

Sri Lanka: Country Report

January 2025 (COI between 21st July 2022 and 10th January 2025)

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A. Explanatory note

Background

This report presents Country of Origin Information (COI) on Sri Lanka focusing on issues identified to be of relevance in refugee status determination for Sri Lankan nationals.

The COI presented in this report is illustrative but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided.

A list of sources and databases consulted is also provided in this report, to enable users to conduct further research and source assessments. Research concentrated on events that took place between 21st July 2022 and 10th January 2025. All sources included in this report were accessed between November 2024 and January 2025.

The following reports, which pre-date the cut-off point have been included given that they address issues of relevance for this report:

- UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, [Visit to Sri Lanka](#), 6 July 2022
- United States Institute of Peace (USIP), [Five Things to Know about Sri Lanka's Crisis](#), 15 July 2022

Disclaimer

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. While we strive to be as comprehensive as possible, no amount of research can ever provide an exhaustive picture of the situation. It is therefore important to note that the absence of information should not be taken as evidence that an issue, incident or violation does not exist. **This report is also not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

B. Sources and databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About us' tab of a source's website.

Databases

[Asylos's Research Notes](#) (subscription only)

European Asylum Support Office's (EASO) [COI Portal](#)

[European Country of Origin Information network \(ECOI\)](#)

[Immigration and Refugee Board of Canada – Responses to Information Requests](#)

[Reliefweb \(Sri Lanka\)](#)

[UNHCR RefWorld](#)

Media

[Al Jazeera](#)

[Asia Times](#)

[Ceylon Today \(Sri Lanka\)](#)

[Colombo Telegraph](#)

[Daily Mirror](#) (Sri Lanka)

[Daily News](#) (Sri Lanka)

[Institute for War and Peace Reporting \(IWPR\)](#)

[Inter Press Service](#)

[Sri Lanka Brief](#)

[Tamil Guardian](#)

[TamilNet](#)

[The New Humanitarian](#) (Sri Lanka country page)

[Thomson Reuters Foundation](#)

Other sources

[76 Crimes](#) [LGBTI]

[Adayaalam Centre for Policy Research](#)

[Aegis Trust](#) [Genocide/mass atrocities]

[Alliance for Child Protection in Humanitarian Action](#)

[Amnesty International](#) (Sri Lanka country page)

[Armed Conflict Location & Event Date Project \(ACLED\)](#)

[Article 19](#) [Freedom of expression]

[Asia Foundation](#)

[Asia Society](#) (Sri Lanka page)

[Asian Centre for Human Rights](#)

[Asian Development Bank](#)

[Asian Human Rights Commission](#) (Sri Lanka country page)

[Asian Legal Resource Centre](#) (Sri Lanka page)

[Assessment Capacities Project \(ACAPS\)](#)

[Association for the Prevention of Torture](#)

[Association of War Affected Women](#)

[Atlantic Council](#)

[Atlas of Torture](#)

[Australian Government's Department of Foreign Affairs and Trade Country Information Reports](#)

[Bar Association of Sri Lanka](#)

[Brookings Institution](#)

[Care International](#)

[Carnegie Endowment for International Peace](#)

[Centre for Human Rights and Development](#)

[Centre for Policy Alternatives](#)

[Centre for Security Governance](#)

[Centre for Strategic and International Studies](#)

[Child Rights International Network](#)

[CHR. Michelsen Institute \(CMI\)](#)

[Christian Solidarity Worldwide](#)

[CIA World Factbook](#) (Sri Lanka country page)

[CIVICUS](#)

[Civil Rights Defenders](#)

[Combatting Terrorism Center](#)

[Committee to Protect Journalists](#)

[Conciliation Resources](#)

[Council on Foreign Relations](#)

[Death Penalty Worldwide](#)

[Defence for Children](#)

[Displacement Tracking Matric \(DTM\) \(Sri Lanka page\)](#)

EASO's List of sources in its report '[Researching the situation of lesbian, gay, and bisexual persons \(LGBT\) in countries of origin](#)'

[Edge Media Network](#) [LGBTI]

[Education International](#)

[Eldis](#)

[Equal Rights Trust](#)

[Foreign Affairs \(published by Council on Foreign Relations\)](#)

[Forum Asia](#)

[Free Media Movement](#)

[Freedom from Torture](#)

[Freedom House](#) (Annual report; Freedom on the Net annual reports)

[Frontline Defenders](#)

[Fund for Peace – Fragile States Index](#)

[Gay Star News](#)

[Global Centre for the Responsibility to Protect](#)

[Global Coalition to Prevent Education from Attack](#)

[Global Extremism Monitor](#)

[Global Gayz](#)

[Governance Social Development Humanitarian Conflict \(GSDRC\)](#)

[Groundviews.org](#)

[Hands off Cain](#)

[Hot Peach Pages](#) [Domestic Violence]

[Hotham Mission Asylum Seeker Project](#)

[Hudson Institute](#)

[Human Rights Commission of Sri Lanka](#)

[Human Rights Watch](#) (Sri Lanka country page)

[INFORM](#)

[Institute for Economics & Peace – Global Peace Index](#)

[Institute of Peace and Conflict Studies](#)

[Integrated Food Security Phase Classification](#)

[Internal Displacement Monitoring Centre \(IDMC\)](#)

[International Bar Association](#)

[International Commission of Jurists](#)

[International Commission on Missing Persons \(ICMP\)](#)

[International Committee of the Red Cross \(ICRC\)](#)

[International Crisis Group](#) (Sri Lanka page)

[International Federation for Human Rights](#)

[International Federation of Journalists](#)

[International Freedom of Expression Exchange](#)

[International Institute for Strategic Studies](#)

[International Lesbian, Gay, Bisexual and Trans and Intersex Association \(ILGA\)](#)

[International Refugee Rights Initiative](#)

[International Rehabilitation Council for Torture Victims](#)

[International Rescue Committee](#)

[International Truth & Justice Project Sri Lanka](#)

[IOM Displacement Tracking Matrix](#) (Sri Lanka country page)

[IPI Global Observatory](#)

[Journalists for Democracy in Sri Lanka](#)

[Kaleidoscope Trust](#) [LGBTI]

[Landmine and Cluster Munition Monitor](#)

[Medecins Sans Frontieres](#)

[Minority Rights Group International](#)

[National Consortium for the Study of Terrorism and Responses to Terrorism \(START\) – Global Terrorism Database \(GTD\)](#)

[Oakland Institute](#)

[OECD's Social Institutions & Gender Index](#)

[Open Society Foundations](#)

[Orchid Project \[FGM\]](#)

[Organization for Refuge, Asylum & Migration \(ORAM\) \[LGBTI\]](#)

[OutRight Action International \[LGBTI\]](#)

[Overseas Development Institute \(ODI\)](#)

[Oxfam](#)

[Peace Research Institute Oslo \(PRIO\)](#)

[Peace Women](#)

[People for Equality and Relief in Lanka \(PEOPLE\)](#)

[Pink News \[LGBTI\]](#)

[Refugees International](#)

[Reporters Without Borders \(RSF\) \(Sri Lanka country page\)](#)

[Right to Education](#)

[Right to Life Human Rights Centre](#)

[Saferworld](#)

[Save the Children](#)

[Search for Common Ground \(Sri Lanka country page\)](#)

[Sexual Rights Initiative \[LGBTI\]](#)

[Small Arms Survey](#)

[SOGICA Database \[LGBTI\]](#)

[South Asia Terrorism Portal \(SATP\)](#)

[Sri Lanka Campaign for Peace and Justice](#)

[Sri Lanka Department of Prisons](#)

[Sri Lanka Ministry of Defense](#)

[Sri Lanka Office of Missing Persons](#)

[Stockholm International Peace Research Institute \(sipri\)](#)

[Tamil Youth Organisation - UK](#)

[The Centre for Equality and Justice](#)

[The Christian Post](#)

[The FGM/C Research Initiative](#)

[The Fundamental Rights and Other Rights Organization of Sri Lanka](#)

[The International Movement Against All Forms of Discrimination and Racism \(IMADR\)](#)

[The Jamestown Foundation](#)

[Transparency International](#)

[UK Foreign & Commonwealth Office – Human Rights and Democracy Report](#)

[UN Children’s Fund \(UNICEF\)](#)

[UN Committee Against Torture](#)

[UN Committee on Economic, Social and Cultural Rights](#)

[UN Committee on Enforced Disappearances](#)

[UN Committee on the Elimination of Discrimination Against Women](#)

[UN Committee on the Rights of the Child](#)

[UN Development Programme \(UNDP\)](#) (Sri Lanka country page)

[UN High Commissioner for Refugees \(UNHCR\)](#) (Sri Lanka country page)

[UN Human Rights Council](#)

[UN News Centre](#)

[UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)

[UN Office of the High Commissioner for Human Rights \(OHCHR\)](#)

[UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)

[UN Population Fund \(UNFPA\)](#)

[UN Secretary General](#)

[UN Special Rapporteur on extrajudicial, summary or arbitrary executions](#)

[UN Special Rapporteur on extreme poverty and human rights](#)

[UN Special Rapporteur on freedom of religion or belief](#)

[UN Special Rapporteur on the Independence of Judges and Lawyers](#)

[UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism](#)

[UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)

[UN Special Rapporteur on the right to adequate housing](#)

[UN Special Rapporteur on the right to education](#)

[UN Special Rapporteur on the sale of children, child prostitution and child pornography](#)

[UN Special Rapporteur on the situation of human rights defenders](#)

[UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)

[UN Special Rapporteur on trafficking in persons, especially in women and children](#)

[UN Special Rapporteur on violence against women, its causes and consequences](#)

[UN-Habitat](#)

[United Nations Women](#)

[United States Congressional Research Service](#)

[United States Department of State](#) [Annual human rights report; annual religious report; annual child labour report; annual trafficking report; annual terrorism report]

[United States Institute of Peace](#)

[University Teachers for Human Rights \(Jaffna\)](#)

[Watchlist on Children and Armed Conflict](#)

[Women and Media Collective](#)

[Women Living Under Muslim Laws](#)

[Women Under Siege Project](#)

[Women's Refugee Commission](#)

[World Bank \(Sri Lanka\)](#)

[World Food Programme \(WFP\)](#)

[World Health Organization \(WHO\)](#)

[World Justice Project](#)

[World Organisation Against Torture \(OMCT\)](#)

[World Prison Brief](#)

[WorldWatch Monitor](#)

I. Background Information

a. Geographical Information

1. Map of Sri Lanka

The World Factbook published by the CIA produced the following map showing major cities of Sri Lanka:¹



2. Ethnic Composition

According to The World Factbook published by the CIA the following ethnic groups live in Sri Lanka: “Sinhalese 74.9%, Sri Lankan Tamil 11.2%, Sri Lankan Moors 9.2%, Indian Tamil 4.2%, other 0.5% (2012 est.).”²

b. Brief Overview of Political Institutions

1. Structure of the Executive, Legislative and Judicial branches

The Government of Sri Lanka described itself as follows:

The Democratic Socialist Republic of Sri Lanka is a free, independent and sovereign state which is governed by a presidential system introduced under the constitution of 1978. The President is the head of state and the head of government and is elected by the people for a term of six years. The executive power of the state is vested with the President and is assisted by the Cabinet of Ministers whom are in charge of different subject matters important to development and the economy of the country. Legislative power is exercised by the Parliament, which consists of 225 members, is elected by people

¹ CIA, [The World Factbook: Sri Lanka](#), Undated [Last accessed: 07.01.2025]

² CIA, [The World Factbook: Sri Lanka](#), Undated, *People and Society* [Last accessed: 07.01.2025]

on a proportional representation basis. The provincial councils which are elected by people are the governing body at provincial level and local authorities are responsible for administering the urban areas and the “Pradeshiya Sabha” areas. There is well establish judicial system which is independent of the executive and the legislature to solve disputes and make jurisdiction on various legal issues arising day to day life of citizens.³

The Dutch Ministry of Foreign Affairs summarised the political system in its thematic country of origin information report as follows:

Sri Lanka has a presidential system. The president is both head of state, head of government and commander-in-chief of the armed forces. The president has important powers. He appoints (and dismisses) cabinet members, calls elections and is the head of the police force. The president is elected by general election for five years, with a limit of two terms. [...]

Legislative power rests with the single-chamber parliament. The 225 members of parliament are elected for a five-year term in 22 constituencies. The cabinet is accountable to parliament. [...]

Besides presidential and parliamentary elections, Sri Lanka also has provincial and municipal elections.⁴

The Qatar Embassy to the Democratic Socialist Republic of Sri Lanka summarised the political system of Sri Lanka as follows:

Sri Lanka is a Democratic Republic and a Unitary State which is governed by a semi-presidential system, with a mixture of a presidential system and a parliamentary system. Most provisions of the constitution can be amended by a two-thirds majority in parliament. The amendment of certain basic features such as the clauses on language, religion, and reference to Sri Lanka as a unitary state require both a two-thirds majority and approval in a nationwide referendum.

In common with many democracies, the Sri Lankan government has three branches

Executive: The President of Sri Lanka is the head of state, the commander in chief of the armed forces; head of government, and is popularly elected for a five-year term. The President heads the cabinet and appoints ministers from elected members of parliament. The President is immune from legal proceedings while in office with respect to any acts done or omitted to be done by him or her in either an official or private capacity. Following passage of the 19th amendment to the constitution in 2015, the President has two terms, which previously stood at no term limit.

Legislative: The Parliament of Sri Lanka is a unicameral 225-member legislature with 196 members elected in multi-seat constituencies and 29 elected by proportional representation. Members are elected by universal suffrage for a five-year term. The president may summon, suspend, or end a legislative session and dissolve Parliament any time after four and a half years. The parliament reserves the power to make all laws. The president's deputy, the Prime Minister, leads the ruling party in parliament and shares many executive responsibilities, mainly in domestic affairs.

Judicial: Sri Lanka's judiciary consists of a Supreme Court – the highest and final superior court of record, a Court of Appeal, High Courts and a number of subordinate courts. The highly complex legal system reflects diverse cultural influences. Criminal law is based almost entirely on British law. Basic Civil law derives from Roman law and Dutch law. Laws pertaining to marriage, divorce, and inheritance are communal. Due to ancient customary practices and/or religion, the Sinhala customary law (Kandyan law), the Thesavalamai, and Sharia law are followed in special cases. The President appoints judges to the Supreme Court, the Court of Appeal, and the High Courts. A judicial service commission, composed

³ Smart Gateway to Government of Sri Lanka, [Government](#), Undated [Last accessed: 19.01.2025]

⁴ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 1.2 Political system

of the Chief Justice and two Supreme Court judges, appoints, transfers, and dismisses lower court judges.⁵

Regarding changes in 2022 and 2023, Freedom House summarised these as follows:

Gotabaya Rajapaksa won the November 2019 presidential election but resigned in July 2022 in the face of widespread antigovernment protests. Ranil Wickremesinghe then became interim president; later that July, Parliament voted for him to serve the remainder of Rajapaksa's term. Janatha Vimukthi Peramuna leader Anura Kumara Dissanayake noted allegations that lawmakers were bribed to support Wickremesinghe.

Mahinda Rajapaksa, Gotabaya's brother, was prime minister until he resigned in May 2022, also in the face of antigovernment protests. Wickremesinghe succeeded Mahinda as prime minister before becoming president. Dinesh Gunawardena of the SLPP then succeeded Wickremesinghe as prime minister.⁶

In its October 2022 report the UN High Commissioner for Human Rights noted that:

The economic and political crisis in Sri Lanka unfolded under a powerful executive presidential system that was reintroduced through the twentieth amendment to the Constitution, in October 2020. That amendment eroded the independence of key commissions and institutions, including the Human Rights Commission of Sri Lanka, the Election Commission, the National Police Commission, the Commission to Investigate Allegations of Bribery or Corruption, and the judiciary.

In a speech to Parliament in August 2022, the President promised the creation of a new Constitution. The Government has brought forward a twenty-second amendment to the Constitution intended to, inter alia, restore the independence of the judiciary and key national institutions by restoring a constitutional council to recommend appointments. The High Commissioner remains convinced that more fundamental constitutional reform is needed to strengthen safeguards for the effective separation of powers and devolution of political authority, and that such reform should be developed through broad-based and consultative processes representative of all Sri Lankans.⁷

Following the general elections in November 2024, "Sri Lanka's Tenth Parliament elected Hon. Asoka Sapumal Ranwala as Speaker, Dr. Rizvie Salih as Deputy Speaker, and Hemali Weerasekara as Deputy Chairperson of Committees. Sri Lanka's new cabinet, led by Dr Harini Amarasuriya, was officially sworn in on November 18, 2024, with 22 members and 29 deputy ministers. Sri Lanka has appointed Justice Murdu Fernando as its new Chief Justice, becoming the second woman in the country's history, having previously served as Senior Additional Solicitor General and President's Counsel".⁸

2. Political Parties/ Coalitions

See also sections VIII. *Human Rights Situation* → [i. Restrictions on Political Organizing](#) and [ii. Treatment of Members of Opposition Parties](#)

⁵ Embassy of the State of Qatar in Colombo – Democratic Socialist Republic of Sri Lanka, [Political System](#), Undated [Last accessed: 19.01.2025]

⁶ Freedom House, [Freedom in the World 2024: Sri Lanka](#), February 2024, *Political Rights*, A. Electoral Process

⁷ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, paragraphs 15 and 16

⁸ INFORM, [Repression of Dissent in Sri Lanka](#), November 2024, *Executive Summary*

The website of the Parliament of Sri Lanka lists all political parties per parliamentary period.⁹ For the tenth parliament the following parties are listed in alphabetical order:

- All Ceylon Makkal Congress (ACMC)
- All Ceylon Tamil Congress (ACTC)
- Democratic Tamil National Alliance
- Illankai Tamil Arasu Kadchi (ITAK)
- Independent Group 17 – 10
- Jathika Jana Balawegaya
- New Democratic Front
- Samagi Jana Balawegaya (SJB)
- Sarvajana Balaya
- Sri Lanka Labour Party
- Sri Lanka Muslim Congress (SLMC)
- Sri Lanka Podujana Peramuna (SLPP)
- United National Party (UNP).¹⁰

For a list of recognized political parties in Sri Lanka see the Election Commission of Sri Lanka [here](#).¹¹

From the source referred to in this report, the following party-specific background information was found:

Janatha Vimukthi Peramuna (JVP)

- Leader: Anura Kumara Disanayake

The US Congressional Research Service provided the following background to Anura Kumara Disanayake and his Janatha Vimukthi Peramuna (JVP) party:

Disanayake leads the Janatha Vimukthi Peramuna (JVP, or People's Liberation Front), founded in 1965 as a Marxist party for workers, farmers, and students. The JVP took up arms against what it called "the unlawful, unjust repression of the government" in 1971 and 1987-1990; those insurrections resulted in over 1,000 and as many as 60,000 deaths, respectively. Under Disanayake the JVP evolved into a more moderate, mainstream party, but never garnered significant national support. Disanayake also leads the National People's Power alliance.¹²

Similarly, The Guardian reported that "The JVP had been dogged by its past involvement in some of the worst violence in Sri Lanka's history, after it launched a bloody insurrection in the 1970s and 80s against those it deemed to be capitalists and imperialists. Thousands were killed and in the decades since the JVP had struggled to shake off this reputation. But since he took over as leader of the party a decade ago, Disanayake had sought to build a new chapter for the JVP and break away from its characterisation as a grouping of radical Marxist militants".¹³

National People's Power (NPP) Coalition

- Leader: Janatha Vimukthi Peramuna from the JVP party

⁹ See Parliament of Sri Lanka, [Political Parties](#), Undated [Last accessed: 19.01.2025]

¹⁰ See Parliament of Sri Lanka, [Political Parties](#), Undated [Last accessed: 19.01.2025]

¹¹ Election Commission of Sri Lanka, [Details of Recognized Political Parties](#), 3 January 2025

¹² Congressional Research Service, [Sri Lanka's Watershed Election](#), 7 October 2024

¹³ The Guardian, [Anura Kumara Disanayake: who is Sri Lanka's new leftist president?](#), 23 September 2024

The US Congressional Research Service provided the following background to the National People's Power (NPP) Coalition:

Dissanayake also leads the National People's Power alliance, a coalition of socialist parties that includes the JVP (NPP/JVP) and that rose to prominence during the "Aragalaya" anti-government uprising during Sri Lanka's 2022 economic crisis.¹⁴

Another US Congressional Research Service report stated:

On September 23, 2024, Sri Lankans elected Dissanayake as president. He immediately called snap parliamentary elections for November 14, 2024, and his NPP alliance, a coalition of socialist parties that includes Dissanayake's Janatha Vimukthi Peramuna (JVP, or People's Liberation Front), won nearly 62% of the vote and secured 159 of 225 seats in parliament. (In the previous parliament, the NPP held 3 seats.) The NPP dominated in all but one district, including Tamil-majority Jaffna, in northern Sri Lanka—the first time a Sinhalese party won the district. Dissanayake and the NPP campaigned on anti-corruption and relief for working-class Sri Lankans who have borne the brunt of the country's economic woes.¹⁵

Ilankai Tamil Arasu Kachchi (ITAK)

- Leader: Sivagnanam Shritharan

According to the South Asia Terrorism Portal (SATP), "In a worrying development, Sivagnanam Shritharan, an ardent supporter of the LTTE movement - a position he has often reiterated publicly - was elected leader of the largest Tamil political party, Ilankai Tamil Arasu Kachchi (ITAK) in January 2024. After his election Shritharan said that their journey should begin from the graves of the Eelam national liberation fighters. This indicates a major change in the strategies of Tamil parties. Minority parties had previously tried to negotiate concessions from major parties on matters such as power devolution and the return of lands now held by the military to their original owners in the Northern Province of the country. The possibility of a more fractious approach appears likely under Shritharan's leadership".¹⁶

Tamil political parties

The Dutch Ministry of Foreign Affairs summarised the role of Tamil political parties in its thematic country of origin information report as follows:

The post-war Tamil political leadership no longer campaigned for an independent Tamil Eelam; the political debate shifted towards decentralisation, the reduction of military influence in the north and east, and the return of appropriated land to the citizens of those areas.

The largest and most influential political party of Tamil signature was the **Tamil National Alliance (TNA)**, an alliance between the parties Ilankai Tamil Arasu Kachchi (ITAK), People's Liberation Organisation of Tamil Eelam (PLOTE) and Tamil Eelam Liberation Organization (TELO). In the 2020 parliamentary elections, the TNA won 10 parliamentary seats (out of 225 in total). The alliance thus became the third largest party in parliament, and took its place in the opposition. Two other Tamil parties participated in the SLPP coalition that went on to govern the country: Tamil Makkal Viduthalai Pulikal (TMVP; formerly the Karuna Group) and the Eelam People's Democratic Party (EPDP). [...]

¹⁴ Congressional Research Service, [Sri Lanka's Watershed Election](#), 7 October 2024

¹⁵ Congressional Research Service, [Sri Lanka: Background and Issues for Congress](#), Updated 2 December 2024

¹⁶ South Asia Terrorism Portal (SATP), [Sri Lanka: Assessment- 2024](#), Undated [Last accessed: 02.01.2025]

The most recent provincial government elections took place in 2013 and 2014. In these elections, the TNA became the largest party in both Northern and Eastern Province [...]

At the end of the reporting period [April 2024], Northern Province had a nonpartisan governor, Prince Sarojini Manmatharajah Charles. The governor of Eastern Province, Senthil Thondaman, was a member of the CWC.¹⁷

II. Security Forces

a. Army

See also section V. Rule of Law/Administration of Justice → [e. Impunity](#) and the whole of section [VIII. Human Rights Situation](#)

The Dutch Ministry of Foreign Affairs summarised the armed forces in its thematic country of origin information report as follows:

Sri Lanka's armed forces consist of three parts: the army, air force and navy. The president is the commander-in-chief of the armed forces and appoints the defence minister, the Chief of Defence Staff (CDS) and the commanders of the various army units.

The Sri Lankan Army consists of about 20 infantry divisions and various independent brigades and regiments. [...]

According to World Bank data, the Sri Lankan armed forces employed 317,000 people in 2020. This was up from 2015, when 265,200 people were employed. Spending on the armed forces was between 1.4% and 2.4% of gross domestic product (GDP) and between 8.6% and 12.5% of total government spending between 2015 and 2022, according to World Bank data.²⁵ The size of the armed forces declined after 2020, to around 260,000 troops in 2023, 200,000 of them in the army. In January 2023, the defence minister announced that the size of the army would be further reduced, to 135,000 soldiers by 2024, and 100,000 by 2030. This was reportedly mainly an austerity measure stemming from the economic recession.¹⁸

The Sri Lanka Campaign reported in August 2022 that "Although sixteen of the army's twenty army divisions are located in the North and East of the country as of 2020, the vast majority of the more than 300,000 military personnel in Sri Lanka are Sinhalese. Whilst the military does provide employment for some Sri Lankans, this opportunity is largely denied to local Tamils or Muslims. Indeed, the armed forces are not only a massive fiscal burden for the Sri Lankan state, but also serve to severely restrict civilian participation in the economy in military-dominated areas. This is because the armed forces operate multiple businesses across various economic sectors, including agriculture, leisure, and catering".¹⁹

In its October 2022 report the UN High Commissioner for Human Rights noted that:

¹⁷ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 2.5 Role of Tamil political parties

¹⁸ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 1.4.1 Armed forces

¹⁹ Sri Lanka Campaign, [Militarisation in Sri Lanka Part 1: The Military and the Economy](#), 24 August 2022

In previous reports, the High Commissioner warned that the accelerating militarization of civilian government functions was undermining democratic institutions in Sri Lanka [...]

On 13 July 2022, the President appointed a special committee comprising the Chief of the Defence Staff, the Inspector General of Police and the Tri-Forces Commanders and gave them full authority to use emergency law and curfews to protect law and order. The President reappointed a retired General, Kamal Gunaratne, as Defence Secretary; another General, Shavendra Silva, was appointed as the Chief of Defence Staff in June 2022. Both have been implicated in alleged human rights violations, as highlighted in previous reports.

Shortly after assuming office in July 2022, the President brought 42 entities, including the National Dangerous Drugs Control Board, the Telecommunication Regulatory Commission and Sri Lanka Telecom, back under the oversight of the Ministry of Defence.

Some of those entities had been placed under the newly created Ministry of Technology and Investment Promotion a few weeks earlier. The National Secretariat for Non-Governmental Organizations, which has a powerful role in the registration and oversight of civil society organizations, has also been moved back from the Ministry of Foreign Affairs to the Ministry of Public Security.

The role of the military in law enforcement, governance and development has been even more prominent in the north and east of Sri Lanka. [...]

In the context of mass protests and severe shortages of fuel, the Government deployed the military for policing assemblies and to guard public buildings, fuel stations and private residences. The President continued to renew Gazette notifications under section 12 of the public security ordinance, which “authorizes recourse to the armed forces in circumstances where the performance of police functions requires to be strengthened”. These powers continue the militarized approach to law enforcement and expand the role of the military in policing functions.²⁰

In its October 2023 report the UN High Commissioner for Human Rights noted that:

On 13 January 2023, the Ministry of Defence stated that the Sri Lankan Army would reduce its size from the current figure of approximately 200,800 personnel to 135,000 by 2024 and 100,000 by 2030. OHCHR encourages the Government to undertake further downsizing of the military and adapt its budget so that it reflects the fundamental changes the country has undergone in recent years. Those measures should be accompanied by deeper security sector reform, including a comprehensive and transparent vetting process that removes individuals who, and disbands units that, have been implicated in serious human rights or international humanitarian law violations. The reform should also include phasing out the military presence in former conflict zones, in which current levels of deployment seem disproportionate to security requirements.

Concerns remain regarding the use of military personnel for civilian functions, such as crowd control during protests, law enforcement, intelligence gathering in civilian settings, drug control and rehabilitation, manning checkpoints or appearing alongside police at roadblocks.²¹

In its October 2023 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of human rights defenders, activists and persons involved in memorialization initiatives by the intelligence services, the military and the police or by unidentified individuals affiliated with former paramilitaries.²²

²⁰ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, paras. 21, and 23-26

²¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, paras. 28 and 29

²² UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 33

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Major General (retired) Kamal Gunaratne continues to serve as Secretary to the Ministry of Defence (since November 2019), despite having been credibly alleged to have committed grave violations of international human rights and humanitarian law during the armed conflict. These appointments reinforce a sense of impunity, compound victims' suffering and undermine accountability and reconciliation.²³

b. National Intelligence Service

See also section V. Rule of Law/Administration of Justice → [e. Impunity](#) and the whole of section [VIII. Human Rights Situation](#)

The Dutch Ministry of Foreign Affairs summarised the intelligence service in its thematic country of origin information report as follows:

Sri Lanka's State Intelligence Service (SIS) falls under the Ministry of Defence and is responsible for intelligence collection at home and abroad. The service also plays a role in the immigration process at the national airport in certain cases [...] After the end of the civil war, the SIS was responsible for tracing, reintegrating and monitoring former members of the LTTE. It also reportedly engages in surveillance of, among others, journalists, civil society organisations and human rights activists.²⁴

In its October 2022 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of journalists, human rights defenders, families of the disappeared and persons involved in memorialization initiatives by intelligence services, the military and the police, in particular in the north and east²⁵

In its October 2023 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of human rights defenders, activists and persons involved in memorialization initiatives by the intelligence services, the military and the police or by unidentified individuals affiliated with former paramilitaries.²⁶

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Activities and funding sources of CSOs are closely monitored by intelligence services, particularly in the north and east. [...]

OHCHR examined recent allegations of abduction, arbitrary detention, torture, ill-treatment and sexual violence perpetrated against individuals of Tamil ethnicity by Sri Lankan security forces, mainly in Jaffna, Kilinochchi, Mannar, Mullaitivu, and Vavuniya districts. [...]

²³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paras. 44 and 48

²⁴ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 1.4.5 Intelligence service

²⁵ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 30

²⁶ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 33

OHCHR assessed as credible specific accounts of security forces using various techniques of torture and cruel, inhuman, or degrading treatment. [...]

Nearly all interviewees recounted that they eventually were released when a family member paid a bribe to someone in the security forces, often using an intermediary. They then fled Sri Lanka. In most cases, the victims said that security or intelligence agents visited victims' home, either searching for the victim or informing families that the victim had escaped from their custody.²⁷

c. Police Force

See also section V. Rule of Law/Administration of Justice → [e. Impunity](#) and the whole of section [VIII. Human Rights Situation](#) and section XII. Treatment of Religious and Ethnic Minorities → [b. Treatment of Religious and Ethnic Minorities](#)

The Dutch Ministry of Foreign Affairs summarised the police force in its thematic country of origin information report as follows:

The Sri Lankan police falls under the Ministry of Public Security. The organisation is headed by the Inspector General of Police (IGP), who is appointed by the president. The police organisation is divided into nine provincial departments, each headed by a Senior Deputy Inspector General of Police (SDIG). The provincial departments are divided into 45 territorial divisions. Each department has several police stations. There were a total of 607 police stations in the country at the end of the reporting period [April 2024]. In addition, the police have 80 functional divisions with a national focus on specialised tasks such as communication, criminal investigation, traffic control or support services. Two of these functional divisions are the Criminal Investigation Department and the Terrorism Investigation Division.²⁸

The same source further provided the following information regarding the Criminal and Terrorism Investigation Division respectively:

The Criminal Investigation Department (CID) is responsible for investigating serious crimes such as murder and rape, and organised crime. However, the department also plays a role in anti-terrorism operations and the immigration process at the national airport. CID officers are not uniformed. Over the years, the CID has been frequently linked by experts to the intimidation of political opponents, enforced disappearances and torture of prisoners. According to sources, the detention location on the fourth floor of the CID headquarters in Colombo was particularly notorious. Incidentally, one source added that although the location is popularly called the "fourth floor", it is actually located on the fifth floor of the building. [...]

The Terrorism Investigation Division (TID; sometimes referred to as the Counterterrorism Investigation Division, CTID) also falls under the responsibility of the SDIG of the Criminal Investigation Department. The TID is tasked with conducting investigations into terrorist activities as described in the Prevention of Terrorism Act [...] The TID has likewise been frequently linked by experts to the intimidation of political opponents, enforced disappearances and torture of prisoners over the years. According to

²⁷ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paras. 19-20, 27-30

²⁸ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 1.4.2 Police

sources, the detention location on the sixth floor of the TID headquarters in Colombo was particularly notorious.²⁹

In its October 2022 report the UN High Commissioner for Human Rights noted that:

Although, overall, the security forces have responded to the protest movement with considerable restraint over a sustained period, on some significant occasions they have reportedly employed unnecessary use of force against protestors and used measures to prevent or obstruct protests. Journalists have also been targeted for their reporting on the crisis and protests [...]

Following the installation of the new administration, there has been a notable hardening of approach, with increasing public rhetoric characterizing the protesters as violent extremists. On 22 July 2022, security personnel, including police and military officers, stormed a protest camp near the presidential offices in Colombo, injuring at least 48 people; 9 others were arrested. The evacuation and medical treatment of injured protestors were obstructed. Since then, a number of leaders and members of the protest movement and trade unions have been arrested, some in an irregular manner by plain-clothed personnel using unmarked vehicles. In a statement, 175 Sri Lankan civil society organizations and activists expressed concern about ongoing attacks and violence against peaceful protestors and disturbing developments of abduction, arrest and intimidation of and reprisals against protestors.³⁰ Excessive force was most recently used in breaking up a peaceful student protest in Colombo on 18 August 2022, with 20 arrests made.³⁰

In its October 2023 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of human rights defenders, activists and persons involved in memorialization initiatives by the intelligence services, the military and the police or by unidentified individuals affiliated with former paramilitaries.³¹

In February 2024 the Sri Lanka Campaign highlighted that the Inspector-General of Police (IGP), Deshabandu Tennakoon, has been formally appointed to this role despite a recent Supreme Court case against him finding him “personally responsible for torture”.³² The blog post also stated that he had been “accused of various other human rights abuses during his time in the police force support services. Two of these functional divisions are the Criminal Investigation Department and the Terrorism Investigation Division.”³³

III. Brief Overview of Political Actors

a. The Rajapaksa Family

See also section V. Rule of Law/Administration of Justice → [e. Impunity](#)

²⁹ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 1.4.2.1 Criminal Investigation Department and 1.4.2.2 Terrorism Investigation Division

³⁰ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 5

³¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 33

³² Sri Lanka Campaign, [Letter to the UN Special Rapporteur on Torture Concerning IGP Deshabandu Tennakoon](#), 27 February 2024

³³ Sri Lanka Campaign, [Letter to the UN Special Rapporteur on Torture Concerning IGP Deshabandu Tennakoon](#), 27 February 2024

According to the United States Institute of Peace (USIP) in July 2022,

The Rajapaksa family has dominated Sri Lankan politics for years. Mahinda Rajapaksa and his younger brother, Gotabaya Rajapaksa, are hailed as heroes by the majority Sinhalese community for defeating Tamil separatist rebels — the Liberation Tigers of Tamil Eelam — and ending more than two decades of civil war in 2009. But both Rajapaksas have also been dogged by allegations of war crimes. Mahinda Rajapaksa and Gotabaya Rajapaksa, who served as president and defense secretary, respectively, during the war, oversaw a brutal campaign that resulted in the deaths of as many as 40,000 Tamils, according to United Nations estimates. A 2021 U.N. report found that the Rajapaksa government had actively blocked investigations of war crimes, put senior military officials who were implicated in U.N. reports in alleged war crimes and crimes against humanity in positions of power and used anti-terrorism laws to intimidate civil society.

Further tainted by allegations of corruption, Mahinda Rajapaksa, who served as president from 2005 to 2015, lost his bid to become prime minister in 2015. However, when Gotabaya Rajapaksa was elected president in a landslide in 2019, he appointed his brother as prime minister.³⁴

The Asia Society Policy Institute provided the following overview of the Rajapaksa family in October 2024:

For nearly two decades, the Rajapaksa family has been entrenched at the core of Sri Lankan governance, beginning with Mahinda Rajapaksa's ascension to power in 2005. Mahinda's role in ending the nearly three-decade-long civil war in 2009 brought him national acclaim, allowing the Rajapaksas to construct a political dynasty rooted in nationalist rhetoric, centralized power, and militarization.

Although the Rajapaksas were hailed as nation builders by some, their governance increasingly became synonymous with nepotism, authoritarianism, and financial mismanagement. Following the deadly Easter bombings in 2019, the family returned to power with the election of Gotabaya Rajapaksa, Mahinda's brother and the former defense secretary, to the presidency. Gotabaya initially rode on the family's nationalist legacy, but severe economic missteps under his administration soon became undeniable. Tax cuts, unsustainable borrowing, and misguided policies, such as the abrupt ban on chemical fertilizers in 2021 in a bid to go organic, contributed to an economic freefall that saw Sri Lanka default on its external debt for the first time in its history.

In mid-2022, the economic crisis culminated in widespread civil unrest, encapsulated by the Aragalaya movement — a mass protest that ultimately forced Gotabaya to flee the country and resign from office. The Rajapaksas' political machine, once thought invincible, imploded under the weight of its hubris.³⁵

b. Liberation Tigers of Tamil Eelam (LTTE)

See also section VIII. Human Rights Situation → [*iv. Former LTTE members and their families or Tamil families of the disappeared*](#)

For the purpose of this report, the short overview by the US Congressional Research Service is included here:

From 1983 to 2009 the government, dominated by the Buddhist Sinhalese majority, fought a brutal civil war against the separatist Liberation Tigers of Tamil Eelam (LTTE). The Hindu Tamil minority objects to long-standing official discrimination, and the militant LTTE fought to establish a separate state in

³⁴ United States Institute of Peace (USIP), [*Sri Lanka Teeters on the Brink*](#), 27 July 2022

³⁵ Asia Society Policy Institute, [*Sri Lanka's Political Shift: Dissanayake's 2024 Victory Marks New Era*](#), 4 October 2024

northern Sri Lanka. During the war, the government expanded executive power, militarized the country, and limited civil freedoms [...]

Following the end of the war, the United Nations (UN) estimated that as many as 100,000 people died in the conflict, and successive resolutions passed by the UN Human Rights Council pressed the Sri Lankan government to cooperate with investigations into alleged war crimes committed by both sides.³⁶

The Dutch Ministry of Foreign Affairs summarised the role of the LTTE since the end of the civil war in its thematic country of origin information report as follows:

Since the end of the civil war in 2009, the LTTE as an organisation has no longer played a role in Sri Lanka. Nor did the Armed Conflict Location and Event Data Project (ACLED) or the Global Terrorism Database (GTD) of the University of Maryland record any attacks by the LTTE after 18 May 2009.

During the current reporting period [October 2014-April 2024], however, the authorities continued to express their fear of a revival of the LTTE, particularly outside Sri Lanka. [...]

Even in recent years, arrests in Sri Lanka of persons for “attempts to revive the “LTTE” were sometimes reported. Based on information obtained from sources, it appears that this happened only on a small scale. Most sources consulted on the subject indicated that the arrests that did occur should not be construed as actual fear by the authorities of a resurgence of the LTTE in Sri Lanka. Rather, they saw the arrests as either an overreaction to actions characterised by the authorities as pro-LTTE – such as commemorating Tamil victims of the civil war or the anniversary of the birth or death of Prabhakaran – or an attempt by the authorities to justify their extensive military presence in the north and east of the country, by emphasising that the ‘enemy’ LTTE was still to be feared.³⁷

As part of its annual report on Terrorism, the U.S. Department of State provided the following overview on the LTTE in its latest report covering 2023 and published in December 2024:

Liberation Tigers of Tamil Eelam

Aka LTTE; Ellalan Force; Tamil Tigers.

Description: The Liberation Tigers of Tamil Eelam (LTTE) was designated as an FTO on October 8, 1997. Founded in 1976, LTTE is a Tamil secessionist group in Sri Lanka. Despite its military defeat at the hands of the Sri Lankan government in 2009, the LTTE’s international network of sympathizers and financial support has persisted.

Activities: Although largely inactive since 2009, the LTTE was responsible for an integrated insurgent strategy that targeted key installations and senior Sri Lankan leaders. In early 2009, Sri Lankan forces recaptured the LTTE’s key strongholds, including its capital of Kilinochchi. In 2009, government forces defeated the last LTTE fighting forces, killed members of its leadership including leader Velupillai Prabhakaran, and declared military victory.

There have been no known attacks in Sri Lanka attributed to the LTTE since 2009, but LTTE supporters and members have been arrested in India, Malaysia, and Sri Lanka for allegedly planning attacks and fundraising for the LTTE.

Strength: LTTE’s precise numbers are unknown.

Location/Area of Operation: Sri Lanka, India, and Malaysia.

³⁶ Congressional Research Service, [Sri Lanka: Background and Issues for Congress](#), Updated 2 December 2024

³⁷ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 2.4 Role of the LTTE since the end of the civil war

Funding and External Aid: The LTTE's financial network of support continued after the group's military defeat in 2009. The LTTE has employed charities as fronts to collect and divert funds for its activities.³⁸

IV. Major Political Developments since 2019

a. Presidency of Gotabaya Rajapaksa (2019-2022)

See also section VIII. Human Rights Situation → [iii. Treatment of Persons \(Perceived as\) Critical of the Government](#)

For a timeline looking at key events in relation to the protests that took place during 2022 (and 2023) and the manner in which the Sri Lankan State responded, see pages 3-14 of this report: Centre for Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023.

The Dutch Ministry of Foreign Affairs summarised the Gotabaya Rajapaksa presidency in its thematic country of origin information report as follows:

On 16 November 2019, Gotabaya Rajapaksa was elected president with 52.3% of the votes, compared to 42% for Sajith Premadasa. Premadasa won a majority of votes in the constituencies of Northern and Eastern provinces, but in all other provinces voters overwhelmingly voted for Rajapaksa.

Gotabaya Rajapaksa's presidency was marked by a return to the centralisation of power around the Rajapaksas and their confidants. Gotabaya Rajapaksa appointed his brother Mahinda as Prime Minister, and later his brother Basil as Minister of Finance, his brother Chamal as Minister of Irrigation and his nephew Namal as Minister of Youth and Sports. The return of the Rajapaksas and their Sinhalese nationalism culminated in August 2020 when their party won the general election by a landslide. The SLPP won 59% of the votes, the second party (Samagi Jana Balawegaya, SJB) received a mere 23.9%.

In a renewed move to gain autocratic leadership, President Rajapaksa introduced the 20th amendment to the constitution, which was passed by parliament in October 2020. This amendment reversed many of the provisions of the 19th amendment that assured the independence of the judiciary and supervisory bodies. The Constitutional Council was again abolished, and appointment powers for key judicial and supervisory positions –including members of the Supreme Court, the Attorney

General, the Inspector General of Police, the Auditor General, members of the Human Rights Commission Sri Lanka (HRCSL) and members of the electoral council –were assigned to the president.

Compared to the Sirisena period, the human rights situation under President Rajapaksa deteriorated. Rajapaksa and his government reportedly used the PTA to arrest and detain Tamil and Muslim activists, and did the same to alleged government opponents. Areas inhabited mainly by Tamils in northern and eastern Sri Lanka remained heavily militarised, and little progress was made with land restitution.

The growing discontent among Tamils and Muslims manifested in February 2021 in a march through the traditional Tamil heartland in northeastern Sri Lanka, between the towns of Pottuvil (Eastern Province, Ampara district) and Polikandy (Northern Province, Jaffna district). The march would become known as the 'P2P march'. The aim of the march was to draw attention to the main grievances and rights violations of Tamils and Muslims, including the continued militarisation of the Northern and Eastern provinces, the slow pace of land restitutions, the relatively unfair treatment of Tamil farmers and workers, the

³⁸ U.S. Department of State, [Country Reports on Terrorism 2023: Sri Lanka](#), 12 December 2024, Chapter 5. *Foreign Terrorist Organizations, Liberation Tigers of Tamil Eelam*

compulsory cremation of deceased Muslims, and abuses under the PTA. [...] The Tamil Guardian, a media outlet based in London, estimated the number of participants at 50,000. No major disturbances took place during the march. However, on 9 February 2021, the Minister of Public Security warned that participants in the P2P march could still be arrested or charged. In the months that followed, reports emerged that this was indeed happening. Exact numbers are not known. After the march, local news sources reported that at least ten opposition politicians had been summoned for questioning, or charged for not respecting the court ban on the demonstration. The Tamil Guardian reported on 18 February 2021 that the first arrest of a citizen who had participated in the P2P march had taken place. The detainee was reportedly released after six hours of questioning. In December 2021, the Tamil Guardian reported that 32 criminal cases were pending at the Pottuvil court against march participants, including journalists, activists and politicians. Further details are not known.³⁹

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, "Following the election of President Gotabaya Rajapaksa, in November 2019, the landslide victory of the Sri Lanka Podujana Peramuna (SLPP) in the parliamentary elections in August 2020 led to the passing of the 20th amendment to the Constitution in October 2020, which further strengthened the Executive Presidency, thereby eroding democratic checks and balances. The 21st Amendment of the Constitution adopted in October 2022 reversed some of the changes".⁴⁰

In its October 2022 report the UN High Commissioner for Human Rights noted that:

In the face of the collapsing economy, from March 2022, Sri Lankans came together from various socioeconomic, cultural, ethnic and religious backgrounds in a mass protest movement to demand greater transparency, accountability for corruption and economic mismanagement and increased participation in democratic life. The Prime Minister, Mahinda Rajapaksa, resigned on 9 May 2022 after his supporters attacked peaceful protesters in Colombo. This was followed by widespread violence against government supporters throughout the country in which seven people were killed and the houses of about 70 parliamentarians were burned or damaged. The months of countrywide protests culminated in a massive demonstration in Colombo on 9 July 2022, when thousands of protestors

stormed and occupied the offices and official residence of the President, Gotabaya Rajapaksa. Mr. Rajapaksa resigned on 14 July 2022, after fleeing the country, but returned on 2 September.⁴¹

The UK Foreign, Commonwealth & Development Office reported in its 2022 report on human rights and democracy summarised the year as follows:

Political instability and a severe economic crisis erupted during the first half of 2022, which contributed to some deterioration of the human rights situation in Sri Lanka. While peaceful protests took place freely on many days, the state response on others included incidences of harassment, intimidation, and violence against civil society. The post-crisis government which assumed control in the latter half of the year acknowledged human rights concerns and took some initial steps in response.

A large popular protest movement, known as the Aragalaya, developed in the first half of the year against a government that many saw as responsible for Sri Lanka's deteriorating economy. At some stages the government used state of emergency legislation, criminal law and social media bans to limit

³⁹ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 2.1.4 Gotabaya Rajapaksa's presidency (2019-2022)

⁴⁰ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 3. Recent Developments, p. 7

⁴¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para.5

the rights of citizens to free assembly and expression. Incidences of journalists and social media activists being assaulted or detained while reporting on protests undermined media freedom.

Security responses to protests often featured intimidation and violence against peaceful protesters. Prominent incidents included: the disproportionate use of force by the military in Mirihana in March; the use of gunfire, resulting in one death in Rambukkana in April; the storming of the Galle Face Green protest site by pro-government supporters in May; and a violent military crackdown of the Gota Go Gama protest site in July. [...]

The Prevention of Terrorism Act (PTA) was used to detain Sri Lankans for long periods, such as activists from the Inter University Students' Federation. Security forces faced accusations of serious human rights violations.⁴²

The US Congressional Research Service provided the following summary explanation regarding the 2022 economic crisis:

Sri Lanka defaulted on its debts for the first time in May 2022, and the government informed creditors it would not make payments until it was able to restructure its debt. Sri Lanka reportedly owes \$51 billion, with \$7 billion due in 2022. Sri Lanka's largest external creditors are the Asian Development Bank (13%), Japan (10%), China (10%), and the World Bank (9%). Some analysts forecast that Sri Lanka's economy will contract by more than 6% in 2022, while the World Food Program estimates that over 22% of the population are food insecure. Inflation reached a year-on-year record of over 50% in June 2022.

Rajapaksa had banned imports of synthetic agrochemicals, including chemical fertilizers and pesticides, as part of a policy to move Sri Lanka to organic agriculture without a transition period. This, and fuel shortages, led to an estimated decrease in agricultural yields of 20% and 70% for the growing season ending in March 2022. Remittances from overseas workers have declined to less than half of 2019 levels, and tourism is down due to the COVID-19 pandemic.⁴³

The International Bar Association wrote in September 2022 that "Miles-long petrol queues, empty shop shelves and fields producing only half the crops that they used to: these are the more obvious signs of Sri Lanka's current economic crisis. The less visible are the meals some citizens are missing as a result of unaffordable food prices and the school time children have lost as the country tries to limit its power and fuel usage".⁴⁴ The same source also highlighted that for several months "Sri Lanka has been in the throes of an economic crisis that borders on a humanitarian disaster, one that's wreaking havoc on the rule of law".⁴⁵

The same report further noted with regards to the *Aragalaya* protests, which erupted in 2022:

In 2022, an unprecedented economic and financial crisis led to a massive and mostly peaceful social movement whose main request was the ousting of the Rajapaksa family. Called the *Aragalaya* (struggle), the movement brought together Sri Lankan citizens irrespective of ethnic, gender and class divides. From April until July 2022, the movement rallied thousands across the island against the Rajapaksa Government's perceived mismanagement of the economy, corruption and lack of accountability.⁴⁶

⁴² UK Foreign, Commonwealth & Development Office, [Human Rights and Democracy: the 2022 Foreign, Commonwealth & Development Office report](#), 13 July 2023, *Sri Lanka*

⁴³ Congressional Research Service, [Sri Lanka in Crisis](#), 11 July 2022, p. 1

⁴⁴ International Bar Association, [Sri Lanka's 'worst ever crisis'](#), 23 September 2022

⁴⁵ International Bar Association, [Sri Lanka's 'worst ever crisis'](#), 23 September 2022

⁴⁶ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 3. *Recent Developments*, p. 7

The United States Institute of Peace (USIP) summarised the economic crisis and ensuing protests in early 2022 as follows:

In the face of severe economic hardships marked by power blackouts, shortages of fuel, cooking oil and food, protesters have been demanding the resignation of the Rajapaksa-led government since March 2022. Tens of thousands of Sri Lankans have taken to the streets of Colombo [...]

The protesters do not have centralized leadership, but several socialist student groups have been key organizers, particularly on the iconic Galle Face Green in the capital city of Colombo. Gotabaya's regime has responded in heavy-handed ways, declaring states of emergency and curfews, pushing police and the military to arrest civilians, at times roughing up the protesters, and limiting social media access. While largely peaceful, sporadic violence has broken out, notably the burning of the prime minister's residence and the occupation of the ceremonial presidential palace. After Gotabaya's departure [on 13th July 2022] from Sri Lanka, protests continued against Wickremesinghe when he became acting president. Several protesters were injured in the aftermath of military and police action against them.⁴⁷

The Sri Lanka Campaign reported in August 2022 that "In recent months, Sri Lanka has been rocked by an economic, social, and political crisis. Whilst the situation on the ground has been in constant flux, the security forces have exploited the crisis to entrench the central role they play in the nation's politics, further destabilising the situation, such as when they opened fire on fuel queues in Mullaitivu and issued threats of violent escalation. Both the police and armed forces have been at the forefront of President Ranil Wickremesinghe's recent crackdown on peaceful demonstrations, including a brutal assault on protestors at 'GotaGoGama' in Colombo on 22 July [2022]".⁴⁸

The Centre of Policy Alternatives (CPA) highlighted that "States of Emergency was declared thrice in 2022, with the emergency regulations being promulgated twice within the year. On 1st April 2022, then President Gotabhaya Rajapaksa declared a State of Emergency, which was subsequently revoked on the 5th of April without promulgating Emergency Regulations.⁶⁴ On 6th May 2022, a state of emergency and a curfew were imposed again, and on 9th May, backdated emergency regulations were gazetted. On 17th July 2022, Acting President (as he then was) Ranil Wickremesinghe declared a State of Emergency,⁶⁵ and on 18th July 2022, he brought into effect the Emergency (Miscellaneous Provisions and Powers) Regulations, No. 1 of 2022.⁶⁶".⁴⁹

The International Federation for Human Rights (FIDH) issued a report in January 2023, which provides a "comprehensive record of the serious and systematic human rights violations committed by Sri Lankan authorities against the protesters".⁵⁰ Regarding the background to the protest movement, "called aragalaya ["struggle" in Sinhala], was born in response to the government's protracted economic mismanagement and the growing public discontent over corruption and nepotism. The protests, which initially started in the capital, Colombo, quickly spread across all nine provinces of Sri Lanka. The protesters' key demands were the resignation of then-President Gotabaya Rajapaksa and the reform of the political system".⁵¹

The report found that:

⁴⁷ United States Institute of Peace (USIP), [Five Things to Know about Sri Lanka's Crisis](#), 15 July 2022

⁴⁸ Sri Lanka Campaign, [Militarisation in Sri Lanka Part 1: The Military and the Economy](#), 24 August 2022

⁴⁹ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p. 16

⁵⁰ International Federation for Human Rights (FIDH), [Anatomy of a crackdown: The repression of Sri Lanka's aragalaya protest movement](#), January 2023, *Executive summary*, p. 4

⁵¹ International Federation for Human Rights (FIDH), [Anatomy of a crackdown: The repression of Sri Lanka's aragalaya protest movement](#), January 2023, *Executive summary*, p. 4

Instead of engaging in dialogue and addressing the protest movement's grievances, the government responded to the demonstrations by cracking down on protesters and repeatedly violating their right to freedom of peaceful assembly. Such violations included the imposition of unnecessary and disproportionate restrictions on assemblies by resorting to emergency powers, and curbs on the places, modalities, and expressive content of assemblies. In addition, authorities abused national laws to block or prevent protests and arrest protesters.

In several critical incidents, such as on 9 May 2022 in Colombo, Western Province, and Kandy, Central Province, the authorities failed to intervene and prevent unprovoked attacks by progovernment elements on peaceful aragalaya protesters. In many other cases, instead of facilitating the exercise of the protesters' right to freedom of peaceful assembly, police disrupted, blocked, and interfered in the demonstrations.

Members of the military and the Special Task Force (STF), a police unit specialized in counterterrorism, organized crime, and counter-insurgency operations, were repeatedly deployed to supervise assemblies. In many cases, police officers deployed for crowd control engaged in actions that evinced an absence of adequate human rights training and lacked guidance for the specific needs of vulnerable groups at protests, including persons with disabilities and children.

The most disturbing pattern of human rights violations against aragalaya protesters was the authorities' frequent use of unnecessary and/or disproportionate force to disperse their peaceful assemblies. In many cases, such actions violated the protesters' fundamental human rights, including the right to life. For example, in at least two key incidents, law enforcement personnel used firearms to disperse protesters, resulting in the death of one person and injuries to many others.

Police also used teargas and water cannons indiscriminately against peaceful aragalaya protesters, without adhering to prerequisites and modalities prescribed by relevant international standards.

Between 31 March 2022 and 16 January 2023, police used teargas and/or water cannons in at least 25 protests, mostly in Colombo. Authorities often targeted protest observers, including bystanders, journalists, and lawyers.

In addition, police routinely arrested aragalaya protest organizers and participants. In most instances, those arrested neither engaged in violent behavior nor incited others to violence. Three peaceful student protesters were arbitrarily detained for a prolonged period of time under the Prevention of Terrorism Act (PTA) - Sri Lanka's anti-terrorism legislation. Authorities also subjected aragalaya protest organizers and participants to a systematic campaign of arrests, prosecutions, and other acts of harassment, including judicial harassment, intimidation, and surveillance.⁵²

According to United States Institute of Peace (USIP), the roots of this political crisis:

are directly tied to the actions of former President Gotabaya Rajapaksa and his family, including his brothers former Prime Minister Mahinda Rajapaksa and former Finance Minister Basil Rajapaksa. Gotabaya came to power in 2019, and in 2020 his party, the Sri Lanka People's Front (SLPP), was able to consolidate its supermajority in parliament on a banner of populism and Sinhalese nationalism. By passing the 20th amendment to the constitution, Gotabaya was able to consolidate an unprecedented amount of power in the executive presidency. His dictatorial tendencies were matched by nepotism, corruption, the elevation of retired military officers into almost every sector of government, and serious accusations of human rights violations during the Sri Lankan civil war. But in the end, it was his (and his family's) terrible governance and mismanagement of Sri Lanka's economy, especially during the pandemic, that led to the economic crisis in the fall of 2021.⁵³

⁵² International Federation for Human Rights (FIDH), [Anatomy of a crackdown: The repression of Sri Lanka's aragalaya protest movement](#), January 2023, Executive summary, p. 4/5

⁵³ United States Institute of Peace (USIP), [Five Things to Know about Sri Lanka's Crisis](#), 15 July 2022

In July 2022 the Secretary General of the World Organization Against Torture (OMCT) described the situation in Sri Lanka as “simply catastrophic, with violence growing out of the economic and financial crisis that has shaken the country since the beginning of the year. Basic medical care is no longer guaranteed”.⁵⁴

Gotabaya Rajapaksa fled Sri Lanka on 13th July 2022, resigned on 14th July 2022 and the then Prime Minister Ranil Wickremasinghe was formally sworn in as acting President on 15th July 2022.⁵⁵

According to Transparency International “The end of 2023 in Sri Lanka [...] marked the culmination of a civil society campaign to seek justice through the courts and hold the political leadership and top officials accountable for the large-scale debt default and resulting economic crisis. A petition before the Supreme Court was filed by civil society organisations in the public interest, arguing that government officials violated public trust due to their lack of accountable and transparent decision-making. In this landmark judgement, the Sri Lanka Supreme Court found that former President Gotabaya Rajapaksa, former Prime Minister Mahinda Rajapaksa, two former central bank governors and other top treasury officials breached the public trust and violated the constitution in their administration of the economy, ultimately causing the economic crisis”.⁵⁶

b. Presidency of Ranil Wickremasinghe (2022-2024)

See also section VIII. Human Rights Situation → [iii. Treatment of Persons \(Perceived as\) Critical of the Government](#)

For a timeline looking at key events in relation to the protests that took place during 2022 and the beginning of 2023 and the manner in which the Sri Lankan State responded, see pages 3-14 of this report: Centre for Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023.

The Dutch Ministry of Foreign Affairs summarised the Ranil Wickremasinghe presidency in its thematic country of origin information report as follows:

In August 2022, the new president Ranil Wickremasinghe gave his first speech in parliament. He stressed that he wanted to work for the unity of all peoples and religions of Sri Lanka. During the first months of his presidency, this conciliatory attitude was effectively translated into some concrete steps towards democracy, the rule of law and the reconciliation process. However, the first year and a half of Wickremasinghe’s presidency was mainly characterised by increasing repressive measures targeting civil society, journalists, human rights activists, social media activists, and other critics of the authorities [...]

The repression targeted all opinions that could be seen as critical, and not the Tamil community in particular. Most sources indicated that Wickremasinghe had learnt from the Aragalaya protests, and was determined not to allow the risk of critical voices bringing down a government again. [...]

⁵⁴ World Organization Against Torture (OMCT), [Switzerland must immediately suspend deportations of asylum seekers to Sri Lanka](#), 29 July 2022

⁵⁵ United States Institute of Peace (USIP), [Five Things to Know about Sri Lanka’s Crisis](#), 15 July 2022

⁵⁶ Transparency International, [CPI 2023 for Asia Pacific: Regional Stagnation Marked By Inadequate Delivery of Anti-Corruption Commitments](#), 30 January 2024

One of Wickremasinghe's first achievements was the 21st amendment to the constitution, passed by parliament in October 2022. This amendment aimed to decentralise power, which had been centralised by Gotabaya Rajapaksa. Many of the provisions of the 20th amendment were reversed in the 21st amendment. Chief among these was the restoration of the Constitutional Council, which reclaimed the power to appoint members of key state commissions (including the HRCSL) from the president.⁵⁷

The International Crisis Group foresaw on its country page 'Sri Lanka' that "President Ranil Wickremesinghe's reliance on Rajapaksa allies for his parliamentary majority will likely constrain fulfilment of promises to increase financial accountability, strengthen rule of law institutions, reduce impunity and corruption, ensure the rights of Tamils and Muslims, and address the legacy of the 1983-2009 civil war".⁵⁸

In its October 2022 report the UN High Commissioner for Human Rights noted that:

Ranil Wickremesinghe, who had been appointed Prime Minister in July 2022, was made Acting President and then elected by Parliament as the new President of Sri Lanka on 20 July 2022, according to the constitutional process. While the President enjoys the support of the previous ruling party, he has sought to establish an all-party Government. In his first speech to Parliament, on 3 August 2022, the new President appealed for the unity of Sri Lankans across all ethnic communities and affirmed the place of all religions, languages and traditions. He recognized the transformative power of the protest movement, in particular the role of youth, promised constitutional reforms and proposed a people's assembly as a consultative mechanism to guide political and social reforms. He committed to combating corruption and establishing a new social justice commission to ensure that economic reforms benefited all sectors of society.⁵⁹

On 18th July 2022, acting President Ranil Wickremesinghe declared "a state of emergency, granting sweeping powers of arrest and detention to the police and armed forces".⁶⁰ A number of human rights organisations "have documented attacks against protesters, media outlets, human rights defenders, and religious and civil society organizations following the swearing in of the new president and cabinet on 21 and 22 July, respectively".⁶¹

The Centre of Policy Alternatives (CPA) reported that "On 23rd September 2022, President Wickremasinghe designated specific areas in the Colombo District as "High Security Zones," purportedly under the archaic Official Secrets Act of 1955. The zones designated by way of a gazette included areas near the Parliament, Presidential Secretariat and the Prime Minister's office,⁸⁰ which were among popular sites for public protests".⁶² The same source further stated that "At the outset, it was apparent that the regulations were clearly incompatible with the Act which was drafted for the purpose of protecting state secrets. The designations were clearly an attempt to restrict protests, stifle

⁵⁷ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 2.1.5 Ranil Wickremasinghe's presidency (from July 2022)

⁵⁸ International Crisis Group, [Sri Lanka](#), Undated [Last accessed: 06.01.2025]

⁵⁹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 6

⁶⁰ World Organization Against Torture (OMCT), [Sri Lanka: End government crackdown on peaceful protesters](#), 05 August 2022

⁶¹ World Organization Against Torture (OMCT), [Sri Lanka: End government crackdown on peaceful protesters](#), 05 August 2022

⁶² Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p. 18/19

dissent, and set a dangerous precedence. Several fundamental rights petitions were filed against the designation and the gazette was subsequently revoked on 1st October 2022”.⁶³

The same source highlighted that “Despite assurances of using ‘minimal force’, the responses of security forces towards protests display a clear escalation in the use of force. Soon after being appointed acting President, Ranil Wickremesinghe asked the military to do ‘whatever is necessary to restore order’”.⁶⁴

The CPA concluded that:

The state response to protests in 2022 has thus created a chilling effect to silence dissent, as the rapidly shrinking civic space and the criminalization of peaceful protesting create adverse implications by restricting the rights to assembly, association, and speech. The state has failed to provide sufficient reasons for restricting these rights, and such restrictions continue to be disproportionate, collateral or unlawful. Over time, these restrictions, along with frequent abuses of power by security forces, have become the norm that further contributes to the existing climate of impunity in Sri Lanka.⁶⁵

One year after Sri Lanka’s massive unrest, the United States Institute of Peace (USIP) noted that “the country is still dealing with the aftermath of its most devastating economic crisis since independence, a government without popular support and intensifying geopolitical competition in its neighborhood [...] In the year since, the country has secured an IMF agreement, and its economy has ambled toward a slow path of recovery. However, there have still been concerns on the human rights front as the current government of Ranil Wickremesinghe has clamped down on further protests and continually postponed elections”.⁶⁶

In July 2023, Ambika Satkunanathan, the former commissioner of Sri Lanka’s Human Rights Commission noted that “since parliamentary elections have not been held in the aftermath of the political crisis the current government is the same as the one headed by Gotabaya — the only difference is that Wickremesinghe is the president”.⁶⁷ With regards to the human rights situation, he summarised it as follows:

The military continues to acquire land in the north and east to expand military camps. Security agencies and the military have continued their surveillance, intimidation and harassment of civil society organizations, the media, families of the disappeared, former combatants and Tamil political and civic activity in conflict-affected areas. The draconian Prevention of Terrorism Act, which does not adhere to international human rights standards and the implementation of which has resulted in human rights violations, is still on the statute books. As part of the Sinhalization of the north and east, which has rapidly escalated, Hindu temples are being destroyed and in their place Buddhist temples being built.

There has also been no progress in holding perpetrators of human rights violations related to the war accountable. Nor has there been any attempt to provide a political solution to the ethnic conflict or undertake substantive constitutional reform. Instead, to avoid being subject to the scrutiny of the U.N. Human Rights Council, the government is proposing the establishment of the National Unity and

⁶³ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p.19

⁶⁴ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p.22/23

⁶⁵ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p.24

⁶⁶ United States Institute of Peace (USIP), [A Year After Mass Protests, Sri Lanka’s Governance Crisis Continues](#), 20 July 2023

⁶⁷ United States Institute of Peace (USIP), [A Year After Mass Protests, Sri Lanka’s Governance Crisis Continues](#), 20 July 2023

Reconciliation Commission, its version of the truth-seeking mechanism, while hundreds of recommendations of similar previous commissions remain unimplemented.⁶⁸

The International Crisis Group reported in September 2024 that Ranil Wickremesinghe:

resolved the most urgent shortages and took austerity measures to balance the books in preparation for an IMF bailout, eventually approved in March 2023. With support from the Central Bank, and in part thanks to natural cyclical processes, inflation has fallen from historical highs to single digits; interest rates have come down; and currency reserves have increased. Major economic reforms are under way, as part of the IMF package, and negotiations with creditors on essential debt restructuring are nearing completion. The modest scale of the relief, however, will still leave Sri Lanka's debt at precarious levels and the economy vulnerable to external shocks, even if the tough fiscal targets are met.

Improved economic indicators, meanwhile, have offered little relief to millions across the country, with poverty rates more than doubling since 2020. Government responses, including a new and much-touted anti-poverty cash transfer system, have failed to meet the needs of many citizens, especially women and youth. Hundreds of thousands have left the country to find employment abroad, including many of the island's best-educated professionals.⁶⁹

c. 2024 Election of Anura Kumara Dissanayake

On 21st September 2024, Anura Kumara Dissanayake from the leftists Janatha Vimukthi Peremuna (JVP) party was elected the new President of Sri Lanka, "beat[ing] stalwarts of the political scene, including opposition leader Sajith Premadasa and incumbent President Ranil Wickremesinghe".⁷⁰ He did not "win an outright majority of the vote, and for the first time in Sri Lanka's history the president was decided by considering the second-choice votes in the rank order voting system. Overall, he garnered about 42% of the vote in the first round, doing less well in the North and East where minority voters have less exposure to Dissanayake and disapprove of his party's previously ethno-nationalist stances".⁷¹

The International Crisis Group's monthly CrisisWatch reported in September 2024 that the "Feminist academic and NPP stalwart Harini Amarasuriya was sworn in as PM on 24 Sept [and] retired Senior Deputy Inspector General of Police Ravi Seneviratne [was appointed] as Secretary to the Ministry of Public Security, which oversees police; Seneviratne helped lead investigations into 2019 Easter bombings and numerous cases of alleged murders and disappearances during Mahinda Rajapaksa's presidency".⁷²

Anura Kumara Dissanayake called for snap parliamentary elections on 14th November 2024, where his coalition, the National People's Power (NPP), got nearly 62% of the vote, which according to the BBC

⁶⁸ United States Institute of Peace (USIP), [A Year After Mass Protests, Sri Lanka's Governance Crisis Continues](#), 20 July 2023

⁶⁹ International Crisis Group, [Sri Lanka's Bailout Blues: Elections in the Aftermath of Economic Collapse](#), 17 September 2024

⁷⁰ United States Institute of Peace (USIP), [Sri Lanka's New President Faces Daunting Challenges and High Hopes](#), 1 October 2024

⁷¹ United States Institute of Peace (USIP), [Sri Lanka's New President Faces Daunting Challenges and High Hopes](#), 1 October 2024

⁷² International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], *September 2024*

“cemented a transformation of the island-nation's political landscape which for decades was dominated by established political parties of family dynasties”.⁷³

The International Crisis Group's monthly CrisisWatch reported in November 2024 that the “NPP ran [election] campaign promising to fight corruption, reduce cost of living and renegotiate bailout agreement with IMF, and made direct outreach to Tamil community, including 1 Nov reopening Palaly-Achchuveli road in Jaffna after 34 years of closure by military”.⁷⁴ The same source further reported in October 2024: “Dissanayake 6 Oct visited St. Sebastian's Catholic Church, badly damaged in 2019 Easter Sunday suicide attacks, and promised “fair and transparent investigation” and that “justice will be delivered to the victims”; he acknowledged “growing suspicions that the government apparatus at the time may have been involved”. Newly-appointed Secretary to Public Security Ministry Ravi Seneviratne 14 Oct promised to reopen “all stalled investigations” into country's best-known cases of corruption, abduction and political murders, including Easter attacks”.⁷⁵

Yet, the organisation People for Equality and Relief in Lanka (PEARL) noted in November 2024 that regarding justice and accountability for Tamil grievances, “While the recent elections have sparked some hope for change, the Sri Lankan government persists in perpetuating the policies of its predecessors, disregarding Tamil demands for justice, accountability, and self-determination. By appointing and retaining alleged war criminals as senior government officials and rejecting calls for credible international mechanisms for justice in favor of ineffective domestic alternatives, the government signals a lack of genuine commitment to accountability and Tamil demands. These actions underscore its reluctance to address longstanding Tamil grievances”.⁷⁶

V. Rule of Law/Administration of Justice

a. Access to Justice

See also section VI. Corruption → [a. Within the Judiciary](#)

As way of introduction, the Centre for Equality and Justice (CEJ) noted in a study in January 2023 focusing on the prevalence of sexual bribery in the health and justice sectors in Sri Lanka that:

Access to justice and legal literacy requires significant improvement in Sri Lanka. The state- funded legal aid programme is limited. The Sri Lanka Bar Association and some civil society organisations offer limited legal aid services. The Human Rights Commission has several branches across the country and therefore is an accessible non-judicial remedy available. The Human Rights Commission can only make recommendations which do not carry the force of a legal order. Moreover, time to time, the independence of the Commission has been undermined and called into question each time the process for appointing the Commission has been politicised.⁷⁷

⁷³ BBC, [Landslide win for new Sri Lankan president's left-leaning coalition](#), 15 November 2024

⁷⁴ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], November 2024

⁷⁵ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], October 2024

⁷⁶ People for Equality and Relief in Lanka (PEARL), [Eelam Tamils honor their fallen while coming together as a nation](#), 27 November 2024

⁷⁷ Centre for Equality and Justice (CEJ), [Asking for my soul: A study on sexual bribery in the health and justice sectors in Sri Lanka](#), January 2023, 2.4. Access to justice and legal literacy, p. 19

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

Follow-Up Questions by Committee Experts [...]

