

## Submission by the Centre for Policy Alternatives

Thematic Areas:

### 1. Rule of Law

1.1 The 22nd Amendment to the Constitution Bill was gazetted on 29 June 2022.<sup>1</sup> The proposed amendment does not curtail unchecked executive power of the President or introduce new checks and balances. The proposed Constitutional Council is a diluted version of the one introduced through the Nineteenth Amendment.<sup>2</sup> Overall, the amendment does not meaningfully respond to the political and economic crises, or the protesters' demands, including the call to abolish the executive presidency.

1.2 Main opposition Samagi Jana Balavegaya's (SJB) draft 21st constitutional amendment bill sought to abolish the executive presidential system and replace it with a system that reinforces constitutional democracy with checks and balances.<sup>3</sup> However, it received pushback in Parliament and in June 2022, the Supreme Court ruled that some clauses in the amendment require a referendum and a special majority in Parliament.<sup>4</sup>

1.2 The 20th Amendment, introduced with haste amidst the COVID-19 crisis in 2020, undermined the independent institutions and mechanisms for oversight introduced by the 19th Amendment. Appointments made to the judiciary including the Chief Justice<sup>5</sup>, other High Offices<sup>6</sup>, and Independent Commissions<sup>7</sup>, which were earlier made according to the recommendations by the Constitutional Council, are currently only subjected to the non-binding observations of the Parliamentary Council.<sup>8</sup>

1.3 More than 10 Task Forces which are answerable solely to the President have been appointed since 2020, with several such militarised<sup>9</sup> and politicised structures aimed at managing the COVID-19 crisis and other purposes.<sup>10</sup>

1.4 Restrictions on movement were announced as 'curfew', 'quarantine', 'police curfew' and 'quarantine curfew' at various stages of the pandemic response, but the legal basis for these restrictions were not clarified.<sup>11</sup> The state of emergency was also imposed thrice since early 2020, providing the President with further leeway and minimal oversight amidst the COVID-19 crisis as well as the ongoing economic and political crises.<sup>12</sup>

1.5 Presidential pardons, acquittals and withdrawal of indictments<sup>13</sup> by the Attorney-General in relation to politically sensitive cases<sup>14</sup> are causes for concern and contribute to the pervasive culture of impunity.<sup>15</sup>

## 2. Enforced Disappearances

2.1. There have been continuing protests across the Northern/ Eastern Province by victims' families demanding to know the fate of the missing who disappeared during the war. Intimidation by military forces is often a tactic used to quell these protests.<sup>16</sup> Many had held out hope that their relatives were still alive and in the hands of the security forces, a view rejected by the government.<sup>17</sup> In 2020, President Gotabaya Rajapakse acknowledged for the first time that more than 20,000 people who disappeared during the civil war, are dead.<sup>18</sup> In March 2022, cabinet approval was given to issue death or missing person certificates to disappeared persons and pay a 100,000 LKR one time allowance to next of kin.<sup>19</sup>

2.2 The Office on Missing Persons (OMP) is largely functioning as an entity which has failed to win the trust of the affected people in the North and the East. Recent appointments to the OMP have also undermined the independence and credibility of the office.<sup>20</sup>

2.3. There is continued impunity in emblematic cases such as the missing journalist Prageeth Eknaligoda, abduction and torture of journalist Keith Noyahr and the 'Navy 11' case. The Presidential Commission of Inquiry to Investigate Allegations of Political Victimization appointed in January 2020 derailed investigations in several cases in which President Rajapaksa, his relatives and allies were implicated.<sup>21</sup> Of equally grave concern, are the withdrawal of charges by the Attorney General without reasons being given publicly, in a context where there was sufficient evidence to pursue justice.<sup>22</sup>

## 3. Extrajudicial Killings

3.1. Extrajudicial killings have been a persistent issue in the country<sup>23</sup> and there has been an increase in the number of cases with the current crisis. Custodial deaths continue to rise and the Sri Lanka Collective against Torture in a statement<sup>24</sup> noted that in the last two years alone at least 17 persons were killed while in the custody of the police, with no officer yet accountable for such deaths.<sup>25</sup>

3.2. With the current crisis and the protests against the government, there is rising concern of violence by the police and army officials. For instance, on 19th April 2022, the police opened fire on protesters in Rambukkana who were demanding fuel, killing one and injuring 24 others.<sup>26</sup>

3.3. Additionally, there have been several incidents of shooting by gunmen arriving on motorcycles.<sup>27</sup> There is suspicion that the shootings are drug related.<sup>28</sup>

#### 4. Torture and Detainees

4.1. The Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979, brought in as a temporary provisions Act is a highly controversial piece of legislation which has been in force for 43 years despite calls for repeal.<sup>29</sup>

4.2. On 22nd of March 2022, the PTA Amendment Bill was passed by the Parliament in spite of a country-wide campaign calling for the total repeal of the PTA.<sup>30</sup> The Amendment Bill came at a time when Sri Lanka's progress in implementing the 27 international conventions applicable under the Generalised Scheme of Preferences Plus (GSP+), with the European Union was up for review.<sup>31</sup> These amendments are cosmetic amendments, rather than address real concerns with the PTA faced by the citizens of the country.<sup>32</sup>

4.3. Some of the pressing concerns with the PTA, such as the admissibility of confessions made to the police, wide powers of the minister, lack of judicial oversight, torture in detention and during interrogation and the 72 hour period after arrest and before production before a magistrate are not addressed at all. The PTA has also been used as a tool to curb dissent against the government and oppress the minority.<sup>33</sup>

4.4. Further, the Prevention of Terrorism (De-radicalization from holding violent extremist religious ideology) Regulations No. 01 of 2021 were published on the 12th of March 2021. The regulations have the potential to jeopardise the rights and liberties of persons, especially religious and ethnic minorities, and curtail political dissent.<sup>34</sup>

4.5. Violence in police custody, torture as a means of obtaining forced confessions, prolonged periods of detention without trial are glaring issues in the criminal justice system.<sup>35</sup> Additionally, in recent years, there have been two deadly prison riots in Mahara prison<sup>36</sup> and Anuradhapura prison<sup>37</sup> over prison conditions such as

overcrowding and access to visitors and food.

