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The Illusion of Reform: The Continuing Erosion of Civic Space in the North-East

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Introduction

Journalism, activism, political mobilization, and memorialisation remain at risk in the Northern and Eastern Provinces (North-East), and civic space continues to be under threat. In 2025, the Adayaalam Centre for Policy Research (ACPR) released a report detailing the climate of surveillance in the North-East and intimidation of activists, journalists, and civil society members. Hopes were high that the National People's Power (NPP) government, elected in late 2024, would chart a course different from that of its predecessors. However, these hopes were disappointed. Incidents documented throughout 2025 and early 2026 by the ACPR indicate that these patterns have persisted.

Covering the period from January 2025 to June 2026, this brief analyses patterns of surveillance and intimidation reported from the North-East and highlights key incidents. The data for this brief are based on ACPR's human rights documentation, which tracks human rights-related incidents in the North-East, news reports with corroborated accounts, and interviews and observations by ACPR. Incidents reported in the news were verified through ACPR's sources.

Surveillance, Intimidation, Interrogations, and Arrests

The Counter Terrorism Investigation Division (CTID), Terrorism Investigation Division (TID), and Criminal Investigation Division (CID)[1] continue to surveil, interrogate, and intimidate activists and other politically active people, which contributes to the shrinking space for civil and political rights in the North-East. The following are the major patterns.

I. Surveillance, Routine Calls, Unannounced Visits and Harassment

Activists, journalists, and civil society members reported receiving calls from the CTID/CID regarding their professional activities, activism, and participation in public events. Ahead of any protest, commemorative event, or political gathering, journalists, activists, victim-survivors, and civil society members are frequently being contacted by the CTID/CID or the police to ascertain whether they plan to participate in, or cover the event. Their family members, friends and associates also receive calls from the CTID/CID in which they are asked to reveal information about the respective person's whereabouts, movements, and activities.

[1]Given that people have difficulties distinguishing which security personnel belong to which division, and confusion regarding precise identification, this brief will use the term "CID/CTID" to refer to any of these divisions.

For example, the Human Rights Commission of Sri Lanka (HRCSL) has noted that, in relation to the protests held in solidarity with Rohingya refugees, the CID had questioned participants, called them repeatedly, and made unannounced visits to their workplaces.[2] Such calls, visits and surveillance contribute to intimidate affected communities.

Hence, these calls and visits do not serve in the first place information gathering. Rather, they aim to signal to activists that they are being closely monitored and, in doing so, discourage them from pursuing activism. Additionally, the targeting their associates and family members sparks fear among activists, as it is not only their safety that is threatened, but also that of their friends and families.

The ongoing Chemmani mass grave exhumation exemplifies the level of surveillance in place. ACPR's 2025 report on the Chemmani mass grave notes that families of the disappeared are constantly surveilled and questioned about their travels and activities.[3] The fear thus instilled forces many families to self-censor, preventing them from seeking truth and justice, and hindering their participation in protests and other forms of advocacy.[4] Moreover, journalists who cover the exhumation also face reprisals.[5] Taken together, these experiences indicate that surveillance and interrogations continue to be used to intimidate individuals and restrict civic and political space.

Women Human Rights Defenders (WHRDs) are particularly vulnerable to such forms of surveillance and intimidation. For example, in May 2025, the CTID summoned beneficiaries of the 'Women's Life and Rights Association – Kilinochchi', an organisation that promotes women's rights and welfare, for inquiry.[6] As noted by the HRCSL, this incident reflects a broader pattern of harassment through unjustified law enforcement interventions targeting WHRDs in the North-East, including women-led organisations.[7] Furthermore, these interrogations are carried out predominantly by male officers,

[2]Letter dated 20.04.2026 sent by the HRCSL to the Ministry of Public Security and Parliamentary Affairs, HRCSL https://www.hrcsl.lk/wp-content/uploads/2026/04/HRCSL-letter-to-Secretary-of-Ministry-of-Public-Security-on-26th-April-2026.pdf

[3]ACPR, The Test: Chemmani and Sri Lanka's Accountability Crisis (October 2025) 8.
https://www.hrcsl.lk/wp-content/uploads/2026/04/HRCSL-letter-to-Secretary-of-Ministry-of-Public-Security-on-26th-April-2026.pdf

[4]Ibid, 8

[5]https://www.jurist.org/news/2025/08/sri-lanka-urged-to-halt-harassment-of-photojournalist-kanapathipillai-kumanan-following-government-probe/

[6]http://tamilguardian.com/content/ctid-summons-kilinochchi-womens-rights-activist-interrogation

[7]Letter dated 20.04.2026 sent by the HRCSL to the Ministry of Public Security and Parliamentary Affairs, HRCSL
https://www.hrcsl.lk/wp-content/uploads/2026/04/HRCSL-letter-to-Secretary-of-Ministry-of-Public-Security-on-26th-April-2026.pdf

compound concerns for WHRDs' safety.[8] Regarding WHRDs' vulnerable position, the HRCSL noted that "the actions of law enforcement officials further exacerbate the difficult conditions within which WHRDs carry out their work… [S]uch gendered forms of harassment in the guise of investigations have become a method of operation for law enforcement."[9]

