

Sri Lankan parliament passes draconian “rehabilitation” law

Saman Gunadasa
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On Wednesday, the Sri Lankan parliament passed the Bureau of Rehabilitation Bill, which gives the army, navy and air force authority to run so-called rehabilitation centres. The legislation will give the increasingly hated regime of President Ranil Wickremesinghe the ability to incarcerate workers, youth and other political opponents in military-operated detention camps.

The bill, which was approved by the national cabinet and presented to parliament by Minister of Justice, Prison Affairs and Constitutional Reforms Wijeyadasa Rajapakse, was passed with 23 votes in favour and 6 votes against. Only 29 MPs were present in the 225-seat parliament for the vote.

Parliamentarians from the ruling Sri Lanka Podujana Peramuna (SLPP) voted for the bill with MPs from the opposition Samagi Jana Balawegaya (SJB) and the Janatha Vimukthi Peramuna (JVP)-led National People's Power (NPP) opposing it.

Despite the rhetorical criticisms by SJB MPs during the debate, less than five of the party's 54 parliamentarians were in parliament during the vote.

The original version of the bill was presented to parliament on September 23 but challenged by petitions filed by civil society activists and opposition MPs in the Supreme Court. The court ruled the bill to be “unconstitutional in its entirety,” an unprecedented finding in the judicial body's recent history.

The judges decreed that most of the contravening clauses required endorsement by a two-thirds majority of the parliament and that clauses had to be approved by a national referendum. The court's main concern was with provisions allowing the government to send “ex-combatants,” “violent and extremist groups,” and “any other groups of persons” to the military-run rehabilitation centres. The court suggested that the bill be amended to remove these clauses so it could be passed without a two-thirds parliamentary majority and a referendum.

From the outset, the government's new law has nothing to do with “rehabilitating” drug addicts but was to incarcerate workers, youth and political opponents indefinitely, and without any judicial determination, in military-run centres.

Presenting its new version of the bill to parliament, the government claimed it had amended the bill in line with the court's suggestions and had limited it to “drug dependent persons” and “other persons as provided for by the law.”

As pointed out in the parliamentary debate this week, insertion of the phrase “other persons identified by law” introduces a vague and unidentified category. No clear answer was given in the parliament to a question about whether “identified by law” meant a “judicial determination” or not. This leaves wide open the possibility of subsequent amendments to broaden the scope and application of this repressive law.

Government MPs and cabinet ministers regularly refer to the April–July 2022 mass uprising against former President Rajapakse, making clear that their intention is to use the law for the “rehabilitation” of political activists.

Amnesty International voiced its opposition to the legislation on Thursday, describing it as a “significant blow to human rights.” It noted that the bill enables “involuntary ‘rehabilitation’ through use of force” and “will put at risk the life and health of people who use drugs.”

In fact, the military-run centres will not be drug rehabilitation centres but legalised torture chambers used for political purposes. Even with the amendments suggested by the Supreme Court, anyone sent to these facilities will be subjected to forced labour and the use of “minimum force” and “authorised” narcotics to regulate their behaviour.

As Amnesty International and international health experts have pointed out, the rehabilitation of drug

dependent people requires individualised programs designed by professional psychologists, psychiatrists and other health experts, and community-based voluntary treatments, not soldiers and a military with a long history of gross human rights abuses.

The plight of inmates in existing government-run rehabilitation centres makes clear that these institutions are forced labour camps. Several uprisings and riots have erupted in these centres in the recent past.

Last June, a 36-year-old inmate of the Kandakadu rehabilitation centre was beaten to death by soldiers, following angry protests over unsafe coronavirus conditions. Hundreds of inmates escaped from the rehabilitation centre during the protest. One of the escapees later told the press, “We were sent here to be reformed. But they are not treating us. They are killing us.”

While some soldiers were arrested over their violent attacks on inmates, under the new legislation military officers are given blanket immunity from prosecution for “anything done in good faith in the exercise, performance or discharge of any power, duty or function imposed or conferred on the Bureau.”

Wickremesinghe is rapidly bolstering the state apparatus, acutely aware of the rising working-class opposition to its International Monetary Fund (IMF)-dictated austerity.

Having come to power after Rajapakse was ousted, Wickremesinghe mobilised the police and military to crack down on anti-government protesters, arresting and detaining hundreds. He also used the draconian Prevention of Terrorism Act (PTA) to arrest student leaders including Inter-University Student Federation convener Wasantha Mudalige who has now been in detention for over five months.

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Wickremesinghe has kept the military on alert throughout the country and uses the Essential Services Act to ban industrial action and protests by electricity, health and petroleum workers.

The working class, however, has challenged these repressive measures, with strikes and protests. These includes a one-day strike by Telecom and insurance workers against privatisation and a national postal workers’ strike against cuts in overtime payments in December. In early January health workers walked out on strike to demand wage rises and cuts in high interest rates on personal loans. This year there have been

demonstrations virtually every day throughout the country, including in rural areas, and protests by thousands of students against the government’s repressive measures.

During Wednesday’s parliamentary debate, opposition MPs criticised the government’s “undue hurry” about the new legislation and voiced concerns about it being used against social activists, but did not oppose the central thrust of the legislation.

SJB MP Sarath Fonseka, a former Sri Lankan Army commander, said: “We have no questions [about the bill], if there’s no political suppression from this bill.” In other words, if the government gives a meaningless “assurance” to that effect, the SJB is ready to support it.

Opposition parties, such as the SJB and JVP, when in power, have a record of backing state repression against the working class and the rural masses.

The Socialist Equality Party (SEP) opposes the new “rehabilitation” bill and calls for its abolition, along with the Public Security Ordinance, Essential Public Services Act, the PTA and the autocratic executive presidency.

The fight against these repressive measures and for the defence of all democratic rights is bound up with the struggle for socialism, which must be led by the working class, rallying of the rural poor. We call for the building of action committees of workers and rural poor in every workplace, factory, and plantation, in neighborhoods and rural areas, independent of all capitalist parties and their trade unions.

The SEP is fighting to convene a Democratic and Socialist Congress of Workers and Rural Masses, made up of delegates from action committees of workers and rural toilers to spearhead the struggle to build a government of workers and peasants, committed to socialist policies. We urge workers, youths and rural poor to join us in this struggle.



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