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Sri Lanka: Reprisals against peaceful protesters including human rights defender Chintaka Rajapakse and education rights defender and student leader Wasantha Mudalige

On 18 August 2022, Sri Lankan police used disproportionate force against peaceful protesters in Colombo including tear gas, water cannons and batons. 20 protesters, including human rights defender **Chinthaka Rajapaksa** and student leader and education rights defender **Wasantha Mudalige** were arrested from the protest. 16 of those arrested, were released on bail by the Magistrates Court the following day (19 August 2022). Chinthaka Rajapakse was denied bail and remanded until 26 August 2022. Wasantha Mudalige and two other student activists were held in police custody for well over 72 hours without access to lawyers and in violation of their due process rights. They are currently detained under Detention Orders in terms of the draconian Prevention of Terrorism Act (PTA). Sri Lankan authorities invoked the PTA, depriving the detainees of basic safeguards, and without recourse to bail, despite [appeals](#) against the use of this law against protesters.

[Chintaka Rajapakse](#) is the moderator of the Movement for Land and Agricultural Reform ([MON-LAR](#)), a human rights organization focused on land rights, protection of natural resources and the environment. The human rights defender has worked extensively with farmers, peasants and those who have lost land and livelihood due to militarization and development projects. He has actively supported those defending education rights against privatization and militarization, and been part of the ongoing peaceful protests linked to the economic crisis, against corruption and impunity.

[Wasantha Mudalige](#), is a prominent student leader and an education rights defender. Mudalige is the convener of the Inter-University Student Federation (IUSF) which has been a prominent force in the ongoing peaceful protests linked to the economic crisis, but also raising broader issues of governance, corruption, and accountability.

Protesters across the country have been peacefully demanding accountability, and end to corruption and the abolition of the executive presidency, which protesters say centralizes state power. Following the resignation of former president Gotabhaya Rajapaksa, protesters are also calling for the resignation of President Ranil Wickremasighe, widely believed to be an ally of his predecessor. Shortly after being sworn in as President, Ranil Wickremasinghe declared a [State of Emergency](#) which increases the power of the police and armed forces, curtails freedom of assembly and judicial safeguards for those arrested. IUSF members and student activist have been especially targeted by authorities. The reprisals have been condemned [nationally](#) and [internationally](#). Front Line Defenders along with 12 other human rights organizations previously [called](#) on Sri Lankan authorities to end reprisals and arrests against peaceful protesters.

On 18 August 2022, several hundred student protesters, including human rights defenders, marched to the city center in Colombo for a peaceful rally outside the railway station. The protest was blocked and dispersed by police officers armed with tear gas, water cannons and batons. Police chased and assaulted protesters as they fled the site. At least 20 persons were arrested while leaving the protest and held at police stations overnight. Chinthaka Rajapakse was arrested as he was leaving the protest and held at the Cinnamon Gardens police station. He was produced before the Magistrates court the following day (19 August 2022). While 16 other protesters were released on bail, the human rights defender was remanded until 26 August 2022 on the basis that he was present at a press conference on 9 July 2022 at the President's House. The President's house and

several other buildings were occupied by protesters following widespread protests and subsequently handed back to the State.

IUSF convener Wasantha Mudalige was arrested by the Peliyagoda police station in Colombo while he was returning from the protest. Wasantha Mudalige had previous warrants issued against him as reprisals for his peaceful protest. He and two student activists arrested at the same time were held for over 72 hours without a detention order and in violation of their due process rights. They were last in the custody of the Peliyagoda Police Station. However on the morning of 22 August 2022, lawyers were informed that the three activists had been transferred to the Terrorism Investigation Department (TID) and that Detention Orders had been issued under the PTA. Upon inquiry the TID denied custody and knowledge of any Detention Orders. Throughout the day, as lawyers attempted to locate the three students, local and international groups including the [United States](#) and [European Union](#) called on Sri Lanka to refrain from using the PTA against peaceful protesters. The United Nations Special Rapporteur on Human Rights Defenders also [appealed](#) against the use of the PTA against protesters. Despite these appeals, by around 4 pm on 22 August 2022, it appears that Detention Orders under the PTA have been signed against Wasantha Mudalige and the two student activists, effectively depriving them of basic safeguards including recourse to bail.

Front Line Defenders strongly condemns the reprisals against peaceful protesters. The right to peaceful protest must be protected under national and international human rights commitments. The use of legal sanctions and anti-terror laws against human rights defenders and student leaders is counter to Sri Lanka's public commitments to human rights and to preserve the right to peaceful dissent. The Human Rights Commission of Sri Lanka in a public statement 22 August 2022, has raised serious [concern](#) regarding the use of PTA against protesters. Human rights defenders are essential for Sri Lanka's future as it seeks to overcome economic, social and political unrest. Solutions for the crisis must involve a rights centered approach that does not punish and harm human rights defenders. Front Line Defenders urges the authorities in Sri Lanka to cease all harassment, violence, and reprisals against human rights defenders in the country.

Front Line Defenders urges the relevant authorities in Sri Lanka to:

1. Immediately and unconditionally release human rights defender Chintaka Rajapakse and drop all charges against him as they are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Immediately and unconditionally release human rights defender and student leader Wasantha Mudalige and others held with him and withdraw detention orders issued under the Prevention of Terrorism Act.
3. Immediately and unconditionally cease all attempts to threaten and harass Chintaka Rajapakse, Wasantha Mudalige and detained activists, as these measures are not only related to their legitimate human rights activities but furthermore, constitute a violation of their rights;
4. Guarantee under all circumstances that human rights defenders including student leaders are not subjected to any form of custodial torture and other ill-treatment;
5. Initiate an immediate, thorough and impartial investigation into the violent attacks against peaceful and unarmed protesters, including human rights defenders, in Sri Lanka with a view to publishing the report;
6. Repeal the Prevention of Terrorism Act in line with Sri Lanka human rights and international commitments;
7. Guarantee in all circumstances that all human rights defenders in Sri Lanka are able to carry out their human rights activities without fear of reprisals and free of all restrictions, in line with Sri Lanka's international human rights obligations and commitments.