## 5. Freedom of Association and Assembly

5.1 Legality, proportionality, and collateral purposes of imposing a ban on protests on 6th July 2021, resulting in a spate of arrests of persons engaging in public protests, has been questioned.<sup>38</sup>

5.2 On 9th November 2021, new regulations were introduced to limit the size of public gatherings and make it mandatory to obtain prior approval of the Director General of Health Services to hold gatherings, activities, events or similar places of meetings.<sup>39</sup>

5.3 On 2 April 2022, the President gazetted a curfew order from 18.00 hour of April 02nd, 2022 to 06.00 hour of April 04th, 2022.<sup>40</sup> However, despite the curfew and the state of emergency, island-wide protests continued to take place.<sup>41</sup> Curfew was imposed again on 9th May 2022 after government-backed groups attacked anti-government protesters and protest sites, including Gotagogama in Galle Face.<sup>42</sup>

5.4 Interference with freedom of peaceful assembly, which includes court injunctions to prevent assemblies, surveillance and intimidation of protesters, use of disproportionate force, the deployment of water cannons and tear gas, and opening fire at protests, is a cause for grave concern.<sup>43</sup>

## 6. Freedom of Expression

6.1 On 31 March 2022, several journalists covering the protest in Mirihana were assaulted and at least six were taken into custody by the Special Task Force (STF).<sup>44</sup> Journalists have continued to be targeted amidst the ongoing economic and political crises. Targeted attacks have been levelled against journalists in the recent years, including Batticaloa Press Club Secretary Selvakumar Nilanthan,<sup>45</sup> television journalist Chamuditha Samarawickrama,<sup>46</sup> journalists Vishvalingham Vishvachandran,<sup>47</sup> Dharisha Bastians,<sup>48</sup> and Shanmugam Thavaseelan.<sup>49</sup>

6.2 Shakthika Sathkumara<sup>50</sup> was arrested in April 2019 following the publication of a short story where he portrayed child sexual abuse involving members of the Buddhist clergy. He was arrested under the ICCPR Act and held in detention for over four months, and was discharged in February 2021.<sup>51</sup> In April 2020, Ramzy Razeek was arrested by the CID for allegedly violating the ICCPR and Cyber Crimes Legislation in

relation to a Facebook post,<sup>52</sup> and was granted bail in September 2020.<sup>53</sup> In May 2020, Ahnaf Jazeem, a young Muslim poet and a teacher was arrested under the Prevention of Terrorism Act and imprisoned by the Counter Terrorism and Investigation Department due to allegations of promoting Islamic extremism in his poetry book Navarasam.<sup>54</sup> He was released on bail after 19 months of detention.<sup>55</sup>

6.3 In April 2021, the cabinet of ministers reportedly approved a proposal to draft legislation to combat false and misleading statements on the internet.<sup>56</sup> There are reports of the Justice Ministry engaging in a consultative process for formulating an “Online False Truths” Bill and a “Hate Speech” Bill.<sup>57</sup>

6.4 In April 2019 following the Easter Sunday attacks, a number of social media sites were blocked by the authorities.<sup>58</sup> On 3 April 2022, amidst island-wide public protests, the Sri Lankan government restricted access to social media platforms again on the request of the Ministry of Defence.<sup>59</sup> The ban was lifted later that day.<sup>60</sup> The legality and constitutionality of these bans were questioned.<sup>61</sup>

6.5 In June 2021, a special CID team consisting of officials from the Computer Crimes Unit was appointed to monitor, identify and prosecute those who spread false information on social media, to “prevent the public from getting misinformed and to prevent conflict among the public.”<sup>62</sup> Several have been arrested or questioned by police or investigative authorities over social media posts, including activists Shehan Malaka Gamage,<sup>63</sup> Anuruddha Bandara<sup>64</sup> and others.<sup>65</sup>

6.6 The Data Protection Act enacted in March 2022 does not recognize or make exemption for ‘Journalistic Purpose’, restricting the use of personal information for the purpose of reporting. Moreover, the Data Protection Authority in charge of citizens’ data and relevant authorisations shall be appointed by the Minister, hence it is not an independent body.<sup>66</sup> The Act also has the probability of undermining the balance between openness and privacy struck by the Right to Information (RTI) Act.<sup>67</sup>

## 7. Rights of Migrant Workers

7.1 The pandemic response has revealed the lapses in the procedures to repatriate migrant workers living in desperate conditions. Many have been stranded abroad amidst strict COVID lockdowns without work and pay, and denied the vaccinations from their host countries. Bilateral Labour Agreements with labour receiving states that

favour the workers' rights are needed to ensure decent work for migrant workers.<sup>68</sup>

7.2 As the ILO has noted, Sri Lanka is not equipped to undertake migration-focused skill development, incorporate the returnee migrants into the national labour force, and to reintegrate them into social security programmes upon their return. Considerable policy reforms are needed to accommodate this.<sup>69</sup>

7.3 Over 48% of the Sri Lankan migrant domestic workers are females with children.<sup>70</sup> With the sole view of garnering foreign remittances, the Cabinet has approved the decision to remove the requirement for females with children of five years of age or more, to submit a family background report.<sup>71</sup> Cabinet approval has also been granted to lowering the minimum age for all Sri Lankan female migrant domestic workers to 21 years.<sup>72</sup> These decisions create a heavy social cost and endanger rupturing the social fabric.<sup>73</sup> It pushes inexperienced younger women, amidst the current economic crisis, to seek unskilled labour, increasing their vulnerability.

7.4 Sri Lanka needs to ratify several ILO Conventions<sup>74</sup> to incorporate best practices, when developing domestic law. Even though Sri Lanka has ratified the *International Convention on the Protection of the Rights of All Migrant Workers*, being a dualist state, Sri Lanka lacks an enabling statute which recognizes the rights enshrined in this instrument.

## 8. Transitional Justice

8.1. In February 2020, the government withdrew from the UN Human Rights Council resolution 30/1 to promote reconciliation, accountability and human rights in the country, which was co-sponsored by Sri Lanka in 2015.<sup>75</sup> The current government led by Gotabaya Rajapaksa denied any allegations of human rights violations by armed forces during the civil war.<sup>76</sup> More than a decade after the war ended, governance in Sri Lanka is characterised by a culture of impunity and an absence of impartial institutions.

8.2. There is a marked absence of successful prosecutions in several emblematic cases of human rights violations. The recommendations of the CoI on Political Victimization were a direct interference with the judicial process in the country as described elsewhere in this report. Other cases are characterized by acquittals or pardon of alleged perpetrators such as the murder of five students in Trincomalee and the Mirusuvil

massacre, respectively.<sup>77</sup>

8.3. Out of the key recommendations in the Consultation Task Force on Reconciliation Mechanisms Report,<sup>78</sup> the two main recommendations which were implemented were the establishment of an Office for Missing Persons and an Office for Reparations and even those institutions do not function as envisaged.<sup>79</sup> A truth seeking commission and a judicial accountability mechanism to investigate past violations, have not been established.<sup>80</sup>

8.4. Additionally, reforms in the security sector have been completely halted as President Rajapakse, on coming to power in 2020, has pledged to protect military commanders he calls “war heroes” from war crimes prosecutions.<sup>81</sup> Several military officials facing allegations of human rights violations committed during the civil war have been promoted or appointed to important positions in the government, both during the Yahapalana government (2015-2019) and the present government.<sup>82</sup>

## 9. Militarization

9.1 In early 2021, 39 military officers were appointed to key positions in government.<sup>83</sup> Moreover, a number of appointments of current and retired military personnel to task forces were made for the management of the COVID-19 crisis and other purposes, and one-fifth of the members of the task force formed for post-COVID economic response were from the armed forces.<sup>84</sup>

