15th November, 2019

Statement Condemning Threats, Harassment and Reprisals against Human Rights Lawyer and Jaffna University Senior Lecturer, Kumaravadivel Guruparan

We, the undersigned individuals strongly condemn the recent threats, harassment and unfair treatment against human rights defender, Kumaravadivel Guruparan, by the Sri Lankan military and University Authorities. Guruparan, is a prominent human rights lawyer and academic based in Jaffna, in the Northern Province of Sri Lanka. He is the founder of the Adayalam Center for Policy Research, and is a Senior Lecturer and Head of the Department of Law, at the University of Jaffna. He is also a Co-Spokesperson of the Tamil Civil Society Forum (TCSF). On 09 November, 2019, Guruparan was informed by the Jaffna University Council, that he had been barred from private legal practice as per a decision of the University Grants Commission (UGC). We condemn this decision of the UGC, which was instigated by the military, and is aimed at silencing and suppressing Guruparan’s human rights work and legal advocacy.

Over the past decade or more, Guruparan has been a strong voice for human rights and accountability in Sri Lanka. Despite living and working in a highly militarized and hostile context, he has been consistently vocal against the failure of successive Governments to hold those responsible, especially the military, accountable for crimes against civilians.

The restrictions and harassment meted out against Guruparan are direct reprisals against his human rights work. We are deeply concerned at the conduct of the UGC and the University of Jaffna (UoJ), in their treatment of a senior faculty member. Both the UGC and the UoJ are civilian institutions, responsible at least in part, for moulding and guiding generations of university students in this country. In this instance, they have shown a crippling inability to withstand pressure from the military, a trend which threatens dangerous consequences. On 21 August, 2019, the military wrote to the UGC questioning the basis on which Guruparan was permitted to practice law in court. Despite there being clear provisions under the University Establishment code under which a faculty member may be permitted to engage in private practice, and the military having no standing whatsoever to question or interfere in internal university matters, the UGC took the surprising decision on 05 September, that Guruparan should no longer be permitted to practice law. The decision of the UGC was communicated to the University of Jaffna which then in turn on 09 November 2019 has decided to ask Guruparan to act according to the UGC directives.

There has been a pattern of threats, intimidation and harassment against human rights defenders, especially those working in the North and East, in the lead up to the November election. Lawyers and activists working on military accountability have been particularly targeted. The recent threats and restrictions against Guruparan are believed to be linked to his representation of victims in the Navatkuli Habeas Corpus case, which relates to the enforced disappearance of 24 boys from military custody in 1996. Following the hearing of the case on 01 August 2019, Guruparan and other lawyers were photographed by unidentified men within the court premises. On 07 August, three officers from the Terrorism Investigation Department (TID) visited the Adayalam Center office and demanded staff details and information about their work. Other lawyers working on the case have also faced similar harassment and intimidation.

We reiterate that the restrictions and harassment against Guruparan are a reprisal against his human rights work. The restrictions on his legal practice is a clear attempt to subvert
justice by preventing his cases from being litigated successfully in court. We stand in solidarity with Guruparan and other lawyers, journalists, and human rights defenders in the North and East, who face an increasingly tense and restrictive environment.

We also call upon the Judicial Service Commission to take note of the serious implications of such actions by the military, whose members have been named as respondents in the case that Guruparan is representing. Attempts to influence as to who appears on the other side through intimidation and undue influence is a very serious issue affecting the fundamental right to equality before the law and recourse to justice. The Hon. Attorney General who appears for the military must also appropriately advice his clients to desist from such reprehensible behaviour.

In conclusion, we condemn the UGC for aiding the military call on them to rescind the order, and clarify the rights of university legal academics staff to engage in practice.

15-11-2019

KDPJ CUPIKFS

In this letter, the CLJN, along with other human rights organizations, has expressed its concern over the situation faced by lawyers, journalists, and human rights defenders in the North and East. It calls upon the Judicial Service Commission to take note of the serious implications of such actions by the military, whose members have been named as respondents in the case that Guruparan is representing. The Hon. Attorney General who appears for the military must also appropriately advise his clients to desist from such reprehensible behaviour.

