

Repression of Dissent

January 2023



Youtuber Sepal Amarasinghe, who allegedly insulted the sacred Tooth Relic was arrested and charged under problematic section 3 of the ICCPR Act for advocating for racial, religious hatred. While he was being taken to the magistrate court by Prison officials. Courtesy: Gayan Pushpika via Daily News

INFORM

Human Rights Documentation Centre

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Repression of Dissent in Sri Lanka in January 2023.

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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.

Contents

1. Executive Summary	3
2. Context	6
3. Case Updates	11
4. Local Government Elections	15
5. Repression of Freedom of Assembly	17
6. Repressive Legal and Policy actions	21
7. Other incidents	22

1. Executive Summary

Context: Local government elections were announced. Parliament passed the Regulation of Election Expenditure Act, a law that regulates election campaigning. However, election monitoring organizations said that the bill is inadequate as it does not provide sufficient details on spending limit for a candidate, and does not include an appropriate monitoring and enforcement mechanism. Several government politicians stated that the elections are not a priority, thus should be postponed prioritising the economic needs. Media reported how children's education was impacted by the economic crisis, and how unemployment has increased. Several protests were held against rising inflation in Sri Lanka, tax hike and other socio-economic issues. A petition against the government's decision to increase utility bills received 6.9 million signatures across the country. The Defence Ministry vowed to reduce the military cadre to 100,000 by 2030. Journalists and media organizations commemorated Black January in Colombo, Jaffna and Batticaloa, an annual event to remember and demand justice for the crimes committed against journalists. Media reported that former President Gotabaya Rajapaksa has applied for restoration of his US citizenship. However, Canada imposed sanctions on former Presidents Gotabaya Rajapaksa, Mahinda Rajapaksa and others for "committing gross and systematic violations of human rights." A bribery case against MP Wimal Weerawansa regarding unlawful acquisition of wealth estimated at Rs.75 million while serving as a Minister was taken up before the Colombo High Court. The Supreme Court upheld the previous verdict issued by the Colombo High Court punishing former President Maithripala Sirisena's Chief of Staff for accepting a bribe. A replica of Kandy Dalada Maligawa being constructed in Kurunegala was demolished after the Buddhist monks and politicians alleged it for causing contempt for the Temple of the Sacred Tooth Relic in Kandy. Anti-government Aragalaya activist Wasantha Jayakody was arrested by the Police for sharing a problematic post in social media during Independence Day celebrations. One extra-judicial killing was reported regarding a person who got arrested for possession of drugs. A lesbian woman filed a historic Fundamental Rights petition at the Supreme court against the Sri Lanka Police in Welisara Mahabage.

Case updates: The 14th Death Anniversary of the late Sunday Leader Editor Lasantha Wickrematunge was held in Colombo and Batticaloa. Parliament passed the controversial Bureau of Rehabilitation bill with amendments that earlier attracted wide criticism as an attempt to rehabilitate anti-government protesters, now exclusively focusing on drug rehabilitation. However, Amnesty International and others pointed out that the bill could facilitate torture and ill-treatment in the rehabilitation centres. The convenor of the Inter-University Student Federation Wasantha Mudalige was released from terrorism charges, but held in detention further in relation to several other cases. The Inter-University Bhikku Federation Convener Galwewa Siridhamma Thero was ordered to appear before Terrorism Investigation Division. The Supreme Court ruled that the former President and key officials of Defence and Police at the time had failed to prevent the Easter Sunday bomb attack, despite having prior information, and therefore violated Fundamental Rights of victims. They were ordered to pay 310 million of Sri Lankan Rupees in total as compensation to the victims. The Writ Application filed by former President Sirisena seeking dismissal of summons issued by the Fort magistrate regarding Easter Sunday Bomb attack plaint was fixed for hearing on 31st January. Colombo High Court has issued a court order summoning former Northern Provincial Councillor M K Shivajilingham for remembering a Tamil martyr two and half years ago. The

Attorney General filed contempt of court charges against State Minister Sanath Nishantha who criticised the judiciary for granting bail to those who were involved with the anti-government protest movement.

Local Government Elections: Three election commission members received death threats demanding them to resign from their positions. The Secretary of the Ministry of Public Administration, Home Affairs, Provincial Council and Local Governments issued a letter asking District Secretaries to refrain from accepting deposits from Election candidates based on a cabinet decision. A retired Army Colonel filed a writ petition against holding Local Government Election during the economic crisis of Sri Lanka. The United National Party office in Wariyapola was attacked with a petrol bomb by their political opponents.

Repression of Freedom of Assembly: The Colombo Fort Magistrate issued a restraining order preventing protestors from entering the Galle Face Green in Colombo. The protest was organized by the Inter-University Student Federation demanding the release of its leader Wasantha Mudalige, repeal Prevention of Terrorism Act (PTA) and reduce utility charges. Police fired tear gas and water cannons at the protestors at Colpetty junction in Colombo. The Chairperson of the Kelaniya University Kelum Mudannayake and student activist Dilshan Harshana were arrested by the Thalangama Police for allegedly damaging a gate, and obstructing Police during a protest last year. The Families of the Disappeared, the University Students of Jaffna and civil society activists who protested during the President's visit to Jaffna for Thai Pongal celebrations were also attacked with tear gas and water cannons. Later Civil society leader Velan Swamigal was arrested for obstructing the Police during the protest. Thambirasa Selvarani, President of Ampara District Organisation of Relatives of the Disappeared, who led a protest in Thirukkovil in Ampara District demanding justice for the disappeared, was summoned to appear before Pottuvil Magistrates' Court. Mulliyawalai police summoned six Tamil men who organised Maaveerar Naal (Great Heroes day) remembrance events in November last year.

Repressive Legal and Policy actions: President Ranil Wickremesinghe said that a new bill will be introduced to regulate social media and electronic media similar to the Info-communications Media Development Authority (IMDA) Act 2016 of Singapore. Two gazette notifications were issued declaring all supplies of electricity, petroleum, fuel and all services of the health sectors as essential services. Declaration as essential services is a well-known historical tactic in Sri Lanka to discourage and prevent trade union actions. The monthly Gazette notification was issued calling out all the armed forces members for maintenance of Public Order, which allows the military to be involved in civilian affairs.

Other incidents: Power and Energy Minister Kanchana Wijesekera said that he has sought advice to take legal measures against members of Human Rights commission of Sri Lanka for forcefully taking consent of Ceylon Electricity Board officials in issuing an order to provide uninterrupted electricity power during the Advanced Level examinations. State Minister Anuradha Jayaratne stated that some trade unions and student unions can be called as terrorists as they are now attempting to destabilise the country's economy. Two trade unionists who went to the Public Utilities Commission of Sri Lanka (PUCSL) along with other civil society activists to show their objection to a change of stance by the commission were later arrested for allegedly threatening the members of the PUCSL. Youtuber Sepal Amarasinghe was arrested by the Criminal Investigation Department over blasphemous

remarks on the Temple of Tooth in Kandy and charged under section 3 of the International Covenant on Civil and Political Rights (ICCPR) Act. Activist Randimage Gamage was arrested by Sri Lanka police upon his arrival at Katunayake Airport over the forceful entry to the Sri Lanka Broadcasting Corporation (SLRC) during the anti-government protests. SSP D.S. Wickremasinghe, the Director of the Special Investigation Unit of the Police, informed the Fort magistrate that he was threatened by SDIG Deshabandu Tennakoon, in charge of Western Province for reporting the facts to the court regarding undue influence made by Tennakoon to hand over the money found inside the President's house to a Minister, without keeping under court custody.

