

Freedoms of Assembly and Association in Sri Lanka

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Sri Lanka has ratified the International Covenant on Civil and Political Rights (ICCPR) which guarantees freedom of assembly and association. This is reinforced by the Sri Lankan constitution, which also guarantees freedom of assembly and association¹. However, freedom of assembly and association is considered as a complicated and dangerous issue in Sri Lanka, and these freedoms are often suppressed through a variety of different avenues.

The legal framework:

The constitution itself offers certain exceptions to the guarantee of freedom of assembly and association. It allows freedom of assembly to be restricted in the “interests of racial and religious harmony”², and freedom of association could be restricted in the “interests of racial and religious harmony and national economy”³. Both can be restricted in the “interests of national security, public order and the protection of public health or morality, or for the purpose of securing due recognition and respect for the rights and freedoms of others, or of meeting the just requirements of the general welfare of a democratic society”⁴. The Prevention of Terrorism Act (PTA)⁵ further restricts and threatens freedom of assembly and association. In addition, the PTA also restricts host of other rights, such as freedom of expression, right to due process, right to be free from arbitrary arrest etc.

Amongst those individuals who have become victims of the repression of freedoms of assembly and association, are the families of disappeared, student activists, workers, lawyers, clergy, opposition politicians, NGO workers and human rights defenders. Additionally, organisations and groups have also been targeted, including NGOs operating at the national level, community based organizations, trade unions and student unions.

¹ Sri Lankan constitution, articles 14 (1) (b and C), available at http://www.priu.gov.lk/Cons/1978Constitution/Chapter_03_Amd.htm

² Sri Lankan constitution, articles 15 (3) available at http://www.priu.gov.lk/Cons/1978Constitution/Chapter_03_Amd.htm

³ Sri Lankan constitution, articles 15 (4) available at http://www.priu.gov.lk/Cons/1978Constitution/Chapter_03_Amd.htm

⁴ Sri Lankan constitution, articles 15 (7) available at http://www.priu.gov.lk/Cons/1978Constitution/Chapter_03_Amd.htm

⁵ Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979, as amended by Act Nos. 10 of 1982 and 22 of 1988

Supressing Freedom of Assembly:

Police and Army have been documented as having used disproportionate and maximum force against unarmed protestors, and have killed and injured those engaged in peaceful assemblies. Participants of protests have faced threats and intimidation. These peaceful protestors have been discredited as people who support terrorism and international conspiracies against the country. Police have resorted to obtaining ex-parte judicial orders to stop peaceful assemblies. The police have also blocked people from travelling from the North to Colombo for peaceful assemblies. Recent cases have shown police watching mob attacks (including those led by Buddhist monks) on peaceful assemblies, refusing to intervene and stop the attacks with even minimum force. Instead, police have chosen to disperse organizers and participants of peaceful assemblies instead of dispersing mobs, and have refused to provide security to victims. There have also been arson attacks on basic temporary infrastructure built for assemblies. Military had ordered the cancellation of training workshops for journalists. Surveillance of private and public events takes place regularly. Organizers and participants have documented intimidation tactics before, during, and after peaceful assemblies, used in order to pressurize them not to participate. In the North, such repression is more severe, with the Military and Police even stopping peaceful memorial and prayer events for those killed. Religious clergy who had organized such events have also faced interrogation and threats.

Suppressing Freedom of Association:

Freedom of Association has been under threat for several years, but events in recent months have become more alarming. The NGO Secretariat sent out a circular to NGOs warning them to stop the following; doing workshops for journalists; organizing trainings for journalists; press conferences; and issuing press releases. Public notices were issued by the Department of External Resources warning about accepting funds and collaborating with NGOs. Government has also been reported as planning to introduce new laws to register, monitor and control activities of Private Foundations and Trusts. Intense and probing reporting procedures have been established to monitor work of NGOs. Student Unions have been dissolved and Student Activists suspended. Associations have also been called unpatriotic and accused of supporting terrorism. Some associations are being subjected to surveillance regularly.

84 Freedoms of Assembly and Association violations reported in 2014⁶

Arrests and detention of participants and organizers of events

1. **January 2014:** An attempt was made by the Colombo Crime Division of Police to arrest the former Convener of the Inter Student Federation, Mr Mahesh Sanjeewa Bandara. It was claimed he had committed offences of public nuisance by organising a protest on the 13th of November 2013, and for disturbing vehicle movement in Colombo. On 24th January, the Fort (Colombo) Magistrate refused their request and ordered that he be released on bail for Rs.200, 000.
2. **January 2014:** Mr. Bandara was slapped with bail conditions by the (Colombo) Fort Magistrate that he was not to participate in protests or enter universities. Mr. Bandara challenged these in courts, arguing that the conditions of bail were a violation of his human rights. The Colombo High Court Judge ordered him to resubmit an amended plaint.
3. **March 2014:** 48 people, including protesters, women, children and devotees who were observing percepts at a nearby temple were arrested and many were assaulted by the police at the protest against the pollution of the drinking water by a rubber factory at Thunnane in Hanwella. A senior police officer threatened them, saying “Get out you dogs! If you don’t come out we’ll kill you!” On the previous day, another senior police officer had told villagers to give up the protest ‘fast’ if they loved their lives. Meanwhile, the office-in-charge of the Borella Police, Prasad Siriwardhana died from injuries, after a tree cut down by angry protesters fell on the officer. The police media spokesperson stated that this was a well-planned incident targeting the Geneva human rights (UN Human Rights Council) sessions.
4. **May 2014:** 17 university students were arrested and several were assaulted by the Police. Four students were admitted to Colombo National Hospital due to injuries. Students claimed that two more injured students were not admitted to hospital, a claim denied by the Police. Speaking to Media, Student Union spokesman Lahiru Madusanka told that “they (students) were taken to the police station by men in civics, and beaten in full view of the public. They were still bleeding when they were produced before Fort Magistrate Thilina Gamage”. Students of the faculty of Allied Health

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Based on incidents reported in the media, compiled by INFORM Human Rights Documentation Centre, available at <http://ihrdc.wordpress.com/repression-of-dissent/repression-of-dissent/>. This is not a comprehensive list.

