

Briefing Notes

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A Dossier on Senior Deputy Inspector General Deshabandu Tennakoon



The President has made recommendations to appoint Senior DIG Deshabandu Tennakoon as the country's 36th Inspector-General of Police (IGP).....

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All photos in this Briefing Note are from social media.

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Introduction

The President has made recommendations to appoint Senior DIG Deshabandu Tennakoon as the country's 36th Inspector-General of Police (IGP), reported Ada Derana news site on 17th March 2023. Ada Derana is owned by Dilith Jayaweera, one of the closest associates of former President Gotabaya Rajapaksa.

The current Inspector General of Police C. D. Wickramaratne is set to retire on March 25.

The news of imminent appoint of DIG Deshabandu Tennakoon as the next IGP was first reported by Sinhala language newspaper "Mawbima", a newspaper owned by Minister in charge of Sri Lanka Police, Tian Alas.

President's office has not denied the news story.

Sri Lankan civil society and media have expressed grave concerns on Thennakoon being appointed as IGP.

DIG Thennakoon has been under investigation for number of charges against him and some of those inquires have been ordered by the judiciary.

He has been accused of threatening human rights activists and journalists.

In the wake of news that President Ranil Wickremesinghe has recommended DIG Tennakoon to be appointed as the next IGP, Sri Lanka Bar Association issued a statement which emphasised that "It is of utmost important that the next Inspector General of Police should be an officer whose service in the police force is exemplary and free of any blemish and able to restore public confidence in the Sri Lanka Police."

As the primary agency of enforcing the law, head of the police must be someone who has shown respect for the rule of law and implemented law without any bias.

It is clear DIG Tennakoon does not fit in to such a role. This dossier provides ample evidence to prove that point.

"In the aforesaid circumstances the BASL urges that no officer who has pending Fundamental Rights or criminal cases against him or any allegations of involvement in unlawful activity be appointed to the office of the Inspector General of Police."

-Bar Association of Sri Lanka

DIG Tennakoon and Easter Sunday Attacks in Sri Lanka

Presidential Commission of Inquiry that investigated the 2019 Easter Sunday Attacks recommended disciplinary action against DIG Tennakoon. At the time of the attacks he was in charge of Colombo North

(Presidential Commission of Inquiry, Final Report, Vol. 1, p.313)

The Commission was headed by Supreme Court Judge, Justice Janak de Silva. Court of Appeal Judge, Justice Nissanka Bandula Karunaratne, retired Court of Appeal Judge, Justice Sunil Rajapaksa, retired High Court Judge, Bandula Atapattu, and retired Justice Ministry Secretary Mangalika Adhikari were the other members of the Commission of Inquiry.

Writ application by Colombo Archbishop Malcom Cardinal Ranjith

Colombo Archbishop Malcom Cardinal Ranjith has filed a writ petition in the Court of Appeal seeking an order directing IGP Chandana Wickremaratne and Secretary to the Ministry of Public Security to implement the recommendations in the final report of the Presidential Commission of Inquiry into the Easter Sunday attacks in relation to Senior DIG Deshabandu Tennakoon and two other police officers.

Cardinal Malcolm Ranjith stated that the Presidential Commission of Inquiry appointed to inquire the attacks had handed over its Final Report with recommendations to the incumbent President on or about the 31st of January 2021.

He further said the final report of the commission had made several findings of serious negligence and lapses on the part of numerous public officials, including officials serving in the Sri Lanka police under the IGP, and recommended taking disciplinary action against them.

The petitioner said to the best of the his knowledge and the information available in the public domain, no steps have been taken so far to implement the recommendations concerning Senior DIG Deshabandu Tennakoon, SSP Sisila Kumara and CI Chaminda Nawaratne.¹

‘Up to now no disciplinary action taken against DIG Tennakoon under two presidents. He enjoys complete impunity in relation to Easter Sunday attacks in Sri Lanka.’

DIG Tennakoon blamed Presidential Col on Easter Sunday attacks.

Instead of going to courts to obtain justice Tennakoon pleaded justice from Buddhist prelates and played religious card.

On 20 August 2021 senior DIGs Nandana Munasinghe and Deshabandu Tennakoon together with several Police officers handed over a letter to the Asgiriya Chapter Mahanayake Most Venerable Warakagoda Sri Gnanarathana Thera.

These officers said they had been victimized badly in the unjustified verdict given by the Presidential Commission of Inquiry appointed to probe the Easter Sunday attacks during the good governance regime. They requested the Mahanayake Thera to intervene to resolve this issue.

[DIG] Tennakoon said that “a large group of people who committed themselves to ending the 30-year war is facing injustice because of this Commission. There are problems regarding their retirements and pensions as well. Unless it is an officer who directly or indirectly assisted the terrorists and in the terror attack, if other officers who were on duty in those areas are being pressurized it is a fact that will have an impact on the mind-set of overall police officers”.

“At that time, the war had ended and there was a peaceful environment in the country. The government was acting on the theme of reconciliation during that period. Since there was a close relationship with the Muslim community and the government and in-depth investigation was not carried out into organizations such as the ISIS”

“The victims of the attacks were Catholics, Buddhists, Muslims and Hindus. However, today it is the Sinhala Buddhist Police Officers who are facing punishment on behalf of all these people. It is not justified. We do not want disciplinary inquiries held against us. Do not file legal action in court against us.”ⁱⁱ

“Unjustified verdict was given by the Presidential Commission of Inquiry appointed to probe the Easter Sunday attacks. We do not want disciplinary inquiries held against us. Do not file legal action in court against us.”

- DIG Tennakoon & group

DIG Tennakoon's role on 09 May violent attack on peaceful protesters.

DIG Tennakoon neglected his duty to protect unarmed peaceful protesters.

President's Counsel Sarath Jayamanna appearing for the Colombo High Court's Lawyers Association moved Court to issue a suitable order against Deshabandu Tennakoon for his failure to prevent the attack on peaceful protesters disregarding the written instructions given by the IGP. He told the Court that the IGP had sent a letter to Deshabandu Tennakoon on May 8 explaining the possibility of a conflicting situation between two factions at Galle Face. the IGP has given instructions to take necessary arrangements to prevent such a conflict. Jayamanna said Tennakoon should have taken preventive measures in accordance with the Police Ordinance and the Criminal Procedure Code.

On May 23, the Attorney General had instructed the IGP to consider transferring Western Province Senior DIG Deshabandu Tennakoon to prevent unnecessary intervention into the investigations relating to the attack on peaceful protesters.

On 2 June 2022 IGP Chandana Wickremaratne appeared before Colombo Fort Magistrate upon receiving notice. The IGP was directed to show cause as to why he failed to transfer Western Province Senior DIG Deshabandu Tennakoon, ignoring the Attorney General's instructions.

Appearing in open court, the IGP said that he has no powers to transfer police officers. He further said transfers of police officers are being made through the Public Service Commission and the Ministry Secretary.

the Magistrate issued an order directing the IGP to appoint a Senior Deputy Inspector General to observe the ongoing investigations against Deshabandu Tennakoon.

It was revealed by DIG Tennakoon's lawyer that it was only after Deshabandu Tennakoon received a telephone call from then President Gotabaya Rajapaksa he used tear gas and water cannon against the attackers.ⁱⁱⁱ

'Why did DIG Tennakoon wait until president order him to stop the attackers? Shouldn't a senior Police officer act independently to stop violent attackers?'

DIG Tennakoon's role in May 09 violent attack on peaceful protestors. (cont'd)

DIG Tennakoon deliberately allowed the attack on peaceful protestors.

On 23 June 2022 the Colombo Fort Magistrate Thilina Gamage yesterday observed that the CID has acted in a biased manner when handling investigations against Western Province Senior DIG Deshabandu Tennakoon relating to the attacks on peaceful protestors at Galle Face.

Accordingly, Magistrate Thilina Gamage ordered the IGP to take necessary action against ASP Chanaka Silva for acting in a biased manner when presenting facts to Court regarding Senior DIG Deshabandu Tennakoon.

Additional Solicitor General Ayesha Jinasena appearing for the CID informed Court that DIG Champika Siriwardhana has given a statement to the CID that Deshabandu Tennakoon at a zoom meeting held on May 7 targeting higher ranking police officers had given instructions not to disperse the persons entering MainaGoGama and GotaGoHome until he gives clear instructions.