Pre-trial detention regulations seemed inconsistent. Perpetrators of serious crimes, including enforced disappearances, were able to obtain bail, while those in pre-trial detention for minor offenses were illegible for bail. Further, some persons had been granted bail but remained in custody. It was reported that more than half of the current prison population was held in pre-trial detention and that it was not uncommon for it to continue for three or four years, and sometimes even 10 years. Could the delegation address this? [...]

Responses by the Delegation [...]

Questions by Committee Experts [...]

There was apparently a backlog of 40,000 cases in the criminal justice system and some cases had taken 15 years to reach trial. What measures would be taken to expedite indictments? How would the impartiality of the Attorney General be ensured? The lack of access to justice for speakers of Tamil, an official language, was concerning. Would more translators be employed by the courts? [...]

Responses by the Delegation [...]

To speed up justice, the State party was establishing new court houses, digitalising the court system, conducting trainings, and increasing the number of judges in the court of appeals and the Supreme Court. The justice reform process was ongoing. More judicial officers had been recruited. [...] ⁷⁸

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee noted with regards to the administration of justice that:

The Committee is concerned by the excessive delays in trials and the ensuing backlog of cases, including cases of serious crimes against children. It further regrets that Tamil-speaking individuals do not have equal access to justice owing to the limited use of the Tamil language in judicial proceedings and the lack of interpretation and translation services (art. 14).⁷⁹

The International Monetary Fund (IMF) found as part of its ‘Technical Assistance Report’ and published in September 2023 that “The Sri Lankan court system suffers from poor resources, an overwhelming backlog of cases, and the limited capacity of legal personnel. The system is unable to keep up with the flow of cases entering the system due to antiquated processes and a general failure to make use of technology to assist in case management. Judges are consumed by the administrative tasks of running the court and do not have the required time to adjudicate on cases. Problems handling new cases adds to the extraordinary backlog of older cases, making the system relatively unusable for protecting contract and property rights. Problems in the adjudication of disputes are further exacerbated by the complexity of the land registration system. The absence of data and publicly accessible registries also creates clear vulnerabilities to corruption. Land disputes are regularly cited as the source of the most numerous and protracted cases”.⁸⁰

⁷⁸ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers’ Alleged Human Rights Violations](#), 9 March 2023

⁷⁹ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, paragraph 32

⁸⁰ International Monetary Fund (IMF), [Sri Lanka, Technical Assistance Report – Governance Diagnostic Assessment](#), September 2023, Section IX: Rule of Law, A. Background, p. 114

The Disability Organization Joint Front published in 2024 its submission for the 19th pre-sessional working group of the UN Committee on the Rights of Persons with Disabilities and highlighted that:

Until the passage of the Disability Rights Bill by the government, persons with disabilities find themselves compelled to file complaints at the High Court or the Supreme Court in cases of rights violations. Unfortunately, this avenue is often inaccessible for many individuals with disabilities due to their limited financial means, residing at a very low-income level, making it challenging to access the High Court or Supreme Court.

Compounding this issue is the absence of a well-established mechanism for filing complaints and reporting rights violations, service interruptions, partiality, discrimination, and marginalization. The lack of a systematic and accessible reporting framework further impedes the ability of persons with disabilities to seek redress and reinforces barriers to justice.⁸¹

1. Human Rights Commission Sri Lanka

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that “In recent years, the National Human Rights Commission’s mandate has also been considerably weakened. The 20th Amendment to the Constitution gave the president full autonomy over making appointments to the Commission, eroding its independence. Even though the 21st Amendment repealed the earlier one, frequent interference/tampering with the Constitution has undermined the document’s legitimacy”.⁸²

The Right to Life Human Rights Centre published a study in May 2023 on the role and complaint investigation of the Human Rights Commission of Sri Lanka and found that:

Currently, the commission faces significant criticism for not adhering to international standards in appointing commissioners and in its overall functioning. This has led to the commission being downgraded from A grade to B grade. There are concerns about the lengthy time taken for complaint investigations and providing recommendations, as well as the lack of implementation of these recommendations by certain government officials and institutions even after considerable waiting periods. Victims also express frustration over the lack of adequate recommendations in proportion to the time and effort they invest in filing complaints. Additionally, there has been a gradual decline in public trust in the commission due to these issues.⁸³

Yet, the same study highlighted the following positive outcomes of its work:

Despite the criticism, the commission has managed to regain a certain level of public trust by taking swift action in response to human Rights violations in the country, even without receiving formal complaints. The commission has proactively called in major parties involved and provided recommendations to address these violations. Notably, it has established a quick response unit specifically dedicated to addressing cases of torture and extrajudicial killings. Additionally, the commission has worked to streamline police station examinations and expedite the processing of

⁸¹ Disability Organization Joint Front, [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, V. *Specific rights, Article 13, Access to justice*

⁸² The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, *Executive Summary, Overview of national trends, Sri Lanka*, xii

⁸³ Right to Life Human Rights Centre, [Human Rights Commission of Sri Lanka: Study of Role and Complaint Investigation](#), May 2023, *Introduction*, p. 5

pending public complaints. Furthermore, it has increased transparency and accountability by publishing its recommendations, announcements, and guidelines aimed at protecting human Rights in Sri Lanka.⁸⁴

b. Judicial Independence

See also section VI. Corruption → [a. Within the Judiciary](#)

In its Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee expressed concern that “While welcoming the adoption of the twenty-first amendment to the Constitution in October 2022, aiming to limit the power of the executive presidency in the appointment of oversight institutions, the Committee is concerned that that amendment still appears to allow the executive presidency to have undue influence on the independence of oversight institutions, including the judiciary, due to the fact that the Constitutional Council is still dominated by members of the political parties in parliament”.⁸⁵ It further noted that:

The Committee is concerned that the Judicial Service Commission, which is responsible for the appointment, promotion and transfer of judges of first instance courts, is composed of three Supreme Court judges appointed by the President, which allows undue influence by the executive branch. It is also concerned by reports of retaliation or pressure on judges of the Supreme Court and the Court of Appeal through politicized and vague removal procedures and regrets the lack of information provided on concrete protection measures against the arbitrary removal of judges (art. 14).⁸⁶

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

Follow-Up Questions by Committee Experts

A Committee Expert said that the judicial service commission was responsible for transfer of judges, and it was composed of people appointed by the President. Reports of judges transferred as retaliation were concerning. Were rules disciplining judges published? What were they? Would the commission be expanded to make the appointment process less political? How were Supreme Court judges protected from arbitrary impeachment? Staff Sergeant Sunil Rathnayake, who was convicted of killing eight Tamil villagers in 2000, was released by presidential pardon in 2020. The overreach of executive power was of great concern and fostered impunity for perpetrators of grave offenses. What measures were in place to oversee presidential pardons? [...]

Responses by the Delegation

[...] The delegation said the independence of the judiciary was ensured and any infringement on its independence would be sanctioned. Article 107 of the Constitution stated that all judges were required to maintain their independence and could be removed by the President if they did not. Parliament would hear appeals upon the removal of judges.

The judicial service commission had been appointed by the President, but was subject to Constitutional Council approval. Indictments were issued by the Attorney General only after a vetting process, and

⁸⁴ Right to Life Human Rights Centre, [Human Rights Commission of Sri Lanka: Study of Role and Complaint Investigation](#), May 2023, *Introduction*, p. 5

⁸⁵ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *para. 5*

⁸⁶ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *para. 30*

those indictments were subject to scrutiny. Recruitment was underway for the Attorney General's department. Presidential pardons could be subject to judicial review and some cases were underway in this regard.⁸⁷

In May 2024 the UN Human Rights Office issued a report on accountability for enforced Disappearances in Sri Lanka which stated that "Concerns continue to be raised about structural weaknesses undermining the independence of the judiciary. Political pressures undermine the judiciary's ability to adjudicate highly politicized conflict-related cases".⁸⁸

The International Commission of Jurists (ICJ) expressed its concern in August 2023 about "attacks on the independence of the judiciary in Sri Lanka under cover of parliamentary privilege. On 22 August 2023, Sarath Weersekera, a former Minister and a Member of Parliament belonging to the Sri Lanka Podujana Peramuna, the country's ruling political party, made an inflammatory speech with racist undertones in Parliament, referring to T. Saravanaraja, the Mullaitivu Court's Magistrate repeatedly as "a mentally ill person", and criticizing a court order Judge Saravanaraja had made, while making personal remarks about him, including a mention of his wife. Judge Saravanaraja has been the target of this invective following an order he made upholding the right of religious worship of Hindu devotees at a Hindu shrine on Kurundur Hill, a contested religious site in the North of the country".⁸⁹

c. Legal Representation, Including Attacks Against Lawyers

The Centre of Policy Alternatives (CPA) reported that during the year 2022 "Legal reprisals against protesters, activists and lawyers are also used as a tactic of intimidation. In November, Attorney-at-Law Nuwan Bopage, who represents student protesters arrested under the PTA, was named as the 59th suspect in a case based on the allegation of illegally entering the President's residence".⁹⁰

Covering the year 2023, the U.S. Department of State's annual human rights report noted with regards to access to a lawyer:

The government permitted access to prisoners on a regular basis by the HRCSL, magistrates, and the Board of Prison Visits. Authorities granted irregular access to those providing legal counsel and reportedly monitored prisoners' visits with counsel.⁹¹

In May 2024 the UN Human Rights Office issued a report on accountability for enforced Disappearances in Sri Lanka which stated that "Lawyers reported to OHCHR that currently there is an inadequate system of protection for victims. Lawyers also reported that they themselves are subject to intimidation and reprisals. Frequently the threat comes within the security forces or law enforcement (including those that have responsibility for conducting investigations)".⁹²

⁸⁷ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations](#), 9 March 2023

⁸⁸ OHCHR, [Accountability needed for enforced disappearance](#), 17 May 2024, para. 93

⁸⁹ International Commission of Jurists (ICJ), [Sri Lanka: Parliamentary privilege used to undermine independence of the Judiciary](#), 30 August 2023

⁹⁰ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p. 21

⁹¹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

⁹² OHCHR, [Accountability needed for enforced disappearance](#), 17 May 2024, para. 94

d. Access to a Fair Trial

See also section VIII. Human Rights Situation → [1. Prevention of Terrorism Act \(PTA\) and Anti-Terrorism Bill](#) and [iii. Treatment of Persons \(Perceived as\) Critical of the Government](#)

Covering the year 2023, the U.S. Department of State's annual human rights report noted with regards to fair trials:

The constitution and law provided for the right to a fair and public trial, and an independent judiciary generally enforced this right.

A shortage of court-appointed interpreters limited the right of Tamil-speaking defendants to free interpretation as necessary. In several instances, courts tried criminal cases with Tamil-speaking defendants in Sinhala-speaking areas, which exacerbated the language difference and increased the difficulty of travel for witnesses. Few legal textbooks were available in Tamil.⁹³

In its report on the situation of human rights in Sri Lanka covering October 2022 and its publication date of October 2023, the UN Human Rights Office stated with regards to fair trial procedures that "Securing convictions in terrorism-related proceedings based solely on confessions raises concerns about respect for the right to a fair trial and the right not to testify against oneself".⁹⁴

In May 2024 the UN Human Rights Office issued a report on accountability for enforced Disappearances in Sri Lanka which stated that "Criminal proceedings in Sri Lanka are generally beset by prolonged delays. However, in cases involving enforced disappearances or other serious violations involving State officials, the delays are even more pronounced".⁹⁵

e. Impunity

Regarding the lack of accountability for past human rights violations see also the December 2022 report by the Sri Lanka Campaign, [Thirty Years of Failure: Sri Lanka's Domestic Accountability and Human Rights Processes](#), December 2022 and its previous report of July 2022 named [Disappearances in Sri Lanka: A continuing crime](#).

In September 2022 Nada Al- Nashif, UN Acting High Commissioner for Human Rights presented her Office's report on Sri Lanka at the 51st session of the Human Rights Council noting that "Impunity remains a central obstacle to the rule of law, reconciliation and Sri Lanka's sustainable peace and development. This impunity continues to embolden those committing human rights violations, has created fertile ground for corruption and the abuse of power, as well as contributing to the present economic crisis".⁹⁶

In its October 2022 report the UN High Commissioner for Human Rights noted that:

Since 2020, impunity was further entrenched through political obstruction of accountability for gross human rights violations. For instance, the presidential commission of inquiry to investigate allegations

⁹³ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

⁹⁴ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 25

⁹⁵ OHCHR, [Accountability needed for enforced disappearance](#), 17 May 2024, para. 94

⁹⁶ OHCHR statement, [Comprehensive report and interactive dialogue on Sri Lanka](#), 12 September 2022

of political victimization actively intervened in police investigations and court proceedings in several high-profile human rights cases.

It also “investigated” a number of high-profile corruption cases relating to incidents that had occurred between 2005 and 2015. Recently, there have been proposals from within the Government that the individuals it had cleared should receive compensation. At the same time, a number of corruption and other related economic crime cases were discontinued between 2020 and 2022, following the withdrawal of charges or indictments on various technical grounds by the Attorney General or the Commission to Investigate Allegations of Bribery or Corruption.⁹⁷

In November 2022 the Sri Lankan Daily Mirror reported regarding impunity amongst the police force:

Nine Thousand Two Hundred Ninety Five (9295). That is the number of public complaints that have been lodged against Sri Lanka Police with the National Police Commission (NPC) during the last five years. These complaints include cases of unlawful arrest, false charges, assault, torture, partiality, abuse of power, as well as Police inaction.

This number on record is small compared to the actual number of incidents taking place on the streets of Sri Lanka daily. Even with this high number of reported cases of Police violence and misconduct, one would expect the conviction rate and solving of complaints to be high as well, since there is a dedicated oversight body named the National Police Commission (NPC) that is responsible for ensuring that the Police are accountable for their acts of violence.

However, officers are rarely prosecuted for misconduct, including the brutal use of force on citizens. In rare cases, officers found guilty are given minor disciplinary punishments or given warnings.⁹⁸

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “The government took minimal steps to identify and punish officials who may have committed human rights abuses”.⁹⁹ It further reported that “Impunity remained a significant problem characterized by a lack of accountability for abuses, particularly regarding government officials, military, paramilitary, police, and other security-sector officials. Civil society organizations asserted the government, including the courts, was reluctant to act against security forces alleged to be responsible for abuses”.¹⁰⁰

The same source further noted that “There was little progress investigating allegations of abuses from the 1983-2009 civil war or from the 1988-89 Marxist insurrection in the south. Impunity and lack of accountability for war-era abuses remained a problem. Disappearances during the war and its aftermath remained unresolved. Families of disappeared and missing persons remained frustrated with the lack of progress investigating cases and the lack of answers from the government or OMP [Office on Missing Persons]”.¹⁰¹

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

Questions by Committee Experts

⁹⁷ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 50

⁹⁸ Daily Mirror, [Police on trial: Exercising authority without accountability](#), 10 November 2022

⁹⁹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Executive Summary

¹⁰⁰ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

¹⁰¹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

[...] What was the role of the prosecution and the Attorney General when representing perpetrators? The Attorney General was responsible both for representing the State and bringing indictments to court. This could result in conflict of interests. There were still people detained in several army camps. Were the camps visited by the Human Rights Commission or the magistrate? Could people be detained under police curfews? Pre-trial detention was a grave problem for the State party. Could the delegation comment on this? [...]

Responses by the Delegation [...]

The delegation said that the Attorney General did not represent persons or officers wherein there were allegations of torture, which was in compliance with the zero-tolerance on torture policy. Murder charges were issued in some cases of torture. [...]

Follow-Up Questions by Committee Experts [...]

Another Expert said impunity was a major concern for the Committee because it was a litmus test for turning theory into practice. Few cases ended in sanction. Victims had a right to reparation. The longer the justice process, the lower the probability that the victim received repair. The Committee invited the State party to investigate human rights violations.¹⁰²

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

The Committee is deeply concerned about the extreme delay in bringing to justice perpetrators of past human rights violations that occurred during the conflict. It regrets that domestic legislation does not criminalize war crimes, crimes against humanity or genocide. It is concerned that, despite credible evidence of war crimes, the Court of Inquiry convened by the Sri Lankan Army found that no civilian casualties had been caused by army operations between 2006 and 2009 and that allegations of systematic use of torture and sexual violence at Joseph Camp in Vavuniya remain unaddressed. The Committee expresses its concern about reports of interference in and obstruction of judicial and investigative processes by politicians and members of security forces. It is particularly concerned about the recommendations made by the commission of inquiry to investigate allegations of political victimization, which led to the withdrawal of charges in many emblematic cases, including the abduction of 11 Tamil individuals by Navy officials in 2008 and 2009 and the killings of Tamil Members of Parliament Nadaraja Raviraj and Joseph Pararajasingham. It is also concerned about the continued appointment and promotion of military personnel accused of war crimes during the conflict, which fosters a climate of impunity.

While noting the amendment made to the Assistance to and Protection of Victims of Crime and Witnesses Act of 2015, the Committee remains concerned that victims, their relatives and witnesses are not provided effective protection and continue to face threats, intimidation and harassment. While also noting the establishment and operation of the Office for Reparations and the Office on Missing Persons, it is concerned by the lack of progress in clarifications of the whereabouts and fate of persons subjected to enforced disappearances, appointments to these bodies of individuals implicated in past human rights violations and interference in the prosecution of such cases, which deter victims and their relatives from seeking justice. While noting the State party's information that former combatants are eligible for reparations pursuant to the Office for Reparations Act No. 34 of 2018 and are included in social services schemes, it regrets reports that they lack adequate access to such information and other services, including medical care (arts. 6, 7, 9, 14 and 26).¹⁰³

¹⁰² OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations](#), 9 March 2023

¹⁰³ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, paras. 11 and 12

In June 2023 Nada Al-Nashif, UN Deputy High Commissioner for Human Rights provided an oral update to the UN Human Rights Council, stating that “Accountability remains the fundamental gap in attempts to deal with the past. As long as impunity prevails, Sri Lanka will achieve neither genuine reconciliation nor sustainable peace”.¹⁰⁴ They further noted that:

Fundamentally, it is and remains the responsibility of the Sri Lankan authorities to directly acknowledge past violations and undertake credible investigations and prosecutions, alongside other accountability measures. However, as long as this “accountability deficit” remains, the international community can – and should – play complementary roles. Means to do so include use of accepted principles of universal and extraterritorial jurisdiction to investigate and prosecute alleged perpetrators, and support to the relevant accountability processes in third States, as well as fair application of targeted sanctions against credibly alleged perpetrators.¹⁰⁵

Human Rights Watch (HRW) published a report in September 2023 that – based on over 80 interviews conducted in June 2023 – showed “why the proposed National Unity and Reconciliation Commission is not a serious step to obtain truth or justice for past international crimes. The government should genuinely engage with victims and affected communities and learn from previous efforts. It should build on the evidence collected and recommendations made by past commissions including the 2017 Consultation Task Force on Reconciliation Mechanisms, which studied options for transitional justice. The government needs to end its ongoing abuses against victims, their families, and human rights defenders and activists seeking to enforce their rights. This means stopping and appropriately punishing members of the military, police and intelligence services who are carrying out surveillance and intimidation, repressing protests, abusing counterterrorism laws, and taking part in “land grabs” targeting minority communities. Families of victims of enforced disappearances and civil society activists particularly in the predominantly Tamil north and east of Sri Lanka told Human Rights Watch that they have given evidence to several previous government commissions and are unwilling to expose themselves again to threats from security agencies and repeated re-traumatization”.¹⁰⁶

In September 2023, nine international human rights organisations expressed their “grave reservations about the about the Sri Lankan government’s proposed National Unity and Reconciliation Commission, after many such attempts at transitional justice having already failed. Their concerns echo many of those already raised by victims of conflict-related abuses and their families”.¹⁰⁷ In February 2024, four international human rights groups issued a joint statement criticizing the governments attempt of establishing yet another truth commission and pointed to the “abject failure of past mechanisms, the failure to make documents public, lack of sufficient powers for the new body, the absence of international involvement in the process, the absence of an appropriate judicial mechanism and the failure to implement the recommendations of a long line of previous commissions”.¹⁰⁸

In its October 2023 report the UN High Commissioner for Human Rights noted that:

¹⁰⁴ OHCHR statement, [Oral update on promoting reconciliation, accountability and human rights in Sri Lanka](#), 21 June 2023

¹⁰⁵ OHCHR statement, [Oral update on promoting reconciliation, accountability and human rights in Sri Lanka](#), 21 June 2023

¹⁰⁶ Human Rights Watch (HRW), [“If We Raise Our Voice They Arrest Us”: Sri Lanka’s Proposed Truth and Reconciliation Commission](#), 18 September 2023, *Summary*

¹⁰⁷ International Federation for Human Rights (FIDH), [Sri Lanka: Flawed Plans for a ‘Truth Commission’](#), 7 September 2023

¹⁰⁸ Right to Life Human Rights Centre, [Ongoing Struggle for Accountability: Sri Lankan Government Faces Criticism Over New Truth Commission](#), 20 February 2024

Victims of human rights violations continue to wait for truth, justice, reparations and measures to guarantee non-repetition. [...]

The President has committed to advance reconciliation, including plans for the establishment of a truth-seeking mechanism. [...] On 29 May 2023, the Cabinet approved establishment of an interim secretariat for a truth and reconciliation mechanism and issued vacancy notices in July 2023. However, consultations so far have not been extensive and victims, their associations, human rights defenders and many notable transitional justice experts have not been included. [...]

In previous reports, OHCHR highlighted the lack of progress in addressing the issue of enforced disappearances and how, 14 years after the end of the armed conflict, families of those disappeared are still demanding answers regarding the fate and whereabouts of their relatives.[...]

While the Government affirms its commitment to reconciliation, it continues to obstruct memorialization initiatives, further eroding victims' trust.¹⁰⁹

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Lack of accountability for past and present human rights violations at all levels remains a fundamental human rights problem in Sri Lanka, particularly in cases where alleged perpetrators are members of security forces. The unwillingness or inability of the State to prosecute and punish perpetrators of crimes is best illustrated by the lack of meaningful progress in emblematic cases. This entrenched impunity has also manifested itself in the corruption, abuse of power and governance failures that were among the root causes of the country's recent economic crisis [...]

Major General (retired) Kamal Gunaratne continues to serve as Secretary to the Ministry of Defence (since November 2019), despite having been credibly alleged to have committed grave violations of international human rights and humanitarian law during the armed conflict. These appointments reinforce a sense of impunity, compound victims' suffering and undermine accountability and reconciliation.¹¹⁰

In May 2024 the UN Human Rights Office issued a report on accountability for enforced Disappearances in Sri Lanka which stated that "The Sri Lankan community has been subject to numerous waves of enforced disappearances over several decades [...] Perpetrators at all levels continue to escape justice. Impunity remains deeply entrenched".¹¹¹

Prior to discussions at the UN Human Rights Council in September 2024 to renew the OHCHR Sri Lanka Accountability Project, "which gathers evidence of international crimes for use in future prosecutions" of crimes committed by both sides of Sri Lanka's 1983-2009 civil war, Human Rights Watch (HRW) reported that "The 2019-2022 administration of Gotabaya Rajapaksa, who had been defense secretary at the end of the war, withdrew from the HRC resolution. Since becoming president in 2022, Wickremesinghe has opposed the HRC process, seeking to end international scrutiny and attempts to ensure accountability. His government's repression of victims campaigning for justice, shows that there is currently no political will for a credible domestic accountability process".¹¹²

The US Congressional Research Service reported in December 2024:

¹⁰⁹ OHCHR, [Situation of human rights in Sri Lanka](#), 24 October 2023, *summary and paras. 44-45*

¹¹⁰ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, *paras. 44 and 48*

¹¹¹ OHCHR, [Accountability needed for enforced disappearance](#), 17 May 2024, *para. 1*

¹¹² Human Rights Watch (HRW), [Human Rights Watch briefing Note on Human Rights in Sri Lanka](#), 21 June 2024

The NPP's election platform promised to pursue national unity, investigations into political killings and disappearances, a functioning Truth and Reconciliation Commission, and a Commission Against Discrimination. Dissanayake reportedly has suggested his government will not seek to punish perpetrators of past war crimes.¹¹³

f. Death penalty

See also section [h. Drug crackdown: Operation 'Yukthiya'](#)

According to a news report by Newswire, although Sri Lankan courts provide the death penalty in serious crimes, "no executions have been carried out since 1976".¹¹⁴

The World Coalition Against the Death Penalty together with the Advocates for Human Rights noted in its submission to the UN Human Rights Committee of January 2023 that "While Sri Lanka continues to acknowledge itself as a de facto abolitionist state, it continues to sentence people to death while also recently expanding the death penalty to apply to drug-related offenses. Even in light of Sri Lanka's assertion that it does not intend to carry out any executions, its expansion of the death penalty to additional offenses not limited to the most serious crimes demonstrates a regression away from abolition".¹¹⁵ Moreover, the source highlighted that "living conditions for women on death row are poor. Female inmates receive paper-thin beds to sleep on, and the temperatures in the unventilated rooms reach dangerously high levels".¹¹⁶

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

While noting the State party's long-standing moratorium on the death penalty, the Committee is concerned about the continued and frequent use of the death penalty. It is also concerned that the death penalty remains mandatory for certain crimes, that offences that do not meet the threshold of the "most serious crimes" within the meaning of article 6 (2) of the Covenant are punishable by death and that certain crimes punishable by death are explicitly excluded from being granted pardons or commutations. It notes with concern the lack of requested information on steps taken to abolish the death penalty and ratify the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty (art. 6).¹¹⁷

The NGO Hands Off Cain reproduced an article by the Daily News published in August 2022, which stated that "A man who was found guilty for rape and killing his sister-in-law was [...] sentenced to death by the Colombo High Court".¹¹⁸

¹¹³ Congressional Research Service, [Sri Lanka: Background and Issues for Congress](#), Updated 2 December 2024

¹¹⁴ Newswire, [13 persons sentenced to death in Sri Lanka today](#), 27 September 2027

¹¹⁵ World Coalition Against the Death Penalty/The Advocates for Human Rights, [Sri Lanka's Compliance with The International Covenant on Civil and Political Rights: The Death Penalty, Submitted by The Advocates for Human Rights a non-governmental organization in special consultative status with ECOSOC since 1996 and The World Coalition](#), 30 January 2023, para. 1

¹¹⁶ World Coalition Against the Death Penalty/The Advocates for Human Rights, [Sri Lanka's Compliance with The International Covenant on Civil and Political Rights: The Death Penalty, Submitted by The Advocates for Human Rights a non-governmental organization in special consultative status with ECOSOC since 1996 and The World Coalition](#), 30 January 2023, para. 16

¹¹⁷ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, paragraph 24

¹¹⁸ Hands Off Cain, [Sri Lanka: Man sentenced to death for rape, murder](#), 12 September 2022

In September 2023 Newswire reported that 13 individuals were sentenced to death in two separate cases; one involving drug tracking and the other a reported murder 20 years ago.¹¹⁹

Ceylon Today reported in January 2024 that seven fishermen, convicted of hijacking a fishing boat and killing three fishermen 12 years ago, have been sentenced to death.¹²⁰

In October 2024 a man was sentenced to death for the murder of a person in February 2000, reported Newswire.¹²¹

g. Arbitrary Arrest and Detention

See also section VIII. Human Rights Situation, a. (Controversial) Legal Provisions → [1. Prevention of Terrorism Act \(PTA\) and Anti-Terrorism Bill](#) and [iii. Treatment of Persons \(Perceived as\) Critical of the Government](#)

The Human Rights Commission of Sri Lanka noted in its annual report covering 2022 that it had received 9513 complaints in that year, compared to 6322 in 2021 – an increase of 46%.¹²² Regarding these statistics it provided the following details:

Similar to the previous years, the highest number of complaints for any individual category (at 2228), amounting to 24% of received complaints, was in relation to violations of personal liberty. This category includes complaints concerning arbitrary arrests and detention amounting to 919 complaints, in relation to harassment at 588 complaints, and torture including torture in custody, amounting to 560 complaints. Overall, a significant increase (of 38%) in the numbers of complaints related to personal liberty was observed from the previous year, which was at 1616. The majority of these complaints were in relation to arrests during public protests against the economic crisis, which defined much of 2022.¹²³

The same source further highlighted that “Complaints concerning arbitrary arrests and detention amounted to 919 and those of harassment and torture, including torture in custody amounted to 588 and 560 respectively”.¹²⁴

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “The law prohibited arbitrary arrest and detention and provided for the right of any persons to challenge the lawfulness of their arrest or detention in court. The government generally did not observe these requirements”.¹²⁵

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

The Committee is concerned by reports of arbitrary arrests and detention of anti-government protestors, trade unionists, Tamils and Muslims, including Muslim women for wearing a niqab. It is also

¹¹⁹ Newswire, [13 persons sentenced to death in Sri Lanka today](#), 27 September 2023

¹²⁰ Ceylon Today, [Seven sentenced to death](#), 25 January 2024

¹²¹ Newswire, [Man Sentenced To Death For Murder Reported 24 Years Ago](#), 17 October 2024

¹²² Human Rights Commission of Sri Lanka, [Annual Report 2022](#), Undated [Last accessed: 10.01.2025], 3.1.1. *Statistics of complaints received*, p. 18

¹²³ Human Rights Commission of Sri Lanka, [Annual Report 2022](#), Undated [Last accessed: 10.01.2025], 3.1.1. *Statistics of complaints received*, p. 18

¹²⁴ Human Rights Commission of Sri Lanka, [Annual Report 2022](#), Undated [Last accessed: 10.01.2025], *State of Human Rights in Sri Lanka 2022*, p. xii

¹²⁵ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. *Respect for the Integrity of the Person*

concerned that arrested or detained persons do not always enjoy all the fundamental legal safeguards from the very outset of their detention, including the rights to have prompt access to a lawyer, to have access to a doctor of their own choice and to be brought promptly before a judge. It is further concerned about the extensive use of prolonged pretrial detention, inconsistent bail provisions, ineffective access to non-custodial alternatives and the failure of the authorities to take into account the length of pretrial detention when determining the final sentence (arts. 9 and 14).¹²⁶

h. Drug crackdown: Operation 'Yukthiya'

See also section [f. Death penalty](#) and section VII. Security Situation → [c. Organized Criminal Activity](#)

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted with regards to the Yukthiya operations that “The Government reported that as of 20 May 2024, out of 121,957 persons arrested, 43,465 were released on bail; 8,300 remain in custody, while 4,344 were issued judicial detention orders and 3,056 referred to rehabilitation”.¹²⁷ Furthermore:

According to information received by OHCHR, most of those arrested are drug users or are drug dependent, but not drug traffickers. Various entities, including the HRCSL [Human Rights Commission of Sri Lanka], Bar Association and UN experts have voiced concerns over alleged arbitrary arrests and instances of torture and ill-treatment during 'Yukthiya', and the detention of hundreds in compulsory military-run rehabilitation centers. According to HRCSL, since the start of the operations until April 2024, it has received 60 complaints, including 14 cases of torture. Further, disturbing rhetoric encouraging use of excessive force during the operations, coming from the Ministry of Public Security, raises significant concerns.¹²⁸

In January 2023, the Advocates for Human Rights, the World Coalition Against the Death Penalty, and the Cornell Center on the Death Penalty Worldwide produced a report on Sri Lanka's compliance with the CEDAW, in relation to the death penalty, for the eighty-sixth session of the Committee on the Elimination of Discrimination against Women. It commented on Sri Lanka's discriminatory laws that place women at risk of being sentenced to death, particularly for drug-related offenses:

Research suggests that by reinstating the death penalty for drug-related offenses, the law disproportionately discriminates against women. In Sri Lanka, committing a drug offense near a location where children attend educational, athletic, or social activities is an aggravating factor. In practice, these aggravating factors apply more frequently to female defendants than male defendants because women are often the primary caregivers to children.¹²⁹

In January 2024 a group of UN experts were reported to have “expressed alarm at the heavy security-driven approach of Sri Lanka's drug response. [...] They deplored reported cases of arbitrary arrests of thousands of drug offenders from marginalised socio-economic groups, and the detention of hundreds in compulsory military-run rehabilitation centres. Torture and ill-treatment were also reported during the security operation known as 'Yukthiya'. They urged Sri Lankan authorities to investigate thoroughly

¹²⁶ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, para. 28

¹²⁷ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 23

¹²⁸ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 24

¹²⁹ The Advocates for Human Rights, the World Coalition Against the Death Penalty, and the Cornell Center on the Death Penalty Worldwide, [Sri Lanka's Compliance with the Convention on the Elimination of All Forms of Discrimination Against Women: Suggested List of Issues Relating to the Death Penalty](#), 30 January 2023, page 8

and impartially any allegations of torture, ill-treatment and denial of due process and fair trial rights”.¹³⁰

Also in January 2024 a Spokesperson for the UN High Commissioner for Human Rights Liz Throssell stated that “We are very concerned that authorities in Sri Lanka are adopting a heavily security-based response to the country’s drugs problem, instead of public health policies grounded in human rights. A staggering 29,000 people have reportedly been arrested on drug related matters since 17 December, with allegations that some have been subjected to ill-treatment and torture”.¹³¹ The same source further noted that:

Security forces have reportedly conducted raids without search warrants, detaining suspected drug sellers and users, with hundreds sent to military-run rehabilitation centres. During and after these operations, people are reported to have been subjected to a number of violations, including unauthorised searches, arbitrary arrests and detention, ill-treatment, torture, and strip searches in public. Lawyers acting for those detained have alleged that they have faced intimidation from police officers.¹³²

The International Crisis Group’s monthly CrisisWatch reported in January 2024 that the “Public Security Minister Tiran Alles continued to champion police operation which to date has led to arrest of over 40,000 suspected of using or selling drugs and detention in prison or ‘rehabilitation’ centres of more than 3,000; while popular among some parts of public, OHCHR 12 Jan criticised ‘heavily security-based response to country’s drug problem’”.¹³³

During the same month, Human Rights Watch (HRW) together with other NGOs raised its

deep[...] concern [...] about the drastic intensification of anti-drug operations [for example the “Yukthiya”] in Sri Lanka leading to significant human rights violations [...] This operation is unfolding in a context of already severe repression against persons who use or are suspected of using drugs, who suffer discrimination and stigma within the Sri Lankan criminal justice system and society. Alongside the Sri Lankan police, members of the armed forces have been supporting this operation,[1] during which several human rights violations have been reported.[2] These violations include alleged arbitrary arrests, primarily against individuals from marginalised socio-economic communities; searches conducted without warrants or reasonable suspicion; and degrading treatment including strip searches in public as well as cavity searches. The searches and arrests have been televised,[3] in violation not only of the right to privacy (and of basic human dignity) but also of a person’s right to be presumed innocent. According to lawyers, persons are being arrested even when no drugs are found in their possession, simply for having been arrested for drug offences or having been sent to compulsory rehabilitation in the past. The arrests of main livelihood earners and mothers have adversely impacted the ability of families to meet their basic needs during a time of economic crisis in Sri Lanka, and the wellbeing of children.¹³⁴

i. Prison and Detention Conditions

¹³⁰ UN news, [UN experts call on Sri Lanka to immediately suspend and review ‘Yukthiya’ anti-drug operation](#), 22 January 2024

¹³¹ OHCHR news, [Sri Lanka: Anti-drugs operation](#), 12 January 2024

¹³² OHCHR news, [Sri Lanka: Anti-drugs operation](#), 12 January 2024

¹³³ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], January 2024

¹³⁴ Human Rights Watch (HRW), [Sri Lanka: Stob Abusive Anti-Drug Operation and Release Those Arbitrarily Detained](#), 15 January 2024

See also section [2. Torture and Inhumane Treatment in Detention](#)

Data available on the Word Prison Brief's website further states that Sri Lanka has 60 'establishments/institutions' of which in 2020 "4 [were] prisons, 18 remand prisons, 10 work camps, 2 open prison camps, 2 correctional centres for young offenders, 1 training centre for young offenders and 23 lock-ups".¹³⁵

Overcrowding

Data available on the Word Prison Brief's website notes that the total prison population as of 2nd December 2024 is 29,226 individuals as per data provided by the national prison administration.¹³⁶ According to the website the official capacity of the prison system was for 13,241 individuals as of August 2023.¹³⁷ In February 2024 the Sri Lankan Daily News reported that "The State Minister [for Justice and Prison Affairs, Anuradha Jayaratne] said that there is only room for about 13,000 inmates in the prisons, but the number in prisons today has increased to 33,000. He said that 65 percent of the inmates who are currently in prisons are convicted for drug offenses".¹³⁸

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Prison conditions were poor due to overcrowding, a shortage of sanitary facilities, and old infrastructure [...] Prison cells meant for one prisoner were often occupied by three or four, at times resulting in inmates lacking sleeping space and adequate sanitary conditions".¹³⁹

According to a PIME AsiaNews article published in April 2024 "Suicides are up, especially by hanging [and] Some 631 inmates died in the last four years, from, among others, assaults, riots, disease, psychological disorders, and drug abuse".¹⁴⁰ According to the same news article "Many inmates died in violent incidents, sparked by overcrowding and poor facilities".¹⁴¹

In February 2024 the Sri Lankan Daily News reported that "Justice and Prison Affairs State Minister Anuradha Jayaratne said those found guilty of civil offences will be placed under house arrest to reduce overcrowding in prisons" and "will be monitored through GPS technology, which will be done by the prison officers and the nearest Police station to ensure they remain under house arrest without violating the imposed conditions by Courts" – a programme which was being planned to be implemented during the year.¹⁴²

Female detainees

With regards to women in detention, the Human Rights Commission of Sri Lanka in its January 2025 report to the UN Committee on the Elimination of Discrimination against Women specifically noted that "Women face particular vulnerabilities in the context of incarceration, including vulnerability to

¹³⁵ Word Prison Brief, [Sri Lanka](#), Undated [Last accessed: 31.12.2024]

¹³⁶ Word Prison Brief, [Sri Lanka](#), Undated [Last accessed: 31.12.2024]

¹³⁷ Word Prison Brief, [Sri Lanka](#), Undated [Last accessed: 31.12.2024]

¹³⁸ Daily News, [House arrest for civil offences to mitigate prison overcrowding](#), 5 February 2024

¹³⁹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

¹⁴⁰ PIME AsiaNews, [More and more deaths in Sri Lankan prisons](#), 19 April 2024

¹⁴¹ PIME AsiaNews, [More and more deaths in Sri Lankan prisons](#), 19 April 2024

¹⁴² Daily News, [House arrest for civil offences to mitigate prison overcrowding](#), 5 February 2024

abuse, including sexual abuse, and the lack of access to adequate healthcare facilities and products, including sanitary napkins”.¹⁴³

1. Access to Legal Procedures While Detained

Covering the year 2023, the U.S. Department of State’s annual human rights report reported regarding arrest procedures:

The criminal procedure code allowed police to make an arrest without a warrant for offenses such as homicide, theft, robbery, and rape. Alternatively, police might make arrests pursuant to arrest warrants judges and magistrates issued based on evidence. The law required authorities to inform an arrested person of the reason for the arrest and arraign that person before a magistrate within 24 hours for minor crimes, 48 hours for some grave crimes, and 72 hours for crimes covered by the PTA. Suspects accused of committing bailable offenses were entitled to bail, administered by police, before seeing a magistrate. For suspects accused of nonbailable offenses, bail was granted only after appearing before a magistrate and at the magistrate’s discretion.

The Bail Act stated no person should be held in custody for more than 12 months prior to conviction and sentencing without a special exemption. If a trial had not commenced within 12 months of indictment under the PTA, the High Court might authorize bail. Otherwise, judges required approval from the attorney general to authorize bail for persons detained under the PTA. The Attorney General’s Department provided such approval in some cases. In homicide cases, regulations required the magistrate to detain the suspect, and only the High Court could grant bail.

In all cases, suspects had the right to legal representation, although no provision specifically provided the right of a suspect to legal representation during interrogations in police stations and detention centers. The government provided counsel for indigent defendants in criminal cases before the High Court and Court of Appeal but not in other cases; the law required the provision of counsel only for cases heard at the High Court and Court of Appeal.¹⁴⁴

In September 2023 the Sri Lanka government submitted its report to the UN Committee on Enforced Disappearances (CED) that had originally been due in 2018 which stated that “The Inspector General of Police (IGP) has issued instructions to all police stations on the conduct of police officers and the procedure to be followed when taking persons into custody” which “specify that a person taken into custody will have the right to be examined by a Judicial Medical Officer, and to communicate with his or her family” and that “On 27th April 2015, the IGP issued instructions (Circular No.2539/15) to all senior police officers to improve the security of persons held in custody”.¹⁴⁵

In October 2023 the UN Committee on Enforced Disappearances identified a list of issues in relation to the Government’s submitted report.¹⁴⁶ A response was due by 29 June 2024 but by the time of writing (January 2025) had not been received.¹⁴⁷ Among the list of issues the Committee stated that:

¹⁴³ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, para. 44, p. 8

¹⁴⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

¹⁴⁵ UN Committee on Enforced Disappearances, [Report submitted by Sri Lanka under article 29 \(1\) of the Convention, due in 2018](#), 12 September 2023

¹⁴⁶ UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023

¹⁴⁷ UN, Human Rights Treaty Bodies, [Deadlines for the submission of documentation for Sri Lanka CED](#), undated (accessed 2 January 2025)

Taking note of the circulars and instructions referred to by the State party, please describe the measures in place to guarantee that, from the outset of deprivation of liberty, all persons deprived of liberty, regardless of the offence of which they are accused, have access in practice to a lawyer, can contact their relatives or any other person of their choice and, in the case of foreign nationals, can communicate with their consular authorities. Please specify the average time that elapses between the outset of deprivation of liberty and access to those rights. In particular, please indicate the average delay between the outset of deprivation of liberty and transmission of the information to the detained person's relatives (art. 17).

Please indicate whether any restrictions can be applied to the above-mentioned rights and describe any complaints that may have been brought concerning a failure to observe those rights. In that connection, please provide information on the proceedings carried out and their outcome. With reference to the information provided by the State party, please describe how the access of the authorities, institutions and intergovernmental organizations that are authorized to visit all places where persons are deprived of liberty is implemented in practice, even if such a visit is unannounced. Please indicate whether any non-governmental organizations are authorized to visit places of detention (art. 17).¹⁴⁸

2. Torture and Inhumane Treatment in Detention

Violence / Assault

According to a PIME AsiaNews article published in April 2024 "Under current rules, anyone brought in the evening can only be examined the next day due to the lack of staff. Thus, 'if a new prisoner is assaulted during his/her first night prior to registration, it may not be possible to ascertain whether the injuries were inflicted in prison or during arrest'".¹⁴⁹ Moreover, the same article further describes "Because of the lack of staff to provide overnight surveillance, violence among inmates can break out in most Sri Lankan prisons, since officers on duty are unable to perform their patrol work. Sometimes, those wounded in fights do not have access to medical care, especially overnight emergency care, and this has contributed to some deaths in prisons".¹⁵⁰ The article based some of its reporting on a 2020 study published by the Human Rights Commission of Sri Lanka.

The Right to Life Human Rights Centre filed a fundamental rights case on behalf of Ranawila Arachchilage Shanaka Chaminda, who "alleges that police officers coerced him into making false statements implicating his brother-in-law, Lasantha Madhushanka, in drug-related activities. When he refused, he claims he was subjected to physical abuse, resulting in serious injuries to his leg. The police later pressured him to lie about the cause of his injuries, threatening further repercussions".¹⁵¹

In November 2024 the Right to Life Human Rights Centre reported that "A disabled prisoner has been hospitalized following an alleged assault by a prison guard at the Weerawila Open Prison Camp".¹⁵²

The Disability Organization Joint Front published in 2024 its submission for the 19th pre-sessional working group of the UN Committee on the Rights of Persons with Disabilities and highlighted that:

¹⁴⁸ UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023, paragraphs 24-25

¹⁴⁹ PIME AsiaNews, [More and more deaths in Sri Lankan prisons](#), 19 April 2024

¹⁵⁰ PIME AsiaNews, [More and more deaths in Sri Lankan prisons](#), 19 April 2024

¹⁵¹ Right to Life Human Rights Centre, [Right to Life Human Rights Centre Files Fundamental Rights Case Over Alleged Police Brutality](#), 12 September 2024

¹⁵² Right to Life Human Rights Centre, [Disabled Prisoner Hospitalized After Assault by Prison Guard](#), 22 November 2024

Participants with disabilities, including those with deafness, in the campaign against the previous government were subjected to brutal police attacks. Persons with disabilities are often treated as suspects and subjected to police punishment, facing heightened vulnerability and barriers to accessing justice and the legal system. Unjust arrests and punishments without proper evidence or reasons have been reported.¹⁵³

Torture and inhumane treatment

See also sections XII. *Treatment of Religious and Ethnic Minorities* → [b. Treatment of Religious and Ethnic Minorities](#)

Outside of the timeframe for this report, but still providing useful background information, the International Truth and Justice Project published a report in September 2021 on victims of torture and sexual violence at the hands of the Sri Lankan police and army between 2020 and 2021.¹⁵⁴ The report can be viewed [here](#).

Sri Lanka is a State Party of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) since January 1994 and a State Party to the optional Protocol to the Convention (OPCAT) since December 2017.¹⁵⁵

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, “The main challenges previously noted have persisted, including documented acts of torture and ill-treatment during police detention, reprisals against victims and witnesses of torture, inadequate investigations, and prolonged detentions and prison sentences under the PTA affecting minority communities, including convictions based on confessions obtained with torture”.¹⁵⁶

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “Human rights and civil society organizations alleged that torture and excessive use of force by police, particularly to extract confessions, remained endemic. The HRCSL [Human Rights Commission of Sri Lanka], for example, noted that many reports of torture referred to police allegedly “roughing up” suspects to extract a confession or otherwise elicit evidence. As in previous years, arrestees reported torture and mistreatment, forced confessions, and denial of basic rights, such as access to lawyers or family members. Anecdotally, male arrestees more often reported facing torture than female arrestees”.¹⁵⁷

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that “During the period March 2020-June 2021, there were reports of six cases of encounter killings, 27 cases of police violence, eight deaths in police custody, four deaths in prison,

¹⁵³ Disability Organization Joint Front, [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, V. Specific rights, Article 15, Freedom from torture or cruel, inhuman or degrading treatment or punishment

¹⁵⁴ International Truth and Justice Project, [Torture 2020-21](#), 10 September 2021

¹⁵⁵ World Organization Against Torture (OMCT), [Sri Lanka](#), Undated [Last accessed: 31.12.2024]

¹⁵⁶ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.5. Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), p. 14

¹⁵⁷ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

one case of torture in prison and two instances of prison riots precipitated by fears about the spread of COVID-19 that led to the deaths of 13 persons. Around 117 people were injured in the second riot. Eleven incidents of violence by members of the armed forces, one of which resulted in death, and six incidents of violence by other state officials were also reported”.¹⁵⁸

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Torture and ill-treatment by police and security forces remain prevalent in Sri Lanka.⁴⁶ In April 2023, the UN Human Rights Committee stated that it was “deeply concerned about the widespread practice of torture and ill-treatment by police and security forces in places of detention, which has resulted in deaths in custody”. The HRCSL (*sic*) [Human Rights Commission of Sri Lanka] informed OHCHR that it received 2,845 cases of torture and 675 complaints of degrading treatment between January 2023 and March 2024. The HRCSL reported that between January 2023 and March 2024, it received 21 cases of extrajudicial killings; 26 cases of deaths in custody, and 1,342 complaints of arbitrary arrests and detentions. The Government informed OHCHR that there were 14 and three cases of custodial deaths in 2023 and 2024 respectively, and that the police had issued Circular No.2747/2023 on preventing custodial and encounter deaths.

OHCHR examined recent allegations of abduction, arbitrary detention, torture, ill-treatment and sexual violence perpetrated against individuals of Tamil ethnicity by Sri Lankan security forces, mainly in Jaffna, Kilinochchi, Mannar, Mullaitivu, and Vavuniya districts. These date from the period as recently as January 2024. [...] OHCHR assessed as credible specific accounts of security forces using various techniques of torture and cruel, inhuman, or degrading treatment. Many of the interviewees also reported experiencing sexual torture, including rape, squeezing testicles, forced nudity, biting of breasts, either during interrogation or in the holding cell. Victims described making up information or ‘confessing’ simply to get the treatment to stop, or signing blank papers or documents in Sinhala, a language which majority of the victims could not read.¹⁵⁹

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

The Committee is deeply concerned about the widespread practice of torture and ill-treatment by police and security forces in places of detention, which has resulted in deaths in custody, in particular against those arrested and detained under the Prevention of Terrorism Act. It is concerned that confessions obtained under torture have been admitted as evidence in courts and that magistrates have the competence but not the obligation to move a detainee who reports torture or ill-treatment to a safe location. It regrets the lack of requested information on the number of allegations of torture and ill-treatment made during the reporting period, and the outcomes thereof (arts. 2 and 7).¹⁶⁰

The Human Rights Commission of Sri Lanka noted in December 2023 that throughout the year it had received “over 200 complaints with regards to torture”.¹⁶¹

Marking 30 Years of the CAT Ratification, the Right to Life Human Rights Centre noted in October 2024 that “though Sri Lanka has shown some legislative advancement over the decades, the country

¹⁵⁸ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, *Sri Lanka: The Extent of Compliance with International Human Rights Obligations*, p. 179

¹⁵⁹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paragraphs 26, 27, and 29.

¹⁶⁰ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, paragraph 26

¹⁶¹ Human Rights Commission of Sri Lanka, [Press Notice](#), 22 December 2024

continues to grapple with endemic torture and ill-treatment, particularly in police custody. Despite the proactive efforts of organizations like the Asian Human Rights Commission (AHRC) and other advocates, the state's overall commitment to ending torture has fallen short".¹⁶²

In the second half of 2024, the UN Special Rapporteur on Torture requested a visit to Sri Lanka which has yet to be responded to.¹⁶³

Deaths in custody and detention

Covering the year 2023, the U.S. Department of State's annual human rights report found that "There were multiple deaths in police custody, with many incidents following a similar pattern. Many deaths occurred when police took suspects to the alleged crime scene as part of an investigation or claimed that suspects attacked them during interrogation or tried to escape".¹⁶⁴

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee raised its concern "about reports of deaths in custody of individuals detained under the Act and impunity in relation to such deaths (arts. 4, 7, 17, 19, 21 and 22)".¹⁶⁵

In its October 2023 report the UN High Commissioner for Human Rights noted that:

During the reporting period, there have been new cases of deaths in custody or during encounters with law enforcement officers as reported in previous updates. For instance, on 12 May 2023, a 41-year-old woman died in Welikada after allegedly being beaten up while in police custody following her arrest for theft. Several police officers were suspended or transferred during the investigation.¹⁶⁶

The Human Rights Commission of Sri Lanka noted in December 2023 that throughout the year it had received "received a total of twenty-four cases of custodial deaths and thirteen cases of encounter deaths involving Sri Lanka Police during the period between January 2020 and August 2023. Six custodial deaths and two encounter deaths took place during the first six months of 2023. It is also observed that all reported deaths were caused during the process of locating weapons or narcotics, due to cruel, inhuman, or degrading treatment, or due to the negligence or omission of the officers on duty".¹⁶⁷

In November 2023 Nagarasa Alex was arrested on charges relating to a robbery and who later "reportedly succumbed to injuries inflicted during his custody by the Sri Lankan police".¹⁶⁸

According to a PIME AsiaNews article published in April 2024 "Suicides are up, especially by hanging [and] Some 631 inmates died in the last four years, from, among others, assaults, riots, disease,

¹⁶² Right to Life Human Rights Centre, [Marking 30 Years of CAT Ratification: Recommendations for Advancing the Prohibition of Torture and Ill-Treatment in Sri Lanka](#), 31 October 2024

¹⁶³ UN, [View Country visits of Special Procedures of the Human Rights Council since 1998](#), undated (accessed 2 January 2025)

¹⁶⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

¹⁶⁵ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, paragraph 16

¹⁶⁶ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 39

¹⁶⁷ Human Rights Commission of Sri Lanka, [The Occurrence of Torture, and Custodial and Encounter Deaths in Sri Lanka](#), 21 December 2023

¹⁶⁸ Right to Life Human Rights Centre, [R2L Demands Justice for Nagarasa Alex: Calls for Urgent Police Reform in Sri Lanka](#), 22 November 2023

psychological disorders, and drug abuse”.¹⁶⁹ According to the same news article “Many inmates died in violent incidents, sparked by overcrowding and poor facilities”.¹⁷⁰

VI. Corruption

a. Within the Judiciary

See also section V. Rule of Law/Administration of Justice → [b. Judicial Independence](#)

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Although the 21st constitutional amendment of October 2022 rolled back some of the most concerning features of the earlier 20th amendment, concerns persist. In March 2023, the UN Human Rights Committee expressed concerns that the 21st amendment still appeared to permit the executive presidency to exert undue influence on the independence of the judiciary and other oversight institutions, as a majority of the Constitutional Council’s members are parliamentarians.²⁸

In January 2024, the President’s Office claimed authority over the Constitutional Council in relation to appointments to certain public offices,²⁹ raising fresh concerns about executive interference. The tussle between the President and the Council, particularly concerning Supreme Court nominations, has continued, leading to an interim order in April 2024 by the Supreme Court preventing executive nominations to the apex court.³⁰ The President twice sought extensions of the Attorney General’s (AG) term beyond his retirement date, and was twice rejected by the Council.¹⁷¹

Human Rights Watch (HRW) noted in January 2023 that “The 20th Amendment to the Constitution [...] undermined the independence of the judiciary and the administration of justice in numerous ways, giving the president unfettered control over the appointment of senior judges, as well as officials responsible for the administration of justice, and removing the independent status of bodies including the Human Rights Commission of Sri Lanka and the Commission to Investigate Bribery or Corruption. These changes were not fully reversed by the 21st Amendment to the Constitution in 2022. Meanwhile, ad hoc bodies such as the Commission of Inquiry to Investigate Allegations of Political Victimization, described above, have sought to obstruct or interfere in judicial proceedings”.¹⁷²

The Centre for Equality and Justice (CEJ) published a study in January 2023 focusing on the prevalence of sexual bribery in the health and justice sectors in Sri Lanka and found that:

Sexual bribery is not explicitly criminalized in Sri Lanka. It can be punished under the general criminal law on bribery but there are no known cases of the courts of final record which have done so [...]

In Sri Lanka, women and members of the LGBTQI community are anecdotally known to be more vulnerable to Sexual and GenderBased Violence (SGBV) and therefore, also more vulnerable to sexual bribery. Women in Sri Lanka have reasonable access to health care and education. However, due to their political and cultural marginalization, they are vulnerable to discrimination and sexual violence. The criminalisation of sexual acts ‘against the order of nature’ in Sri Lanka and the lack of specific protections

¹⁶⁹ PIME AsiaNews, [More and more deaths in Sri Lankan prisons](#), 19 April 2024

¹⁷⁰ PIME AsiaNews, [More and more deaths in Sri Lankan prisons](#), 19 April 2024

¹⁷¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 16

¹⁷² Human Rights Watch (HRW), [Human Rights Watch Submission to the UN Human Rights Committee in advance of its review of Sri Lanka](#), January 2023

for gender diversity and sexual minorities have placed members of the LGBTQI community in the margins of the legal system and of society.¹⁷³

The same source further noted in the context of possible avenues of redress for victims of sexual bribery:

A clear pattern that comes out of the interviews is that victim-survivors do not see the law, legal institutions, or its personnel as defending their rights. In fact, most victim-survivors speak of the law and its agents as perpetrators of their rights. With regard to the incidence of sexual bribery, the issues with the law are multi-dimensional. It does not specifically prohibit sexual bribery. In addition, according to victim-survivors who participated in the study, the discretion vested with law enforcement personnel is sometimes abused to solicit sexual bribery. Furthermore, institutions in the justice sector are seen by some victim-survivors as perpetuating sexual bribery. Many do not think the justice sector can offer viable remedies for sexual bribery. The law and its agents are perceived to be contributing to the incidence of sexual bribery.¹⁷⁴

b. Within the Wider Government

In its October 2022 report the UN High Commissioner for Human Rights noted that:

A significant deficit remains in confidence and trust among the Government, the protest movement and broader civil society and calls for early elections have continued for a renewed democratic mandate. Many of the same officials remain in place, in particular in the security ministries, and the new administration has pursued a tougher security approach to the protests.¹⁷⁵

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Respect for democratic principles and the rule of law has also been undermined in the lawmaking process. Several laws like the OSA [Online Safety Act] were formulated or passed without adequate consultation with the public, key stakeholders, including civil society, or technology companies. Additionally, the Telecommunications (Amendment) Bill, despite its importance, was presented to Parliament in May 2024 with minimal public consultation.¹⁷⁶

According to the 2023 Corruption Perceptions Index (CPI) published yearly by Transparency International and reviewing the performance in 2022, Sri Lanka scored 34 out of 100 (“very clean”) and ranked 115 out of 180 countries and territories, deteriorating by two ranks since the previous year (2021).¹⁷⁷ Scoring below 50 is an indication that the country has “serious corruption problems”.¹⁷⁸

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, “While Sri Lanka has several anti-corruption institutions, the perception of impunity has continued. Anti-corruption enforcement was a key request of protestors in 2022. The record of Sri Lanka’s primary anti-corruption institution, the Commission to Investigate Allegations of Bribery and Corruption (CIABOC) has been mixed, with some positive steps on awareness raising and

¹⁷³ Centre for Equality and Justice (CEJ), [Asking for my soul: A study on sexual bribery in the health and justice sectors in Sri Lanka](#), January 2023, *Executive Summary*, p. 9

¹⁷⁴ Centre for Equality and Justice (CEJ), [Asking for my soul: A study on sexual bribery in the health and justice sectors in Sri Lanka](#), January 2023, 5.8. *Access to justice*, p. 47

¹⁷⁵ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 7

¹⁷⁶ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para.17

¹⁷⁷ Transparency International, [Corruption Perceptions Index 2023](#), Undated [Last accessed; 02.01.2025]

¹⁷⁸ Transparency International, [Corruption Perceptions Index 2023](#), Undated [Last accessed; 02.01.2025]

training efforts but an uneven rate of success in reaching convictions following investigations upon CIABOC's recommendations during the period [...] Anti-corruption enforcement continues to be strained by inefficient coordination between institutions and the perception that anti-corruption investigations are politically targeted".¹⁷⁹

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Corruption remained a significant and continuing problem, including at the highest levels of government" and that "There was long-standing and widespread impunity for government officials accused of corruption, and police and the judiciary lacked training in addressing complicated cases of financial crimes".¹⁸⁰

A January 2023 submission by Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic to the UN Human Rights Committee noted that "Sexual bribery, particularly of widows or divorcees, or women seeking government help, remains a problem, in the context of so-called "national security laws" (described below). The issue also extends to women seeking any government services. The primary legal tool used to combat the issue, the Bribery Act, contains vague language, does not address actions by non-state actors, and is rarely and inconsistently enforced".¹⁸¹

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee expressed concern "about the frequent amendments made to the Constitution, broadening and limiting the powers of the executive presidency, which have implications for the independence of the oversight institutions responsible for protecting the rule of law and human rights, including the Human Rights Commission of Sri Lanka".¹⁸²

The International Monetary Fund (IMF) found as part of its 'Technical Assistance Report' and published in September 2023 that "The absence of visible progress on addressing corruption and holding officials to account for past behaviour raises popular concerns that officials will continue to enjoy impunity for their misconduct" and that "Corruption vulnerabilities are exacerbated by weak accountability institutions, including the Commission to Investigate Allegations of Bribery and Corruption (CIABOC) that have neither the authority nor competency to successfully fulfil their functions. Current governance arrangements have not established clear standards for permissible official behaviour, acted to deter and sanction transgressions, nor pursued individuals and stolen public funds that have exited the country. Regular civil society participation in oversight and monitoring of government actions is restricted by limited transparency, the lack of platforms for inclusive and participatory governance, and by broad application of counter-terrorism rules".¹⁸³

¹⁷⁹ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 1.5. Good Governance, p. 5

¹⁸⁰ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 4. Corruption in Government

¹⁸¹ Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, p. 6

¹⁸² UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, para. 5

¹⁸³ International Monetary Fund (IMF), [Sri Lanka, Technical Assistance Report – Governance Diagnostic Assessment](#), September 2023, Executive Summary, p. 11

In 2023 the Anti-Corruption Act No. 9 to combat bribery and corruption was implemented, which the Right to Life Human Rights Centre reported as being “comprehensive”, introducing “several key provisions” with the aim to “strengthen the investigative and punitive mechanisms”.¹⁸⁴ The following key features were listed:

Expanded Definition of Corruption: The new Act broadens the definition of corruption to include decisions made with a dishonest motive, causing unfair advantage or loss deliberately.

Commission’s Independence: According to the new Act, the Commission should prepare a list of expenses and submit it to the Parliament. It goes to the Treasury subject to parliamentary approval. Expenditure is subject to audit by the Auditor General. This paves way to the Commission to absorb experts with due remunerations. According to the new Act, the investigation of bribery and corruption should be done by the Bribery or Corruption Investigation Commission, and the police have no power to do so.

Asset and Liability Declarations: Public officials are now required to declare assets and liabilities, with the Act introducing penalties for non-compliance. The declarations, including expenditures and obligations, are made available to the public through an online platform safeguarding the privacy. These measures align with international best practices and position Sri Lanka on the path to robust governance and accountability in public service.

Protection for Whistleblowers: The Act provides protection for officers, witnesses, and whistleblowers involved in bribery investigations. Favourable cultural traits have been leveraged to facilitate individuals’ access to information regarding assets and liabilities. In this context, if an individual intentionally provides false information to the Bribery Commission, they can face legal consequences and be subject to punishment under the law.

Preventive Measures: The Commission is empowered to take preventive measures, seeking public support and collaboration from government officials.¹⁸⁵

Yet, Transparency International Sri Lanka (TISL) published a Brief Note in November 2024, which “analyzes laws passed since 2022, highlighting conflicts and challenges to the RTI [Right to Information] Act of 2016. The note categorizes these laws based on their degree of conflict with the RTI regime, ranging from direct violations to potential interpretive issues. Key legislative concerns include the Anti-Corruption Act, Personal Data Protection Act, and Online Safety Act which threaten transparency and accountability through overriding clauses and confidentiality provisions. The note underscores the importance of harmonizing these laws with the RTI Act to safeguard democratic values and citizens’ right to information”.¹⁸⁶ The Brief Note can be found [here](#).

The Centre for Equality and Justice (CEJ) published a study in January 2023 focusing on the prevalence of sexual bribery in the health and justice sectors in Sri Lanka and found that:

Sexual bribery is not explicitly criminalized in Sri Lanka. It can be punished under the general criminal law on bribery but there are no known cases of the courts of final record which have done so [...]

In Sri Lanka, women and members of the LGBTQI community are anecdotally known to be more vulnerable to Sexual and GenderBased Violence (SGBV) and therefore, also more vulnerable to sexual bribery. Women in Sri Lanka have reasonable access to health care and education. However, due to their

¹⁸⁴ Right to Live Human Rights Centre, [Sri Lanka Implements Comprehensive Anti-Corruption Act No. 9 of 2023 to Combat Bribery and Corruption](#), 23 January 2024

¹⁸⁵ Right to Live Human Rights Centre, [Sri Lanka Implements Comprehensive Anti-Corruption Act No. 9 of 2023 to Combat Bribery and Corruption](#), 23 January 2024

¹⁸⁶ Transparency International Sri Lanka (TISL), [Laws Affecting the Right to Information \(RTI\) Regime in Sri Lanka](#), 21 November 2024

political and cultural marginalization, they are vulnerable to discrimination and sexual violence. The criminalisation of sexual acts ‘against the order of nature’ in Sri Lanka and the lack of specific protections for gender diversity and sexual minorities have placed members of the LGBTQI community in the margins of the legal system and of society.¹⁸⁷

General and Presidential Elections 2024

See also section IV. Major Political Developments since 2019 → [c. 2024 Election of Anura Kumara Dissanayake](#)

Transparency International Sri Lanka (TISL) reported in November 2024 “a significant reduction in complaints related to the misuse of public funds, vehicles, and state power or positions during the General Election 2024. In contrast to the Presidential Election 2024, where TISL recorded 33 complaints about the misuse of state funds and 48 complaints concerning state vehicles, the General Election period saw only three complaints about the misuse of state funds and one regarding state vehicles. Importantly, no complaints were received about the misuse of state power or positions during this election”.¹⁸⁸

Right to Information (RTI)

Transparency International Sri Lanka (TISL) published a Brief Note in November 2024 on “the impact of recent legislative developments on Sri Lanka’s Right to Information (RTI) regime”.¹⁸⁹ The Brief Note “analyzes laws passed since 2022, highlighting conflicts and challenges to the RTI Act of 2016. The note categorizes these laws based on their degree of conflict with the RTI regime, ranging from direct violations to potential interpretive issues. Key legislative concerns include the Anti-Corruption Act, Personal Data Protection Act, and Online Safety Act which threaten transparency and accountability through overriding clauses and confidentiality provisions. The note underscores the importance of harmonizing these laws with the RTI Act to safeguard democratic values and citizens’ right to information”.¹⁹⁰ The Brief Note can be found [here](#).

VII. Security Situation

a. General Security Situation

The South Asia Terrorism Portal (SATP) noted the following regarding the year 2023:

No terrorism-linked fatality was recorded in Sri Lanka in 2023, unlike 2022, when on November 28, Mohamed Badrudeen alias Mohamed Harnas, Easter Sunday terror attack suspect, who was out on bail, was

¹⁸⁷ Centre for Equality and Justice (CEJ), [Asking for my soul: A study on sexual bribery in the health and justice sectors in Sri Lanka](#), January 2023, Executive Summary, p. 9

¹⁸⁸ Transparency International Sri Lanka (TISL), [Reduction in Misuse of Public Resources in General Election 2024: TISL](#), 18 November 2024

¹⁸⁹ Transparency International Sri Lanka (TISL), [Laws Affecting the Right to Information \(RTI\) Regime in Sri Lanka](#), 21 November 2024

¹⁹⁰ Transparency International Sri Lanka (TISL), [Laws Affecting the Right to Information \(RTI\) Regime in Sri Lanka](#), 21 November 2024

hacked to death by unidentified assailants in Mattakkuliya in Colombo. However, 2023 recorded some terrorism-linked incidents which included:

- January 25: Three pressure bombs were found at the Sri Lanka Telecom premises in Muttur in Trincomalee District by a worker there, which were later defused by the Special Task Force.
- February 8: A retired Army Sergeant was arrested after a Police team unearthed a cache of explosives, other accessories and ammunition from the garden of his house in Thihagoda in the Matara District of the Southern Province. The recovery included 3.35 kilograms of C4 high explosives, one bar of explosives weighing 610 grams, two bars of explosives weighing 205 grams each, one bar of explosives weighing 105 grams, 4,482 rounds of ammunition of different types, 10 electronic detonators, 153 non-electronic detonators, a smoke bomb, 32 feet of wire used to detonate explosive devices, and several other items.
- February 9: The Kandeketiya Police arrested one suspected person from the Maliyadda area in Central Province, in possession of a cache of explosives hidden in a house, which included 51 sticks of gelatine, 20 service threads used for blasts and 15 kilograms of ammonia.
- February 14: A hand grenade was recovered on the grounds of the Divisional Hospital in the Buttala town of Monaragala District in the Uva Province.¹⁹¹

In addition, [on this website](#), the South Asia Terrorism Portal (SATP) lists 30 proscribed terrorist/extremist groups operating in Sri Lanka and one inactive terrorist/insurgent group (namely, the Tamil Makkal Viduthalai Pulikal (TMVP)), but without indication as to how current this list is.

The U.S. Department of State similarly noted in its Country Report on Terrorism for the year 2023 and 2022 that no terrorist incidents were reported in Sri Lanka for those two years.¹⁹²

b. Situation in the North-East

See also sections VIII. Human Rights Situation → [iv. Former LTTE members and their families or Tamil families of the disappeared](#) and XII. Treatment of Religious and Ethnic Minorities → [b. Treatment of Religious and Ethnic Minorities](#)

In its October 2022 report the UN High Commissioner for Human Rights noted that:

The role of the military in law enforcement, governance and development has been even more prominent in the north and east of Sri Lanka. Although the war ended in 2009, the military presence continues to be significant in terms of personnel, checkpoints and the involvement of the military in drug law enforcement, agriculture and development activities.¹⁹³

c. Organized Criminal Activity

As part of providing analysis to its results of the Global Organized Crime Index 2021, the Global Initiative Against Transnational Organized Crime reported in May 2023 that:

Sri Lanka experienced a surge in serious and organized crimes in 2022, a year that saw much political unrest and civilian uprising. According to police data, grave crimes increased by 60 per cent month on

¹⁹¹ South Asia Terrorism Portal (SATP), [Sri Lanka: Assessment- 2024](#), Undated [Last accessed: 02.01.2025]

¹⁹² U.S. Department of State, [Country Reports on Terrorism 2023: Sri Lanka](#), 12 December 2024 and U.S. Department of State, [Country Reports on Terrorism 2022: Sri Lanka](#), 30 November 2023

¹⁹³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, paragraph 25

month during 2022, while minor crimes increased in absolute terms from 1 676 recorded offences in January 2022 to 29 908 by the end of November. Additionally, by December 2022, 32 deadly shootings had been reported, largely linked to disputes between drug cartels. This kind of activity is indicative of an increase in the number of transnational crime syndicates, which officials believe are operating from outside Sri Lanka.

At the same time, the government clampdown on dissent and protests has taken precedence over tackling transnational crime and drug-related offences, according to senior Sri Lankan police officers, speaking on condition of anonymity. Leave granted to police officers has been cancelled multiple times, while even those serving in administrative divisions have been brought into Colombo for crowd control.

