

SRI LANKA

STUDENT LEADERS ARBITRARILY DETAINED

Sri Lankan student leaders Galwewa Siridhamma Thero and Wasantha Mudalige, have been detained by the Sri Lankan authorities since 18 August 2022. On 21 August, authorities issued a Detention Order under the draconian anti-terror law, the Prevention of Terrorism Act (PTA) to detain them for 90 days, amidst an ongoing crackdown on protesters by the authorities. Their families are concerned about their safety and worsening health as they continue to be detained without charge or trial under suspicion of acts of “terror” for over 75 days. All anti-terror charges must be dropped against Galwewa Siridhamma Thero and Wasantha Mudalige and stop the detention order from being extended.

Detaining protesters using terror charges is a clear violation of the rights to freedom of expression and peaceful assembly guaranteed by the Constitution of Sri Lanka and the International Covenant on Civil and Political Rights, to which Sri Lanka is a state party.

Using a draconian law—which the government itself has committed to reform—to crackdown on protesters is against Sri Lanka’s international human rights obligations, especially relating to the rights to freedom of expression and peaceful assembly. This points to the environment of systematic crackdown and stifling of dissenting voices against the background of the current economic hardship in the country.

As people in Sri Lanka face the brunt of the ongoing economic crisis, they have the right to express their opinions and call for accountability including through peaceful protests.

Write to the Director or Terrorism Investigation Division urging him to:

- immediately drop all terror related charges against Galwewa Siridhamma Thero and Wasantha Mudalige.
- ensure their access to prompt and regular medical care as necessary
- repeal the Prevention of Terrorism Act, which does not meet international human rights standards, and to uphold the commitment to end its use
- immediately review the detention of others held under the PTA, ensuring adequate access to fair bail hearings, and immediate release for all those not facing internationally recognisable charges.

Write to:

Director of Terrorism Investigation Division

Mr. A.R.P.J. Alwis

No. 149, Bootani Capital Building,

Polhengoda, Colombo 05

Sri Lanka

Fax: 011 94 11 2384403

Email: tid@police.lk (pls keep trying)

Salutation: Dear Mr. A.R.P.J. Alwis:

And Copy:

The President

Mr. Ranil Wickremesinghe

Email: ps@presidentsoffice.lk

The Chair of Police Commission of Sri Lanka,

Mr. K.W.E. Karalliyadda

Email: info@npc.gov.lk

Secretary to the Minister for Defence

Mr. Kamal Gunaratne

Email: igp@police.lk

His Excellency Harsha Kumara Navaratne Weraduwa

High Commissioner

High Commission for the Democratic Socialist Republic of Sri Lanka

333 Laurier Avenue West, Suite 1204

Ottawa, ON K1P 1C1

Fax: 613 238 8448

Email: slhcit@rogers.com

Additional information

Wasantha Mudalige, the convener of the Inter-University Student Federation (IUSF), and Galawewa Siridhamma Thero, the convener of the Inter-University Bhikku Federation (IUBF), were arrested along with other 18 protesters after dispersing a protest in Colombo on 18 August 2022. While others who were arrested following the protests have been released since, Wasantha Mudalige and Galawewa Siridhamma have been detained further. On 21 August, President Ranil Wickremesinghe in his capacity as Defense Minister approved the detention order of 90 days under the Prevention of Terrorism Act (PTA). They were transferred to Tangalle Detention Center in the Southern Province of Sri Lanka. On 26 October, The Tangalle Magistrate Court ordered the Director of Terrorist Investigation Division (TID) to appear before the court for not reporting facts about the two student leaders.

Their family members and lawyer have raised concerns about the safety and deteriorating health while in detention. After multiple public requests from their family members, Galawewa Siridhamma Thero was admitted to Colombo National Hospital on 25 October after suffering from severe rash. He was diagnosed with Dengue fever.

The Sri Lankan authorities have fiercely clamped down on protests and demonized protesters during a period of economic crisis in the country. The government responded to largely peaceful protests with [excessive and unnecessary force](#) and [emergency laws](#) which gave sweeping powers to the police and the armed forces, in an effort to curb further demonstrations. Since President Ranil Wickremesinghe came into power on 21 July, over 200 protesters and protest organizers have been arrested, many under draconian anti-terror laws, with authorities routinely flouting due process, creating a chilling effect on the protest

movement. President Ranil Wickremesinghe has also publicly labelled protesters as “terrorists” and “fascists”, in a bid to demonize protesters.

The PTA violates international human rights law and Amnesty International has repeatedly called for its repeal. The PTA, which allows for detention of suspects for up to a year without charge, has been weaponized to stifle dissenting voices, in contravention of Sri Lanka’s international human rights obligations, especially the right to freedom of expression and peaceful assembly. Despite the Sri Lankan government’s multiple assurances that the PTA would be reformed in line with international human rights standards, to date no adequate reforms have taken place and the PTA continues to be used as a tool to arbitrarily arrest and detain people, violate fair trial rights, and put detainees at risk of torture and other ill-treatment, amongst other violations.

The Human Rights Commission of Sri Lanka (HRCSL), in its 2016 submission to the UN Committee against Torture, highlighted the use of torture in Sri Lanka with “torture being routinely used in all parts of the country regardless of the nature of the suspected offence for which the person is arrested.” [Another study](#) conducted by the Commission, published in December 2020, found that PTA detainees faced a continuum of violence. The study documented that “violence in police custody was found to be an inherent element of the investigation process, whereby torture is inflicted to extract information, confessions, and evidence from detainees.” The UN High Commissioner for Human Rights has called on the Sri Lankan government to establish a moratorium on the use of the PTA for new arrests until it is replaced by legislation that adheres to international best practices.