

Repression of Dissent

December 2023



The Supreme Court ruled that acting IGP Deshabandu Tennakoon and 3 other police officers were guilty of torture, arbitrary arrest, and detention of a suspect who was arrested on suspicion of a robbery in 2010. Source: <https://lankainformation.lk/>

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Repression of Dissent in Sri Lanka in 2023.

Published in March 2024.

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Colombo, Sri Lanka

<https://www.inform.lk/>

About this report

Repression of Dissent is the periodical human rights update series published by the INFORM Human Rights Documentation Centre in Sri Lanka. This report provides some general trends and details of significant incidents related to the repression of dissent in Sri Lanka, mainly based on the information reported in mainstream and social media. They include information on incidents such as arrests, threats, intimidation, investigations against human rights defenders (HRDs) and potential threats such as new repressive laws, policy decisions etc., which may hurt freedom of expression, assembly, association and dissent.

INFORM was established in 1990 to monitor and document the 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 levels. INFORM also focused on working with other communities whose rights were frequently and systematically violated. Currently, INFORM focuses on election monitoring, freedom of 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. Executive Summary

Context: December 2023 marked the beginning of a special Police operation titled ‘Yukthiya’ (Justice) to eradicate illegal drugs and underworld activities, spearheaded by the newly appointed Acting Inspector General of Police (IGP) Deshabandu Tennakoon. The International Monetary Fund (IMF) approved the second instalment of 337 million USD worth, a 48-month extended credit facility to be given to Sri Lanka as its first review was completed. These developments took place while the budget for the year 2024 was passed with a majority of 41 votes. It was also reported that the President’s Office is planning to establish a new position of Police Commissioner General to oversee the administration of the entire Police Department and appoint former Inspector General of Police Chandana Wickramaratne for that purpose. The wildlife officers across the island engaged in a symbolic strike for one day based on several demands, including ensuring the safety of wildlife officers and the need to evaluate the services of wildlife officers. Health Minister Dr. Ramesh Pathirana's public declaration of the increase in malnourishment among children further demonstrated the consequences of adverse economic conditions in the country.

A group of individuals representing an anti-corruption and anti-bribery pressure group filed a complaint with the police headquarters, demanding the arrest of former health minister Keheliya Rambukwella and former health secretary Janaka Chandragupta for importing substandard Immunoglobulin antibody vaccines into Sri Lanka. A separate unit under the Computer Crime Investigation Division has been established to investigate religious offences that take place on social media networks. A Kalutara Prison inmate who was admitted to the Nagoda Teaching Hospital died reportedly due to an assault.

Case updates: A local media rights group handed over a letter to the Senior Deputy Inspector General of Police in charge of North Western Province requesting that an impartial investigation be conducted against the Officer-in-charge of Bingiriya police station who allegedly assaulted Bingiriya *Rupavahini* journalist Dinith Kumara and confiscated the journalist’s media equipment while he was covering some news. Ahnaf Jazeem, a poet and teacher who was held for more than a year and a half under the Prevention of Terrorism Act (PTA), has been exonerated of the charges brought against him. The attorney general informed the court that the police and the army have expressed their regret for obstructing a group of lawyers who engaged in an anti-government protest during the people’s struggle in 2022. Hearing the petitions on the Online Safety Act, the SC held that 33 amendments are required, in order to pass it with a simple majority at the Parliament. Fort Magistrate Thilina Gamage ordered that the case filed against *Bodu Bala Sena* Secretary General Puja Galaoda Atte Gnanasara Thero for submitting false statements to the media in a way that insults the Quran and Islam is to be called again on March 11 for the advice of the Attorney General. A fundamental rights (FR) petition filed against Uva Provincial Chief Minister Chamara Sampath Dasanayake for harassing a school principal by kneeling was withdrawn on 1st December. The petitions requesting a verdict that the basic human rights of the public have been violated by not holding the Local Government Elections scheduled to be held on 9th March had been reheard on 13th December before the five-member Supreme Court (SC) bench. The SC ruled that now-acting IGP Deshabandu Tennakoon and 3 other police officers were guilty of torture, arbitrary arrest, and detention of a suspect who was arrested on suspicion of a robbery in 2010 and they were also ordered to pay 2 million LKR as compensation. Several fundamental

rights petitions have been filed in the Supreme Court requesting that an order be issued preventing Deshabandu Tennakoon from assuming the position of IGP and also from serving as the acting IGP. Additionally, the Young Journalists Association of Sri Lanka, a media rights group, requested the National Police Commission to remove him from the Acting IGP position. Hearing a case filed by the Bribery and Corruption Investigation Commission against MP Wimal Weerawansa, the Colombo High Court ordered a notice to MP Weerawansa and his guarantors to appear before the court immediately on the following day.

Repression of media and journalists: A 36-year-old media cameraman named Mahesh Gunasinghe was murdered at a hotel in the Katuwagasgoda area of Veyangoda. Sri Lanka's Terrorism Investigation Division (TID) interrogated Rasarathnam Dharshan, a journalist and the former president of the Jaffna University Arts Students' Union for more than 3 hours, over the choice of songs that were played during a commemoration ceremony that was held at the campus to mark Tamil Genocide Remembrance Day in May 2022. IBC Tamil media journalist Letchumanan Thevapratheepan, the Batticaloa correspondent, was called to the Valaichchenai police station. It was said that he had reported on a Tamil Martyrs memorial held at a burial ground in the Eastern Province. Thevapratheepan was asked to bring the registration certificate of the motorbike he had used to come to the police station and questioned on the Tamil Martyrs memorial held at the burial ground in Tharawi, Batticaloa on 27 November.