All of this is likely to have an impact on the country's low overall criminality score (4.64 out of 10) identified by the Global Organized Crime Index. The country's significant heroin, cannabis and synthetic drug markets, which account primarily for the overall criminality score, have become more prominent in the context of the recent upheaval.¹⁹⁴

The Sri Lankan *The Sunday Times* reported in August 2023 that "A spate of robberies and thefts continue to be reported from various parts of the country, adding to the crime rate in the country and creating fear among the public".¹⁹⁵ In addition the article noted "An average of 25 robberies and thefts, including the theft of cattle and agricultural products, were reported on a daily basis across the country last year and are estimated to be around the same this year, according to police sources" and that it is believed that "70% of thefts, robberies, and housebreaking were done by professional criminals".¹⁹⁶

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Police reported a surge in shootings across the island with a total of 70 cases as of the end of August causing 41 fatalities and 30 injuries, committed by members of organized crime syndicates".¹⁹⁷

The South Asia Terrorism Portal (SATP) noted with regards to 2024:

On March 12, 2024, a former LTTE cadre was arrested from Matara in the Southern Province, in a joint operation carried out by the Army Intelligence Unit and the Sri Lanka Police Special Branch, while transporting three kilograms of Kerala cannabis from Kilinochchi to Matara by bus. Police stated that the arrestee had been imprisoned for several years before being released. It is to be noted that drug cartels with established foreign linkages continued to operate with impunity in Sri Lanka.¹⁹⁸

VIII. Human Rights Situation

See also sections [IX. Treatment of Women](#), [X. Treatment of Individuals of Diverse Sexual Orientations, Gender Identities and/or Gender Expression](#), [XI. Treatment of Persons with Disabilities](#), [XII. Treatment of Religious and Ethnic Minorities](#), and [XIII. Treatment of Children](#)

Covering the year 2023, the U.S. Department of State's annual human rights report summarised the following "significant human rights issues" of which it has received "credible reports of":

¹⁹⁴ Global Initiative Against Transnational Organized Crime, [The criminal cost of Sri Lanka's crisis](#), 5 May 2023

¹⁹⁵ The Sunday Times, [Crime wave intensifies insecurity in the country](#), 27 August 2023

¹⁹⁶ The Sunday Times, [Crime wave intensifies insecurity in the country](#), 27 August 2023

¹⁹⁷ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

¹⁹⁸ South Asia Terrorism Portal (SATP), [Sri Lanka: Assessment- 2024](#), Undated [Last accessed: 02.01.2025]

arbitrary or unlawful killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media freedom, including violence and threats of violence against journalists, unjustified arrests of journalists, and censorship; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; inability of citizens to change their government peacefully through free and fair elections; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic and intimate partner violence and sexual violence; crimes involving violence targeting Hindus, Muslims, Christians, and Tamils; laws criminalizing consensual same-sex sexual conduct between adults, even if the laws were not enforced; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.¹⁹⁹

a. (Controversial) Legal Provisions

Transparency International Sri Lanka (TISL) published a Brief Note in November 2024 “highlighting the challenges faced in Sri Lanka during the Aragalaya movement and the misuse of laws such as the Prevention of Terrorism Act (PTA) and the Online Safety Act” and “emphasiz[ing] the urgent need for legal reforms and institutional safeguards”.²⁰⁰ The Brief Note can be found [here](#).

1. Prevention of Terrorism Act (PTA) and Anti-Terrorism Bill

See also the whole of sections [V. Rule of Law/Administration of Justice](#) and [VIII. Human Rights Situation](#)

For a comprehensive overview of the Prevention of Terrorism Act (PTA) see Right to Life Human Rights Centre, [Prevention of Terrorism Act: History, Context, and Current Usage](#), August 2024.

In its submission to the UN Human Rights Committee in January 2023, Amnesty International summarised its main criticisms regarding the Prevention of Terrorism Act, namely that it contains an “overbroad definition of what constitutes an offence of ‘terrorism’; permit[s] confessions as evidence which has often led to torture or other ill-treatment, against which there are insufficient safeguards; and permit[s] arbitrary arrests and prolonged detention”.²⁰¹

In June 2023 the Lawyers for Lawyers, the Bar Human Rights Committee, the International Bar Association's Human Rights Committee (IBAHRI), International Commission of Jurists, the Law Society of England and Wales, and Lawyers' Rights Watch Canada, the International Federation for Human Rights (FIDH), and the World Organisation Against Torture (OMCT) issued a joint statement in which it was highlighted that the Prevention of Terrorism Act (PTA) “has faced severe international criticism for undermining the right to a fair trial and the freedom of expression, and for suppressing political dissent. The European Parliament [in June 2021] and several Special Rapporteurs of the United Nations

¹⁹⁹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Executive Summary*

²⁰⁰ Transparency International Sri Lanka (TISL), [Freedom of Expression in Times of Crisis and Reform](#), 21 November 2024

²⁰¹ Amnesty International, [Sri Lanka: Submission to the UN Human Rights Committee 137th session, 27 February – 24 March 2023](#), 31 January 2023, *Prevention of Terrorism Act (PTA)*, p. 7/8

[in December 2021 and March 2022] have urged Sri Lanka to reform the PTA due to its failure to comply with international human rights obligations. The Sri Lankan Government has continuously pledged to reform the PTA but has failed to implement meaningful amendments”.²⁰²

The World Organisation Against Torture, in a previous statement of October 2022 highlighted that “Detention orders issued under the PTA, unlike instances of arrests and detention under general law, are not subject to regular judicial supervision and therefore allow for administrative detention for up to a year without the requirement to produce defendants in court, which does not meet international standards of human rights protection and increases the likelihood of enforced disappearance, torture, and other acts of ill-treatment. The PTA has been continuously misused to repress civil society protest and associate it with terrorist activities”.²⁰³

FORUM-ASIA reported that it is:

alarmed by the newly proposed Anti-Terrorism Act (ATA), an anti-terror legislation to replace the draconian Prevention of Terrorism Act (PTA) of 1979. Although the bill is being introduced to do away with provisions of the PTA that are considered to violate international human rights law, the proposed ATA bill is vague and broad in its definition of ‘acts of terrorism’.

The proposed bill is not an improvement over the PTA as it seems to become yet another pretext for suppressing fundamental freedoms and criminalising human rights defenders, protestors and minorities, entrenching a culture of impunity in Sri Lanka. It also introduces the death penalty for ‘the terrorism offence of murder’ – which is a retrograde step and a stark violation of the right to life.

While replacing the PTA is a good initiative, the proposed ATA Bill requires serious revisions, as otherwise, it has the same repressive tendencies as the PTA and gives the State extraordinary powers to curtail civil liberties. The Bill must be read in the context of Sri Lanka’s contentious legacy of abuse and must not become an additional tool to crack down on fundamental freedoms.²⁰⁴

According to reporting by Transparency International Sri Lanka (TISL), the Sri Lankan government “unveiled the revised ‘Anti-Terrorism Bill’ in the Gazette on September 15, 2023 [...] However, the proposed law also appears to be repressive. It is substantially identical to previous drafts that were withdrawn after widespread criticism. The new Bill defines acts of ‘terrorism’ overly broadly, restricts judicial guarantees, particularly in challenging the lawfulness of detention orders, and limits the Human Rights Commission’s ability to visit places of detention, among other problematic provisions. The new Bill proposes to expand the definition of terrorism to include crimes such as property damage, theft or robbery, while restricting the rights to freedom of assembly and speech and granting authorities powers to arrest anyone or seize anything without needing a warrant”.²⁰⁵

Similarly, Reporters without Borders (RSF) highlighted that the proposed new anti-terrorism bill “poses entirely new threats by restricting the means of expression, such as banning publications deemed ‘critical’.”²⁰⁶ Legal expert, Ermiza Tegal, also noted in an analysis published by the Right to Life Human Rights Centre that “grave concerns expressed about the March 2023 ATA Bill are equally relevant to

²⁰² World Organization Against Torture (OMCT), [Sri Lanka: Ongoing trial of lawyer and human rights defender Hejaaz Hizbullah](#), 16 June 2023

²⁰³ World Organization Against Torture (OMCT), [Sri Lanka: Release student activists arbitrarily detained under anti-terror law](#), 18 October 2022

²⁰⁴ FORUM-ASIA, [Sri Lanka: Proposed Vague Anti-Terrorism Act Suppress Fundamental Freedoms](#), 6 April 2023

²⁰⁵ Transparency International Sri Lanka (TISL), [Brief Note: Freedom of Expression in Times of Crisis and Reform](#), 21 November 2024, *Prevention of Terrorism (Temporary Provisions) Act (PTA)*, p. 6

²⁰⁶ Reporters without Borders (RSF), [Sri Lanka: RSF outlines four key priorities for the new government to strengthen press freedom](#), 19 November 2024

the September 2023 version. Furthermore, there is a notable absence of any demonstrated necessity for such a law, raising questions about its true intent. Critics argue that the bill appears to be primarily aimed at suppressing protests and dissent, and it lacks provisions for compensation and redress in cases of wrongful use—a concern that has been documented in the past under the PTA”.²⁰⁷

The International Commission of Jurists (ICJ) also highlighted that certain provisions in the revised bill of September 2023 “contravene article 13 of Sri Lanka’s Constitution, as well as article 9 of the International Covenant on Civil and Political rights, to which Sri Lanka is a party”.²⁰⁸ The Bill would further provide “the President with excessive powers to restrict the exercise of human rights, including to impose restriction orders on individual persons, proclaim curfews, designate prohibited places, and make regulations to implement “rehabilitation programmes” for persons regarding whom the Attorney-General has recommended a deferment or suspension of criminal action. Rehabilitation programmes in the past have served a punitive function, as accused persons have often been effectively coerced into accepting rehabilitation particularly in cases where the prosecutor has lacked evidence of criminal conduct”.²⁰⁹

In October 2023, Spokesperson for the UN High Commissioner for Human Rights: Ravina Shamdasani expressed “serious concerns over two bills under consideration in the Sri Lankan Parliament - the revised Anti-Terrorism Bill and the Online Safety Bill - which give the authorities a range of expansive powers and can impose restrictions on human rights, not in line with international human rights law”.²¹⁰ The article described:

The Anti-Terrorism Bill is intended to replace the Prevention of Terrorism Act, which has long been of concern to the UN human rights mechanisms. While some positive revisions have been made in the draft, including the removal of the death penalty as a possible punishment, there are still major concerns about the scope and discriminatory effects of many provisions in the revised draft. Restrictions to the rights to freedom of expression and peaceful assembly are very likely to fail to meet requirements of necessity and proportionality.

The Bill still includes an overly broad definition of terrorism and grants wide powers to the police - and to the military - to stop, question and search, and to arrest and detain people, with inadequate judicial oversight. Other issues remain over the imposition of curfews, restriction orders and the designation of prohibited places, all of which raise concerns about the scope of powers granted to the executive without sufficient checks and balances.

With respect to the Online Safety Bill, we believe it will severely regulate and restrict online communication, including by the general public and will give authorities unfettered discretion to label and restrict expressions they disagree with as “false statements”.

Many sections of the Bill contain vaguely-defined terms and definitions of offences which leave significant room for arbitrary and subjective interpretation, and could potentially criminalize nearly all forms of legitimate expression, creating an environment that has a chilling effect on freedom of expression.²¹¹

²⁰⁷ Right to Life Human Rights Centre, [Little Change in Controversial Anti-Terrorism Bill: Sept 2023 Version Echoes March 2023 ATA](#), 23 September 2023

²⁰⁸ International Commission of Jurists (ICJ), [Sri Lanka: Revised version of anti-terror bill threatens human rights](#), 25 September 2023

²⁰⁹ International Commission of Jurists (ICJ), [Sri Lanka: Revised version of anti-terror bill threatens human rights](#), 25 September 2023

²¹⁰ OHCHR news, [Human rights concerns over two draft laws in Sri Lanka](#), 13 October 2023

²¹¹ OHCHR news, [Human rights concerns over two draft laws in Sri Lanka](#), 13 October 2023

According to the Centre for Policy Alternatives (CPA), “The Minister of Justice recently presented to Parliament the Anti-Terrorism Bill, and its first reading took place on the 10th of January 2024. While this Bill is wrought with problems, two main issues with the Bill remain the drafting process and the impact that the Bill will have on the liberties of the people, minorities and dissidents against the Government in particular”.²¹²

In January 2024 Spokesperson for the UN High Commissioner for Human Rights: Ravina Shamdasani reported that “We are seriously concerned by the revised Anti-Terrorism Bill currently being considered in the Sri Lankan Parliament to replace the draconian Prevention of Terrorism Act” given that:

The proposed law is substantially identical to previous drafts that were withdrawn after widespread criticism. It defines acts of “terrorism” overly broadly, restricts the scope of judicial guarantees, especially with respect to challenging the lawfulness of detention orders, and curtails the ability of the Human Rights Commission to visit places of detention, among other problematic provisions.

If passed in its current form, the Bill would grant excessive powers to the executive to restrict rights, with limited or no safeguards against abuse of such powers. It would weaken the legal grounds needed for security forces to arrest individuals without warrants. It would also still permit lengthy pre-trial detention.²¹³

The International Center for Not-For-Profit Law reported that “After review, on February 20, 2024, the Supreme Court ruled that certain clauses of the ATB were inconsistent with the Sri Lankan Constitution and that the ATB could be enacted into law with a simple majority only if amendments to those clauses were made. Specifically, Clause 3, Clause 42, Clause 53, and Clause 70 were found to be inconsistent with Article 12(1) of the Constitution and require a special majority for passage. Additionally, Clause 4, Clause 72(1), Clause 72(2), Clause 75(3), and Clause 83(7) were also deemed unconstitutional and in need of amendments. The Supreme Court provided recommendations for amendments to these clauses to address the constitutional inconsistencies. It remains uncertain to what extent the Sri Lankan Parliament will amend the ATB in accordance with the Supreme Court determination”.²¹⁴

In July 2024, Human Rights Watch (HRW) accused the Sri Lankan authorities of continuing to “use the notorious Prevention of Terrorism Act (PTA) to target perceived opponents and minority communities without credible evidence to support the allegations despite repeated pledges to end the practice [...] While some victims have suffered years of arbitrary detention and torture, others are persecuted even after the case against them is dropped”.²¹⁵

The International Crisis Group’s monthly CrisisWatch reported in November 2024 that the “Govt faced criticism after it stated 29 Oct that it would not repeal Prevention of Terrorism Act (PTA) despite presidential campaign pledge; notably, Lawyers’ Collective 3 Nov published open letter demanding PTA’s repeal. In response, Minister of Public Security and senior NPP leader Vijitha Herath 6 Nov announced govt’s intention to abolish PTA after parliamentary election and called on next parliament to amend Online Safety Act”.²¹⁶

²¹² Centre for Policy Alternatives (CPA), [The Anti-Terrorism Law: A Draconian Legacy](#), 24 January 2024

²¹³ OHCHR news, [Call to Sri Lanka to revise anti-terrorism bill](#), 19 January 2024

²¹⁴ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Updated*

²¹⁵ Human Rights Watch (HRW), [Sri Lanka: False Terrorism Cases Enable Persecution](#), 17 July 2024

²¹⁶ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], *November 2024, 2. Anti-Terrorism Bill (ATB)*

An article published in the Sri Lankan The Sunday Times reported early December 2024 that “Since the new government came to power, ten people have been arrested through the Prevention of Terrorism Act (PTA), a controversial law that the NPP promised to eliminate. According to the police media division, six individuals were arrested in connection with the Arugam Bay incident and President Anura Kumara Dissanayake signed their detention orders”.²¹⁷ The ‘Arugam Bay incident’ refers to apparent terror threats being raised against Israeli tourists in Arugam Bay at the end of October 2024.²¹⁸

2. Online Safety Act

See also section VIII. Human Rights Situation → [c. Freedom of Speech](#)

On 24th January 2024, the Sri Lankan parliament passed the Online Safety Act, providing “broad powers to an ‘Online Safety Commission’ including deciding on what constitutes as ‘prohibited statements’ and making recommendations to internet service providers to remove such content and disabling access for those deemed offenders. The Act also includes a prohibition on ‘communicating a false statement’ which poses a threat to national security, public health or public order or promotes feelings of ill-will and hostility between different classes of people or; voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies”.²¹⁹

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

In November 2023, the Supreme Court found over 30 clauses the Online Safety Bill inconsistent with the Sri Lankan Constitution. On 24 January 2024, Parliament nevertheless passed the law without incorporating several amendments required by the Supreme Court. The HRCSL [Human Rights Commission of Sri Lanka] noted that several sections and omissions in the Act did not comply with the Supreme Court’s determination, and fundamental rights petitions have been filed against the OSA’s passage. The Government informed OHCHR that Cabinet has approved further revisions to the law although these have not yet been published. Despite this, three criminal proceedings have already been initiated under the new law.²²⁰

According to reporting by Amnesty International, the Bill “has been criticised by many activists, civil society members, and the UN Office of the High Commissioner on Human Rights”.²²¹

The International Commission of Jurists (ICJ) raised its concern that “the newly proposed Online Safety legislation, if adopted in its present form, would serve to crush free expression and further contract an already shrinking civic space in Sri Lanka”.²²² It also warned that “several provisions of the bill would serve to undermine the exercise of human rights and fundamental freedoms in the country, including freedom of information and expression. Of particular concern are provisions related to the setting up, appointment and functions of an Online Safety Commission and other experts, the vague and

²¹⁷ The Sunday Times, [Recent detentions raise concerns over Govt. stance on repealing PTA](#), 8 December 2024

²¹⁸ The Guardian, [Sri Lanka’s Arugam Bay in shock after terror threat to Israeli tourists](#), 29 October 2024

²¹⁹ Amnesty International, [Sri Lanka: Online Safety Act major blow to freedom of expression](#), 24 January 2024

²²⁰ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 17

²²¹ Amnesty International, [Sri Lanka: Online Safety Act major blow to freedom of expression](#), 24 January 2024

²²² International Commission of Jurists (ICJ), [Sri Lanka: Proposed Online Safety Bill would be an assault on freedom of expression, opinion, and information](#), 29 September 2023

overbroad wording of conduct designated as punishable offences and unnecessary and disproportionate punitive sanctions”.²²³ In addition, the ICJ highlighted that:

the Bill should not be evaluated in a vacuum, but instead must be read in conjunction with existing and proposed legislation that threaten human rights. Such laws include the extremely misused ICCPR Act of 2005, the Prevention of Terrorism Act (PTA), the Bureau of Rehabilitation Act, and the proposed Anti-Terrorism law which seeks to replace the PTA. This body of legislation, taken together, fosters a chilling effect on the exercise of fundamental freedoms restricting civil society while unduly expanding the reach of the security state.²²⁴

Similarly, Reporters without Borders (RSF) commented on its country website ‘Sri Lanka’ that “Parliament passed an internet regulation law in January 2024 creating the Online Safety Commission, whose members are appointed by the president. Under the guise of defending ‘national security’, it can censor the content and accounts of dissident voices on social media, and suspend the confidentiality of their sources”.²²⁵ With regards to the Online Safety Act, RSF noted that it “encourages censorship” and that it “joined the repressive Prevention of Terrorism Act (PTA) in Sri Lanka’s arsenal of legislation that is deliberately misused to silence journalists”.²²⁶

Thyagi Ruwanpathirana, Regional Researcher for South Asia at Amnesty International said on the day the Bill became an Act: “The passing of the Online Safety Act is a major blow to human rights in Sri Lanka. The Act is the newest weapon in the government’s arsenal of tools that could be used to undermine freedom of expression and suppress dissent. Many parts of the Act do not meet international human rights standards including overbroad provisions that would restrict the enjoyment of the rights to freedom of expression and privacy online, and vaguely worded, subjective offences such as ‘prohibited statements’ as determined and declared by a powerful ‘Online Safety Commission’”.²²⁷

In February 2024 “Civil Society Organizations (CSOs) actively engaged in the co-creation of Sri Lanka’s third National Action Plan have collectively decided to withdraw from the Open Government Partnership (OGP). This withdrawal serves as a powerful expression of opposition to recent actions taken by the Sri Lankan Government, notably the passage of the controversial Online Safety Act and attempts to introduce an allegedly draconian anti-terrorism law. The CSOs argue that these measures, in the face of significant public resistance, undermine civic space and fundamental freedoms, directly contradicting the core principles of the OGP”.²²⁸

CIVICUS reported that “On 13th February 2024, the cabinet of ministers approved a proposal to formulate a draft amendment bill to incorporate revisions to the Online Safety Act”.²²⁹

The International Crisis Group’s monthly CrisisWatch reported in November 2024 that the “Govt faced criticism after it stated 29 Oct that it would not repeal Prevention of Terrorism Act (PTA) despite

²²³ International Commission of Jurists (ICJ), [Sri Lanka: Proposed Online Safety Bill would be an assault on freedom of expression, opinion, and information](#), 29 September 2023

²²⁴ International Commission of Jurists (ICJ), [Sri Lanka: Proposed Online Safety Bill would be an assault on freedom of expression, opinion, and information](#), 29 September 2023

²²⁵ Reporters without Borders (RSF), [Sri Lanka](#), Undated [Last accessed; 06.01.25]

²²⁶ Reporters without Borders (RSF), [Sri Lanka: RSF calls on newly-elected president to commit to press freedom](#), 23 September 2024

²²⁷ Amnesty International, [Sri Lanka: Online Safety Act major blow to freedom of expression](#), 24 January 2024

²²⁸ Right to Life Human Rights Centre, [Civil Society Organizations Withdraw from Open Government Partnership in Sri Lanka, Denounce Repressive Legislation](#), 9 February 2024

²²⁹ CIVICUS, [Sri Lanka: Authorities continue to stifle protests, harass activists and push repressive laws](#), 7 March 2024

presidential campaign pledge; notably, Lawyers' Collective 3 Nov published open letter demanding PTA's repeal. In response, Minister of Public Security and senior NPP leader Vijitha Herath 6 Nov announced govt's intention to abolish PTA after parliamentary election and called on next parliament to amend Online Safety Act".²³⁰

3. International Covenant on Civil and Political Rights (ICCPR) Act

See also the whole of section of [VIII. Human Rights Situation](#)

A January 2023 submission by Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic to the UN Human Rights Committee explained that "The ICCPR Act of 2007 should guarantee the right to peaceful protest. Instead, protesters, activists, and journalists face charges under the Act's provisions that say "[n]o person shall propagate war or advocate national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence." The ICCPR Act also entitles alleged offenders to a right to a fair trial, but individuals are arrested with no credible evidence to substantiate charges. Just this October 2022, a peaceful protest against the Government and increasing cost of living resulted in multiple arrests and a tense standoff with the police [...] Often the ICCPR and PTA are used together to penalize dissent and minorities. Most recently these laws have targeted activists leading people's protests against government repression of dissent, corruption and the escalating cost of living".²³¹

Amnesty International noted on its country page 'Sri Lanka 2023' that "The ICCPR Act was weaponized once more against freedom of expression".²³²

Similarly, covering the year 2023, the U.S. Department of State's annual human rights report reported that "Civil society accused the government of using the ICCPR and penal code provisions against hate speech to curtail freedom of expression".²³³

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective explained that:

In Sri Lanka, laws such as the ICCPR Act, meant to give effect to the rights enshrined in the ICCPR, are fraught with contradictions. For example, the said Act fails to adequately protect fundamental civil rights such as the right to fair trial, which have been shown to disproportionately affect the country's minorities.²³⁴

In its October 2023 report the UN High Commissioner for Human Rights noted that:

²³⁰ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], November 2024

²³¹ Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, p. 10

²³² Amnesty International, [Sri Lanka 2023](#), Undated [Last accessed: 13.01.2025]

²³³ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 2. Respect for Civil Liberties

²³⁴ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Introduction, p. xxxviii

Despite its stated objective, the International Covenant on Civil and Political Rights Act has continued to be misused to stifle freedom of expression, as demonstrated by recent arrests.²³⁵

4. Voluntary Social Services Organisation Act (VSSO Act)

The International Center for Not-For-Profit Law provided the following overview regarding this Act: “The VSSO Act, enacted in 1980 and amended in 1998, is intended to serve as the overarching legislation for CSOs [Civil Society Organisations] in Sri Lanka. However, in the aftermath of the war, [2009] successive governments have threatened to introduce amendments to the VSSO Act to enhance control over CSOs”.²³⁶

The Right to Life Human Rights Centre published a study report in May 2023 on the challenges faced by civil society organization and NGOs operating in Sri Lanka.²³⁷ In its Foreword, the Right to Life Human Rights Center’s Executive Director, Philip Dissanayake, highlighted that:

The NGOs who have endured all these difficulties are currently facing another problem. That is because the Cabinet has approved amending the Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980, and the Legal Draughtsman’s Department is drafting a new Act.

The new amendment is not at all likely to be favourable to the activities of civil organizations. The new amendment proposes all organizations be registered under one law, through which they will be subjected to constant government supervision and surveillance. Also, efforts will be made to control the activities of some organizations under this new law.²³⁸

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

As of July 2024, the Government was drafting a new law to regulate NGO activities to address concerns with money-laundering and financing of terrorism. [...] The draft, viewed by OHCHR, which has a wide range of problematic provisions, including broad discretion given to authorities to grant or deny registration, and clauses on “duties of NGOs” which impose restrictions on engagement “in any political activity”, or activities that “affects core cultural values”, among others.²³⁹

CIVICUS reported in July 2024 that there continue to be concerns regarding the “proposed Non-Governmental Organisations (NGOs) (Registration and Supervision) Act of 2024 (which currently remains a Bill) to replace the Voluntary Social Service Organisations Act of 1980 (VSSO) [which] could curtail freedoms available and pave the way for the governmental authorities to unjustifiably interfere with their work”.²⁴⁰ The same source further explained:

The bill has been criticised by activists due to the complete lack of a meaningful consultative process in the formation of the Bill. In a meeting convened in January 2024 to engage stakeholders, only a hard copy of the draft was shared. No Sinhalese and Tamil translations were made available. The government

²³⁵ OHCHR, [Situation of human rights in Sri Lanka](#), 24 October 2023, paragraphs 38, 41 and 42

²³⁶ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, 3. *Amendment to the Voluntary Social Services Organisation Act (VSSO Act)*

²³⁷ Right to Life Human Rights Centre, [Freedom of Association Challenged in Sri Lanka](#), May 2023

²³⁸ Right to Life Human Rights Centre, [Freedom of Association Challenged in Sri Lanka](#), May 2023, Foreword, p. 4/5

²³⁹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paras. 19-20

²⁴⁰ CIVICUS, [Sri Lanka: Authorities continue to target activists, stifle protests and silence journalists, as elections draw near](#), 31 July 2024

refused to make the draft publicly available online, and the Secretariat insisted that feedback be provided within three weeks regardless of the fact that civil society representatives requested three months.

In a commentary by activists, from February 2024, a number of concerns were highlighted with the bill including the definition of an NGO which is overly broad; requirement for mandatory registration shuts out informal, voluntary collectives from legal recognition; that the registration, supervision and regulation will be political; and the extensive powers given to the authorities.²⁴¹

Regarding proposed amendments in 2024, the International Center for Not-For-Profit Law commented:

On January 30, 2024, the NGO Secretariat shared with civil society a draft law titled “Non-Governmental Organizations (Registration and Supervision) Act” to replace the 1998 Voluntary Social Services Act (VSSO). The draft was shared informally with NGOs, but was in English and not any Sri Lankan languages, provided only a three-week response period, and lacked any official or public consultation. The stated aim of the draft is to further regulate the activities of all VSSOs, including NGOs, which contravenes the idea of the government supporting, facilitating, and promoting VSSOs to nurture a vibrant civil society. The draft’s broad scope, which includes a wide array of groups and activities, such as development organizations, educational institutions, charities, corporate social responsibility foundations, human rights organizations, research institutes, and political think tanks, could lead to excessive regulation and undue interference. In addition, the draft imposes extensive monitoring and reporting requirements, which could serve as a tool for exerting control and surveillance over NGOs. These requirements could also discourage NGOs from participating in advocacy or other activities perceived as controversial or oppositional.

Additionally, the draft demands that NGOs provide access to all their financial records and operational details, which could violate their confidentiality and sense of privacy and undermine the trust between NGOs and their beneficiaries. Restrictions on the types of activities NGOs can engage in, particularly advocacy and campaigning, further limit the expression of dissenting views. The broad and vague definitions of NGOs and their activities may also lead to the inconsistent application of the law and arbitrary decision-making by authorities.

In addition, there is the potential for political considerations to influence the registration, supervision, and regulation processes of NGOs because an authority appointed by a minister would have the power to make regulations for the sector. The draft requires the authority to obtain views from relevant ministries before registration and to facilitate cooperation between NGOs and the government, but this can be prone to political manipulation and a lack of independence. The draft also allows for the suspension of an NGO based on prima facie evidence of “prejudicing national security” or engaging in activities that contravene the Act or any other law. This poses particular risks to NGOs working on law reforms and challenging existing laws. Moreover, registered NGOs are prohibited from engaging in political activities, including advocacy and law reform.

Beyond these restrictions, the draft permits authorities to enter NGO premises without a warrant and conduct searches. The definition of an NGO is excessively broad to encompass small community-based groups as well as large national and international organizations involved in social services, welfare, advocacy, and civil society strengthening activities. The draft also grants the authority power over NGOs that are not required to register, such as religious institutions, trade unions, and cooperatives. The broad application of these rules is particularly burdensome for smaller organizations.²⁴²

²⁴¹ CIVICUS, [Sri Lanka: Authorities continue to target activists, stifle protests and silence journalists, as elections draw near](#), 31 July 2024

²⁴² International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, 3. *Amendment to the Voluntary Social Services Organisation Act (VSSO Act)*

Regarding a new Directive that came into force in December 2024, the same source reported on its webpage on 'Sri Lanka':

On December 12, 2024, the NGO Secretariat issued a directive requiring all foreign and domestic NGOs to register exclusively with them. This includes a re-registration process for NGOs under the Companies Act No. 07 of 2007 and mandatory registration for those operating without it. As part of the registration process, NGOs must submit relevant documentation to the Secretariat, which will then forward it to the Ministry of Defence, Ministry of External Affairs, and other relevant line ministries for clearance. While this is being framed as a move toward financial transparency, it is difficult to view it as anything other than an attempt to expand surveillance and control.²⁴³

The International Center for Not-For-Profit Law further informed that "In November 2024, the Secretariat also signed an MoU with the Financial Intelligence Unit of Sri Lanka on the Prevention of Money Laundering and Financing of Terrorism. This agreement facilitates the exchange of information on investigations and prosecutions related to money laundering, terrorist financing, and associated crimes. It is positioned as part of broader efforts under the Financial Transactions Reporting Act to monitor the potential misuse of NGOs for criminal activities, thereby strengthening national security measures".²⁴⁴

The source concluded with regards to this Directive: "Although the National People's Power (NPP) government came to power promising systemic change, we are seeing the same patterns repeat. Successive administrations have tried to regulate and monitor non-governmental organizations under the guise of ensuring transparency and security. This latest initiative seems to follow that same trajectory, expanding surveillance and limiting space for dissent. The increased monitoring by the Secretariat, which lacks the mandate for such oversight, raises serious concerns about their real intentions".²⁴⁵

b. Freedom of Expression, Association and Assembly

Sri Lanka's Constitution guarantees in Article 14 "every citizen is entitled to- (a) the freedom of speech and expression including publication; (b) the freedom of peaceful assembly; (c) the freedom of association;...".²⁴⁶

1. Treatment of (Perceived) Political Opposition

i. Restrictions on Political Organizing

See also information contained in the next sub-section [ii. Treatment of Members of Opposition Parties](#)

Amongst the sources consulted no specific information was found regarding this particular issue.

²⁴³ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Updated*

²⁴⁴ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Updated*

²⁴⁵ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Updated*

²⁴⁶ [The Constitution of the Democratic Socialist Republic of Sri Lanka](#), As amended up to 21st October 2022, Revised Edition - 2023

ii. Treatment of Members of Opposition Parties

At the end of February 2022, Nimal Amarasiri, a candidate in a local government election, was “killed after a tear gas attack [...] while participating in a protest against the attempt to postpone the local government elections”, reported the Asian Human Rights Commission.²⁴⁷

CIVICUS reported that in February 2023 “On 11th February 2023, police arrested Tamil National People’s Front (TNPf) politician Selvarajah Kajendren, for his involvement in the black flag protests against the Sri Lankan president’s visit to Jaffna. The president was visiting to inaugurate the Jaffna Cultural Hall as a part of Sri Lanka’s 75th Independence Day anniversary. According to the Tamil Guardian, the senior TNPf MP was forcibly dragged by armed police and shoved into the back of their vehicle. Kajendren was arrested alongside 17 others. The police claimed that the 18 were arrested for holding a protest although they had obtained a court order to stop it from going ahead. During the demonstration, police were seen assaulting the peaceful demonstrators. They were also subsequently released on bail”.²⁴⁸

Also in February 2023, the International Centre for Not-For-Profit Law reported that “The Police responded on February 26, 2023 to the NPP’s (opposition political party) peaceful protest in Colombo regarding the postponement of local government elections with excessive force in the form of water cannons and tear gas, which resulted in the death of one person and over two dozen hospitalized due to injuries sustained. The police cited a court order to justify the breaking up of the protest”.²⁴⁹

In June 2023 the Human Rights Commission of Sri Lanka reported that it had received complaints of “more than 70 complaints” from Parliamentarians “connected with egregious attacks against the public and personal property in turn threat to their lives and the lives of their family”. The same source further noted that “Thus far the investigation team is of the strong opinion that the attacks are politically motivated”.²⁵⁰

With regards to female politicians and political activists, the Human Rights Commission of Sri Lanka in its January 2025 report to the UN Committee on the Elimination of Discrimination against Women specifically noted that they “continue to face verbal abuse and harassment both by members of the public and their peers”.²⁵¹

iii. Treatment of Persons (Perceived as) Critical of the Government

See also sections [a. \(Controversial\) Legal Provisions](#), [iv. Former LTTE members and their families or Tamil families of the disappeared](#) and [XII. Treatment of Religious and Ethnic Minorities](#) → [b. Treatment of Religious and Ethnic Minorities](#)

For a timeline looking at key events in relation to the protests that took place during 2022 and the beginning of 2023 and the manner in which the Sri Lankan State responded, see pages 3-14 of this

²⁴⁷ Asian Human Rights Commission, [Sri Lanka: AHRC condemns the murder of Nimal Amarasiri caused by misuse of teargas on peaceful protests](#), 1 March 2023

²⁴⁸ CIVICUS, [Authorities continue to crack down on protests and detain online critics in Sri Lanka, despite UN Human Rights review](#), 17 February 2023

²⁴⁹ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Barriers to assembly*

²⁵⁰ Human Rights Commission of Sri Lanka, [Press Notice](#), 2 June 2023

²⁵¹ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, para. 35, p. 7

report: Centre for Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023.

Similarly, Amnesty International's report [Penalized For Protesting: Sri Lanka's crackdown on protesters](#) published in September 2022 summarised how "During recent protests the authorities yet again responded with a militarised approach, and in a number of instances misused force on peaceful protesters. This digest details the excessive use of force against protesters, the use of military to police protests and the failure to protect peaceful protesters. It also sets out how the government has cracked down on protesters who now face intimidation, harassment and arrest. Some of these arrests have been carried out in a manner contravening due process.

2022

In August 2022 a group of UN experts "condemned the extensive, prolonged and repeated use of state of emergency measures since 2 April 2022 by Sri Lankan authorities to crackdown on peaceful protesters and prevent them from voicing their grievances amidst an economic collapse in the country".²⁵² The article described that following then President Ranil Wickremesinghe declaring another state of emergency on 17 July 2022, "the Sri Lankan Parliament has since ratified an ordinance on 27 July 2022 extending the current state of emergency for another month, imposing a curfew, and granting broad and discretionary powers to security forces and the military. Such powers allow them to detain protesters and search private properties without judicial supervision".²⁵³ The article also described that:

Security forces have used the extensive powers granted to them by the emergency measures to violently repress the protest movement, including through the use of live ammunition, teargas and water cannons. On 22 July 2022, a joint operation of the police and military reportedly raided a protesters' camp at Galle Face in the capital Colombo, tearing down tents, injuring over 50 and arresting dozens, including several journalists and lawyers. In recent weeks, Police have made a spate of arrests that appear to target individuals involved in organising the demonstrations and raided the homes and offices of protesters and opposition political parties.²⁵⁴

Reporting on the same incident UN Human Rights Office spokesperson Jeremy Laurence stated that:

In the early hours of Friday, when most of the protesters were sleeping, an estimated 2,000 security personnel, including police and military, stormed the area and tore down their tents. The security forces allegedly beat protesters and at least 48 people were injured. Protesters were not allowed to leave the protest site for several hours and those who were injured could not receive medical attention.

It was reported that security forces attacked journalists and lawyers, especially those trying to record the events or carrying cameras or phones, and at least two were arrested. At least four journalists were beaten and assaulted by the security forces. Two have been hospitalized. Property belonging to the protesters, including tents, IT equipment and kitchen items were destroyed or confiscated.

²⁵² UN news, [Sri Lanka: UN human rights experts condemn repeated use of emergency measures to crackdown on protests](#), 8 August 2022

²⁵³ UN news, [Sri Lanka: UN human rights experts condemn repeated use of emergency measures to crackdown on protests](#), 8 August 2022

²⁵⁴ UN news, [Sri Lanka: UN human rights experts condemn repeated use of emergency measures to crackdown on protests](#), 8 August 2022

According to the Bar Association, two lawyers were assaulted by the security forces.²⁵⁵

The Centre of Policy Alternatives (CPA) reported that “The year 2022 saw the trend of misusing existing laws for the purpose of suppressing dissent, and an uptick in legal reprisals against protesters. Notably, following the initial protests in late March, the Senior Police Spokesman announced that the arrested suspects who allegedly caused damage during the protests will be charged “under the Public Property Act and Common law of the country [...] The difficulty of obtaining bail for those arrested under the Public Property Act has been emphasised by lawyers representing the arrested protesters”.²⁵⁶ The report further noted that “In keeping with the broader trend of legal sanctions against protesters, the police have also continuously sought injunctions against the holding of protests and demonstrations. In addition to this, the Penal Code, the Code and Criminal Procedure and the Police Ordinance have been routinely used to arrest protesters”.²⁵⁷

On 22nd July 2022, one day after Ranil Wickremesinghe was appointed President, the Free Media Movement “strongly condem[ed] the inhumane and atrocious attack at the Galle Face protest area [...] using the security forces [...] The journalists who were present in the area of the protest site stated that the military brutally attacked the people, including clergy, women and even disabled people. As a result a large number of people have been injured in the attacks, and the security forces even obstructed people from taking the injured. It is reported that several individuals, including attorney-at-law Nuwan Bopage, have been arrested and it has been difficult to obtain more information about them at present. This attack was initiated despite the announcement by the activists that they would vacate the premises of the Presidential Secretariat”.²⁵⁸

The Sri Lanka Campaign reported in August 2022 that “In the early hours of 22 July 2022, a coordinated joint operation by the Sri Lankan military, police and special forces forcibly removed parts of the three-month long ‘Gotagogama’ rolling peaceful protest site located in front of the Presidential Secretariat in Colombo. Security forces severely beat protesters, journalists and lawyers and removed many tents from the pavement along the Galle Road outside the Presidential Secretariat, where dozens of people, including children, slept during the protests. They also evicted a small group of peaceful protesters who had occupied one of the rooms inside the Secretariat that had been opened to the public as a library, in an act of civil disobedience. Notwithstanding the fact that protesters had already announced their decision to hand over the building peacefully at 2:00 pm the same day, without a warning or a request for the protesters to vacate the premises, security forces violently attacked them”.²⁵⁹

The same source further reported that “Since 22 July [2022], under the Presidency of Ranil Wickremesinghe, legal reprisals against peaceful protesters and those perceived as protest leaders have increased. Protesters, including human rights defenders have been charged with taking part in unlawful assemblies [...] Protesters involved in largely peaceful demonstrations have been charged with other criminal offenses, such as damaging public property and unlawful entry”.²⁶⁰

²⁵⁵ OHCHR news, [Comment by UN Human Rights Office spokesperson Jeremy Laurence on raid on Sri Lanka protest camp](#), 22 July 2022

²⁵⁶ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p. 19/20

²⁵⁷ Centre of Policy Alternatives (CPA), [State response to the Right to Protest amidst the socio-economic and governance crisis](#), February 2023, *Nature of restrictions*, p. 20

²⁵⁸ The Free Media Movement, [Sri Lanka: Security forces attack Galle Face protest site](#), 23 July 2022

²⁵⁹ Sri Lanka Campaign, [Joint Statement: End Government Crackdown on Peaceful Protesters](#), 5 August 2022

²⁶⁰ Sri Lanka Campaign, [Joint Statement: End Government Crackdown on Peaceful Protesters](#), 5 August 2022

It was also highlighted that “abduction-style arrests” took place: “In many of the cases documented by our organizations, the authorities have failed to produce warrants at the time of arrest and to promptly inform people of the reasons for their arrest. Many protesters who have been detained have complained that they were not told where they were being taken, and many have also been denied access to legal counsel”.²⁶¹

In August 2022 the International Crisis Group noted that “government’s crackdown on protest movement continued as police arrested dozens of political activists, including key protest leaders, charging them with range of mostly minor offences. Notably, security forces 18 Aug dispersed peaceful march by students, whereby police used water cannons and tear gas and arrested 20, including three well-known student leaders; decision to detain student leaders under Prevention of Terrorism Act (PTA) was strongly criticised by western diplomats, UN and human rights groups and indicates importance attached to eliminating political opposition from streets prior to implementation of painful economic policies in coming months”.²⁶²

One year later it emerged, that “that many people involved in the 2002 protest movement, which led to President Rajapaksa’s resignation, suffered from serious respiratory problems due the tear gas used by the police that expired 20 years ago and more” summarised CIVICUS.²⁶³ According to the same source:

The findings are contained in “Tear gas: Tears of twenty million”, a report released by the Centre for Society and Religion (CSR) in Colombo. More than 6,000 hand grenades and cartridges were fired at the height of the protest movement in 2022, three times as many as in the previous decade.

The investigative team led by freelance journalist Tharindu Jayawardena, with the support of the Right to Information Commission, revealed disturbing facts about the tear gas used by police. Between 31st March and 20th July 2022, police used grenades and tear gas canisters worth more than 26 million rupees (or around USD 82,000) on 84 different occasions.

Law enforcement used tear gas “many a time, blatantly violating and disregarding safety instructions pertaining to the use of tear gas.” They “even used tear gas past its expiry date and tried to cover up what they did when information was requested.” In some cases, the expiry date went back 10, even 20 years.

Jayawardena explained that victims of the repression reported serious physical ailments from inhaling the tear gas used to disperse crowds. Some have even died from respiratory problems associated with the tear gas.²⁶⁴

The report mentioned in the above abstract can be found [here](#), but so far ARC has only found it to be available in Sinhalese.

In September 2022 the International Crisis Group noted that “Inter University Student Union 18 Oct held large, peaceful and legal march to protest detention of three of its leaders held for two months under Prevention of Terrorism Act (PTA); police dispersed marchers with tear gas and water cannons and arrested eight activists Police 10 Sept arrested prominent protest leader and authorities continued prosecutions of numerous others, including three student leaders detained last month under PTA.

²⁶¹ Sri Lanka Campaign, [Joint Statement: End Government Crackdown on Peaceful Protesters](#), 5 August 2022

²⁶² International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], August 2022

²⁶³ CIVICUS, [Sri Lanka: Authorities continue to stifle protests, harass activists and push repressive laws](#), 7 March 2024

²⁶⁴ CIVICUS, [Sri Lanka: Authorities continue to stifle protests, harass activists and push repressive laws](#), 7 March 2024

Authorities 24 Sept arrested 84 peaceful protesters, day after President Wickremesinghe invoked rarely-used Official Secrets Act to ban protests around key govt buildings covering large parts of capital Colombo; Bar Association and others denounced move and immediately challenged it in court”.²⁶⁵

Reporting on the same protests, Human Rights Watch (HRW) noted that “On September 24, 2022, a day after the measure was issued, police arrested 84 people and used tear gas and water cannon to disperse protesters calling for the release of student activists being held under the notorious Prevention of Terrorism Act”.²⁶⁶

On a different note, the U.S. Department of State reported in its Country Report on Terrorism for the year 2022 that “The Ministry of Defense is concerned about the risk of separatist ideology from Tamil diaspora groups, often characterizing these groups’ political or non-violent advocacy activities as CT [Counter Terrorism] concerns, as well as about Islamic ‘extremism’”.²⁶⁷

2023

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “Some Tamil and Muslim politicians, international organizations, and local human rights activists referred to PTA detainees including former Tamil-LTTE combatants, Muslims, and student activists accused of terrorism-related violent crimes as political prisoners, alleging they were held for their speech, advocacy, or criticism of the government. The government charged the prisoners in question had committed or conspired to commit terrorist or violent criminal acts”.²⁶⁸

INFORM noted in its annual report covering 2023 that “Many people who organized various peaceful gatherings and events continued to face reprisals, including threats, intimidation, arrest, detention, and legal action. At least 16 restraining orders were issued against various protests and demonstrations held by trade unions, student activists, political parties, and others. [...] The police dispersed at least 21 protests, attacking them with tear gas and water, 17 out of these 21 were organized by student activists, while others were organized by civil society activists, trade unions, and political parties. Around 10 other protests or events were obstructed by the police, while a few were also obstructed by Sinhala Buddhist nationalist groups [...] Protesters were arrested, tear gassed during demonstrations and protests that were held throughout the year. Over 100 protesters were arrested during various demonstrations that took place in the Northern province throughout the year. Arrested people included at least 30 people from Northern and Eastern Provinces, activists, and 8 others. Around 10 activists were summoned and questioned by the police over their participation in peaceful events”.²⁶⁹

CIVICUS reported that in January 2023 “YouTuber Sepal Amarasinghe was arrested by the Criminal Investigation Department (CID) at Bellanwila. He has been accused of making slanderous comments about the Sacred Tooth Relic of the Buddha - which many Buddhists venerate - as a ‘labba’, which is often used in Sinhala as a euphemism for male genitalia”.²⁷⁰ A month later, “political vlogger Darshana

²⁶⁵ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], *September 2022*

²⁶⁶ Human Rights Watch (HRW), [Sri Lanka: Revoke Sweeping New Order to Restrict Protest](#), 27 September 2022

²⁶⁷ U.S. Department of State, [Country Reports on Terrorism 2022: Sri Lanka](#), 30 November 2023

²⁶⁸ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 1. Respect for the Integrity of the Person*

²⁶⁹ INFORM, [Repression of Dissent in Sri Lanka, Annual Report 2023](#), 27 May 2024, *Freedom of Assembly*

²⁷⁰ CIVICUS, [Authorities continue to crack down on protests and detain online critics in Sri Lanka, despite UN Human Rights review](#), 17 February 2023

Handungoda was arrested by the Criminal Investigations Department (CID) upon arriving in the country from Dubai. In May 2022, Handungoda had been summoned by the Criminal Investigation Department for questioning for comments he made on social media near the Temple Trees during an anti-government protest. However, he had declined to give a statement, claiming that the police never sent him an official notification calling him in for questioning. He was granted bail by the Fort Magistrate's Court on the same day".²⁷¹

The Centre for Policy Alternatives (CPA) was "deeply concerned by the excessive use of force, arbitrary actions and the blatant disregard for due process in arresting peaceful demonstrators on the eve and on the day of the 75th Anniversary of Independence of Sri Lanka, which was on the 4th of February 2023. Media reports evidenced the manner in which peaceful protesters engaged in a 'satyagraha', a form of peaceful protests, were met with force and arrested, while they voiced legitimate concerns regarding the waste of public resources amidst the dire economic crisis in the country. Compounding this was the denial of access to their lawyers upon arrest".²⁷²

Amnesty International reported that on 26th February 2023 the "National People's Power party held a protest in Colombo against the postponement of the local Government elections. The Sri Lanka police responded with excessive use of water cannons and tear gas on the peaceful protests resulting in the death of one person, with more than two dozen injured and hospitalized".²⁷³

According to reporting by Transparency International Sri Lanka (TISL), "Natasha Edirisooriya, a Sri Lankan stand-up comedian, was apprehended by the Computer Crime Investigation Division of the Criminal Investigation Department (CID) on May 27, 2023, at Bandaranaike International Airport in Katunayake. This action was taken following allegations that she made offensive remarks about Buddhism during her performance in the show "Modabhimanya" (Fool's Pride) in April 2023, which was subsequently posted on YouTube on May 24".²⁷⁴ In July 2023 she was granted conditional bail by the Colombo High Court.²⁷⁵

Amnesty International analysed the use of force during "policing of 30 protests that took place in Sri Lanka between March 2022 and June 2023", and continues "to date, including in 2024", and found "a pattern in the unlawful use of tear gas and water cannon and the misuse of batons by Sri Lankan law enforcement officials with video evidence revealing that in at least 17 protests – more than half of those analysed – the conduct of law enforcement officials fell well short of international law and standards on the use of force".²⁷⁶

In its October 2023 report the UN High Commissioner for Human Rights noted that:

While the Government committed, during its universal periodic review,⁴³ to permit peaceful protests and the number of protests has decreased since the previous reporting period, there have still been cases of crowd control in contravention of international standards by law enforcement actors in which water cannons and tear gas were used to disperse peaceful assemblies.⁴⁴ For example, on 26 February

²⁷¹ CIVICUS, [Authorities continue to crack down on protests and detain online critics in Sri Lanka, despite UN Human Rights review](#), 17 February 2023

²⁷² Centre for Policy Alternatives (CPA), [CPA statement regarding concerns with continued repression in Sri Lanka](#), 6 February 2023

²⁷³ Amnesty International, [Sri Lanka: Authorities must exercise restraint in use of force and facilitate the right to peaceful assembly](#), 27 February 2023

²⁷⁴ Transparency International Sri Lanka (TISL), [Brief Note: Freedom of Expression in Times of Crisis and Reform](#), 21 November 2024, *International Covenant on Civil and Political Rights (ICCPR) Act, No. 56 of 2007*, p. 7

²⁷⁵ Transparency International Sri Lanka (TISL), [Brief Note: Freedom of Expression in Times of Crisis and Reform](#), 21 November 2024, *International Covenant on Civil and Political Rights (ICCPR) Act, No. 56 of 2007*, p. 7

²⁷⁶ Amnesty International, [Sri Lanka: Unlawful use of weapons in policing of protests](#), 10 April 2024

2023, the use of tear gas and water cannons in a confined area during a demonstration held in Colombo protesting postponement of local elections prevented the crowd from dispersing and resulted in the death of one protester and in injuries and suffocation of several others. In June 2023, peaceful demonstrations of students demanding the release of those arrested in connection with previous protests were confronted with disproportionate use of water cannons and tear gas.²⁷⁷

In October 2023 CIVICUS reported that “A district judge from Mullaitivu in the north resigned and fled the country in September 2023, citing threats to his life. According to the JURIST, Saravanaraja had recently presided over two significant cases. The first case involved a dispute over a religious site, Kurunthormalai, an ancient Tamil temple site located within the Thannimurippu area of the Mullaitivu district, after members of the majority Sinhala Buddhist community took over the religious site from Hindu worshippers. Saravanaraja ordered the removal of recently erected structures, including an unlawfully constructed Buddhist shrine situated atop Kurunthormalai. The second case pertained to the government’s stifling of a memorial event honouring a deceased member of the Tamil separatist rebel group, the Liberation Tigers of Tamil Eelam (LTTE). Additionally, in July 2023, Saravanaraja ordered excavations at a mass grave site in Kokkuthoduvai. Saravanaraja alleged that the Attorney General invited him to his office on 21st September and compelled him to reverse his order in the Kurunthormalai case. Furthermore, Saravanaraja claimed that Members of Parliament, and other politicians within the Sinhala Buddhist community, threatened his life. The judge also said that his police protection had been reduced, while intelligence officers continued to surveil him. Lastly, the judge stated that two cases were filed against him personally in Sri Lanka’s Court of Appeals in connection to his decision on the Kurunthormalai case”.²⁷⁸

Human Rights Watch (HRW) reported that “In November 2023, police in the eastern town of Batticaloa arrested nine people under the law [Prevention of Terrorism Act (PTA)] for commemorating the war dead. They were released on bail a month later, but one of those detained told Human Rights Watch that he remains under intense surveillance and his family has lost its income because of the case”.²⁷⁹

2024

CIVICUS reported the following regarding protests in January and February 2024:

Sri Lanka’s police used tear gas and water cannons on 30th January 2024 to disperse an opposition protest. Protesters from the opposition Samagi Jana Balawegaya (SJB) alliance gathered in the capital, Colombo, and accused President Ranil Wickremesinghe’s administration of overburdening citizens by increasing taxes, as well as hiking prices for electricity and fuel, causing a sharp spike in living costs. An estimated 10,000 protesters joined the demonstration.

At least two courts prohibited protesters from marching along roads leading to vital buildings, including the president’s office, finance ministry and the central bank. Instead, two areas in the capital - the P. D. Sirisena Grounds and Hyde Park - were assigned for the protest. Police used tear gas and water cannon twice to disperse the protesters as they tried to move out of the designated areas.

At the same time, the Fort Magistrate’s Court also issued an order against Opposition Leader Sajith Premadasa and others, preventing them from entering into several roads in the Fort and Kompenna Veediya police jurisdictions.

²⁷⁷ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 37

²⁷⁸ CIVICUS, [Sri Lanka: Journalists and activists targeted, protests stifled and new restrictive laws proposed](#), 13 October 2023

²⁷⁹ Human Rights Watch (HRW), [Sri Lanka: False Terrorism Cases Enable Pression](#), 17 July 2024

Another protest by the SJB on 20 February 2024 against the postponement of local government elections was also disrupted with tear gas and water cannons.²⁸⁰

In July 2024 the same source highlighted that:

In recent months, human rights groups have documented a clampdown on commemorations around the anniversary of the end of the civil war, Tamil activists summoned by the anti-terrorism division and how the anti-terror law has been used to target activists, critics and minorities [...] The authorities have restricted gathering and protests, including arresting worshippers around a festival and brutally attacking thousands of protesting teachers”.²⁸¹

Also in July 2024, Human Rights Watch (HRW) accused the Sri Lankan authorities of continuing to “continue to use the notorious Prevention of Terrorism Act (PTA) to target perceived opponents and minority communities without credible evidence to support the allegations despite repeated pledges to end the practice [...] While some victims have suffered years of arbitrary detention and torture, others are persecuted even after the case against them is dropped”.²⁸²

iv. Former LTTE members and their families or Tamil families of the disappeared

See also sections [a. \(Controversial\) Legal Provisions](#), V. Rule of Law/Administration of Justice → [e. Impunity](#) and XII. Treatment of Religious and Ethnic Minorities → [b. Treatment of Religious and Ethnic Minorities](#)

In its October 2022 report the UN High Commissioner for Human Rights noted that:

Former Liberation Tigers of Tamil Eelam cadres, including women, are subject to intensive surveillance, regardless of whether they have undergone the Government’s “rehabilitation” scheme or not. Female ex-combatants still face serious security risks, including sexual abuse and extortion, by security forces and others. The High Commissioner fears that, without fundamental security sector reforms and the demilitarization of the north and the east, the pervasive culture of surveillance and oppressive environment for the people in these areas will continue.²⁸³

CIVICUS reported that in January 2023 “buses from Kilinochchi, Mullaitivu and Vavuniya carrying Tamil families of the disappeared were stopped and questioned by the Sri Lankan police. They also took down the personal details of all the bus drivers and those on the buses”.²⁸⁴

In its October 2023 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of human rights defenders, activists and persons involved in memorialization initiatives by the intelligence services, the military and the police or by unidentified individuals affiliated with former paramilitaries.

During the last quarter of 2022, police officers conducted several visits to local nongovernmental organizations based in the Northern and Eastern Provinces. Staff were questioned about activities carried out by their organizations, funding sources, beneficiaries and their personal information. On 28

²⁸⁰ CIVICUS, [Sri Lanka: Authorities continue to stifle protests, harass activists and push repressive laws](#), 7 March 2024

²⁸¹ CIVICUS, [Sri Lanka: Authorities continue to target activists, stifle protests and silence journalists, as elections draw near](#), 31 July 2024

²⁸² Human Rights Watch (HRW), [Sri Lanka: False Terrorism Cases Enable Persecution](#), 17 July 2024

²⁸³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 32

²⁸⁴ CIVICUS, [Authorities continue to crack down on protests and detain online critics in Sri Lanka, despite UN Human Rights review](#), 17 February 2023

December 2022, unknown persons broke into a women's organization in Kilinochchi and stole assets and documents. Three members of another organization received calls from the Terrorist Investigation Division in Batticaloa and were questioned for eight hours, while being threatened with being forcibly disappeared.

Family members of the disappeared in the Eastern and Northern Provinces continue to receive police visits with summonses or restraining orders ahead of emblematic dates (for example, Independence Day) preventing them from organizing or participating in protests, rallies or memorialization events. Reportedly, summonses have been delivered during late evening hours or with an excessive police presence, adding an element of harassment and dissuasion.²⁸⁵

In October 2023 the UN Committee on Enforced Disappearances identified a list of issues in relation to the Government's submitted report.²⁸⁶ A response was due by 29 June 2024 but by the time of writing (January 2025) had not been received.²⁸⁷ Among the list of issues the Committee requested the Government "describe the measures taken to ensure the investigation of the increasing number of allegations concerning acts of harassment and intimidation of relatives of disappeared persons, especially in the northern provinces, including through police surveillance and interference in the relatives' attempts to gather information and conduct human rights-related work (art. 12)".²⁸⁸ In this respect it cited an August 2022 UN Report of the Working Group on Enforced or Involuntary Disappearances which noted that:

The Working Group is concerned at the increasing number of allegations received concerning acts of harassment and intimidation against relatives of disappeared persons, especially in the northern provinces of the country, including through police surveillance and interference in their attempts to gather and undertake human rights-related work.²⁸⁹

In October 2023 the same organisation noted that "Family members of the disappeared in the Eastern and Northern provinces continued to receive police visits with summonses or restraining orders ahead of emblematic dates, preventing them from organising or participating in protests, rallies or commemoration events. Reportedly, summonses were delivered during late evening hours or with excessive police presence, adding an element of harassment and dissuasion".²⁹⁰

Human Rights Watch reported that at the end of November 2023 "Sri Lankan authorities have detained nine ethnic Tamils" under the Prevention of Terrorism Act (PTA) whilst they were at a commemoration vigil in the Eastern Province.²⁹¹

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Over the reporting period, OHCHR observed a persistent trend of surveillance, intimidation and harassment of journalists and civil society actors, especially those working on enforced disappearances,

²⁸⁵ OHCHR, [Situation of human rights in Sri Lanka](#), 24 October 2023, paragraphs 22, 24 and 33-35

²⁸⁶ UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023

²⁸⁷ UN, Human Rights Treaty Bodies, [Deadlines for the submission of documentation for Sri Lanka CED](#), undated (accessed 2 January 2025)

²⁸⁸ UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023, para. 20

²⁸⁹ UN Human Rights Council, [Report of the Working Group on Enforced or Involuntary Disappearances](#), 12 August 2022, paragraph 72

²⁹⁰ CIVICUS, [Sri Lanka: Journalists and activists targeted, protests stifled and new restrictive laws proposed](#), 13 October 2023

²⁹¹ Human Rights Watch, [Sri Lanka: Tamils Detained for Commemorating War Dead](#), 6 December 2023

land seizures, environmental issues, and with former combatants in Sri Lanka's north and east. CSOs reported that police officials from the Criminal Investigations Department (CID) or the Terrorism Investigation Division (TID) often summoned or visited them to question their programmes, funding, event participants, staff contacts, and international travel, without legal basis. Journalists in these regions face abusive lawsuits, violence, intimidation, and surveillance. For instance, in October 2023, journalists Punniyamoorthy Sasikaran and Valasingham Krishnakumar were questioned after covering a protest about state-supported land seizures. In November 2023, they received a court order to hand over unedited footage of a Buddhist monk threatening violence against Tamils.²⁹²

With regards to reprisals and intimidation against families of the disappeared the OHCHR recorded that:

During the reporting period, OHCHR received six reported cases of intimidation, surveillance, and reprisals against family members of the disappeared engaging with the UN or international actors, including members of the diplomatic community. Female victims in particular, reported receiving late-night calls from individuals claiming to be CID [Criminal Investigation Department] or TID [Terrorism Investigation Division] personnel, who questioned them about their participation in protests and visits to Colombo or Geneva, including funding and individuals they had met.²⁹³

In relation to memorialisation it noted that:

[...] according to the information received by OHCHR, several commemoration events were disrupted, particularly in the Eastern Province. For instance, in May 2024, four persons, including three women were arbitrarily arrested and detained in Trincomalee for serving 'kanji', a rice porridge, at a commemoration event, purportedly on public health grounds. The authorities also secured court orders to prevent some relatives of forcibly disappeared individuals and others from holding commemorations²⁹⁴

The Dutch Ministry of Foreign Affairs summarised the situation of former LTTE members in its thematic country of origin information report as follows [Note that only information from sources marked as "confidential source" has been included here]:

At the end of the reporting period [April 2024], former members of the LTTE experienced no formal obstacles to participation in public life. Although some former members were still serving prison sentences, others were living normal lives in public and some were politically active.

Nevertheless, former members of the LTTE could face obstacles in their daily lives during the reporting period. These were mainly related to the fact that the authorities were reportedly still monitoring them. The sources consulted provided differing reports regarding the scale at which this had occurred in recent years. [...]

Other sources consulted in 2024 spoke of 'intensive surveillance' or 'regular visits' by the police or army. [...]

According to sources consulted, not all former members were monitored, and the choice of who was and was not intensively monitored was sometimes arbitrary. The authorities appeared to mainly monitor former members who were politically active or active for social causes, for example in the struggle for greater autonomy for the north and east, or in the search for people who disappeared during the civil war. This did not depend on whether the former members had gone through the rehabilitation process. One source reported that monitored former members of the LTTE were able to avoid monitoring by bribing the authorities.

²⁹² UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 21

²⁹³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 22

²⁹⁴ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 38

Monitoring by the authorities consisted mainly of home visits by security forces, imposed reporting requirements, calls to come to the police station or military camp for questioning, phone calls from officials, and home visits to family members or acquaintances. The officials would ask questions of them to assess whether they were still engaged in activities that the authorities considered to be dangerous to the state. According to sources, the agencies that conducted the monitoring included both the Sri Lankan State Intelligence Service (SIS) and the Criminal Investigation Department (CID), the Terrorism Investigation Division (TID) and military intelligence departments.

The fact that many former LTTE members were still being monitored by the authorities often made it more difficult for them to fully reintegrate in their communities, as was pointed out by various sources consulted in this context. Other Tamils would often treat former members with suspicion. This was partly out of fear that associating with them would attract the negative attention of the authorities. But they reportedly also feared that former members of the LTTE would themselves be put under pressure to pass on information about fellow citizens to the authorities. Among others, this made it more difficult for former LTTE members in northern and eastern Sri Lanka to find paid employment to support themselves or otherwise develop socially.²⁹⁵

With regards to family members of former LTTE members or those who disappeared during the civil war, the same source summarised the information it gathered through “confidential sources” as follows:

Based on the information from the sources, it appears that family members of former LTTE members were particularly targeted by the Sri Lankan authorities during the reporting period [October 2014-April 2024] if they actively campaigned for the commemoration of Tamil victims of the civil war, or the fate of persons who disappeared during the war. The authorities remained concerned that national and international attention would be drawn to the view that insufficient investigations had been carried out into possible war crimes committed during the civil war or the fate of the missing.

During the reporting period [October 2014-April 2024], these family members could face monitoring, interrogation, harassment and unannounced visits from intelligence services and police officers, especially if they were actively involved in protests or commemorations. This was frequently reported.

Most sources consulted in February 2024 also confirmed that persons who were visibly active in this area were at risk of monitoring and harassment by the authorities. Based on the information from the sources, it appears that these people formed one of the most monitored groups. The degree of affiliation of former members with the LTTE played a less important role here; it was the activities of family members that formed a risk. Based on the sources, it appears that, particularly in the second half of the reporting period, this was limited to monitoring, visits and questioning. Sources used terms such as ‘frequent’ or ‘regular’ visits, or ‘intensive surveillance’. Arrests and detentions of family members of former LTTE members reportedly occurred infrequently if at all.

Particularly around symbolic commemorative days, such as Independence Day (4 February), Maaveerar Naal (‘Heroes’ Day’, 27 November) and Prabhakaran’s birth anniversary (26 November), the security forces stepped up harassment and monitoring of groups who campaigned for commemorations and the fate of Tamils who disappeared during the war. The security forces were often visibly present in large numbers at protests organised in northern and eastern Sri Lanka during the reporting period. Sometimes initiators of or participants in protests were arrested and detained, usually for short periods of time [...].²⁹⁶

²⁹⁵ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 5.1.3.2 *Current situation of former LTTE members*

²⁹⁶ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 5.1.3.3 *Relatives of former LTTE members*

Amnesty International analysed the use of force during “policing of 30 protests that took place in Sri Lanka between March 2022 and June 2023”, and continues “to date, including in 2024”, and found “a pattern in the unlawful use of tear gas and water cannon and the misuse of batons by Sri Lankan law enforcement officials with video evidence revealing that in at least 17 protests – more than half of those analysed – the conduct of law enforcement officials fell well short of international law and standards on the use of force”.²⁹⁷ Specifically on the Northern and Eastern provinces, it described how “security forces and intelligence agencies regularly carry out surveillance, intimidation, harassment, and obstruction of largely peaceful protests that have continued to take place since 2017 by the relatives of people forcibly disappeared during the internal armed conflict in Sri Lanka”.²⁹⁸

In July 2024 the International Centre for Not-For-Profit Law reported that “Sri Lanka’s Terrorism Investigation Division (TID) summoned Amalaraj Amalanayaki, who is the leader of the Tamil families of the disappeared in Batticaloa, for questioning. This development occurred in the context of ongoing surveillance and intimidation of Tamil activists in the northeast. Since 2017, families of the disappeared have been protesting to seek information about their loved ones who were forcibly disappeared. However, they have been enduring threats and violence from security forces throughout this campaign”.²⁹⁹

In August 2024 Human Rights Watch (HRW) reported that “The Sri Lankan government continues to persecute the families of victims of enforced disappearance who seek to enforce their rights [...] Security forces persistently harass families through surveillance, intimidation, false allegations, violence, and arbitrary arrests”.³⁰⁰

v. Treatment of Human Rights and Women’s Rights Defenders and Civil Society Leaders, as well as student activists

See also section VIII. Human Rights Situation → [a. \(Controversial\) Legal Provisions](#)

In its October 2022 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of journalists, human rights defenders, families of the disappeared and persons involved in memorialization initiatives by intelligence services, the military and the police, in particular in the north and east.

Families of the disappeared face surveillance, questioning, intimidation and unannounced visits by intelligence and police officers, especially when they are actively involved in protests or memorialization. As highlighted in previous reports, women are particularly affected, given their prominent role in advocating for justice. Civil society organizations throughout the country continue to be questioned about their work and funding sources.³⁰¹

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

²⁹⁷ Amnesty International, [Sri Lanka: Unlawful use of weapons in policing of protests](#), 10 April 2024

²⁹⁸ Amnesty International, [Sri Lanka: Unlawful use of weapons in policing of protests](#), 10 April 2024

²⁹⁹ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Barriers to speed and advocacy*

³⁰⁰ Human Rights Watch (HRW), [Sri Lanka: Families of ‘Disappeared’ Persecuted](#), 29 August 2024

³⁰¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 30

Civil society plays a critical role in rural areas in addressing the worst impacts of the economic crisis and supporting conflict-affected communities. However, restrictive operating space and increasing administrative and legal restrictions are making the environment for service delivery, development work and advocacy for human rights even more difficult. Civil Society Organizations are required to be registered with the NGO Secretariat, which was transferred under the Ministry of Public Security since July 2022. Activities and funding sources of CSOs are closely monitored by intelligence services, particularly in the north and east.³⁰²

CIVICUS reported in its annual report covering 2023 that “In Sri Lanka over the past year, authorities have harassed HRDs, protest leaders and social media activists by hauling them up for interrogation or prosecution while others have faced surveillance, intimidation and threats. Journalists have been targeted with judicial harassment and restrictions for undertaking their work and assaulted during protests. There were reports of excessive force, including the use of teargas, by the police in response to several protests, particularly by students, as well as intimidation of people from the Tamil minority seeking justice for past crimes in the Northern and Eastern provinces and restrictions on their protests”.³⁰³

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “Numerous human rights defenders reported police and security services continued a high degree of monitoring and surveillance of them through ‘burdensome and arbitrary’ reporting requirements and harassment and intimidation during in-person home and office visits. These visits were often followed by additional visits, letters, or telephone calls. The frequency of these actions varied depending on the organization or individual’s mission or geographic location, with those in the north and east reporting the greatest number of follow-up actions. Individuals reported the visits caused distress, anxiety, and other mental health problems for themselves and their families, as well as affecting their work. Women reported they were particularly affected by surveillance, intimidation, and harassment, given their prominent role in advocating for justice”.³⁰⁴

The same source continued:

The law provided for freedom of association but imposed restrictions on NGOs and criminalized association with or membership in banned organizations. Religious organizations, including Muslim and Christian groups, reported incidents of intimidation. During the year, civil society reported allegations of monitoring, surveillance, intimidation, and harassment of civil society organizations, religious organizations, human rights defenders, and families of victims of rights violations. Harassment included repeated visits by the Counterterrorism Investigation Division (TID), the CID, and other state security services, which questioned organizations regarding their staff, finances, and activities. Human rights activists alleged unknown actors believed to be state security officials would call them, issuing threats, alleging staffers had supported terrorism, or suggesting the activists were being surveilled. Organizations that received frequent visits were in three overlapping categories: those located in the North and East Provinces; those whose key activities focused on human rights, accountability, or transitional justice; and those publicly known to engage with the international community.³⁰⁵

³⁰² UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paras. 19-20

³⁰³ CIVICUS, [People Power Under Attack 2023](#), December 2023, *Asia Pacific*, p. 34

³⁰⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights*

³⁰⁵ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 2. Respect for Civil Liberties*

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

Follow-Up Questions by Committee Experts [...]

There were restrictions on meetings of non-governmental organisation and civil society organizations as well as allegations of harassment, surveillance and intimidation of allegations of terrorism against them. How was restricting the right to assembly to maintain religious and racial harmony compatible with the Covenant? Why were police officers given powers to prohibit a demonstration if they “deemed it necessary”? Why were water cannons used to suppress demonstrations?

Various legal restrictions presented obstacles to establishing non-governmental organisations. These restrictions were unduly burdensome, requiring a large amount of information, including personal information of those registering the organisation. A refusal was not appealable. Organisations working on politically sensitive topics including transitional justice and the rights of lesbian, gay, bisexual, transgender and intersex persons were regularly restricted. Could the delegation address this?

More than 40 civil society organizations had made reports of harassment and surveillance. Activists and journalists had gone into hiding after being informed they were on the Government watch-list. Was there a mechanism to receive complaints from civil society and non-governmental organisations when their rights were restricted?

Responses by the Delegation [...]

