

Successive governments have used Sri Lanka's Essential Public Services Act multiple times to ban strikes

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22 February 2024

Former President Gotabhaya Rajapakse and the current incumbent, Ranil Wickremesinghe, have imposed the Essential Public Services Act (EPSA), the country's repressive anti-strike law, 32 times in the past 26 months.

The figures were reported in last weekend's edition of the Colombo-based *Sunday Times* which published a month-by-month breakdown of EPSA proclamations.

While this escalating attack on the working class has taken place not one trade union, opposition parliamentary party or fake left group, including Frontline Socialist Party, has demanded the withdrawal of this repressive law.

The *Sunday Times* reported that the Rajapakse administration imposed the anti-strike law four times—between February 11 and July 8 in 2022—before it was ousted in a nationwide mass movement involving protests, demonstrations and strikes.

Incoming President Wickremesinghe and his government proclaimed the EPSA seven times between July and December 2022, 17 times during 2023, and four times so far this year. Workers in key sectors, such as health, electricity, petroleum, port, transport and postal service have been targeted.

Under the EPSA, strikes and any other industrial action affecting essential services can be banned and workers that do not comply can be convicted “after a summary trial before a Magistrate.” Anyone found guilty is “liable to rigorous imprisonment” of two to five years or a fine of between 2,000 and 5,000 rupees (\$US11–\$US25) or both.

The “movable and immovable property” of anyone convicted can be seized by the state and his or her name “removed from any register maintained for the relevant profession or vocation.” Individuals found guilty of inciting, inducing or encouraging any one not to attend work through a “physical act or by any speech or writing” are similarly punishable.

Rajapakse used these laws at the beginning of 2022 to try and suppress mass industrial action involving hundreds of

thousands of workers against his hated government.

On February 7, 2022, over 60,000 health workers began mass strike action to demand a wage rise and better working conditions. They walked out again on March 2 over these issues. On March 14, tens of thousands development officers and employed graduates held a one-day national strike over similar demands.

These struggles were a harbinger of the multi-million strong movement against Rajapakse and his government during April–July as the country was engulfed by an unprecedented economic crisis. Mass protests erupted across the country over shortages of fuel and cooking gas, the rising cost of essentials, and lengthy daily power cuts.

While Rajapakse imposed the EPSA and “Emergency Regulations,” these repressive measures were ignored as masses of people began occupying Galle Face Green in central Colombo demanding Rajapakse and his government “go home.”

The ongoing protests and general strikes involving millions of workers on April 28 and May 6 led to the collapse of the government and saw Rajapakse flee the country and resign.

Trade unions controlled by the opposition parties, including the Janatha Vimukthi Peramuna (JVP), supported by the Frontline Socialist Party, however, derailed and then betrayed this mass movement by subordinating it to the parliamentary opposition parties. This paved the way for long-time US stooge Ranil Wickremesinghe to be appointed executive president by the discredited parliament.

President Wickremesinghe intensified the harsh austerity measures first imposed during Rajapakse's tenure in order to qualify for an International Monetary Fund (IMF) bailout loan.

Wickremesinghe then listed state-owned enterprises to be immediately privatised, increased the VAT (value added tax) and other taxes while allowing the continuous depreciation of the rupee. Following the presentation of

Wickremesinghe's 2023 austerity budget, the IMF announced a \$US3 billion bailout loan in March 2023.

Later that month, on March 28, Wickremesinghe used EPSA to stop an anti-privatisation strike by Petroleum Cooperation workers. His administration ruthlessly deployed hundreds of military personnel to break up a demonstration and suspend 20 activists, including trade union leaders. These workers remained suspended until early 2024.

Early this year the government again activated EPSA and cancelled the leave of all Ceylon Electricity Board (CEB) workers in response to their three-day industrial campaign, starting on January 3, against the privatisation of the strategic corporation. Sixty-six CEB employees have been suspended for allegedly violating leave regulations.

In January and February, the Wickremesinghe government also declared the health sector an essential service in response to workers striking for a higher special allowance.

While workers have taken action in defiance of these laws, the trade unions have not demanded or campaigned for the repeal of these repressive laws in the past two years, or for that matter at any time in the decades since they were first introduced.

In 1977, the government of President J.R. Jayawardene began imposing open-market policies, starting with privatisations and the elimination of social subsidies. Public sector workers responded to these brutal social attacks with a general strike in July 1980. The Jayawardene government reacted by imposing Emergency Regulations and EPSA.

While trade unions declared the essential services regulations to be invalid, they politically disarmed their members and isolated the general strike. This betrayal opened the way for the government to sack about 100,000 striking public sector workers.

Today, the unions are completely silent about these repressive laws and oppose any genuine fight against Wickremesinghe's IMF austerity measures because they know that mobilising workers against these attacks will quickly develop into a political confrontation with the government.

Tied to the defence of Sri Lankan capitalism and its state apparatus, the trade unions have no fundamental differences with the IMF's demands and function as an industrial police force to prevent a unified movement of the working class against the ruling elite.

Trade unions controlled by the JVP and the Samagi Jana Balawegaya (SJB) are totally committed to the austerity measures and have not called for the withdrawal of Sri Lanka's anti-strike laws. SJB leaders were part of previous United National Party governments and supported the use of these laws to break workers struggles. As the historical record shows, the JVP—in government or in opposition—has

backed the use of these draconian measures, and will readily do so again if it comes to power.

Along with the unprecedented increases in the use of EPSA during the past 26 months, Colombo is stepping up its use of the military to break strikes.

Last week about 1,000 army soldiers were deployed as strike-breakers after tens of thousands of health employees took national industrial action. The government is also increasing its use of police and military personnel to crackdown on protesting workers and students.

This week the media reported that the police have ordered 1,500 helmets, 750 gas masks and 1,000 rubber batons to bolster their anti-riot squads, with plans afoot to establish another 60 units.

The refusal of the trade union bureaucracy to fight the Wickremesinghe government's expanding use of EPSA and the mobilisation of the military and police shows once again that in order to defend their jobs, wages and democratic rights, the working class have to take matters into their own hands. This means building action committees in every workplace, the estates and all major economic centres, as well as in the rural areas.

The fight against state repression involves a struggle against capitalism. This requires the development of a political movement of the working class, independent of every faction of the ruling class, which rallies the rural toilers and the youth on socialist and internationalist policies. This is the perspective advanced by Socialist Equality Party.



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