II. Targeted Interrogations and the Weaponisation of Counter-Terrorism Allegations

The security apparatus continues to harass well-known journalists and activists in the name of criminal and counter-terrorism investigations. Instead of arrests as in the past, under the current NPP government the CTID and CID frequently summon journalists and activists for questioning. These inquiries are conducted on vague and unsubstantiated grounds, with little to no evidence.[10]

The surveillance and harassment of Kumanan Kanapathippillai, a renowned photojournalist who documents the experiences and struggles of Tamil-speaking communities across the North-East, serve as an emblematic case.[11] For more than a decade, Kumanan has reported on issues that include militarisation, the suppression of protests, activism, memorialisation, land grabbing, mass graves, and the Sinhala-Buddhisation of the North-East.[12] While Kumanan had been for some time a target of surveillance and harassment by the TID and the CTID, leading RSF amongst others to declare him a 'journalist-at-risk' and calling for his protection, the harassment reached a new peak in August 2025.[13] In August 2025, the CTID framed Kumanan's journalism 'terrorist' activity, and interrogated him for seven hours.[14] During Sri Lanka's review before the United Nations Committee on Enforced Disappearances in September 2025, a member of the Sri Lankan delegation publicly referred to allegations linking Kumanan to financial crimes and terrorism in an apparent effort to justify the ongoing investigation against him.[15]

[8]Ibid.

[9]Ibid.

[10]See for instance,
https://www.tamilguardian.com/content/cid-summons-activist-following-protest-against-deportation-rohingya-asylum-seekers

[11]https://rsf.org/en/sri-lanka-s-authorities-must-stop-harassing-tamil-photojournalist-kumanan-kanapathipillai; https://cpj.org/wp-content/uploads/2025/08/Urgent-Statement-on-Kanapathipillai-Kumanan.pdf

[12]ACPR, 'Condemning the Surveillance, Harassment, and Intimidation of Journalist Kumanan Kanapathipillai' (Statement) (3 October 2025)
https://adayaalam.org/condemning-the-surveillance-harassment-and-intimidation-of-journalist-kumanan-kanapathipillai/

[13]Ibid.

[14]Ibid.

[15]Ibid.

The constant targeting of Kumanan and the ill-founded accusations against him seek to silence him, constrain his freedom to engage in journalism, and send a warning to other journalists, particularly Tamil-speaking journalists, that they will face the same treatment if they continue to report on sensitive issues. It also serves as a stark reminder of the entrenched militarisation in the North-East, highlighting the overreach of the State's security apparatus, and the vulnerability of activists and journalists.

As a consequence of Kumanan's interrogation, journalists were reluctant to cover or engage with topics that the State deems sensitive. For instance, when the ACPR undertook research on memorialisation, a journalist who covers commemoration events outright refused to give an interview, citing security concerns.

III. Suppression of Peaceful Protests and Activism

The police continue to intimidate and arrest political activists, as well as religious and civil society leaders, including those who mobilise and lead protests, for their political activism.

The December 2025 arrest of Velan Swamigal, a religious leader who is at the forefront of protests, illustrates this pattern. Thayiddy, a village in Jaffna district, saw the illegal construction of a Buddhist temple on private land after the owners were displaced. The landowners, along with leading Tamil politicians, have been protesting the illegal construction, and demanded the immediate release of the land. Protests continue to be held every full moon. During a peaceful demonstration to oppose the construction on 21 December 2025, police forcibly broke up the protest, physically assaulted demonstrators, and arrested five individuals, including Velan Swamigal and local council chairman Thiyagarajah Nirosh, on charges of disorderly conduct. Although the protesters were subsequently released on bail, this was a clear example of how state security forces stifle peaceful protests and resistance, often on the vague grounds of disturbing peace, disorderly conduct, or disturbing ethnic/religious harmony. The security apparatus utilises intimidation and arrest not only to target leading figures, but also to maintain their grip over the civic space in the North-East.

[16]https://www.tamilguardian.com/content/five-tamils-released-bail-following-arrest-peaceful-protest-against-buddhist-temple

[17]To this effect, Valikaamam North Pradeshiya Sabha, under whose boundaries that the land falls, passed a resolution, recognising the vihara was built on private land and requesting the chief monk to vacate the premises. https://www.northeasternmonitor.lk/2025/12/local-body-in-jaffna-to-declare.html

[18]People for Equality and Relief in Lanka (PEARL), 'Sinhalization of North-East: Kankesanthurai' (21 September 2019) https://pearlaction.org/sinhalization-of-the-north-east-kankesanthurai/

[19]https://www.tamilguardian.com/content/protest-erupts-against-illegal-vihara-built-appropriated-tamil-lands; https://docs.un.org/en/A/HRC/60/NGO/276 ; https://docs.un.org/en/A/HRC/60/NGO/276

[20]https://www.jaffnarcdiocese.org/catholic-priests-condemned-the-arrest-and-alleged-assault-of-swami-velan/

The police often file petitions in courts to prohibit protests against illegal land grabs, Sinhala-Buddhistisation, and militarisation. Even when courts deny police requests, protests are conducted amidst a heavy police and military presence, with the constant risk of forceful dispersal. After a protest is over, the CTID/CID will call or summon leading participants to inquire about their role. Through these tactics, the security apparatus ensures total control over the protest landscape in the North-East, and thus renders the right to protest, as a civil and political right, an exercise in fear.