2. Context

Local Government Elections: On 21st of January, National Election Commission accepted the nominations for Local government election and announced that the election will be held on 9th March 2023.¹ On 19th January 2022, Parliament of Sri Lanka passed No 3 of 2023, Regulation of Election Expenditure Act,^{2 3} a law that regulates election campaign financing. However, a collective of election monitoring organizations pointed out, though the bill was an outcome of their campaigning and advocacy for several years, the bill is inadequate as it does not provide sufficient details on spending limit for a candidate, and does not include an appropriate monitoring and enforcement mechanism.⁴



Press conference conducted by CMEV and the Gender and Election Working Group (GEWG) to request political parties to ensure better representation and safer participation for women in Elections. Photo Courtesy: Centre for Monitoring Election Violence (CMEV)

Several government politicians stated that the elections are not a priority, thus should be postponed prioritising the economic needs. United National Party (UNP)⁵ parliamentarian Vajira Abeywardena told the Media that the party is disappointed that an election is being held at a time that is not conducive for an election. He further said that the election is not a priority for the people, considering the economic crisis in the country.⁶ Issuing a media statement, the Agriculture Minister Mahinda Amaraweera requested money to be provided for purchasing paddy, instead of spending on elections.⁷ Water Supply Minister Jeevan Thondaman also

¹ <https://www.newsfirst.lk/2023/01/21/the-local-government-election-will-be-held-on-the-9th-of-march-2023/>

² <https://www.parliament.lk/uploads/acts/gbills/english/6287.pdf>

³ <https://www.dailynews.lk/2023/01/20/local/295582/election-expenditure-bill-passed-61-majority>

⁴ <https://island.lk/election-monitors-raise-serious-concerns-on-election-expenditure-law/>

⁵ Led by the President Ranil Wickramasinghe

⁶ <https://economynext.com/sri-lanka-local-govt-polls-presidents-party-adamant-time-is-not-right-for-elections-109961/>

⁷ http://www.colombopage.com/archive_23A/Jan04_1672856783CH.php

stated that the elections are not a priority of the people, and holding the local elections would not change a government, therefore more priority should be given to other socio-economic needs.⁸ State Minister of Tourism Diana Gamage also speaking at the parliament expressed similar views.⁹

Economic Crisis: Media reported that parents have reduced sending their children to School as a way of cutting down costs.¹⁰ Low income communities such as estate workers have even reduced their meals.¹¹ Official statistics showed that the unemployment rate has generally increased, while the female unemployment rate has reduced in recent years.¹² Several protests were organized around Colombo suburbs demanding to reduce the rising cost of living.¹³ ¹⁴ Several other protests were also organized against the tax hike, as the personal income taxes were raised in a bid to increase the government income.¹⁵ While the official inflation rate for January was reported as 54.2% by the central bank of Sri Lanka, Hanke's dashboard reported 106% inflation in Sri Lanka.¹⁶ ¹⁷ The Electricity Consumers Association (ECA) reported to have collected 6.9 million signatures across the country against the government's decision to increase utility bills.¹⁸

Military costs: Meanwhile, the Ministry of Defence issued a press statement quoting State Minister of Defence Premitha Bandara Thennakoon promising to reduce the existing cadre of the Army from 200,783 to 135,000 by the year 2024. The statement also said that it has been projected to reduce the size of the military to 100,000 by 2030.¹⁹

Black January Remembrance: Sri Lankan journalists and media organizations commemorated Black January, an annual event remembering the journalists and media workers who were murdered, forcibly disappeared, assaulted and threatened due to their work. Protests demanding justice and impartial investigations into the crimes committed against journalists and media institutions were held in Colombo and Jaffna on 28th and 31st January respectively. On 29th January, Journalists in Batticaloa held a candlelight vigil remembering murdered journalists and calling for an international investigation.²⁰ Media organizations conducted online discussions, protests and information campaigns across the month of January, under the theme, 'Ensure justice to journalists who murdered, forcibly disappeared, assaulted and threatened'.²¹

⁸ <https://www.sundayobserver.lk/2023/01/29/news/lq-elections-won%E2%80%99t-solve-economic-crisis-thondaman>

⁹ <https://www.youtube.com/watch?v=aNi3FD09pW8>

¹⁰ <https://www.bbc.com/news/world-asia-64158513>

¹¹ <http://www.lankadeepa.lk/news/2023/01/29/110285232783265797> - Lankadeepa Online

¹² <http://www.statistics.gov.lk/LabourForce/StaticInformation/QuarterlyReports/3rdQuarter2022>

¹³ https://www.dailymirror.lk/caption_story/Against-high-cost-of-living/110-252931

¹⁴ <https://twitter.com/Welikumbura/status/1610285232783265797>

¹⁵ <http://www.adaderana.lk/news/87269/revised-personal-income-tax-comes-into-effect-today>

¹⁶ <https://www.themorning.lk/articles/JLp0ZWhJMbatVM8fTnLg>

¹⁷

https://www.cbsl.gov.lk/sites/default/files/cbslweb_documents/press/pr/press_20230131_inflation_in_January_2023_ccpi_e_0.pdf

¹⁸ <https://www.asianews.it/news-en/Colombo:-6.9-million-signatures-collected-against-electricity-price-hike-57469.html>

¹⁹ https://www.defence.lk/Article/view_article/27030

²⁰ <https://www.tamilguardian.com/content/black-january-batticaloa-journalists-call-international-investigation-murdered-journalists>

²¹ <https://www.themorning.lk/articles/187238>



Black flags were raised in the heavily militarised northern city of Jaffna demanding justice for murdered journalists whose cases remain in impunity for decades. Photo Courtesy: Tamil Guardian

Gotabaya Rajapakse: Media reported that former President Gotabaya Rajapaksa who went to US in December 2022²², has applied for restoration of his US citizenship,²³ which he renounced after being elected as the Sri Lankan President. However Canada imposed sanctions on former Presidents Gotabaya Rajapaksa, Mahinda Rajapaksa and two other military officers for “committing gross and systematic violations of human rights during Sri Lanka’s civil conflict, which occurred from 1983 to 2009.”²⁴ ²⁵ A protest was held in Matale on 8th of January, demanding justice for missing persons during the JVP insurrection in late 1980s. Former president Gotabaya Rajapakse who functioned as military coordinator of Matale District at the time was the key suspect for the enforced disappearances in the area.²⁶
27

Bribery and corruption: The case filed against MP Wimal Weerawansa by the Commission to Inquire Allegations of bribery or Corruption (CIABOC) was taken up before the Colombo High Court on 16th of January. Bribery commission filed indictments against Wimal Weerawansa for the alleged unlawful acquisition of money and assets, estimated at Rs.75