Sciences, at the University of Peradeniya, have been engaged in an ongoing protest against the four year Allied Health Science (AHS) special degree being reduced into a three year general degree. Allied Health Sciences Student Union (AHSSU) accuses the Ministry of Higher Education and the University Grants Commission (UGC) of downgrading the degree.

5. **May 2014:** The Kilinochchi organiser of the Tamil National People's Front (TNPf), Mr. Thangaraj Jegatheeswaran was arrested by the Terrorist Investigation Division (TID) at his house at Kilinochchi, according to media reporting quoting the TNPf. Mr. Jegatheeswaran was reportedly arrested for organising a protest planned for 26th May 2014 to demand the government to finish resettlement of displaced Kilinochchi residents and to prevent the military from forcibly taking over their land. After handing over a letter to seek permission from the Killinochchi police to hold the protest demonstration, Mr. Jegatheeswaran was immediately summoned to the Kilinochchi police station and urged to drop the protest. Police spokesperson S.S.P. Ajith Rohana told media that Mr. Jegatheeswaran was arrested on the suspicions of working to revive the LTTE.
6. **August 2014:** Students of University of Peradeniya started a sit in campaign demanding the establishment of a Faculty of Management. On the 20th of August when the students were engaged in making arrangements for the sit in campaign, Police arrived and asked the students to come to the Police station on the next day and to give an oral statement. On the 21st August, 5 student leaders were informed to come to police station to give an oral statement. On the 22nd August, 3 students went to the police station to give statements and they were arrested and produced in front of the Magistrate of Kandy. The charges against the students were illegal constructions and illegal entrance. The students were ordered to be remanded for 14 days. On the 25th August, 2 more students went to the police station and they too were ordered to be remanded.
7. **August 2014:** After a disciplinary inquiry and being banned from entering university premises Ms. Shayamali Liyanaarachchi, a leading female student activist and two other female students were consequently arrested for taking part in a student demonstration violating a court order banning it.

Threats; intimidation; harassment and restrictions of participants and organizers of events

8. **June 2014:** Ms. Shayamali Liyanaarachchi, a leading female student activist was called for a disciplinary inquiry and banned from entering university premises till the inquiry proceedings were finished. She was accused of instigating unrest amongst female students, after a successful all female student protest action in the University of Kelaniya managed to win a new hostel building for the female students who were previously compelled to live in very bad conditions, sometimes more than 25 students in one room.
9. **August 2014:** Ms Shayamali was warned by the Magistrate against taking part in political activities in the future, considering the fact that she is a girl. She was also falsely accused of carrying a pole around the hostels in order to intimidate the female students.
10. **June 2014:** a protest was disturbed by the military by arresting a Tamil Northern Provincial councillor and trying to prevent people from participating. The protest was organised to demand legal hearings into habeas corpus petitions from the families of persons who are reported as missing after the families had handed them over to the Sri Lankan military during the final days of the last phase of the war. The protest was organized by the Tamil National Alliance (TNA) and the Tamil National People's Front (TNPf) in the Mullatheevu district in the Northern Province.
11. **August 2014:** the wife of a member of the Thenmaraadchi Divisional Council (in the Northern Province), was threatened at gunpoint by military intelligence operatives. The council member had been supporting a Tamil mother who protested against the land surveyors who came to her land situated along the A9 Road, at Mirusuvil in Thenmaraadchi of the Jaffna district. The group had entered his house while Mr. Theivendrampillai was at a protest. They damaged his property, and burnt his bankbooks and land deeds.
12. **July 2014:** Journalists who protested against military intimidation on their way to Colombo to attend a media workshop on 25th July were called for questioning by the Omanthai Police. One of the journalist tweeted that seven journalists who protested against the military had been called in for police questioning.