Repression of freedom of assembly: The Police dispersed a protest held near the Parliament firing tear gas and water at the protesters. It was organized by the women's wing of the National People Power (NPP) against the rising cost of living, increasing taxes and several other issues. Police obstructed a remembrance event to mark the 39th anniversary of the Othiyamalai massacre in which Sri Lankan armed forces killed 32 Tamil civilians in 1984 in Othiyamalai village in Oddusuddan in Mullaitivu district. The police have ordered the organisers to conclude the event, claiming that they had not obtained the necessary permission to use loudspeakers. Members of nearly 600 families whose houses were damaged due to the central expressway initiated a *Satyagraha* (peaceful protest) near Gattuwana entrance, Kurunegala. When protesters attempted to build a tent for the protesters, the Police confiscated all the items that were brought to build the tent.

Repression of state officials: It was reported that the Court of Appeal was informed of an alleged conspiracy to murder the former Director of the Criminal Investigation Department (CID) Shani Abeysekera in a car accident. This investigation came about following the writ petition filed by Shani Abeysekera, seeking an order instructing the Inspector General of Police (IGP) and other respondents to provide adequate security for him due to life threats. Five public health inspectors who had inspected the kitchens at the 'Avenra Garden hotel in Negombo that allegedly belonged to a politician were summoned to the Police as a reprisal for their act.

Other: Lawyers' trade unions strongly denounced the statement made by Public Security Minister Tiran Alles linking Attorneys-at-Law to drug traffickers. A youth who ran a Facebook page and a group titled *Puss Buddha* (loosely translated as 'Feline Buddha') and *'Followers of Puss Buddha'* was arrested on 21st December and remanded until 4th of January. It was reported that Valaichenai police had declined to file a complaint after a Tamil livestock farmer claimed that Sinhala settlers in Madhavanai had shot his cow.

2. Context

The launch of 'Yukthiya Operation': The month of December 2023 marked the beginning of a special operation titled 'Yukthiya' (Justice) launched by Sri Lanka Police to eradicate illegal drugs and underworld activities, spearheaded by the newly appointed Acting IGP Deshabandu Tennakoon. The action followed a directive from Minister of Public Security Tiran Alles, who set a deadline of 30th June 2024 for the country's top police officers to execute substantial adjustments addressing drugs and underworld operations. Acting IGP Deshabandu Tennakoon told the media that the raids were deliberately organized and differed from regular operations. "The focus is not on nabbing illicit drug users but those involved in drug trafficking rings," he told reporters.¹

Acting IGP Deshabandu Tennakoon told the media that the raids were deliberately organized and differed from regular operations. According to him "the focus is not on nabbing illicit drug users but those involved in drug trafficking rings."

According to media reports, the Police together with the Special Task Force (STF), and the Sri Lanka Army commenced raids across the country in December. Police spokesperson SSO Nihal Thalduwa said the raids were carried out in targeted areas covering all 607 Police Stations across the country. The public is encouraged to share tips and have guaranteed the anonymity of informants. A dedicated 25-hour operations desk has been established at the Police Headquarters in Colombo. SSP Nihal Thalduwa further assured that the operators cannot access incoming call numbers to ensure the safety of those providing information.

A date will be set for a case against Gnanasara Thero: On 4th December, Fort Magistrate Thilina Gamage today ordered that the case filed against *Bodu Bala Sena* Secretary General Pujya Galagoda Atte Gnanasara Thero for submitting false statements to the media in a way that insults the Quran and Islam is to be called again on March 11 for the advice of the Attorney General.²

A new post of Commissioner General of Police: It is reported that the President's Office is planning to establish a new position of Police Commissioner General and appoint former Inspector General of Police Chandana Wickramaratne for that purpose. The Commissioner General of Police, a top civilian post established by the President, will be entrusted with overseeing the administration of the entire Police Department. In addition to this position, it is reported that another proposal has been submitted to the President's Office to appoint the former Inspector General of Public Security as the Secretary of the Ministry of Public Security. Even so, it is further stated that the government is giving more priority to handing over the newly established post of Commissioner General of Police to Chandana Wickramaratne. However, it has been three months since President Ranil Wickramasinghe appointed Senior Deputy Inspector General of Police Deshabandu Tennakoon as the Acting Inspector General of Police and more than 8 months have passed since he was unable to appoint a suitable person for the first chair of the Police Department.³

¹ <https://www.newsfirst.lk/2023/12/18/operation-yukthiya-over-2-100-arrests-in-24-hours/>

² <https://www.news19.lk/a-date-is-set-for-a-case-against-gnanasara-thero/>

³ <https://www.news19.lk/a-new-plan-from-ranil-to-remove-deshbandu/>

Approval for IMF second tranche: The International Monetary Fund has approved the second loan instalment of 337 million US dollars to be given to Sri Lanka. On 13th December, the first review of the 48-month extended credit facility that the fund has entered into with Sri Lanka was completed and the Executive Board of the International Monetary Fund has approved it. Meanwhile, the executive board of the fund has indicated that the International Monetary Fund is satisfied with the economic progress shown by Sri Lanka.⁴

2024 budget is passed in parliament: The voting for the debate on the third reading of the budget for the year 2024 was held on 13th December. There were 122 votes in favour of the budget and 81 votes against. Accordingly, the 2024 budget was passed with a majority of 41 votes.⁵

Wildlife officials in union action: Prabash Karunathilaka, President of All Sri Lanka United Wildlife Officers Association, said that the wildlife officers across the island reported on 18th December a day of sick leave and took steps to engage in a symbolic strike for one day. By making a special statement on 15th December, he said that they would launch this symbolic protest based on several demands, including ensuring the safety of wildlife officers and the need to evaluate the services of wildlife officers. He stated that 85 forest officers have lost their lives while on duty and 23 of them have been killed by wild elephant attacks. He further said that this action was being taken based on the fact that the wildlife officers had to be remanded in connection with an incident caused by outsiders while protecting the forest resources and that there was no intervention by any of the government parties.⁶

The number of panhandlers in this country is on the rise: According to a recent survey conducted by the Department of Social Services, the number of panhandlers in Sri Lanka has increased. The survey was conducted in 65 Municipal Councils and Urban Councils, and the number of panhandlers reported is close to 3,700.