There were different legal frameworks in place addressing non-governmental organisations. The Voluntary Social Service Organisation Act was significant in this regard. A new bill was being drafted and the opinions of civil society organizations had been solicited on it. In 2022, the Ministry of Public Security started the dialogue process with civil society organization and non-governmental organisation to integrate their views in the new Voluntary Social Service Organisation Act. The Ministry had received proposals.³⁰⁶

The Right to Life Human Rights Centre published a study report in May 2023 on the challenges faced by civil society organization and NGOs operating in Sri Lanka.³⁰⁷ In its Foreword, the Right to Life Human Rights Center’s Executive Director, Philip Dissanayake, highlighted that:

recently the organizations registered in the District and Divisional Secretariats and under the Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980 faced many difficulties. The main problems they faced were having to get annual approval for the activities of those organizations, new registration being very difficult, bank account monitoring and accounting work being restricted, and having to get special approval to work outside their geographical area. In addition, many local organizations were under various pressures due to frequent investigations, constant inquiries, and intimidating behaviour by the security forces.³⁰⁸

In a July 2023 report, the Special Rapporteur on the situation of human rights defenders noted that:

The ethnicity, race, religious affiliation or nationality of a women human rights defender can also pose increased challenges to their safety and security. Women human rights defenders from the Tamil minority in Sri Lanka have been subjected to harassment and the excessive use of force as a result of

³⁰⁶ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers’ Alleged Human Rights Violations](#), 9 March 2023

³⁰⁷ Right to Life Human Rights Centre, [Freedom of Association Challenged in Sri Lanka](#), May 2023

³⁰⁸ Right to Life Human Rights Centre, [Freedom of Association Challenged in Sri Lanka](#), May 2023, Foreword, p. 4/5

their work, which involves seeking accountability, justice and redress for human rights violations that occurred during the civil war in Sri Lanka.³⁰⁹

In December 2023 the Human Rights Commission of Sri Lanka noted that “the violence, threats, retaliation, intimidation, de facto or de jure adverse discrimination, harassment, or other arbitrary action encountered by an HRD may be gendered and may target the gender identity of the HRD. Women HRDs currently face forms of gendered and sexualised harassment that includes physical or sexual violence, threats of physical or sexual violence, intimidation and humiliation. Such harassment may also take place in digital spaces. Moreover, HRDs may face heightened risks on account of their ethnic or religious identity”.³¹⁰

Human Rights Watch (HRW) reported in July 2024 that “Numerous human rights defenders in the Northern and Eastern provinces said that members of police and intelligence agencies routinely warn that they will be accused of terrorism because of their work”.³¹¹

With regards to female human rights defenders, the Human Rights Commission of Sri Lanka in its January 2025 report to the UN Committee on the Elimination of Discrimination against Women specifically noted that “In July 2024, the HRCSL received a complaint regarding the harassment of women HRDs [human rights defenders] working with vulnerable women. The HRDs’ organisation provides livelihood assistance to women beneficiaries. It was alleged that officers from the TID visited the beneficiaries’ homes to inquire about the livelihood assistance project, and threatened and harassed the beneficiaries, prompting them to consider withdrawing from the programme”.³¹²

With regards to female politicians and political activists, the same source added that they “continue to face verbal abuse and harassment both by members of the public and their peers”.³¹³

Women’s rights defenders

The U.S. Department of State’s annual report on human rights in Sri Lanka, covering 2022 and published in March 2023, noted that:

On September 8, the Mannar Social and Economic Development Organization (MSEDO) complained to the HRCSL [Human Rights Commission Sri Lanka] Vavuniya office concerning continuing harassment of its female staffers by intelligence services. According to MSEDO, officers in plainclothes visited the residence of a woman staff member in Vavuniya multiple times, asking for personal details and about her work. MSEDO said that surveillance intensified after the North-East Coordination Committee, an umbrella group of 14 organizations, started a campaign of 100 days of activism calling for a political solution and dignified rights for communities in the North and East, who mainly identify as being either Tamil or Muslim.³¹⁴

³⁰⁹ UN General Assembly, [Report of the Special Rapporteur on the situation of human rights defenders: Pathways to peace: women human rights defenders in conflict, post-conflict and crisis-affected settings \[A/78/131\]](#), 7 July 2023, para. 73

³¹⁰ Human Rights Commission of Sri Lanka, [\[Draft\] General Guidelines and Recommendations on the Protection of Human Rights Defenders](#), 11 December 2023, para. 1.2., p. 3

³¹¹ Human Rights Watch (HRW), [Sri Lanka: False Terrorism Cases Enable Pression](#), 17 July 2024

³¹² Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, para. 31, p. 6

³¹³ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, para. 35, p. 7

³¹⁴ U.S. Department of State (USDOS), [2022 Country Report on Human Rights Practices: Sri Lanka](#), 20 March 2023

In the annual report covering 2023 the U.S. Department of State noted with regards to retribution against human rights defenders, that “Women reported they were particularly affected by surveillance, intimidation, and harassment, given their prominent role in advocating for justice”.³¹⁵

A January 2023 submission by Women’s Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic to the UN Human Rights Committee noted that “Women are also victims of increasing Government repression of unarmed students and other activists. Women are commonly physically assaulted during protests and while in police custody. Female officers who come to victims’ defense are also assaulted”.³¹⁶

In a July 2023 report, the Special Rapporteur on the situation of human rights defenders noted that:

The ethnicity, race, religious affiliation or nationality of a women human rights defender can also pose increased challenges to their safety and security. Women human rights defenders from the Tamil minority in Sri Lanka have been subjected to harassment and the excessive use of force as a result of their work, which involves seeking accountability, justice and redress for human rights violations that occurred during the civil war in Sri Lanka [...]

Women human rights defenders in Sri Lanka seeking justice for human rights violations carried out during the 25-year civil war continue to face challenges in this regard.³¹⁷

Non-exhaustive examples: Human rights defenders

Early August 2022 “Human rights defender and General Secretary of Ceylon Teachers Union, Joseph Stalin was arrested at his office in Colombo by a team of over 25 police officers. Authorities claim that his arrest is due to a protest carried out in May 2022 in violation of a court order. The human rights defender was taken to the Fort police station and remanded despite suffering from poor health”.³¹⁸ A couple of days after his arrest he was granted bail.³¹⁹

Frontline Defenders reported that in August 2022 human rights defender Chintaka Rajapakse was “granted bail by the Colombo Fort magistrate of the amount of 1 million Sri Lankan rupees” and has been “asked to report to the Colombo Central Crime Division on the last Sunday of every month and he was imposed a foreign travel ban”.³²⁰ Chintaka Rajapakse was previously arrested on 18 August 2022 “as he was leaving a peaceful protest in Sri Lanka”.³²¹

In September 2022 Frontline Defenders reported that “human rights defender Sabharatnam Sivayoganathan, also known as Seelan, received a summons to appear before the Counter-Terrorism Investigation Division (CTID) for interrogation on 9 September 2022. The reason for the questioning was not given. The human rights defender’s lawyer wrote to the CTID requesting to postpone the

³¹⁵ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

³¹⁶ Women’s Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, p. 6

³¹⁷ UN General Assembly, [Report of the Special Rapporteur on the situation of human rights defenders: Pathways to peace: women human rights defenders in conflict, post-conflict and crisis-affected settings \[A/78/131\]](#), 7 July 2023, paras. 73 and 85

³¹⁸ Frontline Defenders, [Human rights defender Joseph Stalin released on bail](#), 9 August 2022

³¹⁹ Frontline Defenders, [Human rights defender Joseph Stalin released on bail](#), 9 August 2022

³²⁰ Frontline Defenders, [Human rights defender Chintaka Rajapakse released on bail](#), 21 September 2022

³²¹ Frontline Defenders, [Human rights defender Chintaka Rajapakse released on bail](#), 21 September 2022

inquiry because of the ill-health of his father and provided documents confirming the medical condition. The letter was handed over to the officer in charge of the Terrorism Investigation Division, Fort, Colombo. On 12 September 2022, Seelan received a call from a police officer from the Kallady, Batticaloa police station, and was informed that the inquiry will be conducted in Batticaloa and with a date to be specified".³²²

CIVICUS reported that Randimal Gamage, "a frontline activist of the 'Aragalaya' protest movement, was arrested on 5th January 2023" at the Bandaranaike International Airport upon his arrival from Dubai, where he has been "accused with other anti-government protesters of illegally entering the Sri Lanka Rupavahini Corporation (SLRC) in July 2022 and causing damage to government property [...] Upon consideration of the facts, the court ordered Gamage's release on two surety bails of Rs. 200,000 each".³²³

During the same month, "police used water cannon on ethnic Tamil protesters in Jaffna as they rallied against President Ranil Wickremesinghe's visit to the district. According to the Tamil Guardian, the security forces erected barricades as the rally approached Arasady Road in Nallur to obstruct protesters from continuing their demonstration. As protesters tried to push past the barricades, water cannon were deployed in an attempt to break up the rally. Despite the excessive use of force and the heavy presence of the military and its notorious Special Task Force (STF), Tamils continued to protest, calling for the release of occupied Tamil lands, the fate of the forcibly disappeared and the release of Tamil political prisoners".³²⁴

In June 2023 the Lawyers for Lawyers, the Bar Human Rights Committee, the International Bar Association's Human Rights Committee (IBAHRI), International Commission of Jurists, the Law Society of England and Wales, and Lawyers' Rights Watch Canada, the International Federation for Human Rights (FIDH), and the World Organisation Against Torture (OMCT) issued a joint statement regarding the "ongoing violations of fair trial rights in the ongoing trial of Sri Lankan lawyer and human rights defender Hejaaz Hizbullah", as well as highlighting threats, coercion, intimidations and arrests of "key witnesses".³²⁵ Regarding the background to the case, the statement noted:

Mr Hizbullah is a lawyer and human rights defender known for advocating for the members of the minority Muslim Community in Sri Lanka. He has advised and represented victims of discrimination, particularly in the form of hate speech and hate-based violence in Sri Lanka since 2012.

On 14 April 2020, Mr. Hizbullah was arrested by the Criminal Investigation Department (CID) under the Prevention of Terrorism Act (PTA) of 1978. No reasons for his arrest were provided to him or his family at the time of his arrest. During the first eight months of his pre-trial detention, he was denied access to a lawyer. It was almost a year after his arrest on 3 March 2021 that Mr. Hizbullah was officially charged with "inciting communal disharmony" under the PTA, for "advocating national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence" under the International Covenant of Civil and Political Rights Act of 2007 and for conspiracy and abetment charges under the Penal Code. These charges all relate to a speech that Mr Hizbullah was alleged to have made at the Al-Zuhriya Arabic

³²² Frontline Defenders, [Human rights defender Sabharatnam Sivayoganathan summoned for questioning by the Counter-Terrorism Investigation Division](#), 21 September 2024

³²³ CIVICUS, [Authorities continue to crack down on protests and detain online critics in Sri Lanka, despite UN Human Rights review](#), 17 February 2023

³²⁴ CIVICUS, [Authorities continue to crack down on protests and detain online critics in Sri Lanka, despite UN Human Rights review](#), 17 February 2023

³²⁵ World Organization Against Torture (OMCT), [Sri Lanka: Ongoing trial of lawyer and human rights defender Hejaaz Hizbullah](#), 16 June 2023

College in August 2018. Mr Hizbullah denies having made the speech and evidence is available for his whereabouts at the time of the alleged speech.

Mr. Hizbullah was detained for almost two years following arrest. He was initially refused bail at a court hearing on 28 January 2022, even though the Attorney-General did not object to his release, because the Puttalam High Court claimed to not have jurisdiction over bail decisions under the PTA. It was only on 7 February 2022 that Mr Hizbullah was able to successfully challenge his refusal of bail, but his charges remain, and he is due to appear in court again on 14 July 2023.³²⁶

Regarding the intimidation of witnesses, the same statement reported that:

Four children aged between 11 and 14 complained to the Supreme Court that they were subject to extreme pressure through threats by CID agents to give incriminating evidence against Mr Hizbullah.

An administrator supporting the work of the Arabic College who was arrested after Mr Hizbullah was arrested was allegedly threatened with long term detention if he did not incriminate Mr Hizbullah of having engaged in hate speech and terrorism. The administrator was later also arrested by the CID on 3 May 2020, given bail in 2022, but only discharged on 7 June 2023.

The principal of the college was also arrested in 2020, and consequently given bail in 2021, but the criminal charges against him have not been dropped.

Two teachers at the Arabic College who were arrested in 2021 have complained that they were pressured to implicate Mr Hizbullah in exchange for early release from executive detention. The two teachers were granted bail in 2022, but to date also still have criminal charges filed against them.

On 18 May 2023, four more people connected to the Arabic College who are potential defence witnesses for Mr Hizbullah were also arrested under the PTA by the CID, acting on advice of the Attorney-General.³²⁷

In May 2023 “Sri Lankan human rights defender and human rights lawyer Priyalal Sirisena received threatening phone calls from unidentified persons who warned him to stop his work and actions against a ‘minister’. Although the minister was not named during the call, there is good reason to believe that the threats are linked to Priyalal Sirisena’s legal action against a powerful elected official in Sri Lanka for contempt of court” reported Frontline Defenders.³²⁸

In October 2023 CIVICUS reported that “Tamil activist Balraj Rajkumar was subjected to prolonged questioning by the Counter-Terrorism and Investigation Department (CTID) in the Eastern Province. According to the Tamil Guardian, the activist was summoned to appear at the Trincomalee Regional Office on 29th September 2023, with no specific reason provided. Upon arriving at the CTID office, Rajkumar was confronted with accusations of attempting to rebuild a banned organisation. Rajkumar revealed that the primary charges against him included advocating for and supporting a prohibited group. Additionally, he was accused of orchestrating protests against the government and allegedly inciting gatherings against state authorities. Rajkumar denied all allegations during his statement to the CTID and said he challenged the authorities to provide evidence supporting any of the claims made

³²⁶ World Organization Against Torture (OMCT), [Sri Lanka: Ongoing trial of lawyer and human rights defender Hejaaz Hizbullah](#), 16 June 2023

³²⁷ World Organization Against Torture (OMCT), [Sri Lanka: Ongoing trial of lawyer and human rights defender Hejaaz Hizbullah](#), 16 June 2023

³²⁸ Frontline Defenders, [Sri Lanka: Threats and intimidation against human rights defender Priyalal Sirisena](#), 30 May 2023

against him. He is known for his vocal opposition to the forcible acquisition of Tamil people's lands in the Eastern Province and has been an active advocate for the rights of the Tamil people".³²⁹

Frontline Defenders reported that in December 2023 "human rights defender Jeewaratnam Suresh received a threatening phone call from an unidentified number warning him to stop his advocacy or face dire consequences. The threats are linked to a fundamental rights petition filed by the human rights defender in March 2023 seeking improvements in housing rights for the persecuted Malayaga Tamil community. In December 2023, the Supreme Court of Sri Lanka found in favor of the petition, mandating Sri Lankan authorities to provide house numbers/addresses to persons living in plantations. As a result of the human rights defender's engaging in follow up advocacy to ensure effective implementation of the court's decision, he has received threats, warning him to cease his work on this issue".³³⁰

CIVICUS reported that in June 2024:

it was reported that the Terrorism Investigation Division had summoned at least seven Tamil political activists in the North-East for questioning in the last three months.

According to the Tamil Guardian, the former chairman of the Batticaloa district youth wing of Ilankai Tamil Arasu Katchi (ITAK), Lohitharaja Deepakaran, and the coordinator of the Tamil Youth People's Movement, Jeevarathinam Thaveswaran, had been instructed to appear at the police office in Batticaloa on 11th and 12th June 2024 respectively.

The latest summons issued to Thaveswaran came from the acting Officer-in-Charge (OIC) of the Kakkadicholai Police Station. The notice directed him to appear at the TID's Batticaloa Sub-Division and to bring documents related to the Tamil Youth People's Movement for "investigative purposes".

Thaveswaran believes this action is politically motivated, especially in light of his movement's support for a Tamil public candidate in the upcoming Sri Lankan presidential election. The activist took to Facebook to condemn what he perceives as a violation of rights and threatening activities.³³¹

Non-exhaustive examples: Student activists

In August 2022 the International Crisis Group noted that "government's crackdown on protest movement continued as police arrested dozens of political activists, including key protest leaders, charging them with range of mostly minor offences. Notably, security forces 18 Aug dispersed peaceful march by students, whereby police used water cannons and tear gas and arrested 20, including three well-known student leaders; decision to detain student leaders under Prevention of Terrorism Act (PTA) was strongly criticised by western diplomats, UN and human rights groups and indicates importance attached to eliminating political opposition from streets prior to implementation of painful economic policies in coming months".³³²

In October 2022 the same source noted that "Inter University Student Union 18 Oct held large, peaceful and legal march to protest detention of three of its leaders held for two months under

³²⁹ CIVICUS, [Sri Lanka: Journalists and activists targeted, protests stifled and new restrictive laws proposed](#), 13 October 2023

³³⁰ Frontline Defenders, [Sri Lanka: Threats and intimidation against human rights defenders Jeewaratnam Suresh](#), 20 December 2023

³³¹ CIVICUS, [Sri Lanka: Authorities continue to target activists, stifle protests and silence journalists, as elections draw near](#), 31 July 2024

³³² International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], August 2022

Prevention of Terrorism Act (PTA); police dispersed marchers with tear gas and water cannons and arrested eight activists”.³³³

The World Organisation Against Torture (OMCT) reported in October 2022 on the arbitrary detention of two “university students, Venerable Galwewa Siridhamma and Wasantha Mudalige, who were arbitrarily arrested for peacefully participating in nationwide protests”, and who “have been charged under the draconian Prevention of Terrorism (Temporary Provisions) Act (PTA), and have been detained under conditions that may amount to torture or ill-treatment and in violation of their due process rights”.³³⁴ The Sri Lanka Campaign reported that “During the first three months of his detention, Mudalige was shuttled between two detention centers run by the police Terrorism Investigation Department. One is a dilapidated and abandoned prison unfit to hold prisoners. He and the other detainees were held in solitary confinement, in cramped cells without access to basic facilities including sanitation and sunlight”.³³⁵ In December 2022 Venerable Galwewa Siridhamma was granted bail.³³⁶ On 1st February 2023 Wasantha Mudalige was released on bail and “cleared of all terrorism charges under the PTA”.³³⁷

Regarding a March 2023 student protest, the International Centre for Not-For-Profit Law reported that “On March 7, 2023, hundreds of police officers from the anti-riot unit and the special task force, along with army personnel equipped with guns, tear gas, water cannons, and some officers wielding iron clubs and wooden rods, were deployed against protesting students in Colombo. As the marchers approached the University of Colombo, the police responded with force, using water cannons and tear gas. The police and the army attacked protesters fleeing into the university’s law faculty for safety. The use of tear gas affected students attending lectures, with some requiring hospitalization. On March 8, 2023, two protests were held by students from Colombo and Kelaniya condemning police brutality unleashed against students on March 7. The Police attacked both protests. The police crackdown was carried out in such a manner that it adversely affected other students, teachers, and bystanders including schoolchildren”.³³⁸

In June 2023, CIVICUS reported that “the authorities used excessive force to disperse hundreds of students protesting in the capital. The protest march had been organised by the Inter-University Students’ Federation (IUSF) to demand the release of people arrested during last year’s anti-government protests - including the detention of its members Kelum Muddannayake and Dilshan Harshana - the revoking of the suspensions imposed on several university student activists and to demand help with the high cost of living. According to reports, the Soratha Road – the stretch of road from Wijerama Junction to the Sri Jayawardenepura University – was cordoned off by the police due to the protest march by the IUSF. Police then fired tear gas and water cannon to disperse protesting university students near the Sri Jayawardenepura University at Wijerama Junction in Nugegoda”.³³⁹

³³³ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], October 2022

³³⁴ World Organization Against Torture (OMCT), [Sri Lanka: Release student activists arbitrarily detained under anti-terror law](#), 18 October 2022

³³⁵ Sri Lanka Campaign, [End Arbitrary Detention of Student Activist Wasantha Mudalige](#), 16 January 2023

³³⁶ Frontline Defenders, [Student leader and human rights defender Ven. Galwewa Siridhamma Thero released on bail by Kaduwela Magistrate’s court](#), 16 January 2023

³³⁷ Frontline Defenders, [Human rights defender and student leader Wasantha Mudalige cleared of all terrorism charges under the PTA and granted bail in three cases against him](#), 15 March 2023

³³⁸ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Barriers to assembly*

³³⁹ CIVICUS, [Sri Lanka: Despite UN calls to protect civic freedoms, government targets activists and critics and stifles dissent](#), 7 July 2023

Regarding crackdowns during 2024, the International Centre for Not-For-Profit Law listed the following:

January 17, the Inter-University Students' Federation (IUSF) organized a protest near the University of Sri Jayawardenapura to highlight challenges within the state university system. However, police responded by dispersing the protestors with tear gas and water cannons as they approached from the university's front.

On February 27, the police again resorted to tear gas and water cannons to disperse protesting students near the University of Sri Jayawardenapura. The demonstration, which was organized by the students' union of the Faculty of Humanities and Social Sciences, addressed issues related to hostels, cafeterias and delays in scholarship payments.

On April 3, police used tear gas and water cannons to disperse protesting university students near the University of Sri Jayawardenapura. The demonstration was organized by students in response to a Cabinet decision regarding private medical universities. Additionally, tear gas and water cannons were deployed to disperse another group of protesting university students near Moratuwa University, who were marching for similar demands.

On September 10, Inter-University Students' Federation (IUSF) convenor, Madushan Chandrajith, and several other individuals were arrested during a protest near Colombo Fort Railway Station. The protest opposed the proposed National Education Policy Framework and the establishment of private medical colleges. An Election Commission official warned the protesters that marches were prohibited during the election period, but they proceeded to prepare for a march. Chandrajith and other protesters were then arrested when the police moved in to disperse the gathering.³⁴⁰

c. Freedom of Speech

See also section [2. Online Safety Act](#)

In its October 2022 report the UN High Commissioner for Human Rights noted that:

Periodic Internet and social media shutdowns have been used to curb the protests and the Government is proposing new laws to regulate the digital civic space. The High Commissioner stresses the importance of maintaining an environment for freedom of expression, peaceful assembly and democratic debate, both online and offline.³⁴¹

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Restrictions on hate speech were applied selectively, with hate speech against Muslims more tolerated than against other groups. There were also reports that authorities attempted to intimidate individuals who criticized the government, including through public statements, questioning by security officials, official visits at their homes, and arrests. Civil society accused the government of using the ICCPR and penal code provisions against hate speech to curtail freedom of expression".³⁴²

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

³⁴⁰ International Center for Not-For-Profit Law, [Sri Lanka](#), Last updated: 22 December 2024, *Barriers to assembly*

³⁴¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para. 38

³⁴² U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 2. Respect for Civil Liberties

The Committee is concerned about reports of severe restrictions on freedom of opinion and expression in the State party, such as:

(a) Harassment, intimidation, surveillance, disappearances and killings, with impunity, of journalists, human rights activists and other media workers, including the disappearance of the journalist and activist Prageeth Ekneligoda in 2010, the murder of the journalist Lasantha Wickrematunge in 2009 and the killing of 17 employees of the non-governmental organization Action against Hunger in 2006;

(b) The misuse of the International Covenant on Civil and Political Rights Act No. 56 of 2007 to stifle freedom of expression, as well as the failure of the authorities to grant bail in a timely manner to individuals charged under the Act;

(c) The blocking of public access to social media platforms ahead of and during anti-government protests in 2022, as well as possible restrictions on freedom of expression online set out in the proposal, approved by the Cabinet of Ministers in April 2021, to draft legislation on false and misleading statements on the Internet (arts. 6, 9 and 19).³⁴³

1. Restrictions on the Press

Reporters without Borders (RSF) commented on its country website ‘Sri Lanka’ that “Sri Lankan law does not restrict freedom of expression, but nothing guarantees the protection of journalists. The 1973 law creating a Press Council to ‘regulate’ the media poses a major problem because the president names most of its members. The authorities often use the prevention of terrorism law to silence journalists, especially those who try to investigate the living conditions of the Tamil minority in the north and east of the island”.³⁴⁴

In its October 2023 report the UN High Commissioner for Human Rights noted that:

On 26 May 2023, the Government unveiled plans to regulate broadcasting media. A draft bill proposes the establishment of a broadcasting regulatory commission with the power to issue, renew or cancel annual licences for all broadcasting channels, including media institutions already operating under existing laws. The proposed broadcasting regulatory commission would comprise five government-appointed officials,²² raising serious questions about its independence. The draft bill states as its aim to “ensure that broadcasting services shall provide people true and accurate information”, a vague and ambiguous standard that could lead to arbitrary application.²³ It also contains a prohibition on broadcasting “anything that may create a threat to the national security or economy or possibility to have a conflict among races or religions”.³⁴⁵

According to a Brief Note by Transparency International Sri Lanka (TISL), “On January 24 [2024], Sri Lanka Parliament passed the Online Safety Act, which grants broad powers to an ‘Online Safety Commission’. This Commission has the authority to determine what constitutes “prohibited statements” and to recommend that internet service providers remove such content and disable access for those deemed offenders. The Act also prohibits ‘communicating a false statement’ that threatens national security, public health, or public order, promotes ill-will and hostility between different classes of people, or disrupts lawful religious activities. The Bill faced criticism from activists,

³⁴³ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, para. 40

³⁴⁴ Reporters without Borders (RSF), [Sri Lanka](#), Undated [Last accessed; 06.01.25]

³⁴⁵ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 18

civil society members, and the UN Office of the High Commissioner on Human Rights (OHCHR), which warned it would have a chilling effect on freedom of expression”.³⁴⁶

2. Situation and Treatment of Journalists and Persons Working for Media Outlets

See also section [a. \(Controversial\) Legal Provisions](#)

The Sri Lankan organization Free Media Movement published from January 2021 to September 2023 monthly reports focusing on individual violations of press freedom, which can be viewed [here](#).³⁴⁷

Reporters without Borders (RSF) commented on its country website ‘Sri Lanka’ that the country is “lacking” a diverse media sector and is “highly dependent on major political clans”.³⁴⁸ It explained the situation as follows:

State-owned media dominate the sector. The Ministry of Mass Media manages, among other outlets, the *Sri Lanka Broadcasting Corporation (SLBC)*, the *Rupavahini Corporation (SLRC)*, the *Independent Television Network (ITN)* and the *Associated Newspapers of Ceylon Limited (ANCL)*, whose editorial staff – be they print, radio, TV and internet – lack almost all independence. Journalists in the private sector are in essentially the same situation, as most owners of the major media outlets have clear political affiliations. In the print media, the four largest newspaper owners share three-quarters of the country’s readership. The main press group, *Lake House*, which is owned by the Wijewardene family, alone owns more than half of the country’s publications

[...] The authorities exert a great deal of influence over the appointments and dismissals of their managers and editors, whether through political friendships, blackmail for grants and advertisement or, simply, corruption. As a result, it is now on the internet that the most independent news reporting can be found, such as on web TV channels. The journalists who run them are not, however, exempt from pressure and intimidation.³⁴⁹

The same source further noted that “While [Gotabaya Rajapaksa’s] departure [in July 2022] marked the end of his relentless crackdown on press freedom, the media landscape is still extremely polarised and subject to political vagaries”.³⁵⁰ It further highlighted that:

The Sri Lankan media mainly addresses the Sinhalese and Buddhist majority, who make up three-quarters of the population. In this context, open criticism of the Buddhist religion or its clergy is very dangerous, prosecutors having, in the past, used the penal code to imprison journalists on suspicion of religious hatred. Generally, covering issues involving the Tamil or Muslim minorities is extremely sensitive. Journalists and media outlets who have risked doing so in recent years have been subjected to arrests, death threats and coordinated cyber-attacks.³⁵¹

The Committee to Protect Journalists (CPJ) reported that “On the early morning of July 22, Sri Lankan security forces assaulted at least four members of the press, including three journalists with the

³⁴⁶ Transparency International Sri Lanka (TISL), [Brief Note: Freedom of Expression in Times of Crisis and Reform](#), 21 November 2024, *Online Safety Act, No. 9 of 2024*, p. 8

³⁴⁷ Free Media Movement, [Media Freedom Rights Monitoring Reports](#), Undated [Last accessed: 07.01.2025]

³⁴⁸ Reporters without Borders (RSF), [Sri Lanka](#), Undated [Last accessed: 06.01.25]

³⁴⁹ Reporters without Borders (RSF), [Sri Lanka](#), Undated [Last accessed: 06.01.25]

³⁵⁰ Reporters without Borders (RSF), [Sri Lanka](#), Undated [Last accessed: 06.01.25]

³⁵¹ Reporters without Borders (RSF), [Sri Lanka](#), Undated [Last accessed: 06.01.25]

privately owned digital news platform Xposure News, covering a military raid on a protest site and subsequent demonstration in Colombo, the capital”.³⁵²

In its October 2022 report the UN High Commissioner for Human Rights noted that:

OHCHR continues to receive reports of surveillance, intimidation and harassment of journalists, human rights defenders, families of the disappeared and persons involved in memorialization initiatives by intelligence services, the military and the police, in particular in the north and east.³⁵³

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “There were reports of harassment and intimidation of journalists covering sensitive topics. Some journalists including citizen journalists, reported harassment, threats, intimidation, and interference from members of state security services, especially when reporting on topics related to the civil war or its aftermath, including missing persons. Tamil journalists reported military officers requested copies of photographs, lists of attendees at events, and names of sources for articles. They also reported the military directly requested that journalists refrain from reporting on sensitive events, such as Tamil war commemorations or land occupation protests, as well as on posting anything related to former LTTE leaders, and that they feared repercussions if they did not cooperate. Reporters alleged that authorities, sometimes in government vehicles, surveilled journalists, especially those covering protests”.³⁵⁴

Similarly, INFORM noted in its annual report covering 2023 that “there were many cases where the media and journalists faced harassment, mainly at the hands of law enforcement authorities. At least 2 journalists were arrested, and 10 journalists were summoned and questioned without a clear reason, often using powers provided under the repressive anti-terror laws [...] There were also incidents in which journalists were obstructed and refused entry to certain areas or premises [...] Three journalists were held in detention by a mob led by a Buddhist monk and were forced to delete their footage”.³⁵⁵ The Committee to Protect Journalists (CPJ) reporting on the same incident further noted that “Although the interfaith group leaders immediately called the police, officers only arrived five hours later, after Tamil lawmakers raised the issue on the parliament floor. As of August 30, police have not opened an investigation into the incident”.³⁵⁶

The International Federation of Journalists (IFJ) reported in its 22nd annual South Asia Press Freedom Report 2023-2024, published in July 2024, highlighted that “In Sri Lanka, the impact of the ‘Aragalaya’ or grassroots movement was still causing waves. The ongoing financial crisis continued and inflation was at an all-time high, forefronting the nation’s struggle to survive. This pressure vacuum pushed concerns of civil liberties and press freedom off the radar even as journalists and activists associated with the Aragalaya continued to be harassed”.³⁵⁷

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

³⁵² Committee to Protect Journalists (CPJ), [Sri Lankan security forces detain, assault journalists covering political unrest](#), 27 July 2022

³⁵³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, para.30

³⁵⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 2. Respect for Civil Liberties

³⁵⁵ INFORM, [Repression of Dissent in Sri Lanka, Annual Report 2023](#), 27 May 2024, Media and journalists

³⁵⁶ Committee to Protect Journalists (CPJ), [Sri Lankan mob holds 3 journalists captive for 5 hours](#), 30 August 2023

³⁵⁷ International Federation of Journalists (IFJ), [Artificial Independence: The Fight to Save Media and Democracy, 22nd Annual South Asia Press Freedom Report 2023-2024](#), 30 July 2024, Overview, p. 7

Follow-Up Questions by Committee Experts [...]

Targeted harassment of journalists was concerning. What mechanisms were in place for journalists and human rights defenders to seek redress after harassment? Were there training programmes on the importance of journalists and free media? A journalist had been murdered after testifying against a president in a corruption trial. Eight non-governmental organisation members had been murdered execution-style. Was there more information on these events, including on investigations or trials? How did new legislation on fake and misleading statements align with freedom of expression?? [...]

Responses by the Delegation [...]

The Constitution of Sri Lanka ensured the freedom of speech and assembly with some restrictions. All steps taken by authorities were within the legislative framework in respect to civil and political rights. All authorities' actions were subject to judicial oversights. Several aggrieved parties had gone before the Supreme Court and those cases were in process of adjudication. The rule of law was of paramount consideration and no infringement on Government functioning nor the freedoms of others in free speech or assembly was tolerated.³⁵⁸

CIVICUS reported in its annual report covering 2024 that “journalists, particularly those reporting on the Tamil community, have been subjected to arrests, harassment and threats”.³⁵⁹

Non-exhaustive examples: Journalists

On 22nd July 2022, one day after Ranil Wickremesinghe was appointed President, the Free Media Movement “strongly condem[n]ed the inhumane and atrocious attack at the Galle Face protest area [...] using the security forces. Local and international journalists, as well as social media activists who reported the unfolding events, were attacked and their camera equipment damaged”.³⁶⁰

The Sri Lanka Campaign reported in August 2022 that “At least two journalists were beaten during the joint operation by the Sri Lankan military, police and special forces on 22 July. Others were threatened and prevented from accessing the site. Since then, journalists and those broadcasting on social media have been arrested, interrogated and had criminal cases filed against them for their work. On 27 July, a group of unidentified people who claimed to be from the police reportedly visited the offices of Xposure News, interrogated an employee and demanded to see security footage”.³⁶¹

In September 2022, Reporters without Borders (RSF) reported that “two Tamil reporters – Balasingham Krishnakumar, a freelance journalist and president of the Batticaloa District Tamil Journalists Association, and Selvakumar Nilanthan, an employee of the Tamil Guardian news website – were summoned to the CTID for suspected terrorism due to their alleged links with the Tamil Tigers, a Tamil separatist group involved in the civil war that devastated Sri Lanka from 1983 to 2009. In Nilanthan's case, the summons was the latest in a series of interrogations dating to 2020”.³⁶² In October 2024 Tamil

³⁵⁸ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations](#), 9 March 2023

³⁵⁹ CIVICUS, [People Power Under Attack 2024](#), December 2024, *Asia Pacific*, p. 54

³⁶⁰ The Free Media Movement, [Sri Lanka: Security forces attack Galle Face protest site](#), 23 July 2022

³⁶¹ Sri Lanka Campaign, [Joint Statement: End Government Crackdown on Peaceful Protesters](#), 5 August 2022. See also the International Federation of Journalists (IFJ), [Sri Lanka: Security forces attack journalists and unarmed protestors](#), 22 July 2022

³⁶² Reporters without Borders (RSF), [Sri Lanka: RSF is alarmed by attacks on freedom of information as presidential election looms](#), 19 September 2024. See RSF, [RSF urges Sri Lankan government to stop hounding Tamil journalists](#), 9 September 2022 for previous reporting on these two cases.

journalist Selvakumar Nilanthan was re-arrested in Batticaloa for his reporting on “protests against alleged corrupt activity involving a local Sri Lankan government official in 2020” reported the International Federation of Journalists (IFJ).³⁶³ Nilanthan was detained together with journalist Kuharasu Subajan, “his surety in the case” reported the Committee to Protect Journalists (CPJ).³⁶⁴

Frontline Defenders reported that in April 2023 “journalist and human rights defender Ramachandran Sanath was summoned to appear before the Terrorism Investigation Department (TID) office in Nuwareliya (Central Province) for an inquiry on 6 April 2023. The summons was delivered to Ramachandran Sanath’s home in Kandy. The TID refused to disclose the purpose of the inquiry. Front Line Defenders is concerned about the harassment of Ramachandran Sanath, and believe this treatment is linked to his human rights and journalism work”.³⁶⁵

In July 2023 journalist Tharindu Uduwaragedera was reportedly “forcibly dragged out of a three-wheeler, grabbed by his hair and roughly manhandled by a group of Police officers” whilst attending a protest meeting.³⁶⁶ The freelance journalist was reportedly “detained and assaulted by police while reporting on a union-led protest in Colombo” added the International Federation of Journalists (IFJ).³⁶⁷ In December 2023 he was “targeted by a cyber attack in which hackers gained control of his Facebook account” after he shared “sensitive information regarding the controversial appointment of Deshabandu Tennakoon as the Acting Inspector General of Police (IGP) in Sri Lanka [...] despite widespread allegations of abuse, custodial torture, and a Supreme Court decision on 14 December 2023 that held him responsible for torture”.³⁶⁸ Already in November 2022 Tharindu Jayawardhana was questioned several times by the Cyber Crimes Investigation Division (CCID) based on a “complaint lodged by the Inspector General of Police on 27 October 2022 regarding a Facebook post. The post includes images of police officers using disproportionate force and disrupting peaceful protesters during a protest in Colombo on 9 October 2022”.³⁶⁹

In October 2023 the International Federation of Journalists (IFJ) reported that “Two Tamil journalists were harassed and questioned by police [...] for coverage of an ongoing farmer’s protest, forcing them to sign written testimony statements and naming them in a criminal investigation”.³⁷⁰

³⁶³ International Federation of Journalists (IFJ), [Sri Lanka: Journalists arrested for reporting protest](#), 31 October 2024

³⁶⁴ Committee to protect Journalists (CPJ), [Sri Lankan police harass 2 journalists over public interest reporting](#), 28 October 2024

³⁶⁵ Frontline Defenders, [Journalist and human rights defender Ramachandran Sanath summoned for interrogation by the Terrorist Investigation Department](#), 5 April 2023

³⁶⁶ Right to Life Human Rights Centre, [Arrest of Renowned Journalist Exposes Sri Lanka’s Law Enforcement Agency’s Barbaric Behavior: Urgent Need for Radical Police Reform](#), 2 August 2023

³⁶⁷ International Federation of Journalists, [Sri Lanka: Journalist assaulted and detained at protest](#), 31 July 2023

³⁶⁸ Frontline Defenders, [Cyber Attack Against Investigative Journalist And Human Rights Defender Tharindu Jayawardhana](#), 03 April 2024

³⁶⁹ Frontline Defenders, [Human rights defender and journalist Tharindu Jayawardhana interrogated by the Cyber Crimes Investigation Division](#), 15 November 2022 and Frontline Defenders, [Human rights defender Tharindu Uduwaragedera questioned by the Cyber Crimes Investigation Division in Sri Lanka](#), 9 November 2022

³⁷⁰ International Federation of Journalists (IFJ), [Sri Lanka: Tamil journalists harassed while covering protests](#), 9 November 2023

Reporters without Borders (RSF) reported that in November 2023, Dileep Amuthan, a journalist for the Tamil daily *Uthayan* “was interrogated for four hours at the headquarters of the Counter-Terrorism Investigation Division (CTID), for an article published in 2020 on a Tamil remembrance day.”.³⁷¹

Reporters without Borders (RSF) reported in September 2024 that “Since the beginning of 2024, at least two Sri Lankan journalists have been arrested due to their work. G.P. Nissanka, owner and editor-in-chief of news website Ravana Lanka, was arrested on 5 March at his home in the southern province of Sabaragamuwa. He remained behind bars until 20 March, due to his reporting on alleged corruption involving a high-ranking army officer. On 6 March, freelance journalist Bimal Ruhunage, accused of filming unauthorised street footage published on the Boston Lanka news website, was arrested in the Kurunegala region and remained in custody until 11 March”.³⁷²

CIVICUS reported that in February 2024, “Three Tamil journalists, Prabhakaran Dilaksan, Sundarampillai Rajeskar, and Chinnaia Yogeswaran, were threatened [...] by the Sri Lankan army as they attempted to cover a gathering of civilians visiting a temple within the 'High-Security Zone' in Palali Vasavilan, Jaffna. The temple was recently opened for public worship. As the journalists arrived to report on the event, they faced intimidation from the military, with their phones being confiscated and destroyed”.³⁷³

In October 2024 INFORM reported that “In a media release issued by Mullaitivu Media Association to commemorate the 24th death anniversary of journalist Mylvaganam Nimalarajan stated that Tamil-speaking journalists continue to face harassment, intimidation and surveillance by state security apparatuses, including intelligence and the military”.³⁷⁴

During the 2024 parliamentary elections in November, INFORM reported that Tamil journalist S. Satheeskumar was attacked and suffered head injuries, with allegations suggesting the intoxicated attacked was a United Democratic voice candidate.³⁷⁵

The Committee to Protect Journalists reported in January 2025 that Sri Lanka “must conduct a swift and impartial investigation into the December 26 [2024] assault and attempted kidnapping of Murukaiya Thamilselvan, a freelance journalist of Sri Lanka’s ethnic Tamil minority”, likely linked to his reporting on “lleged drug trafficking and sand smuggling for Tamil-language daily newspapers Uthayan and Thinakaran”.³⁷⁶

d. Torture, Enforced Disappearances and Extrajudicial Killings

See also section V. Rule of Law/Administration of Justice → [2. Torture and inhumane Treatment in Detention](#)

³⁷¹ Reporters without Borders (RSF), [Sri Lanka: RSF is alarmed by attacks on freedom of information as presidential election looms](#), 19 September 2024. See Tamil Guardian, [Sri Lanka interrogates Tamil journalist over article from three years ago](#), 2 November 2023 for further reporting on this case.

³⁷² Reporters without Borders (RSF), [Sri Lanka: RSF is alarmed by attacks on freedom of information as presidential election looms](#), 19 September 2024

³⁷³ CIVICUS, [Sri Lanka: Authorities continue to stifle protests, harass activists and push repressive laws](#), 7 March 2024

³⁷⁴ INFORM, [Repression of Dissent in Sri Lanka](#), October 2024, *Repression of Media and Journalists*

³⁷⁵ INFORM, [Repression of Dissent in Sri Lanka](#), November 2024, *Repression of Media and Journalists*

³⁷⁶ Committee to Protect Journalists, [Sri Lankan journalist narrowly escapes kidnap after crime reports](#), 9 January 2025

Torture and inhuman treatment

The Right to Life Human Rights Centre reported that “Despite the enactment of the Torture Act No. 22 of 1994, which criminalizes torture and aligns with the United Nations Convention Against Torture, reports indicate that torture remains widespread within Sri Lanka’s law enforcement agencies”.³⁷⁷

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “Human rights and civil society organizations alleged that torture and excessive use of force by police, particularly to extract confessions, remained endemic”.³⁷⁸

In July 2023, the Right to Life Human Rights Centre reported that “A young man named Dinesh Madhusankha Liyanage, a resident of the Yagirala Ittepana, works at the Agrarian Service Centre in Ittepana. On November 30, 2022, while he was on his way to work, a group of police officers of Ittepana police station took him to a deserted area in a three-wheeler, stripped him of his clothes, rubbed demon chillies all over his body including eyes, and questioned him about a theft. All this was done in connection with a theft at a tea leaf collection centre. However Dinesh, who was allegedly arrested on suspicion, was later released by the police”.³⁷⁹

In its quarterly torture monitoring report covering January to March 2024, the Centre found that “a series of deeply troubling incidents involving the use of force by law enforcement authorities”, varying from death while being arrested (40%), shooting (30%), assault (20%), to custodial death (10%)”.³⁸⁰

In July 2024 the Right to Life Human Rights Centre reported that the “Embilipitiya police subjected Susil Vitaranage, a 55-year-old father of two from Sevanagala, Kiriwewa, to severe torture. Vitaranage was completely stripped, tied up with chillies, had chili juice applied to his lower back and lips, beaten with hand and hose pipe, had gasoline poured into a shopping bag which was then placed over his head, and was beaten again”.³⁸¹ No specific reason was provided as to why Mr Vitaranage was targeted.

Enforced disappearances

See also section [iv. Former LTTE members and their families or Tamil families of the disappeared](#)

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “There were no reports of disappearances by or on behalf of government authorities. The Office on Missing Persons (OMP) reported that as of the end of October it had not received any new complaints of missing persons or enforced disappearances”.³⁸²

³⁷⁷ Right to Life Human Rights Centre, [Sri Lanka Urged to Implement Anti-Torture Measures on International Day in Support of Victims of Torture](#), 26 June 2024

³⁷⁸ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

³⁷⁹ Right to Life Human Rights Centre, [Anti-torture laws and their implementation in Sri Lanka](#), 20 July 2023

³⁸⁰ Right to Life Human Rights Centre, [TRUTH: Quarterly Torture Monitoring Report: January-March 2024](#), April 2024 – Issue 2

³⁸¹ Right to Life Human Rights Centre, [Torture Incident Reported to Hambantota Human Rights First Aid Centre](#), 4 July 2024

³⁸² U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee expressed concern that “despite proposals made by the Subcommittee on Fundamental Rights of Sri Lanka in 2019, the Constitution does not include [...] the right not to be subjected to enforced disappearance”.³⁸³

In September 2023 the Sri Lanka government submitted its report to the UN Committee on Enforced Disappearances (CED) that had originally been due in 2018.³⁸⁴ It indicated that “No cases of Enforced Disappearances have been reported between 2017–2023 in Sri Lanka” as defined by the Enforced Disappearances Act of 2018.³⁸⁵ The same report noted that since the Office on Missing Persons was established in 2016, it has received 14,988 files to be processed (after removing duplicate files and those “Declared Missing in Action”), which relate to three distinct phases:

Phase I -	Between 2011–2021	and	2001–2010;
Phase II -	Between 1991–2000	and	1981–1990;
Phase III -	Between 1970–1980	and	before 1969. ³⁸⁶

The report further explained that “The Working Group on Enforced or Involuntary Disappearances (WGEID) has directed 12,664 reports received by them on missing and disappeared persons from Sri Lanka to the Foreign Ministry of Sri Lanka, which were then forwarded to the OMP. These cases include 6,066 ‘unclarified’ reports and 6,598 ‘clarified’ reports. The OMP has begun the process of cross verifying, and reviewing the reports by identifying instances where the fate of the disappeared person has since been established and by cross-checking individual files for duplication”.³⁸⁷ Moreover, “In the year 2022, LKR 405.3 million was disbursed covering 2402 cases related to death and injuries, missing persons and damaged properties due to conflict in the Northern and Eastern provinces and in a few other areas”.³⁸⁸

In October 2023 the UN CED identified a list of issues in relation to the Government’s submitted report.³⁸⁹ A response was due by 29 June 2024 but by the time of writing (January 2025) had not been received.³⁹⁰ Among the list of issues raised, the Committee requested information on “the progress and outcome of the procedures initiated concerning the 14,988 complaints registered by the OMP”, as well as “how the State authorities identify and ensure the differentiation between cases of enforced disappearance as defined in article 2 of the Convention and other cases of disappearance and of ‘missing persons’ that do not fall under that category”.³⁹¹ In relation to the Government’s indication

³⁸³ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, para. 5

³⁸⁴ UN Committee on Enforced Disappearances, [Report submitted by Sri Lanka under article 29 \(1\) of the Convention, due in 2018](#), 12 September 2023

³⁸⁵ UN Committee on Enforced Disappearances, [Report submitted by Sri Lanka under article 29 \(1\) of the Convention, due in 2018](#), 12 September 2023, para. 36

³⁸⁶ UN Committee on Enforced Disappearances, [Report submitted by Sri Lanka under article 29 \(1\) of the Convention, due in 2018](#), 12 September 2023, para. 47-52

³⁸⁷ UN Committee on Enforced Disappearances, [Report submitted by Sri Lanka under article 29 \(1\) of the Convention, due in 2018](#), 12 September 2023, para. 54

³⁸⁸ UN Committee on Enforced Disappearances, [Report submitted by Sri Lanka under article 29 \(1\) of the Convention, due in 2018](#), 12 September 2023, para. 166

³⁸⁹ UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023

³⁹⁰ UN, Human Rights Treaty Bodies, [Deadlines for the submission of documentation for Sri Lanka CED](#), undated (accessed 2 January 2025)

³⁹¹ UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023, paras. 5-6

that no enforced disappearance were reported between 2017 and 2023, the Committee requested information on:

- (a) the number of complaints of enforced disappearance that have been lodged with the police, the Human Rights Commission and other State authorities since the entry into force of the Convention; and
- (b) the number of enforced disappearances investigated by the entities referred to by the State party.

12 The Committee also requests the State party to comment on allegations that disappearances took place during mass protests in 2022 (art. 2).³⁹²

In May 2024 the UN Human Rights Office issued a report on accountability for enforced Disappearances in Sri Lanka which stated that “Whilst new cases of enforced disappearances appear to be relatively limited, the structural weaknesses that facilitated the earlier commission of enforced disappearances remain. Until such time as deeper reforms are instituted and accountability realised, there remains a real risk of recurrence.”³⁹³ The report describes in detail the impact of enforced disappearances noting that:

Enforced disappearances continue to have deeply negative psychological, social and economic consequences for victims, including the families left behind, and have caused social trauma within the broader community. Organizations such as the International Committee of the Red Cross and the office Sri Lankan Consultation task Force on Reconciliation Mechanisms have highlighted the dire situation faced by many families. Authorities’ failures to acknowledge what has occurred and ensure accountability have exacerbated the harm suffered.³⁹⁴

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

Despite its mandate to search for and trace missing persons and its broad legal powers of investigation, including powers to summon persons, request assistance from authorities, and search of premises, the Office of Missing Persons (OMP) has focussed primarily on assessing victim families’ entitlement to financial assistance, reducing ‘duplicate entries’ in their database and closure of files (through ‘panels of preliminary inquiries’).⁶⁰ OHCHR is concerned that this approach puts the burden on families to provide additional information or evidence, which is often retraumatizing for victims. The OMP informed OHCHR that it had so far established the fate of 16 missing persons, from the period 2002 to 2007. Out of them 11 persons were found alive, one had died, while four cases are ‘being processed in the court’. The OMP further stated that out of 5,791 complaints from ‘phase I’ (2000-2021 period) reviewed so far, 1,058 were associated with the military forces or LTTE, of which 397 cases had been the subject of further action, including 50 files forwarded to the CID [Criminal Investigation Department] for further verification. Separately, in May 2024, the HRCSL requested the AG to launch an independent investigation into a possible enforced disappearance of a person from Anuradhapura in March 2024.⁶¹³⁹⁵

Extrajudicial killings

³⁹² UN Committee on Enforced Disappearances, [List of issues in relation to the report submitted by Sri Lanka under article 29 \(1\) of the Convention](#), 20 October 2023, para. 7

³⁹³ OHCHR, [Accountability needed for enforced disappearance](#), 17 May 2024, para. 1

³⁹⁴ OHCHR, [Accountability needed for enforced disappearance](#), 17 May 2024, para. 30

³⁹⁵ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 39

Covering the year 2023, the U.S. Department of State's annual human rights report found that "There were several reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year".³⁹⁶

IX. Treatment of Women

a. Discrimination Against Women

Overview

The New Humanitarian published a feature in September 2022 on the effects of the economic crisis on women, writing that:

The skyrocketing costs of living have impacted everyone, but some marginalised communities and groups are particularly hard hit; among them women who face the double burden of trying to earn an income while also performing unpaid care work at home, for children or elderly relatives. [...]

Many women are forced to eke out a living far from their home towns and villages. Often, they are divorced or single parents and therefore the sole breadwinner, leaving them the dual responsibility of looking after themselves and their children.³⁹⁷

In November 2022, UNOCHA issued a report on Sri Lanka's Multi-Dimensional Crisis which indicated with regards to cross-cutting concerns:

The multi-dimensional crisis in Sri Lanka highlighted the exacerbation of vulnerabilities and risks among women, men, girls and boys. [...]

Assessments show that women and children have continued to bear a huge impact amidst the current crisis in Sri Lanka. For instance, womenheaded households and irregular income households are among the most vulnerable to food insecurity. Stress and mental health impacts are rising with a disproportionate impact on women and girls who are responsible for care work in the household.²³ As families reported to reduce meals due to limited income and access, adults tend to eat less to let children eat; however, women are also reported to be last to eat in the family. Reports of a rise in domestic violence driven by women's financial independence are extremely limited due to many factors. Women's economic engagement is low and most of those who are engaged are not the financial decision makers in the household; most of them are engaged in the informal sector or in low-paid jobs.

Financial literacy among women is likewise limited, which is another reason why independent decision making is low among women. Women's and girls' needs as well as the families' are deprioritized in favor of spending the meagre income on a son's education over a daughter's. Women's needs are also given less priority in the household; limiting their access to essential commodities and services, such as sexual and reproductive health (SRH) services and support to mental health.³⁹⁸

UN Women published an article in December 2022 with the summary of an interview with Surekha Edirisinghe, a women's development officer at the Ampara District Secretariat in Sri Lanka, following UN Women's training programmes on women, peace, and security. She was reported to have stated: "Women face discrimination not only in their workplaces, but also in their homes. They are expected

³⁹⁶ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

³⁹⁷ The New Humanitarian, [What Sri Lanka's economic crisis looks like for women](#), 13 September 2022

³⁹⁸ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, Cross-cutting concerns, Gender p.16

to work – often in labour-intensive environments – and also take care of their households and families without any concern for their own well-being”.³⁹⁹

The Centre for Equality and Justice (CEJ) noted in a study in January 2023 focusing on the prevalence of sexual bribery in the health and justice sectors in Sri Lanka that:

The status of women in Sri Lanka is a well documented paradox. They enjoy high social indicators and formal equality before the law with some exceptions. However, they are severely underrepresented in representative politics and in positions of leadership in broader society. Furthermore, women work under exploitative conditions in Sri Lanka’s garment industry, plantation sector, and as migrant workers.⁴⁰⁰

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “Women had equal rights to men under civil and criminal law, although societal discrimination existed throughout the country. Adjudication of questions related to family law, including marriage, divorce, child custody, and inheritance, varied according to the customary law of each ethnic or religious group, resulting in discrimination. Women faced a range of workforce restrictions, including caps on overtime work and limits on nighttime shifts. Women were prohibited from working at night in the services sector”.⁴⁰¹

Political participation

The UN Human Rights Committee dialogue at the occasion of the sixth periodic report of Sri Lanka on how it implements the provisions of the International Covenant on Civil and Political Rights included the following:

Women’s representation in parliament was still low, at around only five per cent, and had even decreased. Further reports that women candidates had been subjected to gender-based harassment and verbal attacks in the context of the last parliamentary elections were disturbing.⁴⁰²

In its previous annual report covering 2022, the U.S. Department of State had noted that “Although women formed most of the electorate, only 5 percent of elected parliamentarians were women. Local government continued to follow a mandated quota of 25 percent of seats reserved for women. The International Foundation of Electoral Systems, however, reported that the Sri Lankan Election Commission lacked an enforcement mechanism for the local government quota”.⁴⁰³

The Colombo Telegraph noted in a March 2024 article in March 2024 that “Although more than 56 percent of the Sri Lankan electorate consists of women, less than six percent of those elected to parliament are women”.⁴⁰⁴ It added: “despite the high level of education of women, the country was

³⁹⁹ UN Women, [In the words of Surekha Edirisinghe: “Women face discrimination not only in their workplaces but also in their homes”](#), 19 December 2022

⁴⁰⁰ Centre for Equality and Justice (CEJ), [Asking for my soul: A study on sexual bribery in the health and justice sectors in Sri Lanka](#), January 2023, 1.4. Status of Women and LGBTQI Community, p. 14

⁴⁰¹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 6. Discrimination and Societal Abuses

⁴⁰² UN OHCHR, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers’ Alleged Human Rights Violations](#), 9 March 2023

⁴⁰³ U.S. Department of State (USDOS), [2022 Country Report on Human Rights Practices: Sri Lanka](#), 20 March 2023

⁴⁰⁴ The Colombo Telegraph, [Inclusion Includes Women](#), 9 March 2024

ranked 180 out of 187 countries in the Inter-Parliamentary Union (IPU) ranking of female representation in parliament as of August 2023”.⁴⁰⁵

The UN Human Rights Committee’s April 2023 concluding observations on the sixth periodic report of Sri Lanka, with reference to implementation of the International Covenant on Civil and Political Rights, commented that:

While noting the positive impact of the mandatory quota for women in local government positions, the Committee regrets the low political representation of women at the national and provincial levels and allegations of harassment and verbal attacks, including defamatory and sexist comments made by politicians and high-level public officials, against women members of parliament and candidates. The Committee notes with concern continuing patriarchal attitudes and discriminatory stereotypes regarding the roles of men and women and the portrayal of women in the media [...].⁴⁰⁶

The Colombo Telegraph posted an article in August 2024 on women’s political engagement in Sri Lanka, writing that:

As of August 15, 2024, thirty-nine out of the forty candidates who have paid deposits to contest the election are male. This overwhelming male dominance highlights the persistent gender imbalance in Sri Lankan politics, reflecting a broader trend where women’s representation remains limited despite existing legal frameworks and advocacy for gender equality. The absence of female candidates underscores the ongoing challenges in achieving equal political participation and representation for women in the country. [...]

Sri Lanka has legal frameworks designed to ensure equal rights and opportunities for women, but these often fall short in practice. Systemic barriers and a deeply entrenched patriarchal mindset continue to marginalize women in the political arena, confining them to secondary roles and significantly limiting their influence and participation. This persistent disparity underscores the considerable challenges in achieving genuine gender equality within Sri Lankan politics. [...]

Women who inherit their power from male family members face inherent limitations in developing and advocating their own political agendas. This dynamic often leads to key ministerial positions being allocated to their male relatives, further entrenching a patriarchal political culture. As a result, the political influence of women is frequently confined to roles that reinforce existing power structures rather than challenging or reshaping them.

Overall, Sri Lankan women face significant challenges in gaining political representation and influence at all levels of government. The following figures highlight the disparity: Women’s representation in Sri Lanka’s Parliament is a mere 5.8%, underscoring a significant gender imbalance in the country’s highest legislative body. This underrepresentation extends beyond Parliament, with women holding no seats in provincial councils and only 1.9% of positions in local authorities. Despite women constituting 51.9% of Sri Lanka’s population in 2023, men continue to dominate the national legislature, highlighting a significant shortfall in female representation within the country’s political landscape.

Female candidates face significant challenges due to social factors, particularly the harsh impact of character assassinations. In a society shaped by existing social and cultural norms, these attacks can be more damaging to women than to their male counterparts. The repercussions often extend beyond the candidates themselves, affecting their families and children more acutely. Additionally, these attacks can influence their potential voter base, creating a more difficult landscape for women in politics.

⁴⁰⁵ The Colombo Telegraph, [Inclusion Includes Women](#), 9 March 2024

⁴⁰⁶ UN Human Rights Committee, UN International Covenant on Civil and Political Rights, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, pages 5-6

They also face more challenges than their male counterparts, primarily due to limited financial resources, often stemming from gender wage gaps. These financial constraints make it harder for women to run large-scale political campaigns and have a lasting impact on their lives.

Traditional gender roles also continue to exert a strong influence on society, reinforcing the “patriarchalization” or “patriarchal dominance in politics.”⁴⁰⁷

Employment

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, “In Parliament, women held only 5.3% of seats in 2021, although the 25% quota at the local government level has improved women’s representation in politics. Female labour participation remains low, with high female unemployment, significant gender pay gap, workplace discrimination, and limited access to decent employment for marginalized groups of women”.⁴⁰⁸ With regards to female labour force participation and gender-based pay gap, the same report specified: “Female labour force participation has reversed in recent years to 2012 levels, from 36.6% in 2016 to 33.6% in 2021. The same trends have been observed in unemployment rates for women, increasing to 8.5% in 2020 at a greater rate than that for men. The gender-based pay gap remains an issue, with women earning 79% of the wage received by men as of 2020”.⁴⁰⁹

The International Federation of Journalists (IFJ) reported in its 22nd annual South Asia Press Freedom Report 2023-2024, published in July 2024, highlighted that “Gender-based layoffs were seen in Sri Lanka, where the pandemic and the financial crisis severely impacted women’s employment in the media sector. Media organisations tended to lay off women while retaining men, thus further skewing the balance of female employment in the media”.⁴¹⁰

The Women and Media Collective, a group of Sri Lankan feminists exploring issues of concern to women in Sri Lanka, together with the Feminist Collective for Economic Justice, published a statement in March 2023 on International Women’s Day, reporting that:

Sri Lanka continued to fail to acknowledge women’s unpaid labour in the proposed National Budget. There was no social security response to the increase in unpaid care work burden on women. It has been repeatedly highlighted that women typically spend disproportionately more time on unpaid care work than men, as a result of gendered social norms, a situation which has been exacerbated by both the Covid-19 pandemic as well as the ongoing crisis. Additionally, there is no state policy in Sri Lanka that acknowledges or recognizes this invaluable role played primarily by women or provides any support or assistance for the care of the elderly or disabled.

⁴⁰⁷ The Colombo Telegraph, [2024 Presidential Race: The Unfinished Journey Of Women’s Political Emancipation](#), 15 August 2024

⁴⁰⁸ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.4. Convention on the Elimination of Discrimination Against Women (CEDAW), p. 14

⁴⁰⁹ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.2.4. Equal Remuneration and Elimination of Discrimination (Conventions No. 100 and No. 111), p. 18

⁴¹⁰ International Federation of Journalists (IFJ), [Artificial Independence: The Fight to Save Media and Democracy, 22nd Annual South Asia Press Freedom Report 2023-2024](#), 30 July 2024, Overview, p. 10

Increased burdens as a result of weak family laws, including fair maintenance of wives and children by their spouses, sexual and reproductive health, domestic violence and period poverty are also a result of financial pressures on families. These severely neglected areas compound the distress felt due to restrictions to accessing education and work, and make productive contributions.⁴¹¹

The same statement wrote:

We are appalled by the recent events of extreme violence against women that have come to light, while also acknowledging that misogyny is a common phenomenon faced by women in Sri Lanka. Farzana Haniffa recently wrote that “the low rates of women’s political participation/representation in the legislature and local government since independence, the high incidence of gender-based violence and the economy’s exploitation of vulnerable women’s labour” are indicators of the pervasiveness of this misogyny in our institutions (The Island, February 2023).

We condemn the continuing displays of misogyny in the political arena including an incident where Trade Union leader and member of the National People’s Power insulted nurses by using explicitly sexist remarks at a public gathering of nurses. Similarly, a female member of Parliament faced abusive and obscene language in Parliament, directed at her by a government MP and cabinet minister.

In December 2022, the President who is also the Minister for Women, Child Affairs and Social Empowerment, stated that he will present a Bill on Gender Equality and Empowerment of Women focusing on establishing a National Commission on Women and an Ombudsman for women’s rights. A Cabinet decision approving the Women’s Empowerment Policy was made on 27th February 2023. We note with irony that while policies are passed, the political culture in Sri Lanka remains steeped in sexism and unchecked misogyny. As Sri Lankan policymakers are rushing to implement the recommendations of the IMF, the calls for gender equality made by women which have been ignored for decades, are now being dangled like carrots in the form of bills and policies.⁴¹²

UNICEF produced a report in May 2023 on the socioeconomic conditions faced by women and children in the tea estate communities in Sri Lanka, based on survey data collected in March 2023 across four of the country’s tea producing provinces: Central, Sabaragamuwa, Southern, and Uva provinces. It found the following with regards to gender pay gaps and working hours:

Women, who predominantly work as tea pickers, are expected to work from 8 am to 5 pm to earn their daily wage of LKR 1,000.12. They are given specific targets in terms of the amount of tea leaves they need to collect within that time. Even if they finish their targets earlier, they are not allowed to leave and must continue working until 5 pm. Conversely, men are permitted to leave once they reach their daily targets, which usually happens between noon and 2 pm, giving them more time for additional income-generating activities.

This discrepancy in working hours means that women have to work longer than men for the same pay. According to the women trade union leaders interviewed for this study, this has been an issue that they have tried to raise at trade union discussions and collective agreement discussions. However, this has not been addressed as the companies have stated that they can instead increase the number of hours that men workers undertake to ensure equal working hours. Male members of the trade unions have opposed this suggestion as they are “not keen to lose their current benefits”. This indicates a clear gender wage gap, and the household income and activities are dependent on the gender of the worker. Although trade union leaders have been advocating to address this issue, the relevant decision-making institutions, such as the Department of Labour, Employers Federation, Planters Association of Ceylon,

⁴¹¹ Women and Media Collective, [International Women’s Day: Sri Lankan Women Demand Democracy, Economic Justice and Freedom](#), 8 March 2023, page 2

⁴¹² Women and Media Collective, [International Women’s Day: Sri Lankan Women Demand Democracy, Economic Justice and Freedom](#), 8 March 2023, pages 4-5

and male-led mainstream trade unions, maintain that men and women receive equal daily pay despite evidence to the contrary.

The household survey showed that in the Central and Uva provinces women earned on an average between LKR 15,000 and 25,000, while men earned between LKR 26,000 and 50,000. Whereas, male and female workers in Southern and Sabaragamuwa provinces earned an average of LKR 26,000 – 50,000. This significant gender wage gap, particularly among workers on large plantation company estates (RPCs and government estates), emphasizes the need for extensive training programmes aimed at raising awareness of gender in the workplace, with a particular focus on wage gaps that arise from differences in working hours.⁴¹³

The Daily Mirror, Sri Lanka's English-language newspaper, published an article in August 2023 on the low female labour force participation in Sri Lanka, writing:

Female labour force participation (FLFP) is a topic which has unfortunately generated a lot of 'talk' but close to zero actionable change.

For decades, Sri Lanka's FLFP has been limited between 30-37%, despite 52% of our population comprising women. This disconcerting statistic can be attributed towards certain socio-economic norms as well as deficits in policy and infrastructure that restrain women's ability to enter, remain and progress in the workforce. [...]

The disproportionate burden of care work on women continues to be a key barrier to female labour force participation. [...]

"The reasons why employers prefer or don't prefer women are largely based on sexist assumptions about women, their bodies and their capabilities, said Swasthika Arulingam, President of the Commercial and Industrial Workers Union" (CIWU), a human rights lawyer and women's rights activist.

"In some sectors like the manufacturing sector, women are preferred because they are considered cheaper in terms of labour cost and easier to control in terms of workers agitating for better working conditions. Plantation workers are also largely women," she said.⁴¹⁴

The Colombo Telegraph also commented in March 2024 on workplace and employment discrimination, writing that:

In Sri Lanka, the majority of women are employed mostly in the low-skilled service sectors other than a few sectors such as teaching and healthcare. Female representation in high-skilled sectors remains limited due to various factors, including a lack of awareness regarding available job opportunities that offer fair working conditions. The proliferation of neoliberal economic models has predominantly led to informal employment for women, i.e., jobs lacking in stability and decent wages. [...]

Formal employment opportunities offering decent wages and working conditions are scarce in Sri Lanka, particularly outside major urban centres like Colombo. Gender biases persist in hiring practices, with employers often reluctant to accommodate women due to perceived burdens associated with caregiving responsibilities and maternity leave. Consequently, women encounter barriers to career advancement and promotions, further exacerbating their limited participation in the labour force.

Furthermore, the lack of female representation in decision-making roles within both public and private sectors hampers women's access to decent work opportunities. Factors such as education levels and English proficiency influence employment prospects, but the burden of unpaid household work and childcare predominantly falls on women, affecting their ability to engage in formal employment. [...]

⁴¹³ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, page 29

⁴¹⁴ The Daily Mirror, [Why is Sri Lanka's female labour force participation so low?](#), 4 August 2023

Economic desperation, exacerbated by rural poverty, drives many Sri Lankan women into informal employment sectors, exposing them to exploitation and abuse. Unregulated micro-credit schemes target vulnerable women, perpetuating cycles of debt and vulnerability.⁴¹⁵

The Daily Mirror published an article in April 2024 on gender inequality, writing:

As Sri Lanka looks to reach higher growth aspirations, addressing gender inequality is a key priority, the Asian Development Bank said.

In an economically active population of 8.5 million in 2022, female labour force participation in Sri Lanka was only 32.1 percent, down from 33.6 percent in 2018 prior to the economic crisis.

Key reasons for this include lack of safe and affordable childcare facilities, inadequate provision for flexible working hours, onerous household responsibilities and care duties socially imposed on women, and public transport inadequacies for women.⁴¹⁶

Marriage & Divorce

The November 2022 summary of stakeholders' submissions for Sri Lanka's Universal Periodic Review wrote that:

36. JS11 [Joint submission 11 submitted by: Coalition of NGOs for UPR - Sri Lanka, Palaviya (Sri Lanka); Alliance for Minorities, Women's Action Network, Muslim Women's Development Trust and Equality Now] stated that the Muslim Marriage and Divorce Act (MMDA) codified many customs that were prevalent among Muslims and contained numerous sex discriminatory provisions, which violated international human rights standards. Just Atonement expressed deep concern that MMDA made Muslim women and girls susceptible to child marriage, marriage without consent, and disproportionate restrictions on divorce.

37. JS11 recommended that Sri Lanka amend General Marriage and Registration Ordinance to allow consensual divorce and allow Muslims to register marriages under the General Marriage and Registration Ordinance and that Sri Lanka fast-track the proposed reforms to the MMDA. [...].⁴¹⁷

The January 2023 submission by Human Rights Watch to the UN Human Rights Committee in advance of its review of Sri Lanka also gave the following the summary of issues related to non-discrimination and equality between men and women:

Sections 8, 9, 10, 12, 14, and 15 of the MMDA [1951 Muslim Marriage and Divorce Act] stipulate that only men can be judges of the Qazi court. The MMDA does not require a woman's consent to be recorded before the registration of any marriage under the Act, section 18 requiring only that the groom and the wali (guardian) of the woman make written declarations. The MMDA permits a Muslim man to marry up to four women. Section 24 requires only that he notify the Qazis before entering additional marriages, without any requirement to obtain the consent of his existing wife (or wives).

The second and third schedules of the MMDA provide discriminatory procedures for divorce that place greater burdens on women. For a husband to initiate a divorce (talak), only the presence of the Qazi and two witnesses is required. No grounds for divorce need be recorded, and the Qazi is required to inform the wife of the divorce if she is absent. However, the conditions for divorce initiated by a woman

⁴¹⁵ The Colombo Telegraph, [The Fight For Women's Empowerment In An Era Of Conflict & Multifaceted Crises](#), 8 March 2024

⁴¹⁶ The Daily Mirror, [Addressing gender inequality key priority for Sri Lanka: ADB](#), 17 April 2024

⁴¹⁷ UN General Assembly, Human Rights Council, [Summary of stakeholders' submissions on Sri Lanka: Report of the Office of the United Nations High Commissioner for Human Rights](#), 7 November 2022, page 5

(fasah) require a hearing at which the wife, a minimum of two witnesses, and the husband provide testimony before the divorce is deliberated upon by a panel.

Article 16 of the Sri Lankan Constitution states that “[a]ll existing written law and unwritten law shall be valid and operative notwithstanding any inconsistency with the preceding provisions of this Chapter.” This has been interpreted as exempting the MMDA from the guarantee of rights to equality, and against discrimination on grounds including religion and sex, provided by article 12 of Constitution.

For decades, campaigners have called for the MMDA to be amended. [...] Attempts to reform the MMDA have not progressed under the administration of President Wickremesinghe. [...].⁴¹⁸

The report added that “Section 363 of the Penal Code excludes marital rape from the crime of “rape” unless the couple are “judicially separated.””⁴¹⁹

The January 2023 report by Women’s Action Network - Sri Lanka, Alliance for Minorities - Sri Lanka, and the Human Rights Litigation and International Advocacy Clinic at the University of Minnesota Law School commented:

CEDAW has made important recommendations for the elimination of discriminatory provisions of the Land Development Ordinance, allowing daughters, as well as sons, to inherit land. In March 2022, the law was amended. We welcome this positive development. However, the August 2022 Government Report provides no information on implementation, and we urge CEDAW to inquire on the State’s proactive steps. [...]

