

Sri Lanka SEP files fundamental rights case against Colombo Municipal Council

By our correspondent
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Socialist Equality Party (SEP) general secretary Wijee Dias and assistant secretary Deepal Jayasekera have filed a fundamental rights petition in Sri Lanka's Supreme Court against the Colombo Municipal Council (CMC), its mayor and others.

The petition, lodged last Wednesday, accuses the CMC of discrimination for cancelling the SEP's reservation of the New Town Hall for its May Day celebration on May 1. The petition says the cancellation violated the constitutional rights of the petitioners. It calls for a declaration to that effect, along with reasonable compensation.

Respondents named in the petition are the Colombo Municipal Council, Mayor Rosy Senanayake, the Acting Municipal Commissioner, the Municipal Treasurer and the Sri Lankan attorney general. The CMC is controlled by the United National Party of Prime Minister Ranil Wickremesinghe.

The document states: "The petitioners institute this action against the respondents in view of the infringements of the fundamental rights of the petitioners and in the interests of the larger public, including the members of the petitioners' political party."

The SEP had made the necessary payments to the CMC to reserve the New Town Hall for its May 1 public meeting, and obtained police permission for the event, as legally required.

On April 23, the SEP received an undated letter from the acting municipal commissioner stating that the SEP's hall booking had been cancelled. It said, "As the government decided to cancel May Day meetings on May 1, heeding to a request by Chief Buddhist sangha (clergy)," the municipal council also decided not to allow meetings in its "grounds."

In early April, the government of Prime Minister

Wickremesinghe and President Maithripala Sirisena cancelled the May Day public holiday in response to a "request" by the Buddhist chiefs not to permit working-class activities on that day because it fell during Vesak Week, a traditional Buddhist holy festival.

The Buddhist establishment exploits a reactionary clause first inserted into the country's constitution in 1972, which gives privileged legal rights to the Buddhist religion and commits the state to protect it. The clause effectively ended the Sri Lankan state's secular status.

Vesak is held annually in May. Two working days, one including the full moon day, are designated as public holidays.

Responding to the clergy's calls, the government arbitrarily shifted this year's May Day holiday to May 7.

The SEP issued a statement on April 19 opposing the cancellation of the May 1 holiday. It said: "The government's decision to undermine May Day is in line with its promotion of reactionary Sinhala-Buddhist chauvinism. It is bound up with the enormous political crisis of the government. Amid a growing wave of strikes and protests, the government fears that May Day could become a focal point for the hostility of workers, the oppressed and rural poor, and a threat to bourgeois rule."

Following the Colombo council's termination of the SEP's hall booking, the party issued another statement, demanding that the government and other authorities rescind the effective ban on May 1 rallies. The SEP warned the working class that the government's sabotage of May Day was "an indication of the wholesale attack which is being prepared by the government to tear up the democratic and social rights

of the working people and youth.”

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The statement further declared: “The government’s imposition of the Buddhist hierarchy’s so-called request to block workers’ rights to hold May Day celebrations is completely illegal and unconstitutional. The constitution says, at least in name, that all citizens and their organisations are equal before the law, while guaranteeing them freedom of expression and assembly. The government’s actions clearly discriminate against all non-Buddhists and atheists and violate their fundamental rights.”

In lead up to May 1, the SEP and the International Youth and Students for Social Equality (IYSSE), vigorously campaigned across Sri Lanka against the May Day ban. This included a successful picket by SEP and IYSSE members and supporters outside the Colombo Fort Railway Station on April 27. The SEP held its May Day meeting outside the New Town Hall on May 1 in defiance of the government’s directive. More than 100 people—workers, youth, professionals and housewives, as well as party members and supporters—attended the event.

The SEP has noted that the Sri Lanka Nidahas Sevaka Sangamaya (SLNSS) was permitted to hold its May Day meeting at the Colombo Public Library Auditorium on May 1. The SLNSS is one of several unions affiliated with President Sirisena’s Sri Lanka Freedom Party.

This decision made clear that the council’s cancellation of the SEP’s hall reservation was a political decision by Sri Lanka’s ruling establishment.

The Sirisena-Wickremesinghe government faces growing popular opposition, strike action and protests over its social austerity measures. It is fully aware of the political threat posed by the international socialist program for which the SEP fights. This is the real reason behind the ban on the SEP/IYSSE May Day meeting.

The SEP intends to use the fundamental rights case to further expose the anti-democratic actions of the government against its political opponents and working people as a whole.

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