²² <https://www.reuters.com/world/asia-pacific/sri-lankas-former-president-rajakaksa-leaves-us-local-media-2022-12-26/>

²³ <https://www.wionews.com/south-asia/sri-lankas-former-president-gotabaya-rajakaksa-applies-for-us-citizenship-restoration-548994>

²⁴ <https://www.canada.ca/en/global-affairs/news/2023/01/sanctions-imposed-on-sri-lankan-state-officials.html>

²⁵ <https://www.aljazeera.com/news/2023/1/10/canada-imposes-sanctions-on-sri-lankan-ex-presidents-mahinda-gotabaya>

²⁶ <https://twitter.com/JDSLanka/status/1611991593590099969>

²⁷ <https://itjpsl.com/reports/gotabaya-rajakaksa-the-sri-lankan-presidents-role-in-1989-mass-atrocities>

million within a period of six years while serving as a Minister between January 1, 2009 to December 31, 2014. The Commission alleged that the former Minister had unlawfully made 26 monetary transactions, constructed a house and purchased lands and vehicles in contravention of section 23(a) of the Bribery Act.²⁸ The defence counsel representing MP Weerawansa filed preliminary objections and argued that the case cannot proceed as the bribery Act is not applicable in relation to the members of parliament, as Parliament membership is not a clearly defined government position under the Sri Lankan legal framework.²⁹

On 11th January 2023, the Supreme Court upheld the previous verdict issued by the Colombo High Court Trial-at-Bar on Kusumdasa Mahanama, former President Maithripala Sirisena's Chief of Staff and Piyadasa Dissanayake, the former Chairman of the State Timber Corporation (STC) and confirmed their jail sentences over charges for accepting a bribe of Rs. 20 million from an Indian businessman over an investment opportunity in the Kantale Sugar Factory. Kusumdasa Mahanama was sentenced to 20 years rigorous imprisonment, fined Rs. 65,000 and a penalty of Rs. 20 Million. Piyadasa Dissanayake was sentenced to 12 years rigorous imprisonment and imposed a fine of Rs. 55,000. They were arrested on 03 May 2018, while accepting the bribe.^{30 31}



The Replica of the Temple of Tooth Relic was demolished by the owner, as the Buddhist monks and politicians demanded it to be destroyed, claiming it is an insult to the Temple of Tooth Relic in Kandy. Photo Courtesy: Sunday Times.

²⁸ https://www.dailymirror.lk/breaking_news/Corruption-case-against-Wimal-Weerawansa-Order-on-preliminary-objections-fixed-for-Feb-28/108-252274

²⁹ <https://www.newswire.lk/2023/01/16/wimal-bribery-case-decision-to-continue-or-dismiss-case-in-feb/>

³⁰ <https://www.adaderana.lk/news.php?nid=87494>

³¹ https://www.dailymirror.lk/breaking_news/Kantale-Sugar-Factory-bribery-case-SC-affirms-conviction-against-Ex-Presidents-Chief-of-Staff/108-251987

Replica of Dalada Maligawa demolished: In early January, a replica of Kandy Dalada Maligawa (temple of tooth relic in Kandy) being constructed in Kurunegala was demolished after the Buddhist monks and politicians alleged that it has displayed contempt for the Temple of the Sacred Tooth Relic in Kandy and demanded action from the President.³² However it was later revealed that there are several existing buildings resembling the Octangular shaped roof of Dalada Maligawa including the government owned public library in Mahiyangana. In a separate incident, a youtuber was arrested for insulting the sacred tooth relic. The incident is included in the main report.

Activist arrested for publishing a problematic social media post: Anti-government Aragalaya activist Wasantha Jayakody alias Maco, was arrested by the Cyber Crimes Investigation Division of the Police for sharing a problematic post in social media that could instigate public unrest during Independence Day celebrations. A screenshot shared by a news website showed that he had published a post asking the public not to allow returning military personnel, and weapons that were brought from areas outside Colombo for the celebration of 75th Independence Day.³³

Extra-judicial Killings: An assistant manager of the Vocational Training Authority (VTA) who was arrested and detained in the custody of the Police Narcotics Bureau (PNB) was found dead due to gunshot wounds after being admitted to the National Hospital Colombo on 10th January 2023. Police claimed that they had shot him when he attempted to escape.³⁴

LGBTIQ+ Rights: A young lesbian woman filed a historic Fundamental Rights (FR) petition at the Supreme court against the Sri Lanka Police in Welisara Mahabage, for discrimination based on sexual orientation. Other respondents to the case include Minister of Public Security Tiran Alles, the Inspector General of Police (IGP), and the Attorney General.³⁵ In August last year, the Wattala magistrate court dismissed a motion filed in Court seeking a declaration that the petitioner was mentally ill because she was a lesbian. The case was filed by the parents of the woman, with the help of the Welisara Mahabage Police.³⁶

³² <https://island.lk/replica-of-dalada-maligawa-being-pulled-down/>

³³ <https://asianmirror.lk/news/item/34837-aragalaya-activist-arrested-by-police-cyber-crimes-unit>

³⁴ https://www.dailymirror.lk/breaking_news/Assistant-Manager-of-VTA-killed-while-in-police-custody/108-252005

³⁵ <https://www.newswire.lk/2023/01/13/lesbian-victim-of-police-discrimination-files-historic-fr-case/>

³⁶ <https://island.lk/homosexuality-neither-a-disease-of-the-mind-nor-an-offence-says-court/>

3. Case Updates

3.1. Murdered Journalist Lasantha Wickrematunge remembered

The 14th Death Anniversary of the late Sunday Leader Editor Lasantha Wickrematunge assassinated on 8th of January 2009, was commemorated in Colombo and Batticaloa. On 8th January 2023, a remembrance service was held at Borella Cemetery with the participation of his family members, some politicians, and civil society activists,³⁷ and the Batticaloa press club also organized an event to remember Wickrematunge at the memorial for remembering killed journalists and media workers in Sri Lanka located at Gandhi Park in Batticaloa.³⁸ In May 2022, the People's Tribunal in Hague heard the case of Wickramatunge.³⁹ In January 2021, a complaint was made to the United Nations Human Rights Committee.⁴⁰ With delays in investigations and prosecutions for over a decade, falsification of initial autopsy and intimidation of witnesses, the murder of Wickrematunge still remains in impunity.⁴¹



Remembrance of late journalist Lasantha Wickramatunge at Borella Cemetery in Colombo. Courtesy: Daily Mirror

³⁷ https://www.dailymirror.lk/caption_story/14th-Death-Anniversary-of-Lasantha/110-251776

³⁸ <https://www.tamilguardian.com/content/batticaloa-journalists-commemorate-lasantha-wickrematunge>

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

⁴⁰ <http://cja.org/wp-content/uploads/2021/01/UN-Communication-on-behalf-of-Ahimsa-Wickrematunge.pdf>

⁴¹ <https://www.cpalanka.org/wp-content/uploads/2021/01/Revisiting-Ten-Emblematic-Cases-in-Sri-Lanka-final-draft-1.pdf>