The Department of Social Services states that there are 1,600 panhandlers in the Western Province alone and more than 1,000 panhandlers have recently migrated to Colombo alone. Due to the closure of some businesses due to the economic crisis, some of the people who worked for such businesses have become panhandlers. However, it is reported that the capacity of Ridigama Rehabilitation Center established to rehabilitate panhandlers has been exceeded by now.⁷

Malnutrition among children on the rise: Health Minister Dr. Ramesh Pathirana says that malnutrition among children has increased. Health Minister Doctor Ramesh Pathirana said this while joining a special inspection tour of the Peradeniya Teaching Hospital on December 29 to find out the existing deficiencies and provide quick solutions to the existing patient treatment services and human and physical resource development activities as well. The minister said that the situation is unique in Nuwara Eliya and Kandy districts, and many special programs are being implemented in conjunction with the relevant health departments under the Ministry of Health and government and non-government institutions. The officials have been instructed to pay attention to this situation, especially in the Central Province.

⁴ <https://www.news19.lk/approval-for-imf-second-tranche/>

⁵ <https://www.news19.lk/2024-budget-passed/>

⁶ <https://www.news19.lk/wildlife-officials-in-union-action/>

⁷ <https://www.news19.lk/the-number-of-beggars-in-this-country-is-on-the-rise/>

In addition, Dr. Arjuna Tillakaratne, Director of Peradeniya Teaching Hospital, explained the patient treatment services provided by the hospital, including human and physical resources, including the development programs that have been done and are to be done. It is reported that short-term and long-term solutions have been provided in this regard.

Speaking there, the Minister of Health has said that steps will be taken for the necessary development of the hospital under the provisions of the Ministry of Health allocated for the coming year.⁸

Police tried to arrest a person after strangling him on the highway: When two officers of the Kurunegala Police attempted to arrest a person in the Wedaruva on 27th December. However, this inhuman attack by these two police officers has been heavily discussed in social media.^{9 10}



A video captured two officers brutally arresting a suspect went viral. Photo courtesy: News 19

The Kalutara prison inmate who was taken to hospital after being assaulted has died:

The Kalutara North Police have started investigations following a complaint that an inmate who was admitted to the Nagoda Teaching Hospital died on 26th December early in the morning due to an assault in the Kalutara prison. Investigations have been initiated following a complaint made by the Kalutara Malwatta prison. The victim has been identified as a 46-year-old resident of Molkawa, Karavita named P.G.Sunil.

A hospital spokesman said that the deceased was admitted to the Kalutara Nagoda Hospital on the night of the 24th due to an assault, and died on 26th morning while undergoing treatment in Ward No. 5. The body has been deposited in the mortuary of Kalutara Nagoda Teaching Hospital for post-mortem examination. The police said the Kalutara Prison

⁸ <https://www.news19.lk/malnutrition-among-children-on-the-rise/>

⁹ <https://www.news19.lk/police-trying-to-arrest-a-person-after-strangling-him/>

¹⁰ <https://www.youtube.com/watch?v=c6tQySEJnaw>

Superintendent has informed the Kalutara North Police about the incident and a special investigation has been started in this regard.¹¹

Senior police officer also mentioned that Kalutara Division crime scene laboratory officers are going to conduct investigations. Crime Prevention Division officers are conducting investigations under the leadership of Kalutara North Station Chief Inspector Damith Jayathilaka.

A complaint to the police demanding the arrest of Keheliya Rambukwella and former health secretary Janaka Chandragupta: On 18th December, a group of people including the Citizen Power Against Bribery, Corruption and Waste organisation filed a complaint to the police headquarters demanding the arrest of former health minister Keheliya Rambukwella and former health secretary Janaka Chandragupta for importing substandard Immunoglobulin antibody vaccines into Sri Lanka.¹²

Former Health Secretary Janaka Chandragupta had sent a letter to a pharmaceutical company on 25th June for the import of three medicines and that document alone is enough to arrest him, Jamuni Kamanta Thushara, Chairman of Citizen Power Against Bribery, Corruption and Waste Organization, stated to media upon complaining.¹³

A separate police unit to investigate religious offences: A separate unit has been established to investigate religious offences through social media networks. It was established on the advice of Acting Inspector General of Police Deshbandu Tennakoon. The Acting Inspector General of Police has ordered the Computer Crime Investigation Division to establish this separate unit for said purpose.¹⁴

¹¹ පහර දීමකින් ඊ රහුල ඊ ගත කළ කළුතර බන්ධනාගාර රාජවේශය මිය ගිහිනි

¹² <https://mawbima.lk/2023/12/19/arrest-keheliya-too/>

¹³ රහාර රබරහතට ගැවුණු ඉ රෙබය රකාකකන ඊ 7ක ඊ ගැන රපාලිඳ් ඇඳ

¹⁴ ආගමික වැරදි විමර්ශනයට රවනම රපාලිඳ් ඒකකයක්

3. Case Updates

A date will be set for a case against Gnanasara Thero: On 4th December, Fort Magistrate Thilina Gamage ordered that the case filed against *Bodu Bala Sena* Secretary General Pujya Galagoda Atte Gnanasara Thero for submitting false statements to the media in a way that insults the Quran and Islam is to be called again on March 11 for the advice of the Attorney General.¹⁵

A petition against Chamara was withdrawn A fundamental rights petition filed against Uva Provincial Chief Minister Chamara Sampath Dasanayake for harassing a principal by kneeling was withdrawn on 1st December. This petition was called before a Supreme Court Bench of Justices Vijith Malalgoda, Mahinda Samayawardena and Arjuna Obeysekera, where the lawyers of both parties informed the court that the related case had already been settled at the Badulla Mediation Board. Accordingly, the court which allowed the request has permitted to withdraw the petition.¹⁶

In 2018, Bhavani Raghunathan, the principal of Badulla Tamil Girls' School, submitted a fundamental rights petition against the then Chief Minister of Uva Province, Chamara Sampath Dasanayake, alleging that he had harassed her due to her refusal to admit a child to the school.¹⁷

Petition against the postponement of Local Government Election gets delayed: The petitions requesting a verdict that the basic human rights of the public have been violated by not holding the Local Government Elections scheduled to be held on 9th March had been reheard on 13th December before the five-member Supreme Court bench.¹⁸ Four fundamental rights petitions had been filed by the Samagi Jana Balawegaya (SJB), the National Jana Balawegaya (NPP), the Alternative Policy Center and the PAFFAREL organisation. On behalf of PAFFAREL, lawyer Asthika Devendra submitted a petition presenting facts. The lawyer said that it is problematic that Finance Minister Ranil Wickramasinghe, who is named as a respondent in this petition, did not file objections concerning this case.¹⁹

The lawyer also stated that in the objections filed by the Secretary of the Ministry of Finance concerning this case, the Minister of Finance had informed that there was not enough money to allocate money for the election. The lawyer said that the Minister of Finance has also informed the Cabinet about this.

Fundamental Rights case against Deshabandu acting Inspector General of Police: The Supreme Court ruled that a person was arrested and detained illegally in 2010 and that his basic human rights were violated by now-acting IGP Deshabandu Tennakoon. It was by giving the verdict on a petition submitted by a resident of Padukka area named Ranjith Sumangala. Accordingly, three officials including the Superintendent of Police Deshabandu Tennakoon, and retired Army Sergeant Major Ajith Vanasundara were named as respondents in the relevant petition for violating 11, 12(1) and 13(2) sentences and ordered to pay 500,000 LKR each from

¹⁵ <https://www.news19.lk/a-date-is-set-for-a-case-against-gnanasara-thero/>

¹⁶ <https://www.news19.lk/a-petition-against-chamara-was-withdrawn/>

¹⁷ <https://www.dailymirror.lk/article/Politicians-don-t-play-the-fool-in-school-148797.html>

¹⁸ <https://www.news19.lk/petition-against-postponement-of-petty-vote-gets-delayed/>

¹⁹ <https://www.adaderana.lk/news.php?nid=95042>

their money. Here, lawyers Sarita de Fonseka, Thilini Widanagamage and Viran Koraya appeared for the petitioner while Mr. Punchihewa from SSC appeared for the police and the Attorney General. The order was given by a three-member Supreme Court bench headed by S. Thureiraja.²⁰

Online Security Bill back to Parliament: According to Deputy Speaker Ajith Rajapaksa, 52 petitions against this Act had been submitted to the Supreme Court and after considering those petitions, the decision of the Supreme Court was forwarded to the Parliament on 7th November. In the judgement given by the Supreme Court regarding the said Act, it was mentioned that it was essential to pass the Online Protection Act, but it is also stated in the judgement given by the Supreme Court that 33 sections of it should be changed. According to Section 84.2 of the Constitution 3, 5, 7, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 36, 37, 42, 45, 53 and 56 must be passed by a special majority in the Parliament.²¹ The Supreme Court decides that only if the articles can be amended, can they be passed by a simple majority of 1/2, otherwise, a majority of 2/3 is required. However, this will be passed only if it is possible to amend it at the time of the committee. Public Security Minister Tiran Alles had said in a discussion with civil society organizations that this was a bill handed over by the Council of Ministers in a panic. The Minister of Public Security had said that although it was informed to present it to the Parliament, no clear explanation was given. At the beginning of 2020, it was reported that this had been prepared by Ali Sabri, who was the Minister of Justice at the time, and Minister Vijayadasa Rajapaksa. However, an agreement was reached with Public Security Minister Tiran Alles, civil organizations, media organizations and the Asia Internet Coalition to include consultation measures according to a proper method in three months for future work regarding this bill. Asia Internet Coalition is a group of 18 internet service providers including Google and Facebook. Minister Tiran Alles, Ministry Secretary Viyani Gunathilake, Police Legal Division Director Lawyer Ruwan Gunasekara and Non-Governmental Organizations Secretariat Director General Avkana Sanjeeva went to Singapore and held discussions on this matter.

Four petitions against Deshabandu Tennakoon: Four fundamental rights petitions have been filed in the Supreme Court requesting that an order be issued preventing Deshabandu Tennakoon from assuming the position of Inspector General of Police. It is reported that these petitions have been filed by the Archbishop of Colombo Malcolm Cardinal Ranjith, the Lawyers for Truth and Justice organization, three victims of the Easter attack, and an activist. The Attorney General, the Legislative Assembly and the Acting Inspector General of Police Deshabandu Tennakoon have been named as respondents in these petitions.²²

The petitioners point out that Deshabandu Tennakoon, who was the Senior Deputy Inspector General of Police in charge of the Western Province at the time of the Easter bomb attack, has neglected his duties. Also, another point mentioned in these petitions is that during the tenure of Deshabandu Tennakoon as a Senior Deputy Inspector General of Police, the protesters who stayed at Galle Face Ground during the people's protest were brutally attacked.