In conclusion, we condemn the UGC for aiding the military call on them to rescind the order, and clarify the rights of university legal academics staff to engage in practice.
Signatories;

Individuals

1. A. Ragunathan - Independent Activist
2. Abiramy Sivalogananthan
3. Alexsandra Rajapouliny
4. Ameer Faaiz - Attorney - at - Law
5. Analaxumy Srithas
6. Angel
7. Angelica Chandrasekeran
8. Anithra Varia
9. Annouchka Wijesinghe
10. Anparasan Ajitha
11. Anthony Jesudan
12. Anthony Vinoth
13. Anushani Alagarajah
14. Aravinth Sukumar
15. Ariyakumar Rathika
16. Arunthavarasa Keerthika
17. Asha
18. Ashila Dandeniya
19. B. Gowthaman
20. Baskaralingam Suntharalingam
22. Binendri Perera
23. Bisliya Bhoto
24. C. Ranitha Gnanarajah – Attorney-at-Law
25. Cayathri Divakalala - Researcher and Activist
26. Chandrika De Silva - Freelance Writer
27. Channaka Jayasinghe
28. Chintaka Rajapakse
29. Christopher M. Stubbs PhD. M.B.E. – Founder, MENCAFEP
30. Darshan
31. Deanne Uyangoda
32. Deekshya Illangasinghe
33. Deshamanya Godfrey Yogarajah
34. Dharsha Jegatheeswaran
35. Dharshini N. Vijayaruban
36. Dinushika Dissanayake - Attorney-at-Law
37. Dr. Farzana Haniffa - University of Colombo
38. Dr. Harini Amarasuriya – Senior Lecturer, Open University of Sri Lanka
39. Dr. Kalana Senaratne - Senior Lecturer, University of Peradeniya
40. Dr. Mahendran Thiruvarangan - Lecturer (Probationary), University of Jaffna
41. Dr. Malathi de Alwis - Visiting Faculty, University of Colombo
42. Dr. Muttukrishna Sarvananthan PhD - Senior Lecturer (Grade 1), Department of Economics, University of Jaffna, & Founder & Principal Researcher, Point Pedro Institute of Development, Point Pedro
43. Dr. P. Lakshman - Consultant Cardiologist, Teaching Hospital Jaffna
44. Dr. Paikiasothy Saravanamuttu
45. Dr. Ranil D. Guneratne
46. Dr. Ruvan Weerasinghe – University of Colombo
47. Dr. S. Kumaravel - Regional Director, Health Services (Acting), Kilinochchi
48. Dr. S. Mathurahan
49. Dr. T. Balamurukan
50. Elil Rajendram
51. Emil van der Poorten - In defence of human rights
52. Enthiran Pirarththana
53. Ephraim Shadrach
54. Ermiza Tegal – Attorney-at-Law
55. F. Zackariya - Social Activist and Researcher
56. Farah Mihlar
57. Francis Raajan
58. G. A. Prabath Kumara - Chief Coordinator, Future In Our Hands Development Fund, Badulla
59. Gankeswari
60. Geethika Dharmasinghe
61. Gehan Gunatilleke - Attorney-at-Law
62. Godfrey Malarnesan
63. Gowysiya
64. Gowry
65. Gowshy
66. Gowtham
67. Harshana Rambukwella - Open University of Sri Lanka
68. Hasanah Cegu Isadeen (LLM) - Attorney at Law
69. Herman Kumara
70. Inestan
71. Inshira Faliq
72. Ishan Jalill
73. Ishara Danasekara
74. Isuri Kaviratne
75. Ithayarani Sithravel
76. J. Jegatheesesan
77. J. Lingham
78. Jake Oorloff
79. Jananey Jayaratnarajah
80. Janarthana Sarma
81. Jayaroshman Shanmuganathan
82. Jegatheesesan Thyalini