9.2 Military officials were in the forefront of the COVID-19 response, and were involved in contact tracing, surveillance, the vaccination drive, and quarantining patients.<sup>85</sup> The militarization of civilian institutions and activities, including higher education<sup>86</sup> and agriculture<sup>87</sup> is also a concerning development.<sup>88</sup>

9.3 The military has used illegally-occupied land in the North and East for the establishment of camps, agriculture and military tourism.<sup>89</sup> Under the guise of implementing quarantine regulations, memorial events<sup>90</sup> and protests by families of the disappeared<sup>91</sup> in the North and the East were either disrupted or put under surveillance.<sup>92</sup>

9.4 The military and security forces also play a direct role<sup>93</sup> in maintaining the ongoing climate of repression,<sup>94</sup> especially within the context of the economic and political crises, through the implementation of restrictions on freedom of speech and assembly, and the surveillance of citizens. At present, the military can be witnessed in quelling protests as well as intimidating protesters, in addition to manning fuel stations<sup>95</sup> and attacking citizens who are waiting in queues amidst the fuel and cooking gas shortages.<sup>96</sup>

## 10. Internally Displaced Persons

10.1. Efforts at demilitarisation and returning lands occupied by security forces to legal owners have been rolled back since November 2019 with heightened militarization in several areas of governance.<sup>97</sup> The Tri Forces continue to occupy large tracts of both state and private lands in the North and East which are used for military camps. Land continues to be acquired by the military even after the war.<sup>98</sup>

10.2. Land appropriation by the government continues under the guise of archaeological heritage management. On 2nd June 2020, the Presidential Task Force for Archaeological Heritage Management in the Eastern Province was established.<sup>99</sup> Indicative of the wide powers given to the Task Force, there is no provision for the decisions of the task force to be challenged, no definition as to what is 'archaeological' land, and no means of identifying what is state or private land.

10.3. Post-war years have seen several sites across Sri Lanka where there have been competing interests.<sup>100</sup> In several of these instances, Buddhist clergy with the support of the state have been able to assert control over land and prevent access and/or use for minorities.<sup>101</sup>

## 11. Human Rights Defenders

11.1 More than 40 civil society organisations had reportedly approached the OHCHR with reports of harassment and surveillance by the end of 2020.<sup>102</sup> The CID and Terrorism Investigation Department (TID) officers continues to visit Non-governmental Organisations (NGOs), and launch investigations into their activities.<sup>103</sup>

11.2 The Director of the NGO Secretariat<sup>104</sup> has stated intentions of bringing in new legislation to supervise NGOs and INGOs.<sup>105</sup> The draft bill has not been made public

yet. Opacity of these reform processes, and restrictive supervision imposed over NGOs may contribute to shrinking space for civil society.

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<sup>1</sup> Part II of the Gazette of 24th June 2022, supplement issued on 29.06.2022

<[http://www.documents.gov.lk/files/bill/2022/6/217-2022\\_E.pdf](http://www.documents.gov.lk/files/bill/2022/6/217-2022_E.pdf)>

<sup>2</sup> CPA Statement on the Government's Twenty Second Amendment to the Constitution Bill' Centre for Policy Alternatives, 30 June 2022 <<https://www.cpalanka.org/wp-content/uploads/2022/06/CPA-Statement-on-the-Governments-22nd-Amendment-to-the-Constitution.pdf>>

<sup>3</sup> 'Sri Lanka's opposition SJB presents proposed 21st amendment to constitution', Economy Next, April 21, 2022 <<https://economynext.com/sri-lankas-opposition-sjb-presents-proposed-21st-amendment-to-constitution-93247/>>

<sup>4</sup> 'Speaker conveys SC's determination on constitutional amendments proposed by SJB' Ada Derana, 21 June 2022 <<http://www.adaderana.lk/news/83169/speaker-conveys-scs-determination-on-constitutional-amendments-proposed-by-sjb>>

<sup>5</sup> The Chief Justice and the Judges of the Supreme Court, the President and Judges of the Court of Appeal, the Members of the Judicial Service Commission.

<sup>6</sup> The Attorney-General, the Auditor-General, the Parliamentary Commissioner for Administration (Ombudsman), the Secretary-General of Parliament.

<sup>7</sup> 1. The Election Commission. 2. The Public Service Commission. 3. The National Police Commission. 4. The Human Rights Commission of Sri Lanka. 5. The Commission to Investigate Allegations of Bribery or Corruption. 6. The Finance Commission. 7. The Delimitation Commission.

<sup>8</sup> The introduction of several new provisions at the Committee Stage of the amendment process, such as the increase of the number of superior court judges, was also problematic. See 'Summary of Changes Under the Proposed 20th Amendment', Centre for Policy Alternatives, September 2020 <<https://www.cpalanka.org/wp-content/uploads/2020/09/Final-doc-Summary-of-Changes-Under-the-Proposed-20th-Amendment.pdf>>

<sup>9</sup> For instance, the disbanded the 'National Operation Centre for Prevention of COVID-19 Outbreak' (NOPCO) was helmed by the now-former Army Commander General Shavendra Silva

<sup>10</sup> A Commentary: Legal and Policy Issues related to the COVID-19 Pandemic in Sri Lanka' Centre for Policy Alternatives, December 2021 <<https://www.cpalanka.org/wp-content/uploads/2021/12/Copy-of-Legal-and-Policy-Issues-related-to-the-Covid19-Pandemic-in-Sri-Lanka.docx-1.pdf>>

<sup>11</sup> 'Quarantine curfew' for instance, is not found in any statute

<sup>12</sup> Sri Lankan president calls second state of emergency in five weeks', The Guardian, 6 May 2022 <<https://www.theguardian.com/world/2022/may/06/sri-lankan-president-calls-second-state-of-emergency-in-five-weeks>>

<sup>13</sup> AG's decisions to drop charges', Centre for Policy Alternatives, 4 July 2022 <<https://www.cpalanka.org/ags-decisions-to-drop-charges/>>

<sup>14</sup> Zulfick Farzan, 'Premalal Jayasekara who was convicted & sentenced to death, acquitted & released', *NewsFirst*, 31 March 2022 <<https://www.newsfirst.lk/2022/03/31/premalal-jayasekara-who-was-convicted-sentenced-to-death-acquitted-released/>> and Chitra Weerathne, 'Disappearance of 11 persons: AG withdraws indictment against Karannagoda' *The Island*, 14 October 2021

<<https://island.lk/disappearance-of-11-persons-ag-withdraws-indictment-against-karannagoda/>>

<sup>15</sup> In 2021, The Commission of Inquiry (CoI) on Political Victimization recommended the withdrawal or discontinuation of several emblematic cases related to human rights violations and corruption, and a Special Commission of Inquiry (SPCoI) was established to implement the recommendations of the CoI. Court of Appeal issued an interim order against recommendations of the CoI. See 'A Commentary on the Presidential Commission of Inquiry and the Special Presidential Commission of Inquiry on Political Victimization' Centre for Policy Alternatives, April 2021 <<https://www.cpalanka.org/wp->