²⁰ <https://www.news19.lk/deshabandu-caught-in-a-fundamental-rights-case/>

²¹ [SC conveys its determination on constitutionality of Online Safety Bill.](#)

²² <https://www.news19.lk/4-more-petitions-against-deshabandu/>

Easter Sunday attack victims to the Supreme Court against Deshbandhu: Three victims of the Easter Sunday attack have filed a petition in the Supreme Court requesting that Senior Deputy Inspector General of Police Deshbandu Tennakoon, who has been appointed as Acting Inspector General of Police, be prevented from serving in that position. The petition has been filed by A.M.A. Nishantha, P.M.R. Fernando and J.A.D.F. Priyantha made the Attorney General, members of the Constitutional Council and Acting Inspector General of Police Deshbandu Tennakoon as respondents.²³

The petitioners point out that the Commission of Inquiry appointed by then President Maithripala Sirisena to investigate the Easter Sunday attack in 2019 had uncovered several serious negligence and omissions on the part of officers of the Sri Lanka Police and pointed out that it had proposed to take disciplinary action against Acting Inspector General of Police Deshabandu Tennakoon. The petitioners further claim that Colombo Archbishop Malcolm Cardinal Ranjith Thero has informed the Speaker in a letter dated 26th June 2023, expressing concern about Senior DIG Nilantha Jayawardena and Senior DIG Deshbandu Tennakoon and explaining the reasons why those persons are not qualified to be appointed to the post of IGP.

Journalists protest against Bingiriya OIC who assaulted a *Rupavahini* journalist: On 18th December, North Western Senior Deputy Inspector General of Police Kithsiri Jayalath was formally informed by All Ceylon Action Journalist Committee Chairman and other officials requesting that an impartial investigation be conducted against the Bingiriya police station chief, alleging that *Rupavahini* Bingiriya journalist Dinith Kumara was dragged while doing a media coverage near the Bingiriya police station and reportedly media equipment has been stolen as well.²⁴

Since the camera owned by journalist Dinith Kumara was kept in police custody as a case item, many journalists from other provinces of the island, including Northwest journalists, gathered in Kurunegala city to buy a camera needed to advance his career.

A protest was also held in front of the Kurunegala Clock Tower displaying protest placards against the Bingiriya Police Station Officer-in-Charge. Association of Professional Journalists, Northwest Association of Journalists, Northwest Association of Journalists and Folk Artists, Independent Journalists Association and Officials and members of the Journalists' Union of Journalists Cooperative Society also participated in the event.

Apologies to a group of lawyers from the police - army: The Attorney General informed the Supreme Court that the police and army expressed their regret regarding an incident of obstructing a group of lawyers who protested the government of former President Gotabaya Rajapaksa near the Colombo fort during the Galle Face occupied protest.

Deputy Solicitor General Kanishka De Silva, who represented the Attorney General, informed this when the fundamental rights petitions filed by eleven lawyers regarding this incident were called before the Supreme Court.

This petition was considered before a Supreme Court Bench consisting of Prithi Padman Surasena, Yasanta Kodagoda and Achala Vengappuli.

²³ <https://www.news19.lk/easter-victims-to-the-supreme-court-against-deshbandhu/>

²⁴ රුපවාහිනි වි මාධ්‍යයේදීයාට පහරදුන ඒ බිංගිරියේ OICට එරෙහිව පරීක්ෂණයක ඒ ඉල්ලා

According to the advice of lawyer Manoja Gunawardena, the Army Commander, Inspector General of Police, Senior Superintendent of Police in charge of the Galle area and others have been named as respondents in the petitions filed by eleven lawyers including lawyer Chandranath Narangoda.

This petition has been filed stating that the respondent police officers and army officers have violated their fundamental rights by interfering with the protest by the petitioner's lawyers against the then Gotabhaya Rajapaksa government on the third day of the first Test match between Sri Lanka and Australia at the Galle Stadium. In the petitions, the petitioner lawyers have sought an amount of five crore rupees as compensation for the damage caused to them and permission to hear these petitions. The President's lawyers Viran Koraya, Saliya Peiris and others appeared on behalf of the petitioner lawyers. Deputy Solicitor General Kanishka de Silva appeared on behalf of the Attorney General.²⁵

Notice to Wimal Weerawansa: Colombo High Court Judge Navaratne Marasinghe ordered 12th December to send a notice to MP Wimal Weerawansa and his guarantors to appear before the court immediately on 13th December. Shavendra Fernando, the President's lawyer who appeared for the defendants, stated before the court that he was informed that his client had been admitted to the hospital for treatment due to an illness.

The order on the preliminary objections submitted by the defence regarding a case filed by the Bribery and Corruption Investigation Commission against MP Wimal Weerawansa was scheduled to be issued on 12th December.²⁶

Poet Ahanaf acquitted: Ahanaf Jazeem, a poet and teacher who was held for more than a year and a half under the Prevention of Terrorism Act (PTA), has been exonerated of the charges brought against him.²⁷

Ahanaf Jazeem was arrested in May 2020 on suspicions of radicalism related to his book 'Nawarasam'.²⁸ He was arrested under the PTA on charges that he encouraged extremism and violence in minors and helped and abetted Muslim extremism through his literary work. Jazeem was indicted in November 2020 by the Puttalam High Court for allegedly spreading extremist sentiments amongst students at the School of Excellence where he taught. He was, however, granted bail in December 2021 under strict conditions, after nearly 19 months of detention.

Speaking to the media he revealed that, through the allegations, his accusers allegedly sought to force him to falsely confess to a connection to lawyer and human rights activist Hejaaz Hizbullah, who was similarly taken into custody under the PTA in April 2020.

²⁵ නීතිඥවරුන් ඒ පිරිසකට රජයාලිසිරි - හමුදාමල් කණගාටුව - Lankadeepa Online

²⁶ වටිමල්ව රනානිසි - Lankadeepa Online

²⁷ <https://www.newswire.lk/2023/12/12/poet-ahnaf-detained-for-18-months-under-pta-acquitted/>

²⁸ <https://www.themorning.lk/articles/Rg7ob4f7ixHw51ZJzUq>

4. Repression of Media and Journalists

The murder of a media cameraman in Veyangoda: A 36-year-old media cameraman named Mahesh Gunasinghe was murdered at a hotel in the Katuwagasgoda area of Veyangoda. The victim had visited premises housing a hotel and a salon on November 30. The police suspect the victim was beaten to death with a sharp object. Following the brutal attack, the husband and wife who operated the businesses at the site rushed him to Vatulupitiwalal Hospital. Despite their efforts, Gunasinghe succumbed to his injuries. The police apprehended the husband and wife couple who were suspicious of the murder.²⁹

Arbitrary interrogation of Uthayan journalist Rasarathnam Dharshan: Sri Lanka's Terrorism Investigation Division (TID) interrogated Rasarathnam Dharshan, a journalist and the former president of the Jaffna University Arts Students' Union for more than 3 hours, over the choice of songs that were played during a commemoration ceremony that was held at the campus to mark Tamil Genocide Remembrance Day in May 2022. Even though his alleged offence had occurred more than a year ago, his interrogation coincides with the crackdown on Tamil remembrance gatherings that Sri Lankan security authorities initiated a month ago. Around the same time, the Sri Lankan security forces detained several Tamils for charges such as hiring out speakers for remembrance events or decorating cemeteries with red and yellow bunting.³⁰



Uthayan Journalist Rasarathnam Dharshana. Photo courtesy: JDS Lanka Twitter

²⁹ [දේවර්ණවර්තින වි මාධ්‍යයරවර්දිදරයක ෫ ඝාතනය කරයි..](https://www.dinakaran.com/news/2022/11/30/murder-of-media-cameraman-mahesh-gunasinghe/)

³⁰ <https://twitter.com/JDSLanka/status/1734270470101352544>

Tamil journalist questioned about her reporting on Maaveerar Remembrance Day:

ශ්‍රී ලංකා පොලීසිය SRI LANKA POLICE		පණිවුඩ පෝරමය MESSAGE FORM		පොලීසි POLICE	
දිනය Date	23/12/06	ලැබුණු වේලාව Time of Receipt	18.35	From Station	To Station
පිටුපත් ලබා දුන් කාර්යාලය Sending Operator	072638	පිටුපත් ලබා දුන් කාර්යාලය Receiving Operator	99571	පිටුපත් ලබා දුන් කාර්යාලය Sending Operator	පිටුපත් ලබා දුන් කාර්යාලය Receiving Operator
From	20/1	To	20/1	දුරකථන No.	86
<p>සමස්ත දැනුම දෙන්න - මම පොලීසි ඉංජිනේරු කාර්යාලයේ පාර, පාලකවරුන් කාර්යාලයේ / පාලකවරුන් පාර පාරවලදී මාර්ගගතව පරීක්ෂණය වදන් පරීක්ෂණය පරීක්ෂණය පාර දී මාර්ගගතව පරීක්ෂණය මාර්ගගතව පරීක්ෂණය EP - VQ 6714 දරණ පාරවල පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය 2023/12/08 මාර්ගගතව පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය පරීක්ෂණය 077-9677717</p>					

Summoned notice received by the Journalist Letchumana Thevaprathheepan. Photo courtesy: JDS Lanka Twitter

IBC Tamil media journalist Letchumanan Thevaprathheepan, the Batticaloa correspondent, was called to the Valaichchenei police station on 8th December. It was said that he had reported on a Tamil Martyrs memorial held at a burial ground in the Eastern Province.³¹ Thevaprathheepan was asked to bring the registration certificate of the motorbike he had used to come to the police station and questioned on the Tamil Martyrs memorial held at the burial ground in Tharawi, Batticaloa on 27 November. In addition, the head and six other members of the commemoration committee were also arrested that day by the police and forcibly removed red and yellow flags at the beginning of the commemoration at the Tarawei Maveerar Burial Ground, which was destroyed by the Sri Lanka Army in 2009.³²

³¹ <https://english.theleader.lk/news/6960-tamil-journalist-quizzed-over-maaveerar-remembrance-reporting>

³² <https://twitter.com/JDSLanka/status/1732899009532940792>

5. Repression of Freedom of Assembly

Police use water cannons on women's demonstration: Police dispersed the protesters near Parliament Junction on 4th December using water cannons. This protest was organized by the women's wing of the National People Power (NPP) against the rising cost of living, increasing taxes and several other issues.³³ Police fired tear gas and water when the protesters attempted to move forward towards the Parliament. MP Dr Harini Fernando stated in the parliament that they have organised a peaceful protest against the proposed budget, which proposed a 51% reduction in allocation for the Ministry of Women and Child Affairs. Further, she said in the parliament that police dispersed them when they were about to conclude their protest.³⁴



Police fired tear gas and water at the protest organized by the National People's Power women's wing. Photo courtesy: Lanka Truth

Police obstruct the commemoration of the Othiyamalai massacre: On 2nd December Oddusuddan police obstructed the event to mark the 39th anniversary of Sri Lankan armed forces killing the 32 Tamil civilians in 1984 in Othiyamalai village. Oddusuddan Police Station OIC interrupted the event and asked the organizers to show the permit to have loudspeakers. As per the source, the OIC ordered the organisers to conclude the event. Organisers said this is their 14th consecutive year of holding this event and they have not faced such an issue for the past 13 years. On 2nd December 1984, Sri Lankan armed forces attacked Othiyamalai village in Mulativu and men in the village were taken to the community centre where they were stripped naked and tied up by their clothes. It was reported that 27 men were shot to death and five were detained, but later they were also found dead.³⁵

³³ <https://www.adaderana.lk/news/95376/police-use-water-cannons-to-disperse-npp-protest>

³⁴ <https://island.lk/harini-flays-police-for-using-water-cannon-on-womens-demonstration/>

³⁵ <https://www.tamilguardian.com/content/sri-lankan-police-disrupt-remembrance-othiyamalai-massacre-mullaitivu>

Police interrupted a *Satyagraha* (peaceful demonstration) by removing their tent and other items: On 27th December members of nearly 600 families whose houses were damaged due to the central expressway initiated a *Satyagraha* near Gattuwana entrance, Kurunegala. While *Satyagraha* was in progress and protesters started installing a tent, police came and took all the items that were brought to build the tent. Also, when the demonstration began a huge number of police officers were deployed. The group participating in the *Satyagraha* had brought the materials needed to prepare the attic in a small lorry in the morning and they planned to build this attic so as not to obstruct the road under the bridge near the Kurunegala Gattuwana Central Expressway entrance, said Sanjeya Kulathilaka, the convenor of the family association.³⁶



Heavy Police presence was observed as a group of people who had lost their lands due to the central expressway organised a satyagraha protest. Photo courtesy: News 19

³⁶ <https://www.news19.lk/a-group-of-satyagraha-people-who-were-affected-by-the-central-expressway-were-arrested/>

6. Repression of State Officials

Police summons PHIs who inspected Avenra Garden: The five PHIs who had inspected the kitchens at the 'Avenra Garden' hotel in Negombo last month, were summoned to the Katana police station. Upul Rohana, President of the Public Health Inspectors' Association, states that the management of Avenra Garden Hotel alleged a conspiracy against PHIs following the inspection they carried out last month. He further noted that, unlike other hotels that complied with standard protocols during similar inspections, 'Avenra Garden management continued to resist conducting inspections.'³⁷

It was reported that the hotel management was held accountable for the offence of storing cooked and uncooked food in the same refrigerator and it was said they had repeated the offence for the second time. Two months ago, a similar raid revealed unsafe and unhygienic storage practices in this particular hotel's kitchen. Those food items were eventually destroyed and the management was not prosecuted but was issued a warning. However, on December 23, the same misconduct was rediscovered by the authorities. It was revealed that the inspection of the Avenra Garden Hotel was part of a series of raids being conducted in the wake of the festive season.³⁸

It was speculated whether a prominent politician in Negombo was involved in this incident. It was also said that Danesh de Silva, the owner of Avenra Garden is a close associate of the Rajapaksa family. In 2022, during the People's Protest ('Aragalaya'), the Avenra Garden Hotel was set on fire by protestors, allegedly claiming that Yoshitha Rajapaksa's (former President Mahinda Rajapaksa's youngest son) money generated from illegitimate sources had been pumped into de Silva's businesses. It was linked to de Silva's so-called meteoric rise from a humble PT teacher at a school to a hotelier owning multiple properties.



PHI raided and seal the hotel cooling room the Avenra Garden Hotel Negombo. Photo Courtesy: Sri Lanka Mirror

³⁷ <https://srilankamirror.com/news/police-summons-phs-who-inspected-avenra-garden/>

³⁸ <https://www.news19.lk/the-phi-who-checked-avenra-garden-were-called-to-the-police/>

A conspiracy to kill Shani Abeysekera: It was reported that the Court of Appeal was informed on December 04 of an alleged conspiracy to murder the former Director of the Criminal Investigation Department (CID) Shani Abeysekera. The reports further revealed that the Attorney General had informed the court that the State Intelligence Service had uncovered information regarding a conspiracy to murder Abeysekera in a car accident.³⁹

This investigation came about following the writ petition filed by Shani Abeysekera, seeking an order instructing the Inspector General of Police (IGP) and other respondents to provide adequate security for him due to life threats.

The Additional Solicitor General delivered the Attorney General's statement to the two-judge Court of Appeal bench, which is made up of Justices Vikum Kaluarachchi and Nisshanka Bandula Karunaratne. The court had previously issued an order to the Victims and Witnesses Protection Authority to submit a report on the nature of the threats against Shani Abeysekera.

The report by the Victims and Witnesses Protection Authority related to the threats to Abeysekera was eventually submitted to the court by the Additional Solicitor General. The report confirmed that there were threats to the life of Abeysekera and also revealed details of the conspiracy to kill him in a car accident. Abeysekera's attorney told the court that his client is currently not receiving enough security, pointing out that the only resources granted for security are an old motorcycle and three police officers. He added that the IGP had received an order from the Victims and Witnesses Protection Authority to ensure the petitioner had proper protection, but that directive had not been followed up on.

³⁹ <https://www.news19.lk/a-conspiracy-to-kill-shani-abeysekera/>

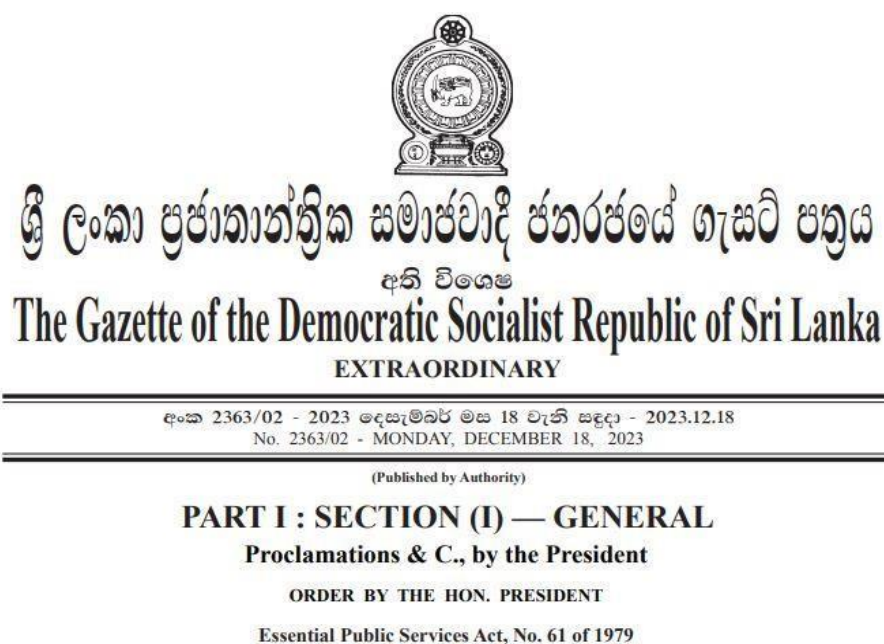
7. Legal and Policy Actions

Gazette issue calling all the armed forces to maintain the Public Security Ordinance.

On 21st June a gazette was issued calling for all the armed forces to maintain the public security ordinance. The gazette vested the power to all the armed forces to interfere in civil affairs. The Sri Lanka government used this to shrink the civil space in the last 11 months, from issuing this gazette.⁴⁰

Several services are gazetted as essential services.

On 18th December, the President issued a gazette notification declaring all services connected to the supply of electricity and petroleum as essential services.⁴¹ Declaration as essential services has been historically used by governments in Sri Lanka to prevent trade union actions. This draconian law allows 2 to 5 years of rigorous imprisonment, forfeiture of property, and removal from professional registration against those who engage in trade union actions, if found guilty for violating the President's order.



The extraordinary gazette of making several services as essential service.

⁴⁰ http://documents.gov.lk/files/egz/2023/12/2363-49_E.pdf

⁴¹ http://documents.gov.lk/files/egz/2023/12/2363-02_E.pdf

8. Other

A young man was allegedly arrested for insulting Buddhism: Officers of the CID's Cyber Crime Division had informed that an investigation was initiated on the FB pages - 'Puss Buddha' and 'Followers of Puss Buddha'.⁴² Eventually, a court order urged Facebook to provide details related to the aforementioned pages. A 22-year-old suspect was later arrested on 21st December 2023 and was produced before Aluthkade Court No. 6 on the following day.⁴³



The Facebook pages named 'Puss Buddha' ('Feline Buddha') and followers of Puss Buddha was arrested, and detained for allegedly insulting Buddhism.

Police refuse to register a complaint after a Tamil farmer's cow is shot by Sinhala settlers: It was reported that Valaichenai police had declined to file a complaint after a Tamil livestock farmer claimed that Sinhala settlers in Madhavanai shot his cow. The cow, Mappillai Nampan, was worth Rs.1,50,000, and belonged to Nimalan, the Cattle Farmers Association President.

Nimalan had gone to the Valaichenai police station to file a complaint. However, the officer in charge had informed Nimalan that his complaint could not be filed because his cow was damaging the settlers' fields. There have been encroachments of Sinhala settlers onto land in Madhavanai and Mayilathamadu, Batticaloa, where Tamil farmers graze their cattle. Livestock farmers in Batticaloa have been protesting the occupation of their lands and the killing of their cattle by Sinhala settlers since at least 2021.

⁴² <https://srilankamirror.com/news/court-order-issued-to-facebook/>

⁴³ <https://www.news19.lk/oung-man-was-arrested-for-insulting-religions/>

In August 2023, the construction of a new Buddhist temple was underway on land traditionally used by Tamil farmers in the border villages of Madhavanai and Mayilathamadu. The above incident is yet another occurrence of the continued harassment and mistreatment experienced by Tamil farmers at the hands of Sinhala settlers and government officials seeking to protect their lands.⁴⁴

Attorneys in the High Court criticize remarks made by the Public Security Minister about attorneys: The High Court Lawyers' Association vehemently denounced Public Security Minister Tiran Alles's recent statements linking Attorneys-at-Law to drug traffickers. The Association claimed that the Minister's remarks, which were carried out on all media outlets, undercut the responsibility and function of attorneys who represent all kinds of suspects brought before the Court following the nation's established legal system.

The Association further noted that "it is important to reiterate that the defence of suspects, regardless of all allegations against them, is a constitutional right of every citizen in Sri Lanka. This right is not subject to the wishes or whims of any individual, including the Public Security Minister". The statement issued by the Association also included that "the presumption of innocence is a fundamental principle in the legal system of Sri Lanka and it is a cornerstone of justice that asserts that every individual is to be considered innocent until proven guilty beyond a reasonable doubt". "It also imposes an obligation on attorneys to vigorously defend their client's rights and challenge the prosecution's case within the framework of the law. The presumption of innocence is not a mere technicality but serves as a powerful safeguard against wrongful accusations and unjust outcomes. It demands that the guilt of an individual be established through a fair and transparent legal process, where the rights of the accused are protected and always respected," it noted.⁴⁵

The Association added, "It is unfair to blame learned attorneys for their ability to represent their clients following established law, especially, considering the criticisms of corruption within the police department's administration. The professionalism and integrity of attorneys should not be questioned based on the shortcomings of other entities". The lawyers emphasized that to safeguard the principles of justice, fairness, and the rule of law, the Minister must refrain from putting any obstacles in the way of the legal professionals' ability to carry out their professional duties under the Sri Lankan Constitution.

⁴⁴ <https://www.tamilguardian.com/content/sri-lankan-police-refuse-register-complaint-after-tamil-farmers-cow-shot-sinhala-settlers>

⁴⁵ <https://www.news19.lk/disapproval-of-colombo-high-court-bar-association-for-tiran/>