3.2. Bureau of rehabilitation bill passed with amendments

On 18th January, Sri Lanka parliament passed the controversial Bureau of Rehabilitation bill with amendments⁴² that was earlier subjected to wide criticism as an attempt to rehabilitate anti-government protesters, and political prisoners. After the first draft of the Act⁴³ was gazetted in September 2022, several human activists and leaders of the anti-government protest movement filed petitions at the Supreme court against the Bill. In October 2022, the Supreme Court decided that the bill as a whole is inconsistent with the Article 12 (1) of the constitution, and instructed certain changes to be done by limiting the scope strictly on drug rehabilitation, or to pass the bill at the parliament with two thirds of special majority as required by Article 84(2) in the constitution.⁴⁴ Though the scope is now limited to rehabilitation of drug users, Amnesty International, Harm Reduction International, and the International Drug Policy Consortium, issued a statement highlighting allowing use of force,⁴⁵ and involvement of military that may facilitate torture and ill-treatment in the rehabilitation centres.^{46 47}

3.3. Terror charges against Student Activists

Wasantha Mudalige: The convenor of the Inter-University Student Federation Wasantha Mudalige who has been arrested and detained under draconian Prevention of Terrorism Act since 18th August 2022 for taking part at protests was released from terrorism charges, but held in detention further in relation to several other cases filed against him.

Court hearings were held at the Colombo magistrate court on 5th of January,⁴⁸ 17th January, and 31st January.⁴⁹ On 16th January, on the 150th day of his detention, a collective of seven Human Rights organizations made a statement calling for his release.⁵⁰ On 30th January, 12,000 affidavits signed seeking the release of Wasantha Mudalige were handed over to the Attorney General.⁵¹ On 31st January, Colombo magistrate court released Wasantha Mudalige from Terrorism charges. However, he was held in remand custody further, in relation to several other cases filed against him.⁵²

Galwewa Siridhamma Thero: Colombo Additional Magistrate ordered the Inter-University Bhikku Federation Convener Galwewa Siridhamma Thero to appear before Terrorism Investigation Division on 14th January to provide a statement. The order was issued on 13th January as the Terrorism Investigation Division (TID) informed the court that Siridhamma Thero has breached bail conditions by not appearing before the TID to provide a statement required

⁴² <https://www.parliament.lk/uploads/acts/gbills/english/6280.pdf>

⁴³ http://documents.gov.lk/files/bill/2022/9/270-2022_E.pdf

⁴⁴ <https://www.parliament.lk/uploads/bills/gbills/scdet/6280.pdf>

⁴⁵ 27(2) it shall be lawful for such person to use minimum force as may reasonably be necessary to compel obedience to any lawful directions given by him.

⁴⁶ <https://www.amnesty.org/en/documents/asa37/6359/2023/en/>

⁴⁷ <https://www.adaderana.lk/news/87700/bureau-of-rehabilitation-bill-passed-in-parliament>

⁴⁸ <https://www.newsfirst.lk/2023/01/05/wasantha-mudalige-returned-to-remand-custody/>

⁴⁹ <https://www.newsfirst.lk/2023/01/17/wasantha-mudalige-returned-to-remand-custody/>

⁵⁰ <https://srilankabrief.org/release-student-leader-wasantha-mudalige-7-hr-orgs-tell-sri-lanka/>

⁵¹ <https://www.newsfirst.lk/2023/01/30/release-wasantha-12-000-affidavits-handed-over-to-attorney-general/>

⁵² <https://sundaytimes.lk/online/news-online/Wasantha-Mudalige-released-from-charges-under-PTA/2-1140585>

for the ongoing investigation. Accordingly, the Magistrate ordered Thero to appear before the TID and to give the statement.⁵³

On 17th January, the Attorney General Department requested to change the court to a different court, as a complaint has been lodged against the sitting judge who has previously offered financial help to purchase milk powder and medicine for Galwewa Siridhamma Thero. While the case hearing was changed to a different court, the judge said that she offered the help after getting the approval from the investigation officers, as the monk was feeling sick. Also, she denied having any personal links with Siridhamma Thero.⁵⁴

3.4. Legal proceedings on Easter Sunday bomb attack

Judgement of FR Case on Easter Sunday bomb attack

On 12th January, the Supreme Court ruled that the respondents named in the Fundamental Rights petition filed by victims and their families of Easter Sunday Bombing in Sri Lanka, (1) the former President, Mathripala Sirisena, (2) the former Inspector General of Police (IGP) Pujith Jayasundera, (3) the former Director of State Intelligence Service (SIS) Nilantha Jayawardena, (4) the former Secretary of Defence Hemasiri Fernando and (6) the former Chief of National Intelligence Sisira Mendis have failed to prevent the 2019 Easter Sunday bomb attacks, despite having credible information of an imminent attack, therefore violated the Fundamental Rights of the petitioners. They were ordered to pay 310 million of Sri Lankan Rupees as compensation to the victims out of their personal funds, while the state was ordered to pay 1 million Sri Lankan rupees. The Office for Reparation was ordered to establish a victims fund to collect compensation and any other donations, and to handle disbursement of funds to the victims and their families.⁵⁵ Maithripala Sirisena who was ordered to pay the highest amount 100 million Sri Lankan rupees (\$273,300)⁵⁶ Speaking to the media said that he will collect it from his friends as he does not have funds to pay such a huge amount.⁵⁷ Following the news of the judgement, OHCHR stated that Sri Lanka should provide full reparations to the victims, including to establish the truth and to ensure justice. In a previous decision, the Court found that proceedings against current President Ranil Wickremesinghe, who was Prime Minister at the time, could not continue given the immunities he enjoys while in office.^{58 59}

Writ application filed by Maithripala Sirisena

The Writ Application filed by former President Maithripala Sirisena seeking dismissal of summons issued to him by the Fort magistrate in relation to a private plaint on Easter Sunday Bomb attack, was fixed for hearing on 31 January 2023 by the Court of Appeal. The Private Plaint has been filed by Rev. Father Cyril Gamini and a victim of the 2019 Easter Sunday bomb attacks Jesudasan Nadesan, before the Fort Magistrate on 16 September 2022, alleging

⁵³ සිරි ධම්ම හිමිට තරස්ත මර්දන කොට්ඨාසයට ප්රකාශයක් දෙන්න තියෝග

⁵⁴ මුදලින් නඩුව වෙනත් අධිකරණයකට මාරුකරයි - Lankadeepa Online

⁵⁵ https://supremecourt.lk/images/documents/sc_fr_163_2019.pdf

⁵⁶ <https://edition.cnn.com/2023/01/13/asia/sri-lanka-easter-bombings-compensation-ruling-intl-ink/index.html>

⁵⁷ https://www.dailymirror.lk/breaking_news/i-have-no-funds-to-pay-Rs-100mn--will-collect-from-friends%3A-Maithripala/108-252218

⁵⁸ <https://news.un.org/en/story/2023/01/1132567>

⁵⁹ https://www.supremecourt.lk/images/documents/sc_fr_163_2019_etc.pdf

that Sirisena had neglected his duties by failing to prevent the attack. After oral submissions were made, the Fort Magistrate made an order issuing summons on Sirisena requiring him to be present before the Fort Magistrate's Court on 14th of October 2022.⁶⁰ Sirisena filed his writ application challenging these summonses, and argued that complainants have misinterpreted facts and provided false evidence. The complainants submitted an affidavit to the court of Appeal pledging that no further action will be taken in relation to the complaint until the writ application concludes its hearing.⁶¹

