

| March 20, 2023

Statement Finalised

**Stop Intimidating the Judiciary
End Undermining Democracy
Hold Elections**

We note with dismay the attempts being made by the President and some Members of Parliament of the government to intimidate the judiciary on the false pretext that the Supreme Court has violated the privileges of the Members of Parliament. This allegation has been made after the Supreme Court granted leave to proceed with a fundamental rights application filed against the withholding of funds for the purpose of conducting local government elections. The Court has also made an interim order restraining several state functionaries from withholding any funds allocated by the Budget for the year 2023 for the purpose of conducting the local elections.

We vehemently condemn these fresh actions by the government to undermine the democratic process of our country. We also fully endorse the statement issued by the Bar Association of Sri Lanka on this matter. The BASL has warned that any attempt to interfere with the independence of the judiciary is a serious affront to the rule of law, the rights of the people of the country, and democracy.

We further note that these attempts by the ruling party Members of Parliament mark a joint effort by both the executive and sections of the ruling party in the legislature to further undermine the legally mandated local government elections from being held. It is reprehensible that the government, after the repeated failure of several attempts to force the election commission to abandon the plans to hold the election, has now chosen the judiciary as the target of its attacks.

This shows a dangerous pattern of government behaviour in which no independent institutional space – whether the independent commissions or the judiciary – is tolerated in its attempts to stay in power. It wants to prevent at any cost the people's voice from being expressed through an election, which is the most effective and peaceful way available to the people in any democratic society to express their political preferences and choices.

What these new developments show is that Sri Lanka's fragile democracy is under severe attack orchestrated by the President and the ruling party, using both executive and legislative powers they wield. Therefore, all Sri Lankan citizens, political parties and civil society and other mass organizations, as well as the international community, need to be alert to the urgent need to protect democratic space at every level. Sri Lanka has a history of ruling parties attacking the independence of the judiciary during the 1970s and 1980s and later as well, aimed at serving the individual and partisan ambitions of those in power. Those have only led to greater political instability, civil unrest and the deepening of the existing political crises.

Thus, defending the free space for independent judgement, action, and dissent, free from capricious interference and threats from those who hold political power, has once again become an urgent task in the agenda for protecting democracy in Sri Lanka.

We call upon the government and all those responsible for holding the elections to do so without delay or hindrance and thereby uphold and protect democratic governance and Government in Sri Lanka. We also urge the government to cease its attacks on the judiciary, an institution whose integrity and independence is pivotal to democracy in our country. We stress that the confrontational and arrogant approach currently adopted by this administration is wholly counter-productive. It even negates the interests of the people whose rights and well-being the government is duty-bound to serve with diligence and competence in an accountable manner.

Finally, we demand that the President and the government

- Desist from interfering with the judiciary or the election commission curtailing their independence in a manner that impedes the people's democratic liberties and rights.
- End misusing political power to harm the country's democratic institutions and processes for their partisan and personal political interests and ambitions.
- Respect the interim order of the Supreme Court on the local elections.

Signatories :

1. Ameer Faaiz
2. Anberiya Hanifa
3. Aneesa Firthous
4. Anoma Rajakaruna
5. Anushaya Collure
6. Austin Fernando
7. Bhavani Fonseka
8. Binendri Perera
9. Buhari Mohamed
10. C. Chandrasekera
11. C. Ranitha Gnanarajah, AAL
12. Deekshya Illangasinghe
13. Divya Mascranghe
14. Dr. Chulani Kodikara
15. Dr. Devanesan Nesaih
16. Dr. Jayampathy Wickramaratne, President's Counsel
17. Dr. Joe William
18. Dr. Kalana Senaratne, University of Peradeniya
19. Dr. Lionel Bopage, Australian Advocacy for Good Governance in Sri Lanka
20. Dr. Maduranga Kalugampitiya, University of Peradeniya
21. Dr. Mario Gomez
22. Dr. P. Saravanamuttu

23. Dr. Proomika Seelagama, University of Peradeniya
24. Dr. Rajni Gamage, National University of Singapore
25. Dr. Ramesh Ramasamy
26. Dr. Sakuntala Kadirgamar
27. Dr. Sudesh Manthilaeke, University of Peradeniya
28. Dr. Vinya Ariyaratne
29. Dr. Visakesa Chandrasekaram
30. Fr. Jeevantha Peiris
31. Gamini Viyangoda
32. Geoffrey Alagaratnam, President's Counsel
33. Jagath Siriwardena
34. Jeane Samuel
35. Jehan Perera
36. Mahaluxmy Kurushanthan
37. Minoli de Soya
38. Mirak Raheem
39. Neelika Subasinghe
40. Niluka Perera
41. P. Muthulingam
42. Pamoda Jayasundara, University of Peradeniya
43. Pasan Jayasinghe
44. Prabodha Rathnayaka
45. Prashandini Uthayakumar, AAL
46. Priyantha Fonseka, University of Peradeniya
47. Prof. A. M. Navarathna Bandara
48. Prof. Arjuna Parakrama, University of Peradeniya
49. Prof. Deepika Udagama, University of Peradeniya
50. Prof. Emeritus Jayadeva Uyangoda, University of Colombo
51. Prof. Emeritus Kapila Gunasekera, University of Peradeniya
52. Prof. Emeritus. Siri Hettige, University of Colombo
53. Prof. Emeritus. Vijaya Kumar, University of Peradeniya
54. Prof. Farzana Haniffa, University of Colombo
55. Prof. Gameela Samarasinghe, University of Colombo
56. Prof. Godwin Constantine, University of Colombo
57. Prof. Liyanage Amarakeerti, University of Peradeniya
58. Prof. Neil DeVotta
59. Prof. Nirmal Ranjith Devasiri, University of Colombo
60. Prof. Sasanka Perera, South Asian University, New Delhi
61. Prof. Saumya Liyanage, University of Visual and Performing Arts
62. Prof. Sivamohan Sumathy, University of Peradeniya
63. Prof. Tony Anghie, National University of Singapore
64. Prof. Vasuki Nesaih
65. Radhika Coomaraswamy
66. Rajan Hoole
67. Renuka Senanayake

68. Rohana Hettiarchchi
69. Rosanna Flamer- Caldera
70. Roshan De Silva
71. Sanjaya Karunasena
72. Sankhitha Gunaratne
73. Saroj Pathirana
74. Sathya Ramanayake
75. Sharmaine Gunaratne
76. Shreen Saroor
77. Shyamala Gomez
78. Stanislaus Celestine
79. Susantha Rajapaksa, University of Peradeniya
80. T. Jayasingam
81. T. Mathuri, AAL
82. Tissa Jayatilaka
83. V.S.S. Thananchayan
84. Vijula Arulanantham