- 13. July 2014:** The leader of the mob which disrupted the media workshop that was to be held in the auditorium of the Sri Lanka Press Institute warned that " if this institute allows any such training in the future don't say we are bad boys". He was referring to the workshop where Tamil journalists from the North were invited. The mob leader further warned that if such workshops are held anywhere in the country they will be there to stop them. These statements were a clear warning that they are even ready to use the violence against Tamil journalists if they come to participate in training workshops anywhere in Sri Lanka.
- 14. August 2014:** A mother of a disappeared person had complained that she had received a threatening phone call from an unidentified person, who had told her that they (the caller) knew she was going to Colombo for a meeting, a day before a meeting for families of disappeared persons in Colombo. Some of the other mothers too had received similar calls from unidentified persons in the days prior to the meeting. Some callers claimed to be from the Criminal Investigation Division (CID), inquiring after their specific whereabouts, and insisting that they come meet with the caller at a said location. Another mother reported having CID officers standing outside her house a few days before the meeting, and they had threatened her before she left for Colombo. She had also received similar calls from unidentified persons in the days prior to the meeting. One of the Northern based organizers of the event had received a threatening phone call from an unidentified person, also on 3rd August, asking if he was taking families of the disappeared to Colombo that night (3rd) for a meeting. Another mother complained that whilst she was in Colombo on the 4th, the CID had visited her home in the North and asked after her whereabouts. These mothers have been getting such anonymous calls for at least a month prior to this meeting.
- 15. August 2014:** After the dispersal of the meeting for families of disappeared persons on 4th August by a mob, Police officers had visited the venue that night, to check whether Tamil families of the disappeared from North were still in the premises. They had also inquired from the staff of another Church run centre where the Tamil families had planned to stay overnight. However, the Tamil families had decided to go back to their homes that same evening due to fears for safety.
- 16. August 2014:** "Global Tamil News" had reported that parents of three Tamil political prisoners engaged in a hunger strike were not allowed to visit their children and were warned that they (parents) will be able to see only corpses if the prisoners died as a result of the hunger strike. The

three Tamil political prisoners had been detained in Anuradhapura prison for six years without any charges, and had engaged in a hunger strike demanding that they be transferred to the ward that other Tamil political prisoners are being held. The three detainees had also complained that Sinhalese prisoners are assaulting them and taking away their food rations.

- 17. July 2014:** A memorandum was reported to have been presented to the cabinet of Ministers which includes proposals for new regulations with regards to providing visa for foreign invitees of events organized by Non-Governmental Organisations (NGOs). According to the memorandum, the NGO Secretariat of the Ministry of Defence and Urban Development and the Registrar of Companies will be tasked “with clearing NGO requests on hosting events and arranging necessary visas for the participants.” The NGOs will have to provide the certificate of registration and details of funding sources, in addition to an outline of the subjects to be discussed, objectives and list of participants to support the visa applications of foreign invitees.

Attacks and obstructions on protests and outdoor campaigns

- 18. March 2014:** the People’s Liberation Front (JVP – Janatha Vimukthi Peramuna) has alleged that persons associated with the government had assaulted a street drama group. “Society for Socialist Art” were performing at the Panadura bus stand of Kaluthara district, to educate the public about political issues. Nine persons of the drama group were injured and hospitalized, and three were in serious condition.
- 19. April 2014:** A group of opposition United National Party (UNP) members of parliament (MPs) who were visiting the Magampura Port, Hambantota (newly built port in Sinhalese majority Southern Province, which is the hometown of President Rajapakse) were threatened and pelted with eggs by a mob. The mob included an armed government politician, who is the Mayor of the area. The MPs had to abandon the inspection tour as the mob became increasingly violent. Video as well as photographic evidence were published by the media of the mob intimidating, threatening and chasing away the group of MPs. President Mahinda Rajapaksa has put the attack down to ‘public anger’ over the unjust attacks on the Government’s development projects in the area. The state controlled media has defended the assault as nothing more than democratic dissent. Speaking at a

press conference, the five parliamentarians who came under attack denied the President's allegation and said that " "No UNP parliamentarian ever said that and we did not make such a comment either. We said the projects were being conducted in a fraudulent manner and that it would be conducted in a transparent manner under the UNP."

20. **May 2014:** Trade Unions were denied a venue for their annual May Day rally. Trade Union leaders reported that the Police had verbally promised the Joint Trade Union Alliance that the Hyde Park grounds in Colombo city will be allocated for their May Day rally on 1st May 2014, as has been the case in previous years. But according to them, the Police had subsequently allocated the venue to a pro-government Trade Union and obtained a court order prohibiting the Joint Trade Union Alliance from having the May Day rally at the venue. The police had also obstructed their march on 1st May, stopping them at "Slave Island junction", several kilometres away from the controversial Hyde Park grounds. The police later charged three Trade Union leaders of violating the court order not to have the May Day rally in Hyde Park grounds.

21. **May 2014:** Holcim employees were attacked by thugs in front of the Galle (Southern province) factory. The employees, who were on trade union action, were requesting to make their service permanent. The Senior Vice President of Inter Company Employees' Union, Mr. Somadasa Weerathunga had stated that one employee had to be admitted to the hospital as a result of this attack.

22. **June 2014:** Parents of Ashoka College in Colombo were attacked during a protest against the Principal of the school. The principal is understood to be a supporter of the Western Province Chief Minister, who has been accused of orchestrating the attack. A mother was admitted to Colombo General Hospital as result of the attack. Teachers and students were accusing the Principal of destroying the school and its education.

23. **June 2014:** On the 191st day (18th June) of a protest, thugs arrived early morning by motorcycle to set fire to the temporary hut students were using for the 'Sathyagraha' (protest) campaign carried out by students of University of Rajarata (North Western Province). The students were demanding

authorities to remove the unjustifiable suspension 27 students. One student has been injured in the incident.

