

Human Rights Case Study Report

Report No:	GHRF/2026/CS-SL08
Title:	Prevention of Sexual Harassment and Safeguarding Professional Rights within Sri Lanka's Higher Education Sector: An Investigation into the Supreme Court Judgment against a Professor of the University of Peradeniya
Judicial Verdict:	Supreme Court Judgment Date: May 08, 2026
Data Source:	BBC News Sinhala Report (Published May 11, 2026) & Official Case Records of the Supreme Court of Sri Lanka

1. INTRODUCTION AND BACKGROUND

Gender-based harassment and sexual harassment within the workplace and academic environments of state universities in Sri Lanka are recognized as severe menaces that violate basic human rights, destroy professional dignity, and undermine gender equity. This operational reality demands decisive intervention from university administrations and the wider academic community.

This case study analyzes a Fundamental Rights (FR) petition instituted by Dr. W.A.M. Udari L. Abeyasinghe, a Senior Lecturer and Surgeon at the Faculty of Dental Sciences, University of Peradeniya, against W.M. Tilakaratne, a Professor attached to the same faculty. Delivering a historic verdict on May 08, 2026, Supreme Court Judge Hon. Janak de Silva (with the concurrence of Judges Priyantha Fernando and Achala Wengappuli) found the professor liable and permanently barred him from holding academic or institutional positions across the island. This judgment represents a monumental victory against workplace sexual harassment in Sri Lankan legal history.

2. CASE DETAILS AND INSTITUTIONAL TIMELINE

The fundamental facts of the harassment and subsequent institutional responses are outlined below:

- **The Aggrieved Party:** The petitioner was a young scholar working on a probationary timeline while pursuing her postgraduate qualifications at the Faculty of Dental Sciences, University of Peradeniya.
- **The Harassment:** Between July 01, 2017, and April 30, 2018, the petitioner was subjected to continuous sexual and psychological harassment by her postgraduate supervisor, Professor W.M. Tilakaratne.
- **Institutional Grievance Mechanism:** In 2018, the petitioner's mother filed a formal complaint with the Vice-Chancellor, resulting in the appointment of an inquiry committee on September 26, 2018. Although the committee found the Professor guilty of multiple charges, the University Governing Council arbitrarily moved to reject the panel's findings on May 30, 2020.

- **Recourse to Justice:** Following the unjust decision of the Council, the petitioner sought recourse through the Human Rights Commission of Sri Lanka before formally filing a Fundamental Rights petition in the Supreme Court.

3. CONSTITUTIONAL INTERPRETATIONS BY THE SUPREME COURT

During the proceedings, the respondents raised preliminary objections, claiming that the application was time-barred. The Supreme Court flatly rejected these contentions and provided a landmark constitutional interpretation in support of human rights accountability:

Enjoyment of Article 14(1)(g) of the Constitution:

The court reaffirmed that every citizen of Sri Lanka possesses the fundamental right to engage in any lawful occupation or profession of choice, an entitlement that must be enjoyed equally without gender discrimination. The Supreme Court forcefully emphasized that for the right to pursue a profession or education to be enjoyed meaningfully, the state must guarantee a safe environment completely free from sexual harassment, gender-based hostility, and intimidation.

4. JUDICIAL MANDATES AND PERMANENT INJUNCTIONS

To establish structural deterrence, the Supreme Court issued binding mandates applicable across the entire higher education network of Sri Lanka:

1. **Injunctions against the Liable Professor:** Respondent Professor W.M. Tilakaratne is permanently and slanderously barred from accepting any position—whether paid, unpaid, official, executive, or honorary—within any university or educational institution in Sri Lanka.
2. **Directives to the University Grants Commission (UGC):** The apex court strictly ordered the UGC, all state universities, and higher education institutions operating within the country to completely refrain from granting any appointments, titles, or tenures to the said professor.
3. **Directives to the Council of the University of Peradeniya:**
 - Immediately formalize and implement robust institutional policies to protect academic and non-academic staff, as well as students, from facing gender-based harassment and sexual abuse.
 - Launch continuous, comprehensive awareness campaigns across the entire university community to foster a zero-tolerance culture against sexual harassment.

5. SOCIAL IMPACT AND VICTIM STATEMENT

Following the delivery of the verdict, the petitioner, Dr. Udari Abeyasinghe, published a statement on her social media space, capturing the profound socio-legal weight of this victory:

"This judgment is far bigger than an individual case. I hope this verdict, even in a small way, will contribute towards creating safer and more accountable spaces within our universities."

6. GHRF CONCLUSIONS AND POLICY RECOMMENDATIONS

The Research & Analysis Division of the Global Human Rights Front (GHRF) views this judgment as a severe blow against the deep-seated "culture of impunity" that has historically protected powerful academic wrongdoers in public service. Eliminating the structural exploitation of probationary lecturers and students by senior academic figures is vital for systemic integrity.

Our Policy Recommendations:

- 1. Liability for Administrative Collusion:** Members of University Councils who deliberately suppress, stall, or reject formal independent inquiry reports to protect well-connected colleagues must be held legally liable under charges of complicity and aiding and abetting.
- 2. Independent Sexual Harassment Investigation Units:** State universities must immediately institutionalize independent grievance cells composed of external legal luminaries and psychological experts, entirely insulated from the executive control of Vice-Chancellors or local faculty dynamics.
- 3. National Code against the Abuse of Power:** The UGC must formulate and enforce a strict national code of conduct that specifically penalizes the abuse of power within hierarchical academic relationships, especially safeguarding probationary staff and postgraduate scholars from predatory supervisors.

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