The police investigation following the 4th of February 2026 protests is an apt example. Across the North-East, Sri Lanka's Independence Day is marked as a 'Black Day' for Tamils and protests are held in key towns. The students' unions of Jaffna and Eastern Universities take a leading role in these protests. The CID initiated an investigation into the 4 February 2026 protest that was held in front of the University of Jaffna during which student union representatives lowered the Sri Lankan flag and hoisted a black flag in its place. This was despite the fact that an internal inquiry by the university authorities at the direction of the University Grants Commission had already been initiated, unnecessarily doubling investigations. As part of the investigation, the Vice-Chancellor, the Registrar, the university's security officers, and several students were questioned. While investigating a peaceful protest alone constitutes a violation of the freedom of expression, the University Grants Commission and the security apparatus use such investigations, alongside pressure on university authorities, to actively curtail student activism. The Jaffna students' union criticised the way in which the CID undertook the investigation, noting that police presence on university premises and the questioning of university officials escalates surveillance of the university as a public and learning space, and that freedom to voice Tamil grievances through protest is curtailed.

[21]See for example, https://www.tamilguardian.com/content/sri-lanka-police-seek-court-order-restrain-eelam-tamils-protesting-mannar ; https://english.ceylonnews.lk/jaffna-court-seeks-response-from-tamils-against-whom-protest-ban-is-sought-by-police/;

[22]https://www.tamilguardian.com/content/tamil-mothers-disappeared-mark-independence-day-black-day

[23]Ibid.

[24]The Univeristy Grants Commission directed the University of Jaffna's authorities to investigate the incident. Upon the completion of the internal inquiry, the CID initiated its criminal investigation. https://island.lk/police-question-jaffna-uni-officials-over-black-flag-protest/

[25]Ibid.

[26]https://www.tamilguardian.com/content/cid-records-statements-jaffna-university-vice-chancellor-and-registrar-over-black-flag; https://www.tamilguardian.com/content/jaffna-students-boycott-classes-sri-lankan-police-interrogate-student-leaders

[27]https://www.tamilguardian.com/content/jaffna-students-boycott-classes-sri-lankan-police-interrogate-student-leaders ; https://tamilguardian.com/content/three-jaffna-university-students-summoned-over-black-flag-incident



A further example for freedom of assembly violations involved members of the Families of the Disappeared (FOD), who were intercepted while travelling to Batticaloa to participate in a protest on 4 February 2026.[28] Police officers stopped the vehicles the FOD members were travelling in, subjected them to questioning, and escorted them to a police station, thus preventing their participation in the protest. The HRCSL Regional Sub-Office in Kalmunai was notified about the incident and initiated an inquiry into the police's actions. This incident underscores an ongoing pattern of preemptive security force interference aimed at disrupting mobilisation and peaceful protests.

IV. Police Violence and Impunity

This climate of securitization of civic spaces is so normalised that police brutality is treated as a casual occurrence. The fatal shooting of a 17-year-old boy in Jaffna in February 2026 is a case in point. The police killed the boy after he reportedly failed to stop at a checkpoint.[29] Although the killing garnered condemnation from rights groups, the government has failed to treat the incident with sincerity, permitting undue delays in investigations, refusing to identify the officers stationed at the checkpoint through official records, failing to suspend or arrest the police officers who are suspected of having committing the killing, and permitting the same police division accused of committed the killing to undertake the investigation.[30]

[28]https://www.tamilguardian.com/content/sri-lankan-military-intelligence-accused-intimidating-black-day-protesters-ampara#:~:text=Sri%20Lankan%20military%20intelligence%20accused%20of%20intimidating,mark%20Sri%20Lanka's%20'Independence%20Day'%20this%20week.

[29]https://www.colombotelegraph.com/index.php/the-death-of-a-17-year-old-in-allipitti-justice-cannot-be-silent/

[30]See for instance, https://www.tamilguardian.com/index.php/content/family-tamil-teen-killed-police-shooting-alleges-intimidation-calls-independent-probe.