The Muslim Marriage and Divorce Act (MMDA) continues to prevent equality between Sri Lankan men and women. The MMDA allows for the registration of a marriage without the bride present, unconditional polygamy, and non-registration of marriage; and contains unequal, gendered divorce terms. Children as young as 12 can marry with the permission of a Quazi judge. Two Muslims can get married only under MMDA rather than choose the GMRO.

The most recent reform proposal to the MMDA, approved by the Cabinet in July 2021 but not yet enacted, requires the minimum age for marriage to be 18 years old, requires women to sign registration certificates, bans polygamy and ends the Quazi system of male-only judges and introduces conciliators within the district courts.

However, on November 8, 2022, women were once again denied from being Quazis, when the Sri Lankan Supreme Court refused petitions filed by Muslim women challenging a Gazette notification from October 7, 2022, which said that only Muslim males can be appointed as Quazis.

Since late 2022, a senior lawyer advocating for MMDA reform has been harassed by elected representatives. In particular, at a December 2022 meeting called by the current Justice Minister, the sole female member of the MMDA reform committee was harassed. Muslim parliamentarians shouted at her, and the current environmental minister warned her against expressing herself. She, along with the former chair of the MMDA reform committee and young women reform advocates, have also been accused of being representatives of NGOs. This is significant because reformists are continuously attacked by conservative and radical sections of the community and in the backdrop of heightened anti-Muslim rhetoric and the 2019 Easter Sunday attack, some women rights activists and reformists fear for their lives.

⁴¹⁸ Human Rights Watch, [Human Rights Watch Submission to the UN Human Rights Committee in advance of its review of Sri Lanka](#), 30 January 2023

⁴¹⁹ Human Rights Watch, [Human Rights Watch Submission to the UN Human Rights Committee in advance of its review of Sri Lanka](#), 30 January 2023

In early December 2022, 18 male Muslim members of Parliament signed a statement essentially demanding retention of the Quazi system but allowing female representation and “conditional” polygamy.⁴²⁰

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective reported that “Sri Lanka recognises personal laws of the minority communities, many of which discriminate against women in the areas of marriage, divorce, custody of children and inheritance. The ‘culture card’ is often raised to constrain the behaviour of women and deny them autonomy and agency in the private sphere. While the recognition of personal laws may appear to be a respectful recognition of minority identity, it disadvantages women. Sri Lanka perpetuates this discrimination against minority women, ensuring that even the constitutional provisions of equality do not protect women from the inequalities meted out through the pre-existing personal laws”.⁴²¹

Amnesty International’s annual report on the global human rights situation, covering 2023 and published in May 2024, wrote with regards to Sri Lanka:

The government made no progress to amend the Muslim Marriage and Divorce Act of 1951 which, among other issues, permits child marriage of those aged as young as 12. In June, male Muslim MPs stalled the reform process, resulting in criticism from a number of UN Special Procedures mandate holders. Their communication to the Sri Lankan government noted “if recommendations put forward by the 17 Muslim MPs were to be introduced into the Draft Bill, it would be contrary to international standards and obligations on the protection of women’s rights”.

The government adopted its first National Action Plan on Women, Peace and Security for the period 2023 – 2027 and announced plans to establish a National Women’s Commission.⁴²²

Similarly, the U.S. Department of State’s annual report on religious freedom in Sri Lanka, covering 2023 and published in June 2024, wrote:

During the year, a Ministry of Justice-led process to reform the MMDA [1951 Muslim Marriage and Divorce Act], which many Muslim women said was discriminatory, stalled after the All Ceylon Jamiyyathul Ulama (ACJU), comprising Islamic theologians in Sri Lanka, withdrew support for the proposed reforms. Separately, in June, 18 Muslim MPs submitted their own recommendations to the Justice Minister. Both the ACJU and the parliamentarians proposed setting the minimum marriage age to 16 with qadi (Islamic judge) approval, rather than raise it to 18 as activists requested, and reintroducing guardian permission for marriage and conditional polygamy. Muslim women criticized provisions in the MMDA that allow polygamy, do not require a minimum age for marriage, allow young women to be married without their consent, and bar women from serving as qadis ruling on matters related to the MMDA. Discussion of reforms to the MMDA continued at year’s end.⁴²³

According to Groundviews, the Muslim Marriage and Divorce Act (MMDA) has “several provisions that discriminate against women, including permitting girls to be married even under the age of 12; denying women the right to sign their own marriage documents; failing to regulate the practice of dowry or matrimonial property and related social hardship; allows quazis to impose unjust divorce procedures

⁴²⁰ Women’s Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, pages 8-9

⁴²¹ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, *Sri Lanka: The Extent of Compliance with International Human Rights Obligations*, p. 176

⁴²² Amnesty International, [The State of the World’s Human Rights 2024](#), 23 April 2024, p. 352

⁴²³ U.S. Department of State (USDOS), [Sri Lanka 2023 International Religious Freedom Report](#), 26 June 2024

that discriminate against women; and denying of women the right to hold public or judicial office in the administration of marriage and divorce and related matters”.⁴²⁴

The Human Rights Commission of Sri Lanka in its January 2025 report to the UN Committee on the Elimination of Discrimination against Women also reiterates that the MMDA “violates the rights of Muslim women and limits access to justice, due process and redress. Under the Act, women are not permitted to be marriage registrars or jurors or serve on the Board of Quazis. There are also other deeply problematic and discriminatory provisions in the MMDA, such as permitting marriage of persons under the age of 18 years, the absence of any requirement for the woman to sign the marriage registration document, setting different conditions for divorce for men and women, and permitting polygamy without the consent of the existing wife”.⁴²⁵

Human Rights Watch commented in November 2024 that reforms demanded by Muslim women’s rights activists to the Muslim Marriage and Divorce Act (MMDA) and approved by the cabinet in 2021 “appeared to have been stalled”.⁴²⁶

Land ownership

According to the Gender, Justice and Security Hub’s (GJS Hub) Country Briefing published in March 2024, “Political actors use women’s participation in politics and the recent gender quota requirement to detract from human rights abuses in the country and to uphold ethno-racial and anti-feminist policies”.⁴²⁷ Moreover, with regards to women’s access to land, the briefing found that “recent laws and practices in relation to land discriminate against women’s inheritance, ownership, and autonomous control”.⁴²⁸

Single women

Interlocutors interviewed by researchers from the Immigration and Refugee Board of Canada noted with regards to the situation of single women:

In an interview with the Research Directorate, the President of the Sarvodaya Women's Movement (SWM), an independent organization in Sri Lanka that has been working for over 30 years to address women's issues (Sarvodaya n.d.), stated that single women faced "very few cases of discrimination" (President 2023-06-12). The SWM President noted that single women do not face barriers in access to education, jobs, or housing due to being single, but both single women and widows face violence against women (President 2023-06-12). In an interview with the Research Directorate, the head of a women's organization in Sri Lanka stated that single women over the age of 25 or 30 are labelled as "spinsters" and face "stigma that leaves them more susceptible to violations, particularly violence" (Head of organization 2023-06-19). The same source further noted that in urban settings there are more women who are career focused and "put marriage second," but the stigma still exists in villages and districts (Head of organization 2023-06-19). The Head of the organization stated that single women face "societal barriers," which sometimes "tend to be worse" and

⁴²⁴ Groundviews, [Muslim Marriage and Divorce Act: Reform is Not Repeal](#), 13 December 2024

⁴²⁵ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, para. 14, p. 4

⁴²⁶ Human Rights Watch, [Letter to President Dissanayake Regarding Human Rights Recommendations for the new Sri Lankan Government](#), 25 November 2024

⁴²⁷ Gender, Justice and Security Hub (GJS Hub), [Country Briefing: Sri Lanka](#), March 2024

⁴²⁸ Gender, Justice and Security Hub (GJS Hub), [Country Briefing: Sri Lanka](#), March 2024

"more pervasive" than legal barriers, as the attitudes and treatment of women lead to isolation and stigma (2023-06-19).⁴²⁹

b. Gender-Based Violence (GBV) and sexual harassment

The OECD Development Centre's SIGI 2023 Legal Survey, with information up to 31 August 2022, gave the following results with regards to Sri Lanka and violence against women:

Is there a law specifically addressing violence against women? No [...]

Does the law include reduced penalties in case of so-called "honour crimes"? No

Is there a national action plan or policy to support the implementation of the legislation addressing violence against women? No [...]

Is domestic violence a criminal offence? Yes

Does domestic violence legislation cover physical abuse? Yes

Does domestic violence legislation cover sexual abuse? Yes

Does domestic violence legislation cover psychological abuse? Yes

Does domestic violence legislation cover economic abuse? Yes

Are there any exceptions included in informal laws (traditional, religious, and/or customary rules/laws) that reduce penalties for domestic violence? No

Is rape a criminal offence? Is the legal definition of rape based on lack of consent? Yes

If the legal definition of rape is based on lack of consent, does this require proof of physical force? Yes

If the legal definition of rape is based on lack of consent, does this require proof of penetration? Yes

Does the legal definition of rape include marital rape? Yes

Does the law permit the reduction or removal of legal punishment if the perpetrator marries the victim? No

Does the law prohibit sexual harassment? Yes

Does the law on sexual harassment include criminal penalties? Yes

Do legal protections from sexual harassment apply in the workplace? Yes

Do legal protections from sexual harassment apply in educational establishments? Yes

Do legal protections from sexual harassment apply in public spaces? Yes

Do legal protections from sexual harassment apply online / on the internet?⁴³⁰

The UN High Commissioner for Human Rights' October 2022 report on the situation of human rights in Sri Lanka expressed concern that "Former Liberation Tigers of Tamil Eelam cadres, including women,

⁴²⁹ Immigration and Refugee Board of Canada – Research Directorate, [Sri Lanka: Situation of single women, including widows, and their treatment by society and authorities, including their ability to live on their own and access housing, education, employment, health care, and support services \(2021–June 2023\)](#), 21 June 2023, 1. *Situation and Treatment of Single Women, 1.1 Treatment by Society*

⁴³⁰ OECD Development Centre, [Social Institutions and Gender Index \(SIGI\) 2023 Legal Survey](#), last updated to 10 October 2024

are subject to intensive surveillance, regardless of whether they have undergone the Government's "rehabilitation" scheme or not. Female ex-combatants still face serious security risks, including sexual abuse and extortion, by security forces and others".⁴³¹

In November 2022, UNOCHA issued a report on Sri Lanka's Multi-Dimensional Crisis which indicated with regards to the impact on protection that:

The multi-dimensional crisis in Sri Lanka has added protection concerns to the pre-existing chronic inequalities experienced by its people. Before the crisis, according to the Women's Wellbeing Survey conducted in 2019, the prevalence of GBV in the country meant that one in five (or 20.4 per cent) everpartnered women have experienced physical and/or sexual violence by an intimate partner in their lifetime and two in every five women (or 39.8 per cent) have experienced physical, sexual, emotional, and/or economic violence and/or controlling behaviors by a partner in their lifetime.

Since the beginning of the current crisis, district officials have reported a rise in domestic violence, while acknowledging that these are underreported as they have limited means to monitor. The rise in domestic violence, and the increase of stress and mental health impacts, especially among women and girls, have also been identified in recent surveys¹⁹.

In addition, an alarming increase in high-risk child protection incidents such as sexual assault, physical abuse, and child negligence have been reported in at least four districts, namely: Moneragala, Nuwara Eliya, Batticaloa and Mullaitivu. Authorities project that child protection cases will continue to increase.⁴³²

A December 2022 operation update by the International Federation of Red Cross and Red Crescent Societies (IFRC) noted that:

Domestic violence, SGBV and serious child protection incidents, such as sexual assaults, physical abuse, and child neglect, are reported to have been increasing since the start of the COVID-19 pandemic and have worsened with the current crisis. The purported rise in the number of women entering the sex industry is an indicator of both the desperation and the exploitation that people are facing (in Colombo the number is said to have increased by 30 per cent since January⁵).⁴³³

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, "incidence of sexual and gender-based violence remains high and increased during the COVID-19 pandemic, despite the Government's policy framework and 2016-2020 National Action Plan to address sexual and gender-based violence".⁴³⁴

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Sexual harassment was common. Women from the north, mostly from minority communities, reported military officials at security checkpoints targeted women for unnecessary body searches. Women from the north and east, mostly from minority communities, also reported male security officers often

⁴³¹ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka: Comprehensive report of the United Nations High Commissioner for Human Rights](#), 4 October 2022, page 7

⁴³² UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Impact on Other Key Sectors*, p. 7

⁴³³ International Federation of Red Cross and Red Crescent Societies (IFRC), [Operation Update: Sri Lanka emergency](#), 27 December 2022, page 12

⁴³⁴ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.4. *Convention on the Elimination of Discrimination Against Women (CEDAW)*, p. 13

questioned women in their homes without family members present. There were widespread complaints by women employees in parliament of sexual harassment and sexual abuse by senior parliament officials [...] Women police officers also complained of harassment from male colleagues”.⁴³⁵

The January 2023 report by Women’s Action Network (WAN) - Sri Lanka, Alliance for Minorities - Sri Lanka, and the Human Rights Litigation and International Advocacy Clinic at the University of Minnesota Law School wrote:

[...] Since the COVID pandemic and this year’s economic crisis, WAN has recorded further increases in domestic and sexual violence and curtailed mobility and resources for women’s groups providing victims with protection, legal-aid and other services. [...]

Sexual and gender-based violence is also an issue for women who have been detained in Sri Lankan jails and prisons. [...]

Women are also victims of increasing Government repression of unarmed students and other activists. Women are commonly physically assaulted during protests and while in police custody. Female officers who come to victims’ defense are also assaulted.⁴³⁶

A dialogue of UN Human Rights Committee experts at the occasion of the sixth periodic report of Sri Lanka noted that “The Committee welcomed the State party’s adoption of the Prevention of Domestic Violence Act, but reports of domestic violence, often with impunity, were concerning. Further, allegations of sexual violence against women in the context of detention and resettlement were also of concern”.⁴³⁷

The UN Human Rights Committee’s April 2023 concluding observations on the sixth periodic report of Sri Lanka commented that:

The Committee is concerned by the prevalence of violence against women, including domestic and sexual violence, sometimes in the form of sexual bribery, in particular of widows and divorcees and those seeking information on detainees or government services. It is particularly concerned that the underreporting of violence against women persists owing to the sociocultural customs condoning such violence, the lack of trust in the police and the judiciary and the existing obstacles to effective access to justice, such as the mandatory participation of victims in mediation. It is also concerned about reports of long delays in investigating cases of violence against women and of arbitrary outcomes, very low conviction rates and ineffective sanctioning of perpetrators. While noting the State party’s information on the partial implementation of the National Action Plan to Address Sexual and Gender- Based Violence 2016–2020, the Committee regrets the lack of specific information on its impact on the reduction of violence against women or on the increase in prosecutions of such cases [...].⁴³⁸

⁴³⁵ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 6. Discrimination and Societal Abuses

⁴³⁶ Women’s Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, pages 10-11

⁴³⁷ UN OHCHR, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers’ Alleged Human Rights Violations](#), 9 March 2023

⁴³⁸ UN Human Rights Committee, UN International Covenant on Civil and Political Rights, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, p. 6

UNICEF's May 2023 report on the socioeconomic conditions faced by women and children in the tea estate communities in Sri Lanka, based on March 2023 data, found that:

According to our household survey, a higher percentage of women (42%) than men (32%) believed that husbands are justified in physically assaulting their wives under certain circumstances (burning food, going out of the house without informing their husband etc). In comparison, only 32% of men held the same belief. The household survey found the highest proportion of individuals, who believed that husbands are justified in physically assaulting their wives under certain circumstances, in Central and Uva provinces. In the Central Province, 45% of female and 37% of male respondents held this belief, while in the Uva Province, 46% of female and 32% of male respondents held this belief.⁴³⁹

It further noted that “women in the plantation sector are at risk of sexual harassment, given the power imbalance between male supervisors, managers, owners, and female workers”.⁴⁴⁰

A November 2023 feature by UN Women on women's shelters in Sri Lanka reported on the following:

“In our society, there is a belief that domestic violence should be kept behind closed doors and not discussed openly”, says Anoja Makawita, a social worker and counsellor with the Sri Lankan group Women in Need (WIN).

“Violence within families has far-reaching consequences, and it is women and girls who suffer the most”, she said. “It is not just an issue within individual households; it has an impact on entire communities.” [...]

“Helping these women reintegrate into society is however one of the most challenging aspects of our work”, Makawita said, noting that many women who escape domestic violence are unable to return to their old home or afford to rent a new one.⁴⁴¹

In December 2023, an article in The Daily Mirror reported that “The number of women who have been victims of various atrocities and violence this year is more than twenty thousand in Sri Lanka, an official of the Family Health Bureau of the Ministry of Health said”.⁴⁴²

Freedom House's annual Freedom in the World country report for Sri Lanka, covering 2023 and published in February 2024, stated that “Rape of women and children and domestic violence remain serious problems, and perpetrators often act with impunity”.⁴⁴³ It added that “Women and children in certain communities are vulnerable to forced sex work”.⁴⁴⁴

The USDOS also commented that:

Sexual harassment is a criminal offense carrying a maximum sentence of five years in prison. Sexual harassment was common and was a particularly widespread problem in public transport. In March a study by the country's University Grants Commission reported that 17 percent of surveyed state university students had experienced sexual harassment. The United Nations and local NGOs reported that women were the most prevalent target of online hate speech.

On November 12, media reported that senior police officers harassed two women who were protesting peacefully in Colombo. Following this, media reported that male police officers manhandled two female

⁴³⁹ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, p. 46

⁴⁴⁰ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, p. 46

⁴⁴¹ UN Women, [Women's shelters in Sri Lanka support survivors of gender-based violence](#), 22 November 2023

⁴⁴² The Daily Mirror, [Over 20,000 women victimized by atrocities and violence in SL this year](#), 13 December 2023

⁴⁴³ Freedom House, [Sri Lanka: Freedom in the World 2024 Country Report](#), February 2024

⁴⁴⁴ Freedom House, [Sri Lanka: Freedom in the World 2024 Country Report](#), February 2024

police officers who were also at the scene, including a senior officer grabbing the neck of a female colleague. Local NGOs and politicians condemned the police officers' behavior. A police spokesperson said a police Special Investigation Unit initiated an investigation into the incident, which continued as of year's end.

On November 14, the women's group of the main political opposition party, the SJB, held a Colombo protest calling to end sexual harassment and violence against women ahead of the International Day for the Elimination of Violence Against Women. Police arrested a group of protesters. Later that day, women demonstrated in front of Cinnamon Gardens Police Station requesting the release of those who had been detained. Police arrested additional protesters, including prominent SJB member, women's group organizer, and former member of parliament Hirunika Premachandra. Police told local media they arrested a total of 14 women and one man in relation to the protests.⁴⁴⁵

It added that "Several microfinance institutions were reported to have hired employees to recover loans, and reports of demands for sexual favors in exchange for repayment were common".⁴⁴⁶

The U.S. Department of State's report further noted with regards to domestic and gender-based violence:

The law prohibited rape and domestic violence, but enforcement of the law was inconsistent. The law did not criminalize rape of men as the law defined the act of rape as being a man having sexual intercourse with a woman without the consent of the woman, although it did criminalize "grave sexual abuse." The law prohibited spousal rape only if the spouses were legally separated. The prescribed penalties for rape were seven to 20 years' imprisonment and a fine. For domestic violence, a victim could obtain a protection order for one year and request a maintenance allowance.

Women's organizations reported police and judiciary responses to rape and domestic violence incidents and cases were inadequate. NGOs reported many police officers did not have sufficient gender-sensitivity training to deal with survivors of sexual violence, and there was a lack of Tamil-speaking judicial medical officers. [...]

Sexual harassment was common. Women from the north, mostly from minority communities, reported military officials at security checkpoints targeted women for unnecessary body searches. Women from the north and east, mostly from minority communities, also reported male security officers often questioned women in their homes without family members present. There were widespread complaints by women employees in parliament of sexual harassment and sexual abuse by senior parliament officials. In August the general secretary of parliament launched an internal investigation into the allegations, media reported. Women police officers also complained of harassment from male colleagues. The United Nations and local NGOs reported women were the most prevalent target of online hate speech.⁴⁴⁷

The Thomas Reuters Foundation's media platform, Context, in partnership with the Pulitzer Center, published a piece in February 2024 on domestic violence and climate change in Sri Lanka. It wrote that:

After years of scant rainfall in a remote region of Sri Lanka, farmer Renuka Karunaratna's crops failed and as the family's income dwindled, her husband took his anger out on her, beating her so badly she had to go to hospital.

"I have got beaten up so many times," Karunaratna told Context in her village of Sapumal Thenna in Sri Lanka's North Central Province. "I suffer a lot."

⁴⁴⁵ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁴⁴⁶ US Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁴⁴⁷ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

Domestic violence is a little-studied side effect of climate change, especially in poorer nations where increasingly frequent heatwaves, droughts, floods and storms can exacerbate economic hardship, which in turn can fuel anger and violence.

As families fall into penury because of failed harvests and lost incomes, researchers and affected women say men sometimes take their frustrations out on family members, with women often bearing the brunt of the violence, especially in cultures where such behaviour is already commonplace.

Karunaratna said she and her husband would fight over little things and he would often hit her. She had to seek hospital treatment several times.

She did report some of the incidents to the police but was told to try to make peace with her husband "for the sake of the children" - a common piece of advice in conservative Sri Lankan society where domestic violence is relatively common.

Although Sri Lanka has few detailed statistics on the links between climate change-related crop failures and gender-based violence, Rashmini de Silva, a gender and climate change researcher, said when basic needs are not being met, women can suffer physical, verbal and psychological abuse.

"There are records of domestic violence where men beat their wives, when even the smallest issues in regard to buying food or expenses for children's education or farming have to be discussed," she said. [...]

Another farmer from Sapumal Thenna - who asked that her name not be used for fear of reprisals - said she had not been able to grow enough rice to feed her family in recent years, with elephants sometimes eating part of the harvest while other stalks produced "empty grains" because of water scarcity.

She said food shortages had led to violence at home.

"With the economic problems, I end up getting beaten up," she said. "When there is no money, when we talk about expenses, it builds up to a fight." [...]

Harvest failures are becoming more common, decimating traditional vegetable cultivation, known as Chena, and slashing incomes for women, leaving them more reliant on their husbands, she said.

As the women lose the income that ensured their independence, some are denied permission by their husbands even to visit their own parents or siblings, exacerbating gender-based violence, Somalatha said.

"If they try to leave home, they are beaten up or scolded," she said. "Their dignity is shattered."

Women obey because they have to survive, she said.

"What can they do if the husband beats them up when the doors are closed?," Somalatha asked. "They are terrified."⁴⁴⁸

A March 2024 article in The Tamil Guardian on a rally organised by the North-East Women's Collective under the theme of "Let Us Eliminate Intersectional Oppressions against Women" in Kilinochchi, wrote that "We Tamil women suffer not only because of the government's racist oppression but also from the age-old patriarchal oppression and denial of rights in the North-East Tamil society," they said, adding that there has been an increase in domestic abuse, sexual assault, cybercrimes, and sexual harassment of girls in schools and in workplaces, which are not made public due to fear".⁴⁴⁹

⁴⁴⁸ Context and Pulitzer Center, [Domestic violence is cost of climate change for Sri Lankan women](#), 14 February 2024

⁴⁴⁹ The Tamil Guardian, [Women in North-East live in fear'- Women's Collective decry Sri Lanka's surveillance state](#), 12 March 2024

An opinion piece by Shihana Mohamed, “a founding member and Coordinator of the United Nations Asia Network for Diversity and Inclusion (UN-ANDI) and a US Public Voices Fellow with The OpEd Project and Equality Now on Advancing the Rights of Women and Girls” published by Inter Press Service in November 2024 highlighted that Intimate Partner Violence (IPV) “is a significant and pervasive issue. An estimated 40% of women aged 15 years or older reported experiencing physical, sexual, emotional, and/or economic violence or controlling behaviors by a partner in their lifetime. Disturbingly, 21% of the population, or about 4.6 million women, are affected by IPV, given that women constitute 52% of Sri Lanka’s 23.1 million population. These figures reflect reported cases, but IPV is significantly underreported due to fear of stigma, lack of awareness about available support services, and reluctance to involve authorities in family matters. Many women fear retaliation from their abusers or social ostracism if they speak out”.⁴⁵⁰

c. Cultural / Traditional Harmful Practices

The OECD Development Centre’s SIGI 2023 Legal Survey, with information up to 31 August 2022, gave the following results with regards to Sri Lanka and FGM:

Does the law criminalise FGM/C on narrow grounds? No

Does the law criminalise FGM/C on broad grounds? Yes

Degree of protection offered by the law against FGM/C: broad grounds only

Are there informal laws (customary, traditional or religious laws/rules) that allow/encourage FGM/C or evidence that FGM/C is being practiced in certain communities? Yes

Are there informal laws (customary, traditional or religious laws/rules) that allow/encourage FGM? Yes

Does the law take precedence over informal laws (customary, traditional or religious laws) that allow, condone or prescribe FGM? No⁴⁵¹

The November 2022 summary of stakeholders’ submissions for Sri Lanka’s Universal Periodic Review stated that:

61. JS11 [Joint submission 11 submitted by: Coalition of NGOs for UPR - Sri Lanka, Palaviya (Sri Lanka); Alliance for Minorities, Women’s Action Network, Muslim Women’s Development Trust and Equality Now] expressed concern that female Genital Mutilation/Cutting (FGM/C), locally referred to as “sunnat” or “khatna” was known to take place in Sri Lanka amongst the Moor, Malay and Bohra communities and that the practice remained largely unrecognized and unaddressed in Sri Lanka. JS11 recommended that Sri Lanka pass a law prohibiting all forms of FGM/C in Sri Lanka and establish a national action plan to eradicate the harmful practice of FGM/C in all its forms across the country, including the dedication of resources to prevention and education aspects.⁴⁵²

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “The law did not prohibit FGM/C for women and girls. Some of the country’s Muslims historically practiced FGM/C. There were no recent statistics on the prevalence of FGM/C in the country, but one NGO

⁴⁵⁰ Shihana Mohamed (Inter Press Service), [Ensuring Violence-Free Homes for Sri Lankan Women](#), 25 November 2024

⁴⁵¹ OECD Development Centre, [Social Institutions and Gender Index \(SIGI\) 2023 Legal Survey](#), last updated to 10 October 2024

⁴⁵² UN General Assembly, Human Rights Council, [Summary of stakeholders’ submissions on Sri Lanka: Report of the Office of the United Nations High Commissioner for Human Rights](#), 7 November 2022, p. 8

reported that it was highly prevalent among the small Dawoodi Bohra community (fewer than 3,000 persons), where it was considered a mandatory ritual, and common among Moor and Malay communities. A 2018 Ministry of Health circular banned medical practitioners from carrying out FGM/C, but since the practice was usually carried out by traditional practitioners, activists said the prohibition had little effect. Several civil society groups led mostly by Muslim women continued to campaign against FGM/C”.⁴⁵³

A January 2023 submission by Women’s Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic to the UN Human Rights Committee noted that “No laws currently exist to protect children from female genital mutilation. Female Genital Mutilation (FGM) also continues to be practiced in Muslim communities. Babies as old as 40 days undergo FGM, and it is seen as a cultural ritual within the Muslim community”.⁴⁵⁴

In July 2024, the Orchid Project, a UK and Kenya-based NGO, released a report on female genital cutting (FGC) in Sri Lanka. It wrote that “There are no extensive datasets on the prevalence of female genital cutting (FGC) in Sri Lanka. Small-scale surveys indicate that FGC is practised by some, but not all, Muslim communities across Sri Lanka, particularly Moors, Malays and Dawoodi Bohras”.⁴⁵⁵ In another report in October 2024, the same organisation gave the following summary:

FGC is not explicitly prohibited by law in Sri Lanka, but it could be considered under general legislation a form of violence against women and girls and a violation of their human rights.

The Penal Code (Sections 310–314) criminalises voluntarily causing ‘hurt’ and ‘grievous hurt’ and could potentially lead to prosecutions for FGC and penalties of between one and three years’ imprisonment. If it is ruled ‘child cruelty’ under Section 308A, the penalty for FGC would be between two and ten years’ imprisonment.

Aiding and abetting FGC is also criminalised under the Penal Code, Sections 100–107. These provisions could be applied to those who allow their premises to be used for FGC, those who provide any tools used in the procedure, and those who fail to report the offence to the relevant authorities.

However, to date there have been no reported prosecutions for FGC under these sections.

The Prevention of Domestic Violence Act may provide some protection and relief for victims of domestic violence, which could include FGC as a form of physical or psychological abuse. Non-compliance with protection orders can result in imprisonment and/or a fine.⁴⁵⁶

The same report also added that “There is no express provision in the Penal Code to protect women and girls who choose not to undergo FGC (and their families) from derogatory or abusive language or from discrimination and actions that exclude them from society and community activities” and additionally that “Additionally, there are no mechanisms for the protection of witnesses in FGC cases”.⁴⁵⁷

⁴⁵³ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 6. Discrimination and Societal Abuses*

⁴⁵⁴ Women’s Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, p. 4

⁴⁵⁵ Orchid Project, [Short Report: FGC in Sri Lanka](#), July 2024, p. 1

⁴⁵⁶ Orchid Project, [The Law and FGC: Sri Lanka](#), November 2024, p. 12

⁴⁵⁷ Orchid Project, [The Law and FGC: Sri Lanka](#), November 2024, p. 8

d. Sexual and Reproductive Health

The OECD Development Centre's SIGI 2023 Legal Survey, with information up to 31 August 2022, gave the following results with regards to Sri Lanka and reproductive autonomy:

Is abortion illegal under any circumstances? No

Is abortion legally permitted in cases where: it is essential to save the woman's life? Yes

Is abortion legally permitted in cases where: it is essential to preserve the physical health of the woman?
No

Is abortion legally permitted in cases where: it is essential to preserve the mental health of the woman?
No

Is abortion legally permitted in cases where: pregnancy is the result of rape or statutory rape? No

Is abortion legally permitted in cases where: pregnancy is the result of incest? No

Is abortion legally permitted in cases where: social and economic reasons do not allow the mother to sustain a pregnancy? No

Is abortion legally permitted in cases where: foetal impairment? No.⁴⁵⁸

The UN Population Fund (UNFPA) released a press release in August 2022 in response to the impact of the economic crisis on women and girls in Sri Lanka, writing that "The country's once robust healthcare system is teetering on the edge of collapse amid debilitating power shortages and a lack of critical supplies, equipment and medicine. This is severely impacting the delivery of sexual and reproductive health services, including maternal health care and access to contraception".⁴⁵⁹

The November 2022 summary of stakeholders' submissions for Sri Lanka's Universal Periodic Review stated that:

48. JS5 [Joint submission 5 submitted by: World Organisation Against Torture, Geneva (Switzerland); Mannar Women's Development Federation (MWDF)] expressed deep concern that misinformation and the prevalence of cultural practices resulted in a variety of obstetric violence, understood as the mistreatment that occurs during the care provided during pregnancy, childbirth, or the immediate postpartum period. It recommended that Sri Lanka take measures to protect women's rights to safe motherhood and access to appropriate obstetric services, and investigate and prosecute cases of obstetric violence.

49. JS5 recommended that Sri Lanka strengthen measures to ensure access for girls, adolescents and women, including those living in rural areas, to adequate sexual and reproductive health services, including modern contraceptive methods family planning, abortion and post-abortion services.⁴⁶⁰

In August 2022 UN news reported that "Pregnant women in Sri Lanka find themselves in a world that was unimaginable just a few months ago. The crisis is critically undermining sexual and reproductive

⁴⁵⁸ OECD Development Centre, [Social Institutions and Gender Index \(SIGI\) 2023 Legal Survey](#), last updated to 10 October 2024

⁴⁵⁹ UN Population Fund (UNFPA), [Press release: Appeal for USD 10.7 million to meet urgent needs of women and girls in Sri Lanka](#), 8 August 2022

⁴⁶⁰ UN General Assembly, Human Rights Council, [Summary of stakeholders' submissions on Sri Lanka: Report of the Office of the United Nations High Commissioner for Human Rights](#), 7 November 2022, p. 6

health services, including maternal health care and access to contraception, and services to prevent and respond to gender-based violence have also been compromised”.⁴⁶¹

In November 2022, UNOCHA issued a report on Sri Lanka’s Multi-Dimensional Crisis which indicated with regards to the impact on health that:

Women’s and girls’ needs as well as the families’ are deprioritized in favor of spending the meagre income on a son’s education over a daughter’s. Women’s needs are also given less priority in the household; limiting their access to essential commodities and services, such as sexual and reproductive health (SRH) services and support to mental health. [...] Based on the assessment conducted mapping of access to emergency obstetric care in Sri Lanka by the MOH [Ministry of Health] in March 2022, poor access to Basic

Emergency Obstetric and Newborn Care (BEmONC) was revealed mainly in the Northwestern province. Given the deepening economic crisis, the beneficiaries are not able to access and utilize the services due to the infrastructure breakdown including lack of medical supplies. The lack of financing to support integrated public health services has serious life-threatening implications and negative consequences to the wellbeing of pregnant, lactating and young women of reproductive age group.

At present, more than 224,000 women are pregnant and are at risk to experience shortage of MCH services that would lead to unsafe deliveries and potential rise in maternal mortality and morbidity, unsafe abortions, unplanned pregnancy and rising numbers of sexually transmitted infection (STI) and incidents of exposure to human immunodeficiency virus (HIV). This in turn creates significant psychological and social stress on individuals, families and communities who end up in need of mental health and psychosocial services support (MHPSS).⁴⁶²

A December 2022 operation update by the IFRC noted that “Pregnant women, especially those living in remote rural areas, have had difficulty reaching hospitals and clinics, and antenatal and postnatal care has been affected”.⁴⁶³

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. A group of civil society organizations reported involuntary sterilization affected some marginalized communities experiencing acute poverty, especially Tamil plantation workers, when doctors opted for caesareans when delivering babies so that it was possible to perform sterilization at the same time, following consent from the woman’s husband. They reported these doctors did not always obtain consent from the woman.”.⁴⁶⁴

The January 2023 submission by Human Rights Watch to the UN Human Rights Committee in advance of its review of Sri Lanka commented that:

Sri Lanka has among the most restrictive abortion laws in the world. Under section 303 of the Penal Code, anyone deliberately causing a miscarriage, except for the purpose of saving a woman’s life, can be imprisoned for up to three years. The sentence can increase to seven years if the woman is “quick

⁴⁶¹ UN news, [Sri Lanka’s economic crisis pushes health system to brink of collapse](#), 17 August 2022

⁴⁶² UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Cross-cutting concerns, Gender p.16 and Health Humanitarian Impact and Key Immediate Needs p.33*

⁴⁶³ International Federation of Red Cross and Red Crescent Societies (IFRC), [Operation Update: Sri Lanka emergency](#), 27 December 2022, p. 11

⁴⁶⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 6. Discrimination and Societal Abuses*

with child,” meaning that the movement of the fetus can be felt. The same penalties apply to a person who performs an abortion and to a woman who causes herself to miscarry.⁴⁶⁵

It added that “successive governments have failed to bring new legislation”.⁴⁶⁶

The U.S. Department of State’s annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

A group of civil society organizations reported that involuntary sterilization affected some marginalized communities experiencing acute poverty, especially Tamil plantation workers, when doctors opted for caesareans when delivering babies so that it was possible to perform sterilization at the same time, following consent from the woman’s husband. They said that these doctors did not always obtain consent from the woman.

Couples and individuals have the right to decide the number, spacing, and timing of their children and to manage their reproductive health. They have access to the information and means to do so, free from discrimination, coercion, or violence, however some NGOs reported that sex education in the country was inadequate, especially after the closure of some family planning facilities due to COVID-19.

No significant legal, social, or cultural barriers adversely affected access to contraception or to skilled health care workers in attendance during pregnancy and childbirth. In August the UN Population Fund reported that approximately 99 percent of women give birth at health facilities assisted by medical personnel. The UN Population Fund noted, however, that the economic crisis led to shortages of essential medication and supplies and severely impacted the delivery of sexual and reproductive health services, including access to maternal health care and contraception. Some NGOs reported that Tamils working in the plantation sector had less access to health services and experienced rates of infant and maternal mortality that were higher than the national average.

The government provided access to sexual and reproductive health services for survivors of sexual violence, including emergency contraception. Emergency contraception was available at government hospitals and Ministry of Health clinics and was provided free of charge. NGOs reported police, however, were often unaware of resources available, limiting referrals.

Women and girls had access to menstruation hygiene; however, local media reported that rising prices due to the economic crisis meant some individuals could not afford menstrual hygiene products. In October the government removed taxes on sanitary napkins.⁴⁶⁷

Amnesty International noted in a report on global abortion rights defenders that:

[...] Sri Lanka criminalizes abortion unless it is “caused in good faith for the purpose of saving the life of the woman” and carries a penalty of up to three years and/or a fine. One abortion rights advocate said:

“Abortion is not legal in Sri Lanka so we have to tread very cautiously. It is very difficult to give information to women on how to access medical abortion or other abortion services. If we give information openly we are at risk of criminalization because of the law.”⁴⁶⁸

⁴⁶⁵ Human Rights Watch, [Human Rights Watch Submission to the UN Human Rights Committee in advance of its review of Sri Lanka](#), 30 January 2023

⁴⁶⁶ Human Rights Watch, [Human Rights Watch Submission to the UN Human Rights Committee in advance of its review of Sri Lanka](#), 30 January 2023

⁴⁶⁷ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁴⁶⁸ Amnesty International, [An Unstoppable Movement: A Global Call to Recognize and Protect Those Who Defend the Right to Abortion](#), 24 November 2023, p. 34

In January 2024, Human Rights Watch's annual report on the human rights situation in Sri Lanka commented that "Sri Lanka has among the most restrictive abortion laws in the world, imposing long prison sentences for all abortions with exceptions only for saving a woman's life".⁴⁶⁹

The U.S. Department of State's annual report on human rights in Sri Lanka, covering 2023 and published in April 2024, reported similarly to the year before, adding the following with regards to reproductive rights:

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. [...]

A National Institutes of Health study published during the year found that knowledge of sexual and reproductive health, including contraception options, was poor among adolescents and youth in the country.

In July Amnesty International reported many pregnant and breastfeeding women lacked access to adequate nutrition due to the 2022 economic crisis. Individuals were also affected by medicine shortages resulting from the economic crisis. [...]

[...] NGOs and local media reported many women and girls stayed home during menstruation due to lack of awareness of menstrual hygiene, inability to afford menstrual hygiene products, and in some cases inadequate sanitation and disposal facilities at schools.⁴⁷⁰

Amnesty International's annual report on the global human rights situation, covering 2023 and published in May 2024, remarked with regards to Sri Lanka that "Pregnant and breastfeeding women were disproportionately impacted by the economic crisis".⁴⁷¹ This followed on from an earlier Amnesty International briefing in July 2023 on the impact of Sri Lanka's economic crisis on maternal nutrition, which had summarised that:

Firstly, women's purchasing power has reduced due to the increased cost of food resulting in nutrition taking a back seat, therefore impacting both the quality and quantity of food intake. Secondly, government funded programs, (such as the provision of 'Thripasha' food supplement and the monthly food vouchers) aimed at supplementing the nutritional needs of pregnant and breast-feeding women, were impacted by the economic crisis again directly impacting access to food that is of sufficient quality and quantity.⁴⁷²

The Center for Reproductive Rights and the Centre for Equality and Justice (CEJ) published a fact sheet in November 2024 examining Sri Lanka's abortion laws, policies and practices and found that abortions, even when there are "complications of physical and mental health, due to rape, incest, foetal impairment, for economic and social reasons, or on the request of the woman", are not legally permitted, which means that "abortion is available clandestinely, putting women's health and lives at risk. Such clandestine care is often provided 'by unqualified people under unhygienic conditions, using instruments which are not sterile' and 'may cause death due to these severe complications'".⁴⁷³ The Fact Sheet highlighted that "Religious leaders have always been one of the main sources of opposition

⁴⁶⁹ Human Rights Watch, [World Report 2024: Sri Lanka - Events of 2023](#), 11 January 2024

⁴⁷⁰ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁴⁷¹ Amnesty International, [The State of the World's Human Rights 2024](#), 23 April 2024, p. 351

⁴⁷² Amnesty International, [The Impact of Sri Lanka's Economic Crisis on Maternal Nutrition](#), 12 July 2023, p. 4

⁴⁷³ Center for Reproductive Rights, [New Fact Sheet examines Sri Lanka Abortion Laws, Policies and Practices](#), 7 November 2024 and Center for Reproductive Rights and the Centre for Equality and Justice (CEJ), [Fact Sheet: Laws, Policies and Practices on Abortion in Sri Lanka](#), November 2024, p. 2

to proposed reform of Sri Lanka's abortion laws [...] Other Christian, Buddhist and Muslim religious leaders have also voiced opposition to reform".⁴⁷⁴

e. Trafficking

In November 2022, Ceylon Today reported on the arrest of a former government official of the Sri Lankan Embassy in Oman, Edirachchilage Kushan:

He was arrested today (29) morning at the Bandaranaike International Airport (BIA) in connection with the human trafficking racket where Sri Lankan females seeking foreign employment as domestic workers were sent to Oman on tourist visas and later used for sexual slavery.

Kushan was suspended from the service following his alleged connections to the sex trafficking racket and his diplomatic passport was revoked.⁴⁷⁵

The January 2023 report by Women's Action Network (WAN) - Sri Lanka, Alliance for Minorities - Sri Lanka, and the Human Rights Litigation and International Advocacy Clinic at the University of Minnesota Law School stated the following with regards to trafficking in Sri Lanka:

Trafficking inside Sri Lanka is increasingly prevalent due to economic hardships exacerbated by COVID-19 and the ongoing economic crisis. Traffickers recruit women and girls from rural areas into urban centers where they are forced to engage in sex or other forms of labor in private homes, salons, spas, or hotels and in the commercial sex industry. [...]

Sri Lanka's economic crisis has led to an increase in cross-border migration activity; many Sri Lankans are being trafficked and detained while traveling through irregular channels to India and Australia. Since May 2022, the Sri Lankan Navy has intercepted at least ten boats.⁴⁷⁶

The U.S. Department of State's annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

Traffickers exploited men, women, and children in forced labor. Traffickers recruited women from rural areas with promises of urban jobs in the hospitality sector, salons, spas, and domestic work but exploited some in forced labor. While conditions for most tea plantation workers on larger corporate tea estates met international certification standards, such as Fair Trade, some smaller tea estate owners exploited men and women in bonded labor.

In a July report, the UN special rapporteur on contemporary forms of slavery acknowledged progress achieved in preventing child labor and noted historically strong trade unions, while highlighting that women and girls have been disproportionately affected by contemporary forms of slavery in the country. The report said that in the plantation sector, women typically pick tea leaves, while men serve in other roles. Due to low wages for tea pickers, women must work twice as long as men to earn the same salary. The UN report also noted the prevalence of women falling into debt bondage due to predatory microfinance companies. The HRCSL [Human Rights Commission Of Sri Lanka] said women targeted by

⁴⁷⁴ Center for Reproductive Rights and the Centre for Equality and Justice (CEJ), [Fact Sheet: Laws, Policies and Practices on Abortion in Sri Lanka](#), November 2024, p. 8

⁴⁷⁵ Ceylon Today, [Sri Lankan Embassy official arrested for involvement in human trafficking](#), 29 November 2024

⁴⁷⁶ Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights](#), 30 January 2023, pages 12-14

microfinance companies, especially in the Eastern Province, faced harassment, sexual abuse, and threats.⁴⁷⁷

The U.S. Department of State highlighted the following regarding trafficking profiles covering April 2023 to March 2024 that:

human traffickers exploit domestic and foreign victims in Sri Lanka, and traffickers exploit victims from Sri Lanka abroad. The majority of reported Sri Lankan trafficking cases involve traffickers exploiting Sri Lankan migrant workers overseas. [...]

Within Sri Lanka, traffickers exploit men, women, and children in forced labor and sex trafficking, although women, children, ethnic minorities, and older individuals are often most at risk. Traffickers have increasingly used social media to fraudulently recruit victims. Traffickers fraudulently recruit Sri Lankan victims with job offers and force them to engage in online scam operations, particularly in Southeast Asia. [...]

Traffickers exploit Sri Lankan men, women, and children in forced labor in the Middle East, Asia, Europe, and the United States in the construction, garment, and domestic service sectors. [...] Some microfinance companies and traffickers target Sri Lankan women with existing debts and use promises of a large advance to defraud them into accepting positions abroad. [...]

Observers reported women and girls are disproportionately impacted by human trafficking. The majority of Sri Lankan female migrant workers seek employment in the Middle East, Japan, and South Korea, and thousands of Sri Lankan female migrant workers report employers exploit them in forced labor and sometimes sex trafficking. Traffickers recruit women from rural areas with promises of urban jobs in the hospitality sector, salons, spas, and domestic work but exploit some in forced labor or commercial sex. Women working in the garment sector experience conditions of forced labor and the threat of sexual harassment. The domestic work sector, mostly employing women and girls, is largely unregulated with working conditions indicative of forced labor and domestic servitude; in addition, in-house domestic workers experience greater risks of exploitation and abuse. Sri Lankan women resorted to commercial sex because of financial hardships caused by the pandemic and the country's economic crisis, increasing their vulnerability to trafficking. Some microfinance companies target women with predatory loans and contracts written in English, resulting in debts that forced women to resort to commercial sex or subject their children to sex trafficking to pay off the debt. Some observers have alleged local government and security sector officials forced women to perform commercial sex acts for access to government benefits owed to widows for their deceased husbands' military service. [...]

Observers note marginalized communities in Sri Lanka continue to face discrimination and consequently greater vulnerability to human trafficking. Marginalized communities such as the Malayaha Tamils, whose ancestors migrated from India to work on plantations, continue to experience marginalization and discrimination; Malayaha Tamils sometimes experience bonded labor, particularly on small, private plantations. Members of some marginalized communities were unable to report abuses to authorities because of language barriers among officials who only spoke Sinhala.⁴⁷⁸

An August 2024 report by the Global Press Journal investigated human trafficking from Sri Lanka and stated that:

Some 70,989 women left Sri Lanka legally in 2022 to work as maids in Gulf countries, according to data from the Sri Lanka Bureau of Foreign Employment. But many more, like Selvaruban, were trafficked — recruited through deception and held captive — and not included in the official count. Trafficking of women laborers from Sri Lanka has surpassed pre-pandemic levels, according to the Recovery and Humanitarian Action Management Agency (RAHAMA), a Vavuniya-based anti-trafficking nonprofit organization. Rising prices and high unemployment in Sri Lanka due to an economic crisis are driving

⁴⁷⁷ U.S. Department of State (USDOS), [Sri Lanka 2022 International Religious Freedom Report](#), 15 May 2023

⁴⁷⁸ U.S. Department of State, [2024 Trafficking in Persons Report: Sri Lanka](#), 24 June 2024, *Trafficking Profile*

women to sign up for domestic work in the Gulf, says Sivalingam Krishnakumar, district development officer of foreign employment at the Vavuniya District Secretariat. [...]

Since 2022, 117 families have approached the nonprofit organization to help them or their family members after they experienced human trafficking. The Sri Lankan government says in 2022 it repatriated 72 people who had been trafficked. In November 2022, the Sri Lankan Embassy in Oman said 330 women had requested to be returned home. The Embassy stated that it was receiving “an increasing number of complaints daily” from domestic workers who face “tremendous difficulties including various harassment.”⁴⁷⁹

f. Measures by the State to Protect Women

Overview

The UNFPA released a press release in August 2022 in response to the impact of the economic crisis on women and girls in Sri Lanka, writing that “Existing protection mechanisms for women and girls in need, including survivors of gender-based violence, have also been severely compromised”.⁴⁸⁰

A UN Women news piece published in September 2022 and discussing the outcomes of UN Women-run multi-party dialogues on Women, Peace and Security in Sri Lanka wrote that:

Women leaders from four provinces in Sri Lanka have urged local government authorities to strengthen efforts to protect women, who have been affected by the country’s economic, political and COVID-19 crises this year.

Participants raised concerns about issues including a shortage of safe houses, lack of awareness about available services and weak referral systems for survivors of violence.

“Over the last few months, complaints on violence against women have drastically increased, and most of the time, these women have no place to go,” said one dialogue participant, a women’s development officer from the Ministry of Women and Child Development and Social Empowerment.⁴⁸¹

A December 2022 operation update by the IFRC observed, with regards to the economic crisis, that “the capacity of government services to respond is severely affected: protection service providers lack fuel for field and home visits, women’s shelters have run out of space, and there is a lack of financial support for women and girls at risk of gender-based violence”.⁴⁸²

According to the August 2024 OHCHR update on Sri Lanka, “In June 2024, the Parliament passed the Women’s Empowerment Act that includes inter alia provision for establishing a National Commission on Women”.⁴⁸³

Access to justice

⁴⁷⁹ The Global Press Journal, [When the Promise of a Job Is a Trap](#), 12 August 2024

⁴⁸⁰ UN Population Fund (UNFPA), [Press release: Appeal for USD 10.7 million to meet urgent needs of women and girls in Sri Lanka](#), 8 August 2022

⁴⁸¹ UN Women, [Women in Sri Lanka call for stronger measures to protect their rights](#), 30 September 2022

⁴⁸² International Federation of Red Cross and Red Crescent Societies (IFRC), [Operation Update: Sri Lanka emergency](#), 27 December 2022, p. 12

⁴⁸³ UN General Assembly, [Human Rights Council, Situation of human rights in Sri Lanka: Comprehensive report of the United Nations High Commissioner for Human Rights: Advance unedited version](#), 22 August 2024, p. 2

According to the World Organization Against Torture (OMCT), the Muslim Marriage and Divorce Act (MMDA) is administered by Quazis [judges] who are outside of Sri Lanka's formal judicial structure despite being financed through taxes. Women are not allowed to be Quazis. Muslim women's access to justice is therefore severely limited. Litigants before the Quazi system are not allowed to be represented by a lawyer. Many women have reported discriminatory decisions as well as humiliation and verbal abuse by Quazis".⁴⁸⁴

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, "Women continue to face barriers in access to justice".⁴⁸⁵

The Human Rights Commission of Sri Lanka in its January 2025 report to the UN Committee on the Elimination of Discrimination against Women specifically noted that "cultural practices, patriarchal structures, economic vulnerabilities, and language barriers continue to impede women's access to justice. Sri Lanka Police lacks adequate representation of minorities in its' cadre and despite cabinet approval to ensure 15% women cadre in specific grades, female officer vacancies continue to exist. These inadequacies particularly affect women in the North and East of Sri Lanka and Malaiyaha Tamil women. It is also observed that, in general, women experience challenges in accessing justice with respect to sexual and gender-based violence, including domestic violence".⁴⁸⁶

Sexual and Gender Based Violence

The U.S. Department of State's annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

The law prohibits rape and domestic violence, but enforcement of the law was inconsistent. The law does not criminalize rape of men but does criminalize "grave sexual abuse." The prescribed penalties for rape are seven to 20 years' imprisonment and a fine. For domestic violence, a victim can obtain a protection order for one year and request a maintenance allowance. The law prohibits spousal rape only if the spouses are legally separated.

Women's organizations reported police and judiciary responses to rape and domestic violence incidents and cases were inadequate. In November member of parliament Rohini Kumari Wijerathna told local media that there was a backlog of 5,000 sexual violence cases in the courts. The police Bureau for the Prevention of Abuse of Women and Children conducted awareness programs in schools and at the grassroots level to encourage women to file complaints. Police continued to establish women's units in police stations. Services to assist survivors of rape and domestic violence, such as crisis centers, legal aid, and counseling, were scarce nationwide due to a lack of support. NGOs reported that many police officers did not

⁴⁸⁴ World Organization Against Torture (OMCT), [Sri Lanka: child marriage is legalized torture](#), 24 November 2023

⁴⁸⁵ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.4. *Convention on the Elimination of Discrimination Against Women (CEDAW)*, p. 13

⁴⁸⁶ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, para. 25, p. 5

have adequate gender sensitivity training to deal with survivors of sexual violence, and that there was a lack of Tamil-speaking judicial medical officers.⁴⁸⁷

In November 2022, UNOCHA issued a report on Sri Lanka's Multi-Dimensional Crisis which indicated with regards to the impact on protection that:

At the same time, the ongoing crisis is affecting protection mechanisms for genderbased violence and child protection, as the ability of social workers to conduct regular field visits and provide protection services to families and vulnerable children is limited due to fuel shortages. [...]

While the number of cases reported on sexual and gender-based violence (SGBV) and child protection increased, there was minimal capacity, resource mobilization and a shift in the prioritization of this issue in the Government. During the severe energy crisis, service providers did not have sufficient fuel for field visits, home visits, care and protection support, which hindered timely responses for children and women. Though the fuel crisis has eased a bit, government's social services remain limited for protection and education.

Responsible government GBV and child protection counterparts demonstrated minimal capacity and resource allocation amidst the significant need to expand GBV response services and strengthening both effective referral mechanisms and information dissemination strategies for safe access to essential care and support services by GBV survivors. [...]

Access to shelter facilities, health, and legal services for women are impacted as indicated through the consultations with shelter providers and the hospital-based GBV desks. Women Development Officers, Counselling Assistants and Public Health Midwives are partially immobile and constrained due to minimal resources to continue to provide essential services and the police being occupied with the ongoing unrest due to the lack of basic needs. Legal aid for the SGBV survivors is limited due to high costs and the longer the delays are in court hearings, the further victimized will be the survivors. The shelters have limited competent staff to manage cases having to reduce the human resource to bare minimum as a result of the economic crisis.⁴⁸⁸

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Women's organizations reported police and judiciary responses to rape and domestic violence incidents and cases were inadequate. NGOs reported many police officers did not have sufficient gender-sensitivity training to deal with survivors of sexual violence, and there was a lack of Tamil-speaking judicial medical officers".⁴⁸⁹

A January 2023 submission by Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic to the UN Human Rights Committee noted that "WAN [Women's Action Network] has also recorded curtailed mobility and resources for women's groups providing victims with protection, legal-aid and other services. Particularly vulnerable were women whose partners lost their jobs. The pandemic caused increased rates of alcoholism, which contributed to rising domestic violence. In addition, court closures prevented women from accessing remedies, and many victims were thus unable to obtain orders of protection or otherwise file claims against their

⁴⁸⁷ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁴⁸⁸ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Impact on Other Key Sectors*, p.8 and *Sector Key Achievements and Challenges (June-September)* p.13 and *Protection (including Child Protection & Gender-based Violence) and Education* p. 37

⁴⁸⁹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 6. Discrimination and Societal Abuses*

abusers. The government's budget has cut essential services such as livelihood support and safehouses".⁴⁹⁰ The same source further highlighted:

Many sexual and gender-based violence (SGBV) survivors do not have the legal knowledge necessary to access available remedies. Many women remain unaware of their rights and whether or not relevant laws apply to them and their circumstances. Many women are also unaware of how to access counseling, support, and legal services. Women also face social and cultural barriers to reporting abuse. Women fear familial destabilization, harm to their marriages, or even the prospect of losing economic resources or housing as a result of reporting crimes of gender-based violence committed against them. Social stigma, victim blaming, and women's continued economic dependence on male perpetrators prevent victims from seeking help or accessing legal remedies. Court backlogs and lengthy judicial processes also deter women from seeking formal redress. In 2022, the OHCHR expressed concern about the additional vulnerability of women survivors advocating for justice with security forces and authorities.¹⁹ Law enforcement's continued use of mediation to resolve domestic violence crimes during government lockdowns, for example, has put victims at risk.²⁰ Treating sexual domestic violence as a "marital conflict" that can be sorted out through cooperation from both parties trivializes the crime and can put survivors at risk of further violence and abuse.²¹ Accountability for public officials who have committed acts of sexual bribery is lacking. Often, officials are simply transferred to a different department as punishment for their actions. Survivors also face many barriers to accessing justice. Poor women do not always have the money to hire a lawyer, and gathering evidence can be a lengthy and cumbersome process, thus causing many women to abandon their cases. Some victims do not understand that sexual bribery is illegal, or do not know how to go about filing a complaint.⁴⁹¹

UN Human Rights Committee experts stated the following during a March 2023 dialogue at the occasion of the sixth periodic report of Sri Lanka on how it implements the provisions of the International Covenant on Civil and Political Rights: "The Committee welcomed the State party's adoption of the Prevention of Domestic Violence Act, but reports of domestic violence, often with impunity, were concerning. [...] Why were there were extreme delays in the investigation and adjudication of such cases, arbitrary outcomes and particularly very low conviction rates?"⁴⁹²

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

Responses by the Delegation [...]

In line with the Government's zero tolerance policy on sexual and gender-based violence, an action plan was drafted. 65 per cent of measures had been implemented and 48 per cent of goals had been achieved. A new action plan for 2023 to 2027 was in preparation. Safe homes had been established in ten districts for women affected by sexual and domestic violence. There were also two shelters for women with disabilities. The need for amending act 34 of 2005 had been examined by a committee of all stakeholders. Proposed amendments to the act included referring the aggrieved person to

⁴⁹⁰ Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [*Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights*](#), 30 January 2023, p. 6

⁴⁹¹ Women's Action Network/Alliance for Minorities/Human Rights Litigation and International Advocacy Clinic, [*Submission for Review: Sri Lanka to be considered in connection with the Sixth periodic report of Sri Lanka \(CCPR/C/LKA/6\) on its compliance with the International Covenant on Civil and Political Rights*](#), 30 January 2023, p. 7

⁴⁹² UN OHCHR, [*In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations*](#), 9 March 2023

counselling and medical services, monitoring of actions taken, and directives for police personnel in case of violation of regulations. [...]

Questions by Committee Experts [...]

A Committee Expert recognised efforts made by the State party to fight gender-based violence. How had the legislation worked in practice? Underreporting of gender-based violence was concerning, as it signified a mistrust in the complaints mechanism or authorities. The Committee was aware of several complaints made to State and human rights agencies but what were the outcomes for the victims and the perpetrators? Were there efforts to repatriate victims of sex trafficking in Oman? Sometimes the Attorney General appealed on behalf of the perpetrators of police violence and could even reduce their sentence. This climate of impunity was unacceptable.⁴⁹³

In a March 2023 report UNOCHA provided the following overview with regards to the protection response:

The last few months saw a significant increase in the HNP [Humanitarian Needs and Priorities] implementation rates. As of 15 March 2023, some 1,246,000 people have received in kind food or cash and voucher assistance. [...] The number of people who benefitted from Protection related interventions saw the most marked increase during this reporting period, going up to 60,000 from 48,000.

- 4,511 children and parents and caregivers received mental health and psychosocial support (MHPSS) during the reporting period. [...]
- 210 frontline officers received training on psychosocial first aid and self-care in eight districts. [...]
- 256 people received psychological education on GBV to develop skills and strategies to improve their psychosocial wellbeing.
- Three shelters, run by the Salvation Army and Nayakkanda convent, received financial support to assist GBV and trafficking victims.
- Seven shelters in Colombo, Batticaloa, Jaffna, Kandy, Mullaitivu, Matara and Anuradhapura continue to receive support to remain accessible to survivors and provide essential services for recovery. [...]

Due to the high cost of transportation, less people are able to benefit from protection services, and remote areas are underserved as government officials who deliver protection related services are not willing to visit the beneficiaries frequently with the unavailability of transport facilities and extra allowances.⁴⁹⁴

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

It is particularly concerned that the underreporting of violence against women persists owing to the sociocultural customs condoning such violence, the lack of trust in the police and the judiciary and the existing obstacles to effective access to justice, such as the mandatory participation of victims in mediation. It is also concerned about reports of long delays in investigating cases of violence against women and of arbitrary outcomes, very low conviction rates and ineffective sanctioning of perpetrators. While noting the State party's information on the partial implementation of the National Action Plan to Address Sexual and Gender-Based Violence 2016–2020, the Committee regrets the lack of specific

⁴⁹³ OHCHR news, [*In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations*](#), 9 March 2023

⁴⁹⁴ UNOCHA, [*Sri Lanka Multi-Dimensional Crisis Situation Report No. 13*](#), 15 March 2023

information on its impact on the reduction of violence against women or on the increase in prosecutions of such cases (arts. 2, 3, 6, 7 and 26).⁴⁹⁵

The Colombo Telegraph posted an article in March 2024 which commented on legal developments with regards to women's rights in Sri Lanka:

Recent legislative debates, like proposed amendments to deal with sexual consent, highlight the persistent resistance against entrenched biases. Sexual harassment has been a part of the social and political culture of Sri Lanka. More recently, a bill to amend Sections 363 and 364 of Chapter 19 of the Penal Code of Sri Lanka was gazetted.

According to the current law, even if a girl under 16 years of age has sexual relations of her own free will, it is considered rape. With the new amendments, if a girl between the ages of 14 and 16 has sexual relations with a person under the age of 22 with her consent, there will be no legal retribution against him. This amendment has been proposed under the purview of Minister of Judicial Affairs and Constitutional Reform. The Forum of Sri Lankan Women Parliamentarians has opposed this amendment. The National Child Protection Authority of Sri Lanka has also advised the government that they do not agree with the proposed amendment. The Leader of Opposition has called for a review of the government's decision. Whether the Minister has responded to these concerns is not yet known.⁴⁹⁶

Another article the same month by The Colombo Telegraph commented that:

Despite legislation such as the Prevention of Domestic Violence Act providing certain protections in this regard, the law is not implemented for the purpose of achieving its expressed intent. Additionally, the Act does not include economic violence within its defined scope of domestic violence. Furthermore, the Act has mandated family counselling before pursuing legal means such as filing cases in court.

This may push women towards withdrawing their complaints due to pressure and intimidation exerted on them by individuals and society. For example, socially, there is an expectation that women should keep their problems at home and in family as the marriage and family are sacrosanct. As a result, many women do not seek institutional assistance and legal protection. Going against such norms will lead to social stigmatisation. On the other hand, judicial processes are so lengthy, require huge amounts of resources and are time consuming; deterring many women from taking the judicial path.⁴⁹⁷

In an opinion piece by Shihana Mohamed, "a founding member and Coordinator of the United Nations Asia Network for Diversity and Inclusion (UN-ANDI) and a US Public Voices Fellow with The OpEd Project and Equality Now on Advancing the Rights of Women and Girls" published by Inter Press Service in November 2024 she wrote "The Prevention of Domestic Violence Act (PDVA), passed in 2005, provides legal protection for victims of domestic violence in Sri Lanka, allowing them to obtain protection orders against their abusers. The PDVA defines domestic violence as 'physical or emotional harm done by a spouse, ex-spouse, or cohabiting partner'. However, its effectiveness has been criticized due to issues with enforcement and limited awareness among both victims and law enforcement".⁴⁹⁸

⁴⁹⁵ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, para. 22

⁴⁹⁶ The Colombo Telegraph, [Gender Equality & Empowerment Of Women & The JVP; Lessons From The JVP's Evolution](#), 29 March 2024

⁴⁹⁷ The Colombo Telegraph, [Gender Equality, Empowerment Of Women & The JVP](#), 14 March 2024

⁴⁹⁸ Shihana Mohamed (Inter Press Service), [Ensuring Violence-Free Homes for Sri Lankan Women](#), 25 November 2024

Conflict related sexual violence

The Colombo Telegraph posted an article in March 2024 and noted:

In Sri Lanka, the issue of war widows continues to be a significant problem. Armed conflicts generated extreme trauma on war widows leading them to suffer from post-traumatic stress disorder (PTSD). In addition to psychological hardships, they continue to suffer from problematic legal, economic and social issues. These issues range from social exclusion, stigmatisation, sexual and financial exploitation, harassment, intimidation, security threats to demographic changes, post-war insecurities, financial hardships, restrictions by culture and tradition, and economic and land-rights inequalities. These issues have severely affected their lives within and outside the family.⁴⁹⁹

According to the Gender, Justice and Security Hub's (GJS Hub) Country Briefing published in March 2024, "Prosecution of conflict related sexual violence (CRSV) in Sri Lanka remains notoriously intractable, and there are a variety of practices, systemic shortfalls, gaps in the law, and procedural blind spots that work against the successful prosecution of CRSV in Sri Lanka".⁵⁰⁰ Moreover, the briefing reports that "State denials of such crimes and the State's exception lead to impunity, which strengthens cultural attitudes that stigmatise and silence the victim-survivor. The lack of witness protection, particularly in highly militarised contexts, also results in underreporting".⁵⁰¹

Cyber Sexual and Gender-Based Violence (CSGBV)

According to a January 2023 report by Equality Now and the Centre for Equality and Justice for consideration by CEDAW during the Pre-Sessional Working Group for its eighty-sixth session, "Currently there are no legal definitions identifying different forms of sexual and gender-based violence on online platforms in Sri Lanka. The lacunae in law in identifying and defining cyber violence particularly affect women, girls and sexual and gender minorities".⁵⁰²

A December 2023 study by Search for Common Ground Sri Lanka (SFCG) into Cyber Sexual and Gender-Based Violence in Sri Lanka of university students, members of the LGBTQI+ community and women in local government revealed that "A shared challenge among all three groups is the widespread reluctance to report incidents to the police, rooted in a lack of trust in law enforcement's efficacy and concerns about potential repercussions", as well as in the case of the LGBTQI+ community "distinctive risks [to report] due to the criminalization of homosexuality in Sri Lanka, hindering their willingness to report".⁵⁰³ The report further noted that "In terms of state response mechanisms, lawyers pointed out several challenges in the response to CSGBV cases by the Police and the Computer Crimes Investigation Division (CCID). These challenges include a lack of knowledge, capacity, resources and accessibility, as well as sensitivity in handling CSGBV cases. The study further reveals that patriarchal notions of gender

⁴⁹⁹ The Colombo Telegraph, [Gender Equality, Empowerment Of Women & The JVP](#), 14 March 2024

⁵⁰⁰ Gender, Justice and Security Hub (GJS Hub), [Country Briefing: Sri Lanka](#), March 2024

⁵⁰¹ Gender, Justice and Security Hub (GJS Hub), [Country Briefing: Sri Lanka](#), March 2024

⁵⁰² Equality Now and the Centre for Equality and Justice, [Information on The Democratic Socialist Republic of Sri Lanka for consideration by the Committee on the Elimination of Discrimination against Women during the Pre-Sessional Working Group for its 86th Session \(27 February 2023 – 03 March 2023\)](#), 26 January 2023, p. 3

⁵⁰³ Search for Common Ground Sri Lanka (SFCG), [Unveiling Digital Realities: Experiences of key-affected groups of Cyber sexual and Gender-based Violence in Sri Lanka](#), December 2023, Reporting Practices, Overall Observations, p. 24

roles and societal biases prevalent in the Police and CCID can lead to the revictimisation of victims of CSGBV”.⁵⁰⁴

The Human Rights Commission of Sri Lanka expressed its “grave concern” in January 2025 with respect to the “alarming number of incidents of abuse, harassment, and defamation directed at women on social media platforms. This trend of targeting women, including those in the public sphere, threatens their safety, dignity, and rights to privacy and equality”.⁵⁰⁵

Trafficking

The U.S. Department of State found in its annual report on trafficking in persons covering April 2023 to March 2024 that:

The Government of Sri Lanka does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period; therefore Sri Lanka remained on Tier 2. These efforts included increasing convictions of labor traffickers and identifying and providing services to more trafficking victims. The government made policy changes to strengthen victim care and reported more victims participated in criminal justice proceedings. The government canceled licenses and blacklisted more recruitment agencies allegedly responsible for facilitating trafficking; officials also reported providing assistance to a greater number of migrant workers at Sri Lankan diplomatic missions abroad. However, the government did not meet the minimum standards in several key areas. The government investigated and prosecuted fewer trafficking cases, and sentences for convicted traffickers remained lenient, which undercut efforts to hold traffickers accountable, weakened deterrence, created potential security and safety concerns for victims, and was not equal to the seriousness of the crime. The government appeared unwilling or unable to hold allegedly complicit officials accountable for trafficking, even suspected cases of child sex trafficking. The government did not cooperate with foreign law enforcement on trafficking cases despite many such cases involving migrant workers abroad. The government also referred fewer trafficking victims to services, and officials did not report ordering restitution for or providing compensation to trafficking victims. The government did not eliminate all recruitment fees charged by labor recruiters to workers nor increase monitoring of licensed recruitment agencies and subagents, and the government maintained gender-based labor migration policies that pushed Sri Lankan women to travel via unlicensed agents, which increased their vulnerability to trafficking.⁵⁰⁶

The report further highlighted that “Observers reported a lack of victim-centered approaches, capacity, and sensitization among police, immigration officials, and judges, particularly at the local level, remained an impediment to proper screening for trafficking victims, although police made some efforts to improve interactions with potentially vulnerable groups. Some officials may force victims to participate in the investigation and prosecution of trafficking cases or face penalties”.⁵⁰⁷

X. Treatment of Individuals of Diverse Sexual Orientations, Gender Identities and/or Gender Expression

⁵⁰⁴ Search for Common Ground Sri Lanka (SFCG), [Beyond the Screen: Perceptions of Lawyers on Response Mechanisms for Cyber Sexual and Gender Based Violence in Sri Lanka](#), 22 February 2024

⁵⁰⁵ Human Rights Commission of Sri Lanka, [Statement on Abuse and Harassment of Women on Social Media](#), 10 January 2025

⁵⁰⁶ U.S. Department of State, [2024 Trafficking in Persons Report: Sri Lanka](#), 24 June 2024

⁵⁰⁷ U.S. Department of State, [2024 Trafficking in Persons Report: Sri Lanka](#), 24 June 2024, *Protection*

a. By the State

1. Legal framework

In November 2023 the International Lesbian, Gay, Bisexual and Trans and Intersex Association (ILGA World) published an overview report of the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions.⁵⁰⁸ This report contains a summary of criminalising provisions in Sri Lanka's legal framework at the time of publication:

Article 365 (Cap.19) of the Penal Code (1885), as amended by the Penal Code (Amendment) Act (Act No. 22) (1995), punishes “unnatural offences” (defined as “carnal intercourse against the order of nature with any man, woman or animal”) with imprisonment for up to 10 years. Prior to this revision, consensual same-sex acts between women were not explicitly criminalised.

Moreover, Article 365A of the Code criminalises “acts of gross indecency” in public or private with imprisonment of up to two years and/or a fine.