[content/uploads/2021/04/Finalized-doc-CoI-SPCoI-on-Political-Victimization.pdf](#) >and 'CA stays recommendations of PCol on Political Victimization in respect of SSC Janaka Bandara' Daily Mirror, 3 August 2021 <[https://www.dailymirror.lk/breaking\\_news/CA-stays-recommendations-of-PCol-on-Political-Victimisation-in-respect-of-SSC-Janaka-Bandara/108-217449](https://www.dailymirror.lk/breaking_news/CA-stays-recommendations-of-PCol-on-Political-Victimisation-in-respect-of-SSC-Janaka-Bandara/108-217449)>

<sup>16</sup> 'Tamil families of the disappeared face increasing harassment from Sri Lanka - ACPR' Tamil Guardian, 16 May 2022 <<https://www.tamilguardian.com/content/tamil-families-disappeared-face-increasing-harassment-sri-lanka-acpr>>

<sup>17</sup> 'Sri Lanka civil war: Rajapaksa says thousands missing are dead', BBC, 20 January 2020 <<https://www.bbc.com/news/world-asia-51184085>>

<sup>18</sup> *ibid.*

<sup>19</sup> 'Rs.100,000 payment to a missing person's closest relative', The Morning, 16 March 2022 <<https://www.themorning.lk/rs-100000-payment-to-a-missing-persons-closest-relative/>>

<sup>20</sup> In 2021, Justice Abeyratne was appointed as the Chairperson of the OMP. He also chaired the Presidential Commission on Political Victimization which exonerated military officials accused of abduction and murder in several emblematic disappearance cases. His appointment as OMP chair was criticized by the ITJP and rights groups which viewed it as undermining the body's independence and credibility and its ability to function effectively. Under the leadership of Justice Abeyratne, the Office on Missing Persons (OMP) opened a new office in the North and announced plans to "verify" the 21,374 cases collated by its former members. By the end of the year, the OMP's official caseload stood at 14,988, with no clear explanation for having dropped more than 6,000 missing persons cases. New members were appointed; there was lack of clarity over whether the leadership changed. See, Dinitha Rathnayaka, 'Office on Missing Persons comes under fire', The Morning, 1 November 2021 <<https://www.themorning.lk/office-on-missing-persons-comes-under-fire/>>; The State of the World's Human Rights : Amnesty International Report 2021/2022

<<https://www.amnesty.org/en/wp-content/uploads/2022/03/WEBPOL1048702022ENGLISH.pdf>>

<sup>21</sup> The report of the Commission recommended that the ongoing criminal investigations and prosecutions in several emblematic cases be withdrawn including the case of alleged abductions of 11 persons by Navy officials involving former Admiral Wasantha Karannagoda, the assassination of MP Nadaraja Raviraj and former MP Joseph Pararajasingam, the death of Wasim Thajudeen, the murder of journalist Lasantha Wickrematunge, the Welikada prison massacre, the disappearance of journalist Prageeth Ekneligoda and the abduction of journalist Keith Noyahr. See, Charya Samarakoon and Kushmila Ranasinghe, 'Commissions of Inquiry: Grave Threat to Democracy and Judicial Independence', Groundviews, 29 April 2021 <[Commissions of Inquiry: Grave Threat to Democracy and Judicial Independence - Groundviews](#)>

<sup>22</sup> The Presidential Commission on Political Victimization ordered the Attorney General (AG) not to proceed with the case against former Navy Commander Admiral Wasantha Karannagoda and former Navy Spokesman Commodore D.K.P. Dassanayake until it reached a conclusion on the matter. Then Attorney General Dappula de Livera PC informed the Presidential Commission of Inquiry (PCoI) that the Commission of Inquiry has no statutory or legal authority to order the Attorney General to refrain from performing his statutory functions.

However, in October 2020, the Attorney General announced that the state would not press charges against former navy chief Wasantha Karannagoda. Relatives of those abducted filed a writ application with the Court of Appeal seeking an order to null the decision taken by Sri Lanka's Attorney General to drop the charges against Former Navy Commander Admiral of the Fleet Wasantha Karannagoda. The Court of Appeal dismissed this writ petition. The Court of Appeal observed that the court would not interfere with the Attorney General's Prosecutorial Power. The Court further held that there is no procedural error on the part of the Attorney General's Department. This decision of the Court of Appeal is being challenged in the Supreme Court with the case fixed for 7 July 2022. See, 'AG's decisions to drop charges', Centre for Policy Alternatives, 4 July 2022 <<https://www.cpalanka.org/ags-decisions-to-drop-charges/>>

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<sup>23</sup> ‘Revisiting Ten Emblematic Cases in Sri Lanka’, Centre for Policy Alternatives, January 2021

<<https://www.cpalanka.org/wp-content/uploads/2021/01/Revisiting-Ten-Emblematic-Cases-in-Sri-Lanka-final-draft-1.pdf>>

<sup>24</sup> ‘Hold the IGP personally responsible’, Daily FT, 26 April 2022

<[https://www.ft.lk/ft\\_view\\_editorial/Hold-the-IGP-personally-responsible/58-733907](https://www.ft.lk/ft_view_editorial/Hold-the-IGP-personally-responsible/58-733907)>

<sup>25</sup> See Annexure II for more details.

<sup>26</sup> ‘One killed, 24 wounded in police shooting at Rambukkana’, The Island, 20th April 2022

<<https://island.lk/one-killed-24-wounded-in-police-shooting-at-rambukkana/>>

<sup>27</sup> See Annexure II for more details.

<sup>28</sup> ‘Sri Lanka: Daylight shootings linked to drug trade’, News First, 6 June 2022

<<https://www.newsfirst.lk/2022/06/06/sri-lanka-daylight-shootings-linked-to-drug-trade/>>; Ranga Sirilal on Twitter, 3 June 2022

<<https://twitter.com/rangaba/status/1532716474468429829?t=01TjFJSaJvevpXN2RqfMPA&s=03>>

<sup>29</sup> ‘THE NEED TO REPEAL AND REPLACE THE PREVENTION OF TERRORISM ACT (PTA)’, Centre for Policy Alternatives, 9 May 2013 <[THE NEED TO REPEAL AND REPLACE THE PREVENTION OF TERRORISM ACT \(PTA\) – Centre for Policy Alternatives](#)>

<sup>30</sup> Mr. M.A. Sumanthiran, MP, in his speech at the Parliament during the debate on the PTA Amendment Bill, 22.03.2022.

