera.⁵³ Later Janatha Vimukthi Peramuna (JVP)⁵⁴ parliamentarian Vijitha Herath alleged that the attack was politically motivated, and the private security firm Avant Garde Security Services (Pvt.) Ltd was involved in carrying out the attack, paying 5000 LKR to each person involved.⁵⁵ ⁵⁶ Avant Garde Firm is a controversial security firm that is linked to the current ruling government. The Bribery Commission of Sri Lanka filed a case against them in relation to a bribe of 35.5 million Sri Lankan rupees for operating a floating armoury in Sri Lankan oceans during 2012-2014, under former Rajapakse rule. The case was withdrawn by the Bribery Commission last year.⁵⁷

5.4. Police have obstructed the commemoration ceremony of the massacre.



MP Govinda Karunakaram who attempted to pay tribute was stopped by the Police.

Photo Courtesy: Tamil Guardian

51 <https://www.themorning.lk/never-said-insulting-defaming-president-a-crime-nihal-thalduwa/>

52 http://www.fmm.srilanka.lk/wp-content/uploads/2022/02/MFRM_Desk_E_Media_Freedom_Jan_Report_2022.pdf

53 <https://www.newswire.lk/2022/01/30/eggs-thrown-at-jvp-leaders-vehicle-in-gampaha/>

54 https://www.youtube.com/watch?v=cDnRVg329Q8&feature=emb_logo

55 <https://www.themorning.lk/jvp-accuses-avant-garde-of-akd-egg-attack/>

56 https://www.dailymirror.lk/latest_news/Egg-attack-on-Anura-politically-motivated-JVP/342-230193

57 Major political Party in the National People's Power (NPP) political coalition

Sri Lanka police have attempted to obstruct the commemoration of the 35th anniversary of the Kokkadicholai prawn farm massacre and intimidated the participants. The massacre, which took place January 27 1987 has been allegedly carried out by Sri Lankan security forces. Batticaloa parliamentarian Govinda Karunakaram who attempted to pay tribute to the victims of the Prawn Farm Massacre at the recently rebuilt memorial was stopped by the police officers.⁵⁸

5.5. The Ministry of Justice says labour strikes should be banned.

Minister of Justice Ali Sabry has stated in a radio program that trade unions of Ports, Customs, Water Supply Board, Electricity Board, Ceylon Petroleum Corporation, and Government Medical Officers Association (GMOA) should be banned from carrying out labour strikes and also noted that public expected a more stricter ruler when they voted for President Rajapakse during last election.⁵⁹ Further speaking he said that constitutional restrictions should be introduced for such trade unions as they are vital economic centres. The Minister made this statement while participating in an interview with the local radio channel Neth FM on 27th January 2022.⁶⁰



The Justice Minister stated that certain trade unions should be banned from carrying out labour strikes.

Photo Courtesy: NethFM via Newsfirst. <https://www.youtube.com/watch?v=EmruXBvLIU>

⁵⁸ A coalition of several left wing Political parties and other groups

⁵⁹ <https://www.dailynews.lk/2021/07/27/law-order/255020/nissanka-senadhipathi-palitha-fernando-released-avant-garde-case>

⁶⁰ <https://www.tamilguardian.com/content/tamils-brave-more-sri-lankan-police-intimidation-mark-35th-anniversary-prawn-farm-massacre>

5.6. Police disrupted JVP Youth Camp.

Police have obstructed the Janatha Vimukthi Peramuna (JVP) Youth camp held in Kurunegala on 2nd January 2022. A group of Police officers who attended the event in plainclothes claimed that the organisers have not obtained the permission from the relevant authorities to use loudspeakers.⁶¹ At that moment the leader of the JVP youth said the officers had organised such campaigns around the island in the same manner. But the officers who were at the scene have interrupted the event and have taken the participating youths to the police station to record a statement. Further youths alleged that police have not enforced the law against the various people who are using loudspeakers in the Kurunegala town but they deployed officers to the awareness camp which they organised as per the instruction of a politician.