3.5. Former Northern Provincial Councillor M K Shivajilingham summoned to Colombo High Court for remembering Thileepan in 2020

Colombo High Court has issued a court order summoning former Northern Provincial Councillor M K Shivajilingham on 11th of January for commemorating Tamil Martyr two and half years ago. In September 2020, he commemorated former LTTE member Thileepan on his 33rd death anniversary, despite a restraining order issued by a court. Thileepan died during a peaceful hunger strike in September 1987. His death is annually remembered by many Tamil people despite various restrictions from the Sri Lankan government. On 15th September in 2020, Shivajilingham was arrested by Kopay police in Jaffna for violating the court order that restricted commemorating Thileepan and granted bail on the next day by the Jaffna magistrate court. While the incident happened in Jaffna more than two years ago, it is quite unusual to take up the case suddenly at the Colombo High Court premises that is located more than 350 Kilometres away from Jaffna.

3.6. Attorney General files contempt charges against MP Sanath Nishantha

In December, the court of Appeal (CoA) instructed the Attorney General (AG) to draft contempt of court charges against State Minister Sanath Nishantha who criticised the judiciary for granting bail to those who were involved with the anti-government protest movement.⁶² On 17th January, the CoA was informed that the AG had filed contempt of court charges against the respondent State Minister through a motion. AG also informed the court that a list of witnesses and evidence will be presented at the next court hearing.⁶³ The Judicial Service Association of Sri Lanka (JSASL), the organization representing all the District Court Judges and Magistrates in the country and two lawyers had filed contempt of court applications seeking an order to punish State Minister Sanath Nishantha for the offence of Contempt of Court over a statement he made recently criticizing judiciary for granting bail to suspects who were arrested for taking part at recent Aragalaya protests that led to regime change.

⁶⁰ <https://ceylontoday.lk/2023/01/27/sirisenas-writ-application-fixed-for-hearing/>

⁶¹ <https://www.dailynews.lk/2023/01/27/local/296101/affidavit-given-court-pledging-no-further-action>

⁶² https://www.dailymirror.lk/breaking_news/Court-of-Appeal-orders-AG-to-draft-contempt-of-court-charges-against-Sanath-Nishantha/108-250261

⁶³ https://www.dailymirror.lk/breaking_news/AG-files-contempt-charges-against-Sanath-Nishantha/108-252378

4. Local Government Elections

4.1. Election Commission members are threatened asking them to resign

On 18th and 19th January two members of the National Election Commission Former Senior Deputy Inspector General (SDIG) of Police K. P. P. Pathirana and S. B. Divaratne received death threats demanding them to resign from their positions. Divaratne said that he received a Whatsapp Call on 18th January, demanding him to resign from his post at the Election Commission. He also said the caller had recorded footage of his house and sent the video via Whatsapp to him. The caller had also questioned S. B. Divaratne why he did not open the door to his house the previous night. S. B. Divaratne had filed a complaint regarding the threat with the Kadawatha Police. Pathirana received a threatening phone call at 3 PM on 19th January demanding him to resign from his post in the Election Commission. The caller who identified himself as a leader of the Aragalaya has told him that one of his family members would be harmed if he fails to comply. He had filed a complaint with the Inspector General of Police, and the Slave Island Police regarding the threat⁶⁴. On 27th January another member M. M. Mohomad received death threats asking to resign from the post. On 28th January, S. B. Divarthana again received the threats. Election commission consists of five members including its chairperson. Three out of five members received threats demanding them to resign from their positions.⁶⁵ Speaking to the press, executive director of the People's Action for Free and Fair Election (PAFERAL)⁶⁶ Rohana Hettiarachchi said all the threats were made via whatsapp from the same phone number. Police said that they have provided necessary protection to the Election commission members and the Criminal Investigation Department has started an investigation in the matter.⁶⁷

4.2. Secretary of the Ministry issues a letter asking District Secretaries to refrain from accepting deposits from Election candidates based on a cabinet decision

On 10th January, 2023, Neil Bandara Hapuhinna, the Secretary of the Ministry of Public Administration, Home Affairs, Provincial Council and Local Governments issued a letter instructing District Secretaries to refrain from accepting deposits from candidates who are expecting to contest in upcoming Local Government Elections. As mentioned in the letter, this was according to a cabinet decision taken on 9th January, 2023. Soon after, the General Secretary of Samagi Jana Balavegaya (SJB), MP Ranjith Madduma Bandara filed a writ application before the Supreme Court, requesting to quash the letter.⁶⁸ However, Hapuhinne withdrew his controversial letter within a few hours.⁶⁹

According to the Sri Lankan Electoral Legal framework, District Secretaries are appointed as Returning Officers and as the signatory authority for all administrative affairs in respect of

⁶⁴ <https://www.newsfirst.lk/2023/01/19/armed-police-to-protect-election-commission-officials-who-received-threats/>

⁶⁵ <https://www.presidentsoffice.gov.lk/index.php/commission-members/>

⁶⁶ An Election monitoring organization

⁶⁷ <https://www.adaderana.lk/news/87964/another-election-commission-member-receives-death-threats>

⁶⁸ <https://www.adaderana.lk/news/87508/sjb-files-writ-against-letter-suspending-acceptance-of-lg-poll-deposits>

⁶⁹ <https://ceylontoday.lk/2023/01/11/public-admin-ministry-withdraws-controversial-letter/>

upcoming Local Government Elections, after the Election Commission issues the notice of elections. The Election Commission appointed District Returning Officers and Assistant Returning Officers by the extraordinary gazette bearing No.2311/26 and dated 21st December, 2022.

Election monitoring organization Centre for Monitoring Election Violence (CMEV) issued a statement condemning the action as it is an undue influence made by the cabinet against District Returning Officers who now serve as heads of the District Election Operations, and is a clear threat to the democratic electoral process.⁷⁰ After being summoned by the National Election Commission to inquire into the matter, Hapuhinne apologized for his action, and said that he had issued the letter to implement the Cabinet decision and he did not have any intention or purpose to interfere in the activities of the elections commission.⁷¹

4.3. Retired Army officer files writ petition against holding of Local Government Election

A retired Army Colonel, W.M.R. Wijesundera filed a writ petition against holding Local Government Election on the basis that he was informed by the Election Commission of Sri Lanka (EC) that the election can only be funded through Government revenue or by obtaining a loan for the purpose. Highlighting the situation of economic crisis in Sri Lanka, the petitioner argued that holding elections would lead to the collapse of the Sri Lankan economy. He also pointed out this is a time that electoral reform is happening on financial regulation in election campaigning and political representation of youth and women.⁷² Three intervening petitions were filed against the writ petition arguing that the relevant petition has no legal basis and that the petitioner has failed to establish that there is a reasonable legal basis to continue the hearing of the petition and they further alleged the petition of containing erroneous and misleading information.⁷³

