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Freedom in the World 2023 - Sri Lanka

PARTLY FREE

54

/ 100

Political Rights 23 / 40

Civil Liberties 31 / 60

LAST YEAR'S SCORE & STATUS

55 / 100 Partly Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

Sri Lanka experienced improvements in political rights and civil liberties after the 2015 election of President Maithripala Sirisena. However, the Sirisena administration was slow to address the aftermath of a 26-year civil war between government forces and ethnic Tamil rebels, who were defeated in 2009. Gotabaya Rajapaksa's election as president in 2019 and the Sri Lanka Podujana Peramuna's (SLPP) victory in the 2020 parliamentary polls emboldened the Rajapaksa family. While Gotabaya and Mahinda Rajapaksa resigned from their posts in the face of the *Aragalaya* ("Struggle") protests—prompted by economic troubles, government mismanagement, and corruption—in 2022, the family appears to maintain significant control through the SLPP.

Key Developments in 2022

- Prime Minister Mahinda Rajapaksa resigned on May 9, the same day SLPP supporters attacked protesters in Colombo. Ranil Wickremesinghe was named prime minister several days later.
- Protesters forced their way into the presidential mansion on July 9, forcing Gotabaya Rajapaksa to flee. The president left Sri Lanka on

July 13 and resigned from abroad on July 14. Wickremesinghe, who was named president on July 20, presided over a crackdown against the Aragalaya.

- In September, the International Monetary Fund reached a preliminary agreement to provide a \$2.9 billion loan to Sri Lanka, which is facing a foreign currency shortage and high inflation. Subsequent talks were delayed, however, and a final agreement was not reached by year's end.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for up to two five-year terms. Under the 19th Amendment, the president also has the power to select the cabinet. The prime minister and cabinet must maintain the confidence of Parliament.

Gotabaya Rajapaksa won the November 2019 presidential election but resigned in July 2022 in the face of widespread antigovernment protests. Ranil Wickremesinghe was named interim president by Parliament that month and will serve the remainder of Rajapaksa's term. Janatha Vimukthi Peramuna leader Anura Kumara Disanayake 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 Rajapaksa as prime minister before becoming president in July. Dinesh Gunawardena of the SLPP then succeeded Wickremesinghe as prime minister.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 225-member unicameral Parliament is elected for five-year terms, with 196 members elected through an open list system at the district level, and 29 members appointed via a national list.

In the 2020 elections, the SLPP-led coalition won 145 seats, and secured a supermajority with partners outside that coalition. Samagi Jana Balawegaya (SJB) won 54 seats. The United National Party, from which the SJB had split, acquired 1 national-list seat. Sri Lanka's other major party, the Sri Lanka Freedom Party (SLFP), also secured 1 seat, although most of its candidates sought office under the SLPP's banner. While the polls were

mainly free and fair and saw lower levels of violence compared to previous elections, women, Muslims, and Tamil voters faced intimidation.

Provincial council elections were repeatedly postponed due to disputes over the delimitation of voting districts. The last rounds were held in 2012–14, meaning the councils' five-year terms expired in 2017–19. Prominent nationalists, including leading members of the Buddhist clergy, want the councils abolished, citing issues including council spending. In December 2022, opposition lawmakers called on the Election Commission (EC) to organize local polls when they petitioned the Supreme Court.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The EC, which administers and oversees all elections in the country, has built a reputation for independence.

In October 2022, the 21st Amendment of the constitution took effect; it repealed some of the 20th Amendment, which had vested considerable power in the presidency. The new amendment also reestablished a Constitutional Council, which will name nominees for the EC and other government bodies. Sri Lankans with dual citizenship can no longer hold a seat in Parliament.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

A range of political parties operate freely and participate in elections. However, political debates between parties sometimes involve an element of violence and intimidation.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition groupings are generally free to carry out peaceful political activities and can win power through elections. The SLPP, then in opposition, won control of 231 out of 340 local councils in the 2018 elections and took the presidency in 2019, leading to a peaceful transfer of executive power. The SLPP-led coalition also won the 2020 parliamentary elections by a wide margin.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Vote buying and political bribery persist as issues that distort the free choices of voters.

