



CENTRE FOR POLICY ALTERNATIVES
විකල්ප ප්‍රතිපත්ති කේන්ද්‍රය
மாற்றுக் கொள்கைகளுக்கான நிலையம்

CPA Urges Swift Action in Adherence to the Rule of Law to Address Increase in Violence

29th June 2018, Colombo, Sri Lanka: The Centre for Policy Alternatives (CPA) is alarmed by the recent spate of violence in Sri Lanka, including [the custodial death this weekend](#), [the death of a police constable](#) and the inability of the authorities to contain the violence and bring perpetrators to justice. These incidents are evocative of a time when excessive force and extrajudicial practices was commonplace, with a complete disregard towards the guarantees provided in the Constitution of Sri Lanka and procedural safeguards. In the absence of swift action where the rule of law is upheld, we fear a slide back towards a society engulfed in violence with a thriving culture of impunity.

According to media reports the most recent custodial death occurred when the victim/accused, under police custody, was shot by the police when he allegedly attempted to throw a hand grenade. This incident is a reminder of several such unsolved incidents of custodial deaths in the past, some dating for over a decade, with similar reports of victims either attempting to attack or escape and being shot at in the process. As reported in the [joint civil society submission for Sri Lanka's Universal Periodic Review in 2017](#) and other reports, incidents of extrajudicial killings, while reduced from the previous regime, still continue with much work to be done to bring perpetrators to justice.

The present incident also comes at a time when media reports indicate a spike in the number of attacks by underworld gangs alongside the now much-publicised ethno-religious violence in parts of Sri Lanka. Both these phenomena raise the question of the effectiveness of the law and order authorities in Sri Lanka. It is against this backdrop that we were also alarmed to witness a senior member of the Buddhist clergy asking the former Defence Secretary Gotabhaya Rajapaksa to return to power and initiate military rule along the lines of Hitler. Such a reference is a chilling reminder of Sri Lanka's own dark years when civil liberties were cast aside in the name of national security and public order. As such, the condemnation of this statement by both President Sirisena and Prime Minister Wickremesinghe is welcome, however, inaction in addressing law and order at this juncture will likely see sentiment supportive of authoritarianism resonating among segments in society who prioritise security and order over rights and freedoms.

CPA thus calls on the authorities to demonstrate their commitment towards upholding the rule of law and due process in line with Sri Lanka's Constitutional and international obligations. This includes not only upholding security and public order, but in ensuring due process to suspects and those under custody. We call on the Inspector General of Police to take full responsibility for the death of a person under the custody of the Police. We further request independent institutions such as the National Police Commission and the National Human Rights Commission to investigate the recent custodial death and initiate necessary action. We reiterate yet again our call to the Attorney General's Department to hold perpetrators to account with this incident and the many others that are before them. Inability, unwillingness or inertia to take swift action now will not merely reinforce dangerous statements made by others but also send a message that violence and impunity thrive under the Yahapalanaya government.