24. **June 2014:** The same structure at the University of Rajarata was set fire to by unknown thugs.
25. **June 2014:** There was an attack on university students of the Ruhuna University in Matara, by a mob led by Deputy Minister Sanath Jayasuriya, while Police watched by. The Janatha Vimukthi Peramuna (JVP, a political party) had condemned the attack, producing photographs of Mr. Jayasuriya and government politicians involved in the attack. This attack on 2nd June was allegedly due to the students protesting against “Deyata Kirula”, an annual exhibition organized by the government being held in the Ruhuna University compound. The Deputy Minister has rejected the allegations of attacking students, but had admitted to being part of a group of residents who had protested against the students.
26. **July 2014:** Police interrupted a banner-signing campaign held in Borella (Colombo 8), which was one of a series of awareness programs held island-wide on 23rd July by the Movement for Equal Rights (MER). The MER had begun the program entitled “no to another black July”, around 9am in the town of Borella, when police officers attached to the Borella Police station arrived at the location and informed them to stop the campaign and remove the banner. Later, police officers had forcibly taken away the banner, and had got ready to arrest the members of the MER who were involved in the program. “Black July” refers to riots in different parts of Sri Lanka in July 1983, in which many Tamils were killed and their properties destroyed.
27. **July 2014:** A street campaign against racism by the United Socialist Party (USP) was attacked and obstructed in Aluthgama.
28. **July 2014:** The temporary hut that sheltered Rajarata University student protesters was burnt for the third time. Rajarata University Students Federation member Lasantha Priyankara said a group of men came in a van and hurled a bottle of petrol and set the hut ablaze.

29. **July 2014:** A group of opposition Parliamentarians from the United National Party (UNP) who were on a fact finding mission to the Sapugaskanda Oil Refinery (in the Colombo district) were prevented from entering by a group of Ceylon Petroleum Corporation employees. UNP Parliamentarian Harsha de Silva, who was at the location, said that “hundreds of goons protected by the Police blocked the entrance”. Another UNP MP, said, the incident was pre-planned and the goons were fully prepared to hinder the UNP delegation.
30. **August 2014:** 30th August marked the International Day of the Victims of Enforced Disappearances. In Vavuniya, in the North of Sri Lanka, government forces prevented hundreds of families from protesting against the disappearance of their loved ones, claiming that they did not have permission to protest. Concerned for the safety of their participants, the organisers passed on their petition to TNA MP Maavai Senathirajah and encouraged the protesters to leave.

Attacks, disruptions and surveillance of indoor events

31. **March 2014:** Approximately 20 Buddhist Monks interrupted a two day training programme organised by the “Search for Common Ground” for provincial journalists on “Search for Peace” in Polonnaruwa. They claimed that United States funded programmes were no longer allowed in the area because of the UN’s resolution against Sri Lanka.
32. **March 2014:** The administration of Bandaranaike Memorial Conference Hall (BMICH) in Colombo cancelled a booking scheduled for the 19th of March for Bar Association of Sri Lanka (BASL) that was intended to discuss the implications of a gazette notification to vest police powers in the armed forces. They had paid an advance of Rs.50, 000 to confirm the booking, but were told it could no longer go ahead as the president was coming to visit BMICH. Several civil society representatives were planning to attend.
33. **April 2014:** A mob led by Bodu Bala Sena (Buddhist Power Force - a militant and extremist Buddhist group) disrupted the inaugural press conference organized by the 'Jathika Bala Sena' led by senior Buddhist Monk, Venerable Watareka Vijitha Thero, on 9th April. Vijitha Thero has been attacked and threatened for defending rights of religious minorities and advocating for inter-religious harmony by the BBS. A number of TV stations broadcasted video footage of the unruly behavior of

the Bodu Bala Sena monks threatening, intimidating and almost assaulting Ven. Vijitha Thero and shouting at a Muslim cleric to shut up. The Police officers present didn't attempt to stop the invasion and disruption of the press conference, and threats and vilification of Vijitha Thero and Muslim clerics present.

34. April 2014: The Catholic Bishop of Mannar was blocked from conducting an Easter service and meeting with Tamil prisoners in the Anuradhapura prison by "higher authorities in Colombo", according to the Catholic Bishop of Anuradhapura, despite the Minister of Prisons, Mr. Chandrasiri Gajadheera, having being aware of the visit. The Anuradhapura Bishop has further stated that prison authorities had earlier given instructions to Tamil prisoners that they should not speak to the Bishop of Mannar for too long, nor give him anything in writing. According to Tamilnet, the visit had been blocked at the last minute by an order from the Ministry of Defense on 20th April, despite permission having been obtained for the visit from the Minister of Rehabilitation and Prison Reforms in Colombo, Mr Chandrasiri Gajadeera. The Bishops were to visit around 60 Tamil political prisoners to deliver a message of hope and some basic assistance on the Easter Sunday. The Bishop of Mannar is a prominent human rights defender within the Northern Tamil community, who has been regularly visiting Tamil political prisoners. He has also been vocal in calling for their early release if they are not being charged with credible evidence.

35. April 2014: Bodu Bala Sena (BBS) organized another protest outside the Mahiyanganaya Pradeshiya Sabha against the Venerable Vijitha Thero. Vijitha, to prevent him from participating in the monthly Pradeshiya Sabha (Local government body) of which he is an elected member from the ruling United Peoples Freedom Alliance (UPFA). The Police had to escort Vijitha Thero into the building following fears the protesters may attack the monk. A YouTube video available on the internet shows Watarekke Vijitha thero running out of fear, escorted by the police.