The military has backed the Rajapaksas in recent years, with active and former military officials openly supporting Gotabaya Rajapaksa's presidential candidacy in 2019. Since then, the government has undergone increasing militarization, which President Wickremesinghe appears disinclined to reverse.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Several parties explicitly represent the interests of ethnic and religious minority groups. Systemic discrimination, including via language laws and naturalization procedures, negatively affects Tamils' political participation. Since 2020, the government has prevented the national anthem from being sung in Tamil at the official Independence Day celebration, though the previous government had reintroduced the practice. Muslim voters have also faced intimidation, limiting their ability to participate in the political process.

While a 25 percent local-level gender quota exists, women are severely underrepresented in national politics, holding only 5.3 percent of seats in Parliament. The cabinet announced by Gotabaya Rajapaksa in May 2022 included only four women and no one outside the country's ethnic majority. Wickremesinghe decided to retain much of Rajapaksa's cabinet in July.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Members of the Rajapaksa family, who have held posts including the presidency and premiership, enjoyed nearly complete decision-making authority before the Aragalaya. The family is still believed to wield significant control via the SLPP.

Legislative scrutiny was impacted by a disagreement over who should be appointed to two parliamentary committees in 2022. President Wickremesinghe was accused of reneging on a promise to appoint opposition lawmakers to chair those committees due to SLPP objections.

In 2021, the SLPP passed a bill creating a Special Economic Zone (SEZ) around Colombo Port City, a large development project largely funded by Chinese companies. Opposition politicians criticized the bill, which would prevent parliamentary oversight of the SEZ and grant a 40-year tax exemption for foreign companies, saying it could jeopardize Sri Lanka's sovereignty.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

A culture of impunity regarding official corruption appears to exist in Sri Lanka, in which politicians do not prosecute political opponents on corruption allegations lest they risk scrutiny in the future. Corruption has also impacted the delivery of vital goods; a former chief executive of state-owned Litro Gas noted that corruption was rampant in that sector. Lanka Sathosa, a state-owned retail chain, has also faced corruption allegations in recent years, with the sales of staple goods reportedly being rigged.

In May 2022, Australian and Indian news outlets reported that Namal Rajapaksa, Gotabaya's nephew, was linked to a money laundering scheme along with an Australian company and a Sri Lankan firm owned by a family associate. In June, Housing Minister Prasanna Ranatunga was fined and received a suspended prison term over a bribe demand he made in 2015. Also in 2022, the Colombo High Court indicted lawmaker Johnston Fernando, his secretary, and another official over allegations that Fernando made Lanka Sathosa employees perform election-related work.

In 2020, Gotabaya Rajapaksa established the Presidential Commission of Inquiry to Investigate Allegations of Political Victimization, which opposition leaders and rights groups said helped the Rajapaksa family and their associates evade criminal investigations and prosecution. In an October 2022 report, the UN High Commissioner for Human Rights reported that the inquiry had "actively intervened in police investigations and court proceedings in several high-profile human rights cases."

C3 0-4 pts

Does the government operate with openness and transparency? 2 / 4

Individuals have used the 2017 Right to Information Act to access government records, but transparency is lacking in procurement and contracting decisions, including for large contracts with Chinese and other foreign companies. The auditor general in recent years has also noted major discrepancies in the government's assessments of public debt.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a -1 culture or tip the political balance in favor of another group?

Following the end of the civil war in 2009, the military presence in the Tamil-populated areas of the north and east increased. The election of Gotabaya Rajapaksa as president in 2019 and the creation of the Presidential Task Force for Archeological Heritage Management in the Eastern Province in 2020 led to concerns that the government would employ the military to back claims pertaining to Buddhist heritage, to further change the region's demographics.

In November 2022, President Wickremesinghe offered to meet Tamil representatives to discuss a potential federal state and its implications for the north and east; while the Tamil National Alliance welcomed the offer, some Tamil lawmakers questioned the president's sincerity.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 2 / 4

Freedom of the press is constitutionally guaranteed, though news outlets and civil society were cautious in challenging the government during the Rajapaksa's time in power; media had largely muted coverage of corruption issues, for example.

