



CENTRE FOR POLICY ALTERNATIVES  
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## Statement on the violence in Weliweriya

**6<sup>th</sup> August 2013, Colombo, Sri Lanka:** The Centre for Policy Alternatives (CPA) notes with the greatest alarm and anxiety the distressing events that transpired at Weliweriya in the Gampaha District of the Western Province last Thursday, 1<sup>st</sup> August 2013. It is not the first instance in post-war Sri Lanka of unarmed citizens exercising their democratic right to protest being tear-gassed, fired upon and killed by the security forces: in the export processing zone at Katunayaka in 2011 and in Chilaw in 2012, respectively, 01 innocent citizen was killed. Likewise, media personnel covering the event were manhandled and their equipment confiscated, damaged or destroyed. The number of fatalities recorded in Weliweriya currently stands at 03, with many more injured.

These incidents of the killing of unarmed citizens – and in the Weliweriya incident, two young students reportedly not directly involved in the protest – are tragic and shameful reminders of the collapse of the rule of law in our country, and most importantly, of the mind-set of the government in respect of the exercise of democratic rights by its citizens. Serious and fundamental questions come to the fore with regard to the rule of law and the maintenance of law and order by the government, in the context of the complete disregard of the constitutional and legal framework governing the circumstances in which the armed forces may legitimately be called out in aid of the civil power. In this extra-legal sphere, is it now a standard operating procedure for the police to abdicate its responsibilities for law and order, on account of incapacity or otherwise, and call in special forces and the army? What are the orders given to the latter in such a situation? Use live ammunition? Shoot and shoot to kill? Indeed, who gives such orders? Who takes responsibility for them? What is the operational chain of command and who answers to Parliament? What are the prospects for an unhindered judicial process?

An internal inquiry has been ordered by the new Commander of the Army, on whose first day of office, this reprehensible event occurred. There is also, apparently, an on-going police investigation. The Human Rights Commission too, has commenced an investigation. Adding insult to injury, government spokespersons are also quoted as alleging foreign involvement in the event, political party sponsorship of the violence, and ascribing responsibility to the media for the events. Not only does it seem that the Sri Lankan state is fast becoming a predator rather than a protector of the people, but also that it holds the credulity and goodwill of its citizens in utter contempt.

Nothing short of a credible, independent and impartial investigation, the findings of which should be made public, can allay the concerns of the citizens of Sri Lanka as to the alarming extent of the collapse of the rule of law and law and order in the country. The failure to conduct such an investigation, and the necessary judicial punishment of the perpetrators, would be a major miscarriage of justice, a fundamental failure of the primary duty of protection that the state owes its people, and an invitation to continued adverse international attention to Sri Lanka's human rights record. The government and its political allies including sections of the clergy would do well to heed these considerations in their response to the Weliweriya incident.

The fullest demonstration of the government's genuine commitment to the rule of law and law and order with regard to this incident should be seen in turn as a measure of its willingness and ability to ensure democratic governance in Sri Lanka. Its failure to do so will only further increase the burgeoning democratic deficit and retard our prospects for reconciliation, unity and prosperity.