The police on the other hand has tried to alter the victim's age on the records to portray the crime as less severe.[31] They also attempted to hinder the investigation and silence the boy's family members by intimidating them abd by disrupting the funeral to prevent a protest planned for that day.[32] These actions have isolated the family from their neighbours, who fear they might face reprisals if they associate with or provide support to the family.[33]

In the broader climate of police brutality across the island,[34] communities in the North-East bear the brunt of it, with custodial torture and death becoming regular occurrences.[35] Additionally, this incident highlights the prevalence of police and military checkpoints in the region - checkpoints that are often sites of surveillance, intimidation, and excessive force.

[31] https://www.tamilguardian.com/content/sri-lankan-police-lie-about-teenagers-age-attempt-cover-killing

[32] https://www.tamilguardian.com/content/final-rites-held-boy-shot-dead-sri-lankan-police-allaipiddy

[33] ACPR's Interview with the Journalist in Jaffna, 10 June 2026

[34] The Human Rights Commission of Sri Lanka noted that, between January, 2020 – April, 2025, there were 49 custodial deaths and 30 encounter deaths. This prompted the Commission to issue guidelines to prevent custodial death. https://www.themorning.lk/articles/4ohunmamzhskYGqTUC7g; HRCSL, General Guidelines and Recommendations No. 1 of 2025 to Sri Lanka Police on Preventing Custodial and Encounter Deaths (May 2025) https://www.hrcsl.lk/wp-content/uploads/2020/02/General-Guidelines-and-Recommendations-No-01-of-2025.pdf

[35] https://www.tamilguardian.com/content/young-man-alleges-police-torture-nelliyadi-files-human-rights-complaint In the North-East, two major incidents of custodial death were reported in 2025. A 23-year-old youth from Batticaloa died days after being arrested on suspicion of bicycle theft. His family reported that he showed clear signs of assault after one night at the police station. Tamil parliamentarians immediately demanded an independent inquiry.
https://www.newswire.lk/2025/12/08/shanakiyan-calls-for-probe-into-death-of-batticaloa-detainee/;
A few months ago, a 34-year-old was found dead in a cell at the Pesalai Police Station in Mannar the morning after he was detained. https://www.northeasternmonitor.lk/2025/10/youth-found-dead-in-police-custody-in.html

Restrictions on Memorialisation

The NPP government claims that it has lifted all restrictions on commemoration events such as the Mullivaikkal memorialization (18 May), Maveerar Naal (27 November), and Thiyagi Thileepan's death anniversary which previous governments tried to suppress citing reasons like public safety, public health, and national security.[36] However, the gap between the NPP government's position and the realities reported on the ground became apparent in the events leading up to and during Maveerar Naal of 2024 that ACPR's previous security brief flagged.37 The brief noted that the security apparatus tried to utilise nuisance laws, court orders, direct threats, interrogations, and arrests – including for posting on social media – to restrict memorialisation.38 Such restrictions continued in 2025 and early 2026, albeit in subtle and clandestine forms.

Observations by ACPR during the Maaveerar week of 2025[39] revealed police and intelligence presence near major Maaveerar cemeteries where commemorations are usually held.[40] In several areas, the police instructed locals to take down banners and other decorations depicting fallen LTTE cadres and the 'karthigaipoo' (Gloriosa superba), which has become a symbol of resistance and remembrance of the historical struggle for many Tamils.[41] For instance in Uduthurai, Jaffna, the Maruthankerny police interrogated two Tamil women regarding Maaveerar Naal commemorations and prohibited them from lighting oil lamps in front of photos of fallen LTTE cadres.[42] The police warned them that otherwise legal action would be taken against them.[43] Similarly, the Tellippalai police seized speakers playing commemorative songs and summoned the president and secretary of the Polikandi Fishermen's Association for an investigation regarding remembrance banners.[44]

[36]See, ACPR, Situation Briefing No.4: Sri Lanka's Repression of the Tamil Polity's Right to Remember (January 2021) https://adayaalam.org/situation-briefing-no-4-sri-lankas-repression-of-the-tamil-politys-right-to-remember/;

[37]ACPR, A Phantom that is Real- Persisting Culture of Surveillance and Intimidation in the North – East (February 2025) 10-15, 24 https://adayaalam.org/release-a-phanthom-that-is-real-persisting-culture-of-surveillance-and-intimidation-in-the-north-east/

[38]Ibid 24 - 25

[39]The week leading up to November 27 is designated as the 'Maaveerar Vaaram' (week).

[40]Observations by ACPR in November 2025; Interview with the Maaveerar Day commemoration organisers in Jaffna District, November 2025.

[41]https://www.tamilguardian.com/content/sri-lankan-police-question-uduthurai-maaveerar-naal-organisers-and-impose-ban-ltte-imagery; Observations by ACPR in Jaffna District, November 2025.

[42]https://www.tamilguardian.com/content/sri-lankan-police-question-uduthurai-maaveerar-naal-organisers-and-impose-ban-ltte-imagery

[43]Ibid.