36. May 2014: The Sri Lankan Minister of Youth Affairs was reported to have banned a press conference by delegates to the World Conference on Youth (WCY) on the abduction of nearly 300 school girls by *Boko Haram* militants in Nigeria. WCY was held in Colombo, Sri Lanka from 6th to 10th May 2014. "These people have a different agenda in mind, and this has nothing to do with the Conference. So I don't think we should allow them to hold a press conference," the Minister is

reported to have told the media. The youth delegates told that "This is our event; the world must know of our plight and we, the youth wish to propagate this grave injustice to the world". A group of delegates held a protest against the Minister's actions by holding placards that read 'Bring back our girls'.

37. **May 2014:** The University of Rajarata (In the Anuradhapura district) administration refused to give permission to a seminar about May Day scheduled for 5th May 2014, citing the fact that the Convener of the Inter University Student Federation (IUSF) was giving a talk at the event. The seminar had to be thus held outside the University.
38. **May 2014:** A training to train journalists to write investigative reports on the recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) by the Transparency International Sri Lanka (TISL) branch had to be abandoned, due to intimidation by the military. The participants had comprised of journalists in Tamil media representing the Northern and Eastern provinces. The Hotel administration had informed the organizers that since a senior officer of the Military Intelligence Corp had informed them to stop the workshop from taking place, they could not allow the program without the permission of the Security units.
39. **June 2014:** a three-day workshop, organized for Tamil journalists, was cancelled due to protests by an unknown group. It was scheduled from 6th to 8th June in Negombo. Police refused to provide protection for the participants, siding with the protestors. The organisers arranged a hotel in Colombo for the journalists, but they were forced to leave in the middle of the night by hotel management after the hotel claimed to have received threats from a "powerful" group.
40. **July 2014:** 11 Tamil Journalists from the Northern Province were obstructed by a Police, Army and intelligence joint operation while travelling to Colombo to attend a workshop and discussion on digital security.
41. **July 2014:** A group of government organized mobs had gathered in front of the Sri Lanka Press Institute, and forced the cancellation of a workshop on digital security for Tamil journalists.

42. **August 2014:** The Executive Director of the National Peace Council (NPC), Dr Perera, reported that in Kandy, “when an inter-religious dialogue was being conducted inside a private hall of a reputed civil society organization of long standing, intelligence personnel entered the hall in civvies and were recording the discussion.”
43. In Galle, in the Southern Province, a National Peace Council programme brought children and their parents together from all communities. The local police had also been invited to attend, however, another police team came to investigate the programme.
44. In Addalaichenai in the East, when a youth camp was organized by the National Peace Council, the local police and local government authorities had been informed in advance and took part in the opening ceremony. But despite their presence, uniformed military personnel with weapons had come and questioned the organizers of the programme on three separate occasions over a two day period.
45. **August 2014:** A programme on promoting cultural values by youth, organized by the National Peace Council and held in Batticaloa (also in the East) led to questioning by two army personnel.
46. **August 2014:** according to the spokesperson of The Government Press Trade Union Collective, members of pro-government Trade Union Sri Lanka Nidahas Sevaka Sangamaya had disrupted an awareness meeting organized by the Trade Union Collective, and assaulted participants of the meeting, on 27th August 2014. According to media reports, the Trade Union Collective members are workers from the opposition Janatha Vimukthi Peramuna (JVP) and United National Party (UNP). They have alleged that Government Printer is a political appointee, and that SLFP (Sri Lanka Freedom Party – the ruling party) Uva Provincial Council election propaganda materials are printed in the Government Press.
47. **August 2014:** A private, invitation-only sharing session at the Centre for Society and Religion in Colombo for families of the disappeared was disrupted by a mob, including several Buddhist Monks, who threatened the participants to stop the meeting. When the police arrived, they refused to offer any protection for the families if they chose to continue. The police then ordered participants to return home. Following a great deal of resistance from the participants, the police

eventually asked the mob to leave. Later it was revealed that an anonymous fax claiming to be from Mr. Brito Fernando, the main organizer of the event, has been sent to media organizations prior to the meeting, claiming that the meeting was to discuss how participants from North & East could provide evidence at the international war crimes tribunal.

False allegations and discrediting organizers and participants:

48. **August 2014:** A day after a mob led by Buddhist Monks disrupted a meeting of families of disappeared, one of the leaders of the mob made a series of false accusations against families of disappeared persons and anti-disappearance campaigners in Sri Lanka who had participated in the meeting that was disrupted. While declaring all families as family members of dead Liberation Tigers of Tamil Eelam (LTTE), he showed pictures of the organizers accusing them as being against the country and providing shelter to the LTTE.
49. **August 2014:** A news item in the Sinhalese daily newspaper “Rivira” reported that the Collective to build National Harmony had alleged that media trainings in Jaffna are organized by the Tamil diaspora. They argue that foreign embassies are supporting these, in order to get Tamil youth to discredit Sri Lanka by sending information about human rights violations to foreign countries. The news item also alleged that Mr. Dayabaran (Coordinator of the Jaffna Press Club), who had attended such events, was a member of the “Tigers” (Liberation Tigers of Tamil Eelam – LTTE) and that he had worked for websites of the “Tigers”.
50. **August 2014:** The Sri Lankan Ministry of External Affairs accused certain sections of the diplomatic community of being “involved in a manner lacking objectivity in events organized for a particular region or community” which has led to “potentially volatile situations giving rise to perpetuation of mistrust amongst communities.” The Ministry appeared to be warning the diplomatic community not to participate in events organized by victims of human rights violations, their families, or human rights defenders: “The Ministry wish to urge the diplomatic community to be more conscious of local sensitivities when attending events of an emotive nature.” Several diplomats had attended the meeting with Northern Tamil families of disappeared in Colombo on 4th August 2014, which was disrupted by a Buddhist Monks led mob. Several of the embassies issued public

statements condemning the incident. A Buddhist Monk that led the mob that stormed the meeting demanded that the diplomats present should be questioned.