<sup>31</sup> ‘A Commentary: Prevention of Terrorism (Amendment) Bill 2022, Centre for Policy Alternatives, January 2022

<<https://www.cpalanka.org/wp-content/uploads/2022/01/Final-PTA-Amendment-2022.docx-1-1.pdf>>

<sup>32</sup> *ibid.*

<sup>33</sup> Notable arrests under the PTA include human rights lawyer Hejaaz Hizbullah, poet Ahnaf Jazeem, and Dr Shafi Shihabdeen who was arrested in the wake of anti-Muslim sentiment following the Easter Sunday attacks of 2019. Quite recently, there were reports that protesters who staged a protest against the economic crisis in the country outside the President’s house in Mirihana will be charged under the PTA as well which created a public outcry and a statement by the Human Rights Commission condemning such an attempt. See, Zulfick Farzan, ‘Mirihana protestors cannot be charged under PTA – Human Rights Commission’, News First, 01 April 2022

<<https://www.newsfirst.lk/2022/04/01/mirihana-protestors-cannot-be-charged-under-pta-human-rights-commission/>>

<sup>34</sup> Whilst the regulations claim to provide for rehabilitation of particular groups, the application of such regulations would result in the deprivation of liberty of individuals for up to two years (an initial order of up to one year which can be extended for up to a year thereafter) without any legal proceedings being conducted before a competent court. Additionally, the vagueness and overbroad nature of these regulations are alarming and can lead to situations of abuse. For example, little to no details are provided as to what constitutes ‘rehabilitation’, or what rehabilitation procedures are to be adopted at the ‘Reintegration Centers’, which are to be set up as per the regulation. Further, there is a lack of information as to what laws and regulations these centers may be subject to, in terms of the conditions to be maintained and monitoring mechanisms to be in place.

See, ‘Concerns Relating to the Recent Regulations Issued Under the Prevention of Terrorism Act’, Centre for Policy Alternatives, 18 March 2021 <[Concerns Relating to the Recent Regulations Issued Under the Prevention of Terrorism Act](#)> .

<sup>35</sup> Prison Study by the Human Rights Commission of Sri Lanka <<https://www.hrcsl.lk/wp-content/uploads/2020/01/Prison-Report-Final-2.pdf>>

<sup>36</sup> ‘Sri Lanka: Eight die in prison riot over Covid panic’, BBC, 30th November 2022

<<https://www.bbc.com/news/world-asia-55126199>>

<sup>37</sup> ‘Police probe Anuradhapura prison riot as death toll increases’, Economy Next, 22nd March 2020

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<<https://economynext.com/police-probe-anuradhapura-prison-riot-as-death-toll-increases-60909/> >

<sup>38</sup>Comment: Legality of the State Response to the Right to Protest in the light of the Covid-19 Pandemic', Centre for Policy Alternatives, November 2021 <<https://www.cpalanka.org/wp-content/uploads/2021/11/CPA-comment-on-right-to-protest-2.pdf> >

<sup>39</sup>Gazette (Extraordinary) No. 2253/10 of 9th November 2021 <[http://www.documents.gov.lk/files/egz/2021/11/2253-10\\_E.pdf](http://www.documents.gov.lk/files/egz/2021/11/2253-10_E.pdf) >

<sup>40</sup> Gazette (Extraordinary) No. 2273/89 of 2nd April 2022 <[http://documents.gov.lk/files/egz/2022/4/2273-89\\_E.pdf](http://documents.gov.lk/files/egz/2022/4/2273-89_E.pdf)>

<sup>41</sup>Krishan Francis and Bharatha Mallawarachi, 'Sri Lanka's sports minister quits, Cabinet offers to resign', AP News, 4 April 2022 <<https://apnews.com/article/covid-business-health-sri-lanka-media-9216d34ce88dfeef7a6c76ffb315cc6a> > A number of fundamental rights petitions against both the state of emergency and the curfew have been filed. See 'SC grants leave to proceed with FR petitions challenging emergency law', News Wire, 7 April 2022 <<https://www.newswire.lk/2022/04/07/sc-grants-leave-to-proceed-with-fr-petitions-challenging-emergency-law/> >

<sup>42</sup> Asantha Sirimanne, 'Sri Lanka Imposes Curfew as Government Backers, Protesters Clash', Time, 9 May 2022 <<https://time.com/6174743/sri-lanka-curfew-protests/> >

<sup>43</sup> See Annexure I for more details

<sup>44</sup>Sri Lanka: Several journalists assaulted and detained during Mirihana protests', International Federation of Journalists, 4 April 2022 <<https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sri-lanka-several-journalists-assaulted-and-detained-during-mirihana-protests.html> >

<sup>45</sup> In February 2022, officers of the Criminal Investigation Department (CID) visited the house of journalist Selvakumar Nilanthan twice, and ordered him to go to Eravur police station for questioning over his alleged links to the Tamil diaspora. See 'Sri Lanka's Criminal Investigation Department interrogates Tamil journalist', Tamil Guardian, 13 February 2022 <<https://www.tamilguardian.com/content/sri-lankas-criminal-investigation-department-interrogates-tamil-journalist> >

<sup>46</sup>Journalist Chamuditha Samarawickrama's residence was stormed on 14th February 2022 by three armed men who arrived in a white van. See Chitra Weerathne, 'Chamuditha's counsel to move court to order CID to take over probe into attack on his client's residence', The Island, 9 April 2022 <<https://island.lk/chamudithas-counsel-to-move-court-to-order-cid-to-take-over-probe-into-attack-on-his-clients-residence>>

<sup>47</sup>Vishvalingham Vishvachandran was attacked by four army soldiers for taking a photo of a Mullivaikkal road sign on 27 November 2021. The military initially denied the allegations, but the soldiers later apologised to the victim. See 'Sri Lankan soldiers attack Tamil journalist with barbed wire', Tamil Guardian, 27 November 2021 <<https://www.tamilguardian.com/content/sri-lankan-soldiers-attack-tamil-journalist-barbed-wire> > and 'Sri Lankan soldiers apologise to attacked Tamil journalist after initially denying the assault', Sri Lanka Brief, 6 December 2021 <<https://srilankabrief.org/sri-lankan-soldiers-apologise-to-attacked-tamil-journalist-after-initially-denying-the-assault/> >

<sup>48</sup>On 9 June 2020, officials from the CID raided journalist Dharisha Bastians' home and seized her laptop in connection to an investigation over the alleged abduction of a Swiss embassy staffer. See 'Harassment Of Journalist Dharisha Bastians May Be Aimed At Stopping Her Reporting On Sri Lanka: 5 UN Special Rapporteurs Write To Govt.', Colombo Telegraph, 15 September 2021 <<https://www.colombotelegraph.com/index.php/harassment-of-journalist-dharisha-bastians-may-be-aimed-at-stopping-her-reporting-on-sri-lanka-5-un-special-rapporteurs-write-to-govt/> >

<sup>49</sup> On 17 June 2022, as the police and army looked on, senior Tamil journalist Shanmugam Thavaseelan from Mullaitivu was assaulted by an unidentified person at the Mallavi petrol station while he was there to report on people who lined up in a 2km-long queue. See 'Tamil journalist attacked by unidentified person in Mullaitivu' Tamil Guardian, 19 June 2022 <<https://www.tamilguardian.com/content/tamil-journalist-attacked-unidentified-person-mullaitivu> >