[44]https://www.tamilguardian.com/content/flags-portraits-and-memorials-sweep-north-east-maaveerar-naal-preparations-surge

In essence, although overt bans and arrests over memorialisation decreased in 2025 compared to previous years, the police resorted to surveillance and intimidation as extra-legal measures to impose de facto restrictions. These measures included, to name a few, summoning commemoration event organisers for inquiry, warning participants not to conduct the events, increasing the police and military presence during commemoration days to intimidate participants, and imposing restrictions on how the events could be conducted.

Equating commemoration activities with terrorism and claiming they disturb the public peace illuminate the state's stance on memorialisation also under the NPP government: There is no room for acknowledging the Tamil community's grievances, the Tamil population in the region is seen with suspicion, the majority community's feelings are prioritised under the guise of maintaining public peace and ethnic harmony, and the state's narrative of the armed conflict continues to be imposed.

Denial of the Freedom of Expression

Despite Article 14(1) of the Constitution guaranteeing the right to freedom of expression, artists, authors, and activists who report on, write about, or otherwise engage with the Tamil community's history, experiences, and grievances continue to face restrictions and censorship. These restrictions are often imposed in the name of preventing a terrorist resurgence, protecting national security, and promoting ethnic harmony and public order.

The case of Theepachelvan Piratheepan, a Tamil political novelist and writer, is illustrative in this regard. Based in Kilinochchi, Theepachelvan has explored for over two decades the themes of war, trauma, loss, displacement, and state oppression that the war-affected Tamil communities have endured.[45] In March 2026, against a backdrop of previous censorship,[46] Sri Lanka Customs detained a shipment of five titles by Theepachelvan that were printed in India. Authorities reportedly raised concerns about a map of Tamil Eelam on the cover of one title, and alleged that the contents could pose a national security concern and 'damage national harmony'.[47]

[45] https://ceylontoday.lk/2026/04/26/from-war-memory-to-literary-resistance-journey-of-veteran-writer-theepachelvan/

[46] ACPR, A Phantom that is Real- Persisting Culture of Surveillance and Intimidation in the North – East (February 2025) 7-8

[47] https://www.examiner.media/defence-ministry-recommends-seizure-of-tamil-books/?utm_source=twitter&utm_medium=paid_social&utm_campaign=headline&utm_content=bannedbooks

Subsequently, the Arts Council of Sri Lanka, the State Panel on Literature of the Ministry of Buddhasasana, Religious and Cultural Affairs, and the Ministry of Defence recommended that two of the five titles initially seized - Eluththaal Naan Yuddham Seikiren (I Am Waging a War with Words) and Ippothum Inge Irandu Thesangal (Even Now There Are Two Nations)[48] – should be withhold, a ban that continued at the time of reporting. This was on the grounds that they allegedly contained 'seditious' content (i.e., contents capable of exciting feelings of disaffection towards the state), which is an offence punishable under section 120 of the Penal Code.[49] Theepachelvan was not informed which parts of his books state officials found seditious, nor was he given an opportunity to explain his case before authorities reached their decision.



(This photo depicts a scene from a protest demanding the release of Sangeethsan)

The case of Sangeethsan Ganeskumar (Hiphop Sangee), a Tamil singer from Kilinochchi, raises further concerns regarding the use of counterterrorism legislation to restrict freedom of expression. On 2 June 2026, the Jaffna Divisional Criminal Investigation Bureau (DCIB) arrested him for performing a song in memory of the war dead, as well as for editing and uploading four songs to his social media that the police alleged promoted or supported the LTTE.[50] The songs referred to those who died fighting during the armed conflict, but did not make any explicit reference to the LTTE or its leader. The police nevertheless arrested him under Section 03 of the Prevention of Terrorism Act, No. 48 of 1978 (PTA), alleging that his songs constituted an incitement to commit an offence. The case subsequently proceeded under Section 120 of the Penal Code, and

[48]The former is a compliation of interviews published on different media, and the latter is a collation of plitical columns the author has written over the years.

[49]https://ceylontoday.lk/2026/04/26/from-war-memory-to-literary-resistance-journey-of-veteran-writer-theepachelvan/

[50]https://srilankabrief.org/24-year-old-arrested-for-performing-songs-glorifying-ltte-in-jaffna/

Sangeethsan was granted bail on 17 June 2026.[51] This episode is characteristic of how the security apparatus utilises the vague and broad terms of the PTA that do not meet international human rights standards, to target minority voices under the guise of national security and counterterrorism.[52]

Three major patterns emerge from the documented incidents:

1. They reveal a systemic stance against any form of expression that counters the state's narrative, both past and present. Likewise, state suspicion toward Tamil literary and political output in general results in censorship of visual or linguistic symbols of Tamil identity and past political aspirations. The state systematically throttles narratives that document the war from a Tamil perspective, viewing the preservation of historical memory as a potential threat to national security, national harmony, and an encouragement of terrorist activity, rather than an expression of lived experience and memorialisation.

