



People for Human Rights and Equality Inc. (PHRE)

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PHRE condemns the violation of a court order by Gnanasara Thera and urges the IGP and AG to investigate

The People for Human Rights and Equality (PHRE) is dismayed to learn of the actions led by Galagoda Aththe Gnanasara Thera that lead to the final rites of Ven. Kolamba Medhalankarakkhitha Thera being performed adjacent to the tank of the Nayaaru Temple at Chemmalai Mullaitivu. Gnanasara Thera and other monks had carried out the final rites despite a court order by the Mullaitivu Magistrate's Court prohibiting the cremation of Ven. Kolamba Medhalankarakkhitha Thera's body within the temple grounds. Moreover, local police officers who were present at the site refused to enforce the court order and instead enabled the cremation to take place. The cremation of a body within temple grounds is deemed sacrilegious according to Hindu customs and the incident has sparked widespread anger and protest.

The above incident is not the first time that Galagoda Aththe Gnanasara Thera has engaged in conduct that amounts to contempt of court. In 2018, he was convicted of contempt of court charges and sentenced to serve a six-year prison term by the Court of Appeal. The contempt of court charges related to his actions that included the threatening of Hon. Magistrate of Homagama and a senior officer of the Attorney General's Department. Gnanasara Thera received a presidential pardon in February this year and was released from custody. Members of the legal profession and the general public decried the presidential pardon, arguing that such a move undermines the rule of law in Sri Lanka. The recent actions of Gnanasara Thera in Mullaitivu in blatant violation of court order serves to only reinforce his gross unsuitability to receive a pardon.

PHRE also notes with dismay the silence on this issue by the President, Prime Minister and

members of Parliament with the exception of a few parliamentarians representing the North and East. We note this silence once again speaks to the lack of leadership for peace and reconciliation by those elected to power.

PHRE condemns the acts of the local police and persons led by Gnanasara Thera who acted contrary to a court order, and the sentiments of the patrons of the Nayaaru temple. Such acts by officers entrusted to protect the public and enforce the law, represent a serious dereliction of their duty.

PHRE urges the Government, the Inspector General of Police and the National Police Commission to initiate an inquiry into the local police who acted in violation of the Hon. Mullaitivu's Magistrate's Court order and ensure that full extent of the law is applied to against all officers who acted in violation of the law. Further PHRE urges the Attorney-General's Department to immediately investigate the conduct of persons who participated in the cremation including the conduct of Galagoda Aththe Gnanasara Thera.

PHRE believes that the above incident represents a shocking breakdown the rule of law. It is necessary that credible and swift action is taken to demonstrate that no person is above the law, including members of the clergy.

Further PHRE notes that the above incident has not occurred in isolation. The Neeraviyady Pillayar Temple has been at the centre of a long-standing land dispute with Mullaitivu Gurukanda Vihara.

Following the Easter Sunday attacks in April 2019, tensions have escalated among religious groups, especially in the North and East. PHRE urges the government to take meaningful action to de-escalate such tensions and adopt steps to improve communal relations.

Links:

1. <https://www.tamilguardian.com/content/extremist-buddhist-monk-leads-funeral-rites-hindu-temple-grounds-despite-court-injunction>
2. <https://www.tamilguardian.com/content/lawyers-continue-strike-across-north-east-after-assaults-buddhist-monks>
3. <https://www.tamilguardian.com/content/thousands-tamils-protest-condemning-cremation-buddhist-monk-hindu-temple>
4. <https://www.colombotelegraph.com/index.php/neeraviyadi-incident-reclaiming-our-plural-history/>
5. <https://www.colombotelegraph.com/index.php/on-the-incident-took-place-at-neeraviyadi-pillayar->

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