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பாராளுமன்றம்
PARLIAMENT

13 September 2026

Hon. Refilwe Mtshweni-Tsipane
President
Commonwealth Parliamentary Association

Mr. Stephen Twigg
Secretary General
Commonwealth Parliamentary Association

Dear President and Secretary General,

Request for intervention concerning parliamentary privilege, freedom of speech and institutional impartiality in the Parliament of Sri Lanka

I write in my capacity as a Member of Parliament of Sri Lanka to bring to the attention of the Commonwealth Parliamentary Association a serious parliamentary matter concerning the protection of Members' privileges, freedom of speech, parliamentary accountability and the impartial administration of parliamentary procedures.

I am a **long-serving Member of Parliament with nearly twenty years of parliamentary service** and have served in successive Parliaments since 2004. I have also previously served as **Chief Minister of the North Western Province, a Cabinet Minister and a State Minister**. I currently serve as a Member of Parliament for the Kurunegala District and as a **senior political leader within the broader Samagi Jana Sandanaya (SJS) coalition, of which the Samagi Jana Balawegaya (SJB) is a principal constituent**. I have also led the political faction representing the Sri Lanka Freedom Party within the Samagi Jana Sandanaya.

On **10 September 2026**, I submitted a Privilege Question concerning the continued holding of office by the Hon. Dr. Jagath Wickramaratne, Speaker of the Parliament of Sri Lanka, while a CIABOC investigation is reportedly being conducted concerning matters relating to his official functions.

The attached **English translation of my Privilege Question dated 09 September 2026** sets out the relevant circumstances and legal and ethical concerns in detail.

The Privilege Question was intended to proceed through the parliamentary mechanism applicable to questions of privilege and to be considered by the **Committee on Ethics and Privileges**.

However, on **10 September 2026**, when I requested permission to raise the Privilege Question, the Hon. Speaker **refused to permit me to present it and stated that he wished to study the matter himself**.

I respectfully submit that this gives rise to a fundamental question of impartiality. The matter directly concerns the Speaker himself and therefore engages the principle of ***nemo judex in causa sua***.

It would be inconsistent with basic principles of procedural fairness for the person who is the subject of a privilege complaint to become the person who effectively determines whether that complaint should proceed.

The Parliament of Sri Lanka has established the **Committee on Ethics and Privileges** for the consideration of questions of privilege. My Privilege Question expressly requests referral to that Committee for consideration and investigation.

There is a further concern regarding freedom of speech. While participating in a debate on another matter, I attempted to raise the substance of the Privilege Question, but the Hon. Speaker stopped my speech.

The **Act no. 21 of 1953, Parliament (Powers and Privileges) Act** expressly protects freedom of speech, debate and proceedings in Parliament.

The circumstances therefore raise serious questions concerning whether the parliamentary rights of an elected representative have been adequately protected.

I therefore respectfully request the CPA to:

1. take note of this matter as a matter concerning parliamentary democracy and Members' privileges;

2. consider whether the circumstances are consistent with accepted principles of parliamentary fairness and institutional impartiality;

3. encourage the Parliament of Sri Lanka to ensure that the Privilege Question is dealt with through the appropriate **Committee on Ethics and Privileges**;

4. encourage an independent and impartial examination of the circumstances surrounding the refusal on **10 September 2026** to permit the Privilege Question dated **09 September 2026** to be raised; and

5. take such further action within the CPA's mandate as may be appropriate to protect parliamentary democracy, freedom of speech and the institutional rights of Members of Parliament.

I respectfully request that the CPA treat this as a matter requiring careful attention, particularly because the issue concerns the ability of an elected Member to raise a matter of privilege concerning the very officer presiding over the House.

Yours faithfully,

Dayasiri Jayasekara
Attorney-at-Law
Member of Parliament for the Kurunegala District

Enclosure:

English Translation of the Privilege Question dated **09 September 2026**.