

Sri Lanka: 12 death sentences imposed for killing an MP amid 2022 uprising

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On February 11, a Sri Lankan High Court sentenced 12 people to death over the killing of government parliamentarian Amaraakeerthi Athukorala and his police security guard, during the 2022 mass uprising that culminated in the ousting of President Gotabaya Rajapakse. Four others were given suspended six-month prison terms, while 23 were acquitted.

The killings occurred amid a nationwide eruption of popular anger over the violent attack on unarmed protesters occupying Colombo's Galle Face Green on May 9, 2022 by ruling-party thugs armed with clubs, knives and other weapons. The government's mob had assembled at the official residence of the prime minister—Mahinda Rajapakse, the president's brother—who whipped up hundreds of his Sri Lanka Podujana Peramuna (SLPP) supporters. The thugs bashed nearby protesters, then proceeded to violently assault those gathered on Galle Face Green.

The Rajapakse government had already deployed police armed with tear gas and water cannon to Galle Face Green. But the police looked the other way and did nothing to stop the violent attacks. More than a hundred protesters had to be hospitalised. Using the violent attack organised by his own government as the pretext, Gotabaya Rajapakse declared an indefinite curfew and deployed security forces in the streets.

Outraged by the government-organised violence, tens of thousands poured onto the streets across the island defying the curfew and military deployment. Significantly, sections of workers, including at the National Hospital in Colombo and postal department, spontaneously stopped work in protest. Thousands took to the streets on the night of May 9 and some attacked the residences of government ministers and MPs.

The incident in which Athukorala died took place in this context. He was stopped in Nittambuwa, about 40 kilometres from Colombo, by a group of protesters. The confrontation escalated after either he or his police security guard opened fire on the crowd, killing one person and gravely injuring another. Pursued by angry protesters, the two men fled to a nearby building where both died. The initial police

statements indicated that Athukorala had shot himself, but a postmortem concluded that he had been beaten to death.

As these events were unfolding, the Socialist Equality Party (SEP) condemned the attacks by armed thugs on the Galle Face protesters and exposed the government's involvement in organising the mob. It issued a call to the working class to take action to defend those engaged in the protests. At the same time, the SEP warned: "Without a progressive political perspective, outbursts of anger, such as those that led to the destruction of property on Monday night, only strengthen the hands of the government and reaction."

Now, on the basis of threadbare evidence and flawed legal reasoning, the court has sentenced 12 people to death for the killing of Athukorala. This amounts to an act of class vengeance, designed to intimidate rising opposition to the austerity program of the present Janatha Vimukthi Peramuna/National People's Power (JVP/NPP) government.

Meanwhile, none of those who instigated and carried out the violent attack on Galle Face Green protesters—above all, the Rajapakse brothers—has been prosecuted or punished for what they did on May 9.

Although the full judgment has not yet been released, it has reportedly acknowledged that there were no eyewitnesses to what happened to Athukorala and his guard. The ruling relies entirely on dubious circumstantial evidence. In what is a first for the Sri Lankan legal system, the suspects were "identified" through forensic facial analysis. But that only begs the question: identified where and doing what? Is there a video inside the building where Athukorala fled showing what actually occurred? If so, was it shown in court?

The lack of such evidence is indicated by the fact that the court found that "guilt" could be established if it could be shown that the accused had made "some contribution" to the crime. On the basis of this vaguely defined legal invention, 12 people have been sentenced to death.

Significantly, the ruling by a three-judge bench, without a jury, was split 2:1. The senior judge and bench president Sahan Mapa Bandara opposed the conviction, stating that the prosecution had failed to prove the case beyond reasonable doubt. He said that all the defendants must be acquitted of all charges and released.

The High Courts can function as tribunals that mete out political decisions on behalf of the ruling class under the Judicature (Amendment) Act of 1979, introduced by the government of President J.R. Jayawardene. Under this legislation, three-judge High Court Trial-at-Bar panels can be instituted without a jury to try “special cases” identified by the Attorney General.

Not surprisingly, the establishment parties and media immediately hailed the court verdict as a “lesson” for those who participated in the 2022 mass struggles, known as Aragalaya. An opposition Samagi Jana Balawegaya (SJB) MP, S.M. Marikkar, declared that “we welcome the verdict given by the courts.”

SLPP MP Namal Rajapakse expressed satisfaction that the court had acted “independently” in delivering justice, and denounced those on social media outraged at the court decision for attempting to justify what he described as a “terrorist act.” He also demanded an investigation into the Aragalaya protests, which the SLPP claims were simply a conspiracy to oust President Rajapakse.

The JVP/NPP government, which falsely claims to represent the aspirations of the 2022 uprising, effectively endorsed the ruling. Prime Minister Harini Amarasuriya said: “It is in fact a judicial verdict. Judicial verdicts are those taken by courts. They are not political decisions.”

In opposition to the political establishment, the SEP categorically opposes these convictions and the death penalty itself. Capital punishment is a barbaric instrument historically used to intimidate and suppress the oppressed. We urge workers to demand the dropping of all charges over the killing of the SLPP MP and the release of all the accused. The real criminals on May 9, 2022—those who organised the violent attack on unarmed protesters—are the ones who must be prosecuted.

The events of May 9 were a crucial turning point in the anti-government uprising against the collapse of living standards after the country defaulted on foreign loans. Millions of workers joined one-day general strikes on April 28 and May 6. In a desperate attempt to suppress the uprising, President Rajapakse imposed emergency rule for a second time. In response, the trade unions effectively called off an indefinite third general strike scheduled for May 11. That only encouraged the government to act—the thug assault on Galle Face Green was the result. But after people poured onto the streets on May 9, ignoring the curfew, Mahinda

Rajapakse resigned as prime minister as the protests spread.

That was the beginning of the end for the government. Two months later, President Gotabaya Rajapakse fled the country and resigned. Confronting a deep political crisis, all the establishment parties, as well as fake-left organisations such as the Frontline Socialist Party and the trade unions, came together to promote the lie that a new capitalist government would resolve the economic and social crisis for the masses. The result of their unconstitutional parliamentary intrigues was the installation of Ranil Wickremesinghe, the sole MP of the big business United National Party, as president. He negotiated a bailout loan with the International Monetary Fund (IMF) under onerous austerity conditions that the JVP/NPP government continues to impose.

Only the SEP presented a revolutionary alternative for the mass upsurge, calling for the building of independent action committees of workers at every workplace and among the rural masses in their respective areas. Its program was based on the independent mobilisation of the working class, in alliance with the rural poor and oppressed, to oust the SLPP-led government and fight for a workers’ and peasants’ government to implement socialist policies.

The imposition of death sentences on 12 protesters is a warning that the ruling class will stop at nothing to suppress the growing opposition among workers and the rural poor to the JVP/NPP government’s deepening assault on living conditions. This government is already resorting to essential services edicts to ban strikes under the threat of heavy penalties. The decisive lesson is that the defence of basic democratic rights is bound up with the fight for a socialist perspective, which requires a complete political break by the working class from all capitalist parties and their pseudo-left appendages.



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