Meanwhile President's Counsel Rienzie Arsecularatne, Upul Jayasuriya PC moved Court to name Deshabandu Tennakoon as a suspect for abetting and for his negligence of duty to prevent the mob attack, being the most senior police officer at the crime scene.

The Magistrate questioned as to why police failed to take action against Senior DIG Tennakoon despite several evidence that he neglected to prevent a possible mob attack.^{iv}

'DIG Tennakoon at a zoom meeting held on May 7 targeting higher ranking police officers had given instructions not to disperse the persons to attack peaceful protestors until he gives clear instructions.'

DIG Tennakoon and 1.78 million found at President Gotabaya's official residence.

DIG Tennakoon face charges for illegal order related to the money.

#GoHomeGota protestors who entered President's House on the 9th of July found Rs. 17.8 million in cash inside the house and later handed over to the Sri Lanka Police.

On 11 November 2022 Director of the Police Special Investigations Unit SSP D. S. Wickremesinghe told the court that investigations revealed that Senior DIG Deshabandhu Thennakoon had informed Sagara Liyanage, the Fort Police OIC, to hand over the money to the Minister of Public Security.^v

DIG Tennakoon give that order without any proper inquiry.

The Fort Magistrate's Court had issued an order to investigate the incident related to the handing over of the money found in the Presidential Palace to the on July 9, 2022.

Inspector General of Police C. D. Wickramaratne forwarded a report to the Secretary of the Ministry of Public Security and submitted the preliminary investigation report conducted by the Police Special Investigation Unit along with the charge sheets.^{vi}

Following a court order, the SIU investigated the matter and two weeks ago reported to the IGP via report no. SIU/340/2022, which makes Tennakoon the first accused.^{vii}

'DIG Tennakoon has been charged in the court of Justice for giving an illegal order to hand over Rs. 1.78 million to the minister in charge of Police, Tiran Alas.'

DIG Tennakoon threatened senior police officer in relation to Rs. 1.78 million found.

On 13 January 2023 the Director of the Special Investigation Unit of the Police Department SSP Wickramasinghe informed court that he was threatened by Senior DIG Deshabandu Tennakoon for reporting facts to the court regarding the investigations into the money recovered by protesters inside the President's House on 9th July.

Filing a report before Colombo Fort Magistrate Thilina Gamage, SSP Wickremasinghe informed that he was threatened by Senior DIG Tennakoon for reporting the facts to the court over an allegation that Senior DIG Tennakoon made an undue influence to hand over the money found inside the President's House to a Minister, without keeping under court custody.

SSP Wickramasinghe said that he was threatened with phone calls citing 'I will take care of you in the future' and the incident was brought to attention of the Inspector General of Police as well.

Wickramasinghe further informed the court that he has put notes regarding these threats and said he is expecting to file a complaint with the Sri Lanka Human Rights Commission in this regard.^{viii}

'DIG Tennakoon threatened a Senior Superintendent of Police that he will take care of him in the future' for reporting him to the court.'

DIG Tennakoon threatened a HRD and Editor with ‘Natural Justice’.

On July 1, MediaLK, a web site edited by journalist Tharindu Jayawardena published investigative report about a senior police officer who had retired after a career of 35 years. The officer had been in detention for about ten months and had been released on bail few days before. The arrest and detention had led to widespread condemnation and expressions of concern, including by the Appeal Court, the Human Rights Commission of Sri Lanka and the European Parliament. The arrest was made by the Colombo Crime Division (CCD) of the police, overseen by DIG Tennakoon.

Jayawardena shared the report on Facebook the same day and within about half an hour, a tirade of comments from DIG Tennakoon started on the post. Most of the SDIG’s comments accused Jayawardena of writing and publishing false news. The journalist, on several occasions, responded to the comments, requesting information about any falsehoods and offered corrections where needed. Other journalists and lawyers also requested the SDIG to provide information about any falsehoods written. No specific instances were pointed out.

Among the threats were that Tharindu would be punished by ‘natural justice’. In another, the SDIG referred to Prabhakaran (the former leader of the Liberation Tigers of Tamil Eelam – LTTE) and criminals.

This was a serious threat, considering that Prabhakaran was killed by the Sri Lankan Army at the end of the war and two alleged criminals were killed in police custody in May this year. At least ten other people are reported to have been killed in police custody in the last 12 months.^{ix}

Although Tharindu Jayawardena made a complaint DUG Tennakoon was never made accountable for his action.