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<sup>50</sup>Uwin Lugoda, 'International Covenant on Civil and Political Rights: A tool of oppression?', The

Morning, 7 February 2021 <<https://www.themorning.lk/international-covenant-on-civil-and-political-rights-a-tool-of-oppression/>>

<sup>51</sup>Shakthika Sathkumara discharged days ahead of UNHRC sessions', Economy Next, 9 February 2021 <<https://economynext.com/shakthika-sathkumara-discharged-days-ahead-of-unhrc-sessions-78661/>>

<sup>52</sup>ZL Mohamed, 'Ramzy Razeek: An extraordinary struggle for an ordinary life of service upended by a Police arrest', Daily FT, 9 May 2020 <<https://www.ft.lk/opinion/Ramzy-Razeek-An-extraordinary-struggle-for-an-ordinary-life-of-service-upended-by-a-Police-arrest/14-699917>>

<sup>53</sup>'Ramzy Razeek released on bail after 5 months of Sri Lankan detention', Daily Express, 19 September 2019 <<https://dailyexpress.lk/glocal/2183/>>

<sup>54</sup>Shree Haran and Wimal Perera, 'Sri Lankan court bails out Muslim poet Ahnaf Jazeem, after 18 months detention' World Socialist Web Site, 20 December 2021 <<https://www.wsws.org/en/articles/2021/12/21/ahna-d21.html>>

<sup>55</sup>Aazam Ameen, 'Detained poet Ahnaf Jazeem held under PTA released on bail', The Morning, 15 December 2021 <<https://www.themorning.lk/detained-poet-ahnaf-jazeem-held-under-pta-released-on-bail/>>

<sup>56</sup>Sri Lanka cabinet nod for laws against "false propaganda" online', Economy Next, 20 April 2021 <<https://economynext.com/sri-lanka-cabinet-nod-for-laws-against-false-propaganda-online-80943>>

<sup>57</sup>Pamodi Waravita, 'False Truths' and 'Hate Speech' Bills in the pipeline', The Morning, 20 October 2021 <<https://www.themorning.lk/false-truths-and-hate-speech-bills-in-the-pipeline/>>

<sup>58</sup>Sri Lanka blocks social media after Easter Sunday bombings' Asia Nikkei, 22 April 2022 <<https://asia.nikkei.com/Politics/Sri-Lanka-blocks-social-media-after-Easter-Sunday-bombings>>

<sup>59</sup>Crisis-hit Sri Lanka blocks social media to contain protests', The Economic Times, 3 April 2022 <<https://economictimes.indiatimes.com/news/international/world-news/sri-lanka-imposes-nationwide-social-media-blackout/articleshow/90618268.cms>>

<sup>60</sup>Peony Hirwani, 'Sri Lanka reverses 'completely useless' ban on social media amid protests', The Independent, 3 April 2022 <<https://www.independent.co.uk/asia/south-asia/sri-lanka-curfew-social-media-blocked-b2049853.html>>

<sup>61</sup>The Chairperson of Human Rights Commission of Sri Lanka (HRCSL) stated that it is unjust and unfair for the Telecommunications Regulatory Commission (TRC) to impose a blanket closure of social media upon being requested to do so by the Ministry of Defence and called on the TRC to lift the ban. The Chairperson further stated that the ban was a violation of human rights. See Zulfick Farzan, 'Imposing Social Media Ban a violation of Human Rights - SL Human Rights Chief', News First, 3 April 2022 <<https://www.newsfirst.lk/2022/04/03/imposing-social-media-ban-a-violation-of-human-rights-sl-human-rights-chief/>>

<sup>62</sup>Police Media Spokesperson DIG Ajith Rohana also alleged that misinformation campaigns have affected the vaccination program and the dengue control program. See 'Special CID team to take action against fake news on social media', Ada Derana, 7 June 2021 <<http://www.adaderana.lk/news/74466/special-cid-team-to-take-action-against-fake-news-on-social-media>>

<sup>63</sup>In February 2022, civil society activist, Shehan Malaka Gamage, was arrested by the CID in Panadura, reportedly over a remark he has made with regard to the East Sunday terror attacks. He also organised a Black Flag campaign to question lack of progress in investigations into the attacks. He was later granted bail by the Maligakanda Magistrate's Court. See *ibid*

<sup>64</sup>In April 2022, social media activist Anuruddha Bandara was allegedly abducted by a group claiming to be from the police, and he was later reported to have been arrested by the Mutuwal Police. He was released on bail after being produced in the Colombo Magistrate's Court. See 'Go Home Gota' FB admin and social media activist Anuruddha Bandara arrested by Mutuwal Police', Daily Mirror, 2nd April 2022 <<https://www.dailymirror.lk/news/2022/04/02/go-home-gota-fb-admin-and-social-media-activist-anuruddha-bandara-arrested-by-mutuwal-police>>

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[Breaking News | Daily Mirror](#)> and 'Go Home Gota' FB admin and social media activist Anuruddha Bandara granted bail', Daily Mirror, 3 April 2022 <[https://www.dailymirror.lk/breaking\\_news/Go-Home-Gota-FB-admin-and-social-media-activist-Anuruddha-Bandara-granted-bail/108-234370](https://www.dailymirror.lk/breaking_news/Go-Home-Gota-FB-admin-and-social-media-activist-Anuruddha-Bandara-granted-bail/108-234370) >

<sup>65</sup>In May 2022, three admins of social media platforms were arrested by the Computer Crimes Investigating Unit of the CID for allegedly 'instigating and aiding and abetting recent violent activities' through the social media, following the incidents at Galle Face Green on 9 May 2022. Police have stated that action will be taken under the provisions of the Computer Crimes Act. The CID, police stations and special police units are reportedly conducting investigations to identify social media groups over instigating such violent activities. See Dharshana Sanjeeva Balasuriya, 'Three social media admins including TV presenter arrested over recent unrest' Daily Mirror, 19 May 2022 <[https://www.dailymirror.lk/breaking\\_news/Three-social-media-admins-including-TV-presenter-arrested-over-recent-unrest/108-237338](https://www.dailymirror.lk/breaking_news/Three-social-media-admins-including-TV-presenter-arrested-over-recent-unrest/108-237338) >

<sup>66</sup>Sri Lanka parliament passes data protection act amid privacy concerns', Economy Next, 10 March 2022 <<https://economynext.com/sri-lanka-parliament-passes-data-protection-act-amid-privacy-concerns-91476/>>

<sup>67</sup> Professor Rohan Samarajiva, 'Personal Data Protection Act passed: What will it mean?', Daily FT, 22 March 2022 <<https://www.ft.lk/columns/Personal-Data-Protection-Act-passed-What-will-it-mean/4-732307> >

<sup>68</sup> Shabarinath Nair, 'Impact of COVID-19 on labour migration governance in Sri Lanka', International Labour Organisation (ILO), 18 December 2021 <[https://www.ilo.org/global/docs/WCMS\\_833093/lang-en/index.htm](https://www.ilo.org/global/docs/WCMS_833093/lang-en/index.htm)>