4.4. Wariyapola UNP office subjected to a petrol bomb attack

On 13th January United National Party main coordinator Dhanushka Balasuriya made a complaint to the Wariyapola police station saying that their party office in the area had been subjected to an arson attack using a petrol bomb. He accused that attack was carried out by the members of a leftist political party, who have threatened to remove the office premises previously. The party office has been burned and some of the cutouts have been destroyed as a result of the attack.⁷⁴

⁷⁰ <https://cmev.org/2023/01/12/press-statement-on-the-unconstitutional-move-of-the-secretary-of-the-ministry-of-public-administration-home-affairs-provincial-council-and-local-governments/>

⁷¹ https://www.dailymirror.lk/breaking_news/Public-Admin-Ministry-Secy-apologises-to-EC-over-his-letter/108-252155

⁷² <https://www.ft.lk/news/Retired-Army-officer-files-writ-petition-against-holding-of-LG-polls/56-743772>

⁷³ <https://www.adaderana.lk/news/87454/three-petitions-filed-seeking-dismissal-of-writ-against-lg-elections>

⁷⁴ එජාප වාරිගපොළ පක්ෂ කාර්යාලයට බෝම්බ ප්රහාරයක්

5. Repression of Freedom of Assembly

5.1. Court issues order preventing protestors from entering Galle Face Green

On 16th January, the Colombo Fort Magistrate issued a restraining order preventing protestors from entering the Galle Face Green in Colombo in relation to a protest march organized by the Inter-University Student Federation. The court order further mentioned that the protestors will be allowed to carry out the protest they have organized peacefully, without entering the Galle Face Green.

5.2. IUSF protest march attacked with tear gas and water cannons



Demonstration held in front of the UN Head Office in Colombo. Photo Courtesy: [Daily Mirror](#)

On 16th January, Inter-University Student Federation (IUSF) organized a protest demanding the release of its leader Wasantha Mudalige, repeal Prevention of Terrorism Act (PTA) and reduce the prices of electricity, gas, and fuel. Though the protest was initially planned to start at the Lipton Circle in Colombo, it was started near the United Nations Head office in Colombo. Media reported that a large number of Police personnel including riot control Police officers were stationed at the Lipton Circle before the protest began. For around half an hour, a demonstration was held in front of the UN office, then protestors marched along the Galle Road towards Colpetty junction located around two kilometres away from the Galleface Green public park that was recently well known for having the anti-government Aragalaya movements occupy protest site in Colombo. While the protestors were reaching the Colpetty Junction, a large force of Sri Lanka Police, Riot Police, and the Water Cannon trucks moved at them from Galle Face side and announced the court order using loudspeakers, saying that they are not allowed to enter the Galleface Green public park. Although the protestors then moved to the

Marine Drive, the neighbouring seaside road, the Police again diverted them back to the Galle Road and attacked them with tear gas and water cannon at the Colpetty junction, and dispersed the protest.⁷⁵

5.3. Two student activists from Kelaniya University arrested

The Chairperson of the Kelaniya University Kelum Mudannayake and student activist Dilshan Harshana were arrested by the Thalangama Police on 02nd January for allegedly damaging the gate of the Education Ministry and obstructing duties of police during a protest held on 10th July 2022. They were arrested when they visited the Thalangama Police to record a statement as requested by the Police. They were remanded after being produced to the Kaduwela Magistrate on 03rd January and not granted bail by the end of the month.⁷⁶

5.4. Protest during President's visit to Jaffna attacked with tear gas



The Families of the Disappeared and the University Students of Jaffna protested making several demands including justice to disappeared persons, return military occupied lands and release Tamil political prisoners. Photo courtesy: Ceylon Today

President Ranil Wickramasinghe visited Jaffna on 15th of January 2023, to take part at the Thai pongal celebrations organised by government officials including Minister of Fisheries Douglas Devananda. President participated in Pongal rituals at the Sivan Kovil in Nallur, and also delivered a speech at Dhurkadevi Mani Mandapam Temple in Nallur, Jaffna.⁷⁷ Meanwhile the families of the disappeared and the students of the university of Jaffna held a protest march from the University of Jaffna to Nallur where celebrations were happening. When the protesters were marching towards the venue, Police fired tear gas and water cannons at them at the Arasadi junction in Nallur.⁷⁸

⁷⁵ <https://www.newsfirst.lk/2023/01/16/iusf-protest-tear-gassed-twice-in-colombo/>

⁷⁶ <https://www.newsfirst.lk/2023/01/02/kelaniya-uni-student-leader-and-activist-arrested/>

⁷⁷ <https://ceylontoday.lk/2023/01/16/chaos-in-jaffna-on-thai-pongal-day/>

⁷⁸ https://www.dailymirror.lk/breaking_news/Police-use-water-cannons-to-disperse-protesters-in-Jaffna/108-252214

5.5. Activist Velan Swamigal arrested for participating at the protest during President's visit in Jaffna

Prominent civil society leader Velan Swamigal was arrested on 18th of January, for reportedly 'obstructing the duties of police' during the protest held on 15th of January, when President visited Jaffna. Swamigal joined the protest organized by Tamil families of the disappeared and University of Jaffna students on the day. Soon after the arrest, he was presented before the Jaffna magistrate, and granted bail. Tamil National Alliance (TNA) MP and lawyer M A Sumanthiran represented Swamigal at Jaffna's Magistrate Court. Speaking to the media after the court hearing, Sumanthiran said Swamigal was accused of "hoisting a black flag against the Sri Lankan president, obstructing the duties of the police, and wounding a police officer" during the protest. He added that it was a peaceful protest and people here have the right to show that they reject the current president.⁷⁹



*Civil Society activist Velan Swamigal while taking part at the protest held in Jaffna on 15th January.
Photo Courtesy: Tamil Guardian*

5.6. Activist Selvarani summoned to courts for organising a protest in Ampara

Thambirasa Selvarani, President of Ampara District Organisation of Relatives of the Disappeared, who led a protest in Eastern town of Thirukkivil in Ampara District on 30th January 2023, demanding justice for the disappeared, calling for an international probe into crimes while rejecting Rs. 200,000 (\$550) compensation they were given by the government was summoned to appear before Pottuvil Magistrates' Court at 9am on 31st January 2023.⁸⁰

⁸¹ ⁸²

⁷⁹ <https://www.tamilguardian.com/content/civil-society-leader-velan-swamigal-released-bail-after-arrest-sri-lankas-police>

⁸⁰ <https://english.theleader.lk/news/3547-ampara-activist-summoned-before-courts>