5.7. The Kahatagala mine administration decided to close the gates due to trade union action taken by the employees.

The Kahatagaha mine was closed and its administration did not allow the employees to enter the mine premises on 09th January 2022 due to a Trade union action that had been initiated by the workers. Nearly 140 employees have protested against this decision in front of the Kahatagala mine.⁶²



Protesting workers in front of Kahatagala Mine. Photo Courtesy: Lankadeepa (online).

61 <https://asia.nikkei.com/Politics/International-relations/India-gains-foothold-in-Sri-Lanka-with-Trincomalee-oil-tank-deal>

62 [ජ.වි.පෙ පා ගමනට බිහිවූ ප්‍රහාරයක්](#). Lankadeepa (online).

6. Legal and Policy Changes

6.1. Local government elections postponed for another year

Tenure of local government council members were extended upto March 2023, postponing the local government elections for another year, citing covid19 situation as the reason.⁶³ A gazette notification on the matter was issued on 10th January 2022.⁶⁴

6.2. Parliament appeals to the court denying Right to Information on MP asset declaration information

In April 2021, the Right to Information Commission of Sri Lanka delivered an order to the Parliament of Sri Lanka to provide information on asset declaration information of members of Parliament when requested under the Right to Information. The appellant journalist Chamara Sampath requested this information in June, 2018. However the request was continuously denied by the Parliament. After the appeal process, it was after 3 years that the RTI commission made the order instructing the Parliament to issue requested information on MP asset declarations.⁶⁵ While Parliament had further denied issuing those information, in January 2022, they filed a case at the Court of Appeal of Sri Lanka against the order made by the RTI commission. As almost four years have gone since the RTI request was made, the appeal process seems as a tactic to further delay the process.⁶⁶ The personal data protection bill which would be described in the next section, could be utilised to prevent release of such information in future.

6.3. Personal Data Protection bill tabled in the Parliament

The Personal Data Protection bill that was gazetted in November, 2021 was presented to the Parliament on 20th January 2022.⁶⁷ The bill compromises the rights of journalists, and restricts the right to information guaranteed by the constitution.

6.4. Amending on Prevention of Terrorism Act

Four decades old, draconian Prevention of Terrorism Act (PTA) enacted in 1979 allows authorities to arbitrarily arrest and detain individuals for unspecified “unlawful activities” without a and permits the detention up to 18 months on government issued detention

63 <https://sinhala.srilankabrief.org/?p=40404>

64 <https://sinhala.srilankabrief.org/?p=40404>

65 <https://colombogazette.com/2022/01/23/whistleblower-prevented-from-leaving-sri-lanka-2/>

66 <https://lankanewsweb.net/archives/2950/thushan-gunawardena-who-divulged-garlic-scam-named-as-suspect-to-case/>

67 <https://sinhala.srilankabrief.org/?p=40365>

orders without a court appearance, or opportunity for bail.⁶⁸ Over the years, a number of activists, journalists, writers and others who have nothing to do with 'terrorism' have been arrested under the PTA. Civil Society and local and international human rights groups have long demanded the repeal of the PTA. Amendments to the PTA were approved by the Cabinet of Ministers on 24th of January 2022 and subsequently gazetted.⁶⁹ A number of human rights groups expressed their dissatisfaction over the minimalist changes that were made in the law, without addressing the key concerns lying with the PTA. Centre for Policy Alternatives, issuing a commentary on the gazetted legal amendments, said "proposed amendments follow a minimalist approach, introducing only basic reforms which are insufficient to address ground realities. Many of the aspects which require urgent reform as highlighted by legal scholars, civil society actors and even the Supreme Court of Sri Lanka have not been addressed in the Bill. In this light, the proposed amendment to the PTA appears to be more a token effort to address international pressure rather than a genuine and effective exercise to address ground realities and the abuses and violations brought about by the PTA."⁷⁰

