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Human Rights and Human Fights

Transcript:

*Sri Lankan authorities shouldn't use 'excessive force' on protesters, UN warns – BBC News
Tear gas and water cannons used to disperse uni students- October 4th*

The police fired tear gas and used water cannons to disperse the protesting university students in Kelaniya on the 4th of October who was protesting against the incumbent government. The protesters demanded the release of protesters arrested under the Prevention of Terrorism Act during the Aragalaya at the Galle Face.

Is it fair for a constitutionally elected government by the people in a democratic country to protest at a time of economic crisis by university students when all Sri Lankans be united to solve the sad situation to the extent of over six million people on the verge of starvation? You be the judge.

The government of the day is taking all measures to overcome the crisis by recuperation and progress in the socio-economical case.

Should the police watch the circus without taking precautionary action to disperse the mob or be onlookers?

Are such protestations relevant to the country and affecting the peace and well-being of most peace-loving people?

That is the question one must ask 'human rights organisations.

Sri Lanka detains student leaders under the anti-terrorism law

They were arrested after joining a protest rally in Colombo

The Sri Lankan police on Monday confirmed the detention of three student activists under a dreaded anti-terrorism law, four days after arresting them at a protest held in the capital Colombo.

Local and international rights advocates have slammed the move, accusing the government of construing dissent as terrorism, even as Sri Lanka's controversial Prevention of Terrorism Act is again under sharp focus.

On August 18, the police arrested nearly 20 protesters at a Colombo march organised by the Inter-University Students Federation. Participants highlighted many issues, including "state repression" and the spiralling cost of living.

While most of those arrested were soon granted bail, Federation convener Wasantha Mudalige, student activists Hashan Jeewantha and Galwewa Siridhamma — who lead the universities' monk federation — were in police custody for over 72 hours amid reports of their detention under the PTA. As lawyers struggled to obtain information on the student's whereabouts, rights activists, members of the political opposition, and international human rights watchdogs were quick to condemn the move.

Mr Mudalige was a prominent voice during the 'Janatha Aragalaya' [people's struggle] that spanned four months and dramatically dislodged former President Gotabaya Rajapaksa in July. The IUSF and other student groups played a crucial role in sustaining the peaceful anti-government agitations demanding "Gota go home" and seeking "system change", often braving water cannons and tear gas unleashed by the police.

Spotlight on PTA again

Sri Lanka's PTA, which rights activists term "draconian" and want to be repealed, was enacted in 1979 under President J.R. Jayawardene, primarily to crush Tamil youth's armed struggle against state discrimination. It became permanent law in 1982. Mainly modelled on South Africa's Apartheid-era legislation and British regulations against Irish militancy, the PTA was also used against rebellious Sinhala youth during the second JVP uprising in the late 1980s and, more recently, against Muslims, following the Easter Sunday terror attacks of 2019.

In a letter to the Inspector General of Police on Monday, the Human Rights Commission of Sri Lanka said it was "deeply concerned about the resurrection of the PTA by the police on suspects who do not fall within the definition of the Act." "It has been brought to the notice of the HRCSL that the recent iteration of the PTA has been grossly manipulated to exert tyranny through undemocratic methods and justify the wrongful arrest of protesters," the Commission noted.

Amnesty International's South Asia Director Yamini Mishra said: "Using a draconian anti-terror law to crackdown on protesters is a new law for the Sri Lankan government. This weaponising of an already highly criticised law should be repealed immediately is a testament to how the authorities are unwilling to withstand criticism and systematically stifle dissenting voices."

The PTA allows for the detention of suspects for up to a year without charge, which is "in violation of international law", she pointed out in a statement issued on Monday, hours after police confirmed that President Ranil Wickremesinghe, who is also the Defence Minister, signed the student leaders' detention order for 90 days, effectively approving their detention without judicial oversight for the period.

"When the next generation is silenced for protesting for basic needs, we threaten democracy. We must protect those that exercise this right instead of persecuting them by weaponising the

PTA,” Leader of Opposition Sajith Premadasa said in a tweet on Saturday. In a meeting with President Wickremesinghe on Monday, he “stressed grave reservations” on the use of the legislation, he said in a tweet.

When individuals break the law and become unruly, the police have no other rule of the law to act upon to arrest such individuals.

PTA may be draconian, so a new act must be passed in parliament for the police to act upon. Until such time PTA will be used by the police to arrest people when required.

BASL slams govt over abuse of PTA to arrest and detain protesters

The Bar Association of Sri Lanka (BASL) says it is deeply concerned about using the Prevention of Terrorism Act (PTA) provisions to arrest and detain persons involved in protests against the Government.

In a media release dated 19th August 2022, the Sri Lanka Police stated that certain suspects are being detained for incidents which occurred during the protests from 9th April 2022. The BASL noted that since then, Detention Orders for 90 days have been issued, signed by the President in his capacity as the Minister of Defence, detaining three protestors under Section 9 of the PTA.

“The PTA is a draconian piece of legislation, which gives wide powers to the Executive to arrest and detain persons for a lengthy period,” the Bar Association said in a statement today.

During the debate above in Parliament, as reflected in the Hansard on the 22nd March 2022, the then Minister of Justice M.U.M. Ali Sabry, presently the Minister of Foreign Affairs, stated in Parliament as follows:

“As a result, since September 2021, there has been a de facto moratorium on the use of the PTA on offences other than those directly involved with terrorism. Therefore, these are progressive steps made in that regard.”

Hello viewers,

The Prevention of Terrorism Act of 1978 is a law in Sri Lanka. It provides the police with broad powers to search, arrest, and detain suspects. There is no other law to arrest people when required by the police. Unfortunately, it is draconian but will keep peace in the country without further vociferous protest rallies that end up with confrontations and breaking the law.

The change may occur at the next general parliamentary elections, but remember, the people have a short memory.

Stay safe, and goodbye for now.