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The State of the World's Human Rights; Sri Lanka 2024

The government continued its use of draconian legislation and crackdowns on freedom of expression and association. It passed new laws to stifle dissent, without adequate consultation and in contravention of international human rights laws and standards. Minorities, activists and civil society continued to be intimidated and harassed. The government failed to make meaningful progress on truth, justice and reparations for those affected by the internal armed conflict that ended in May 2009. Proposed legislative amendments to ensure the rights of LGBTI people and Muslim women and girls were not carried out.

Background

Both presidential and general elections were held in the latter part of the year. Despite the extension of an International Monetary Fund facility providing access to a total of USD 1,333 million from 2023, the World Bank reported that the poverty rate was expected to remain above 22% until 2026.

Economic and social rights

Although the second phase of the social welfare scheme "Aswesuma", launched in February, increased the number of beneficiaries, those without bank accounts were unable to receive monthly payments. The government was criticized for not adequately raising awareness about the scheme.

Malaiyaha Tamil tea plantation workers drew attention to the government's failure to adequately protect workers in smallholdings and privately owned estates in the Southern Province because of insufficient regulation and inspection. Abuses included forced labour, debt bondage

and restricted freedom of movement, as well as failures to pay decent wages, grant leave entitlements and provide adequate housing.

Workers in free trade zones, including garment workers, were denied the right to freedom of association through excessively restrictive regulations. The authorities failed to protect unionized garment workers from harassment by factory managers. The government bypassed tripartite consultation mechanisms.¹

Freedom of expression and association

On 24 January the Parliament passed the Online Safety Act (OSA). Despite amendments in August, there were fears that vaguely worded offences and the granting of expansive powers to authorities could be used to curb freedom of expression and suppress dissent. Civil society criticized the drafting process as it was not consultative or transparent. The OSA was passed without the 31 mandatory amendments required by a Supreme Court determination, and none of the amendments brought provisions in line with international laws and standards. OHCHR, the UN human rights office, reported in August that at least two criminal cases had already been filed against individuals and internet intermediaries.

In June a case was dropped against comedian Nathasha Edirisooriya. She had been arrested in May 2023 for making comments allegedly disrespectful of Buddhism during a stand-up comedy show.

The draconian Prevention of Terrorism Act (PTA) continued to be used against minorities, activists and critics of the government, despite the government pledging a moratorium on its use. According to the Human Rights Commission of Sri Lanka (HRCSL), between January 2023 and April 2024, authorities reported 46 cases of arrests and detention under the PTA.

The Anti-Terrorism Bill proposed in 2023 remained before Parliament. It seeks to grant broad powers to the police, the military and the executive, and creates new offences, such as seeking to make acts of civil disobedience a terror offence. The proposed offences are overly broad, vague and subjective, which make them ripe for arbitrary application and abuse. In July the government proposed a law to regulate NGOs. It provides broad discretion to authorities, including unlawful restrictions on the right to freedom of association.

Minority communities, particularly Sri Lankan Tamils and Muslims in the Northern and Eastern provinces, reported continuing surveillance, intimidation and reprisals by the police and intelligence agencies. Families of the disappeared reported harassment, including late-night calls from state actors questioning them about their work and funding. Civil society members and journalists, particularly those working on land rights,

enforced disappearances or with former combatants, were also subject to harassment and intimidation.

Parliament passed the Telecommunications Amendment Bill on 9 July, despite very little public consultation. Civil society and the Supreme Court raised concerns about the introduction of a vaguely defined offence related to telecommunications that could be used to infringe freedom of expression.

Arbitrary arrests and detentions

The government launched the second phase of its abusive anti-drug initiative “Operation Yukthiya”, despite reports from civil society of human rights violations and calls for the operation’s cessation by the HRCSL and UN experts. Violations included arbitrary arrests, (predominantly of people from marginalized socio-economic groups) torture and other ill-treatment and the denial of due process and fair trial rights. Between December 2023 and May 2024, 111,074 suspects were arrested; the police reported that 776 suspects were arrested in 780 raids on 6 August alone.

Torture and other ill-treatment

Torture and other ill-treatment by police and security forces remained a concern. A total of 2,845 cases of torture and 675 cases of degrading treatment were reported to the HRCSL between January 2023 and March 2024. Some reports of torture and other forms of ill-treatment by security forces were from Tamil people in the Northern province.

Freedom of peaceful assembly

In May, police in the Eastern province arrested four Tamil people for serving “kanji” (rice porridge) ahead of a commemoration for people killed in the internal armed conflict. In August and September, courts in the cities of Trincomalee and Vavuniya respectively, issued orders preventing families of the disappeared from holding protests.

Freedom of religion and belief

On 22 August the government formally apologized for the implementation of the forced cremations policy during the COVID-19 pandemic, which had been contrary to Islamic beliefs.

Right to truth, justice and reparation

On 1 January the government gazetted a draft Bill for a new Commission for Truth, Unity and Reconciliation, which was later revised and re-published in August. Similarly, on 9 January the government passed the

Office for National Unity and Reconciliation Act. Both pieces of legislation had been rejected by victims' groups and civil society due to the lack of meaningful consultation or trust-building efforts by the government. Recommendations from similar bodies went unimplemented. Groups cited the failure of domestic institutions, such as the Office for Reparations and the Office on Missing Persons, to achieve tangible results.

Mass graves continued to be discovered, most recently on 13 July at Colombo Port. However, almost no remains were identified and returned to families.

The HRCSL requested an independent investigation into a possible enforced disappearance of a man from Anuradhapura in March. No meaningful progress was evident in several high-profile cases of recent years and some suffered major setbacks. These included the killing of five Tamil students in Trincomalee in January 2006, the murder of Lasantha Wickrematunge in 2009, the enforced disappearance of Prageeth Eknaligoda in 2010, and prosecutions for the 2019 Easter Sunday bombings.

In October a resolution was passed at the UN Human Rights Council which extended the mandate of the OHCHR's Sri Lanka Accountability Project for only one year.²

The government opposed the OHCHR's role in evidence gathering, signalling a risk that deep-rooted impunity would continue. While the new government promised credible domestic systems, there has been no progress on these mechanisms so far.

Women's rights

In July, an amendment to the archaic Muslim Marriage and Divorce Act, which governs the marriage and divorce of Sri Lankan Muslims, was sent to the Attorney General for approval. The Act has been criticized for its discriminatory provisions against women and girls, which permit child marriage and polygamy, among other issues. Civil society activists expressed concerns about the lack of transparency around amendments.

LGBTI people's rights

On 9 May the government presented the Gender Equality Bill. Subsequently deemed unconstitutional by the Supreme Court, the Bill was required to be passed by a referendum or a two-thirds majority in Parliament.

The Private Members Bill to amend the Penal Code to repeal section 365 criminalizing same-sex sexual relations remained unadopted. Although

originally presented in 2022, there was a continued lack of transparency around its status.

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1. ["Sri Lanka: Open Letter to the Government and Parliament of Sri Lanka on the Imminent Labour Law Reform", 27 May ↵](#)
 2. ["Geneva: UN HRC resolution on Sri Lanka underscores continued need for international scrutiny", 10 October ↵](#)

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