68 <https://sinhala.srilankabrief.org/wp-content/uploads/2022/01/719-2018.pdf>

69 <https://www.dailynews.lk/2022/01/21/political/270714/personal-data-protection-bill-house>

70 <https://www.cpalanka.org/commentary-on-prevention-of-terrorism-temporary-provisions-amendment-bill-2022/>

7. Other

7.1. Social media account belonging to rights activist disabled

All Ceylon Motorcyclist Association chairperson and social and human Rights activist Chirantha Amarasinghe alleged that his personal facebook account was deactivated as he criticised the conduct of the government and the President. He stated that his facebook account was disabled, soon after he had published facebook posts criticising the President's new year parliament throne speech. He has shared a facebook video criticising the president's throne speech and the video has been removed from his facebook account before the deactivation of the account.⁷¹

7.2. Frontline Socialist Party propaganda secretary arrested.

On 4th January 2022, Propaganda Secretary of the Frontline Socialist Party (FSP) Duminda Nawagamuwa was arrested by the Kaduwela Police based on an open warrant issued by the Kaduwela magistrate court.⁷² On 4 November 2021 Nawagamuwa and a group of people protested in front of the Kaduwela court demanding to grant bail for Inter University Student Federation (IUSF) convener, Wasantha Mudalige who was also arrested during a protest. Nawagamuwa who was arrested under alleged charge of contempt of court, as he had allegedly placed a board (probably a protest placard) on the sign of the court was granted bail on the same day he was arrested under two personal bails of Rs. 500,000/- each. He was also ordered to report in the Kaduwela Police Station last Sunday of every month between 9am to 12pm and if he further engages in an action to contempt to court will take action to cancel his bail⁷³.



Propaganda Secretary of the Frontline Socialist Party Duminda Nawagamuwa. Photo Courtesy: Ada Derana

71 http://documents.gov.lk/files/bill/2022/1/171-2022_E.pdf

72 <https://economynext.com/sacked-sri-lanka-minister-wants-probe-on-state-spying-claim-89372/>

73 <https://www.timesonline.lk/news-online/President-sacks-State-Minister-Susil-Premajayantha/2-1136384>

7.3. Minister removed from the position after criticising the Government



While shopping at the weekly fair, Minister Premajayantha criticised the government for its failed economic and agriculture policies that has caused a huge inflation. He was soon sacked from his ministerial position. Courtesy: Lankanewsweb

The president sacked the State Minister of Education Reforms, Open Universities and Distance Learning Promotion Susil Premajayantha for strongly criticising the government conduct several times. Just before his removal, he gave an impromptu interview while shopping at the weekly fair in Delkanda, Nugegoda, criticising the failed agriculture policy, restrictions on fertilisers, and economic crisis in the country.⁷⁴ After a ruling party member claimed that the sacking was both due to criticisms on the government and intelligence reports, sacked minister Premajayantha called for a probe into whether he was spied upon by intelligence agents.⁷⁵

7.4. Whistle-blower named as a suspect

Thusahn Gunwardena, the former Executive Director of the Consumer Affairs Authority who exposed the information on the Garlic scam relating to the government retail network Sathosa said he has been prevented from leaving Sri Lanka by immigration officials on 22nd January 2022. When he had arrived at the airport to travel to the US for business reasons, the immigration officials had detained and not allowed him to leave the country. According to immigration officers, he has been named as a suspect in the pending trial of garlic scam case filed at the Welisara magistrate court, though he has not been informed of such a designation being made against him.^{76 77}

74 <https://www.news19.lk/rangajeewa-promoted-before-welikada-prison-massacre-verdict-delivered/>

75 <https://www.facebook.com/ceylonma/videos/462266702068582>

76 <https://lankanewsweb.net/archives/1370/fsp-propaganda-secretary-duminda-nagamuwa-arrested/>

77 දුමින්දා නාගමුවට ඇ.ප.