



RIGHT TO LIFE
HUMAN RIGHTS CENTRE



Protecting Human Rights Amid a Political Paradigm Shift

**Recommendations
and Strategies**

Policy Brief

Protecting Human Rights Amid a Political Paradigm Shift

A New Era in Sri Lankan Governance

The 2024 election of the People’s Liberation Front (JVP) marked a significant shift in Sri Lanka’s political culture. Advocating for progressive reforms, the JVP’s platform resonated across ethnic and geographical divides. Their commitment to repealing repressive laws, advancing democratic reforms, and prioritizing human rights has inspired optimism for a transformative era in governance. This political shift presents an opportunity to address long - standing structural inequalities and promote inclusivity.

Women’s Rights and Economic Challenges

Dr. Nimalka Fernando, AAL, a prominent women’s rights activist, emphasized the profound impact of economic crises on human rights, particularly for women. The Aswesuma welfare benefit program, she argued, serves not only as poverty relief but also as a crucial mechanism for economic empowerment during crises. Women in conflict-affected regions face a unique confluence of challenges, including gender-based violence, economic insecurity, and systemic discrimination. Dr. Fernando called for transformative policies to dismantle patriarchal norms, amplify women’s voices, and ensure their inclusion in decision-making processes. These measures are essential for creating equitable human rights frameworks that address structural disparities and empower marginalized communities.



Youth Undergoes Major Surgery After Police Assault

On April 9, 2024, a 23-year-old youth was subjected to a brutal assault by police officers during a vehicle stop at the Medawachchiya police station. The attack caused severe internal hemorrhaging, necessitating emergency surgery that resulted in the removal of one of his testicles. This shocking incident led to the immediate remanding of the responsible officers and reignited calls for stringent enforcement of anti-torture legislation in Sri Lanka. Human rights organizations emphasized the urgent need for systemic reforms to prevent such egregious violations of fundamental rights.

HRCSL's Mandate and Challenges

Sumanal Weerasinghe, Deputy Director of the Human Rights Commission of Sri Lanka (HRCSL), outlined the Commission's role in investigating and protecting human rights. Established in 1996, the HRCSL receives approximately 9,000 complaints annually and operates 10 regional offices with five sub-offices. Recent initiatives include:

- Mobile camps to address community issues, such as obtaining birth certificates.
- