

SRI LANKA

CIVICUS MONITOR WATCHLIST

OVERVIEW OF RECENT RESTRICTIONS
TO CIVIC FREEDOMS





INTRODUCTION

Sri Lanka remains on the CIVICUS Monitor civic space Watch List as serious violations continued to be documented in recent months. It was [added](#) to the list in June 2022 due to arbitrary arrests, attacks on journalists and the use of excessive and even deadly force by the security forces as part of a crackdown on anti-government protests, following its worst economic crisis in decades.

The protesters blamed former president Gotabaya Rajapaksa and his powerful family for years of mismanagement and corruption that have bankrupted the nation and led to severe shortages of fuel, electricity, food, medicines and other essential items. The broad-based protest movement came together to demand transparency, accountability and deeper reforms.

In July 2022, following ongoing protests, Rajapaksa [fled the country](#) and Ranil Wickremesinghe – a close ally of the Rajapaksa family – was elected as president in a [parliamentary vote](#). President Wickremesinghe has promised the creation of a [new Constitution](#) and has brought forward a [22nd amendment](#) to the Constitution to restore the independence of the judiciary, key national institutions and curb the powers of the President.

Following Wickremesinghe's election, sweeping emergency powers were once again imposed to restrict protests and clamp down on protesters. Security forces used excessive force to remove parts of a rolling peaceful protest site in front of the Presidential Secretariat in Colombo. Protesters have also been harassed, arrested and detained.

The violations against protesters and activists are part of a broader trend of attacks on civic space under the Rajapaksa administration that civil society has documented in recent years, including the targeting of activists and critics, use of the notorious Prevention of Terrorism Act (PTA), surveillance, intimidation and harassment of Tamil war victims and families of the disappeared, journalists and civil society organisations, particularly in the North and East, and failure to hold officials accountable for conflict-era crimes under international law.

EMERGENCY REGULATIONS

On 17th July 2022, a [proclamation of emergency](#) was brought into force and the following day the government issued a notification under the Public Security Ordinance for the [Emergency \(Miscellaneous Provisions and Powers\) Regulations, 2022](#).

The emergency regulations give [sweeping powers](#) to the police and the armed forces to search and make arrests of 'suspects' without due process safeguards. It levies hefty penalties, including life imprisonment for ordinary penal offences like causing 'mischief'. Detainees could be kept in custody for up to seventy-two hours without being produced before a Magistrate or guaranteed access to lawyers.

On 8th August 2022, UN human rights experts [condemned](#) the "extensive, prolonged and repeated use of state of emergency measures" since April 2022 by Sri Lankan authorities to crack down on peaceful protesters and prevent them from voicing their grievances. The state of emergency [lapsed](#) on 18th August 2022

ABOUT THE CIVICUS MONITOR

The [CIVICUS Monitor](#), an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in Sri Lanka as "**Obstructed**".

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED

REPRESSED

OBSTRUCTED

NARROWED

OPEN



BRUTAL CRACKDOWN ON PROTEST SITE

In the early hours of 22nd July 2022, a coordinated [joint operation](#) by the Sri Lankan military, police and special forces forcibly removed parts of the three-month-long '*Gotagagama*' rolling peaceful protest site in front of the Presidential Secretariat in Colombo.

Security forces severely beat protesters and lawyers and removed many tents from the pavement along Galle Road outside the Presidential Secretariat where dozens of people, including children, slept during the protests. Witness accounts and footage from the protest site revealed the extent of the violence used by security forces against the protesters, with some of them being beaten and dragged, while others pleaded for mercy.

According to [Human Rights Watch](#), at least 50 people were injured. Human rights groups [reported](#) that nine protesters were arrested and granted bail on the same day. At least 14 protesters were hospitalised. Materials and electronic devices belonging to protesters were destroyed. Troops barricaded all entrances to the protest site and used violence and threats to prevent access to journalists, lawyers, human rights defenders and medical personnel.

President Wickremesinghe also [called out](#) foreign diplomats for criticising the security forces' use of excessive force and took no action to hold those responsible to account.

