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இலங்கை மனித உரிமைகள் ஆணைக்குழு
Human Rights Commission of Sri Lanka

Press Notice

The Human Rights Commission of Sri Lanka (HRCSL, Commission) asserts that the arrest, detention, and continued incarceration of the convener of the Inter University Student Federation (IUSF), Wasantha Mudalige, and the convener of the Inter University Bhikku Federation (IUBF), Ven. Galwewa Siridhamma, from the 18th August 2022 to this date, for a period of 90 days, under the *Prevention of Terrorism Act (PTA) No.48 of 1979 as amended*, is unreasonable and without justification.

A director and deputy director of the HRCSL have visited these detainees on 25th October 2022 in order to ascertain the state of their wellbeing. Ven. Galwewa Siridhamma was found to be in poor health, and on the 25th October 2022, his condition was serious enough to require hospitalization at the National Hospital in Colombo for treatment.

Under *section 9(1) of the Prevention of Terrorism Act (PTA) No.48 of 1979 as amended*, where the Minister has reason to believe or suspect that any person is connected with or concerned in any unlawful activity, the Minister may order that such person be detained for a period not exceeding three months in the first instance, in such place and subject to such conditions as may be determined by the Minister. Any such order may be extended from time to time for a period not exceeding three months at a time, provided that the aggregate period of detention does not exceed twelve months.

The HRCSL deems the investigations conducted in to the ‘unlawful activity’ purported to have been done by these detainees under the *Prevention of Terrorism Act (PTA) No.48 of 1979 as amended* to be unreasonable, unfair, vexatious and wholly without justification, and asserts that the detainees in question can be successfully prosecuted under general law.

The HRCSL reiterates that the offence of terrorism can be dealt with under general law, and reaffirms its commitment to reformulating a definition for ‘terrorism’ facilitate this: “Any person by the use of threat or use of force and violence by unlawfully targeting the civilian population or a segment of the civilian population with the intent to spread fear thereof in furtherance of a political, ideological, or religious cause commits terrorism.”

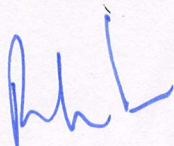
Furthermore, the detainees informed the director and deputy director of the HRCSL who visited them that they have only been interrogated on few occasions during the period of detention regarding their involvement in the recent civilian unrest in the country. The HRCSL is yet to

receive a progress report of the status of the investigation from the Terrorism Investigation Department (TID).

The continued incarceration and harassment of the detainees is a breach of their fundamental rights under *Article 11 of the Constitution of the Democratic Socialist Republic of Sri Lanka*.

Furthermore, the HRCSL is of the opinion that the treatment and harassment of these detainees are made all the more unacceptable by the fact that it is a deterrent to the public at large to exercise their freedom of expression and peaceful assembly enshrined in *Article 14(1)(a) and (b) of the Constitution*.

Therefore, the HRCSL makes the recommendation to not extend the detention order issued against Wasantha Mudalige and Ven. Galwewa Siridhamma, as any further investigations that the police may need to conduct can be carried out successfully and expeditiously without the continued detention of these persons.



Justice Rohini Marasinghe
Judge of the Supreme Court (Retired)
Chairperson
Human Rights Commission of Sri Lanka



Anusuya Shanmuganathan
Commissioner
Human Rights Commission of Sri Lanka

26.10.2022