⁸¹ <https://twitter.com/JDSLanka/status/1620103216825536514>

⁸² <https://twitter.com/JDSLanka/status/1620005080056631297>

5.7. Police summon six men who organized Maaveerar Naal event in Mullaitivu

Mulliyawalai police summoned six Tamil men who organised Maaveerar Naal (Great Heroes day) remembrance event at Mulliyawalai Thuyilum Illam cemetery in November last year and recorded statements from them. They were questioned regarding an arch shaped decoration erected at the entrance of the cemetery that allegedly contained imagery relating to the Liberation Tigers of Tamil Eelam (LTTE) on them, according to the Police. Six men included four local council members of Karaithuraippattu divisional council, namely, Kamalanathan Vijinthan, Chinnarasa Lokeswaran, Thiruchelvam Ravindran, Thavarasa Amalan and two civil society activists, namely, Gnanadas Prashan and Baskaran Vanajan. Maaveerar Naal is the annual remembrance day for fallen Tamil rebels in the North East who fought against the Sri Lankan military during Sri Lanka's civil war. The day is remembered each year by the people in North and East Sri Lanka, often experiencing intimidation and harassment from Sri Lankan security forces. The organizers of the event stated that they were not trying to regroup LTTE, but peacefully commemorating the day, same as they have done in the previous years. On 26th of November, after being questioned by Mulliyawalai Police, they had agreed to cover the imagery that Police found problematic, with paints, and they had left it temporarily covered with clothes. However, when they arrive at the site the next morning, they have found that someone has taken away the decoration, and ripped off the clothes that they used, to cover the decoration.⁸³

⁸³ <https://www.tamilguardian.com/content/sri-lankan-police-summon-maaveerar-naal-organisers-mulliyawalai>

6. Repressive Legal and Policy actions

6.1. News laws regulating Social media and electronic media similar to those in Singapore to be introduced

President Ranil Wickremesinghe during a meeting with heads of media institutions held at the Presidential Secretariat in Colombo on 6th of January said that a new bill will be introduced to regulate social media and electronic media similar to the Info-communications Media Development Authority (IMDA) Act 2016 of Singapore. Responding to a question raised, the President noted that the existing legal framework on media regulation in Sri Lanka is only applicable to print media.⁸⁴

Previously in November 2020, then Minister of Mass Media Keheliya Rambukwella made a similar statement regarding a proposed Singapore-style regulatory framework for Sri Lankan websites purportedly to combat fake news and hate speech online. Media reports said that a consultative committee appointed by the Ministry of Mass Media has studied Singapore's controversial Info-communications Media Development Authority Act (IMDA) and Protection from Online Falsehoods and Manipulation Act (POFMA), to draft a new regulatory framework for Sri Lankan social media.^{85 86} Various Human Rights reports indicate that both POFMA and IMDA in Singapore have been used to silence dissent and restrict freedom of expression,⁸⁷ As the protests against the previous government were heightened, and the government collapsed soon, the proposed bill was not introduced then. However, the proposal made by the President Wickramasinghe recently seems as a fresh attempt to introduce the same bill that the former government tried to introduce.

6.2. Gazettes issued declaring essential services

Two gazette notifications were issued on 3rd January⁸⁸, and 17th January 2023⁸⁹, declaring all supply of electricity, the supply and distribution of petroleum and fuel and all services of the health sectors as essential services.⁹⁰ Declaration as essential services is a well-known historical tactic in Sri Lanka to discourage and prevent trade union actions.

6.3. Monthly Gazette issued calling for armed forces

The monthly Gazette notification was issued on 20th January calling out all the armed forces members for maintenance of Public Order, which allows the military to be involved in civilian affairs. It was issued by the President under the power granted with the Public Security Ordinance (Chapter40).⁹¹

⁸⁴ <http://www.adaderana.lk/news/87400/sri-lanka-to-introduce-new-laws-to-regulate-social-media>

⁸⁵ <https://economynext.com/new-spore-style-regulatory-framework-for-sri-lanka-websites-activists-concerned-76270/>

⁸⁶ <https://www.spherex.com/regulation/sri-lanka-implements-singapore-style-law-to-control-fake-news>

⁸⁷ <https://monitor.civicus.org/updates/2022/12/20/singapore-authorities-continues-its-use-restrictive-laws-harass-critics-and-activists-and-stifle-protests/>

⁸⁸ http://documents.gov.lk/files/egz/2023/1/2313-25_E.pdf

⁸⁹ http://documents.gov.lk/files/egz/2023/1/2315-07_E.pdf

⁹⁰

<https://www.newswire.lk/2023/01/03/extraordinary-gazette-issued-declaring-three-sectors-as-essential-services/>

⁹¹ http://www.documents.gov.lk/files/egz/2023/1/2315-58_E.pdf

7. Other incidents

7.1. Minister threatens to take legal action against National Human Rights Commission



Tweet issued by Minister Kanchana Wijesekera on 27th January. Via Twitter

Power and Energy Minister Kanchana Wijesekera said that he has sought advice on the legal measures that can be taken against members of Human Rights commission of Sri Lanka (HRCSL) for issuing an order to the Ceylon Electricity Board to provide uninterrupted electricity power during the two weeks period that GCE advanced Level examination is being held. The Advanced Level examination is a highly competitive examination that determines entrance into the state university system. Only 14% of the examination candidates annually enter into the state universities, due to limited opportunities available. After receiving many complaints from parents of students about continuous power cuts, HRCSL summoned all the relevant stakeholders including the secretary to the Power & Energy Ministry, chairpersons of Public Utilities Commission (PUCSL), Ceylon Electricity Board (CEB), Ceylon Petroleum Corporation (CPC), and two state banks to find out a way to stop imposing power cuts during the 2022 G.C.E. Advanced Level (A/L) examination.⁹² Accordingly, based on a collective agreement, HRCSL ordered that there shall be no power cuts until 17 February.⁹³ PUCSL also made a similar order.

However, the Ceylon Electricity Board flouted the order of the HRCSL and the PUCSL and went ahead with the power cuts. The HRCSL then announced that it would take legal action

⁹² <https://www.adaderana.lk/news/87879/power-cuts-during-al-exam-hrcsl-convenes-another-urgent-meeting-with-top-officials>

⁹³ <https://www.themorning.lk/articles/K3DfZVo2ZirBylyGpsz7>

against all those who flouted the order.⁹⁴ On 27th of January, the Minister tweeted that he was informed that Ministry officials present during the HRCSL inquiry, were threatened with legal action and jail sentence by HRCSL members, and were forced to sign a document that they did not want.⁹⁵ Later participating at a news conference, the Minister vowed to take legal action against the HRCSL members.⁹⁶

7.2. State Minister calls student unionists and trade unionists the terrorists

State Minister Anuradha Jayaratne speaking to the media said, even though trade unions and student unions have constitutional right to demand their rights, some of them can be called as terrorists as they are now attempting to destabilise the country's economy. "Now terrorists do not come with firearms, and bombs, but as economic murderers. It is our responsibility to repress those who destroy the country" he added.⁹⁷

7.3. Two trade unionists arrested for allegedly threatening members of Public Utilities commission

Two trade unionists who went to the Public Utilities commission along with other civil society activists to show their objection to some members who changed their stance on increasing electricity charges were later arrested on 24th January for allegedly threatening the members of the Public Utilities Commission of Sri Lanka (PUCSL). The Convenor of the United Trade Union Alliance, Ananda Palitha and the Secretary of the Electricity Consumers' Association, Sanjeewa Dhammika were arrested by Colpetty Police on charges of criminal coercion.⁹⁸ A video showed trade unionists telling the members of PUCSL that they will take legal action if the electricity charges were increased. When the PUCSL members ask whether it is a threat they are making, trade Unionists respond by denying their claim, and reaffirming that they make no threats at all.⁹⁹ Arrested trade unionists were granted bail on 26th January by the Colombo Fort Magistrate Court.¹⁰⁰