2. Beyond the security forces, other state actors and departments are also deeply entangled in denying Tamil authors and artists their freedom of expression. In Theepachelvan's case for instance, Sri Lanka Customs, which lacks a mandate to evaluate literary merit, acted as the gatekeeper. By referring materials to the Ministries of Defence and Buddhasasana, the State creates a false image of review and legitimacy that, in reality, restricts or denies dissemination without an impartial legal review.

3. The application of Penal Code Section 120 and the continued reliance on the PTA exemplify the State's ongoing weaponisation of legislation to deprive Tamils of their rights. In Sangeethsan's case, following widespread protests and condemnation by human rights organisations, the police decided to continue the investigation under Penal Code Section 120 rather than under the PTA. This move, however, cannot be portrayed as progress because: (i) the initial arrest under the PTA has already sent a chilling effect, signalling that the current NPP government is willing to use the PTA; and (ii) it also indicates that the state can and is willing to apply ordinary laws to silence free speech.

[51] https://www.ucanews.com/news/sri-lankan-tamil-singers-arrest-for-terrorism-sparks-protests/113690; https://lankaleader.lk/news/20085-police-claim-against-tamil-musician-arrested-under-pta-refuted-in-court

[52] https://island.lk/ai-raises-concerns-over-arrest-of-sallay-and-rapper-under-pta/

Subduing Civil Society Organisations

In line with its predecessors, the current NPP government seeks to rein in civil society organisations/non-profit organisations (CSOs/NPOs) through anti-terrorism and anti-money laundering laws. This is manifested in two ways:

- **Registration Under VSSO Act for All CSOs/NPOs**
- **Misusing the Financial Action Task Force Evaluation**

Registration Under VSSO Act for All CSOs/NPOs

In December 2024, within a few months of the NPP assuming power, the National Secretariat for Non-governmental Organizations (NGO Secretariat) issued a notice requiring all non-governmental and civil society organisations, including those registered under the Companies Act No. 07 of 2007, to register with the NGO Secretariat under the Voluntary Social Service Organizations (Registration and Supervision) Act No. 31 of 1980.[53] The registration requires clearance from the Ministry of Defence and the Ministry of Foreign Affairs and any other relevant line ministries, and once registered, both ministries can directly monitor and oversee the organisation's work.[54]

Misusing the Financial Action Task Force Evaluation

Sri Lanka is undergoing its third Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) mutual evaluation under the guidance of the Financial Intelligence Unit (FIU). Instead of using 'focused and proportionate' regulations to protect non-profits as the Financial Action Task Force (FATF) stipulates,[55] the government is attempting to use these global compliance standards as a cover to crack down on civil society.

The intent to misuse the review process becomes visible in the context of the Risk Assessment (RA) report used by the state to identify NPOs. The assessment claims 'sector experts' – who are not named – assert that NPOs are susceptible to terrorism financing.[56] However, the report provides no objective criteria or evidence to substantiate these claims. On the contrary, it acknowledges that these NPOs are not linked to active terrorist threats, as most of their finances and projects can be physically verified.

[53]National Secretariat for Non-Governmental Organizations, 'Regarding the registration of organizations under the Voluntary Social Service Organizations (Registration and Supervision) Act No. 31 of 1980' (12 December 2024) https://ngosec.gov.lk/news-events/notice; https://ngosec.gov.lk/our-services/registration-of-ngos

[54]https://ngosec.gov.lk/news-events/notice

[55]Financial Action Task Force, Best Practices on Combating the Abuse of Non-Profit Organisations (Recommendation 8) (2023) https://www.fatf-gafi.org/content/dam/fatf-gafi/guidance/BPP-Combating-TF-Abuse-NPO-R8.pdf.coredownload.inline.pdf

[56]https://www.ft.lk/opinion/Repression-by-regulation-When-FATF-mutual-evaluations-become-Government-weapons/14-790866

Despite this contradiction, the police are actively investigating multiple NPOs, disproportionately targeting human rights groups, education/training groups, and relief providers.[57]

As the former Human Rights Commissioner, Ambika Satkunanathan, concludes, NPOs, especially those working on human rights issues, are viewed with suspicion.[58] For CSOs in the North-East, the registration requirements and proposed amendments cast a disproportionate burden because the security apparatus's default suspicion is aggravated by the 'terrorism, traitor, and foreign agent' labels. Instead of demanding the security apparatuses to justify their suspicions and scrutiny, these CSOs/NPOs are required to defend their operations against vague notions such as terrorist resurgence, acting against national interests, disturbance of public peace, and harmony. In addition, registration is excessively difficult to impossible, and NPOs, even more so if these Bills are passed, can hardly act freely and without fear.

Beginning in early 2026, the NGO Secretariat began issuing notices to CSOs demanding their registration, backed by the threat that if they failed to register, the Secretariat would direct the relevant bank, through the Central Bank, to prevent all transactions by the concerned CSO. This move is clearly intended to financially and operationally incapacitate CSOs, with those in the North-East disproportionately affected, given the prevailing suspicion and their lack of negotiation power with the Central Bank.