In May 2022, a former detective who investigated the 2009 killing of journalist Lasantha Wickrematunge testified that Gotabaya Rajapaksa, who was defense minister at the time, may have been involved in Wickrematunge's murder. Rajapaksa denied the allegations.

Media were more critical when reporting on the 2022 antigovernment protests, and journalists faced arrest and physical assault while covering them. In March, police and security forces arrested journalists who covered a protest near Gotabaya Rajapaksa's home. On July 9, paramilitary forces attacked a team of reporters near then prime minister Wickremesinghe's home; the officer who ordered the attack was suspended. Later that month, security forces assaulted journalists who were covering a raid on a Colombo protest site.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While anti-Muslim riots have taken place in the past, relatively little interreligious conflict was reported in 2022. In March, however, several hundred people entered a Christian church, threatening to kill its pastor if he did not stop services.

The Roman Catholic clergy has criticized the government for perceived faults in the official investigation into the 2019 Easter terrorist bombings, which had targeted three Christian churches.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is generally respected, but there are occasional reports of politicization at universities and intolerance of dissenting views among both professors and students. Students and faculty feel pressure to avoid discussing sensitive topics, including alleged war crimes, human rights for marginalized groups, Islamophobia, or extremist activities by Buddhist clergy.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

The civil war remains a sensitive topic. Awareness of state officials' harassment of civil society activists working on human rights issues in the north and east has deterred open discussion of such subjects among ordinary citizens. Antigovernment protesters active in 2022 reportedly avoided those issues and discouraged discourse on those subjects.

Sri Lankan authorities targeted internet users who discussed other matters in 2022. In April, an activist who administered a Facebook group called "Go Home Gota" was arrested and detained by police. In July, an internet user was accused of hate speech after criticizing the military in a Facebook post.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 2 / 4

Although authorities sometimes restrict freedom of assembly, assemblies occur regularly, though demonstrations on sensitive topics like security laws and impunity for forced disappearances may be surveilled by authorities.

The Aragalaya protests, which were prompted by the country's severe economic difficulties, government mismanagement, and corruption, were held for much of 2022. The protests escalated on March 31, when protesters set fire to an army vehicle near Gotabaya Rajapaksa's private residence and authorities responded with force. Rajapaksa declared a state of emergency and imposed a curfew days later.

On May 9, the day Mahinda Rajapaksa resigned as prime minister, SLPP supporters attacked antigovernment demonstrators in Colombo, injuring

at least 20 people. Antigovernment protesters also targeted SLPP members, with several lawmakers' homes and vehicles being destroyed. In total, 5 people were reportedly killed from clashes on May 9, while 150 were injured.

On July 9, protesters occupied the presidential mansion, breaking through security barriers and forcing Gotabaya Rajapaksa to flee. Wickremesinghe's home and several other buildings were reportedly destroyed by protesters that day.

The government maintained a crackdown on the Aragalaya after Gotabaya Rajapaksa's resignation. Soldiers dismantled a Colombo protest camp on July 21; over 50 people were reportedly injured during the operation. Authorities also targeted perceived Aragalaya participants, with over 100 people being arrested by early August. Also in August, three student activists were arrested under the Prevention of Terrorism Act (PTA). In September, the government used the Official Secrets Act to briefly restrict assembly rights in parts of Colombo, which were declared "high security zones."

*Score Change: The score declined from 3 to 2 because the government used draconian legislation and deployed security forces to crack down on the Aragalaya protest movement, which had forced Gotabaya Rajapaksa out of the presidency.*²⁹

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) are generally free to operate without interference, but some NGOs and activists—particularly those in the north and east that focus on sensitive topics such as military impunity—have been subjected to denial of registration, surveillance, harassment, and assaults. Intelligence personnel has attended civil society meetings and questioned NGOs about their personnel and funding sources. Civil society was nevertheless active during the 2022 antigovernment protests.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions are legally allowed to organize and engage in collective bargaining. Except for civil servants, most workers can strike, though the 1989 Essential Services Act allows the president to declare any strike illegal. Harassment of labor activists and official intolerance of union activities, particularly in export processing zones, is regularly reported. Larger unions are often affiliated with political parties. Trade unions protested the government's handling of the country's economic crisis throughout much of 2021 and 2022.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 3 / 4

Political interference in and intimidation of the judiciary abated somewhat under the Sirisena administration, and the courts have asserted their independence amid political turbulence in recent years, including during the 2018 constitutional crisis.