83. Jehanki Anandha
84. Jensila Majeed
85. Jeyabaliny Gobal
86. Jeyachandran Thurka
87. Joanne Senn
88. Juwairiya Mohideen
89. K.D.M.S. NIlashani
90. K.J. Brito Fernando
91. K.S. Ratnavale – Attorney-at-Law
92. Kalaivanie
93. Kalani Subasinghe
94. Kamalavani
95. Kanagalingam Moganeswary
96. Kanapathippillai Kumanan
97. Kanthimathi
98. Karuppiya Seelan
99. Kastro
100. Kathirkamanathan Hemalatha
101. Kesawarasa Kuyilini
102. Kirisanth Selvanayagam
103. Kirishanth
104. Kiristina
105. Kugathasasarma Sarangasarma
106. Kulanthaivel Sunithrathavi
107. Kulanthaivel Thavanithy
108. Kuperan Sivroobi
110. Lakmali Hemachandra - Attorney-at-Law
111. Leeladevi Anandananadarajah
112. Loretta de Alwis
113. Luwie Ganeshathasan - Attorney-at-Law
114. M.A.F. Ajra (LLB hons) – University of Jaffna
115. M.F.A. Rahman
116. M.H.M. Hisham
117. M.N. Asokan
118. M. Sivakumar
119. Mahaluxmy Kurushanthan
120. Mahendiran Nirmala
121. Mahinathan
122. Mangaleswary Shanker - Attorney-at-Law
123. Mario Arulthas
124. Mario Gomez
125. Marisa de Silva
126. Mary
127. Mathubala
128. Meerabharathy
129. Melani Manel Perera – Journalist
130. Mohan Nagarajah
131. Monisha
132. Munza Mushtaq – Journalist
133. Murugaiya Sivasuthan
134. N. Sumanthi
135. Nagamani Yamuna
136. Nakamuthu Inpanayakam
137. Nalaka Gunawardene – Writer
138. Nallathamby Pirathajini
139. Navaranjini Sureka Nadarajah
140. Nicola Perera - University of Colombo
141. Nigel Nugawela
142. Nilishan Fonseka
143. Nirmanusan Balasundaram – Journalist
144. Nishandeny Ratnam - Attorney-at-Law
145. Nitharshan
146. Nithila Mariampillai
147. P. Nagendhran
148. P. Selvaratnam - Women for Justice and Peace in Sri Lanka
149. P. Vasanthagowry
150. P.M. Mujeebur Rahman (LLB)
151. P.N. Singham
152. Padma Pushpakanthi
153. Pavanna Sena
154. Pavithra Kailasapathy
155. Perinparaja Diksalu
156. Periyannan Srikanthy
157. Piragala
158. Prabu Deepan
159. Prasanna Mandalanayagam
160. Priya Mohan
161. Priyalal Sirisena
162. Prof. Ajit Abeysekera
163. Prof. Arjuna Parakrama - University of Peradeniya
164. Prof. Ashwini Vasanthakumar
165. Prof. Prabhath Jayasinghe - University of Colombo
166. Prof. Priyan Dias - University of Moratuwa
167. Puvenesvary
168. Qadri Ismail
169. Rajany Chandrasegaram
170. Rajaretnam Sureniya
171. Ratnasarma
172. Rev. Fr. Aloysius Pieris, S.J.
173. Rev. Fr. Jeevantha Peiris
174. Rev. Fr. Jeyabalan Croos
175. Rev. Fr. M. V. E. Ravichandran
176. Rev. Fr. Nandana Manatunga
177. Rev. Fr. Rohan Dominic
178. Rev. Fr. S.D.P. Selvan
179. Rev. Fr. Sarath Iddamalgoda
180. Rev. Fr. Terence Fernando
181. Rev. Fr. V. Yogeswaran
182. Rev. Fr. Vincent CMF
183. Rev. M. Jude Sutharshan
185. Rev. Sr. Nichola Emmanuel
186. Rev. Sr. Noel Christine Fernando
187. Rev. Sr. Rasika Pieris HF
188. Riza Yehiya
189. Rohini
190. Rohini Hensman (Writer, Researcher and Activist)
191. Roshani
192. Ruki Fernando
193. S. Prasila