Police attempts to get court orders to stop peaceful assemblies:

51. **February 2014:** Police tried to stop a commemoration event for Mr Anthony Fernando who was assassinated at a peaceful fisherman protest in Chilaw in 2012, by requesting a court order. However the Magistrate denied their request.
52. **February 2014:** students from the University of Rajarata protesting against the suspension of 27 student activists were denied the right to protest after the Anuradhapura Magistrate issued a court order that declared the protest as illegal.
53. **February 2014:** Students of four faculties in University of Rajarata had been engaged in protests for several months against the suspension of 27 student activists. The Anuradhapura Magistrate had issued a court order declaring that protest in front of University of Rajarata is illegal. In the meantime, a Senior Lecturer at the same University, Mr. Randeni Koralage Dharmasiri had lodged a complaint to the nearby Mihintale police, claiming that the protests were disturbing the education of other students.
54. **March 2014:** Ven Vijitha Thero was unable to hold his campaign against religious extremism at Galle Face Green as the Court ordered that it had to be moved to another venue.
55. **May 2014:** Police had obtained court orders against 17 activists of the Inter University Student Federation (IUSF), banning a protest march to be held on the 7th May 2014. These were served to student's houses on night of 6th May. The reason given was the World Conference on Youth which was being hosted in Colombo during this period by the government. The Police had also intimidated the student activists by visiting their houses several times, with some students having been visited as many as six times. Even after 17 students had been arrested and subsequently released on bail, the police had visited the house of the IUSF Convener with a warrant to arrest him.

56. July 2014: A court banned the protest march organized by the National Fisheries Solidarity Movement (NAFSO), based on a request by the Police. The protest was planned to be held in front of the Jaffna bus stand on 15th July to demand the implementation of 10 recommendations submitted to the government, and to hand over a petition to the Jaffna District Secretariat. Police had obtained a court order saying that the march may cause disturbances to the general public. Hundreds of people gathered for the protest subsequently held a meeting at the Jaffna Weerasingham Hall, as the protest could not happen.

57. August 2014: The Colombo District Court was reported to have issued an enjoining order on the Paramedics' strike that affected functions of the government hospitals for four days, on 29th August 2014, based on a petition of a patient.

Obstructions on remembrance events for end of the war in May

58. May 2014: Military spokesman Ruwan Wanigasuriya told media that no public remembrance events would be allowed, but people would be allowed to have private events in their homes. Later Sri Lanka Police said remembrance events were prevented because it was a threat to national harmony.

59. May 2014: On 8th May, Major General Udaya Perera told university officials, including the Vice Chancellor, deans, and student leaders that no observance in the University would be permitted on the 18th May. Further he told them that any observance will be considered as extolling the LTTE leader Prabhakaran and inducement to terrorism.

60. May 2014: In the 3rd week of May, the military banned all temple events and public gatherings to commemorate the dead, stating that no bells should toll on 17th and 18th May 2014.

61. May 2014: Even though 18th May was a Sunday, a day that Christians world over go to Churches for services, some persons including clergy reported that they were not allowed to go to Church by the military.

- 62. May 2014:** A Catholic Priest, who serves as the Parish Priest of Uruthirapuram Church in the Killinochchi district, was questioned by military two days before an annual commemoration held at the Church for the former Parish Priest, who died on the last day of war, and for other people who had died during the war. According to a priest living and working in the North who had attended the commemorations from its initiation in 2010, "Despite difficulties and such a repressive environment, the local population was able to build this small memorial near the church of Uruthirapuram where Fr Sarathjeevan served as a parish priest. Two days before the commemoration, some soldiers came to the Church of St Fatima Uruthirapuram and questioned the Parish Priest. They asked whether outsiders were coming for our event. On the 17th (May) many soldiers were deployed on the road between Kilinochchi and Uruthipuram to control who came."
- 63. May 2014:** Mrs. Ananthi Sasitharan, Northern Provincial Councillor from the Tamil National Alliance and the wife of a LTTE leader missing after he surrendered to the army on May 18, 2009, said the military used "abusive language" and didn't allow her to proceed, when she tried to enter the Hindu temple in Keerimalai to conduct her usual rituals to remember her husband and relatives killed in the war.
- 64. May 2014:** As shown by the video footage posted by several Tamil online media, Tamil politicians were abused and coconuts used for the religious rituals were forcibly trampled by a gang. Breaking coconut into shreds in front of temples is an emotional expression of Saiva devotees.
- 65. May 2014:** Police officials trampled on the floral tributes remembering the dead, placed in front of the Northern Provincial Council (NPC) Secretariat at Kaithadi in the Jaffna district. As shown by the short video footage posted by online news media, Police officers smashed the camphor lamp lit by Tamil political leaders. Police had barricaded the NPC building to prevent politicians entering to have a remembrance event.
- 66. May 2014:** In Vavuniya, TNA MPs had booked the Cooperative Hall to conduct a commemorative meeting, but the booking was cancelled on the instructions of the Police.