Section 399 of the Penal Code (“cheating by personation”) has further been said to be used in targeting persons of diverse gender identities and expressions. Section 399 states that “a person is said to ‘cheat by personation’ if he cheats by pretending to be some other person, or by knowingly substituting one person for another, or representing that he or any other person is a person other than he or such other person really is”.⁵⁰⁹

The Centre for Equality and Justice (CEJ) noted in a study in January 2023 focusing on the prevalence of sexual bribery in the health and justice sectors in Sri Lanka that:

Voluntary carnal intercourse against the order of nature’ and ‘any act of gross indecency’ are criminalised under Sri Lanka’s Penal Code (a colonial legislation). This provision has been used to target individuals with diverse sexual orientations. Only heterosexual marriages are recognised in Sri Lanka. Sex work is not criminalised in Sri Lanka, except for the running of brothels. However, the Vagrants Ordinance (another colonial legislation) is used to arrest and convict sex workers of different sexual orientations and different genders in Sri Lanka. Consequently, sex workers and members of the LGBTQI community come under severe pressure in Sri Lanka and are vulnerable.⁵¹⁰

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that “by introducing hostile provisions against the queer and LGBTIQ+ community, the Penal Code and the ‘Vagrants Ordinance’ have also codified discriminatory intent. Sections of the Code criminalise sexual activities deemed ‘against the order of nature’ while law enforcement officials have used the ‘Vagrants Ordinance’, prohibiting disorderly conduct, to arbitrarily detain members of the transgender community”.⁵¹¹

The Australian Department of Foreign Affairs and Trade’s Country Information Report for Sri Lanka noted in May 2024 that “[T]he *Vagrants Ordinance* (1841), which empowers the police to detain

⁵⁰⁸ ILGA World, [Our Identities Under Arrest](#), 30 November 2023, Sri Lanka p. 209

⁵⁰⁹ ILGA World, [Our Identities Under Arrest](#), 30 November 2023, Sri Lanka p. 209

⁵¹⁰ Centre for Equality and Justice (CEJ), [Asking for my soul: A study on sexual bribery in the health and justice sectors in Sri Lanka](#), January 2023, 1.4. Status of Women and LGBTQI Community, p. 14

⁵¹¹ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Executive Summary, Overview of national trends, Sri Lanka, xii

people considered to be loitering in public, [has] also been known to be used against members of the lesbian, gay, bisexual, transgender, queer, intersex or asexual (LGBTQIA+) community”.⁵¹²

The U.S. Department of State’s annual human rights report covering 2023 stated that while the Sri Lankan constitution prohibits “discrimination based on sex and the Attorney General’s Department stated this implicitly granted equal rights to LGBTQI+ persons and protected them from discrimination”, this protection is not explicit in law and “discrimination was widespread”.⁵¹³

In March 2023, reporting on dialogue between Experts of the Human Rights Committee and the Sri Lankan government and it was noted that:

Questions and Statements by Committee Experts

[...] Further reports of discrimination and targeted harassment, including workplace bullying, arbitrary arrests and forced anal exams in attempts to obtain evidence to prove same-sex conducts, were concerning. What measures were taken to address these issues? [...]

Responses by the Delegation

[...] The Supreme Court judgment in appeal 32 of 2011 pronounced that consensual sex between adults should not be policed by the State nor subject to criminal charges. Since then, a private members bill had been drafted and was being considered. The bill amended the penal code in reference to lesbian, gay, bisexual, transgender and intersex persons. The Inspector General of Police had issued views on case 425 of 2021 on lesbian, gay, bisexual, transgender and intersex issues. Proceedings were terminated earlier this year. [...]

Questions by Committee Experts [...]

A Committee Expert asked what the status was of the constitutional reform process. A commitment was made during the Universal Periodic Review that discrimination based on language, sexual orientation and gender identity would be addressed in legislation. Did the State party still plan to do this?⁵¹⁴

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee expressed concern that “despite proposals made by the Subcommittee on Fundamental Rights of Sri Lanka in 2019, the Constitution does not include explicit guarantees of the Covenant rights, such as the right to life, the right not to be subjected to enforced disappearance, the right to privacy and the right to security of person, or a detailed list of prohibited grounds of discrimination, including sexual orientation and gender identity”.⁵¹⁵

As indicated by ILGA, same-sex marriage or civil unions are not currently provided for by Sri Lankan law, nor are there explicit legal protections against discrimination including in employment, health, in the provision of goods and services, and in education.⁵¹⁶

⁵¹² Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 50

⁵¹³ U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, *Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics* p. 54

⁵¹⁴ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers’ Alleged Human Rights Violations](#), 9 March 2023

⁵¹⁵ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, paragraph 5

⁵¹⁶ ILGA World, [World database](#), undated current webpage (accessed 2 January 2024), *Sri Lanka*

i. Penal Code (Amendment) Bill (2023)

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, “There has been no progress on decriminalising consensual same-sex relations. Section 365 of the Penal Code prohibits “carnal intercourse against the order of nature,” which is punishable with up to 10 years in prison and a fine. Section 365A punishes “any act of gross indecency” with up to two years in prison and a fine. These provisions criminalise consensual sex between same-sex people, including women. A private-member Bill was introduced in Parliament in August 2022 to amend these provisions. In a landmark case, the Supreme Court of Sri Lanka ruled on 9 May 2023 (13) that the Bill is “not inconsistent with the Constitution”. Its adoption would constitute a significant step forward for the rights of sexual minorities”.⁵¹⁷

In May 2024 ILGA World published a report tracking national legal developments related to 11 categories that affect LGBTQI+ individuals between January 2023 and April 2024.⁵¹⁸ It described an ongoing debate in Sri Lanka over a Bill that seeks to decriminalise consensual same-sex sexual acts between adults: the Penal Code (Amendment) Bill (2023) was introduced to Parliament on 4 April 2023 after its submission to the President as a private member’s bill in August 2022.⁵¹⁹ The Bill seeks to amend Section 356 of the Penal Code to decriminalise same-sex sexual acts.⁵²⁰

On 17 April 2023, a petition was filed with the Supreme Court requesting the Court consider whether the Bill is constitutional.⁵²¹ As ILGA World reports, quoting the judgment, the Supreme Court determined “that the bill is not unconstitutional and that the legislation ‘would, in fact, ensure that all persons shall be equal before the law and be entitled to the equal protection of the law, irrespective of their sexual orientation’, clearing the way for a Parliamentary debate and vote on the subject”.⁵²²

In its October 2023 report the UN High Commissioner for Human Rights noted that:

The Human Rights Committee had recommended that Sri Lanka take additional measures to protect individuals from violence on the basis of their sexual orientation and gender identity, to combat negative stereotypes and prejudice and to address discrimination.

In a positive legal development in May 2023, the Supreme Court determined that a bill seeking amendment of the Penal Code to decriminalize same-sex relations was consistent with the Constitution and may now proceed before Parliament.⁵²³

The Bill’s first and second readings were held on 20 November 2023 and 12 December 2023, respectively.⁵²⁴ On 22 November 2023, the Human Rights Commission of Sri Lanka (HRCSL) made recommendations to the Minister of Justice, Prison Affairs and Constitutional Reforms urging for the

⁵¹⁷ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.2. *International Covenant on Civil and Political Rights (ICCPR)*, p. 12

⁵¹⁸ ILGA World, [Laws On Us](#), 30 May 2024, *Sri Lanka* p. 58

⁵¹⁹ ILGA World, [Laws On Us](#), 30 May 2024, *Sri Lanka* p. 58

⁵²⁰ ILGA World, [Laws On Us](#), 30 May 2024, *Sri Lanka* p. 58

⁵²¹ [SC SD No. 13](#) (2023)

⁵²² ILGA World, [Laws On Us](#), 30 May 2024, *Sri Lanka* p. 58

⁵²³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 21

⁵²⁴ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 24 October 2023, para. 21

repeal or amendment of the relevant sections of the Code.⁵²⁵ Amnesty International noted, however, in its 2023 Sri Lanka Country report, that “the broad support needed for the bill to be passed into law remained elusive and the bill was not tabled in parliament by the end of the year”.⁵²⁶

On 13 August 2024, in the wake of the enactment of the Women Empowerment Act ([...] the HRCSL reiterated that the passage of the Bill “would ensure full compliance with Sri Lanka’s obligations under international law”.⁵²⁷

The Bill – alongside the Gender Equality Bill (2024) (see below) and the Women Empowerment Bill (before it became an Act of Parliament) have faced public resistance by religious leaders, according to reporting in the Daily Mirror.⁵²⁸ According to reporting in the Daily News, in February 2024 a group of “LGBTIQ+ community representatives” were invited to meet with the Speaker Hon. Mahinda Yapa Abeywardana to discuss the issues faced by the LGBTIQ+ community in relation to the Penal Code (Amendment) Bill 2023.⁵²⁹

ii. Gender Equality Bill (2024)

The Gender Equality Bill (2024) was introduced to Parliament in April 2024 and underwent its first reading in May 2024.⁵³⁰ One of its stated aims was to “ensure gender equality of persons of different gender identities”.⁵³¹ ILGA World notes that two petitions were filed against the Bill in the Supreme Court, and the Court ultimately ruled that:

[S]everal clauses of the bill would go against public order and morality of the country in breach of Article 15 of the Constitution. In particular, the bill included the right to “private and family life” regardless of “gender identity”, which, in the Court’s view, could be understood as including the right to same-sex marriage. Moreover, it also opposed the equal protection clause, which could be interpreted to allow the decriminalisation of consensual same-sex acts between [sic] adults. For this reasons, [sic] the court held that the bill would require both a special parliamentary majority and a referendum to be approved.⁵³²

iii. Enforcement of legal framework

Freedom House describes article 365 of the Penal Code as “rarely enforced” in its annual report on Sri Lanka covering 2023.⁵³³ The Australian Department of Foreign Affairs and Trade’s May 2024 Country Information Report for Sri Lanka notes that “Today, these laws [Sections 365, 365A, and 399] are generally not enforced”.⁵³⁴

⁵²⁵ Human Rights Commission of Sri Lanka, [Recommendation to Repeal/Amend Sections 365 and 365A of the Penal Code](#), 22 November 2023

⁵²⁶ Amnesty International, [The State of the World’s Human Rights](#), April 2024, Sri Lanka p. 352

⁵²⁷ HRCSL, [Follow up on Recommendation on Sections 365 and 365A of the Penal Code](#), 13 August 2024

⁵²⁸ Daily Mirror, [Religious leaders call for withdrawal of three Bills](#), 26 July 2024; Daily Mirror, [Mahanayaka Theras express displeasure over the move to decriminalize homosexuality](#), 25 July 2024

⁵²⁹ Daily News, [Sri Lanka’s LGBTIQ+ community representatives meet with Speaker](#), 15 February 2024

⁵³⁰ Parliament of the Democratic Socialist Republic of Sri Lanka, [Gender Equality Bill \(2024\)](#), 9 May 2024

⁵³¹ Parliament of the Democratic Socialist Republic of Sri Lanka, [Gender Equality Bill \(2024\)](#), 9 May 2024

⁵³² ILGA World, [World database](#), undated current webpage (accessed 2 January 2024), Sri Lanka

⁵³³ Freedom House, [Freedom in the World 2024: Sri Lanka](#), undated current webpage (accessed 2 January 2024)

⁵³⁴ Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 50

It has not been possible to definitively identify information related to the number of individuals arrested or prosecuted for their sexual orientation or gender identity from the sources consulted. A Sri Lanka Police performance report covering 2023 stated that there were no individuals reported or prosecuted for offences related to homosexuality in 2022, and 3 individuals reported but not prosecuted for offences related to homosexuality in 2023.⁵³⁵

Official crime statistics for 2022 do not explicitly refer to Sections 365, 365A, or 399 of the Penal Code.⁵³⁶ Official crime statistics for 2023 include that 675 cases were recorded with offences related to Sections 365, 365A, or 365B.⁵³⁷ However, the number of these cases involving consensual same-sex sexual acts between adults remains unclear. These statistics do not include offences related to Section 399 ('cheating by personation').

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

While noting the amendment made in 2022 to the Prevention of Terrorism Act, the Committee remains concerned that the Act continues to permit prolonged pretrial detention, of up to 12 months, without charge, contains a broad definition of terrorism and is used to legitimize the targeting of minorities, in particular Muslims and Tamils, critics of the Government and lesbian, gay, bisexual and transgender individuals, and to extract confessions through torture.⁵³⁸

Furthermore:

While noting the Supreme Court's pronouncement that consensual same-sex activity should not result in custodial sentences, the Committee remains concerned that lesbian, gay, bisexual and transgender persons continue to face criminalization under sections 365, 365A and 399 of the Penal Code and discrimination on a daily basis, including in accessing health care, employment and housing. It is also concerned by reports that lesbian, gay, bisexual and transgender persons are victims of arbitrary arrests and detention and are subjected to forced anal examinations in an attempt to gather evidence for prosecutions for same-sex conduct. It regrets that police officers handling cases of violence against lesbian, gay, bisexual and transgender persons often treat the victims as criminals (arts. 2, 7, 9, 17 and 26).⁵³⁹

In a November 2023 report ILGA World stated:

Specific details of cases or more accurate statistics are often difficult to come by as police regularly merge cases of consensual same-sex sexual acts with "unnatural offenses" and "sexual abuse" in their official reporting. Documentation of cases in lower courts is also sporadic, and lawyers and activists regularly intervene to secure a victim's release before charges are filed as this is reportedly the only way to prevent prosecution in court, meaning that a majority of cases of State-targeting have no formal record at all.⁵⁴⁰

⁵³⁵ Sri Lanka Police, [Performance Report 2023](#), *Offences related to corruption* p. 37

⁵³⁶ Sri Lanka Police, [Grave Crime Abstract For Whole Island From 01.01.2022 To 31.12.2022](#), undated current webpage (accessed 2 January 2024)

⁵³⁷ Sri Lanka Police, [Grave Crime abstract for the year 2023 for Whole island from 01.01.2023 To 31.12.2023](#), undated current webpage (accessed 2 January 2024)

⁵³⁸ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *para. 16*

⁵³⁹ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *para. 18*

⁵⁴⁰ ILGA World, [Our Identities Under Arrest](#), 30 November 2023, *Sri Lanka* p. 210

2. Harassment and violence

In December 2022 the National Legal Advisor in Sri Lanka for the International Commission of Jurists (ICJ) reported that “Two recent cases reported in the Sri Lankan media involving ‘psychiatric evaluations’ based on sexual orientation garnered interest among lesbian, gay, bisexuals, transgender, intersex and queer (LGBTIQ) individuals and their allies. The facts of these cases highlight how some members of the Police and the judiciary still consider same-sex relationships an aberration requiring ‘psychiatric evaluation’. It is unfortunate that some law enforcement officials and members of the judiciary have recourse to such discriminatory practices in violation of internationally recognized standards”.⁵⁴¹

A January 2023 joint NGO submission to the 85th Pre-Sessional Working Group of the Committee on the Elimination of Discrimination against Women stated that due to the criminalisation of consensual same-sex sexual relations, “onerous barriers to obtaining legal recognition of gender”, and the failure of Sri Lanka “to amend its Constitution or enact laws to prohibit discrimination based on sexual orientation and gender identity and expression”:

[L]esbian, bisexual, transgender, and queer (LBTQ) women in Sri Lanka are extremely vulnerable to harassment, violence and discrimination by State actors and by society at large. The continued criminalization of same-sex sexual relations leads directly to arbitrary arrest, violence and other abuses by the Sri Lanka Police.⁵⁴²

The U.S. Department of State’s annual report on Sri Lanka covering 2023 noted:

In January [2023] the Court of Appeal concluded a discrimination case against police, originally filed in 2021, with a ruling in favor of the petitioner. The 2021 petition accused a police trainer of using material that was discriminatory and derogatory towards the LGBTQI+ community during training for police officers. The Court of Appeal ruled the police trainer was bound by the police order (published as a result of the case) that prohibited arbitrary arrest, discrimination, and harassment of transgender persons.⁵⁴³

In March 2023, the Human Rights Commission of Sri Lanka launched guidelines for police officers on upholding the human rights of transgender individuals when interacting with them which include the following statements:

Transgender persons face physical attacks, verbal abuse, blackmail and attempts to be sexually harassed or any other form of violence, even at the Police stations, due to their gender identity [...]
When transgender persons cross-dress, police tend to criminalise such actions under section 399 of the Penal Code – “Cheating by Impersonation”. Also, the police usually erroneously judge these cross-dressed individuals as Sex-workers. Cross-dressing cannot be considered impersonation concerning transgender persons, and they should not be prejudiced as sex workers [...]
Transgender persons are often arrested under the Vagrants’ Ordinance merely because they stand on the road.⁵⁴⁴

⁵⁴¹ Internal Commission of Jurists (ICJ), [Sri Lanka: Stop unnecessary “psychiatric evaluations” based on sexual orientation](#), 1 December 2022

⁵⁴² Equal Ground and the Center for International Human Rights of Northwestern Pritzker School of Law, [Violations by Sri Lanka of the rights of lesbian, bisexual, transgender, and queer \(LBTQ\) women under the Convention on the Elimination of All Forms of Discrimination against Women](#), January 2023, Introduction p. 1

⁵⁴³ U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics p. 55

⁵⁴⁴ Human Rights Commission of Sri Lanka, [The Guideline for police officers to protect transgender persons](#), 15 March 2023

The Australian Department of Foreign Affairs and Trade's May 2024 Sri Lanka country report noted the following:

In-country sources told DFAT that, while it was rarely enforced, police used the threat of arrest under the law to harass members of the LGBTQIA+ community, including to demand money or sexual favours. In Jaffna, same-sex couples holding hands in public can be harassed in this way. Incidents of harassment against members of the LGBTQIA+ community largely go unreported. Victims are apprehensive to file complaints owing to concerns about their safety and a reluctance to bring attention to their sexual orientation.⁵⁴⁵

Bridge to Equality, a local non-profit organisation advocating for the rights of LGBTQI+ individuals, published a report in June 2023 that analysed 235 allegations of human rights violations faced by LGBTQI+ individuals in Sri Lanka, collated alongside two local partner organisations.⁵⁴⁶ These case studies were collected between August 2021 and March 2023, and as such some cases were collected before 21 July 2022. Of these cases, 149 individuals consented for their cases to be referred to the HRCSL.⁵⁴⁷ The most frequently reported perpetrators were police (96 cases, or over 40%) followed by medical professionals (64 cases, or over 27%) and municipal council officials (22 cases, or over 9%).⁵⁴⁸ 100% of cases involved complaints related to discrimination and equal protection, and 56% of cases involved complaints related to cruel, inhuman, or degrading treatment or punishment.⁵⁴⁹ Trans women made up the highest proportion of complainants, at 87 cases (37%).⁵⁵⁰

b. By the Family, Wider Community and Society

1. Societal norms

A 2023 qualitative research report produced by the Westminster Foundation for Democracy (a non-departmental public body sponsored by the UK's Foreign, Commonwealth & Development Office) stated that "reductive cultural norms and binaries" are perpetuated by the education system and in the workplace, and that "behaviours that don't fit within strict gendered stereotypes" result in ridicule and harassment by peers and colleagues.⁵⁵¹

The Australian Department of Foreign Affairs and Trade's May 2024 Country Information Report stated that "overall attitudes to the LGBTQIA+ community remain hostile, particularly in rural areas and among Muslims".⁵⁵² It goes on to note that:

In-country sources told DFAT that lesbian and bisexual women, particularly in rural areas, faced added difficulty being open about their sexuality due to traditional familial expectations and values. In-country sources told DFAT that being a woman in Sri Lanka – as a patriarchal society – was challenging in itself,

⁵⁴⁵ Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 50

⁵⁴⁶ Bridge to Equality, [Human Rights Violations Faced by the LGBTQ People in Sri Lanka](#), June 2023

⁵⁴⁷ Bridge to Equality, [Human Rights Violations Faced by the LGBTQ People in Sri Lanka](#), June 2023

⁵⁴⁸ Bridge to Equality, [Human Rights Violations Faced by the LGBTQ People in Sri Lanka](#), June 2023, p. 7

⁵⁴⁹ Bridge to Equality, [Human Rights Violations Faced by the LGBTQ People in Sri Lanka](#), June 2023, p. 6

⁵⁵⁰ Bridge to Equality, [Human Rights Violations Faced by the LGBTQ People in Sri Lanka](#), June 2023 p. 9

⁵⁵¹ Westminster for Democracy, [Beyond the Data: Examining lived experiences of LGBT+ Sri Lankans on housing, education, and employment](#), 14 November 2023, *Executive Summary*, p.III-IV

⁵⁵² Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 50

and the challenge of being a lesbian was greater still. Lesbian women are reportedly pressured by their families into heterosexual marriage and, like most women in Sri Lanka, face harassment in public, including on public transport.⁵⁵³

2. Harassment and violence

The Human Rights Commission of Sri Lanka guidance for police officers to protect transgender individuals' human rights contains the following statements:

Transgender persons face stigma, discrimination and violence in public places, such as non-verbal gestures, verbal abuses, threats and physical attacks [...]

Human Rights Defenders who work to promote and protect the human rights of LGBTI persons are an extremely vulnerable group and frequently become targets for persecutions and human rights violations.⁵⁵⁴

Several organisations also report the use of conversion therapy. The U.S. Department of State Sri Lanka country report covering 2023 stated:

There were some reports of so-called conversion therapy. According to LGBTQI+ community members, some parents sent their LGBTQI+ children to so-called therapy that included forced medication and harmful religious rituals. One activist in an interview said many parents believed their children needed conversion therapy so they could lead a normal life. There were no reports of irreversible "normalization" surgeries performed on children or nonconsenting adult intersex persons.⁵⁵⁵

The Australian Department of Foreign Affairs and Trade's May 2024 Sri Lanka Country Information Report states that according to in-country sources:

'Conversion therapy' is permitted in Sri Lanka, and some families are known to forcibly seek curative treatment for LGBTQIA+ family members at dedicated profit-making centres, or through witchcraft.⁵⁵⁶

The same source also goes on to discuss other forms of harassment and violence committed by family members:

According to in-country sources, members of the LGBTQIA+ community faced threats, physical and/or verbal abuse from family members, and may be forced into heterosexual marriage. In-country sources told DFAT that members of the LGBTQIA+ community concealed their sexual identity or left home in order to avoid family harassment and abuse [...]

According to in-country sources, it was common for trans women to be beaten by family members or experience physical attacks, verbal abuse and sexual violence from members of the public. Such risks were reportedly more pronounced in Jaffna and Batticaloa, and slightly less so in Colombo.⁵⁵⁷

⁵⁵³ Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 52

⁵⁵⁴ Human Rights Commission of Sri Lanka, [The Guideline for police officers to protect transgender persons](#), 15 March 2023

⁵⁵⁵ U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, *Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics* p. 56

⁵⁵⁶ Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 51

⁵⁵⁷ Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Sexual Orientation and Gender Identity* p. 51

3. Discrimination

In November 2022, UNOCHA issued a report on Sri Lanka's Multi-Dimensional Crisis which indicated with regards to the impact on protection that:

Furthermore, the socioeconomic crisis has exacerbated pre-existing forms of discrimination and inequalities, including gender inequalities, increasing harm and risks for women, girls and gender diverse people both in the home and in the community.⁵⁵⁸

Beyond family members, Freedom House stated in its annual report covering 2023 that "LGBT+ people face societal discrimination, occasional instances of violence, and some official harassment".⁵⁵⁹ The U.S. Department of State's 2023 report stated that "Some members of the LGBTQI+ community reported having been refused employment or forced out of work due to their sexual orientation"⁵⁶⁰ and that transgender individuals in particular "continued to face societal discrimination, including mistreatment, and discrimination accessing employment, housing, and health care".⁵⁶¹

The Australian Department of Foreign Affairs and Trade's May 2024 Country Report stated:

Discrimination, violence and bullying of transgender children is reportedly common in schools, and many do not complete their studies. Employers can be reluctant to hire transgender people, and DFAT is aware of accounts of transgender people being dismissed from their jobs because of their gender identity.⁵⁶²

A news article published in the Ceylon Times in November 2024 interviewed K. P Sanjeewani, the Executive Director of the Human and Natural Resources Development Foundation, a non-profit organisation that works alongside the LGBTQI+ community in some areas of Sri Lanka to prevent HIV and AIDS:

Sanjeewani, sharing insights into the challenges faced by the LGBTQ+ community in the Southern Province, emphasised several key areas of concern. One major issue is inadequate access to proper healthcare, particularly for transgender individuals undergoing transformation. She noted that many in the trans community resort to unregulated hormonal treatments or medications, often risking their health due to a lack of awareness and guidance.⁵⁶³

⁵⁵⁸ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Protection (including Child Protection & Gender-based Violence) and Education* p.37

⁵⁵⁹ Freedom House, [Freedom in the World 2024: Sri Lanka](#), undated current webpage (accessed 2 January 2024)

⁵⁶⁰ U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, *Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics*, p. 54

⁵⁶¹ U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, *Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics*, p. 54

⁵⁶² U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, *Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics*, p. 54

⁵⁶³ Ceylon Today, [LGBTQ+ Advocacy in the South Jeopardised](#), 30 November 2024

The same source also described discriminatory practices in education and other public service provision.⁵⁶⁴

In relation to discrimination in healthcare, Sri Lanka's National Policy on Gender Equality and Women's Empowerment (published on 12 March 2023) stated:

Despite services, legal barriers continue to prevent women and persons with different sexual orientations and gender identities from accessing essential and life-saving health services. The basic health needs of LGBTIQ+ people and the general population are the same, yet their sexual orientation and gender identity acts as a barrier in accessing health related information and services, including reproductive health. They often avoid or delay receiving health care, receive inappropriate or inferior care, face discrimination and prejudice when accessing services and may not be treated with confidentiality in health care settings. Yet, there is greater visibility of LGBTIQ+ persons in HIV/AIDS and sexually transmitted disease prevention intervention programmes, which poses a barrier to recognizing their need for general health and reproductive health services and may also reinforce negative stereotypes.⁵⁶⁵

c. Measures by the State to Protect Individuals of Diverse Sexual Orientations, Gender Identities and/or Gender Expression

In June 2024 the Swiss Refugee Council ('Schweizerische Flüchtlingshilfe') published a thematic report in German on the situation of transgender people in Sri Lanka, which can be viewed [here](#).⁵⁶⁶

1. Legislation and Policy

In 2016 a legal provision was introduced allowing for legal gender recognition and gender marker amendment, as the International Lesbian, Gay, Bisexual, Trans and Intersex Association reports:

[T]he Ministry of Health issued the Circular on the Issuance of the Gender Recognition Certificate (GRC) (Circular No. 01-34) (2016) establishing a procedure for legal gender recognition. The document stipulates that applicants seeking a gender marker change must undergo assessment and counselling from a psychiatrist at government-run hospitals, with those approaching psychiatrists in the private sector to be referred to the government facilities. The psychiatrist and head of the hospital must validate the Gender Recognition Certificate, at which point the applicant can present this to the registrar as evidence in order to amend the applicant's personal particulars. The period between the first consultation with a psychiatrist and the issuance of a Gender Recognition Certificate is generally, though not necessarily formally, considered as the time for a "real life test". This observation phase is strongly taken into account when issuing the GRC.

The Circular also establishes the Transgender Notification Register (TNR), which is maintained in the Psychiatric unit of the institution providing counselling and where the information of every person issued with a GRC is kept. Such information includes: name, date of birth, birth sex, "desired gender", National Identity Card number, bed-head ticket and clinic number. The GRC will be issued only to transgender persons above 16 years of age, according to the Circular. Applicants below 21 years of age require parental approval to make amendments to birth certificates.

Though the social, cultural and religious landscape of Sri Lanka does confer some recognition onto "third-gender" people, there is no legal gender recognition by the State outside of the male and female binary.⁵⁶⁷

⁵⁶⁴ Ceylon Today, [LGBTQ+ Advocacy in the South Jeopardised](#), 30 November 2024

⁵⁶⁵ Sri Lanka Ministry of Women, Child Affairs and Social Empowerment and UNFPA Sri Lanka, [National Policy on Gender Equality and Women's Empowerment](#), 12 March 2024, *Health: Key Considerations*, p. 28

⁵⁶⁶ Schweizerische Flüchtlingshilfe, [Sri Lanka: Situation von Transgender-Menschen](#), 27 June 2024

⁵⁶⁷ ILGA World, [World database](#), undated current webpage (accessed 2 January 2024), *Sri Lanka*

The U.S. Department of State's 2023 Sri Lanka country report stated that:

Transgender persons, however, reported the process to obtain a certificate was overly burdensome and included a mandatory psychiatric evaluation, which they said was difficult to obtain. They said some government officials did not support or understand the Gender Recognition Certificate process and the requirements to obtain them were not clear. The HRCSL reported receiving complaints of problems with the name and sex change process at registrar offices, and stated it intervened on behalf of the complainants. Medical gender reassignment procedures were free and covered by the health system, but human rights organizations reported in practice it was difficult to find doctors who understood transgender matters and provided adequate care. They stated sometimes hormone treatment was not available.⁵⁶⁸

Separately the Women Empowerment Act, No. 37 of 2024, which was certified and enacted in July 2024, includes as one of its aims to "protect women from all forms of discrimination based on gender and sexual orientation".⁵⁶⁹ A letter from the Human Rights Commission of Sri Lanka (HRCSL) stated "for the first time in Sri Lanka's legislative history, a person's right to non-discrimination on the grounds of sexual orientation has been formally recognised".⁵⁷⁰

Three months before the HRCSL published guidelines for police interactions with transgender individuals, the Sri Lankan police issued a Circular as a result of a case brought by Equal Ground before the Court of Appeal, explicitly prohibiting the humiliation, discrimination, and arbitrary arrest of transgender people by police officers.⁵⁷¹ This Circular was then updated in April 2024 to replace the term transgender people with the term "LGBTIQ Community".⁵⁷²

i. Investigation/prosecution of crimes against LGBTQI+ individuals

In August 2022, reporting in the Daily Mirror stated that:

The Kaduwela Magistrate has granted an interim protection order to protect a lesbian woman from her abusive parents. This is the first time such an order has been granted for a matter of this kind. The woman had been a victim of severe abuse, where for weeks her parents kept her unlawfully imprisoned at home because of her sexual orientation [...] The police also attempted to conduct a psychiatric assessment of the woman because of her sexual orientation and to subject her to physical examinations to find evidence of her homosexuality.⁵⁷³

The same source quotes the Equality Director at legal pro bono organisation iProbono as saying in response to the Court's decision: "it is evidence of 'evolving legal jurisprudence in Sri Lanka on the protection of the rights and safety of the LGBT+ community'".⁵⁷⁴

⁵⁶⁸ U.S. Department of State, [Sri Lanka 2023 Human Rights Report](#), 22 April 2024, *Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics* p. 55-6

⁵⁶⁹ Parliament of the Democratic Socialist Republic of Sri Lanka, [Women Empowerment Act, No.37 of 2024](#), certified 2 July 2024, *section 2d*

⁵⁷⁰ Human Rights Commission of Sri Lanka, [Follow up on Recommendation on Sections 365 and 365A of the Penal Code](#), 13 August 2024

⁵⁷¹ Sri Lanka Police, [Matters to be considered when dealing with transgender persons and persons who have undergone gender transition](#), 27 December 2022

⁵⁷² Sri Lanka Police, [Matters that should be taken into consideration when dealing with transgender persons and persons who underwent gender transition](#), 5 April 2024

⁵⁷³ Daily Mirror, [Court grants interim protection to lesbian from abusive parents](#), 30 August 2022

⁵⁷⁴ Daily Mirror, [Court grants interim protection to lesbian from abusive parents](#), 30 August 2022

A December 2023 study by Search for Common Ground Sri Lanka (SFCG) into Cyber Sexual and Gender-Based Violence in Sri Lanka of university students, members of the LGBTQI+ community and women in local government revealed that “A shared challenge among all three groups is the widespread reluctance to report incidents to the police, rooted in a lack of trust in law enforcement’s efficacy and concerns about potential repercussions”, as well as in the case of the LGBTQI+ community “distinctive risks [to report] due to the criminalization of homosexuality in Sri Lanka, hindering their willingness to report”.⁵⁷⁵

2. Statutory and non-statutory support

A January 2023 joint NGO submission to the 85th Pre-Sessional Working Group of the Committee on the Elimination of Discrimination against Women stated “Sri Lanka does not provide adequate support to [LBTQ women]”.⁵⁷⁶ It noted that earlier recommendations made to the Sri Lankan Government by the Committee had not been implemented at the time of publication, including to “Provide adequate protection, support systems and remedies, including reparation” and to “Ensure that victims of gender-based violence against women, including [LBTI] women, have access to effective civil and criminal remedies and protection, including counselling, health services and financial support”.⁵⁷⁷

A news article in the Ceylon Times describes regional variation in resource and statutory and non-statutory service provision, stating that “the limited resources in the South and the absence of well-established LGBTQ+ organisations discourage sustained efforts” and that most support services are concentrated in and around Colombo.⁵⁷⁸ The same source identified the reliance of non-statutory organisations on external, project-specific funding as a key constraint, alongside resistance from people and groups who do not identify with the LGBTQI+ community, political dynamics, and lack of awareness of support services for LGBTQI+ individuals.⁵⁷⁹

XI. Treatment of Persons with Disabilities

a. By the State (Legal Framework, Treatment and Protection)

The 2023 report by the International Federation for Human Rights (FIDH) and the Center for Human Rights and Development (CHRD) on human rights violations and harassment by authorities against protesters of the peaceful street protests of early and mid-2022 found that:

⁵⁷⁵ Search for Common Ground Sri Lanka (SFCG), [*Unveiling Digital Realities: Experiences of key-affected groups of Cyber sexual and Gender-based Violence in Sri Lanka*](#), December 2023, *Reporting Practices, Overall Observations*, p. 24

⁵⁷⁶ Equal Ground and the Center for International Human Rights of Northwestern Pritzker School of Law, [*Violations by Sri Lanka of the rights of lesbian, bisexual, transgender, and queer \(LBTQ\) women under the Convention on the Elimination of All Forms of Discrimination against Women*](#), January 2023, *Legal Context in Sri Lanka* p. 3

⁵⁷⁷ Equal Ground and the Center for International Human Rights of Northwestern Pritzker School of Law, [*Violations by Sri Lanka of the rights of lesbian, bisexual, transgender, and queer \(LBTQ\) women under the Convention on the Elimination of All Forms of Discrimination against Women*](#), January 2023, *Legal Context in Sri Lanka* p. 16

⁵⁷⁸ Ceylon Today, [*LGBTQ+ Advocacy in the South Jeopardised*](#), 30 November 2024

⁵⁷⁹ Ceylon Today, [*LGBTQ+ Advocacy in the South Jeopardised*](#), 30 November 2024

Police officers deployed for crowd control appeared to have not received adequate human rights training. They also appeared to lack training and sensitization to the specific needs of vulnerable groups at protests, including persons with disabilities and children. [...]

In various instances during the *aragalaya* protests, police and military personnel severely neglected to protect, and, in some cases, targeted persons with disabilities and children.⁵⁸⁰

The U.S. Department of State's annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

Various laws forbid discrimination against any person with physical, sensory, intellectual, or mental disabilities in employment, education, air travel, other public transportation, and access to health care. In practice, however, discrimination and accessibility issues occurred in employment, education, and provision of state services, including public transportation. Children with disabilities attended school at a lower rate than other children. There were regulations on accessibility, but accommodation for access to buildings and public transportation for persons with disabilities was rare. Disability rights groups alleged the government showed no interest in taking steps to implement further protections for persons with disabilities.

There are legal provisions for assisted voting of persons with disabilities. Anyone with a partial or full visual or physical disability may complete their ballot with the assistance of a person of their choice or the senior presiding officer if they are unable to be accompanied by an assistant. According to the Asian Network for Free Elections, most polling stations had stairs or steps, affecting wheelchair accessibility.⁵⁸¹

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that "The Convention on the Rights of Persons with Disabilities (CRPD) was adopted in 2006, and Sri Lanka ratified it in 2016".⁵⁸² On 17th July 2023 the Ministry of Justice, Prison Affairs and Constitutional Reforms shared with the Human Rights Commission of Sri Lanka the draft Protection of the Rights of Persons with Disabilities Bill.⁵⁸³ Next to making very specific recommendations, the Human Rights Commission of Sri Lanka noted the following general recommendations:

1. The standard of 'reasonable accommodation' should be more comprehensively integrated into the provisions of the Bill that set out the state's obligations;
2. The notion that women and children with disabilities face 'multiple' or 'intersectional' discrimination should be comprehensively integrated into the Bill, including a specific commitment that state measures to protect, promote, and fulfil the rights of persons with disabilities would be gender and age sensitive;
3. A meaningful consultation with the Human Rights Commission of Sri Lanka should be held to discuss the precise nature and scope of the Commission's role as an independent monitoring mechanism as contemplated by the Bill;

⁵⁸⁰ International Federation for Human Rights (FIDH) and the Center for Human Rights and Development (CHRD), [Anatomy of a crackdown: The repression of Sri Lanka's aragalaya protest movement](#), 1 January 2023, p. 30

⁵⁸¹ U.S. Department of State (USDOS), [Sri Lanka 2022 International Religious Freedom Report](#), 15 May 2023

⁵⁸² The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, *Sri Lanka: The Extent of Compliance with International Human Rights Obligations*, p. 180

⁵⁸³ Human Rights Commission of Sri Lanka, [Observations and Recommendations on the Draft Protection of the Rights of Persons with Disabilities Bill](#), 21 September 2023

4. 4. The composition, appointment process, and powers of the National Council for persons with Disabilities should be reviewed to ensure greater independence as well as respect for the fundamental rights of the people enshrined in the constitution.⁵⁸⁴

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

Follow-Up Questions by Committee Experts

[...] Reports indicated that persons with psychosocial or intellectual disabilities were deprived of their liberty in institutions. The Directorate of Mental Health had recommended some amendments to the existing Mental Health Act, which were under consideration. How would these amendments ensure the rights of persons with psychosocial or intellectual disabilities to challenge the legality of their detention before judicial authorities? [...]

Other reports were received that drug addicts at mandatory rehabilitation and treatment centres were not medically assessed before court orders to place them in such centres, which were akin to prisons. Further, detainees in these facilities had no legal representation, which seemed contrary to the Covenant. It was also reported that women, most of whom are considered as having psychosocial disability, are detained at the Methasevana detention centre in Gangodawila pursuant to the House Detention Ordinance of 1907 for acts of vagrancy without due process and satisfactory judicial review. How would any of these detainees be guaranteed legal assistance or be provided an opportunity to contest their confinement? [...]

Responses by the Delegation [...]

There were also two shelters for women with disabilities. [...]

The >Methasevana estate house housed women sentenced to rehabilitation instead of judicial sanctions. Its maximum capacity was 200 persons and currently just over 140 were housed there. Proper conditions, including psychosocial support, were provided. The program was subject to judicial oversight. Vocational training was also available for these women.⁵⁸⁵

Covering the year 2023, the U.S. Department of State's annual human rights report reported that "Various laws forbade discrimination against any person with physical, sensory, intellectual, or mental disabilities in employment, education, air travel, other public transportation, and access to health care. In practice, however, discrimination and barriers to accessibility occurred in employment, education, and provision of state services, including public transportation [...] There were regulations on accessibility, but accommodation for access to buildings and public transportation for persons with disabilities was rare. Disability rights groups alleged the government showed no interest in taking steps to implement further protections for persons with disabilities".⁵⁸⁶

UNICEF noted in July 2023 that "Since early 2022, Sri Lanka's economic crisis has impacted the livelihoods of many families limiting their access to basic healthcare, education, and nutritious food. This has especially worsened conditions for children with disabilities and families with infants".⁵⁸⁷

⁵⁸⁴ Human Rights Commission of Sri Lanka, [Observations and Recommendations on the Draft Protection of the Rights of Persons with Disabilities Bill](#), 21 September 2023

⁵⁸⁵ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations](#), 9 March 2023

⁵⁸⁶ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 6. Discrimination and Societal Abuses

⁵⁸⁷ UNICEF, [Education for every child, especially the most disadvantaged](#), 24 July 2023

The Disability Organization Joint Front published in 2024 its submission for the 19th pre-sessional working group of the UN Committee on the Rights of Persons with Disabilities and highlighted that:

Despite the government's assertion that the constitution includes provisions against discrimination based on disability, individuals with disabilities in Sri Lanka encounter discrimination across various sectors such as education, health services, employment, recreation, and political participation [...]

Access to education, health, rehabilitation, skill development, sport and employment are denied for persons with disability due to inaccessibility of transport. There are very few girls with disabilities who attend primary education and most of them are dropping out due to the economic situation of household and other health issues.⁵⁸⁸

Moreover, with regards to children with disabilities, the report noted that “The current system lacks a proper mechanism for early identification, interventions, and rehabilitation for children with disabilities, as well as the provision of appropriate assistive devices. Additionally, the unaffordability of tailor-made assistive devices due to their inaccessibility further compounds the difficulties faced by children with disabilities”.⁵⁸⁹

In addition, the same source noted that “People with disabilities are excluded from the government's 'Aswesuma' program aimed at supporting those living in poverty [...] Unfortunately, many individuals with disabilities living in poverty remain unaccounted for. Additionally, the government introduced an online complaint mechanism that is inaccessible to persons with disabilities. Failure to provide government announcements, laws, and orders in accessible formats such as Braille, large print, or sign language discriminates against individuals with disabilities. The recently introduced Taxpayer registration system for citizens above 18 lacks accessibility for persons with disabilities”.⁵⁹⁰

The Human Rights Commission of Sri Lanka issued a ‘Parallel Report’ to the UN Committee on the Rights of Persons with Disabilities in February 2024 in which it, following discussions with women with disabilities in 2019, highlighted:

- a. The absence of an effective mechanism to process complaints of sexual, verbal, physical and other forms of abuses suffered by women with disabilities;
- b. The need for proper sex education;
- c. The lack of adequate sanitation and hygiene for women with disabilities;
- d. The lack of access to water;
- e. Limited mobility;
- f. The absence of dedicated facilities and special medical attention for pregnant mothers with disabilities;
- g. The need to provide adequate pre- and post-natal care;

⁵⁸⁸ Disability Organization Joint Front, [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, V. *Specific rights, Article 5, Equality and non-discrimination and Article 6, Women with disabilities*

⁵⁸⁹ Disability Organization Joint Front, [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, V. *Specific rights, Article 7, Children with disabilities*

⁵⁹⁰ Disability Organization Joint Front, [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, V. *Specific rights, Article 5, Equality and non-discrimination*

- h. The lack of effective implementation of the 3% employment quota for women with disabilities;
- i. The lack of accessibility to government buildings;
- j. The absence of a dedicated mechanism to assist, empower and mainstream women entrepreneurs with disabilities into the competitive market, as well as attitudinal barriers encountered by the women entrepreneurs with disabilities when conducting business;
- k. The gender pay-gap and other forms of gender-based discrimination in employment faced by women with disabilities;
- l. The absence of structured and regular vocational training programmes that orient and equip women and young girls with disabilities with necessary skills to meet current labour market demands;
- m. Attitudinal barriers in the form of stigma and prejudice against women with disabilities;
- n. Domestic violence and abuse against women with disabilities;
- o. The lack of access to property among women with disabilities due to patriarchal attitudes in terms of inheritance.⁵⁹¹

The same source mentioned with regards to children with disabilities that “beyond admission, there are a number of challenges encountered by children with disabilities in terms of the facilities to access education and the quality of education. The HRCSL observes that school transportation often lacks necessary accommodation for students with disabilities, thereby hindering their mobility. Furthermore, within school premises, a range of accessibility issues persists, limiting the overall inclusivity of the learning environment. It is also observed that the shortage of specialised teachers exacerbates the problem, as these professionals play a crucial role in catering to the unique needs of students with disabilities. Compounding these challenges is the scarcity of educational equipment tailored for persons with disabilities”.⁵⁹²

At the end of December 2024, The Daily News published another feature on diversity, equity, and inclusion in Sri Lanka, writing that:

The policies introduced by the National Peoples’ Power (NPP), the party now in the seats of power, concerning National Policy and Workplan for Persons with Disabilities, aims to foster an equity where people with disabilities have rights, are independent economically as well as socially. Given that 8.7% of the nation’s population has a disability, the core value behind this policy is the availability of appropriate education, employment, health and well-being and other public services for them. The three key policy elements include making provision for accessibility, demanding accountability from the State and enabling persons with disabilities to participate in policy processes. It complements the International Convention on the Rights of Persons with Disabilities (CRPD) in emphasising the principles of equality and human dignity. The workplan describes a wide spectrum of plausible activities including developing physical infrastructure, prescriptive delivery of public services, and integrated market place, pluralistic perspectives on markets and health services. It stresses among legal reforms, vocational training, entrepreneurship and appropriate workplace arrangements. Also, it supports technical development of assistive devices and

⁵⁹¹ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Rights of Persons with Disabilities](#), February 2024, *Women with Disabilities (Article 6)*, p. 4

⁵⁹² Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Rights of Persons with Disabilities](#), February 2024, *Children with Disabilities (Article 7) and Education (Article 24)*, p. 5

improvement of public campaigns against stigma and discrimination. The policy covers every aspect on par with what is universally acknowledged so far.⁵⁹³

b. By the Family, Wider Community and Society

The November 2022 summary of stakeholders' submissions for Sri Lanka's Universal Periodic Review stated that:

64. JS22 [Joint submission 22 submitted by: Disability Organisations Joint Front, Rathmalana (Sri Lanka)] stated that persons with disabilities had been consistently marginalized in the Sri Lankan polity and society mainly due to the charity mindset fuelled by religious and cultural influences. The dominant approach remained premised on charity and welfare, contrary to the obligations in the United Nations Convention on the Right of Persons with Disabilities. It also noted that attempts to introduce a rights-based approach through policy and legislative frameworks had remained largely rhetorical and not transformed into reality.⁵⁹⁴

The U.S. Department of State's annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

Various laws forbid discrimination against any person with physical, sensory, intellectual, or mental disabilities in employment, education, air travel, other public transportation, and access to health care. In practice, however, discrimination and accessibility issues occurred in employment, education, and provision of state services, including public transportation. Children with disabilities attended school at a lower rate than other children. There were regulations on accessibility, but accommodation for access to buildings and public transportation for persons with disabilities was rare.⁵⁹⁵

The USDOS annual report on human rights in Sri Lanka, covering 2023 and published in April 2024, also referred to "a stigma against hiring youth with disabilities" and noted that "There were regulations on accessibility, but accommodation for access to buildings and public transportation for persons with disabilities was rare".⁵⁹⁶

The Disability Organization Joint Front published in 2024 its submission for the 19th pre-sessional working group of the UN Committee on the Rights of Persons with Disabilities and highlighted that:

Young women with disabilities are facing harassment, marginalisation and many domestic violence apart from sexual abuses, exploitations and violations by third parties. Most of the cases are not reported due to communication gaps and social dignity of the family. In Particular, they were not able to communicate directly with Police and legal officers. Also, visually impaired persons have facing difficulties in identifying the criminal. Also, many children, especially girls with disabilities, are not aware about "Good Touch and Bad Touch".⁵⁹⁷

The same report further commented that:

Women with disabilities in the country face low political literacy and participation, attributed to challenges such as inaccessible information, a male-dominated culture, negative attitudes towards

⁵⁹³ The Daily News, [Embracing Diversity, Equity, and Inclusion \(DEI\)](#), 31 December 2024

⁵⁹⁴ UN General Assembly, Human Rights Council, [Summary of stakeholders' submissions on Sri Lanka: Report of the Office of the United Nations High Commissioner for Human Rights](#), 7 November 2022, p. 8

⁵⁹⁵ U.S. Department of State (USDOS), [Sri Lanka 2022 International Religious Freedom Report](#), 15 May 2023

⁵⁹⁶ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁵⁹⁷ Disability Organization Joint Front, [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, V. *Specific rights, Article 6, Women with disabilities*

women with disabilities, and a lack of accessible spaces or reservations to provide opportunities for them. [...]

Children with disabilities face increased risks of abuse, violence, and exploitation during the current economic crisis. Parents, compelled to work, leave children with disabilities at home unattended. Moreover, some parents exploit their children with disabilities, capitalising on societal pity to raise income. [...]

Public transport, including buses and trains, poses obstacles for individuals using wheelchairs or prosthetic limbs, exacerbated by the construction of bus halts and stands that fail to adhere to accessibility guidelines established after the issuance of accessibility regulations.

The pervasive lack of accessibility extends to various essential institutions, including schools, post offices, banks, supermarkets, libraries, and hotels, thereby limiting the active participation of persons with disabilities. It is imperative that urgent measures be taken to address these ongoing accessibility challenges and ensure the full inclusion and participation of individuals with disabilities in all aspects of society. [...]

Moreover, physical infrastructure, including roads and buildings, poses significant challenges for persons with physical disabilities as they are often not designed with accessibility in mind. The lack of ramps, elevators, and other accommodations hinders the mobility and independence of individuals with physical disabilities. [...]

There are persons with disabilities experiencing discrimination and negative attitudes in relation to their rights to marry, choice of relationships, found a family and parenting. Medical certificates from the board of Medical Council required for the marriages of persons with intellectual disabilities. [...]

Furthermore, the higher education landscape presents obstacles for children with hearing impairments in general schools. Access to G.C.E. A/L (Advanced Level) studies is limited, with a notable absence of teachers proficient in teaching A/L subjects in Braille and sign language. This lack of accessibility hinders the academic progression of students with hearing impairments, highlighting a critical gap in inclusive education practices that necessitates urgent attention and rectification. [...]

In Sri Lanka, the accessibility of healthcare facilities for persons with hearing impairments remains a critical concern. A significant issue is the lack of proficiency in sign language among doctors in Outpatient Departments (OPD) hospitals and specialists/consultants. This communication barrier hinders patients with hearing impairments from fully understanding accurate information about their illnesses, diseases, and treatment plans. [...]

The high cost of hearing aids, coupled with their exclusive availability in the private sector, imposes a substantial financial burden on individuals with hearing impairments. Additionally, there is a noteworthy absence of a government center dedicated to manufacturing essential assistive devices such as wheelchairs, supportive seats, crutches, and walking frames. Addressing these gaps is essential to ensure equitable access to healthcare and assistive technologies for persons with disabilities in Sri Lanka. [...]

Homelessness among persons with disabilities is exacerbated by various factors, including restricted access to housing loan schemes offered by both public and private sector financial organizations.⁵⁹⁸

⁵⁹⁸ Disability Organization Joint Front (DOJF), [Submission by Disability Organisations Joint Front - Sri Lanka for the 19th Pre-Sessional Working Group of the Committee on the Rights of Persons with Disabilities in 2024](#), 2024, pages 7-13, 19-21, and 23

XII. Treatment of Religious and Ethnic Minorities

The U.S. Department of State noted in its annual 2023 report on international religious freedom that “Because religion, language, and ethnicity are closely linked, it was difficult to categorize most incidents of harassment or discrimination as being solely based on religious identity”.⁵⁹⁹

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective explained that “Sri Lanka sees a significant overlaying of ethnic and religious identities. Most Muslims in the region are Sri Lankan Moors and Malays while Tamil minorities identify as Hindus”.⁶⁰⁰ The same report further noted that:

In Sri Lanka, laws such as the ICCPR Act, meant to give effect to the rights enshrined in the ICCPR, are fraught with contradictions. For example, the said Act fails to adequately protect fundamental civil rights such as the right to fair trial, which have been shown to disproportionately affect the country’s minorities. While the state’s constitution promises equality and non-discrimination, it does not accord protection to minority groups explicitly. Sri Lanka also allows little space for dissent, particularly in the case of minority groups.⁶⁰¹

Regarding religious demography, the U.S. Department of State noted in its annual 2023 report on international religious freedom that:

The U.S. government estimates the total population at 21.9 million (midyear 2023). The 2012 national census, the most recent available, lists the population as 70.2 percent Buddhist, 12.6 percent Hindu, 9.7 percent Muslim, and 7.4 percent Christian. According to census data, the Theravada Buddhist community, which makes up nearly all the country’s Buddhists, is the majority population in the Central, North-Central, Northwestern, Sabaragamuwa, Southern, Uva, and Western Provinces.

Most Sinhalese are Buddhist and are commonly referred to as Sinhala Buddhists, an ethnoreligious group. Tamils, mainly Hindu with a significant Christian minority, constitute the majority in the Northern Province and represent the second largest group, after Muslims, in the Eastern Province. Muslims are legally recognized as a separate ethnoreligious group, rather than as Tamil or Sinhalese. Within the Muslim community there are several communities, ranging from the majority Tamil-speaking Moors to Malays (whose ancestry traces to Java) and to the Memons and Bohras, who have Indian roots tracing back to Mumbai and Gujarat. Tamils of Indian origin, who refer to themselves as Upcountry or Hill Country Tamils, are mostly Hindu and identify themselves as a distinctive ethnic group; they have a large presence in the Central, Sabaragamuwa, and Uva Provinces. Muslims form a plurality in the Eastern Province, and there are sizable Muslim populations in the Central, North-Central, Northwestern, Sabaragamuwa, Uva, and Western Provinces. Christians reside throughout the country but have a larger presence in the Eastern, Northern, Northwestern, and Western Provinces, and a smaller presence in Sabaragamuwa and Uva Provinces.

Most Muslims are Sunni, with small Ahmadi and Shia minorities, the latter mostly comprised of Dawoodi Bohras. According to government statistics, an estimated 81 percent of Christians are Roman Catholic. Other Christian groups include the Church of Ceylon (Anglican), the Dutch Reformed Church, Methodists, Baptists, the Assembly of God, Pentecostals, The Church of Jesus Christ of Latter-day Saints, and Jehovah’s Witnesses. Christian evangelical and nondenominational Protestant groups have grown in recent years, but there are no reliable estimates of their numbers. According to the government, their

⁵⁹⁹ U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, Section III. Status of Societal Respect for Religious Freedom

⁶⁰⁰ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Introduction, p. xxxiii

⁶⁰¹ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Introduction, p. xxxviii

membership remains low compared with the larger Christian community. There is a small Jewish population living in different parts of the country.⁶⁰²

The same report further noted that “Some representatives of minority religious communities and NGOs stated they believed the government viewed the Muslim community as a threat to cultural, land, and population hegemony of the majority Sinhalese Buddhist community, the Christian community as responsible for inducing unethical conversions in the country, and the Hindu community as encroaching on Buddhist archaeological sites”.⁶⁰³

a. Legal Framework for the Protection of Religious and Ethnic Minorities

The WorldWatch Monitor states on its ‘Sri Lanka’ country page that “Ostensibly a secular state, Sri Lanka’s new Constitution emphasises that Buddhism is the state religion, while belief in Buddhist supremacy remains widespread”.⁶⁰⁴

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that “Sri Lanka’s Constitution guarantees religious freedom for all but Buddhism is given primacy, substantially modifying and diluting the legal effect of the right to freedom of worship and equality”.⁶⁰⁵

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

While noting that the Constitution recognizes Buddhism, Islam, Hinduism and Christianity, the Committee notes with concern that Buddhism continues to be granted “the foremost place” under its article 9. It is concerned about continuing ethno-religious hostility targeting religious minority groups and about persisting discrimination, violence, hate speech and misinformation, on- and offline, and incitement to hatred and violence against such groups. It is also concerned about reports of discrimination and attacks on places of worship of religious minorities (arts. 2, 19, 20 and 26).⁶⁰⁶

b. Treatment of Religious and Ethnic Minorities

The UK Foreign, Commonwealth & Development Office reported in its 2022 report on human rights and democracy summarised the year as follows:

Minority communities faced continued marginalisation by state authorities. State-supported land appropriation, so called ‘land grabs’, sparked concerns over their impact on demographics in the north and east and their impact on the freedom of belief of non-Buddhist denominations.

⁶⁰² U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, *Religious Demography*

⁶⁰³ U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, *Section II. Status of Government Respect for Religious Freedom*

⁶⁰⁴ WorldWatch Monitor, [Sri Lanka](#), Undated [Last accessed: 31.12.2024]

⁶⁰⁵ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, *Executive Summary, Overview of national trends, Sri Lanka, xii*

⁶⁰⁶ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *paragraph 38*

Security forces continued to disrupt Tamil commemorative events for victims of Sri Lanka's armed conflict, and arbitrarily accused Tamils of links to terrorist organisations. Activists and families of the disappeared in the north-east faced surveillance, harassment and intimidation by security forces. President Wickremesinghe committed to pursue a political solution with Tamil parties in December. Eight proscribed Tamil Diaspora organisations were also delisted, although some Muslim welfare organisations and individuals, including poet, Ahnaf Jazeem remained listed.⁶⁰⁷

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

While noting the amendment made in 2022 to the Prevention of Terrorism Act, the Committee remains concerned that the Act continues to permit prolonged pretrial detention, of up to 12 months, without charge, contains a broad definition of terrorism and is used to legitimize the targeting of minorities, in particular Muslims and Tamils, critics of the Government and lesbian, gay, bisexual and transgender individuals, and to extract confessions through torture. [...]

The Committee is concerned that the State party's Constitution subjects the right to freedoms of peaceful assembly and association to additional restrictions pertaining to racial and religious harmony, which is utilized to target ethnic and religious minorities and restrict their freedoms of peaceful assembly and association. It notes with concern the use of excessive force in dispersing peaceful assemblies, the application of counter-terrorism legislation against protestors and the lack of effective investigations and prosecutions in these cases. It is concerned about onerous requirements for the registration of non-governmental organizations and frequent denials of requests from organizations working on politically sensitive issues. It also regrets allegations of harassment and surveillance of members of civil society by the police and intelligence services (arts. 21, 22 and 26). [...]

The Committee is concerned about reports that Sinhala-centric language practices in public institutions have excluded Muslims and Tamils from participation in public affairs. It is also concerned about reports of vote-buying, political bribery and attempts to hinder and deter members of minorities from voting, including by means of violent attacks and unauthorized roadblocks, during the presidential elections in 2015 and 2019. It notes with concern the lack of information on specific steps taken to protect the independence of the Election Commission to enable it to independently carry out its mandate in accordance with the law. It regrets that the local government elections, which had been scheduled for 9 March 2023, did not take place owing to a reported lack of funding and were postponed repeatedly (arts. 25 and 26).⁶⁰⁸

The U.S. Department of State noted in its annual 2023 report on international religious freedom that "According to civil society groups, members of the CID, military intelligence, local police stations, the Terrorism Investigation Department, the army, and the navy surveilled minority religious groups. In many cases, officers were dressed in civilian clothing and did not provide identification. Muslim civil society representatives said that young persons involved in social work and the parents and relatives of those detained under the PTA were the main targets of state surveillance. Civil society representatives said that police and intelligence services used "national security," "disturbance of the peace," and "criminal trespass and intimidation" as pretexts to harass and intimidate members of minority religious groups. They said that in some cases, law enforcement officers acted in concert with local residents or members of the Buddhist clergy".⁶⁰⁹

⁶⁰⁷ UK Foreign, Commonwealth & Development Office, [Human Rights and Democracy: the 2022 Foreign, Commonwealth & Development Office report](#), 13 July 2023, *Sri Lanka*

⁶⁰⁸ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *paras. 16, 42 and 43*

⁶⁰⁹ U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, *Section II. Status of Government Respect for Religious Freedom*

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Christians

The WorldWatch Monitor states on its 'Sri Lanka' country page that "Buddhist monks, who are influential in the villages, are the main source of pressure on Christians. Church services and prayer meetings have been stopped and church buildings attacked by mobs. Church leaders are most vulnerable. Christians from Buddhist, Muslim or Hindu backgrounds are seen as traitors and subjected to physical and verbal assaults".⁶¹¹

Concretely the U.S. Department of State noted in its annual 2023 report on international religious freedom that "During the year [2023] the National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented 43 anti-Christian cases of intimidation of and violence against pastors and their congregations, obstruction of worship services, discriminatory actions, and attacks on churches, compared with 80 cases in 2022. [...] In many of the incidents, the NCEASL said police or other officials played a role, and, in cases of intimidation or attacks by Buddhist groups on Christian churches, the NCEASL reported that police often said the pastors were to blame".⁶¹²

Jehovah's Witnesses

The Asia-Pacific Association of Jehova's Witnesses and The European Association of Jehovah's Witnesses highlighted in their January 2023 joint submission to the UN Human Rights Committee: "Since 1998, they have made repeated attempts to clarify their situation with the Department of Christian Religious Affairs (DCA), seeking registration [...] This lack of formal registration may be a

⁶¹⁰ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, *parags. 42 and 43*

⁶¹¹ WorldWatch Monitor, [Sri Lanka](#), Undated [Last accessed: 31.12.2024]

⁶¹² U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, *Executive Summary*

contributing factor to widespread discrimination against individual Jehovah's Witnesses by law-enforcement officers, teachers and government officials. Unverified allegations from adherents of mainstream religions are frequently accepted unchallenged, and Jehovah's Witnesses are treated as criminals before their version of events is even heard. Complaints by Jehovah's Witnesses about crimes against them result in prosecutions only after repeated visits to the police, either in person or by lawyers".⁶¹³ Moreover, "it is difficult, or even impossible, for Jehovah's Witnesses in Sri Lanka to obtain approval to build houses of worship (Kingdom Halls)".⁶¹⁴

Muslims

The U.S. Department of State noted in its annual 2023 report on international religious freedom that "During the year [2023] the National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented [...] nine incidents against Muslims [...] including threats, discrimination, and violence. In many of the incidents, the NCEASL said police or other officials played a role [...]".⁶¹⁵ Specifically the report mentioned that "Muslim NGOs and organizations continued to report police harassment and surveillance of their activities since the 2019 Easter Sunday bombings. Muslim families of the PTA prisoners arrested in connection with the attack and those who were released on bail reported continued harassment, including regular telephone calls and visits by government security forces to ask about their activities".⁶¹⁶

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that "Under the guise of fulfilling its core obligations under the ICCPR, the state has operationalised its intent through the International Covenant on Civil and Political Rights Act, No 56, resulting in discriminatory legal outcomes for minority communities, particularly Muslims and Tamils".⁶¹⁷ Moreover, the same report highlighted that "Sri Lanka's privileged treatment of the Sinhalese Buddhists, leaves Muslims and Tamil minorities excluded from state protection".⁶¹⁸

In June 2024 Human Rights Watch (HRW) reported that "Government officials in Sri Lanka are withholding exam results from 70 Muslim women and girls because their head coverings allegedly covered their ears [which could have allowed them to conceal Bluetooth earpieces] while they took their exams. The decision violates the students' right to freedom of religion and further entrenches discrimination widely experienced by Muslims in Sri Lanka".⁶¹⁹

⁶¹³ Asia-Pacific Association of Jehovah's Witnesses/The European Association of Jehovah's Witnesses, [Joint Submission to the United Nations Human Rights Committee Subsequent to the Adoption of the List of Issues 137th session \(27 February–24 March 2023\), Sri Lanka](#), 27 January 2023, paras. 2-3

⁶¹⁴ Asia-Pacific Association of Jehovah's Witnesses/The European Association of Jehovah's Witnesses, [Joint Submission to the United Nations Human Rights Committee Subsequent to the Adoption of the List of Issues 137th session \(27 February–24 March 2023\), Sri Lanka](#), 27 January 2023, para. 5

⁶¹⁵ U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, Executive Summary

⁶¹⁶ U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, Section II. Status of Government Respect for Religious Freedom

⁶¹⁷ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Executive Summary, Overview of national trends, Sri Lanka, p. xii

⁶¹⁸ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Introduction, p. xxxiii

⁶¹⁹ Human Rights Watch (HRW), [Sri Lanka Blocks Exam Results over Muslim Head Coverings](#), 26 June 2024

(Tamil) Hindu

The U.S. Department of State noted in its annual 2023 report on international religious freedom that “During the year [2023] the National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented [...] 13 incidents against Hindus, including threats, discrimination, and violence. In many of the incidents, the NCEASL said police or other officials played a role [...]”.⁶²⁰

CIVICUS reported that in March 2024 “eight Tamil Hindu worshippers were arrested by police while engaging in festival rituals and were detained for more than 10 days and allegedly abused. A magistrate released them on 19th March. The eight were arrested at the Veddukkunaari temple near Vavuniya, a Hindu shrine that Buddhist monks, backed by the government’s Department of Archaeology, say is an ancient Buddhist site. It is one of numerous temple sites in northeastern Sri Lanka claimed by nationalist Buddhist monks, frequently with the support of government agencies and the security forces. According to HRW, the Vavuniya magistrates court had earlier ruled that the rituals for the festival of Shivaratri, the principal festival day of the god Shiva, could go ahead at Veddukkunaari. However, on the evening of 8th March 2024, police arrived and assaulted worshippers, including an opposition member of parliament. Rights activists told Human Rights Watch the detainees said they were beaten in custody and their families denied access to them for the first three days. On the night of the festival, riot police were deployed, and police placed roadblocks preventing devotees from parking near the vicinity of the temple”.⁶²¹

In July 2024 Human Rights Watch (HRW) accused the Sri Lankan authorities of “conducting a campaign to deny Hindus and other religious minorities access to places of worship and other property and redesignate locations as Buddhist sites”.⁶²² The organisation further explained that “Government agencies, including the Department of Archaeology, the military, and police, have taken part in a concerted strategy assailing the culture and practices of religious minorities. They are promoting majority Sinhalese Buddhist settlement in Sri Lanka’s north and east to the detriment of the predominantly Tamil and Muslim populations’ rights to property and religious freedom”.⁶²³

Access to land in the northern and eastern areas of Sri Lanka

The following report, published in March 2022 by the People for Equality and Relief in Lanka (PEARL) provides useful background information on the [State-sponsored Sinhalization of the North-East](#). A more recent report, published in September 2024 by The Oakland Institute, focused on the “rapidly escalating colonization of Tamil and Muslim lands in Trincomalee District”.⁶²⁴ According to the research:

Sinhalese colonization and settlements in Tamil lands, under the guise of development, have been prevalent since the independence of the country. This new research exposes the intensification since the end of the civil war in 2009 and details the different methods deployed by successive governments and the military to further disempower Tamil and Muslim communities.

⁶²⁰ U.S. Department of State, [2023 Report on International Religious Freedom](#), 26 June 2024, *Executive Summary*

⁶²¹ CIVICUS, [Sri Lanka: Authorities continue to target activists, stifle protests and silence journalists, as elections draw near](#), 31 July 2024

⁶²² Human Rights Watch (HRW), [Sri Lanka: Authorities Target Religious Minorities](#), 28 July 2024

⁶²³ Human Rights Watch (HRW), [Sri Lanka: Authorities Target Religious Minorities](#), 28 July 2024

⁶²⁴ The Oakland Institute, [Trincomalee Under Siege: Land Grabs Target the Tamil Homeland in Sri Lanka](#), 12 September 2024

Six predominantly Tamil and Muslim populated Divisional Secretary (DS) Divisions within Trincomalee have been subjected to intensive land grabbing. As a result, Sinhalese now constitute 27 percent of Trincomalee's total population and occupy 36 percent of the district's total land area. The Kuchchaveli DS Division, which geographically connects the Northern and Eastern Provinces, has undergone the worst dispossession during the past ten years. At least 41,164 acres of land have been expropriated in the Division – comprising over 50 percent of the total land area. This has been in part carried out under the guise of “development” projects that settle Sinhalese peasants in Tamil areas – a process known as Sinhalese. Attempts to merge some territory of the Kuchchaveli DS Division – including traditional Tamil villages – with the Sinhalese dominant Anuradhapura District, are also being advanced.

Sinhalese goes hand in hand with Buddhization – the expansion of viharas (Buddhist temples) in predominantly Hindu and Muslim areas to facilitate demographic change. Over 26 viharas have been constructed on 3,887 acres of expropriated land in Kuchchaveli DS Division alone. Several of these temples have been declared “Historically Important Sacred Sites” by the government through gazette notifications. While Buddhist monks are allowed to build viharas and monasteries, the temples of ancient gods worshipped by the Tamils in these areas have been destroyed, or visits are prohibited.⁶²⁵

According to the same research “The staggering amount of land grabbed from Tamils in Trincomalee District has impacted thousands of people. Traditional livelihoods have been lost due to the massive expropriation of fertile agricultural and coastal lands. Those who have returned and attempt to reclaim their lands face various legal obstacles and harassment from settlers, while being deprived of basic services. Locals report that if this situation continues, they will not be able to live in their villages”.⁶²⁶ Moreover, “The Sri Lankan state considers militarization essential to assert its ethnocentric dominance over the Tamil and Muslim populations. As a result, a heavy military presence remains”.⁶²⁷

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, “The question of access to land in the northern and eastern areas of Sri Lanka remains a concern, although more than 90% of land expropriated by the military during the civil war has been returned. The creation in June 2020 of an Archaeological Heritage Task Force for the Eastern Province attracted criticism from minority groups because of its composition of individuals from the majority ethnic and religious group only, as well as its role in identifying archaeological land for potential expropriation. The Task Force was dissolved in August 2022, but ethnic minorities continue to be concerned about the risk of losing control of their land”.⁶²⁸

Human Rights Watch (HRW) published a report in September 2023 highlighting that “government agencies, including the military, the Department of Forest Conservation, the Department of Wildlife Conservation, and the Department of Archaeology, are engaged in a campaign of “land grabbing” in the north and east, targeting land belonging to Tamil and Muslim communities and their religious sites. The government has sought to justify its policies on various grounds, including environmental protection and preserving purported archaeological sites, but residents and activists see these as

⁶²⁵ The Oakland Institute, [Trincomalee Under Siege: Land Grabs Target the Tamil Homeland in Sri Lanka](#), 12 September 2024, *Executive Summary*, p. 4

⁶²⁶ The Oakland Institute, [Trincomalee Under Siege: Land Grabs Target the Tamil Homeland in Sri Lanka](#), 12 September 2024, *Executive Summary*, p. 4

⁶²⁷ The Oakland Institute, [Trincomalee Under Siege: Land Grabs Target the Tamil Homeland in Sri Lanka](#), 12 September 2024, *Executive Summary*, p. 4

⁶²⁸ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.3. *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, p. 13

pretexts for unlawful seizures that the security forces use for economic gain, and could affect demographic patterns in the north and east with implications for electoral representation”.⁶²⁹ Moreover, “Activists and residents have faced threats and attacks. For instance, on April 5, 2023, Nihal Ahmed, an Ampara district land rights activist, along with colleagues and members of a dispossessed farming community who were collecting information, were abducted and assaulted by people alleged to be staff of a partially state-owned sugar plantation”.⁶³⁰

Covering the year 2023, the U.S. Department of State’s annual human rights report found that:

The military seized significant amounts of land during the 1983-2009 civil war to create security buffer zones around military bases and other high-value targets, known as high security zones (HSZs). During and immediately following the war, government officials frequently posted acquisition notices for HSZ lands that were inaccessible to property owners, many of whom initiated court cases, including fundamental right cases before the Supreme Court, to challenge these acquisitions. Throughout the year, lawsuits, including a 2016 Supreme Court fundamental right case and numerous writ applications filed with courts, remained stalled. Although HSZs had no legal framework following the lapse of emergency regulations in 2011, they still existed and remained off limits to civilians.

With the amount of seized and inaccessible land remaining in dispute, many of those affected by the HSZs complained that the pace at which the government demilitarized land was too slow, that the military held lands it viewed as economically valuable for military benefit, and that military possession of land denied livelihood to the local population. According to the acquisition notices, while most of the land acquired was for use as army camps and bases, among the purposes listed on certain notices were the establishment of a hotel, a factory, and a farm. Some Hindu and Muslim groups reported they had difficulty officially claiming land they had long inhabited if Buddhist monks placed a statue of Buddha or a bodhi tree on their property, and they described these acts as part of a “colonialization” plan to dilute the concentration of minorities in the north.