7.4. Social media activist Sepal Amarasinghe arrested by the police

Youtuber Sepal Amarasinghe was arrested by the Criminal Investigation Department over blasphemous remarks on the Temple of Tooth in Kandy and charged under section 3 of the International Covenant on Civil and Political Rights (ICCPR) Act, No 56 of 2007 for "advocating national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence."¹⁰¹ ¹⁰² Reportedly in one of his videos he has referred to the Tooth Relic as 'labba' and stated that he is neither afraid of labba so-called Tooth Relic, nor of fake Buddhism. Labba

⁹⁴ <https://www.newsfirst.lk/2023/01/29/sri-lanka-government-threatens-legal-action-against-the-state%E2%80%99s-own-human-rights-commission/>

⁹⁵ https://twitter.com/kanchana_wij/status/1618909887307857922

⁹⁶ <https://www.newsfirst.lk/2023/01/29/sri-lanka-government-threatens-legal-action-against-the-state%E2%80%99s-own-human-rights-commission/>

⁹⁷ <https://twitter.com/Welikumbura/status/1612034879130316801>

⁹⁸ <https://www.adaderana.lk/news/87831/sanjeewa-dhammika-and-ananda-palitha-arrested>

⁹⁹ <https://www.youtube.com/watch?v=OpSJDjV-hyE&t=13s>

¹⁰⁰ <https://www.adaderana.lk/news/87911/trade-unionists-ananda-palitha-sanjeewa-dhammika-granted-bail>

¹⁰¹ <https://www.dailynews.lk/2023/01/18/law-order/295431/sepala%E2%80%99s-offences-fall-under-iccpr-act-magistrate>

¹⁰² <https://www.lawnet.gov.lk/wp-content/uploads/2016/12/INTERNATIONAL-COVENANT-ON-CIVIL-AND-POLITICAL-RIGHTS-ICCPR-ACT-NO-56-OF-2007.pdf>

is a sinhala slang that means (1) vegetable bottle gourd (2) male genitalia, or (3) something trivial. Then he goes into critiquing how politicians have misused places of worship including Temple of tooth relic and other places for their political gains.¹⁰³



Sepal Amarasinghe while being taken to the magistrate court by Prison officials.

Photo Courtesy: Gayan Pushpika via Daily News

Amarasinghe's YouTube channel has nearly 80,000 subscribers¹⁰⁴, and is well known on Sri Lankan social media for his unorthodox views on a variety of social and political topics and known as a freethinker and non-believer.^{105 106} The chief prelates of the Malwatta and Asgiriya Chapters, Ven. Thibbatuwawe Sri Siddhartha Sumangala Thera and Ven. Warakagoda Sri Gnanarathana Thera have written to President Ranil Wickremesinghe, urging the Government to take necessary measures against Amarasinghe.¹⁰⁷ On 5th of January, Justice Minister Wijeyadasa Rajapakse speaking about the incident at the Parliament condemned Amarasinghe's derogatory remarks and said that legal action will be taken against him under the section 290 of the Penal code and ICCPR Act.¹⁰⁸ Subsequently Amarasinghe was arrested by the Criminal Investigation Department on 05th January and then remanded until 10th of January initially, then until 17th January, then until 31st of January. On 31st of January he was ordered to be kept in remand custody until 14th of February.¹⁰⁹ It was also reported that Amarasinghe was assaulted while in remand prison on 7th January, with the alleged support

¹⁰³ <https://www.facebook.com/100088255703751/videos/1275383383328122>

¹⁰⁴ <https://www.youtube.com/@sepalamarasinghe5187/>

¹⁰⁵ <https://businesstoday.lk/a-man-on-a-mission/>

¹⁰⁶ <https://economynext.com/sri-lanka-youtuber-arrested-over-blasphemous-remark-after-mps-demand-action-108474/>

¹⁰⁷ <https://www.themorning.lk/articles/hMx8xiM4H0eOwwqfGXuQ>

¹⁰⁸ <https://economynext.com/sri-lanka-mps-set-aside-differences-to-break-out-pitchforks-over-youtube-comment-108420/>

¹⁰⁹ <http://www.adaderana.lk/news/88017/youtuber-sepal-amarasinghe-further-remanded>

from several prison officials. The Human Rights Commission have visited the Prison and have recorded statements regarding the incident, while the Prison department has also started an inquiry.¹¹⁰ Section 3 of the ICCPR Act that Amarasinghe is charged with is a problematic law that has been used against writers, and artists previously. In April 2019, writer Shakthika Sathkumara was arrested and then detained for 127 days, and charged under ICCPR Act for writing a short story that hints of a sexual relationship between two male monks. He was acquitted of all charges in February 2021.

7.5. Activist Randimal Gamage arrested at the BIA

Activist Randimage Gamage was arrested by Sri Lanka police upon his arrival at Katunayake Airport from Dubai on 5th January.¹¹¹ Police spokesman Nihal Thalduwage said that Randima Gamage was arrested over the forceful entry to the Sri Lanka Broadcasting Corporation (SLRC) on 13th July 2022 during the anti-government protests.¹¹²

7.6. SDIG Tennakoon threatens the Director of SIU for reporting facts to the court

Senior Superintendent of Police (SSP) D.S. Wickremasinghe, the Director of the Special Investigation Unit of the Police, informed the Fort magistrate court that he was threatened by Deshabandu Tennakoon, Senior Deputy Inspector General of Police (SDIG) in charge of Western Province for reporting the facts to the court regarding undue influence made by Tennakoon to hand over the money found inside the President's house to a Minister, without keeping under court custody. He added that he received threatening phone calls from Tennakoon who has reportedly said that 'I will take care of you in the future.' He also informed the court that he had brought the incident into the attention of the Inspector General of Police and is also planning to file a complaint with the Sri Lanka Human Rights Commission. Colombo Fort Magistrate Thilina Gamage said that the court will take an appropriate action after receiving the report pertaining to the telephone conversation details regarding alleged threats made by Deshabandu Tennakoon.¹¹³ Tennakoon has previously threatened journalists¹¹⁴ and activists.¹¹⁵ He was assaulted by anti-government protesters in May 2022.¹¹⁶

¹¹⁰ <https://www.thecolombopost.org/en/politics-en/102393/>

¹¹¹ https://twitter.com/anuruddha_lk/status/1610853635973603329

¹¹² <https://www.newswire.lk/2023/01/05/uae-arrivals-activist-arrested-gr-returns-home/>

¹¹³ https://www.dailymirror.lk/breaking_news/SIU-Director-informs-Court-he-was-threatened-by-Deshabandu-Tennakoon/108-252145

¹¹⁴ <https://srilankabrief.org/sri-lanka-media-collective-condemns-senior-dig-deshabadus-indirect-death-threat-to-web-editor-tharindu-j/>

¹¹⁵ <https://www.themorning.lk/articles/169719>

¹¹⁶ <https://economynext.com/sri-lanka-protestors-assault-top-cop-deshabandu-tennakoon-94053/>