

මගේ අංකය }  
எனது இல. }  
My No. }

ඔබේ අංකය }  
உமது இல. }  
Your No. }



දිනය }  
திகதி }  
Date. }

26.10.2022

**ශ්‍රී ලංකා මානව හිමිකම් කොමිෂන් සභාව**  
**இலங்கை மனித உரிமைகள் ஆணைக்குழு**  
**Human Rights Commission of Sri Lanka**

H E Ranil Wickremasinghe  
The President  
Democratic Socialist Republic of Sri Lanka  
Presidential Secretariat  
Colombo 01

Your Excellency,

**The detention of Wasantha Mudalige and Ven. Galwewa Siridhamma under the Prevention of Terrorism Act (PTA) No.48 of 1979 as amended**

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 18<sup>th</sup> 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 25<sup>th</sup> October 2022 in order to ascertain the state of their wellbeing. Ven. Galwewa Siridhamma was found to be in poor health, and on the 25<sup>th</sup> 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.

ප්‍රධාන කාර්යාලය } 14, ආර්. ඩී. ද මෙල් මාවත, කොළඹ - 04.  
தலைமைக் காரியாலயம் } 14, ஆர்.ஏ.த.மெல் மாவத்தை, கொழும்பு-04.  
Head Office } 14, R.A.De Mel Mawatha, Colombo - 04.  
දුරකථන }  
தொலைபேசி } 94-11- 2505580/81/82  
Telephone }

සභාපති }  
தலிசாளர் } 011-2505451  
Chairperson }  
ලේකම් }  
செயலாளர் } 011-2505521  
Secretary }

ෆැක්ස් }  
தொலைநகல் } 011 2505541/74  
Fax }  
හීට්-லைන් }  
தூரித அழைப்பு } 011-2505575  
Hotline } 1996

විද්‍යුත් තැපෑල }  
மின்னஞ்சல் } sechrcsl@gmail.com  
E-mail }  
වෙබ් }  
இணையம் } www.hrcsl.lk  
Web }




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 Siridhammā, 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