According to the Ministry of Foreign Affairs, the government returned 90 to 92 percent of the land occupied by security forces and police in 2009; the government stated this comprised 817 acres of state and 22,101 acres of private land. Security forces and police continued to occupy 3,754 acres of land, including 862 state and 2,892 acres of private land, the ministry reported.⁶³¹

Tamils

See also sections V. Rule of Law/Administration of Justice → [e. Impunity](#), VIII. Human Rights Situation → [1. Former LTTE members and their families or Tamil families of the disappeared](#), XIV. Internally Displaced Persons → [e. Land Release and Resettlement](#) and [XV. Treatment of Returnees](#)

Outside of the timeframe for this report, but still providing useful background information, the International Truth and Justice Project published a report on the continued abduction and disappearance of “young Tamil men and women, and subject them to serious physical and sexual torture, 15 years after the end of the country’s civil war. The report, ‘Disappearance, Torture and Sexual violence of Tamils, 2015-2022’ analysed statements of 123 Tamils, 109 males and 14 females, with most aged between 20-39 years of age, who in this seven year period were unlawfully picked up and

⁶²⁹ Human Rights Watch (HRW), “[If We Raise Our Voice They Arrest Us”: Sri Lanka’s Proposed Truth and Reconciliation Commission](#), 18 September 2023, *Summary*

⁶³⁰ Human Rights Watch (HRW), “[If We Raise Our Voice They Arrest Us”: Sri Lanka’s Proposed Truth and Reconciliation Commission](#), 18 September 2023, *Summary*

⁶³¹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 1. Respect for the Integrity of the Person*

detained by Sri Lanka security forces a total of 139 times. The detentions lasted from between one day to as long as one and a half years. The Tamil victims now all live in exile outside Sri Lanka”.⁶³² The report can be viewed [here](#).

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that:

OHCHR examined recent allegations of abduction, arbitrary detention, torture, ill-treatment and sexual violence perpetrated against individuals of Tamil ethnicity by Sri Lankan security forces, mainly in Jaffna, Kilinochchi, Mannar, Mullaitivu, and Vavuniya districts. These date from the period as recently as January 2024. OHCHR interviewed eight alleged victims. A clear pattern emerged: Tamils, primarily men who had been involved in protests over disappearances, land/environmental rights or commemoration of war victims and were believed to be previously involved or linked with the Liberation Tigers of Tamil Eelam (LTTE), were monitored or photographed, and subsequently arrested by people who verbally identified themselves as police CID [Criminal Investigation Department] or TID [Terrorism Investigation Division] personnel. In a few cases, families of the victims filed complaints with the police and HRCSL48 reporting that the victims had gone missing.

Victims described how officers came during the evening or at night, blindfolded and gagged them and then transported them into a van to a detention facility in a location unknown to them or their families, approximately between 30 minutes to two hours away. They were interrogated for three to five days on their links with ex-LTTE cadres abroad, fundraising, individuals behind protests and any alleged attempt to ‘regroup the LTTE’, or to obtain ‘confessions’ or to elicit information on buried weapons or money.

OHCHR assessed as credible specific accounts of security forces using various techniques of torture and cruel, inhuman, or degrading treatment. Many of the interviewees also reported experiencing sexual torture, including rape, squeezing testicles, forced nudity, biting of breasts, either during interrogation or in the holding cell. Victims described making up information or ‘confessing’ simply to get the treatment to stop, or signing blank papers or documents in Sinhala, a language which majority of the victims could not read.

Nearly all interviewees recounted that they eventually were released when a family member paid a bribe to someone in the security forces, often using an intermediary. They then fled Sri Lanka. In most cases, the victims said that security or intelligence agents visited victims’ home, either searching for the victim or informing families that the victim had escaped from their custody.⁶³³

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “civil society organizations reported some Tamils from the north alleged police illegally detained and tortured them and questioned them regarding connections to the LTTE or participation in protests”.⁶³⁴

The same source further noted that “Tamils from the north and east maintained that they suffered long-standing, systematic discrimination in university education, government employment, housing, health services, language laws, and procedures for naturalization of noncitizens. Throughout the country, but especially in the north and east, Tamils reported security forces regularly monitored and

⁶³² International Truth and Justice Project, [Disappearance, Torture and Sexual Violence of Tamils 2015-2022](#), 8 May 2024

⁶³³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paras. 27-30

⁶³⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 1. Respect for the Integrity of the Person

harassed members of their community, especially activists, journalists, NGO staff, and former or suspected former LTTE members”.⁶³⁵

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective noted that “Under the guise of fulfilling its core obligations under the ICCPR, the state has operationalised its intent through the International Covenant on Civil and Political Rights Act, No 56, resulting in discriminatory legal outcomes for minority communities, particularly Muslims and Tamils”.⁶³⁶ Moreover, the same report highlighted that “Sri Lanka’s privileged treatment of the Sinhalese Buddhists, leaves Muslims and Tamil minorities excluded from state protection”.⁶³⁷

The International Crisis Group’s monthly CrisisWatch reported in December 2023 that “In eastern district Batticaloa, Buddhist monk-provocateur Ampitiye Sumanarathana physically blocked two Tamil parliamentarians from joining Tamil cattle herders demanding return of land forcibly seized by Sinhala farmers”.⁶³⁸

In October 2023 the same source reported that “Monk-provocateur Ampitiye Sumanaratna 15 Oct led small procession of Sinhalese to install Buddhist statue on disputed land in Batticaloa district, at site of long-running dispute over land used by Tamil dairy farmers now taken over by Sinhalese farmers. Police, on orders of president, 19 Oct removed Buddhist statue. Sumanaratna 25 Oct was filmed threatening to kill Tamils”.⁶³⁹

In September 2023 it was reported that “Tamil district judge T. Saravanarajah 23 Sept resigned his position in northern district of Mullaitivu and fled country, after receiving threats apparently linked to recent rulings that had angered prominent Sinhala nationalist monks and govt parliamentarians. Stick-wielding Sinhala nationalists 17 Sept attacked Tamil parliamentarian Selvarajah Kanjendran in Trincomalee, Eastern Province, during march commemorating death of Tamil nationalist hunger striker; organisers cancelled another commemoration event in capital Colombo amid threats”.⁶⁴⁰

In August 2023 the same source noted: “Significant tensions surfaced at contested site known in Tamil as Kurunthumalai, and in Sinhalese as Kurundi in Mullaitivu district (Northern Province), where newly built Buddhist temple sits in close proximity to Hindu Athi Aiyandar temple. Eyewitnesses said Sinhala Buddhist monk and followers 18 Aug attempted to disrupt Tamil Pongal celebration at Hindu temple, despite permission from local magistrate. Sinhala nationalist legislator 22 Aug denounced magistrate in parliament, while second Sinhala nationalist MP 26 Aug led protest outside residence of Tamil MP for his role in supporting Hindu worship at Kurunthumalai. In separate dispute, Buddhist monks 28

⁶³⁵ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 6. Discrimination and Societal Abuses

⁶³⁶ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Executive Summary, Overview of national trends, Sri Lanka, xii

⁶³⁷ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, Introduction, p. xxxiii

⁶³⁸ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], December 2023

⁶³⁹ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], October 2023

⁶⁴⁰ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], September 2023

Aug disrupted govt meeting and threatened Eastern Province governor for his decision to halt construction of new temple in traditionally Tamil village in Trincomalee district”.⁶⁴¹

In June 2023 the International Crisis Group noted that “Tensions rose to dangerous levels over disputed area in Northern Province where Buddhist stupa – known as Kurundi Vihara – has recently been built with military assistance and against court orders, reportedly blocking access to long-standing Hindu pilgrimage site. Prominent Buddhist nationalist organisations 21 June gathered “in defence of” Kurundi Vihara. Police 7 June arrested Tamil legislator and Tamil National People’s Front Leader Gajendrakumar Ponnambalam at his Colombo residence on charges of “obstructing police duties” following altercation on 2 June with plainclothes police in Jaffna, in Northern Province”.⁶⁴²

Malaiyaha Tamils

As way of background, the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, following his visit to Sri Lanka at the end of 2021, reported that “In Sri Lanka, contemporary forms of slavery have an ethnic dimension. In particular, Malaiyaha Tamils – who were brought from India to work in the plantation sector over 200 years ago under British colonial rule – continue to face multiple forms of discrimination on the basis of their descent, making them vulnerable to labour exploitation”.⁶⁴³ More information can be found on pages 10 and 11 of [his report](#).

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “Hill Country (or Malaiyaha) Tamils [...] maintained that they suffered long-standing, systematic discrimination in university education, government employment, housing, health services, language laws, and procedures for naturalization of noncitizens [...] During the year, the Hill Country Tamil community held events to mark the 200th anniversary of the first Hill Country Tamils’ arrival in the country and to call for solutions to the community’s problems. Media and NGOs reported Hill Country Tamils were among the most socioeconomically disadvantaged populations, and most Hill Country Tamils did not own land, especially those working on plantations. All plantation land belonged to the government and was on long-term lease to plantation companies; disputes over whether the government or companies held responsibility for maintaining workers’ housing meant housing in these communities was overcrowded and often lacked adequate water and sanitation facilities. Local politicians and NGOs reported the government did not recognize many predominantly Hill Country Tamil communities as official villages and as a result residents did not qualify for many government services”.⁶⁴⁴

The South Asia State of Minorities Report 2022, published in February 2023 by The South Asia Collective reported that “Tamils living in tea plantations have always had significantly reduced indicators in terms of health and education. This community has been disenfranchised since 1948 when the Ceylon Citizenship Act was passed to deny citizenship to Malaiyaha Tamil Tamils, who made up 11.7 per cent of the population. Their lack of political representation left them vulnerable to

⁶⁴¹ International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], August 2023

⁶⁴² International Crisis Group, [CrisisWatch: Sri Lanka](#), customised search July 2022 – January 2025 [Last accessed: 06.01.25], June 2023

⁶⁴³ UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, [Visit to Sri Lanka](#), 6 July 2022, IV. Areas of concern, Minority communities, para. 52

⁶⁴⁴ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 6. Discrimination and Societal Abuses

exploitation, and they became the responsibility of the plantation companies and not the state. To date, they suffer from the effects of this historic deprivation”.⁶⁴⁵

Amnesty International together with the Asian Forum for Human Rights and Development (FORUM-ASIA) and CIVICUS described in August 2023 the Malaiyaha community as “among the most marginalized in Sri Lanka, having historically been denied citizenship and voting rights, and threatened with forced deportation and statelessness” and one that continues to be “denied equal rights to land, adequate housing, livelihood, fair wages, education, health and other state services. The community struggle for recognition and equality continues, as discrimination rooted in colonialism and slavery and inter-generational marginalization still affect their lives today. The Malaiyaha community and its leaders have consistently called for the recognition of their contribution, acknowledgment of historical and ongoing systemic discrimination and violations, affirmative action on access to services and a living wage. They also call for secure land tenure for housing and livelihood, language rights, an equitable and inclusive electoral system, and meaningful political participation alongside recognition and protection of their culture and identity”.⁶⁴⁶

In October 2023 the Sri Lanka Campaign reported that “a Malaiyaha Tamil plantation family were violently evicted from their single-room makeshift home, which was then destroyed by around ten men claiming to be state security officials at the Kahawatte Plantation, in the Ratnapura district”.⁶⁴⁷ According to the same blog post, “This follows on the heels of another forced eviction at the Kahawatte Estate in Matale district in August when an estate manager ransacked a similar home”.⁶⁴⁸ Leader of the Tamil Progressive Alliance (TPA), MP Mano Ganesan and Minister of Water Supply and Plantation Infrastructure Development, Jeevan Thondaman, have, according to the same blog post, “criticised the government for failing to protect one of the most vulnerable communities on the island. MP Ganesan has raised concerns that these attacks on Malaiyaha Tamils working on plantations seem to be increasingly frequent”.⁶⁴⁹

The U.S. Department of State’s 2024 trafficking in persons report for Sri Lanka, published in June 2024 and covering April 2023 to March 2024, noted the following:

Observers note marginalized communities in Sri Lanka continue to face discrimination and consequently greater vulnerability to human trafficking. Marginalized communities such as the Malayaha Tamils, whose ancestors migrated from India to work on plantations, continue to experience marginalization and discrimination; Malayaha Tamils sometimes experience bonded labor, particularly on small, private plantations. Members of some marginalized communities were unable to report abuses to authorities because of language barriers among officials who only spoke Sinhala.⁶⁵⁰

With regards to Malaiyaha Tamil women, the Human Rights Commission of Sri Lanka in its January 2025 report to the UN Committee on the Elimination of Discrimination against Women specifically noted that “Malaiyaha Tamil women, many of whom work in Sri Lanka’s plantation sector, face multiple forms of discrimination, including intersectional discrimination on the basis of their ethnicity, preferred language, and economic status. The structural marginalization they have experienced due to impact

⁶⁴⁵ The South Asia Collective, [South Asia State of Minorities Report 2022 – Weakening Human Rights Commitments and Its Impact on Minorities](#), 16 February 2023, *Sri Lanka: The Extent of Compliance with International Human Rights Obligations*, p. 177

⁶⁴⁶ Amnesty International/FORUM-Asia/CIVICUS, [Sri Lanka: Statement in solidarity with human rights defenders and community leaders from the Malaiyaha community](#), 3 August 2023

⁶⁴⁷ Sri Lanka Campaign, [200 Years of Broken Promises](#), 17 October 2023

⁶⁴⁸ Sri Lanka Campaign, [200 Years of Broken Promises](#), 17 October 2023

⁶⁴⁹ Sri Lanka Campaign, [200 Years of Broken Promises](#), 17 October 2023

⁶⁵⁰ US Department of State (USDOS), [2024 Trafficking in Persons Report: Sri Lanka](#), 25 June 2024

of exclusionary citizenship legislation, the inadequate provision of state services to the plantations, and the economic isolation of the plantations further exacerbated the above conditions. Many such women work as tea pluckers and rubber tappers, where their daily wages are extremely low. The HRCSL observes that discriminatory and exploitative practices by private companies contribute towards the violation of the rights of these women, including their right to decent work, right to health, including reproductive health, and right to adequate housing. The high rate of school dropouts among girls in this community is linked to their responsibility for caring for younger siblings in the absence of older family members who engage in fulltime employment. It is also observed that many women and girls in this community are vulnerable to trafficking in persons”.⁶⁵¹

Indigenous Communities

Providing some background of what it defines as the ‘indigenous communities’, The Centre for Policy Alternatives noted the following regarding these communities:

- The indigenous community, also known as the Vedda community, constitutes a group of citizens in Sri Lanka with a distinct identity and should be treated with dignity, enjoying full entitlement to all rights and privileges.
- These communities are primarily located in the Uva, Eastern, and North Central provinces, residing in places like Dambana, Rathugala, Pollebedda, Dalukana, Dimbulagala, Vahari, and Muttur.
- The indigenous community is characterised by its unique linguistic identity. Although they communicate using the ‘Vedi language,’ their written language is Sinhala. Many are not literate in reading or writing in Sinhala. Similarly, Marine Indigenous groups living in Vaharai and Muttur use their own distinct Tamil dialect and are not well-versed in standard Tamil.⁶⁵²

The same source further highlighted regarding micro-finance loans provided to these communities that “the agreements and contracts exchanged between these communities and relevant institutions during micro-finance loan transactions are often in languages they do not understand or comprehend. While a few organisations do issue documents in both Sinhala and Tamil, these indigenous communities still struggle to understand the contents. As a result, they sign these agreements without a full understanding of the content and consequently find themselves entrapped in the legal ramifications”.⁶⁵³

XIII. Treatment of Children

Overview

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, “While overall progress has been made in a number of areas – decreasing child and maternal mortality rate, achieving nearly universal child immunisation rates, reduction of child labour, improved access to water, sanitation, and primary education – there are large

⁶⁵¹ Human Rights Commission of Sri Lanka, [Parallel Report to the Committee on the Elimination of Discrimination against Women](#), 6 January 2025, paras. 47/48, p. 9

⁶⁵² Centre for Policy Alternatives (CPA), [Sri Lankan Indigenous Community struggles in the face of the Microfinance Credit Crisis](#), 3 November 2023

⁶⁵³ Centre for Policy Alternatives (CPA), [Sri Lankan Indigenous Community struggles in the face of the Microfinance Credit Crisis](#), 3 November 2023

disparities between children of different population groups. Children in remote areas have limited access to health care, and the education sector requires increased funding and reforms to reach appropriate standards and guarantee the right to education for all children in Sri Lanka, including for many who live below the poverty line. The pandemic and the economic and financial crisis impact on incomes resulted in decreased quality of nutrition. Reports of domestic violence and child abuse also increased during the pandemic”.⁶⁵⁴

a. Child abuse

A UNICEF statement in August 2022 observed the following: “More reports are already emerging of an increase in abuse, exploitation and violence against children due to the mounting economic pressure. There are already over 10,000 children in institutional care in Sri Lanka, mainly as a result of poverty”.⁶⁵⁵

In October 2022, The Sunday Times, of Sri Lanka, reported the following on statutory rape in the country:

A marriage ceremony between a 15 year old girl and a 19 year old boy was to take place on Sunday at a reception hall of Saurupura in Angulana, Moratuwa. [...]

But, the police intervened and arrested the pair. The boy was released on bail with conditions, while the girl was handed over to her mother. [...]

The incident also has brought into public focus, the issue of statutory rape, which Section 363 of the Penal Code defines as sexual intercourse with a girl below the age of 16 years, with or without consent.

The police, the National Child Protection Authority (NCPA) and the Sri Lanka Red Cross Society have expressed concerns.

Police spokesman, Nihal Thalduwa said statutory rape that occurs as a result of romantic relationships, has become “a serious social issue”.

“Parents should be more concerned about children,” he said, explaining that rape cases of girls under 16 years with consent was higher than the cases without consent.

According to police statistics, 1720 statutory rape cases were reported in 2021, while 1230 cases have been reported so far for this year.

Last year, of the 1720 statutory rape cases – 1382 were with consent and 338 were without consent. This year so far, of the 1230 statutory rape cases reported, 951 cases reported were with consent and 279 without consent.

“There is a risk of households with economic issues marrying off their family members below 18 years, but statutory rape occurs regardless of poverty,” the NCPA Chairman, Mr Udaya Kumara Amarasinghe said.

Mr. Amarasinghe said even in pre-crisis years, girls under 16 in households where the mother had left to take up a job overseas, are more vulnerable to statutory rape.

⁶⁵⁴ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.6. *Convention on the Rights of the Child (CRC)*, p. 14/15

⁶⁵⁵ UNICEF, [Devastating crisis for children in Sri Lanka is a cautionary tale for South Asia](#), 26 August 2022

“Child sexual abuse occurs through online mediums as well now, owing to the increasing use of the internet among children with online education during the Covid-19 period,” he said.

“Children were not always supervised by an adult, like when they learned physically with a teacher present, leading to online romantic relationships, being misled to improper websites, even the exchange of nude photographs and blackmailing resulting from that,” Mr. Amarasinghe explained.

He said most child abuse cases are not reported due to the “iceberg phenomenon”. Since the offenders are often a person close to the victim, statistics can be misleading.

He said grave offences such as rape, and minor offences such as not applying for a birth certificate for the child, render statistics of child abuse dubious.

Up to September 31, around 1,300 child cruelty cases have been reported to the NCPA [National Child Protection Authority].

Police spokesman, Mr Thaldewa, denied there had been a large increase in child abuse cases and said it was limited to an extreme minority. However, the police will not hesitate to act, if a complaint is filed. “Offenders will be punished under the Penal Code,” he said.⁶⁵⁶

An op-ed by UNICEF on child rights in Sri Lanka, released in November 2022, observed that “The limited national data on violence against children makes it extremely difficult to track progress in the realization of the right to protection from all forms of violence and abuse”.⁶⁵⁷ It further stated the following:

Mr. Chanaka Udayakumara Amarasinghe, Chairman of the NCPA [National Child Protection Authority] [...]: “Due to the economic challenges faced by the country, adults can be rather stressed. This could lead to an increase in violence against children. There appears to be an upward trend of violence against children as reported in print and social media. The NCPA is very concerned about reports of violence against children in schools and is in the process of drafting reforms to the law to deal with the situation”.

Another voice from civil society also points to the worsening of the situation. “In the areas where Child Fund operates, we use to observe around 3 to 5 serious child protection related cases in a year. In 2022, we have already received over 35 serious cases of abuse” said, Mr. Nalaka Siriwardena, the Director of Child Fund.⁶⁵⁸

A December 2022 operation update by the IFRC noted that “serious child protection incidents, such as sexual assaults, physical abuse, and child neglect, are reported to have been increasing since the start of the COVID-19 pandemic and have worsened with the current crisis”.⁶⁵⁹

The UNICEF Sri Lanka Country Office Annual Report 2022, covering 2022, similarly commented that “As the crisis escalated, media reports of violence against children and increasing mental health issues among children are of grave concern for UNICEF”.⁶⁶⁰

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “there remained a significant level of public concern regarding the high incidence of violence, including sexual violence, against children, as well as incidents of online violence and bullying. Local media reported

⁶⁵⁶ The Sunday Times, [Lingering fears over child marriage, statutory rape resurface](#), 30 October 2022

⁶⁵⁷ UNICEF, [Child Welfare and Child Justice in Sri Lanka – no time like the present for reform](#), 24 November 2022

⁶⁵⁸ UNICEF, [Child Welfare and Child Justice in Sri Lanka – no time like the present for reform](#), 24 November 2022

⁶⁵⁹ International Federation of Red Cross and Red Crescent Societies (IFRC), [Operation Update: Sri Lanka emergency](#), 27 December 2022, p. 12

⁶⁶⁰ UNICEF, [UNICEF Sri Lanka Country Office Annual Report 2022](#), 2022, p. 4

increased rates of online child abuse, including sexual abuse, after the COVID-19 pandemic but maintained that a lack of understanding of online abuse meant it was underreported. There was also continued concern regarding the impact of the economic crisis on vulnerable children, including access to food and basic services. Women reported that children faced increased sexual abuse from family members when mothers traveled abroad for employment”.⁶⁶¹ Moreover, there were “multiple reports of physical and sexual abuse of underage novice monks at Buddhist temples across the country [...] Media and local NGOs alleged Buddhist leadership did not adequately address widespread reports of child abuse in temples”.⁶⁶²

The U.S. Department of State’s annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, similarly wrote:

There remained a significant level of public concern regarding the high incidence of violence, including sexual violence, against children, as well as incidents of online violence and bullying. A 2021 study by the University of Sri Jayawardenapura found a higher prevalence of child sexual abuse reported in the war-affected northern part of the country, where mostly Tamils reside, and in areas associated with the tourism industry. There was also growing concern regarding the impact of the economic crisis on vulnerable children, including access to food and basic services. In August the UNICEF regional director for South Asia said that there were increasing reports of abuse, exploitation, and violence against children due to the mounting economic pressure. Women reported that children faced increased sexual abuse from family members when mothers traveled abroad for employment.

Despite laws on child abuse, cruelty to children and their exploitation in trafficking and child labor persisted. Penalties vary based on the type and degree of child abuse, but trials tended to drag on for years. [...]

As of October, the NCPA [National Child Protection Authority] received 6,000 complaints of child abuse.⁶⁶³

The UN Human Rights Committee’s April 2023 concluding observations on the sixth periodic report of Sri Lanka noted that “The committee is concerned by the excessive delays in trials and the ensuing backlog of cases, including cases of serious crimes against children”.⁶⁶⁴

UNICEF’s May 2023 report on the socioeconomic conditions faced by women and children in the tea estate communities in Sri Lanka stated that “Child poverty is a major factor contributing to violations of child rights”.⁶⁶⁵ It continued with the following findings, from March 2023 data, with regards to attitudes to corporal punishment:

For children aged between 12 – 16 years, it appears that more boys than girls are subjected to violent disciplining methods across all four provinces. The highest rates were observed in the Southern province, with 36% of boys and 23% of girls being subjected to violent discipline, while the lowest rates were in the Sabaragamuwa Province, with 26% of boys and 25% of girls being subjected to violent

⁶⁶¹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 6. Discrimination and Societal Abuses*

⁶⁶² U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 6. Discrimination and Societal Abuses*

⁶⁶³ US Department of State (USDOS), [Sri Lanka 2022 International Religious Freedom Report](#), 15 May 2023

⁶⁶⁴ UN Human Rights Committee, UN International Covenant on Civil and Political Rights, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, p. 8

⁶⁶⁵ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, p. 18

discipline. In the Southern Province, severe physical punishment was also the highest, with 11% of boys and 5% of girls in this age group experiencing this during the past month. [...]

On attitudes towards physical punishment, 22% of mothers and 16% of fathers who responded to the survey stated they believed physical punishment was important to raise or educate a child properly. Sabaragamuwa Province had the highest rate of parents (26% mothers and 19% fathers), followed by the Southern Province (25% mothers and 14% fathers) who believed in physical punishment. [...]

The use of violent disciplining methods in school settings increases with the age of the child. For instance, 11% of children at CDCs and pre-schools experience violent disciplining, which increases to 23% in secondary schools.⁶⁶⁶

The report further discussed the link between living conditions and risks to child protection, stating that “Living conditions for labourers in mid-sized private tea estates are poor and offer little to no privacy, which creates significant risks to child protection. This risk is exacerbated by a lack of community-based daycare options and safe spaces for children to play”.⁶⁶⁷

The Sunday Times reported in November 2023 on child abuse in Sri Lanka as follows:

A total of 168 rape cases of girls under the age of 16 years were reported in September, and among them 22 are pregnant, as stated by lawmaker Eran Wickramaratne at a committee meeting at the Colombo District Secretariat.

These incidents are just the tip of the iceberg. Statistics from the National Child Protection Authority (NCPA) show nearly 8,000 cases of child abuse from January to October, 2023. Colombo had the highest number of complaints with over 1,000 cases. [...]

Close to 10,500 cases of abuse were reported in 2022 and nearly 11,200 cases were documented in 2021.

“Children have become just a number as opposed to those that need to be rescued and rewarded,” highlighted Dr Tush Wickramanayaka, chairperson of the Stop Child Cruelty Trust (SCCT).

[...] She noted that there has been a steep increase in cases over the last three to four years.

“One of the main challenges is understanding the context of abuse, it is imperative that we understand the root causes and nature of abuse,” commented Dr Vinya Ariyaratne, president of the Sarvodaya Movement and the president of the Sri Lanka Medical Association (SLMA).

He noted that Sri Lanka faces many challenges in addressing child abuse. One of the main issues is that children are left behind with the father, grandparents or relatives when the mother goes abroad for employment. “The removal of the Family Background Report to fix the foreign exchange problems has compromised the safety of so many children.” [...]

Experts believe that the fragile economic and political situation in Sri Lanka has also led to the increase as a parent or parents have had to emigrate leaving children behind.

Additionally, the lack of comprehensive, age-appropriate sex education is a significant problem. “There is an increase in teenage sexual activity, sex education would go along way

⁶⁶⁶ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, pages 41-43

⁶⁶⁷ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, p. 45

as most teenagers are not aware of contraception,” Dr Wickramanayaka said, commenting on the rape cases in September.

Another challenge is the weak implementation of laws and the time it takes for a conviction. According to Dr Wickramanayaka, a case can take up to 10 years to be heard. “This is disempowering for the victim and creates further trauma as they have to repeat their experience.” It is worth noting that when a conviction is delivered by a court, the victims are adults.⁶⁶⁸

The UNICEF Sri Lanka Country Office Annual Report 2023, covering 2023, observed that “Violence against children continues at home, at school and in the community, with a risk of increase in cases due to economic stresses. There is a lack of national prevalence data on violence against children. It is therefore important to move forward with plans to undertake a national prevalence survey for all forms of violence against children and adolescents”.⁶⁶⁹

The U.S. Department of State’s annual report on human rights in Sri Lanka, covering 2023 and published in April 2024, added the following with regards to child abuse:

The law prohibited child abuse, including physical, sexual, and psychological abuse, and child neglect. The government enforced the law but did not enforce the law effectively. There remained a significant level of public concern regarding the high incidence of violence, including sexual violence, against children, as well as incidents of online violence and bullying. Local media reported increased rates of online child abuse, including sexual abuse, after the COVID-19 pandemic but maintained that a lack of understanding of online abuse meant it was underreported. There was also continued concern regarding the impact of the economic crisis on vulnerable children, including access to food and basic services. Women reported that children faced increased sexual abuse from family members when mothers traveled abroad for employment. One local NGO reported inadequate policing and a general tolerance of corporal punishment contributed to a cycle of violence against children.

Despite laws on child abuse, cruelty to children and their exploitation in trafficking and child labor persisted. Penalties varied based on the type and degree of child abuse, but trials tended to last for years.

There were multiple reports of physical and sexual abuse of underage novice monks at Buddhist temples across the country. In April a child monk, age eight, at a temple in Gampola was admitted to the hospital with what media called severe injuries. The child alleged senior monks assaulted him after he incorrectly recited sermons. Police recorded a statement from the temple chief, but as of September 11 no arrests had been made. Media and local NGOs alleged Buddhist leadership did not adequately address widespread reports of child abuse in temples. The minister of Buddhasasana, religious, and cultural affairs in July said he appointed a committee to establish regulations regarding child ordination. [...]

As of September, the NCPA [National Child Protection Authority] received 5,456 complaints of child abuse including reports of child cruelty, serious injuries, sexual abuse, children being utilized in begging, and complaints regarding the use of social media and abuse of children in cyberspace.⁶⁷⁰

An August 2024 article in The Daily Mirror reported that:

Child abuse cases have increased by 38 per cent with 4,380 complaints received during the first half of this year compared to 31,172 cases reported during the corresponding period of last year, according to the statistics from the National Child Protection Authority (NCPA).

⁶⁶⁸ The Sunday Times, [Child abuse gallops along with economic devastation](#), 19 November 2023

⁶⁶⁹ UNICEF, [UNICEF Sri Lanka Country Office Annual Report 2023](#), 2023, p. 2

⁶⁷⁰ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

The NCPA's 2023 annual report documented 2,526 cases of children in need of care and protection, a number that has already been surpassed within the first six months of 2024.

One of the most disturbing trends highlighted in the report is the sharp rise in cases of cruelty towards children. The first half of 2024 saw a staggering 1,016 cases of cruelty, marking a 41% increase from the 721 incidents reported during the same period in 2023. These acts of cruelty encompass a wide range of abusive behaviours, from physical violence to severe neglect, leaving a devastating impact on the young victims.

The statistics also highlight a rise in sexual harassment and cyberbullying cases involving children in Sri Lanka. According to the latest data, there were 403 reported cases of sexual harassment in the first half of 2024, a significant increase from the 311 cases reported during the same period in 2023. Additionally, incidents of cyberbullying, particularly those involving the distribution of nude photos, have also surged. There were 37 cases related to grave sexual abuse through digital means, reflecting the growing threats children face in the online space. These figures highlight the urgent need for stronger protective measures, increased awareness, and effective law enforcement to safeguard children from such exploitative behaviours.

Cases of abduction and kidnapping also saw a rise, with 34 cases reported so far in 2024, up from 26 in the same period last year.⁶⁷¹

In November 2024 the Right to Life Human Rights Centre published findings from a review of 94 incidents of child abuse that occurred in August 2024 involving 108 victims.⁶⁷² According to this review the types of abuse involved:

- Sexual Abuse: The most prevalent and alarming category, with 41 reported incidents affecting 51 children.
- Physical Abuse: 16 incidents involving 24 victims.
- Neglect: 12 cases, impacting 10 children.
- Abductions: 4 cases involving 4 children.
- Other Forms: Included suicides (5 cases), homicides (3 victims), emotional abuse, missing children, and drug abuse.⁶⁷³

It was further found that 53% of victims were female children, while 38 % were male children with the Centre noting that “though underreporting, particularly of cases involving boys, remains a challenge”.⁶⁷⁴ A further finding was that in 24 % of cases “authority figures” were the perpetrators, compared to 13 % of “family members/intimate partners”.⁶⁷⁵ Similar findings were made in June 2023, yet with the additional “discovery of individuals targeting school children to sell drugs”.⁶⁷⁶

b. Child Marriage

⁶⁷¹ The Daily Mirror, [Alarming rise in child abuse cases, NCPA data reveals](#), 14 August 2024

⁶⁷² Right to Life Human Rights Centre, [A Comprehensive Review of Violence Against Children in Sri Lanka: August 2024](#), 15 November 2024

⁶⁷³ Right to Life Human Rights Centre, [A Comprehensive Review of Violence Against Children in Sri Lanka: August 2024](#), 15 November 2024

⁶⁷⁴ Right to Life Human Rights Centre, [A Comprehensive Review of Violence Against Children in Sri Lanka: August 2024](#), 15 November 2024

⁶⁷⁵ Right to Life Human Rights Centre, [A Comprehensive Review of Violence Against Children in Sri Lanka: August 2024](#), 15 November 2024

⁶⁷⁶ Right to Life Human Rights Centre, [Disturbing Rise in Child Abuse Incidents Calls for Urgent Action](#), 20 July 2023

According to the World Organization Against Torture (OMCT), the Muslim Marriage and Divorce Act (MMDA) “does not set a minimum age for marriage” and a Muslim Quazi (judge) can even authorise the marriage of girls under the age of 12”.⁶⁷⁷

The U.S. Department of State’s annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

Civil law sets the minimum legal age for marriage at 18 for both men and women, although girls may marry at age 16 with parental consent. According to the penal code, sexual intercourse with a girl younger than 16, with or without her consent, amounts to statutory rape. The provision, however, does not apply to married Muslim girls older than 12. The Muslim Marriage and Divorce Act, which applies only to Muslims, permits the marriage of girls as young as 12 with the consent of the bride’s father, other male relatives, or a quazi.

On November 17, Parliament amended the Kandyan Marriage and Divorce Act to repeal the provision that allowed for marriage of minors with parental consent and amended the Children and Young Persons Act to increase the age of a minor from 16 to 18.⁶⁷⁸

Similar information continued to be included in the annual report covering the year 2023.⁶⁷⁹ The USCIRF annual 2023 report on religious freedom in Sri Lanka, published in May 2023, confirmed that “the MMDA [Muslim Marriage and Divorce Act] lacks a minimum age for marriage, providing Quazis the ability to permit marriage of a girl younger than 12 years old, despite common law requiring an age minimum of 18 years old”.⁶⁸⁰

In November 2022, UNOCHA issued a report on Sri Lanka’s Multi-Dimensional Crisis which indicated with regards to child protection that:

Financial constraints coupled with high inflation, has had a devastating impact on families not being able to secure essential medical care and food. As indicated through assessments, this has led to negative coping mechanisms, job and food insecurity that will place women and girls and other marginalized groups who are already vulnerable to further risk of GBV, including sexual exploitation and abuse (SEA), and harmful practices such as child marriage.⁶⁸¹

The OECD Development Centre’s SIGI 2023 Legal Survey, with information up to 31 August 2022, gave the following results with regards to Sri Lanka and child marriage:

Does the law provide women with the same rights as men to enter into marriage? No

What is the legal age of marriage for men? 18

What is the legal age of marriage for women? 18

Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of parent and/or legal guardian? Yes

⁶⁷⁷ World Organization Against Torture (OMCT), [Sri Lanka: child marriage is legalized torture](#), 24 November 2023

⁶⁷⁸ U.S. Department of State (USDOS), [Sri Lanka 2022 International Religious Freedom Report](#), 15 May 2023

⁶⁷⁹ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 6. Discrimination and Societal Abuses*

⁶⁸⁰ US Commission on International Religious Freedom (USCIRF), [Religious Freedom 2023 Annual Report: USCIRF—Recommended for Special Watchlist: Sri Lanka](#), May 2023

⁶⁸¹ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Protection (including Child Protection & Gender-based Violence) and Education p. 36*

Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of judge or court? Yes

Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of another person or institution? No

Are there no legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of any person or institution? No

Does the legal age of marriage apply to all groups of women? No

Are there informal laws (customary, traditional or religious laws/rules) that allow or encourage the early marriage of girls? Yes⁶⁸²

The November 2022 summary of stakeholders' submissions for Sri Lanka's Universal Periodic Review stated that:

62. JS11 [Joint submission 11 submitted by: Coalition of NGOs for UPR - Sri Lanka, Palaviya (Sri Lanka); Alliance for Minorities, Women's Action Network, Muslim Women's Development Trust and Equality Now] noted that the prevalence of child marriage in Sri Lanka was approximately 10 per cent, specifically affecting certain communities. While the Marriage Registration Ordinance 1908 (Chapter 112) set the minimum age of marriage at 18, the General Marriage Registration Ordinance specifically stated that it did not apply to Muslims, creating a discriminatory situation where Muslim girls were not protected from child, early and forced marriage. JS11 recommended that Sri Lanka Ensure that the law fixes the minimum age of marriage at 18 without exceptions for all girls irrespective of their religion or community; including by amending the provisions of the Muslim Marriage and Divorce Act.⁶⁸³

The U.S. Department of State's annual report on religious freedom, covering 2023 and published in June 2024, wrote:

During the year, a Ministry of Justice-led process to reform the MMDA [1951 Muslim Marriage and Divorce Act], which many Muslim women said was discriminatory, stalled after the All Ceylon Jamiyyathul Ulama (ACJU), comprising Islamic theologians in Sri Lanka, withdrew support for the proposed reforms. Separately, in June, 18 Muslim MPs submitted their own recommendations to the Justice Minister. Both the ACJU and the parliamentarians proposed setting the minimum marriage age to 16 with *qadi* (Islamic judge) approval, rather than raise it to 18 as activists requested, and reintroducing guardian permission for marriage and conditional polygamy. Muslim women criticized provisions in the MMDA that allow polygamy, do not require a minimum age for marriage, allow young women to be married without their consent, and bar women from serving as qadis ruling on matters related to the MMDA. Discussion of reforms to the MMDA continued at year's end.⁶⁸⁴

Freedom House's annual Freedom in the World country report for Sri Lanka, covering 2023 and published in February 2024, reported that "Some very young girls are forced into marriages under Islamic personal law".⁶⁸⁵

c. Child Labour

⁶⁸² OECD Development Centre, [Social Institutions and Gender Index \(SIGI\) 2023 Legal Survey](#), last updated to 10 October 2024

⁶⁸³ UN General Assembly, Human Rights Council, [Summary of stakeholders' submissions on Sri Lanka: Report of the Office of the United Nations High Commissioner for Human Rights](#), 7 November 2022, p. 8

⁶⁸⁴ U.S. Department of State (USDOS), [Sri Lanka 2023 International Religious Freedom Report](#), 26 June 2024

⁶⁸⁵ Freedom House, [Sri Lanka: Freedom in the World 2024 Country Report](#), February 2024

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, Sri Lanka has made “incremental progress” and “took action on eliminating child labour by aligning the minimum age of work with the upper age of compulsory education at 16 years in 2020 and expanding the list of hazardous jobs prohibited for persons below 18 years in 2021”.⁶⁸⁶ However, the same report also noted that “child labour still remains a concern with reported activity in agriculture, fisheries, tourism, and informal economy”.⁶⁸⁷

In November 2022, UNOCHA issued a report on Sri Lanka’s Multi-Dimensional Crisis which indicated with regards to child protection that:

Beyond institutionalization, the crisis exacerbates the risk of children dropping out of school and being involved in child labour. As parental migration for labour increases, children are also at risk of being left behind, with forced labour. The mental health of young people is also a concern as they struggle with multiple pressures and concerns for the future.⁶⁸⁸

The U.S. Department of State reported in its annual report on Child Labor covering 2023 that “Sri Lanka [continued to] made moderate advancement in efforts to eliminate the worst forms of child labor [...] Although the government made meaningful efforts in all relevant areas during the reporting period, it is unknown whether the government initiated prosecutions or convicted perpetrators for crimes related to the worst forms of child labor. Research also indicates that some children in rural areas face barriers to accessing education, including long distances to school, an inadequate number of teachers, and challenges in securing necessary documents for enrollment. Furthermore, the labor inspectorate lacked sufficient staffing and funding to carry out an adequate number of inspections, including in factories in the northern and eastern provinces”.⁶⁸⁹

In its previous annual report, the U.S. Department of State found in addition that in 2022 “The government amended the Children and Young Persons Ordinance to raise the age of majority from 16 to 18 to align this law with international standards [...] However, children in Sri Lanka are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic work”.⁶⁹⁰

Freedom House’s annual Freedom in the World country report for Sri Lanka, covering 2023 and published in February 2024, reported that “Although the government has increased penalties for employing minors, many children continue to work as household servants and face abuse from employers. Women and children in certain communities are vulnerable to forced sex work”.⁶⁹¹

The USDOL annual report on worst forms of child labor in Sri Lanka, published in September 2024 and covering 2023, stated that “Children in Sri Lanka are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced

⁶⁸⁶ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 1.3. Labour Rights, p. 4

⁶⁸⁷ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 1.3. Labour Rights, p. 4

⁶⁸⁸ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, Protection (including Child Protection & Gender-based Violence) and Education p. 36

⁶⁸⁹ U.S. Department of State, [2023 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 5 September 2024

⁶⁹⁰ U.S. Department of State, [2022 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 5 October 2023

⁶⁹¹ Freedom House, [Sri Lanka: Freedom in the World 2024 Country Report](#), February 2024

domestic work. Children also engage in child labor in mining and construction”.⁶⁹² It listed the following overview of children’s work by sector and activity:

Agriculture: Farming, including raising livestock. Fishing, including deep-sea fishing[†] and processing and selling fish.

Industry: Manufacturing and food processing. Mining[†] and construction.[†]

Services: Domestic work. Vending, in stores and on the streets, and begging. Working in hotels, restaurants, and offices. Providing security for people and property. Transportation. Painting and washing buildings.

Categorical Worst Forms of Child Labor[‡]: Commercial sexual exploitation, sometimes as a result of human trafficking. Use in illicit activities, including drug trafficking. Forced domestic work. [...]

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.⁶⁹³

The report also wrote the following:

Children living in coastal and agricultural areas, mining areas, and firewood-producing areas are at higher risk of child labor. Increasing debt for housing and accommodations among workers at private and smallholding tea estates, many of whom also faced ethnic discrimination, increase the risk of child labor in the tea sector. The plantation community in the central province is also susceptible to lower income and nutrition levels, making children vulnerable to labor in domestic work. In addition, smallholder farmers face increased labor and production costs, as well as labor shortages during harvest times, and often rely on children under the age of 12 to help during the harvest period. [...]

Although the government provides free, compulsory education, some children face barriers to accessing education due to a lack of transportation and an inadequate number of teachers. There is a lack of high schools in some rural areas and plantations, and children are particularly susceptible to leaving school early. Additionally, there have been reports that children who are unable to provide birth certificates, such as children born abroad to Sri Lankan mothers and non-Sri Lankan fathers, are denied access to education. The 2016 Child Activity Survey’s definition of child labor does not align with international standards because children ages 5 to 11 working less than 15 hours per week and children ages 12 to 14 working less than 25 hours per week in agriculture are not counted as child laborers. These issues may have led to an underestimation of the population of children in child labor in the Child Activity Survey.⁶⁹⁴

An article published by The Guardian in May 2023, reporting on working conditions on the plantations of major tea manufacturers’ Sri Lankan suppliers, commented that “Some of the [tea] pickers said they had so little money that they were having to skip meals and felt forced to send their children to work”.⁶⁹⁵

An August 2024 article in The Daily Mirror, reporting on National Child Protection Authority (NCPA) data, stated that “The issue of child labour continues to be a persistent problem, with 102 cases

⁶⁹² US Department of Labor (USDOL), [2023 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 5 September 2024, p. 1

⁶⁹³ US Department of Labor (USDOL), [2023 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 5 September 2024, page 1

⁶⁹⁴ US Department of Labor (USDOL), [2023 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 5 September 2024, page 2

⁶⁹⁵ The Guardian, [‘We give our blood so they live comfortably’: Sri Lanka’s tea pickers say they go hungry and live in squalor](#), 23 May 2023

reported in the first half of 2024, highlighting the ongoing exploitation of children in vulnerable situations. This represents an increase from the previous year, underscoring the need for stronger enforcement of labour laws and more sturdy protective measures”.⁶⁹⁶

d. Trafficking

The U.S. Department of State’s annual report on religious freedom in Sri Lanka, covering 2022 and published in May 2023, wrote:

The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for child sex trafficking, and practices related to child pornography, but authorities did not always enforce the law. The minimum age for consensual sex is 16.

As of December, the cases continued against those arrested for the June 2021 trafficking incident of a girl, age 15, in Mount Lavinia.⁶⁹⁷

UNICEF’s May 2023 report on the socioeconomic conditions faced by women and children in the tea estate communities in Sri Lanka, based on March 2023 data, found that:

Findings from our household survey, which involved interviews with parents of children aged 5 – 17 years, revealed that 8% of these children are engaged in work. Among them, the vast majority (7% of all children) are involved in work that is not classified as child labour, as it falls within the admissible age and time limits and is considered light and non-hazardous work. However, 1% of the children whose parents participated in the survey are engaged in work that would be classified as child labour.

Regarding children’s involvement in household work, our survey found that 21% of children aged 5-11 years and 40% of children aged 12-17 years help out with housework for less than 21 hours per week. In terms of child labour in household work, 1% of children between the ages of 12 and 17 years are involved in housework which can be classified as child labour, and this is only seen in the Central Province (2%) and Uva Province (1%). [...]

While the survey findings provide valuable insights, it is important to note that they do not give a definitive picture of the child labour situation on the ground. This is due to the fact that the children themselves were not consulted as part of the study, and some parents may be hesitant to disclose information about their children’s work because they are aware of the legal restrictions on child labor. [...]

During our key informant interviews for this study, stakeholders indicated that there has been an increase in the number of children involved in economic activities and a corresponding decline in regular school attendance.⁶⁹⁸

The U.S. Department of State found in its annual report on trafficking in persons covering April 2023 to March 2024 that:

Within Sri Lanka, traffickers exploit men, women, and children in forced labor and sex trafficking, although women, children, ethnic minorities, and older individuals are often most at risk. Traffickers have increasingly used social media to fraudulently recruit victims. Traffickers fraudulently recruit Sri Lankan victims with job offers and force them to engage in online scam operations, particularly in Southeast Asia. [...]

⁶⁹⁶ The Daily Mirror, [Alarming rise in child abuse cases, NCPA data reveals](#), 14 August 2024

⁶⁹⁷ US Department of State (USDOS), [Sri Lanka 2022 International Religious Freedom Report](#), 15 May 2023

⁶⁹⁸ UNICEF, [Socioeconomic Conditions Faced by Women and Children in the Tea Estate Communities in Sri Lanka](#), May 2023, p. 46

Traffickers exploit Sri Lankan men, women, and children in forced labor in the Middle East, Asia, Europe, and the United States in the construction, garment, and domestic service sectors. [...]

Observers reported women and girls are disproportionately impacted by human trafficking. [...] The domestic work sector, mostly employing women and girls, is largely unregulated with working conditions indicative of forced labor and domestic servitude; in addition, in-house domestic workers experience greater risks of exploitation and abuse. [...]

Sri Lankan children work in the domestic sector, service industry, agriculture, and more hazardous occupations, such as the industrial sector. Some child domestic workers are subjected to physical, sexual, and psychological abuse, non-payment of wages, and restrictions of movement – all indicators of labor trafficking. Labor traffickers exploit children in small boutiques and informal markets, and traffickers have reportedly exploited children in the drug trade in previous years. Child labor is also significant among ethnic minority Tamils on tea and rubber plantations. Additionally, traffickers reportedly exploit boys and girls in child sex trafficking, including in coastal areas, for extraterritorial commercial child sexual exploitation and abuse. In addition to foreign tourists, researchers report local demand drives child sex trafficking in Sri Lanka. Some workers and residents in government and private shelters caring for trafficking victims sexually abuse and exploit some of the children.⁶⁹⁹

In July 2024, a Save the Children blog piece observed that “The scale of human trafficking in Sri Lanka has risen alarmingly”. It further wrote:

The scale of human trafficking in Sri Lanka has risen alarmingly, exacerbated by the COVID-19 pandemic and the ongoing economic crisis that has shaken the country since early 2022.

As a nation, Sri Lanka serves both as a source and destination for trafficked individuals, including vulnerable children who are forced into labour and commercial sexual exploitation. [...]

The gravity of child trafficking in Sri Lanka cannot be overstated. Between June 2023 and June 2024, the Government of Sri Lanka identified 95 trafficking victims in the past year, including five girls and three boys.

However, many cases of child trafficking still remain unreported, leaving child victims of trafficking without the support they desperately need for recovery and reintegration.

Trafficking and exploitation are particularly rampant in the tourism sector, where children are trafficked to cities for domestic work and sexual exploitation. This situation underscores the urgent need for comprehensive action to protect our most vulnerable citizens.⁷⁰⁰

e. Measures by the State to Protect Children

The UNICEF Sri Lanka Country Office annual report, covering 2022, observed that:

The National Child Protection Authority, with strong advocacy support from UNICEF, established a multi-sectoral coordination mechanism on prevention of violence against children, which also provides recommendations on legal amendments related to corporal punishment. One important legal reform was the repeal of Section 29 of the Children and Young Persons Ordinance that sanctioned court administered corporal punishment (caning) of children. UNICEF also piloted the Positive Disciplining approach in 50 schools in Central and Uva provinces and the Positive Parenting manual in Mannar district that provide practical advice and alternate methods of disciplining children.⁷⁰¹

⁶⁹⁹ U.S. Department of State, [2024 Trafficking in Persons Report: Sri Lanka](#), 24 June 2024, *Trafficking Profile*

⁷⁰⁰ Save the Children, [Combating Child Trafficking in Sri Lanka](#), 30 July 2024

⁷⁰¹ UNICEF, [UNICEF Sri Lanka Country Office Annual Report 2022](#), 2022, p. 4

The same report noted that “To monitor child rights, UNICEF strongly advocated for an independent institution which contributed to the establishment of a Child Rights Unit within the Human Rights Commission in October”.⁷⁰²

In November 2022, UNOCHA issued a report on Sri Lanka’s Multi-Dimensional Crisis which indicated with regards to the impact on protection that:

At the same time, the ongoing crisis is affecting protection mechanisms for genderbased violence and child protection, as the ability of social workers to conduct regular field visits and provide protection services to families and vulnerable children is limited due to fuel shortages. [...]

The unprecedented economic crisis soon after the COVID-19 pandemic is resulting in an increasing trend of protection concerns and psychosocial issues among children. Protection agencies have monitored an alarming increase of high-risk child protection incidents including cases of sexual assault, physical abuse and child negligence in Moneragala, Nuwara Eliya, Batticaloa and Mullaitivu districts.

Child Protection agencies in a recent consultation with the National Child Protection Authority (NCPA) and Department of Probation and Child Care Services (DPCCS) identified that due to severe shortage of financial resources, government child protection and social work services are unable to provide legal, psycho-social and other protection support for the reported and verified cases of children, which has created a crippling backlog. Further, as the country’s only operator of child helpline (1929 ChildLine), where child protection cases are reported, NCPA anticipates an increase of incident reports in the coming months with the worsening crisis in the country. This is based on the trend between years 2020 and 2021; in 2020, there were 8,165 cases reported which increased to 11,187 in 2021. Complaints received from January to August 2022 have already been recorded at 6,318 (or 56 per cent of the 2021). Parents and caregivers are spending hours in long queues to buy essential food items, while leaving their children unattended or unsupervised.

With mounting economic pressures, reports of violence against children as well as gender-based violence (GBV) including exploitation are increasing and child protection officials are not able to monitor households due to lack of fuel. Over 10,000 children are currently in institutions, with poverty being the major driver for placement and their conditions will be further compromised as the crisis grips the country. In addition, new families are demanding to place their children in institutional care as they are not able to afford to feed or educate them; around 585 children were admitted in children homes within first half of 2022. At the same time, institutions are struggling to maintain adequate standards of care.⁷⁰³

An op-ed by UNICEF released in November 2022 reported the following on child justice and child rights in Sri Lanka:

As one important action, in the first months of the crisis, UNICEF, the NCPA and Non-Governmental Organization (NGO) partners set up a system to monitor the cases of violence. Reports are made through various channels: to the police, to NGOs, to health services and directly to NCPA and Child Care and Probation Services. However, people are also scared to come forward, uncertain they will receive any tangible support, concerned about revictimization in the system or worried that the perpetrators, often a family member, friend or neighbour, will get into trouble. The cases reported are often the tip of the iceberg. [...]

⁷⁰² UNICEF, [UNICEF Sri Lanka Country Office Annual Report 2022](#), 2022, p. 5

⁷⁰³ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Impact on Other Key Sectors*, p.7 and *Protection (including Child Protection & Gender-based Violence) and Education* p. 36

Whilst child welfare and protection staff have remained on the ground throughout the crisis, their budgets have been reduced and, like everyone else, they have limited access to petrol. They can no longer afford to provide all the services that families need to stay safe and stay together.

“In Sri Lanka, we do not want to lose ground on the good progress that has been made. Child Labour rates (less than 1%) and child marriage rates (less than 2%) are some of the lowest in the region” according to Miranda Armstrong, UNICEF’s Chief of Child Protection. [...]

The current crisis has not only exacerbated some of the child protection issues in Sri Lanka, but also highlighted some of the gaps in the national child protection system. Reform is needed to bring the legislation governing the system in line with international standards.

The institutions that govern the child protection system in Sri Lanka – the National Child Protection Authority, the Department of Probation and Child Care Services, the National Secretariat for Early Childhood Development and the Bureau for the Prevention of Abuse of Children and Women under the Police - do not have a mechanism to come together regularly to discuss the key child protection priorities and work together more holistically to find solutions. Similarly, the strong social service workforce for child protection in Sri Lanka cannot fulfil its role without improved coordination. There are many competent front-line workers, including Probation Officers, Child Rights Promotion Officers, NCPA Officers, Women’s Development Officers and Grama Nilhadari’s, all of whom can play a crucial role in preventing violence and responding to cases of abuse, neglect and exploitation. For that, they need to come together, clarify their roles and advocate for budgets that can enable them to deliver services to families.⁷⁰⁴

UNICEF again wrote in their situation report on the economic crisis of 2022, published at the end of December 2022, that “Whilst child welfare and protection staff of the government have remained on the ground throughout the crisis, reduced budgets and lack of fuel impacted their ability to reach those most in need”.⁷⁰⁵

Covering the year 2023, the U.S. Department of State’s annual human rights report found that “The government enforced the law but did not enforce the law effectively [...] Despite laws on child abuse, cruelty to children and their exploitation in trafficking and child labor persisted. Penalties varied based on the type and degree of child abuse, but trials tended to last for years”.⁷⁰⁶

The USDOL annual report on worst forms of child labor in Sri Lanka, published in September 2023 and covering 2022, wrote the following:

During the reporting period, the government amended the Children and Young Persons Ordinance to define individuals under 18 years old as children in line with international standards. (37) This change enables children under age 18, previously age 16, to be treated as minors in the criminal justice system and be eligible for government services designated for children. (38-41) [...]

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor [...]. However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.⁷⁰⁷

Also in September 2023, The Daily Mirror published an article on child victims of sexual exploitation in Sri Lanka. It wrote:

⁷⁰⁴ UNICEF, [Child Welfare and Child Justice in Sri Lanka – no time like the present for reform](#), 24 November 2022

⁷⁰⁵ UNICEF, [Sri Lanka Economic Crisis 2022 Situation Report No. 3](#), 31 December 2022, p. 3

⁷⁰⁶ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, Section 6. Discrimination and Societal Abuses

⁷⁰⁷ US Department of Labor (USDOL), [2022 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 26 September 2023, pages 3-5

Apart from reluctance to visit law enforcement authorities, most people have no clue about the provisions of the Prevention to Domestic Violence Act (No. 34 of 2005). [...]

The absence of appropriate terminology to define abuse, harassment, rape and violence against girls and women compared to the vernacular have been a matter of concern for quite some time. [...]

The mounting number of cases at the Attorney General's Department, Police Women's and Children's Bureau and ultimately at Magistrate's Courts speak volumes about the lapses in the legal system. Delayed prosecutions always favour perpetrators as it provides them with the opportunity to abscond or bribe the aggrieved party on terms of withdrawing the case. "Accountability is a fundamental in good governance," opined Founder Chairman of the National Child Protection Authority, veteran Paediatrician Prof. Harendra De Silva. "The abuser becomes more powerful each time the prosecution result the entire law enforcement process has been infringed," said Prof. De Silva

Impunity and the lack of a monitoring process to bring perpetrators before the law are two other obstacles that need to be overcome. "There's no point in shouting for a system change if law enforcement itself has failed. The rights of a child are only confined to statute books. Right now there is reactive surveillance happening, but what needs to be in place is proactive surveillance. We take actions after an incident happens. But there are no preventive measures taken. Cyber surveillance too is a must as most perpetrators are now using online methods to target vulnerable children. Then there are those who don't report on these incidents owing to various reasons. They become passive perpetrators of such incidents," he said.⁷⁰⁸

The Sunday Times wrote in November 2023 on child abuse in Sri Lanka. With regards to measures by the state to protect children and prosecute child abuse perpetrators, the article stated:

Another challenge is the weak implementation of laws and the time it takes for a conviction. According to Dr Wickramanayaka [chairperson of the Stop Child Cruelty Trust (SCCT)], a case can take up to 10 years to be heard. "This is disempowering for the victim and creates further trauma as they have to repeat their experience." It is worth noting that when a conviction is delivered by a court, the victims are adults. [...]

Dr. Wickramanayaka noted a UN report had found that during July 2020 July to 2022, 17 children had been physically and sexually abused and then murdered. "In other countries, there is outrage when something of this nature happens, and the perpetrators are prosecuted quickly, but in Sri Lanka this is not the case."

She acknowledged that such crippled mechanisms and the lack of implementation of laws have paved the way for offenders to abuse and assault children. Figures from the NCPA show that there has been a 30% increase in complaints for cruelty. "This could be because of two reasons; the public is aware of the 1929 hotline or there is an increase in abuse," she pointed out.

Several amendments have been introduced to the existing laws. However, some of them are yet to be approved by the Cabinet. For instance, the age of criminal responsibility was raised from age 8 years to 12 years and was a win for the rights of children in Sri Lanka. She also brought to focus the abuse faced by institutionalised children in care homes and even under the Probation Department. "Children are being abused by the very institutions that are supposed to protect them." [...]

The NCPA follows a two-pronged approach, law enforcement and preventive education and public awareness to tackle child abuse. They are presently doing awareness programmes for vulnerable populations and have also introduced a national policy on child abuse prevention.

"We have submitted a five-year action plan to the Cabinet that collaborates with various sectors including, education, health, tourism, mass communication, law and order and stakeholders across the

⁷⁰⁸ The Daily Mirror, [Why Sri Lanka's children continue to be victims of sexual exploitation](#), 28 September 2023

country to prevent child abuse,” said Udayakumara Amarasinghe, the chairman of the NCPA in conversation with the Sunday Times.

He also added that all child development centres, and care homes were being monitored by the NCPA to ensure that abuse was minimal.

“The entire society has a responsibility to ensure that children are protected,” emphasised SSP Nihal Thalduwa, the Police media spokesperson. The Police mainly conduct investigations into the complaints that have been recorded. They also collaborate with the NCPA in conducting awareness programmes.

The lack of rehabilitation for abused children is another concern. According to the last assessment conducted by the UN with regard to the United Nations Convention on the Rights of the Child (UNCRC), five recommendations were made. These were: ending violence, managing sexual abuse, reduction of child labour, welfare of displaced children and judicial progress.

Sri Lanka is yet to effectively meet these recommendations.⁷⁰⁹

The UNICEF Sri Lanka Country Office Annual Report 2023, covering 2023, observed that “Child protection, in turn, remains minimal in the national level budget at 0.01 per cent of total government expenditure”.⁷¹⁰ It added that:

[...] child protection services struggle to respond; budgets available for front-line services remain low and the fund disbursements delayed and uncertain, making planning and service delivery a challenge. In addition, the reduced allowances of front-line workers make it difficult for them to carry out their core tasks.

[...] a slow justice system – a case of child abuse may take 10-20 years to progress to verdict in court – delays in enacting legal reforms, and children aged 16 and 17 still being judged as adults by the law, continue to pose constraints in establishing a more child-friendly child protection system”. [...]

While progress was made on legal reforms to establish a more child-friendly child protection system in Sri Lanka, there were constraints faced. A key development was the passing of a Bill by Parliament to expand the scope of diversion of children who allegedly commit theft, increasing the value from Sri Lankan Rupees (LKR) 5,000 to 100,000. However, the new Child Protection and Justice Bill is yet to move to the next stage of final consultations and presentation to Cabinet, and important amendments made in 2022 to the existing Children’s and Young Persons Ordinance have not been gazetted, and therefore, not implemented.⁷¹¹

The Daily Mirror published an article in February 2024 on legal crises hindering justice for Sri Lanka’s vulnerable children, writing that:

Even though Sri Lanka has become a signatory for many child rights conventions and even amidst having the laws in place to prosecute perpetrators of grave sexual abuse on children and women, many incidents continue to be reported from across the island. Critics opine that the delays in prosecuting perpetrators, the fact that they are connected to influential people, the ability to withdraw cases after paying hefty amounts of money provide them with a safe environment to continue with their sinister acts. [...]

It is also no secret that many cases pertaining to child abuse, rape, harassment and grave sexual abuse are pending to be resolved. At least 257 cases filed by the Special Investigations Unit of the NCPA are

⁷⁰⁹ The Sunday Times, [Child abuse gallops along with economic devastation](#), 19 November 2023

⁷¹⁰ UNICEF, [UNICEF Sri Lanka Country Office Annual Report 2023](#), 2023, p. 1

⁷¹¹ UNICEF, [UNICEF Sri Lanka Country Office Annual Report 2023](#), 2023, pages 2 and 6

pending in High Court while another 423 cases are pending in various magistrate courts around the island.⁷¹²

In March 2024, The Tamil Guardian commented on civil society organisations condemning a proposed amendment to Sri Lanka's Penal Code reducing the age of consent from 16 to 14 years of age. It wrote that:

The letter, signed by 150 individuals and 55 civil society organisations states that child abuse is rife in Sri Lanka, and it is reprehensible that this Bill is being presented as an amendment to the Penal Code.

"We do not know how this policy was formulated, and it ignores current realities in Sri Lanka on the high incidence of sexual abuse of minor children including girls, and the abysmal failures in law enforcement," said the letter.

"This has created a culture of impunity and even legitimacy for child sexual abuse. [...]"

"It is reprehensible that this Bill is being presented as an amendment to the Penal Code at this time when the challenge is to strengthen enforcement of the existing law and protect children from sexual abuse and exploitation," continued the letter.

"The manner in which impunity for such abuse is being encouraged by lowering the age of consent of girls to 14 years, and then providing for suspended sentences for male perpetrators under 22, clearly points to a growing practice of ad hoc policy formulation according to agendas. What we need is coherent consistent law and policy reform that can address and impact usefully and resolve problems relating to violence against women and girls."

The statement pointed out that this bill contradicts the national policy of protecting the human rights of women and girls through the much-publicized proposed Gender Empowerment Bill and the National Policy on Women.⁷¹³

The U.S. Department of State's annual report on human rights in Sri Lanka, covering 2023 and published in April 2024, reported the following with regards to children:

The law prohibited child abuse, including physical, sexual, and psychological abuse, and child neglect. The government enforced the law but did not enforce the law. [...]"

Most child abuse complaints were received by the National Child Protection Authority (NCPA) via a toll-free 24-hour hotline. Civil society organizations working on children's matters asserted children had insufficient mechanisms to safely report domestic violence or abuse. Although police stations were supposed to have an officer dedicated to handling abuse complaints from women and children, the government did not consistently implement this practice nationwide. The police department's Children and Women Bureau played a major role in investigating abuse cases, but depending on the severity of the case, some fell under the jurisdiction of the magistrates' courts as outlined in the criminal procedure code. In these instances, police filed a formal complaint sheet and began a judicial medical process. The attorney general filed indictments for child abuse cases exclusively in high courts.⁷¹⁴

The USDOS 2024 annual trafficking in persons report for Sri Lanka, published in June 2024 and covering April 2023 to March 2024, wrote the following on prosecution, protection, and prevention efforts:

The government initiated prosecution in three cases against an unspecified number of suspects using non-trafficking charges, including two under procurement, 360A, and one under the sexual exploitation of children statute, 360B; the government continued prosecution of at least 64 cases from previous reporting periods. [...] The National Child Protection Agency (NCPA) reported 36 trafficking-related calls

⁷¹² The Daily Mirror, [Legal crisis hindering justice for Sri Lanka's vulnerable children?](#), 21 February 2024

⁷¹³ The Tamil Guardian, [Sri Lanka to drop statutory rape age limit to 14 years old](#), 21 March 2024

⁷¹⁴ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

received through its hotline, compared to 128 cases of possible child sexual exploitation referred to police during the previous period. Police did not always notify the NCPA about cases of commercial sexual exploitation of children because of a lack of referral procedures. [...]

The NCPA maintained three sets of guidelines providing child-friendly procedures for police, judicial officers, and probation officers.

Concerns about official complicity persisted; the government investigated some allegations of official corruption and initiated disciplinary action in some cases, but did not report any prosecutions or convictions of allegedly complicit officials, inhibiting law enforcement action. Sri Lankan authorities continued a disciplinary hearing against an SLBFE officer – previously posted at the Sri Lankan Embassy in Oman – on charges of trafficking and sexual harassment of migrants, and initiated preliminary criminal proceedings. The case recalled past allegations involving Sri Lankan consular officers sending trafficking victims back to abusive employers and exploitative employment agencies for financial gain when victims fled to embassies for help. However, the attorney general, claiming a lack of sufficient evidence, dropped the government’s case against a local divisional council member, two police officers, and a Naval officer arrested for sex trafficking of a 15-year-old girl in July 2021. The government did not report any action against past abuses in state-run childcare institutions, nor any outcomes in cases against state-run orphanage employees charged with sexual abuse of children. Some officials reportedly coerced women involved in commercial sex to perform sexual favors. [...]

The government slightly increased protection efforts. The government identified 95 victims – including 53 men, 34 women, five girls, and three boys – compared with 59 victims identified during the previous reporting period. Of the 95 victims, nine were sex trafficking survivors, 78 were labor trafficking survivors, and eight were survivors of unspecified forms of trafficking; seven victims were Pakistani nationals. [...]

In previous reporting periods, officials did not consistently identify forced labor and sex trafficking that did not involve transnational movement, especially of children, and sometimes categorized such cases as other crimes. [...]

The government operated safe homes and approximately 331 childcare institutions that provided services to vulnerable children, including trafficking victims. The NCPA conducted routine monitoring of childcare institutions using a digital platform; officials identified instances of potential exploitation and trafficking and referred these incidents to police. [...]

The NCPA maintained a database on child abuse cases, including child trafficking cases, to coordinate agency services during court procedures.

The DOL [Department of Labor] conducted routine labor inspections. In 2023, the DOL conducted 76,916 routine inspections, the government received 87 complaints of child labor, and identified 12 child labor violations involving 15 children; this compared with 70,089 labor inspections, 145 child labor complaints, and 11 child labor violations in 2022. Labor inspectors did not report identifying any cases of human trafficking. Observers noted the number of labor inspectors was insufficient, resulting in many workers remaining vulnerable to abuse. Labor inspectors could carry out unannounced inspections, but only had the authority to inspect residences for child domestic worker violations if a complaint was received and observers reported the process to formally file a complaint was lengthy and difficult.⁷¹⁵

The USDOL annual report on worst forms of child labor in Sri Lanka, published in September 2024 and covering 2023, stated that:

In 2023, Sri Lanka made moderate advancement in efforts to eliminate the worst forms of child labor. The Sri Lanka Department of Labor trained 357 labor officers on laws related to child labor and organized several specialized training programs, including cybercrime investigation and forensic interviewer skills

⁷¹⁵ U.S. Department of State (USDOS), [2024 Trafficking in Persons Report: Sri Lanka](#), 25 June 2024

for child survivors. It also expanded its school meal programs to cover 1.6 million students in primary schools across the country and launched a social welfare program to provide financial benefits to 1.7 million families at high risk for labor exploitation, including child labor. Although the government made meaningful efforts in all relevant areas during the reporting period, it is unknown whether the government initiated prosecutions or convicted perpetrators for crimes related to the worst forms of child labor. [...] Furthermore, the labor inspectorate lacked sufficient staffing and funding to carry out an adequate number of inspections, including in factories in the northern and eastern provinces.⁷¹⁶

The November 2024 Orchid Project report on FGC in Sri Lanka wrote that:

Section 308A (Cruelty to children) of the Penal Code, which was inserted via the Penal Code (Amendment) Act, defines the offence of cruelty to children and goes on to say that anyone who arranges ('causes or procures') for a child to be assaulted or ill-treated that leads to suffering or injury to the child's health (including loss of an organ of the body) commits the same offence.⁷¹⁷

XIV. Internally Displaced Persons

a. Overview

Providing some contextual overview, the Australian Department of Foreign Affairs and Trade's (DFAT) May 2024 Country Information Report for Sri Lanka noted regarding internal displacement:

The civil war (1983 to 2009) displaced over 900,000 people within Sri Lanka, mostly Tamils and Muslims in the Northern and Eastern provinces. Most internally displaced persons (IDPs) have been resettled, with most returning to their place of origin [...]
Natural disasters, including floods and landslides, can cause some short-term displacement, and represent the main driver of internal displacement in Sri Lanka today.⁷¹⁸

At the end of 2022 "11,000" IDPs were recorded due to "disasters", "0" due to "conflict and violence", whilst the "total number of IDPs at the end of 2022 due to conflict and violence" was "12,000".⁷¹⁹

The Daily Mirror reported that on 9 August 2023 President Ranil Wickremesinghe delivered the following speech to Parliament:

The Presidential Secretariat Northern Province Coordination Office has been established to assist the IDPs who have been affected due to the North and East conflict. As you are aware, people who were internally displaced in the North and East were accommodated in welfare centres or been living with their friends and relatives. After the restoration of normalcy, they have largely returned to their places of origin. Following the resettlement of a majority of the people with housing and livelihood support, its current status in the Northern and Eastern provinces is hereby tabled [...]
Action continues to resettle IDP families in the Northern and Eastern Provinces. Of the five districts in the Northern Province resettlement of IDPs remains only in Jaffna and Kilinochchi districts. In Jaffna there are 15 Welfare Centres with a total of 136 families and 2,175 families with friends and relatives.

⁷¹⁶ US Department of Labor (USDOL), [2023 Findings on the Worst Forms of Child Labor: Sri Lanka](#), 5 September 2024, p. 1

⁷¹⁷ Orchid Project, [The Law and FGC: Sri Lanka](#), November 2024, p. 6

⁷¹⁸ Australian Government, [DFAT Country Information Report: Sri Lanka](#), 2 May 2024, *Groups of Interest: Internally Displaced Persons (IDPs)* p. 39

⁷¹⁹ Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council (NRC), [Grid 2023, Internal displacement and food security](#), 11 May 2023, *Summary of key figures*, p. 139

There are no IDP families living in Welfare Centres in Kilinochchi. However, 182 families remain with their friends and relatives in the Peninsula, and 177 in Pachchilaippalli Division.