The Protection of State from Terrorism Bill (PSTA)

Repealing the Prevention of Terrorism Act (PTA) was a key promise in the NPP's election manifesto.[59] Yet contrary to its promise, the government has repeatedly used the PTA as Sangeethsan Ganeskumar's case illustrates.[60] Condemning Sangeethsan's arrest, Amnesty International' South Asia Regional Office noted that 'the PTA continues to enable arbitrary and abusive practices, including by facilitating conditions conducive to torture and other forms of ill-treatment due to the absence of adequate safeguards.'[61]

[57]https://www.ft.lk/opinion/Repression-by-regulation-When-FATF-mutual-evaluations-become-Government-weapons/14-790866

[58]Ibid.

[59]Jathika Jana Balawegaya (NPP Sri Lanka), A Thriving Nation, A Beautiful Life (August 2024) 127 (04.9)

[60]See the section titled 'Denial of the Freedom of Expression'.

[61]Amnesty International South Asia (@amnestyasia), 'We are deeply concerned by the arrest of Tamil musician Ganesh Kumar Sankeethan, held under the draconian Prevention of Terrorism Act for his artistic expression. Authorities must immediately release him or charge him with a recognizable offense,' X (formerly Twitter), 21 May 2026. https://x.com/amnestysasia/status/2063965638352363861; https://island.lk/ai-raises-concerns-over-arrest-of-sallay-and-rapper-under-pta/

The NPP government's attempt to replace the PTA has been marred by controversy and condemnation. On 19 February 2025, following an opaque process, the Cabinet decided to replace the PTA with another anti-terrorism law.[62] Subsequently, the Protection of State from Terrorism Bill (PSTA) was drafted without genuine, inclusive, and sufficient public consultation.[63]

The PSTA, upon being made public, was criticised for contravening international human rights standards by a wide range of actors in the human rights sector, including OHCHR, UN Special Procedure mandate holders, and national and international human rights organisations,[64] with some noting that the bill is as bad as, if not worse than, the PTA.[65] The OHCHR concluded that the bill 'contains multiple provisions that are contrary to the State's obligations under international human rights law and domestic constitutional guarantees and risks the recurrence of serious human rights violations observed under the existing PTA'.[66] The bill, if passed, could: (i) enable broad criminalisation through vague definition of terrorism;[67] (ii) unreasonably restrict freedom of expression, assembly, and association;[68] (iii) grant excessive powers to the executive and law enforcement agencies without adequate safeguards or oversight;[69]

[62]https://www.dgi.gov.lk/dgi-media/cabinet-decisions/cabinet-decisions-taken-at-the-cabinet-meeting-held-on-19-02-2025

[63]https://www.ohchr.org/sites/default/files/documents/countries/sri-lanka/ohchr-comments-sri-lanka-psta.pd

[64]https://www.ohchr.org/sites/default/files/documents/countries/sri-lanka/ohchr-comments-sri-lanka-psta.pdf

[65]Human Rights Watch, 'Sri Lanka: Proposed Counterterrorism Law Risks More Abuses' (18 January 2026) https://www.hrw.org/news/2026/01/18/sri-lanka-proposed-counterterrorism-law-risks-more-abuses; https://www.sundaytimes.lk/260215/news/un-experts-raise-alarm-over-draft-psta-bill-631814.html; https://www.tamilguardian.com/content/mannar-discussion-highlights-dangers-proposed-prevention-state-threats-act; https://www.tamilguardian.com/content/open-public-discussion-held-jaffna-draft-anti-terrorism-bill; http://island.lk/batticaloa-protesters-demand-repeal-of-pta-reject-psta/

[66]OHCHR, OHCHR Comments on Sri Lanka's draft Protection of the State from Terrorism (PSTA) Bill (24 February 2026) https://www.ohchr.org/sites/default/files/documents/countries/sri-lanka/ohchr-comments-sri-lanka-psta.pdf; Amnesty International issued a similar criticism against the Bill. Amnesty International, 'Amnesty International Commentary on the Proposed Protection of the State from Terrorism Act, 2026', Public Statement ASA 37/0766/2026 (27 February 2026). https://www.amnesty.org/en/documents/asa37/0766/2026/en/

[67]OHCHR, OHCHR Comments on Sri Lanka's draft Protection of the State from Terrorism (PSTA) Bill (24 February 2026) 3-4

[68]Ibid, 4-5

[69]Ibid, 4-5

(iv) facilitate arbitrary arrest and prolonged detention;[70] and (v) expose victims to torture, ill-treatment, and enforced disappearance.[71] In response, widespread protests were held across the North-East, and signature campaigns were initiated under the theme of 'Repeal PTA, Stop PSTA'.[72] The campaign demanded that the NPP government honour its election manifesto, enact no legislation to replace PTA, and stop targeting the minorities for their ethnicity.

