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இலங்கை மனித உரிமைகள் ஆணைக்குழு
Human Rights Commission of Sri Lanka

Press Release – 30th June 2022

The HRCSL condemns the false media broadcast made by the President of the Committee for Protecting Rights of Prisoners

The Human Rights Commission Sri Lanka has directed a special investigation by an appointed committee of investigators (COI) in regard to the unlawful incidents of severe magnitude that occurred at distinct locations on 9th and 10th of May 2022 in Sri Lanka. The inquiry was conducted by a team of special rapporteurs; Mr. Sanjeewa Weerawickrama, Attorney -at- Law, Miss. Imasha Senadeera, Attorney-at-Law and Dr. Dilshani Bogollagama. The COI has identified incidences with nexus to acts of violence that took place in the Country.

A comprehensive inquiry was initiated with attention to collaboration of necessary evidence with both documentation and electronic evidence including video footages. The investigation was conducted comprehending the severity of the allegations rendered towards the Government and the violence towards Prisoners, in light of both local and international human rights advocacy.

A pertinent question that came up before the COI was to determine whether in fact prisoners were used by interested parties to attack the peaceful protestors at the protest sites at Galle Face and Temple Trees, was astutely examined. It has been determined after the careful evaluation of evidence that was tendered before the COI, that no prisoners had been used in perpetrating any attack on the peaceful protestors.

This allegation that has been leveled is unfounded and far from the evidence that has so far surfaced. It is much to the regret of the Committee, the publicity regarding the alleged perpetration that was generated both in Sri Lanka and Overseas has caused an irreversible disrepute to the good order profile of the Country, as a Nation upholding the Rule of Law.

The COI has recognized the magnitude of the actions committed towards a group of prisoners who was in the custody of the Department of Prisons. This said group of prisoners were subjected to serious assault, mental and physical torture with disregard to any basic respect, by an unidentified group of persons on 9th of May 2022. False Propaganda and misinformation of the alleged use of Prisoners to have attacked the innocent protesters is both a diabolical lie and a deceitful action. The unprecedented ruthless nature of the attack on prisoners and officials resulted in injuries and hospitalization of many inmates. In addition, preceding this incident on 9th May 2022, 8 prisoners remain missing (on 8 June 2022) causing a severe breach in the custodian responsibilities of the Prison Authority.

In October 2021, following Cabinet approval, an agreement was formulated between the Government of the Democratic Socialist Republic of Sri Lanka and Avant Garde Manpower Recruiting (Private) Limited on "Productive Utilization of Prison Inmates as Skilled labor in Sri Lanka". The Selected group of eligible prisoners for this program were detained at the Watareka Open Prison Camp. The COI codified the comprehensive evidence provided by the prison authorities, respective officials, along with the participating prisoners of this program for the detailed investigation. Meticulous attention was paid by the COI to verify the important fact that the prisoners remained in their respective locations of work at all times of the alleged incident. Exact time of arrival and departure of the inmates and the vehicles were allocated further validated through CCTV footage from the sites of question, provided by the independent contractors; Tudawe Brothers and MAGA Construction.

As per the outcome of the investigation carried out by the COI, it was unable to find any facts in support of the insinuated allegations regarding the unauthorized use of prisoners for the attacks on peaceful protestors on the 9th of May. Furthermore, after in-depth evaluation no material evidence was discovered in electronic or printed forms in favor of the allegations.

The COI identified that the news item of consequence arose following a press conference held by the President of the Committee for Protecting Rights of Prisoners (CPRP) on the 10th of May 2022 at Galle Face. The COI summoned the 2 spokesmen, representing The Committee for Protecting Rights of Prisoners (CPRP) that expressed their views to the national media at this press conference in regard to the alleged incident.

Attorney at Law Mr. Seneka Perera, the convener of the conference identified himself as a Human Rights Activist. The COI provided the CPRP president Mr. Seneka Perera with the opportunity to justify his statements that caused an outrage in both Sri Lanka and the World at large. For the purpose of submission of any evidence, in either oral statements or picture documentation in support of his statements, Mr. Perera was extended a justifiable time period. However, he expressly affirmed before the Committee that at the time of the statement or even thereafter he did not have any tangible evidence in favor of his expressed views in regard to the alleged incident. Mr. Sudesh Nadimal Silva was also summoned to give evidence before the COI. The Committee explaining the paramount importance of the maintenance of professional ethics provided Mr. Sudesh Nadimal Silva with the opportunity to provide a justifiable explanation for his expressed allegations. However, he was unable to provide any acceptable evidence in support of his statements.

The COI observed that the press conference which was chaired by M. Seneka Perera has dispensed totally false statements without any substantial evidence.

Following the above-mentioned facts, the COI has identified the grave consequences of the negligent attitude of making unfounded statements. Inciting agitation in the general public against state departments and personnel has inadvertently led to disruptions to the law and order of the Country.


The COI further observed that these inaccurate declarations conveyed by the above speakers directly contributed to the series of violent activities and right violations, reported island wide. The combined result of the atrocities that occurred within a mere 48 hours resulted in the loss of 12 human lives with several hundred injured casualties. In addition, intentional damage and arson to both public and private properties surmount to the loss of billions of rupees.

After a thorough and diligent inquiry, the COI has arrived at the following conclusions. The highly irresponsible misconduct by the Attorney-of-Law Mr. Seneka Perera, with his speculative allegations with no substantiated evidence, resulted in disastrous consequences. Hence, it is of paramount importance that Members of the professional bodies need to be guided by the code of conduct or the professional ethics as set out by the respective professional bodies for the due conduct of the members. These conditions of misconduct from individuals of representation and influence should be held accountable by the respective professional bodies.

In, the light of the gravity of events that transpired, the COI recommends;

- I. The Attorney General of Sri Lanka to further investigate the statements made by Mr. Seneka Perera and take necessary action.
- II. The Chief Justice to take cognizance in regard to the detrimental statements made by Attorney-at-Law Mr. Seneka Perera and take due action.

It is the view of the COI that national media institutions must consciously adhere to responsible reporting and promote journalism with integrity, especially during this volatile period of both political and economic instability. This tantamount to avoidance of direct reporting of incidence without due assessment of this veracity and credibility. The Committee further advocates promotion of investigative journalist practices with the objective of strengthening the democratic fabric of the Country.


Justice (Rtd) Rohini Marasinghe
Chairperson
Human Rights Commission of Sri Lanka.

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