67. **May 2014:** The office of the leading Tamil daily newspaper published in Jaffna, the Uthayan, was surrounded by the military, and the two entrances leading to the office from the Navalar Road and Kasthuriyar Road were blocked. All those who entered the roads were questioned and some people were turned away.
68. **May 2014:** Another Tamil daily newspaper, the Yal Thinakkural, also had its office in Jaffna blocked by the military.
69. **May 2014:** On the morning of 18th May 2014, offices of the Tamil National People's Front (TNPF) and the Tamil National Alliance (TNA) were blocked by the heavily armed soldiers. In Kilinochchi, the TNA office was surrounded by the military and prevented people entering the office to take part in a remembrance event. People gathered at the Krishnan Hindu Temple to perform religious rituals in remembering the dead.
70. **May 2014:** Blood donation campaigns were banned on 18th May 2014. The Police had instructed the Jaffna and other hospitals in the North not to assist such campaigns. The military is reported to have closed the blood donation centre at Jaffna teaching hospital to prevent people donating blood on the 18th May 2014. Blood donation campaigns are historical gatherings where people voluntarily donate blood for patients who need blood.
71. **May 2014:** On the 5th May 2014, the Registrar of Jaffna University sent out letters announcing the closure of the University from 16th to 20th May with no explanation. But the timing and the fact that Jaffna university students had been organizing commemorations for those killed during the war indicated that this closure was to prevent such commemorations being organized.
72. **May 2014:** Open death threats were issued against selected members of the teaching staff of the University of Jaffna; Students leaders; and journalists, over their attempts to remember the war dead. Posters headlined as "last warning" by the "Troops to safe guard motherland" were pasted in the Jaffna university compound on 18th May. Names of Jaffna university professors, student's leaders and newspaper journalists were included in the posters. On the 7th May 2014, leaflets were posted on the University premises making death threats against professors and student leaders charging that they support terrorism.

73. May 2014: On the 20th May 2014, students of the University of Jaffna held a remembrance event. Jaffna University Teachers Association (JUTA) President, Dr A. Rasakumaran was questioned by the TID for his involvement in organising the remembrance event.

Freedom of Association:

74. April 2014: External Affairs Minister, G.L. Peiris made public an order signed on March 20 by the Secretary to the Ministry of Defense, listing 15 overseas Tamil organizations and the militarily defeated LTTE. It appears to aim at freezing the assets and financial resources of these 16 organizations. According to Human Rights Watch, “the Sri Lankan government’s decision (is) ... so broad that it appears aimed at restricting peaceful activism by the country’s Tamil minority.” Further, it said that “the government should provide evidence of the unlawful activity of specific groups and individuals or remove them from the list.” Sri Lanka’s own United Nations Regulation No. 1 of 2012 is derived from UN Security Council Resolution 1373 (2001), passed in the wake of the 2011 September 11 attacks on the United States, and requires countries to freeze assets and entities of those “who commit or attempt to commit terrorist acts or participate in or facilitate the commission of terrorist acts.” According to the Global Tamil Forum (GTF), one of the listed organizations, “the Government of Sri Lanka’s decision to proscribe sixteen Tamil diaspora organizations and four prominent Tamil diaspora activists, including and GTF President Rev. Dr S.J. Emmanuel, as ‘foreign terrorist entities’ is an attempt of ‘intimidating and silencing those who demand truth, justice and accountability for the alleged war crimes committed during Sri Lanka’s armed conflict and for the on-going perpetration of human rights abuses.”

75. April 2014: The President is reported to have revealed plans to formulate new laws to monitor funds received by local Non-Governmental Organizations (NGOs) in a meeting with editors on 24th April. ‘The proposed laws should not lead to a witch-hunt or aim to suppress democratic activism of the NGOs. That is however, a moot point. Given the past track record of the government, even the most genuine NGO activists would have grave reservations about the government’s intentions. We cannot help, but share those sentiments’ said an editorial of the Ceylon Today.

- 76. July 2014:** The NGO Secretariat, functioning under the Ministry of Defence and Urban Development sent a letter to NGOs warning them not to conduct "press conferences, workshops, training for journalists and dissemination of press releases," as they are "unauthorised" and "beyond their mandate." The Lawyers Collective asserted that, "The Ministry of Defence does not enjoy any specific legal authority under any statute whatsoever to control freedom of speech and association of citizens, who act collectively through civil society organizations."
- 77. July 2014:** Prime Minister D. M. Jayaratna had said that some Non-Governmental Organisations (NGOs) had armed and assisted the LTTE during the war. He made this comment when speaking in Parliament on 11th July on the controversy over the circular issued by the NGO Secretariat of the Ministry of Defence. He said that in recent times the intelligence units had unearthed information on some NGOs which were operating in a manner which threatened national security.
- 78. July 2014:** The state controlled "Sunday Observer", in a hard hitting article against the Non-Governmental Organisations (NGOs), said that the Government's decision to check INGOs and NGOs is commendable'. It said that "Most of these INGOs tarnished the country's image by pumping oxygen to Tiger terrorists who had shown no mercy to human life during Sri Lanka's humanitarian operation which had rescued over half a million civilians from the clutches of the LTTE...The Government has taken the right decision and the most appropriate step to discipline errant INGOs and NGOs. Although the NGO goons here, who thrive on international funding and shout from the rooftops, are ready to betray the country for a mess of pottage."
- 79. July 2014:** The United States Agency for International Development (USAID) cancelled funding for a voter education program after the Sri Lankan Government raised objections. In an email to prospective applicants on 4th July, USAID had said that "The Sri Lanka USAID Colombo Office will no longer be accepting applications for this opportunity." In an interview with a daily newspaper on the same day, Defence Secretary Gotabaya Rajapaksa had expressed concerns about USAID announcing a funding opportunity titled 'Election Support through Voter Education' and called it an "attempt to undermine the Government of the host country". The Defence Secretary also vowed that all those receiving funds for the implementation of projects under the USAID grant program would be investigated.