In May 2022, the Supreme Court suspended the pardon Gotabaya Rajapaksa granted former legislator Duminda Silva, who had murdered another legislator in 2011. Silva was rearrested in June 2022.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are undermined by the PTA, which was expanded in 2021 to allow suspects to be detained for up to two years without trial. The law has been used to hold perceived enemies of the government, particularly Tamils. Many detained under the PTA's provisions have been kept in custody for longer than the law allows. Following the 2019 Easter Sunday bombings, hundreds of Muslim suspects were arrested under the act, while Sinhalese anti-Muslim rioters were charged under standard civilian statutes that allowed bail.

The government amended the PTA in March 2022 through an accelerated parliamentary process. UN human rights experts warned that the legislation's most severe provisions remained, however. The PTA has since been used against antigovernment protesters, with three student activists being detained under the law in August.

The police routinely treat government officials and those closely associated with them favorably. Military personnel accused of committing war crimes during the civil war later held prominent government roles, while others remain in senior military posts.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Police and security forces have engaged in extrajudicial executions, forced disappearances, custodial rape, and torture, all of which disproportionately affect Tamils. Due to backlogs and a lack of resources, independent commissions have been slow to investigate allegations of police and military misconduct. Aragalaya protesters who were arrested were reportedly tortured while in custody.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Tamils report systematic discrimination in areas including government employment, university education, and access to justice. Ethnic and religious minorities are vulnerable to violence and mistreatment by security forces and Sinhalese Buddhist extremists.

LGBT+ people face societal discrimination, occasional instances of violence, and some official harassment. A rarely enforced article of the penal code prescribes up to 10 years in prison for same-sex sexual activity. Sexual harassment and employment discrimination against women are common, as are discriminatory legal provisions.

The government does not grant asylum or refugee status under its own laws, nor does it provide services or work permits to asylum seekers and refugees. These individuals rely instead on aid from NGOs, informal employment, and third-country resettlement by the Office of the UN High Commissioner for Refugees.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Free movement is restricted by security checkpoints, restricted military areas, and military occupation of public and private land. Security checkpoints erected in Northern Province after Gotabaya Rajapaksa became president have been mostly dismantled, though Tamil areas remain under surveillance.

Women with children younger than five years old are not allowed to travel abroad for work. Access to educational institutions is impeded by corruption, with bribes often required to obtain primary school admission.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Ongoing occupations and other forms of land grabbing remain serious problems, especially for Tamils in the northeast. Members of minority groups have been targeted by criminals using forged land deeds in Colombo, leading to an investigation in October 2022. Corruption sometimes hinders the effective enforcement of property rights in general. Some women face gender-based disadvantages regarding inheritance under the customary laws of their ethnic or religious group, and Muslims reportedly encounter discrimination in property transactions.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Although women have equal rights under civil and criminal law, matters related to the family—including marriage, divorce, and child custody—are adjudicated under the customary laws of each ethnic or religious group, and the application of these laws sometimes entails discrimination against women. Rape of women and children and domestic violence remain serious problems, and perpetrators often act with impunity.

Some very young girls are forced into marriages under Islamic personal law, which the Gotabaya Rajapaksa government sought to change by altering the Muslim Marriage and Divorce Act (MMDA). However, the government was criticized for attempting to revise the MMDA without adequate input from the Muslim community. In 2021, the All Ceylon Jamiyyathul Ulama objected to the cabinet's decision to amend the MMDA, in part because it would ban polygamous marriages for Muslims.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

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.

In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that the government was making significant attempts to address human trafficking and to implement a 2021–25 antitrafficking action plan. However, prosecutions of traffickers and sentences for those convicted were reported as insufficient.

While most of the mainly Tamil workers on tea plantations are unionized, employers routinely violate their rights. Migrant workers recruited in Sri Lanka are often exposed to exploitative labor conditions abroad.

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