194. S. Pratheepan
195. S. Thanujan - Joint Secretary, Mass Movement for Social Justice, Jaffna
196. S.G. Nishanthini – Women’s Rights Activist
197. Sabra Zahid
198. Sadathavi Nagalingam
199. Sahayam Thilipan – Coordinator, Forum for Affected Families, Mannar
200. Sakthvel Jeya
201. Sakuntala Kadirgamar
203. Sandun Thudugala
204. Sanjana Hattotuwa - Founding Editor of Groundviews
205. Sanjayan Rajasingham
206. Sankhitha Gunaratne
207. Sarah Arumugam
208. Saseestkanth Pathmarajah
209. Sathiyaseelan Nithika
210. Sellathurai Sivathasan
211. Selvanathan Thakeeran
212. Selvaraj Rajasegar
213. Selvaranie
214. Selvarasa Thileepan
215. Shaanu
216. Shalomi Daniel
217. Sham
218. Shamala Kumar - University of Peradeniya
219. Shamara Wettimuny - University of Oxford
220. Shambath
221. Shamila Rathnasooriya
222. Shan Nalliah
223. Shanil Wijesinha - Attorney-at-Law
224. Sheila Richards
225. Shivantha Rathnayake
226. Shreen Saroor
227. Sinaththambi Seetha
228. Sinnathurai Ketheeswary
229. Sinthuka Vivekananthan
230. Sivam Prabaharan - Coordinator, Up-Country Social Research Centre
231. Sivarasa Mariyarosalin
232. Sritharan Esvary
233. Sritharan Kopika
234. Subha Wijesiriwardena - Women and Media Collective (WMC)
235. Sugi Thiru
236. Sunanda Deshapriya - Sri Lanka Brief
237. Sutha
238. Swasthika Arulingam - Attorney-at-Law
239. Tanuja Thurairajah
240. Tasha Manoranjan
241. Thambirasa Selvarani
242. Thamotharampillai Suganthini
243. Thanuja Mathavarasa
244. Tharmika Sivarajah – Attorney-at-Law
245. Tharshan Selvam
246. Thasan
247. Thava Sagaym Ranjana
248. Thayaparan Kanistan
249. Theepshi
250. Thenmoli
251. Thiagi Piyadasa – Attorney-at-Law
252. Thiyagaraja Waradas – University of Colombo
253. Thurka Krishnasamy
254. Thyagi Ruwanpathirana
255. Ushananthini
256. V. Inthrani
257. Vanie Simon
258. Vanitha Mahendran
259. Vasuky Rajendra
260. Vinayagamoorthi Thivviya
261. Vipitha Sagari
262. Vipulan Shanmini
263. Viraj Kalinga – Social Activist
264. Vraie Cally Balthazaar
265. Yajna Sanguhan
266. Yalini Dream
267. Yamini Ravindran

Organisations

268. Adayaalam Centre for Policy Research
269. Affected Womens’ Forum (AWF)
270. Alliance Development Trust (ADT)
271. Centre for Community Development Movement
272. Centre for Human Rights and Development (CHRD)
273. Centre for Justice and Change (CJC)
274. Centre for Policy Alternatives (CPA)
275. Families of the Disappeared (FoD)
276. Human Rights Office (HRO), Kandy
277. International Centre for Ethnic Studies (ICES)
278. Jaffna Sangam - LGBTQ Community
279. Mannar Women's Development Federation (MWDF)
280. Movement for Land and Agricultural Reform (MONLAR)
281. National Fisheries Solidarity Organization (NAFSO)
282. Praja Abhilasha Network
283. Right to Life (R2L) Human Rights Centre
284. Sri Lanka Campaign (SLC)
285. Vallamai – Movement for Social Change
286. Women’s Action Network (WAN)