<sup>69</sup> *ibid.*

<sup>70</sup> Centre for Women's Research, 2001, Female Migrant Workers of Sri Lanka, Colombo, as cited in NKK Mudalige, 'Sri Lankan Legal Version of Migrant Workers' Rights: How It is and How It shall be' <<http://ir.kdu.ac.lk/bitstream/handle/345/1679/020.pdf?sequence=1&isAllowed=y>>

<sup>71</sup> 'Sri Lankan female migrant workers: New cabinet decision', Newswire, 28 June 2022 <<https://www.newswire.lk/2022/06/28/sri-lankan-female-migrant-workers-new-cabinet-decision/>>

<sup>72</sup> At present, Sri Lankan female domestic workers require a minimum age of 25 years to work in Saudi Arabia, 23 years in Middle Eastern Countries, and 21 years in other countries; 'Bankrupt Sri Lanka allows younger women to work abroad', Newswire, 21 June 2022 <<https://www.newswire.lk/2022/06/21/go-inimum-age-of-female-migrant-domestic-worker/>>

<sup>73</sup> Javid Yusuf, 'Welfare of women should not be jeopardised in search for dollars', The Sunday Times, 26 June 2022 <<https://www.sundaytimes.lk/220626/columns/welfare-of-women-should-not-be-jeopardised-in-search-for-dollars-487180.html>>

<sup>74</sup> For instance, ILO Conventions No. 97 - Migration for Employment Convention (Revised), 1949 and Convention No. 143 - Migrant Workers (Supplementary Provisions) Convention, 1975

<sup>75</sup> Sri Lanka Government to withdraw from co-sponsoring UNHRC resolution 30/1', News First, 19th February 2020

<<https://www.newsfirst.lk/2020/02/19/sri-lanka-government-to-withdraw-from-co-sponsoring-unhrc-resolution-30-1/>>

<sup>76</sup> *Ibid.*

<sup>77</sup> In the case of the five students killed at Trincomalee in 2006, several of the witnesses had been either killed or intimidated. Dr. Manoharan, a main witness in the case, had fled the country after being repeatedly threatened and refused to return to give evidence. The accused were released due to the non-availability of sufficient evidence. See, 'The Need for Accountability in Sri Lanka's Criminal Justice System', Centre for Policy Alternatives, March 2019

<<https://www.cpalanka.org/wp-content/uploads/2019/03/FINAL-A-Glance-at-Seven-Emblematic-cases-.pdf> >; 'Dead end in Trinco-5 case?' Verite Research,

<<https://www.veriteresearch.org/2019/07/15/trinco5-dead-end/>>. The Mirusuvil massacre concerned eight internally displaced persons who were arrested and subsequently killed allegedly by Sri Lankan

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army soldiers. In 2020, a presidential pardon was given to former army staff sergeant Sunil Ratnayaka who had been convicted and sentenced to death. Several fundamental rights petitions have been filed challenging the presidential pardon and they have been fixed for support by the Supreme Court. See, *Centre for Policy Alternatives v Attorney General*

<<https://www.cpalanka.org/fundamental-rights-applications-challenging-the-decision-to-pardon-sunil-ratnayake/>>

<sup>78</sup> The Consultation Task Force (CTF) of 11 members drawn from civil society was appointed by the Prime Minister in late January 2016, to seek the views and comments of the public on the proposed mechanisms for transitional justice and reconciliation, as per the UN Human Rights Council resolution 30/1 on Sri Lanka, co-sponsored by the Government of Sri Lanka

<sup>79</sup> However, the independence and the decision making power of the Office is greatly restricted by two factors, which were highlighted by civil society at the time the legislation was brought. First, the policies and guidelines formulated by the Office must be approved by the Cabinet prior to adoption, and this affects the decision-making powers of the Office (Section 11(1)g-h of the Act). Secondly, policies and guidelines approved by the Cabinet of Ministers and authorizing the disbursement of funds must be placed before Parliament for its approval.(Section 22(4) of the Act) This adds another unnecessary layer of Parliamentary oversight and thereby further dilutes the Office's input on reparations policies and guidelines. The Act was passed by parliament with these shortcomings. See, *Civil Society Raises Concerns with the Office for Reparations Bill*, Centre for Policy Alternatives, 6 July 2018

<<https://www.cpalanka.org/civil-society-raises-concerns-with-the-office-for-reparations-bill/>>

<sup>80</sup> 'Keep the Promise: Monitoring the Government of Sri Lanka's Commitments on Promoting Reconciliation, Accountability and Human Rights', Sri Lanka Campaign

<<https://www.srilankacampaign.org/take-action/keep-the-promise/>>

<sup>81</sup> "In a Legal Black Hole": Sri Lanka's Failure to Reform the Prevention of Terrorism Act', Human Rights Watch, February 2022

<<https://www.hrw.org/report/2022/02/07/legal-black-hole/sri-lankas-failure-reform-prevention-terrorism-act>>

<sup>82</sup> On 7th August 2019, President Maithripala Sirisena of the Yahapalana government promoted Wasantha Karannagoda, (a suspect charged with involvement in the abduction and murder of 11 persons by Navy personnel) to the rank of Admiral of the Fleet. On 18th August 2019, President Maithripala Sirisena appointed Major General Shavendra Silva as the 23rd Commander of the Sri Lanka Army, in spite of allegations of war crimes against him. Subsequently, President Gotabhaya Rajapakse, appointed him as the acting Chief of Defence Staff with effect from 01st January 2020. With the recent outbreak of the COVID-19 epidemic in Sri Lanka, he was appointed as Head of National Operations Centre for Prevention of COVID-19 Outbreak (NOCPKO) on 16 March 2020. From 02nd December 2021, the NOCPKO was transformed to be the Green Agriculture Operation Center, in which General Shavendra Silva was appointed as Head of the Centre. On 24th June 2021, a committee chaired by the Defense Secretary, Gen. (ret'd) Kamal Gunaratne, who commanded forces implicated in alleged war crimes and crimes against humanity during the civil war was appointed to work on changes to the PTA. Immediately after the war ended in 2009, he had also been made the Competent Authority in charge of over 200,000 internally displaced people (IDPs) who were illegally held in deplorable conditions, some of whom were subjected to torture and enforced disappearance. See, "In a Legal Black Hole": Sri Lanka's Failure to Reform the Prevention of Terrorism Act', Human Rights Watch, February 2022 at 56-57

<<https://www.hrw.org/report/2022/02/07/legal-black-hole/sri-lankas-failure-reform-prevention-terrorism-act>>

<sup>83</sup> Centre for Policy Alternatives, "Sri Lanka's Vistas of Prosperity and Splendour: A Critique of Promises Made and Present Trends," July 13, 2021 <https://www.cpalanka.org/sri-lankas-vistas-of-prosperity-and-splendour-a-critique-of-promises-made-and-present-trends/>