80. August 2014: The Finance and Planning Ministry has informed all Non-Governmental Organisations that they should receive prior approval from the Ministry prior to obtaining foreign funds. The “Notice” published in most of the national newspapers is addressed to “All government agencies, local institutions, civil society organizations, and the general public that due diligence be observed on the utilization of funds received from foreign funding agencies, INGO’s and any other source”. The notice comes in the wake of a controversial circular issued by the Ministry of Defence earlier, banning Non-Governmental Organisations from issuing press releases, conducting press conferences and trainings for journalists. According to the Lawyers Collective noted that “This Notice is yet another intimidatory tactic of the Government, manipulated outside the legal framework, to create suspicion in the minds of the general public on the pro-democratic positions taken by the NGOs as well as their contribution to uplift the socio-economic status of the masses. There is overwhelming evidence to infer that the Government is planning, through its agencies such as military, to take control of civil society organizations and to make the advocacy programmes of NGOs ineffective. The Government is also taking extra judicial measures to thwart the regular contributions of the civil society to protect and promote human rights, democratic values and ideals in Sri Lanka. The Lawyers Collective requests the public not to be misled by misinformation campaigns by the Government, which is fast moving towards authoritarianism.”

81. August 2014: The Sunday Times reported that Foundations incorporated through Private Members’ bills in Parliament will be monitored by the NGO Secretariat through new laws being drafted by the Ministry of Defence and Urban Development. The laws will also impose controls on non-profit organisations registered with the Registrar of Companies, trusts and some societies, the report said. Mr. Saman Dissanayake, Director of the National Secretariat for Non-Governmental Organisations has said that “Under the proposed amendments, they will have to register with the Secretariat or lose the right to receive foreign funds and conduct local monetary transactions. They will have to submit reports to us every three months about their activities. They will have to sign standard Memorandums of Understanding with us like NGOs do. The current provision for lifetime registration will be replaced by annually renewable registration.”

82. August 2014: Mr. P.B. Jayasundara, Secretary to the Finance Ministry, speaking at the Defence Seminar in Colombo had said that Non-Governmental Organisations (NGOs) which operate in non-

regulated environments has become a threat to financial management, inclusive development and law and order itself.

83. August 2014: The Administrative Board of the Rajarata University has decided to dissolve the main Student Union and Faculty Unions temporarily. Vice Chancellor Professor Wijewardane said that the decision has been taken after lecturers at the University decided to withdraw from all educational and administrative services in protest over the recent incidents at the University.

84. August 2014: Student leaders of the Open University in Colombo had been suspended for leading a protest campaign demanding the right to unionize, on the 12th August 2014, in front of the Open University premises. This has increased the number of Open University students that are suspended to 16.

Selected incidents from August – December 2013:

While the examples cited are from 2014, there are similar such incidents in earlier years. Here are a few from the latter half of 2013 alone:

- On the 2nd **August 2013**, three civilians including a 17 year old were shot dead by the Sri Lankan military during a protest against contaminated drinking water caused by a glove manufacturing plant in Weliveriya, Western Sri Lanka.⁷ Following their deaths the Army was granted the task of leading the investigation into the shootings.⁸
- On **30th of October 2013**, Immigration and Intelligence officers raided a workshop on media freedom taking photographs of participants and interrogated the Convenor of the Free Media Movement.
- On **13th November 2013**, Tamil families of the disappeared from the North were prevented from travelling to Colombo to attend a Human Rights Festival.⁹
- On **14th November 2013**, pro-government supporters disrupted the human rights festival¹⁰.

⁷ <http://dbsjeyaraj.com/dbsj/archives/23787>, Accessed 29/08/14

⁸ Amnesty International, Sri Lanka: Investigators of alleged army killings of protesters should be truly independent, 5 August 2013, <http://www.amnesty.org/en/news/sri-lanka-investigators-alleged-army-killings-protesters-should-be-truly-independent-2013-08-05> Accessed 30/08/14

⁹ Ruki, Commonwealth & Human Rights Principles in Sri Lanka before CHOGM, <http://groundviews.org/2013/11/14/commonwealth-human-rights-principles-in-sri-lanka-in-the-weeks-before-chogm/>, Accessed 20/08/14

¹⁰ Ibid

- Also on **14th November 2013**, Police obtained a court order cancelling all protests and processions in Colombo scheduled for the 15th and 16th, and thus, a candlelit vigil by HRDs could not be held as planned.¹¹
- On **10th December 2013** (International Human Rights day), unidentified masked men attacked families of the disappeared and their supporters during a peaceful protest in Trincomalee.¹²

11 Ibid

12 <http://lankanewsweb.net/news/6111-attack-on-the-human-right-s-campaigners-on-the-international-human-rights-day-2013>, Accessed 29/08/14