ARRESTS AND JUDICIAL HARASSMENT OF PROTESTERS AND ACTIVISTS

The security forces have also sought to harass, arrest or detain activists and protesters seeking political reform and accountability for the country's economic crisis.

On 25th July 2022, the Colombo Magistrates' Court issued a [travel ban](#) on Father Jeewantha Peiris, a Catholic priest who had been prominent in the protests, and several others. Two days later, police visited Father Peiris's church and said that they had orders to arrest him. On 12th August 2022, he [surrendered himself](#) before the Colombo Fort Magistrates' Court and was granted bail.

Leading protester Dhaniz Ali was [arrested](#) by the police while trying to leave for Dubai on a flight on 26th July 2022 at the Bandaranaike International Airport (BIA). He was accused of unlawfully entering the Sri Lanka Rupavahini Corporation and attempting to disrupt its broadcast during the anti-government protests on 9th July 2022. He was [released on bail](#) on 15th August 2022. On 27th July 2022, unidentified men in civilian clothes [abducted](#) Veranga Pushpika, a former student activist and journalist who had also been active in the protests, from a bus in Colombo. Police did not disclose his whereabouts to lawyers or the Human Rights Commission for several hours before acknowledging his arrest. He was [released on bail](#) on 9th August 2022.

Police [summoned social media activist](#) Rathidu Senarathna, known as "Ratta," on 1st August 2022 and arrested him after questioning. On 9th August he was [released on bail](#). On 3rd August 2022, human rights defender and General Secretary of Ceylon Teachers Union Joseph Stalin was [arrested](#) at his office in Colombo by a team of over 25 police officers. Authorities claim that his arrest was due to a protest in May 2022 in violation of a court order. The human rights defender was taken to the Fort police station and remanded despite suffering from poor health. He was granted bail by a Colombo Fort Magistrate on 8th August 2022.

On 18th August 2022, police intervened to disrupt a protest by members of the Inter University Students' Federation (IUSF) in central Colombo by firing a water cannon and tear gas at them. The crackdown was followed by the [arrest of members](#) of the IUSF. According to [reports](#), 20 people were arrested and 16 of the suspects were released on personal bail after being charged with unlawful assembly and obstructing the duties of police officers by blocking the road.

One of those detained was human rights defender Chinthaka Rajapakse, the [moderator](#) of the Movement for Land and Agricultural Reform (MONLAR), a human rights organisation focused on land rights, protection of natural resources and the environment. He was [denied bail](#) and remanded until 26th August 2022. The Joint



Convenor of the Aragalaya protest movement, Senadhi Guruge was [arrested](#) by the Colombo Central Crimes Investigations Division on 24th August 2022. Guruge was charged for allegedly assaulting two police intelligence officers.

On 9th September 2022, the National Organiser of Youth for Change (YFC), Lahiru Weerasekara was [arrested](#) by Maradana police as he was returning on his bike from a peaceful protest at Galle Face. According to Front Line Defenders, three police officers in uniform stopped his bike and forced him into a police jeep. He was assaulted inside the jeep and ordered to hand over his mobile phone, which he refused. He was taken to the Maradana police station. The police state that his arrest was based on a peaceful protest held by the IUSF on 30th August. He was [granted bail](#) the following day.

DETENTION UNDER DRACONIAN ANTI-TERROR LAW

Three of those detained around the student protests on 18th August 2022, including Wasantha Mudalige, the convener of the IUSF, Hashantha Jeewantha Gunathilake, member of the Kelaniya University Students' Union and Galvewa Siridhamma Thero, the convener of Inter University Bhikku Federation, were not released but were held in [police custody](#) for well over 72 hours without access to lawyers and in violation of their due process rights.

On 22nd August 2022, President Ranil Wickremesinghe [approved](#) the detention and interrogation of the three activists for a period of 90-days under the draconian Prevention of Terrorism Act (PTA). They are being detained at the Tangalle Detention Centre. Their detention has been [condemned](#) by human rights groups.

The government has used the PTA to [target and harass](#) minorities, activists, journalists and critical voices. UN human rights experts have called for an immediate moratorium on the use of the law and urged the government to substantively review and revise the legislation to comply with international human rights law. Amendments to the law in March 2022 improve some safeguards, but left intact some of the most [problematic provisions](#) of the Act.