<sup>84</sup> See Sachini Perera, "When the Pandemic is a Portal to Militarization," Groundviews, May 30, 2020 <https://groundviews.org/2020/05/30/when-the-pandemic-is-a-portal-to-militarization/>

<sup>85</sup> Bhavani Fonseka and Kushmila Ranasinghe, "Sri Lanka's accelerated democratic decay amidst a pandemic" in Pradeep Peiris (ed) *Is the Cure Worse than the Disease* (Centre for Policy Alternatives, 2021) <https://www.cpalanka.org/is-the-cure-worse-than-the-disease-reflection-on-covid-governance-in-sri-lanka/>

<sup>86</sup> Dinesha Samararatne, "With Militarization and Marketization KNDU Bill Sounds Death Knell for Higher Education," Groundviews, July 31, 2021 <https://groundviews.org/2021/07/31/with-militarization-and-marketization-kndu-bill-sounds-death-knell-for-higher-education/>

<sup>87</sup> The military also plays a prominent role in the implementation of initiatives related to government policies on 'green economy.' See Rekha Tharangani Fonseka, "Fertile ground for national reconciliation: Army and ex-Tigers join hands to turn swords into ploughshares," The Sunday Times, 23 January 2022 <https://www.sundaytimes.lk/220123/news/fertile-ground-for-national-reconciliation-army-and-ex-tigers-join-hands-to-turn-swords-into-ploughshares-469780.html>

<sup>88</sup> The 'Green Agriculture Operative Center' helmed by General Shavendra Silva is a manifestation of these initiatives, and is set to prioritise a number of functions related to production and distribution of organic fertilizer, and other agricultural activities. "'Green Agriculture Operative Centre' to be led by Army Chief," News First, December 4, 2021 <https://www.newsfirst.lk/2021/12/04/green-agriculture-operative-centre-to-be-led-by-army-chief/>

<sup>89</sup> Centre for Policy Alternatives, "Sri Lanka's Vistas of Prosperity and Splendour: A Critique of Promises Made and Present Trends," July 13, 2021 <https://www.cpalanka.org/sri-lankas-vistas-of-prosperity-and-splendour-a-critique-of-promises-made-and-present-trends/>

<sup>90</sup> "Sri Lankan army surveil and harass families of fallen cadres ahead of Maaveerar Naal," Tamil Guardian, November 18, 2021 <<https://www.tamilguardian.com/content/sri-lankan-army-surveil-and-harass-families-fallen-cadres-ahead-maaveerar-naal>>

<sup>91</sup> "Jaffna families of disappeared resist police intimidation and court bans to protest for their missing relatives," Tamil Guardian, February 4, 2021 <https://www.tamilguardian.com/content/jaffna-families-disappeared-resist-police-intimidation-and-court-bans-protest-their-missing>

<sup>92</sup> See Annexure I for more details

<sup>93</sup> "Strict action against those criticise state officials on social media," Daily Mirror, April 1, 2020 [https://www.dailymirror.lk/breaking\\_news/Strict-action-against-those-criticise-state-officials-on-social-media/108-186028](https://www.dailymirror.lk/breaking_news/Strict-action-against-those-criticise-state-officials-on-social-media/108-186028)

<sup>94</sup> Bhavani Fonseka and Kushmila Ranasinghe, "Sri Lanka's accelerated democratic decay amidst a pandemic" in Pradeep Peiris (ed) *Is the Cure Worse than the Disease* (Centre for Policy Alternatives, 2021) <https://www.cpalanka.org/is-the-cure-worse-than-the-disease-reflection-on-covid-governance-in-sri-lanka/>

<sup>95</sup> "Sri Lanka Deploys Soldiers At Petrol Pumps As Country Faces Worst Financial Crisis" Outlook India, 22 March 2022 <<https://www.outlookindia.com/international/sri-lanka-deploys-soldiers-at-petrol-pumps-as-country-faces-worst-financial-crisis-news-187998>>

<sup>96</sup> "Sri Lankan army is reported to have opened fire at a fuel station in Visuvamadu, Mullaitivu. At least two persons were reportedly injured. See 'Sri Lankan troops open fire to contain fuel riots' The Hindu, 19 June 2022 <<https://www.thehindu.com/news/international/sri-lankan-troops-open-fire-to-contain-fuel-riots/article65543569.ece>>

<sup>97</sup> 'Sri Lanka's Vistas of Prosperity and Splendour: A Critique of Promises Made and Present Trends', Centre for Policy Alternatives, 2021 <<https://www.cpalanka.org/wp-content/uploads/2021/07/Sri-Lankas-Vistas-of-Prosperity-and-Splendour-A-Critique-of-Promises-Made-and-Present-Trends.pdf>>

<sup>98</sup> See Annexure III for details.

<sup>99</sup> Appointed by Gazette (Extraordinary) No. 2178/17 dated 2nd June 2020. See, 'The Appointment of the Two Presidential Task Forces', Centre for Policy Alternatives, June 2020 <<https://www.cpalanka.org/wp-content/uploads/2020/06/Commentary-Two-Task-Forces-CPA-Final.pdf>>

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<sup>100</sup> See Annexure III for details.

<sup>101</sup> 'Sri Lanka's Vistas of Prosperity and Splendour: A Critique of Promises Made and Present Trends', Centre for Policy Alternatives, 2021

<<https://www.cpalanka.org/wp-content/uploads/2021/07/Sri-Lankas-Vistas-of-Prosperity-and-Splendour-A-Critique-of-Promises-Made-and-Present-Trends.pdf>>

<sup>102</sup> 'AHEAD OF NEW SRI LANKA RESOLUTION, CIVIL SOCIETY AND UN HIGHLIGHT ONGOING RIGHTS CONCERNS', CIVICUS, 16 March 2021

<<https://monitor.civicus.org/updates/2021/03/16/ahead-new-sri-lanka-resolution-civil-society-and-un-highlight-ongoing-rights-concerns/>>

<sup>103</sup> 'TID ordered to investigate NGO headed by lawyer linked to Easter Sunday attacks', Colombo Page, 6 May 2020 <[http://www.colombopage.com/archive\\_20A/May06\\_1588745659CH.php](http://www.colombopage.com/archive_20A/May06_1588745659CH.php)>

<sup>104</sup> NGO Secretariat was removed from being under the purview of the Ministry of Defence and was placed under the Ministry of Foreign Affairs in November 2021. See 'Sri Lanka president amends institutional, legal framework of several ministries', Economy Next, 18 November 2021 <<https://economynext.com/sri-lanka-president-amends-institutional-legal-framework-of-several-ministries-88060/>>

<sup>105</sup> Kelum Bandara, "'Govt to introduce fresh legislations to supervise NGOs, INGOs" - Raja Goonaratne', Daily Mirror, 21 September 2021 <<https://www.dailymirror.lk/hard-talk/Govt-to-introduce-fresh-legislations-to-supervise-NGOs-INGOs-Raja-Goonaratne/334-220774>>