In the Eastern Province IDPs are present only in Trincomalee and Ampara districts and they live with friends and relatives, and there are no Welfare Camps in this Province.

Particular attention has to be given to resolving problems associated with displaced persons resettlement, which also requires releasing privately held lands for public use. I have tasked the officials to take immediate action to settle these issues, by devising effective mechanisms for their resolution.⁷²⁰

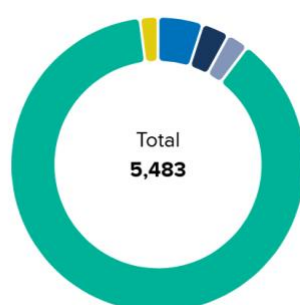
UNHCR provided the following 2025 planning figures, available at the beginning of January 2025, of whom 4,938 were of Sri Lankan nationality⁷²¹:

Populations

Population types –

Sri Lanka | 2024

Refugees | 5%
Returned refugees | 2%
Stateless | 2%
Asylum-seekers | 3%
IDPs | 88%



b. Recent Internal Displacement Events (July-December 2024)

The Internal Displacement Monitoring Centre's database reported that between July and December 2024, 12 displacement events occurred in Sri Lanka that each displaced over 1000 people, 14 events occurred that each displaced between 100 and 1000 people, and 32 events occurred that each displaced fewer than 100 people.⁷²² Of the events that displaced over 1000 people (ca. 10,518 individuals), all were due to flooding and occurred between 10 October and 22 October (monsoon flooding),⁷²³ and ca. 37,734 individuals were displaced between 22 November and 11 December due to Cyclone Fengal.⁷²⁴

⁷²⁰ Daily Mirror, [13A should be implemented to suit nation's growth and future: President](#), 9 August 2023

⁷²¹ UNHCR, [Sri Lanka](#), undated current webpage (accessed 2 January 2025)

⁷²² Internal Displacement Monitoring Centre, [Sri Lanka: Internal Displacement Updates](#), undated current webpage (accessed 9 January 2025)

⁷²³ IFRC, [Sri Lanka – Monsoon Flood 2024, DREF Operation MDRLK020](#), 25 October 2024

⁷²⁴ UNFPA, [Situation Report #1: Sri Lanka North-East Monsoon](#), 20 December 2024, *Situation Overview* p. 2. For the figures see the Disaster Management Centre's data as follows: [Disaster Management Centre \(DMC\) - 15 October 2024](#); [Disaster Management Centre \(DMC\) - 15 October 2024](#); [Disaster Management Centre \(DMC\) - 13 October 2024](#); [Disaster Management Centre \(DMC\) - 15 October 2024](#); [Disaster Management Centre \(DMC\) - 15 October 2024](#); [Disaster Management Centre \(DMC\) - 29 November 2024](#); [Disaster Management Centre \(DMC\) - 29 November 2024](#); [Disaster Management Centre \(DMC\) - 29 November 2024](#); [Disaster Management Centre \(DMC\) - 28 November 2024](#); [Disaster Management Centre \(DMC\) - 30 November 2024](#); [Disaster Management Centre \(DMC\) - 30 November 2024](#); [Disaster Management Centre \(DMC\) - 29 November 2024](#)

Reporting by the Daily Mirror on 12 October 2024 indicated that the number of people displaced was greater than the number of people sheltered:

Over 76,000 persons have been displaced by rain related disasters during the period between October 7 and 6.00 pm today, the Disaster Management Centre (DMC) said.

According to the latest DMC update, 76,218 persons belonging to 18,795 families have been displaced. The DMC said 3,560 persons have been sheltered in 38 welfare centres. Also, 233 houses have been partially damaged.⁷²⁵

In a Situation Report on its Disaster Response Emergency Fund Operation which responded to the October 2024 monsoon flooding, the International Federation of Red Cross and Red Crescent Societies stated:

As of 15 October 2024, the Disaster Management Centre (DMC) reported that approximately 154,782 people from 39,522 families had been affected by the adverse weather conditions. Out of these, 10,361 people from 2,433 families were being sheltered in 80 safe locations. Gampaha District remained the most severely impacted, with 78,281 affected residents. The following districts have experienced the most significant damage and people affected;

A. Western province - Colombo district - 60,233 people from 15,941 HHs [households] and 5,509 people sheltered in 41 centers

B. Western province - Gampaha district - 78,281 people from 19,956 HHs and 1,574 people sheltered in 19 centers

C. Northwestern province - Puttalam district - 8,902 people from 2,203 HHs and 3,261 people sheltered in 18 centers

A 34-year-old man drowned in Kelanimulla, Mulleriyawa, located in Colombo District. The adverse weather has also claimed three lives as of 15 October 2024. According to the Disaster Management Centre (DMC), the severe weather caused complete destruction of one house and partial damage to 321 houses.

On 13 October 2024, the Government instructed the Secretary of Defense to take immediate steps to ensure the safety of people in areas affected by the extreme weather.⁷²⁶

In its first Situation Report on the Sri Lanka North-East Monsoon on 20 December 2024, the United Nations Population Fund (UNFPA) stated:

A deep depression in the southwest Bay of Bengal, located 170 km (106 miles) from Batticaloa and 240 km (149 miles) from Trincomalee districts, both on the east coast of Sri Lanka, intensified into Cyclonic storm 'Fengal' by November 27, 2024. This caused heavy rainfall, strong gusty winds and rough sea conditions, triggering floods, landslides, and severe weather-related incidents across nine provinces: Northern, Uva, North-Western, Western, North Central, Central, Sabaragamuwa, Eastern, and Southern. The continuous rainfall, lasting over a week, caused major reservoirs to overflow.

As of December 2, the Disaster Management Centre reported 17 deaths and 19 injured persons. A total of 475,225 individuals (141,151 families) were affected, with 106 houses damaged fully and 2,516 houses partially damaged. At the height of the situation on November 28, a total of 61,290 individuals (18,025 families) were relocated to 279 safe locations, with nearly double that number finding refuge with relatives. By December 2, this reduced to 7,308 individuals (2,170 families) placed in 78 safe locations. The floods also led to significant losses in agricultural crops and livestock, severely impacting the livelihoods of those affected. As of 12 Dec, all displaced people returned to their homes [...] The impacts of Cyclone Fengal and the resulting flooding will increase stress and mental health issues, making the provision of psychosocial support services critical to ensure the wellbeing of women and young people.

⁷²⁵ The Daily Mirror, [Over 76,000 persons displaced due to rain related disasters](#), 12 October 2024

⁷²⁶ IFRC, [Sri Lanka – Monsoon Flood 2024, DREF Operation MDRLK020](#), 25 October 2024, p. 2-3

With the North-East Monsoon expected to continue through to February 2025 and further flooding expected to hit the Northern and Eastern provinces, already affected vulnerable populations face the threat of additional displacement and hardship, highlighting the need for continued support.⁷²⁷

c. Living Conditions

Covering the year 2023, the U.S. Department of State's annual human rights report found that "Most IDPs continued to reside in Jaffna, Kilinochchi, Mannar, and Batticaloa Districts in the north and east. While all IDPs had full freedom of movement, most were unable to return home due to land mines; restrictions designating their home areas as part of HSZs [High Security Zones]; lack of economic opportunities; inability to access basic public services, including acquiring documents verifying land ownership; lack of government resolution of competing land ownership claims; and other war-related reasons".⁷²⁸

In March 2023, reporting on dialogue between the Sri Lankan government and Experts of the Human Rights Committee it was noted that:

On internally displaced persons, the delegation said a special unit had been established. 2,324 internally displaced persons were currently housed in welfare centres and 13.3 acres of State land were allocated to those families. The President had appointed a committee to classify land as forest land. If security forces wanted to maintain land, a mechanism allowed them to lease it from the owners. [...]

Further, allegations of sexual violence against women in the context of detention and resettlement were also of concern. [...]

Follow-Up Questions by Committee Experts [...]

A Committee Expert noted progress made in settling internally displaced persons. Various measures had been undertaken following a national policy approved in 2016 for those displaced and refugees unable to pursue their property rights in the conflict. 92 per cent of the private land held by the military was also released to legitimate civilian owners. Reports of land grabs through intimidation by the military were concerning. Further military infrastructure and military businesses were being developed across the northeast. Why had military zones and operations continued to expand to the region despite the State party's commitment to reducing its presence? Traditional Tamil lands had also been annexed through the Government's irrigation schemes and Sinhalese were displaced following irrigation. Such measures prevented thousands of Tamils from making land ownership claims or pursuing their livelihoods. How would the State party ensure land rights of those returning to their land were protected?

Responses by the Delegation [...]

A special unit was established, and 2,324 internally displaced persons were currently housed in welfare centres and 13.3 acres of State land were allocated to those families. 34 families had been taken care of and 30 remained to be taken care of. Larger families and single-members families were prioritised. In the Eastern Province, there were 50 families that would be resettled. The President had appointed a committee to classify land as forest land. If security forces wanted to maintain land, a mechanism

⁷²⁷ UNFPA, [Situation Report #1: Sri Lanka North-East Monsoon](#), 20 December 2024, *Situation Overview* p. 2

⁷²⁸ U.S. Department of State, [2023 Country Reports on Human Rights Practices: Sri Lanka](#), 22 April 2024, *Section 2. Respect for Civil Liberties*

allowed them to lease it from the owners. As agricultural landowners were displaced by the construction of an airport extension, they would be given agricultural land upon resettlement.⁷²⁹

Reporting in the Tamil Guardian in September 2023, the article stated of an internally displaced group of families in Jaffna:

For the past 33 years, they have been living in internally displaced camps in Chinnavalai, Polikandy, Nilavan, Kankesanthurai, and Aanaipanthi, which lack basic facilities and have made their day-to-day lives a constant struggle and are reliant on welfare organisations for basic necessities.

After years of continuous protests following the end of the ethnic war, the state finally allocated land. However, despite being surveyed by the Survey Department, the residents have yet to receive the deeds for the allocated land. Out of 49 families living in the five IDP camps mentioned above, only 45 families have been allocated lands, with bureaucratic hurdles cited as reasons for the remaining four families' lack of allocation.

Compounding the issue, military personnel continue to occupy the lands designated for the residents. The persistent challenges faced in the refugee camps have reinforced their determination to leave the camps and begin anew.

Of the 13 and a half acres of land allocated to the 45 families, 10 perches have been designated for a kovil [temple], and an additional 2 acres for a school. Each family has been allotted 2 perches of land. However, due to the lack of development in the area and the continued occupation of the land, it is often prone to flooding during heavy rains. The absence of basic infrastructure, including drainage, water supply, and electricity, renders the allocated land unsuitable for habitation.

The families noted that the lands that they have been allocated were not in the village that they used to live in. Despite this, and the many struggles, they are determined to begin their lives anew, in order to overcome the challenges that they face living in the refugee camps.⁷³⁰

The Dutch Ministry of Foreign Affairs' Country Information Report for Sri Lanka noted in June 2024 that:

Sources consulted in this context in February 2024 stated that only a few welfare centres were still operational, all in Jaffna. According to one source, a total of 130 families were still living in those centres [...]

According to 2 sources, living conditions in the remaining welfare centres were nevertheless harsh. One source reported that there was a lack of clean water, poor ventilation and lack of security in the centres.⁷³¹

According to the Gender, Justice and Security Hub's (GJS Hub) Country Briefing published in March 2024, "Many IDPs are still waiting to be resettled or relocated. During the war more than a million Sri Lankans belonging to the country's Northern and Eastern provinces were displaced from their homes. While the majority of those affected by the conflict have received aid to return, relocated or assimilated with their new communities, some IDPs are still waiting to be resettled or relocated 12 years after the end of the war".⁷³² Moreover, with regards to their social and economic marginalisation, the briefing found that "IDPs have limited access to economic and livelihood opportunities, which caused displacement to become protracted and worsening living conditions. Land and housing grants are insufficient, and IDPs have been reluctant to accept what land has been proposed by the

⁷²⁹ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations](#), 9 March 2023

⁷³⁰ Tamil Guardian, [Palaly residents struggle for resettlement despite land allocation](#), 14 September 2023

⁷³¹ Ministry of Foreign Affairs of the Netherlands, [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, *Welfare Centres*, p. 48

⁷³² Gender, Justice and Security Hub (GJS Hub), [Country Briefing: Sri Lanka](#), March 2024

Government Because of its poor quality and fertility, and because it is located in areas with a lack of livelihood opportunities”.⁷³³

Reporting in June 2024 by the Daily News included a statement made by the State Minister of Defence Premitha Bandara Tennakoon, which described support provision and living conditions for people displaced by heavy rains:

Currently, 119 relief centres are operating across the country. A total of 23,706 people from 2,313 families are in these centres [...]

The State Minister said that 87,379 people from 23,723 families in 251 Divisional Secretariat divisions of 23 districts have been affected due to the heavy rains [...]

“At present, arrangements are being made to provide all three meals to the people in the relief centres. Also, food is being provided by boats to the people who are staying in their homes for the protection of the houses affected by the disaster. Some 15,000 people are staying in the upper floors of their houses in Kolonnawa. A special arrangement is being made to provide cooked food to this group as well [...]

In case of death, money is given to the concerned families for the last rites. Assistance will to rebuild destroyed houses. Most of the houses, especially some houses in the hilly areas, have not been approved. Therefore, for the safety of the people, a programme is being implemented to strictly implement the relevant laws in the construction of houses. We have identified a good project for Ratnapura, which frequently gets flooded”.⁷³⁴

a. Violence and Abuse

In its first Situation Report on the Sri Lanka North-East Monsoon on 20 December 2024, the United Nations Population Fund (UNFPA) stated, in reference to the impact of Cyclone Fengal

The widespread displacement, disruption of social services, and breakdown of support networks have heightened protection needs for vulnerable groups, including women, adolescent girls, persons with disabilities, and older persons. Inadequate shelters, poor sanitation facilities, overcrowding, and shortages of water, electricity, and essential commodities have increased the risk of gender-based violence for women and girls. Damaged public facilities, such as markets and shops, have further limited access to daily hygiene items, restricting women's and girls' mobility and their ability to access humanitarian assistance.⁷³⁵

d. Land Release and Resettlement

*** As way of background, land release refers here to land that has been occupied by the Sri Lankan security forces both during and after the civil war, which ended in 2009. According to a 2018 report by Human Rights Watch “Large areas, including those previously held by the LTTE in the north and east, came under military control [...] While the administration of then-President Mahinda Rajapaksa released some land to its original owners, the military retained control over large areas for military but also non-military purposes, such as agriculture, tourism, and other commercial ventures. The new government, led by President Maithripala Sirisena, took some steps to release civilian land held by the

⁷³³ Gender, Justice and Security Hub (GJS Hub), [Country Briefing: Sri Lanka](#), March 2024

⁷³⁴ The Daily News, [Sixteen deaths reported, over 20,000 displaced](#), 4 June 2024

⁷³⁵ UNFPA, [Situation Report #1: Sri Lanka North-East Monsoon](#), 20 December 2024, *Situation Overview* p. 2

security forces”.⁷³⁶ According to information found for this specific report, not all land has been released (see below). ***

See also sections V. Rule of Law/Administration of Justice → [e. Impunity](#), VIII. Human Rights Situation → [1. Former LTTE members and their families or Tamil families of the disappeared](#), XII. Treatment of Religious and Ethnic Minorities → [b. Treatment of Religious and Ethnic Minorities](#) and [XV. Treatment of Returnees](#)

In its January 2023 Report relating to Civil and Political Rights within the Country for the review of Sri Lanka (Sixth Periodic Report), the Human Rights Committee of Sri Lanka noted that:

Internal Displaced person [sic] (IDP) are in welfare centres because their lands are still not released specially [sic] in Jaffna District due to High Security Zone and Airport expansion project. Anyhow the GoSL takes necessary steps to find out alternative lands to relocate the IDPs. The GoSL upto [sic] 2017, 33540 Tamil families, 610 Muslim families and 236 Sinhala families resettled in Jaffna District. The IDPs in the welfare centres are facing difficulties because they have been living more than three decades and expansion of family.

Access to land in the North and East remains a complicated issue in the post conflict Sri Lanka. Against the backdrop of conflict related displacement and forced migration, the return and resettlement of people in the North and East encounter numerous challenges such as difficulties in distinguishing property boundaries, and damage or destroyed documents, which are critical to prove both ownership and control of the land. Continuous military occupation of certain private as well as state land in the North is also a matter of concern. The security forces have gradually been realising [sic] lands in the Northern Province. In year 2015, 2016 and 2017 Total 1739.87 acres, 1252.53 acres and 120.11 acres lands were released respectively in Jaffna District according to the Jaffna District Secretariat Data.⁷³⁷

In March 2023, in reporting on dialogue between the Sri Lankan government and Experts of the UN Human Rights Committee it was noted that:

On internally displaced persons, the delegation said a special unit had been established. 2,324 internally displaced persons were currently housed in welfare centres and 13.3 acres of State land were allocated to those families. The President had appointed a committee to classify land as forest land. If security forces wanted to maintain land, a mechanism allowed them to lease it from the owners. [...]

Further, allegations of sexual violence against women in the context of detention and resettlement were also of concern. [...]

Follow-Up Questions by Committee Experts [...]

A Committee Expert noted progress made in settling internally displaced persons. Various measures had been undertaken following a national policy approved in 2016 for those displaced and refugees unable to pursue their property rights in the conflict. 92 per cent of the private land held by the military was also released to legitimate civilian owners. Reports of land grabs through intimidation by the military were concerning. Further military infrastructure and military businesses were being developed across the northeast. Why had military zones and operations continued to expand to the region despite the State party's commitment to reducing its presence? Traditional Tamil lands had also been annexed through the Government's irrigation schemes and Sinhalese were displaced following irrigation. Such measures prevented thousands of Tamils from making land ownership claims or pursuing their livelihoods. How would the State party ensure land rights of those returning to their land were protected?

Responses by the Delegation [...]

⁷³⁶ Human Rights Watch, [Sri Lanka: Government Slow to Return Land](#), 9 October 2018

⁷³⁷ HRCSL, [The HRCSL's Report relating to Civil and Political Rights within the Country for the review of Sri Lanka \(6th Periodic Report\) by the Human Rights Committee during its 137th Session](#), 25 January 2023, p. 5

A special unit was established, and 2,324 internally displaced persons were currently housed in welfare centres and 13.3 acres of State land were allocated to those families. 34 families had been taken care of and 30 remained to be taken care of. Larger families and single-members families were prioritised. In the Eastern Province, there were 50 families that would be resettled. The President had appointed a committee to classify land as forest land. If security forces wanted to maintain land, a mechanism allowed them to lease it from the owners. As agricultural landowners were displaced by the construction of an airport extension, they would be given agricultural land upon resettlement.⁷³⁸

In its April 2023 Concluding observations on the sixth periodic report of Sri Lanka the UN Human Rights Committee reported that:

While noting the efforts made by the State party to resettle internally displaced persons and to return private land held by the military to its civilian owners, the Committee remains concerned about reports of new land grabs by the military using threats and intimidation, as well as of partial land releases, with the military retaining the control of neighbouring land. It is also concerned about the forced resettlement of the Tamil community as a result of annexation of their traditional land by the authorities for irrigation and development purposes, and the lack of reparations provided to the affected community. It notes with concern reports of frequent land disputes in relation to the construction of Buddhist archaeological heritage and forestry conservation sites, especially in provinces largely inhabited by Tamils and Muslims, which have undermined reconciliation and led to new conflicts. It expresses its concern about the continued expansion of and increase in military zones, security-related infrastructure and military-owned businesses in the Northern and Eastern Provinces, despite the State party's commitment to reducing the military presence in those provinces (arts. 2, 7, 12 and 26).⁷³⁹

Reporting in November 2024 the Tamil Guardian quoted a statement made by the Defence Secretary, Sampath Thuyacontha, during a visit to Jaffna:

"There are 2,700 acres of land to be released in the Jaffna district. We are considering releasing these lands from the security forces and returning them to the landowners. In the future, we will make a proper assessment and take steps to release the lands," he told journalists. "We have taken these decisions based on security reasons."⁷⁴⁰

XV. Treatment of Returnees

See also sections V. Rule of Law/Administration of Justice → [e. Impunity](#), VIII. Human Rights Situation → [iv. Former LTTE members and their families or Tamil families of the disappeared](#), and XIV. Internally Displaced Persons → [e. Land Release and Resettlement](#)

The International Organization for Migration (IOM) Germany published the following 'Country Fact Sheet 2024' in June 2024 to provide general information on how to access health care, the labour market, housing, social welfare, education for those considering voluntary return.⁷⁴¹ It can be viewed [here](#).

⁷³⁸ OHCHR news, [In Dialogue with Sri Lanka, Experts of the Human Rights Committee Commend Settlement of Internally Displaced Persons, Raise Issues Concerning Constitutional Reform and Impunity for Military Officers' Alleged Human Rights Violations](#), 9 March 2023

⁷³⁹ UN Human Rights Committee, [Concluding observations on the sixth periodic report of Sri Lanka](#), 26 April 2023, para. 34

⁷⁴⁰ Tamil Guardian, [Defence Secretary visits Jaffna and defends occupation, as floods wreak havoc](#), 29 November 2024

⁷⁴¹ International Organization for Migration (IOM) in Germany, [Country Fact Sheet 2024](#), June 2024

According to a senior lecturer with the Department of Economics at the University of Jaffna in Sri Lanka interviewed by the Research Directorate of the Immigration and Refugee Board of Canada in June 2024 when asked about the treatment of returnees by the Sri Lankan authorities responded:

if immigration authorities are aware" that a Sri Lankan person, including a failed asylum seeker, "had left the country with forged documents or through alleged human traffickers," they "could" "questio[n]" such returnees to learn about human traffickers "in order to deter such irregular migration in the future" (Senior Lecturer 2024-06-29). The same source added that unless returnees are suspected of "criminal or terrorism activities," they are "unlikely" to face legal consequences (Senior Lecturer 2024-06-29). The Senior Lecturer, when asked if the treatment of returnees varies across different ethnic, political, or socioeconomic profiles, stated that there is "not much discrimination" faced by returnees on the grounds of their "ethnicity, religion, etc." (2024-06-29).⁷⁴²

A human rights lawyer and former Human Rights Commissioner in Sri Lanka, who was also interviewed by the Canadian Research Directorate noted that "failed asylum seekers and people who exited the country without the required documentation will 'most likely' be interrogated by the Terrorism Investigation Division (TID), the CID, or both at international points of entry upon their return (Lawyer 2024-07-02). According to the same source, the process could take several hours after which such persons could either be:

- Released with, "often[times]," no consequent charges;
- Detained on a detention order under the PTA;
- Presented to a magistrate and remanded in prison (Lawyer 2024-07-02).⁷⁴³

The same source noted that "that Tamil failed asylum seekers, and particularly those from the north and east of the country, are 'more likely' to be arrested and detained under the PTA upon their return (Lawyer 2024-07-02)" and that "returning failed asylum seekers and people who exited the country without the required documentation and were released after interrogation or on bail, may face further questioning, surveillance, and harassment by security agencies after their release (Lawyer 2024-07-02)".⁷⁴⁴

The Dutch Ministry of Foreign Affairs summarised the information it had received on the situation and treatment of returned Tamils from "confidential sources" for its thematic country of origin information report as follows:

Most of the sources consulted reported that Tamils were monitored by the authorities after returning to Sri Lanka from abroad. This monitoring reportedly consisted of home visits and sometimes phone

⁷⁴² Immigration and Refugee Board of Canada – Research Directorate, [*Sri Lanka: Situation and treatment by authorities of returnees, including failed asylum seekers and family members of persons who have left Sri Lanka and claimed refugee status; treatment of returnees upon arrival at international airports, including failed asylum seekers and people who exited the country without the required documentation \(2022-August 2024\)*](#), 14 August 2024, 3. *Treatment by Authorities*

⁷⁴³ Immigration and Refugee Board of Canada – Research Directorate, [*Sri Lanka: Situation and treatment by authorities of returnees, including failed asylum seekers and family members of persons who have left Sri Lanka and claimed refugee status; treatment of returnees upon arrival at international airports, including failed asylum seekers and people who exited the country without the required documentation \(2022-August 2024\)*](#), 14 August 2024, 3.1 *Treatment of Returnees Upon Arrival*

⁷⁴⁴ Immigration and Refugee Board of Canada – Research Directorate, [*Sri Lanka: Situation and treatment by authorities of returnees, including failed asylum seekers and family members of persons who have left Sri Lanka and claimed refugee status; treatment of returnees upon arrival at international airports, including failed asylum seekers and people who exited the country without the required documentation \(2022-August 2024\)*](#), 14 August 2024, 3.2 *Court Proceedings and State Protection* and 3.3 *Monitoring*

calls from the security forces. This was still the case at the end of the reporting period, [April 2024] according to these sources.

The sources provided differing reports regarding the scale at which this had occurred in recent years. For example, a source consulted in 2024 reported that Tamil returnees were 'definitely' monitored, while other sources reported that likely only returning former members of the LTTE were monitored, and that there was less monitoring of returnees than in the period prior to 2015 [...] Two other sources consulted on the matter revealed that monitoring of Tamil migrants did not involve more than a oneoff home visit by the authorities after their return [...]

Based on the information from the sources consulted, it appears that in any case persons who had exited the country irregularly, who returned using a temporary travel document, or whose personal details appeared on the stoplist or watchlist, could receive increased attention from the authorities after their return to Sri Lanka. Persons who had left the country irregularly could be fined [...] persons who returned using a temporary travel document could face additional questioning [...] and persons on the watchlist could be monitored after their return [...] Some sources further reported that the authorities would particularly pay more attention to persons who were prominently active for proscribed Tamil organisations, or who had openly advocated for an independent Tamil Eelam. Other sources reported that persons who had been involved in the LTTE inside or outside Sri Lanka could also be monitored after their return.⁷⁴⁵

a. Stigmatization and Discrimination

See also sections V. Rule of Law/Administration of Justice → [e. Impunity](#), VIII. Human Rights Situation → [iv. Former LTTE members and their families or Tamil families of the disappeared](#), and XIV. Internally Displaced Persons → [e. Land Release and Resettlement](#)

A thematic COI report on Tamils in Sri Lanka, published by the Ministry of Foreign Affairs of the Netherlands in June 2024 and based in part on confidential sources interviewed in 2023 and 2024, commented on the treatment of returning Tamils as such:

Returning Tamils could be recognised by their names, which usually differ recognisably from Sinhalese and Islamic names. According to some sources, Tamils were treated no differently than other returnees on their return. However, other sources reported that Tamils were subjected to more questioning upon their return than others.⁷⁴⁶

The same report highlighted the following with regards to returning Tamils in Sri Lanka:

Based on the information from the sources consulted, it appears that in any case persons who had exited the country irregularly, who returned using a temporary travel document, or whose personal details appeared on the stoplist or watchlist, could receive increased attention from the authorities after their return to Sri Lanka. Persons who had left the country irregularly could be fined [...], persons who returned using a temporary travel document could face additional questioning [...], and persons on the watchlist could be monitored after their return [...]. Some sources further reported that the authorities would particularly pay more attention to persons who were prominently active for proscribed Tamil organisations, or who had openly advocated for an independent Tamil Eelam. Other sources reported

⁷⁴⁵ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 6.2.3 Monitoring of returned Tamils and 6.6 Increased attention from the authorities

⁷⁴⁶ Ministry of Foreign Affairs of the Netherlands, [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, p. 63

that persons who had been involved in the LTTE [Liberation Tigers of Tamil Eelam] inside or outside Sri Lanka could also be monitored after their return.⁷⁴⁷

A human rights lawyer and former Human Rights Commissioner in Sri Lanka, who was interviewed by the Canadian Research Directorate noted that “failed asylum seekers [including Tamil people (Lawyer 2024-07-02)] who return to the country are not ‘stigmatized’ by their families or communities (Lawyer 2024-07-02; Senior Lecturer 2024-06-29). The Lawyer added that those returnees ‘might face challenges’ in accessing employment in Colombo, as some employers “might” request a police report (2024-07-02). According to Australia's DFAT report, returning failed asylum seekers “can often” receive support from their families and community networks to access employment and housing, if needed (2024-05-02, para. 5.54)”.⁷⁴⁸

b. Reintegration

See also sections V. Rule of Law/Administration of Justice → [e. Impunity](#), VIII. Human Rights Situation → [iv. Former LTTE members and their families or Tamil families of the disappeared](#), and XIV. Internally Displaced Persons → [e. Land Release and Resettlement](#)

The November 2022 summary of stakeholders’ submissions for Sri Lanka’s Universal Periodic Review stated that:

79. Organization for Elankai Refugees Rehabilitation recommended that Sri Lanka develop a policy framework for refugee returnees that could address the major concerns and specific issues connected with the sustainable reintegration of refugees. Similarly, JS13 [Joint submission 13 submitted by: Centre for Society and Religion, et al.] recommended that Sri Lanka guarantee essential documentation, land, housing, education livelihood and employment to refugee returnees and work with the Government of India to guarantee rights of refugees.⁷⁴⁹

The U.S. Department of State’s annual report on human rights in Sri Lanka, covering 2022 and published in March 2023, noted that:

The Ministry of Urban Development and Housing is responsible for internally displaced person (IDP) matters. The government had policies in place for IDPs’ safe and voluntary resettlement or return to their land but did not always effectively implement them. Most IDPs continued to reside in Jaffna, Kilinochchi, Mannar, and Batticaloa Districts in the north and east. While all IDPs had full freedom of movement, most were unable to return home due to land mines; restrictions designating their home areas as part of HSZs [high security zones]; lack of economic opportunities; inability to access basic public services, including acquiring documents verifying land ownership; lack of government resolution of competing land ownership claims; and other war-related reasons.⁷⁵⁰

⁷⁴⁷ Ministry of Foreign Affairs of the Netherlands, [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, p. 67

⁷⁴⁸ Immigration and Refugee Board of Canada – Research Directorate, [Sri Lanka: Situation and treatment by authorities of returnees, including failed asylum seekers and family members of persons who have left Sri Lanka and claimed refugee status; treatment of returnees upon arrival at international airports, including failed asylum seekers and people who exited the country without the required documentation \(2022-August 2024\)](#), 14 August 2024, 5. *Reintegration of Returnees*

⁷⁴⁹ UN General Assembly, Human Rights Council, [Summary of stakeholders’ submissions on Sri Lanka: Report of the Office of the United Nations High Commissioner for Human Rights](#), 7 November 2022, p. 10

⁷⁵⁰ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

The subsequent USDOS annual report on human rights, covering 2023 and published in April 2024, again noted that “The government had policies in place for IDPs’ safe and voluntary resettlement or return to their land but did not always effectively implement them”.⁷⁵¹

In February 2024, Al Jazeera reported on the UN Office of the High Commissioner for Refugees (UNHCR) closing its offices in Sri Lanka, writing that “the UNHCR told Al Jazeera it will close its Colombo office in December because most of the people displaced internally during Sri Lanka’s long civil war had returned to their native places”.⁷⁵²

Reporting in Groundviews in April 2024, the article reported on 500 Muslim returnee families in the village of Periyamadu:

The plight of returning Muslims can be seen in stark reality in the village of Periyamadu in the Mannar District where 500 Muslim families are struggling to survive with very few basic facilities. Most of them are men who are working as labourers on other people’s land after having lost access to their own. Their families are back in Puttalam where there are schools, hospitals, roads, houses and mosques.

Periyamadu came into existence as a Muslim colony in 1956 and the community lived there peacefully with its Tamil and Sinhala neighbours until that fateful day in 1990 when they were summarily evicted by the LTTE. The end of the civil war saw them returning to a shattered village with crumbling public buildings and bullet riddled homes. The area had a heavy military presence. They slowly identified their land and started clearing it with the help of some NGOs and diaspora well wishers. There was no government assistance. International organisations came to clear the area of landmines.

The number of families belonging to the village has grown from 550 in 1990 to 2,500 families now. However only 500 families have returned from Puttalam and other areas where they were housed in welfare centres and in the homes of relatives.

“We have no schools, hospitals, proper roads or employment opportunities. If these basic facilities are provided all the families including young people would be willing to return. But now they don’t want to come because of the lack of resources,” said Secretary of Rural Development Foundation Abdul Ramees, pointing out that most of the displaced were not comfortable living in Puttalam where they had to compete for scarce resources and employment opportunities with the local population.

“In Puttalam the young people are exposed to drugs and alcohol. They don’t have these problems in Periyamadu so parents prefer that their children live here,” Mr Ramees added.

A major difficulty facing the returnees is the access to land. They are besieged by government officials from the Department of Wildlife, the Forest Department and the Survey Department as well as the security forces preventing them from clearing the jungle, which had overrun their village, and returning it to a habitable place. There was 1,000 acres of land of which the Forest Department is now claiming 450 acres as belonging to it.

“In the beginning we lived in tarpaulin shacks provided by the UN. Little by little we cleared the land with implements given by NGOs and started cultivating paddy. Now suddenly government officials are saying we can’t have access to our land,” said 70 year old M. Rasmeen, who came back to Periyamadu in 2009 after a 30 year exile. His five children joined him initially but returned to Puttalam because there were no amenities.

Mr Rasmeen is facing legal action from the Wildlife Department for clearing his own land for paddy cultivation despite being able to produce deeds that say he is the owner.

Abdul Fareed Ariff is forced to cultivate land belonging to his wife because his own fields are inaccessible. “The land in this village belonged to my father and he passed it on to me. The Survey Department is now saying it’s part of the Wilpattu reserve and that I can’t cultivate it,” he said.⁷⁵³

⁷⁵¹ U.S. Department of State (USDOS), [2023 Country Report on Human Rights Practices: Sri Lanka](#), 23 April 2024

⁷⁵² Al Jazeera, [Fear grips refugees after UNHCR says it will close Sri Lanka operations](#), 2 February 2024

⁷⁵³ Groundviews, [Muslims Returning to Jaffna Face Many Challenges to Exist](#), 13 April 2024

In December 2024, The Tamil Guardian wrote on displaced Tamils in Mullaitivu awaiting resettlement:

Vanni District Member of Parliament (MP) Durairasa Ravikaran reaffirmed his commitment to securing the resettlement of the displaced Tamil people from the villages of Thannimurippu and Andankulam in Mullaitivu, as residents have chalked up more than 40 years of displacement from their homes.

These villages, which are historically and culturally significant, were forcibly displaced in 1984 due to Sri Lankan military operations. However, despite the passage of 40 years since the initial [sic] displacement and more than 15 years since the end of the armed conflict, no significant efforts have been made by any government to ensure the return of the displaced Tamils to their ancestral lands. [...]

The military's dominance has severely restricted the freedom of movement and livelihood of the Tamil population. Not only were these areas heavily fortified, but there are also consistent reports of land grabs, where military and government-backed entities seized Tamil-owned land for strategic, economic, and military purposes.

This ongoing militarisation has left the people of Thannimurippu and Andankulam, as well as other areas in the North-East, in a constant state of uncertainty. The slow process of resettling displaced communities is compounded by the persistent land grab efforts, often disguised as development initiatives. In the case of Thannimurippu, for instance, development work on the Kurundurkulam site has been stalled due to the intervention of the Archaeological Department, which has raised concerns about the cultural significance of the area. These bureaucratic delays have only furthered the frustration of the displaced people, who are left without a clear pathway to return.⁷⁵⁴

Later that month, The Tamil Guardian released another article on a Northern Province governor in Sri Lanka urging Tamil refugees to return. It wrote:

Northern Province Governor Nagalingam Vedanayagam called for Eelam Tamil refugees in Tamil Nadu to return to the island, pledging land allocation, housing schemes, and livelihood assistance. His comments come against the stark reality of Tamils continuing to risk dangerous journeys to escape ongoing persecution.

The Governor made these remarks during a meeting with Sanchitha Sathyamoorthy, former National Office Head of the UNHCR, at the Governor's Secretariat this week. Vedanayagam acknowledged the UNHCR's past assistance to the people of the North and emphasized the organization's role in facilitating the return of Tamil refugees from Tamil Nadu. He outlined plans to provide returning refugees with employment opportunities, housing, and access to land, and requested the UNHCR's cooperation in these efforts.

While the Governor's intentions suggest a renewed focus on reconciliation and development in the North, they stand in contrast to the lived realities of Tamil families fleeing the island. Over recent years, there have been multiple cases of families departing the North-East by boat, seeking refuge on the Tamil Nadu coast near Rameswaram. These families have cited dire economic conditions and ongoing persecution as their reasons for leaving.

The economic crisis alongside discrimination and the continued military occupation of the North-East, has left these families with little choice but to leave their homeland. The harrowing journeys they undertake underscore the desperation and disillusionment felt by many Tamils in the region.

The Governor's call for Tamil refugees to return also raises concerns about his ability to deliver on commitments made. Previous initiatives to resettle displaced Tamils and rebuild war-affected areas have

⁷⁵⁴ The Tamil Guardian, [More than 40 years and still not home - Displaced Tamils in Mullaitivu still await resettlement](#), 11 December 2024

often been mired in delays, bureaucratic inefficiencies, and allegations of corruption. In the meantime land grabs by the Sri Lankan state continue, with ongoing displacement.⁷⁵⁵

XVI. Humanitarian Situation

According to the World Bank's country page "Sri Lanka", "The economy has stabilized since late 2023 following the deep economic crisis. Sri Lanka defaulted in 2022 amid unsustainable debt and depleted reserves, driven by macroeconomic mismanagement and long-standing structural weaknesses, and exacerbated by exogenous shocks. However, reforms implemented since 2022, including cost-reflective utility pricing, new revenue measures, a return to prudent monetary policy, and domestic debt restructuring, have helped regain macroeconomic stability".⁷⁵⁶

a. Poverty and Livelihoods

According to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment report published by the European Commission in November 2023 and covering the years 2020-2022, "In 2022, the country plunged into an unprecedented economic and financial crisis with severe social consequences. The pandemic and the crisis exacerbated these trends, affecting people across sectors, gender, and classes, and more particularly vulnerable groups (minorities, women, and children). The large informal sector (with low wages and no social security) has been the most severely impacted by the COVID-19 pandemic. Tamil tea estate workers were disproportionately affected by the loss of daily earnings, while children of labourers lost access to education due to the lack of internet access. Policies such as the sudden ban on chemical fertilisers contributed to a crisis in the agricultural sector".⁷⁵⁷

In its October 2022 report the UN High Commissioner for Human Rights noted that:

Sri Lanka is facing an unprecedented economic crisis, and its political landscape has undergone significant upheavals. For months, Sri Lankans have faced severe shortages of fuel, electricity, food, medicines and other essential items. The Sri Lanka rupee has depreciated against the dollar and inflation is expected to increase to 70 per cent by September 2022. [...]

Employment, access to household incomes and access to essential items have been affected, which has had an impact on the right to an adequate standard of living. The livelihoods and incomes of coastal fishing communities, farmers and transport workers have been hurt by shortages in fuel. Vulnerable segments of the population, such as the urban poor, daily wage earners, older persons, female-headed households and persons with disabilities, are at particular risk. The Government has expanded cash transfers and social assistance programmes.⁷⁵⁸

⁷⁵⁵ The Tamil Guardian, [Northern Governor urges refugees to return as Tamils continue to flee](#), 18 December 2024

⁷⁵⁶ World Bank, [The World Bank Group in Sri Lanka: Overview](#), Last updated: 10 October 2024

⁷⁵⁷ European Commission, [The EU Special Incentive Arrangement for Sustainable Development and Good Governance \(GSP+\) assessment of the Democratic Socialist Republic of Sri Lanka covering the period 2020-2022](#), 21 November 2023, 5.1.3. *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, p. 13

⁷⁵⁸ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 4 October 2022, paras. 4 and 12

In November 2022, UNOCHA issued a report on Sri Lanka's Multi-Dimensional Crisis which indicated that:

Sri Lanka continues to experience its worst economic crises since independence, deepened by increasing risk of food insecurity following reduced production over several harvest seasons. Shortages of fuel, electricity, pharmaceuticals and cooking gas, coupled with inflation and skyrocketing food prices, have severely affected the poor and most vulnerable groups and resulted in substantial humanitarian needs. [...] The Colombo Consumer Price Index (CCPI) shows that inflation has increased by 66 per cent over the year to October 2022. Moreover, food inflation is 85.6 per cent over the year to October 2022. [...] The livelihood-based coping strategies that households are resorting to include spending savings, selling productive assets, reducing essential healthcare expenses, withdrawing kids from school, buying food on credit, borrowing money or pawning jewels. Once these least severe strategies are exhausted, households would likely resort to means that will have a higher negative impact on their medium long-term capacity to generate income and their food security. Informal income earners, unskilled casual laborers, and those who do not have home gardens or livestock are among the most vulnerable to food insecurity. [...] The economic and food security crises are hitting on top of the effects of the COVID-19 pandemic, which reversed years of development gains and pushed an estimated 300,000 people below the poverty line in 2020 in Sri Lanka, according to the World Bank. Recent World Bank forecasts also suggest that the poverty headcount of \$3.65/day will more than double from 13.1 per cent in 2021 to 28.2 per cent in 2023.⁷⁵⁹

In a March 2023 report UNOCHA provided the following situation overview:

The year-on-year inflation for February according to the Colombo Consumer Price Index (CCPI) was 50.6 per cent, down from 51.7 per cent in January. [...]

Many people continue to see their livelihoods being at risk, which has repercussions across nearly all sectors of society. Decreased day labor opportunities led to decreased incomes, while at the same time the cost of living has increased significantly. This combination is having significant effects on society and forcing people to make difficult choices, such as adopting negative food-based coping mechanisms as well as deciding not to send their children to school anymore due to the high cost of transportation, educational materials and school uniforms. Even basic food items such as rice and pulses have become unaffordable for many, with 33 per cent of households nationwide being food insecure, according to the WFP's Household Food Security Survey in December 2022. [...]

As of 15 March 2023, some 1,246,000 people have received in kind food or cash and voucher assistance. 973,000 people received agriculture and livelihoods support and 2.3 million people received nutritional support, primarily through school meals. [...]

The Maha harvest is currently in progress, and while yields are likely to be higher than the last Maha harvest, thanks to the largescale provision of fertilizers and other agricultural inputs, there will still be some shortcomings, and the price of rice and other essential food items will remain high due to increased production costs. This means that for many households, food insecurity will remain.⁷⁶⁰

In its October 2023 report the UN High Commissioner for Human Rights noted that:

The economic crisis and wider strains on the global economy continued to affect the capacity of Sri Lankans to maintain their standards of living, with a devastating impact on the large and starkly increasing number of poor people. Pricing and access to essential imports stabilized in the second half

⁷⁵⁹ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Situation Overview* p.4

⁷⁶⁰ UNOCHA, [Sri Lanka Multi-Dimensional Crisis Situation Report No. 13](#), 15 March 2023

of 2022, despite the economy contracting by 7.8 per cent over the year. Projections from IMF suggest that the economy will continue to contract by 3 per cent in 2023.⁸

Inflation has eased from its peak of 69.8 per cent in September 2022, with growth in the Colombo Consumer Price Index slowing to 6.3 per cent over the year to July 2023. ⁹ Notwithstanding, household welfare is deeply affected by diminishing national income and higher price levels, with projections from IMF indicating that gross domestic product per capita will fall to its lowest level in a decade in 2023.

The crisis has resulted in a dramatic increase in the poverty rate, which the World Bank¹⁰ estimates to have doubled from 13 to 25 per cent between 2021 and 2022: namely, an additional 2.5 million poor people. The poverty rate is forecast to rise to 27.4 per cent in 2023 and remain above 25 per cent for the next few years due to “multiple risks to households’ livelihoods”.¹¹ That level of material deprivation leads to growing inequalities and serious impacts on the enjoyment of economic, social and cultural rights of Sri Lankans. [...]

Women have experienced the impact of the economic crisis in distinct ways, as they continue to be primarily engaged in the informal sectors of the economy.¹⁷ As a result, they have limited access to social protection and are more vulnerable to job losses. The crisis has increased the burden on them, as obtaining basic livelihood products becomes increasingly challenging⁷⁶¹

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted that “Support from the International Monetary Fund (IMF) has helped boost Sri Lanka’s macro-economic indicators, and by early July 2024, the Government had reached agreements on debt restructuring with its creditors. However, the cumulative impacts of the economic crisis and associated austerity measures on the enjoyment of economic and social rights continue to reverberate deeply and widely at household and individual levels, particularly affecting the poorest and already marginalized groups”.⁷⁶² The same source described that:

Between 2021 and 2023, the poverty rate (USD3.65 in 2017 Purchasing Power Parity) doubled from 13.1 to 25.9 per cent, and is expected to remain at elevated levels over the next few years.¹¹ Survey results from the Department of Census and Statistics indicate that, since March 2022, 60.5 per cent of households have seen their monthly incomes decrease and 91 per cent of households experienced an increase in monthly expenditures.¹² Declining incomes (both nominal and real) and increasing household indebtedness have impacted on the right to an adequate standard of living for many Sri Lankans, as decisions have to be made about competing food, health, education, transport and other expense.

In July 2023, the Government introduced ‘Aswesuma’, a means-tested, poverty-targeted cash transfer scheme so far reaching two million families. In July 2024, the Government approved a new National Social Protection Policy, and spending on social security has increased from Rs 174 billion in 2023 to Rs 205 billion in 2024.⁷⁶³

In March 2024 UNDP published a Multidimensional Vulnerability Index (MVI) by 25 districts in the nine provinces of Sri Lanka which “attempts to capture the intersecting and overlapping vulnerabilities households face, going beyond measures of financial vulnerability to also consider educational, health-related, and other kinds of vulnerabilities in order to provide a more comprehensive picture of the challenges being faced on the ground”.⁷⁶⁴ It was based on UNDP’s National 2022-23C Citizen Survey (NCS) which surveyed 25,000 households.⁷⁶⁵ It recorded that the national incidence of vulnerability

⁷⁶¹ OHCHR, [Situation of human rights in Sri Lanka](#), 24 October 2023, paras. 8, 9 and 13

⁷⁶² UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, para. 9

⁷⁶³ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paragraphs 8 and 9

⁷⁶⁴ UNDP, [Understanding Multidimensional Vulnerabilities: District Profiles](#), 3 March 2024

⁷⁶⁵ UNDP, [Understanding Multidimensional Vulnerabilities: District Profiles](#), 3 March 2024

was 55.7% with a national al MVI of 0.206 (The MVI value ranges from 0 to 1, with 0 indicating that no one is vulnerable and 1 suggesting that everyone is vulnerable and deprived in all indicators) ⁷⁶⁶. District level data is available on the MVI, incidence of vulnerability, as well as a district poverty profile. ⁷⁶⁷

A related policy brief drawing on the data published in October 2024 noted with regards to addressing household debt induced vulnerability in Sri Lanka that:

An overview of household debt in Sri Lanka unveils a landscape where 38.5% of households reported accumulated debt from diverse sources during the study period. The primary catalysts behind incurring debt include economic activities (42.5%), housing construction or repair (32.8%), and fundamental consumption needs such as food, fuel, and other household expenses (19.3%).

When analysing the borrowing landscape, the dominant sources are banks (38.5%, encompassing both government and private institutions), Samurdhi banks (19.2%), pawning (13.5%), money lenders (11.8%), and finance companies (11.2%). According to this formulation, the percentage of households in debt encompasses both those confronting a “debt problem” or indebtedness and those that are not.

The Multidimensional Vulnerability Index (MVI) methodology classifies a household as having a debt problem if members borrow to cover basic consumption, education, transport or medical treatments or resort to pawning jewellery or selling belongings to meet income needs. According to this criterion, 19.3% of households in Sri Lanka grapple with indebtedness, borrowing an average of 4.48 times annually for basic consumption. For households seeking funds for consumption, the primary sources of debt include pawning (31.1%), money lenders (24%), and banks (23.5%).

This pattern underscores a reliance on predominantly informal sources by households engaged in consumption borrowing, often susceptible to exploitative practices.

Both urban and rural areas in Sri Lanka seem to have a high proportion of households (37% and 38% respectively) that are indebted. However, there is a higher proportion of urban households that borrow for basic consumption (26.2%) compared to rural areas (17.9%). Pawning is also the second highest source of borrowing (18.7%) in urban areas as opposed to rural locations (12.5%).

Among the provinces, the Eastern province records the highest proportion of households borrowing for basic consumption (54.7%), followed by the Western (21.3%) and Sabaragamuwa provinces (19.3%). Pawning is highest in Eastern province (30.8%), followed by Uva (17.3%), Western (17%) and Central provinces (14.6%). Borrowing from money lenders is highest in Eastern (19.8%) and Western provinces (19.2%).

A disaggregation by districts indicates that Trincomalee (65.8%), Ampara (54.1%), and Batticaloa (47.9%) have the highest incidence of households borrowing to fulfil basic consumption needs. Over one-fifth of the households in the Colombo, Gampaha Monaragala, and Ratnapura districts also reported that they borrow money to pay for food, fuel and utilities. The highest prevalence of pawning is reported in Batticaloa (57%), followed by Monaragala (38%) and Kilinochchi (27%). Resorting to money lenders is highest in Colombo (23.8%), followed by Trincomalee (19.3%) and Gampaha (17.1%). ⁷⁶⁸

In its June 2024 regional humanitarian snapshot, UNOCHA reported with regards to Sri Lanka that:

Since mid-May, heavy rainfall with thunderstorms and strong winds has severely impacted several regions of Sri Lanka, resulting in floods, landslides, casualties, and damage. Twenty-three districts have been affected, impacting over 250,000 individuals or 65,628 families. The death toll stands at 30, with 13,000 individuals taking refuge in 166 safety centers, mainly schools. The Hon. Minister announced

⁷⁶⁶ UNDP, [Understanding Multidimensional Vulnerabilities: District Profiles](#), 3 March 2024

⁷⁶⁷ UNDP, [Understanding Multidimensional Vulnerabilities: District Profiles](#), 3 March 2024

⁷⁶⁸ UNDP, [Addressing Household Debt Induced Vulnerability in Sri Lanka](#), 1 October 2024

renovations to reopen schools by 10 June 2024. The National Disaster Relief Services Centre (NDRSC) is providing cooked meals and non-food items, with financial allocations of LKR 600 per person for meals and LKR 1,800 to 3,200 per family for dry rations. The military is also preparing 20,000 meals daily. Preliminary reports indicate 8,545 houses partially damaged, 60 fully damaged, and 844 affected small and medium enterprises. Despite a potential decrease in adverse weather, the Department of Meteorology forecasts above-normal rainfall from July to September. Urgent relief items needed include polysack bags, tents, tarpaulin sheets, and back-to-school packs.⁷⁶⁹

In its 4 December 2024 weekly regional update, UNOCHA reported with regards to Sri Lanka that:

Since 23 November, heavy rainfall, strong winds, thunderstorms, and lightning have impacted Sri Lanka, triggering floods, landslides, and severe weather-related incidents across nine provinces: Northern, Uva, North-Western, Western, North Central, Central, Sabaragamuwa, Eastern, and Southern. As of 3 December, the Disaster Management Centre (DMC) reported 18 fatalities, 19 injuries, and nearly 5,100 people displaced and housed in 64 evacuation centres.

Approximately 468,750 people have been affected across the impacted areas. Additionally, 107 homes have been completely destroyed, while over 2,600 homes have sustained partial damage. Government is leading the relief efforts with the support of the humanitarian organizations.⁷⁷⁰

The Dutch Ministry of Foreign Affairs summarised the “economic opportunities” for Tamils in its thematic country of origin information report as follows:

Sri Lanka has a presidential system. The president is both head of state, head of government and commander-in-chief of the armed forces. The president has important powers. He appoints (and dismisses) cabinet members, calls elections and is the head of the police force. The president is elected by general election for five years, with a limit of two terms. [...]

Legislative power rests with the single-chamber parliament. The 225 members of parliament are elected for a five-year term in 22 constituencies. The cabinet is accountable to parliament. [...]

Besides presidential and parliamentary elections, Sri Lanka also has provincial and municipal elections. Two common complaints among Tamils in the north and east of the country were the lack of economic opportunities and the general economic marginalisation of the area. The Sri Lankan government reportedly invested very little in the development of these areas. At the end of the current reporting period [April 2024] Northern Province in particular suffered more acute poverty than the rest of Sri Lanka.

In 2023, the Asian Development Bank calculated that the average income per person in this province was 35% below the national average, and identified an acute lack of economic opportunities and employment opportunities in the province. The World Bank and UNICEF reached similar conclusions in 2022. Unlike in the past, when laws like the Sinhala Only Act²⁴⁶ and the Standardization Act²⁴⁷ created legal barriers for Tamils to gain access to higher education and government jobs, there were no legal restrictions of Tamils’ economic opportunities during the current reporting period. In practice, Tamils allegedly had more limited opportunities to secure government jobs or promotion than Sinhalese during the current reporting period as well, even if they worked in the private sector. The sources consulted gave several possible explanations for this, including discrimination, language deficiency (many Tamils were said to lack sufficient command of Sinhalese) and an educational disadvantage partly related to the civil war. Sources also said that Tamils had less opportunities in the police and the national army. Hardly any Tamils were said to enlist in the army. Tamils apparently found jobs in the police, but mainly in the lower positions. In this regard, one source pointed out that Tamils themselves were sometimes

⁷⁶⁹ UNOCHA, [Asia and the Pacific: Weekly Regional Humanitarian Snapshot \(4 - 10 June 2024\)](#), 12 June 2024

⁷⁷⁰ UNOCHA, [Asia and the Pacific: Weekly Regional Humanitarian Snapshot](#) (26 November - 2 December 2024), 4 December 2024

reluctant to work for the security forces. In particular, serving in the army is said to carry a stigma among Tamils.⁷⁷¹

b. Food Security

Numbers

Amnesty International published a report in October 2022 highlighting the “devastating impact on people” following the ongoing economic crisis in accessing their rights to health and food and reported that “Over 6.2 million people (28% of the population) are estimated to be moderately acute food insecure, 66,000 people are estimated to be severely acute food insecure, and 8.7 million people (39.1% of the population) are not consuming an adequate diet”.⁷⁷²

Human Rights Watch (HRW) reported in November 2022 that “the United Nations renewed a humanitarian appeal, stating that 28 percent of the population faces food insecurity and that the poverty rate this year has doubled. Food price inflation was over 85 percent in October, and acute shortages of foreign currency mean that many imports, including essential medicines, are scarce or unobtainable”.⁷⁷³

ACAPS summarised the situation in January 2024 as follows: “As at October 2023, nearly 5.3 million people (24% of Sri Lanka’s household) were facing food insecurity. This is a 40 % increase compared to March 2023 estimates. Around 60% of the households dependent on social assistance programmes, around 50% of household dependent on humanitarian assistance, and around 40% of unskilled agricultural labour faced moderate food insecurity”.⁷⁷⁴

Impact

In its report covering the period from October 2022 until July 2024 the UN High Commissioner for Human Rights noted with regards to the right to food that:

[...] United Nations data estimate about one-quarter of households to be moderately food insecure, with households that are reliant on social protection and other assistance schemes being most at risk. The data show that households in the plantation estate community constitute the highest proportion of those who consume inadequate food, and that female-headed households make up a higher proportion of those that consume inadequate meals, as well as adopting more severe coping strategies (e.g. selling assets and spending savings), compared to male-headed households. Between 2021 and 2023, Ministry of Health data indicate that the proportion of children across different ages suffering from wasting and stunting have increased. The Government has initiated various food support programs, allocating around Rs. 12.7 billion in 2024 for distribution of rice among around 3.4 million beneficiaries and providing a school food programme for 1.6 million students.⁷⁷⁵

⁷⁷¹ Ministry of Foreign Affairs of the Netherlands, Country of Origin Information Unit (DAF/AB), [Thematic Country of Origin Information Report: Tamils in Sri Lanka](#), June 2024, 5.1 Position of Tamils, 5.1.1 Economic opportunities

⁷⁷² Amnesty International, [“We are near total breakdown”, Protecting the rights to health, food and social security in Sri Lanka’s economic crisis](#), 4 October 2022, Executive Summary

⁷⁷³ Human Rights Watch (HRW), [Sri Lanka at Brink of Humanitarian Crisis](#), 24 November 2022

⁷⁷⁴ ACAPS, [Sri Lanka](#), 10 January 2024, Latest updates on country situation

⁷⁷⁵ UN High Commissioner for Human Rights, [Situation of human rights in Sri Lanka](#), 22 August 2024, paragraph 10

Amnesty International published a report in October 2022 highlighting the “devastating impact on people” following the ongoing economic crisis in accessing their rights to health and food, especially for those who have “precarious jobs and rely on daily wages as their only source of income, and on people from the Malaiyaha Tamil community, both of whom are likely to be particularly impacted”.⁷⁷⁶ In sum the report found that:

People’s right to health has been threatened in the economic crisis. Serious shortages in essential and lifesaving drugs and equipment emerged as one of the major concerns in Sri Lanka as the economic crisis deepened. When its foreign exchange reserves began to run low, the government was unable to purchase the required drugs and equipment, leading to severe shortages. [...]

Severe shortages in fuel in Sri Lanka as a result of the economic crisis have also impacted people’s ability to access timely and quality healthcare. Fuel shortages have made transport either unavailable or extremely expensive, and made it difficult, if not impossible, for people to physically access healthcare services. [...]

People’s right to food is also at risk. Food inflation in Sri Lanka has become alarmingly high. The steep increases in the price of food, combined with reductions in household income and loss of livelihood, mean that people are either unable to afford sufficient and nutritious food, or must spend a much larger proportion of their income on food-related expenses, often at the cost of other essential services like healthcare, housing and education.⁷⁷⁷

In March 2023 Save the Children highlighted that “Half of families in Sri Lanka are forced to reduce the amount they feed their children [...] as the country’s economic downturn spirals further into a full-blown hunger crisis nearly a year after the government defaulted on its debt”.⁷⁷⁸ The same source further explained: “Since the Sri Lankan government defaulted on its debt nearly a year ago, soaring inflation and food, medicine and fuel shortages as well as a lack of stable employment have left families unable to cope. The country has the seventh highest nominal food inflation rate in the world, according to the World Bank, with year-on-year inflation in the country more than 50%”.⁷⁷⁹

With special focus on pregnant and breastfeeding women, Amnesty International highlighted in July 2023 in its briefing “the impact of the economic crisis on access to nutrition for pregnant and breastfeeding women, with a particular focus on women living below the poverty line in Colombo. Falling incomes, loss of livelihoods and inflation have reduced women’s purchasing power while government-funded programs aimed at increasing maternal nutrition have also been affected by the crisis”, resulting in “nutrition taking a back seat, impacting both the quality and quantity of food intake”.⁷⁸⁰

Based on two assessments conducted in 2023 the World Food Programme found that:

⁷⁷⁶ Amnesty International, [Sri Lanka: “We are near total breakdown”: Protecting the rights to health, food and social security in Sri Lanka’s economic crisis](#), 4 October 2022

⁷⁷⁷ Amnesty International, [“We are near total breakdown”, Protecting the rights to health, food and social security in Sri Lanka’s economic crisis](#), 4 October 2022, *Executive Summary*

⁷⁷⁸ Save the Children, [Sri Lanka: Half of families reducing children’s food intake as the country slips further into hunger crisis – Save the Children](#), 2 March 2023

⁷⁷⁹ Save the Children, [Sri Lanka: Half of families reducing children’s food intake as the country slips further into hunger crisis – Save the Children](#), 2 March 2023

⁷⁸⁰ Amnesty International, [Sri Lanka: Government must ensure access to adequate nutrition for all pregnant and breastfeeding women](#), 13 July 2023 and Amnesty International, [Sri Lanka: Foregoing meals to make-do: The Impact of Sri Lanka’s economic crisis on maternal nutrition](#), 12 July 2023

24 percent of households were moderately food insecure; 26 percent of households were consuming inadequate diet; 42 percent of households were turning to food-based coping strategies; Four in ten households employed at least one livelihood-coping strategy.

32 percent of female-headed households were food-insecure, compared to 23 percent of male-headed households; 31 percent of female-headed households experienced inadequate consumption; 48 percent of female-headed households were turning to food-based coping strategies, compared to 40 percent of male-headed households; 43 percent of male-headed households and 42 percent of female-headed households were turning to livelihood-based coping strategies.⁷⁸¹

The World Food Programme noted in October 2024 that despite Sri Lanka “recovering from its worst economic crisis since independence”, where the “food inflation rate in 2022 reached an alltime high of 95 percent as the government defaulted on its foreign debts”, “significant concerns remain as 4 in 10 households adopt livelihood-based and food-based coping strategies”.⁷⁸²

c. Water and Sanitation

In November 2022, UNOCHA issued a report on Sri Lanka’s Multi-Dimensional Crisis which indicated with regards to key immediate water sanitation and hygiene needs:

The economic crisis has resulted in an acute shortage of water treatment and water testing chemicals and has negatively affected water treatment services.

Rehabilitation and construction work of rural water supply schemes has been stopped due to a lack of funding, lack of availability of raw materials in the local market and increased prices of construction material, water meters, water pumps and chlorinators. Further attending to urgent operation and maintenance issues has been changing due to increased maintenance costs, reduction of tariff collection efficiency and lack of financial capacity of community-based organizations to meet financial requirements, mainly to recover

Operation and Maintenance costs. Despite having safe drinking water coverage of 84 per cent across the country, it is estimated that 66.8 per cent of households in the estate sector do not have access to safe drinking water sources.

Furthermore, over 48.5 per cent households in the country do not practice any water treatment methods such as boiling or chlorinating. If the situation is not addressed urgently, children will be at a significant risk of water-borne diseases.⁷⁸³

In a March 2023 report UNOCHA provided the following situation overview:

The last few months saw a significant increase in the HNP [Humanitarian Needs and Priorities] implementation rates. As of 15 March 2023, some 1,246,000 people have received in kind food or cash and voucher assistance. [...] About 805,000 people benefitted from WASH interventions [...].⁷⁸⁴

⁷⁸¹ World Food Programme, [Household food Security Overview 2023](#), 22 May 2024, Key highlights, p. 4

⁷⁸² World Food Programme, [WFP Sri Lanka, Country Brief](#), October 2024, Operational Context

⁷⁸³ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, Nutrition and Wash Humanitarian Impact and Key Immediate Needs p.29

⁷⁸⁴ UNOCHA, [Sri Lanka Multi-Dimensional Crisis Situation Report No. 13](#), 15 March 2023

d. Access to Health Services

In November 2022 UN News reported that “In addition to the chronic lack of nutritious food, fuel and medicines continue to be in worryingly short supply. [...] Pointing to ‘severe difficulties’ in sustaining vital mother-and-baby outreach activities to remote communities because of the fuel crisis earlier this year, Mr. Adeniyi [UNFPA Country Representative in Sri Lanka] warns that many drugs have been out of stock ‘since the challenges began’ in March 2022. Just as worrying are the indications that families are “deprioritizing” health because they cannot also get to health facilities, either because of high fuel costs, or because they are working to earn enough money to eat”.⁷⁸⁵

In November 2022, UNOCHA issued a report on Sri Lanka’s Multi-Dimensional Crisis which indicated with regards to the impact on health that:

About 80 per cent of medical supplies in Sri Lanka are imported, and the inability to bring into the country various medicines due to depleted foreign reserves has caused a shortage. In June 2022, close to 200 essential medicines, such as blood-thinners, antibiotics, vaccines and cancer chemotherapy drugs were out of stock. With in-kind donations and procurement efforts by the World Bank (WB), Asian Development Bank (ADB) and UN agencies, the number of out-of-stock essential medicines has been reduced and maintained at around 120 medicines by August 2022. However, in early October 2022, about 151 items were out of stock at the national level, along with 3,500 essential surgical consumables and 531 regular laboratory items. At the same time, the price of drugs has increased by 30 per cent around the country¹⁴. The shortages have severely affected the healthcare system, which has also suffered the lack of fuel and long power cuts that have curtailed operational capacity. Sri Lanka has been experiencing daily scheduled power cuts since February 2022 due to fuel shortages affecting power generation. At their peak in March, longer power cuts were experienced, up to 10 hours each day. By October, the daily power cuts have been limited to two hours and 20 mins. Due to these power cuts, routine non-emergency surgeries, medical procedures, and laboratory tests are often delayed or put on hold. As public health facilities are running low on stock/or out-of-stock on several essential medicines and supplies, some of health care seekers approach private health facilities/pharmacies to obtain medicines which in turn increases their out-of-pocket health expenditures. Even though medical services are prioritized for fuel, the limited availability still results in some ambulances not being able to function and transport patients to health facilities. [...]

Sri Lanka provides free healthcare at no cost to the patient at point of care. The public sector provides nearly 95 per cent of inpatient care and around 50 per cent of outpatient care. The preventive services are provided through 365 medical officers of health units spanning across the island. The curative services are mainly provided through the primary, secondary and tertiary level hospitals across the country. Although the private sector is increasing its presence in health services, accessibility is limited to only a fraction of the population due to the costs involved. Sri Lanka has performed consistently well on basic health indicators with achievements above its income group. Free healthcare constitutes the largest social protection effort in Sri Lanka, providing effective access to quality and equitable health services for all.

However, as with many other countries, Sri Lanka is facing the dual challenge of recovering from the COVID-19 protracted emergency and the country specific financial crisis. For the Health Sector, the key impact has been on the procurement of medicines and medical supplies. Without adequate foreign exchange reserves, Sri Lanka has not been able to import essential commodities to keep the health system functional. In early April, MoH suspended all routine surgeries and procedures. In light of this,

⁷⁸⁵ UN news, [Sri Lanka: Cost-of-living crunch threatens to sink millions already facing hard choices](#), 11 November 2022

the Government made an appeal for donor assistance on 13 April to provide essential medicines and consumables.

The health sector has been challenged by the lack of foreign exchange reserves since May 2022 to fulfil procurement orders. Shortages of medicines and medical supplies have significantly affected the healthcare system in the country, disrupting routine surgeries and clinic visits and at instances emergency care. The prescription of drugs has been curtailed to the bare minimum to extend the availability of medicines.⁷⁸⁶

In July 2023 The New Humanitarian reported that “A year into Sri Lanka’s sharp economic decline, the country’s public health institutions are on their knees, with shortages of medicine, delayed surgeries, and an exodus of medical professionals”.⁷⁸⁷ The article continues and highlighted that:

At least 1,000 medical specialists have reportedly left the country in recent months. The World Health Organization says stocks of 150 essential medications – blood thinners, antibiotics, vaccines, anaesthesia, and cancer chemotherapy drugs – have run out at certain points over the last year. Several public hospitals have also had to suspend laboratory tests due to delays in machine maintenance, a lack of personnel, or a limited supply of chemical reagents.⁷⁸⁸

Al Jazeera reported in June 2024 that “According to the Government Medical Officers Association (GMOA), the biggest trade union of government doctors in Sri Lanka, more than 1,700 doctors have left the country over the last two years, primarily for economic reasons. They constitute nearly 10 percent of doctors on the island. The effects on the country’s already fragile healthcare system are visible. In April last year, all emergency surgeries were suspended for several weeks in the District General Hospital in Embilipitiya, about 200km (120 miles) south of Colombo, after two anaesthesiologists there left the country. As a temporary measure, another anaesthesiologist from a nearby hospital was moved there, but she has since also left for overseas training. The paediatric ward at the Anuradhapura Teaching Hospital, about 200km (120 miles) northeast of Colombo, has also been forced to temporarily close down after all three paediatricians working at the hospital migrated. The GMOA has warned Health Minister Ramesh Pathirana that nearly 100 rural hospitals are on the verge of closing down as a result of doctors leaving the country”.⁷⁸⁹

e. Humanitarian Situation for Children

See also section XIII. Treatment of Children → [a. Child abuse](#), [c. Child Labour](#), and [d. Trafficking](#)

Amnesty International published a report in October 2022 highlighting the “devastating impact on people” following the ongoing economic crisis in accessing their rights to health and food and reported that:

There is also a linked, specific concern around child malnutrition. Even prior to the crisis, malnutrition in children under five was widespread in Sri Lanka. The crisis worsened the problem.

⁷⁸⁶ UNOCHA, [Sri Lanka Multi-Dimensional Crisis - Humanitarian Needs and Priorities, June - Dec 2022 \(Revised 31 October 2022\)](#), 8 November 2022, *Impact on Other Key Sectors*, p.7 and *Health Humanitarian Impact and Key Immediate Needs* p.33

⁷⁸⁷ The New Humanitarian, [Patients feel the pain as Sri Lankan healthcare falls victim to economic crisis](#), 11 July 2023

⁷⁸⁸ The New Humanitarian, [Patients feel the pain as Sri Lankan healthcare falls victim to economic crisis](#), 11 July 2023

⁷⁸⁹ Al Jazeera, [Sri Lanka loses 10 percent of its doctors amid exodus after economic crisis](#), 20 June 2024

With falling incomes, shrinking livelihood options and inflation in food prices, people are less likely to be able to afford adequate and nutritious food for their children, as well as for women during and after pregnancy.

In June 2022, doctors at the Lady Ridgeway Hospital for Children (LRH) said 20% of children admitted had malnutrition.⁷⁹⁰

UNOCHA reported in its Situation Report for February 2023 that:

Challenges with regards to protection services and education also remain, with increased reports on admission requests to children's homes and an increasing trend of migration and family separations. [...]

Furthermore, 1.2 million schoolchildren, including preschoolers, received and continue to receive meals at school.⁷⁹¹

In a March 2023 report UNOCHA provided the following situation overview:

Many people continue to see their livelihoods being at risk, which has repercussions across nearly all sectors of society. Decreased day labor opportunities led to decreased incomes, while at the same time the cost of living has increased significantly. This combination is having significant effects on society and forcing people to make difficult choices, such as adopting negative food-based coping mechanisms as well as deciding not to send their children to school anymore due to the high cost of transportation, educational materials and school uniforms. [...]

The nutritional status of children is also a cause for concern, with several assessments indicating a deterioration of the nutritional situation primarily affecting young children. Challenges with regards to protection services, education and access to healthcare and medicines continue as well. The Humanitarian Country Team (HCT) in Sri Lanka understands the continued need to support livelihoods and to ensure people have enough to eat, as failure to do so could lead to a full-blown hunger crisis.⁷⁹²

⁷⁹⁰ Amnesty International, [*"We are near total breakdown", Protecting the rights to health, food and social security in Sri Lanka's economic crisis*](#), 4 October 2022, *Executive Summary*

⁷⁹¹ UNOCHA, [*Sri Lanka Multi-Dimensional Crisis Situation Report No. 12 \(15 February 2023\)*](#), 16 February 2023

⁷⁹² UNOCHA, [*Sri Lanka Multi-Dimensional Crisis Situation Report No. 13*](#), 15 March 2023