Conclusion

The evidence presented in this report, spanning from January 2025 to June 2026, reveals that the North-East remains under heavy surveillance and that the NPP government has not produced the structural shift in security conditions that many in the North-East had hoped for. Across all the domains examined - surveillance of journalists and activists, de facto restrictions on memorialisation, restrictions on freedom of expression, suppression of protest, and the targeting of CSOs - the patterns that defined previous administrations persist. The same tactics that previous governments used continue: summons, interrogations, and preemptive phone calls, methods that achieve the same chilling effect while maintaining a veneer of legality. The NPP government has demonstrated that it will continue to use the PTA. The cumulative result is a shrinking civic space in the North-East, where even the most basic civil and political rights are exercised amidst scrutiny and fear.

The NPP government's recent measures – specifically, requiring NGO registration subject to Ministry of Defence's clearance, overbearing measures proposed in response to the FATF, and the drafting of the PSTA without meaningful consultation with the Tamil community - signal a continuation of a State policy that views Tamil-speaking communities with suspicion. This policy continues to subject them to surveillance, intimidation, and arrest, in utter disregard of their right to due process and their freedoms of expression, assembly, and movement. Without meaningful reform of the system, not merely the institutions, that enables these abuses, the highly securitised and militarised environment will continue, and an open civic space in the North-East will remain out of reach.

[70]Ibid, 4-5

[71]Ibid, 4-5

[72]https://www.newswire.lk/2026/02/28/protest-held-in-batticaloa-calling-for-repeal-of-pta-opposing-psta/; https://www.tamilguardian.com/content/university-jaffna-backs-signature-campaign-against-pta-and-new-security-bill; https://www.sundaytimes.lk/260308/news/psta-more-draconian-than-pta-warn-muslim-civil-society-groups-in-letter-to-president-633764.html; https://www.tamilguardian.com/content/mannar-signature-campaign-opposes-proposed-protection-state-terrorism-bill; https://www.tamilguardian.com/content/batticaloa-protest-demands-full-repeal-pta-rejects-proposed-psta.

Recommendations

State Actors

1. Immediately cease all forms of surveillance, targeted harassment, and intimidation of activists, journalists, families of the disappeared, human rights defenders, and civil society members, in particular ending the practice of issuing summons and conducting interrogations regarding their activities.
2. Instruct security agencies to cease all de facto restrictions on memorialisation activities and ensure that these restrictions do not continue. Guarantee the freedom of expression, association, and assembly for everyone, and ensure that Tamil-speaking communities can commemorate in peace.
3. Cease attempts to bring all CSOs/NPOs under the NGO Secretariat. Recognise the registration under any other relevant alternative law as a valid registration for CSOs/NPOs.
4. Desist from introducing restrictions on CSOs/NPOs under the guise of the FATF mutual evaluations. Withdraw the proposed amendments to the Financial Transactions Reporting Act, the Convention on the Suppression of Terrorist Financing Act, and the Prevention of Money Laundering Act. Ensure that all reforms introduced in the evaluation process meet FATF standards
5. Repeal the Prevention of Terrorism Act (PTA) immediately and withdraw the proposed Protection of the State from Terrorism Bill (PSTA) that seeks to replace the former.
6. Uphold the right to freedom of expression by ending the systematic censorship of Tamil literary and political output, including the seizure of books and the arrest of artists under broad and vague grounds of ‘seditious’ content, ‘incitement’ to violence or ‘terrorism resurgence’.
7. Conduct independent and transparent investigations into incidents of police brutality, including the fatal shootings at checkpoints and custodial violence, and ensure accountability for perpetrators regardless of their position within the security apparatus.
8. Reform security agencies, especially the police, and train them on gender sensitivity and human rights standards. Ensure that women are always attended by trained female officers and that all interactions, including searches and arrests, are conducted in accordance with gender-sensitive procedures.

Non-State Actors

1. Closely monitor ground realities, particularly in the North-East, and consult victims and victim representatives on developments regarding laws and other government activities.
2. Provide training and capacity-building to activists, human rights defenders, victims, and survivors on the security and human rights front, and assist them whenever necessary to deal with any security-related surveillance, intimidation, or arrest they face. The assistance shall include but not be limited to legal aid, psycho-social support, emergency response, documentation and archiving, and digital security.
3. Strengthen digital security and privacy support for journalists and activists who face increasing surveillance and monitoring techniques, including wiretapping and covert data access.
4. Condition financial assistance, debt relief, and the conclusion of bilateral or multilateral agreements upon Sri Lanka's compliance with international law and its redressal of past wrongdoings. In particular, pressurize the Sri Lankan government to repeal the PTA and withdraw the PSTA.
5. Urge Sri Lanka's international partners to closely monitor any reforms introduced in response to the FATF process and ensure they remain consistent with FATF standards and international human rights obligations.
6. Ensure that the Sri Lankan government meaningfully commits to transitional justice and ensure that accountability, truth-seeking, reparations, and memorialisation efforts are not sidelined due to economic or political considerations.