JOURNALISTS TARGETED

Journalists have been targeted for their reporting on the crisis and protests. [Front Line Defenders reported](#) that on 22nd June 2022, Sri Lankan journalist and human rights defender Tharindu Uduwaragedara was served a notice requiring him to appear at the Criminal Investigation Department (CID) in Colombo for inquiry on 28th June 2022. Uduwaragedara has been reporting on the protests.

At least eight media workers were [beaten and violently assaulted](#) by security forces and police personnel during live coverage of an anti-government protest outside Prime Minister Ranil Wickremesinghe's residence in Colombo on 9th July 2022. Several of the media workers suffered serious injuries and were taken to Colombo National Hospital for treatment. During the coordinated joint operation at the protest site on 22nd July 2022, three journalists from Xposure News [suffered injuries](#) as well as one other journalist from the BBC.

HUMAN RIGHTS OBLIGATIONS

As a State party to the International Covenant on Civil and Political Rights (ICCPR), Sri Lanka has an obligation not merely to respect and protect the rights to freedom of peaceful assembly and expression, but also to actively facilitate and promote their exercise.

In a [report](#) by the UN High Commissioner for Human Rights on the situation of human rights in Sri Lanka, the High Commissioner encouraged the government to "positively engage with the protest movements". The report added that "impunity remains a central obstacle to the rule of law, reconciliation and Sri Lanka's sustainable peace and development, and remains the core risk factor for recurrence of further violations."



The Commissioner called on the Human Rights Council to “continue to monitor developments closely, and in the absence of tangible results at the national level that ensure justice for Sri Lankan people, Member States should continue to pursue complementary international strategies for justice and accountability for human rights violations, corruption and abuse of power”.

RECOMMENDATIONS

The following are recommendations to the Sri Lankan government:

- Guarantee the rights to freedom of expression and peaceful assembly, including to participate in public protests, in accordance with international human rights law and standards.
- Refrain from arbitrarily arresting people for simply exercising their rights to freedom of expression and peaceful assembly. Ensure that protesters detained have the right to legal counsel, humane detention conditions and freedom from torture and ill-treatment.
- Unconditionally and immediately release all protesters detained for exercising their right to the freedom of peaceful assembly, providing effective remedies for violations and review their cases to prevent further harassment.
- Immediately and impartially investigate all cases of extrajudicial killing and excessive force committed by security forces in the context of the protests, make the findings public and bring the perpetrators to justice.
- Ensure that journalists may work freely and without fear of retribution for covering the protests or expressing critical opinions.
- Implement the recommendations of the September 2022 Comprehensive Report of the UN High Commissioner for Human Rights, particularly to advance constitutional reforms that guarantee the independence of key institutions, including the judiciary and the Human Rights Commission.

The following are recommendations to the international community:

- Call on the Sri Lankan government to protect the rights to peaceful assembly and expression; release all those arbitrarily detained for their peaceful activism and to ensure an impartial and thorough investigation into the use of force against protesters and civilians during the protests.
- Ensure proactive diplomatic intervention in response to early warnings from human rights defenders, activists and protesters to de-escalate or prevent attacks against them including by voicing concerns with the authorities, attending trials, issuing statements and visiting activists in detention.
- Establish a protection mechanism to immediately support human rights defenders and activists facing harassment and persecutions, which includes support for legal aid, relocation, and other means of protection.
- Support a resolution at the Human Rights Council's 51st Session which maintains the ongoing accountability process for international crimes committed in Sri Lanka and which reflects and addresses the ongoing human rights crisis in the country.
- Consider the recommendations of the September 2022 Comprehensive Report of the UN High Commissioner for Human Rights particularly to explore further targeted sanctions such as asset freezes and travel bans against those credibly alleged to have perpetrated gross international human rights violations or serious humanitarian law violations.
- Make public statements, including at the UN Human Rights Council, raising the concerns outlined above and highlighting the failure of governance and the rule of law engendering the crisis.