In June 2021 Tharindu Jayawardhana received a death threat via Facebook from Senior Deputy Inspector General of Police Deshabandu Tennakoon. Over a year later, on 9 August 2022, the human rights defender was summoned to the CID Head Quarters in Colombo to make a statement regarding the death threats made against him by Senior DIG Deshabandu Tennakoon.

– Front Line Defenders

Excerpts: BASL letter to President Wickremasinghe

Next Inspector General of Police should be an officer whose service in the police force is exemplary and free of any blemish.

It is understood that the office of the Inspector General of Police is due to fall vacant on March 23rd, 2023.

The IGP is the Head of the Police Department and has security of tenure in terms of the Removal of Officers (Procedure) Act No. 5 of 2002. Hence it is of utmost importance that the best possible appointment be made to that office.

During the last few decades there has been a serious erosion of public confidence in the Sri Lanka Police. The lack of independence, politicisation, police brutality, custodial deaths, lack of professionalism have all contributed to the erosion of public confidence in the Police. The Bar Association of Sri Lanka (BASL) is of the view that public confidence in the Police is vital for the administration of justice and the rule of law.

It is of utmost important that the next Inspector General of Police should be an officer whose service in the police force is exemplary and free of any blemish and able to restore public confidence in the Sri Lanka Police.

The Sri Lanka Police has had a practice that the promotions of police officers who are named as suspects or accused in criminal matters or are Respondents in Fundamental Rights applications such as those relating to illegal arrests and torture are withheld during the pendency of such applications. Similarly, promotions of officers who have a blemished record in the Sri Lanka Police are regularly withheld. The BASL is of the view that the same or higher standards must be adopted by the Executive in appointing the Inspector General of Police.

In the aforesaid circumstances the BASL urges that no officer who has pending Fundamental Rights or criminal cases against him or any allegations of involvement in unlawful activity be appointed to the office of the Inspector General of Police.

The BASL is also of the view that prior to the approval of the appointment of the Inspector General of Police that the procedures to be followed in regard to recommendations or approvals for appointments under Article 41B or 41C should be determined by the Constitutional Council as provided for in Article 41E(6) of the Constitution.

The BASL urges that the appointment of the Inspector General of Police (and all other appointments to key offices) be done in a transparent manner so as to establish public confidence in the appointment process.

Bar Association of Sri Lanka. / 17 March 2023.

A dossier on Deputy Inspector General of Sri Lanka police Deshabandu Tennakoon

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- ⁱ <https://www.thefreelibrary.com/Cardinal+goes+to+Court+seeking+an+order+to+implement+PCOI...-a0708866772>
- ⁱⁱ <https://www.dailynews.lk/2021/08/20/local/257208/unjustly-victimised-easter-attack-commission-say-senior-police-officers>
- ⁱⁱⁱ https://www.dailymirror.lk/breaking_news/Received-call-from-Prez-to-use-tear-gas-and-water-cannons-against-SLPP-attackers-Deshabandu/108-238242
- ^{iv} https://www.dailymirror.lk/front_page/Investigations-against-Deshabandu-Tennakoon--CID-acted-in-biased-manner/238-239620
- ^v <https://www.newsfirst.lk/2022/11/11/court-tells-to-record-statement-from-gota-on-rs-18-mn-found-at-president-s-house/>
- ^{vi} <https://satahan.blog/2023/03/18/report-against-deshabandu/>
- ^{vii} <https://english.theleader.lk/news/4043-deshabandu-tennakoon-named-first-accused-in-report-to-igp>
- ^{viii} <https://srilankabrief.org/sri-lanka-police-siu-director-informs-court-he-was-threatened-by-dig-deshabandu-tennakoon-over-gotas-millions/>
- ^{ix} <https://srilankabrief.org/free-expression-at-stake-in-critical-sri-lankan-intimidation-case-ruki-fernando/>

DIG Tennakoon walks with the pro Rajapaksa armed gang.

On 09 May 2022 instead of preventing armed group of former president Mahinda Rajapaksa supporters attacking peaceful #GoHomeGota protestors DIG Deshabandu Tennakoon (in the middle with police cap) walked with the violent group towards the protestors. The monk in this picture has been photographed attacking protestors few minutes later.

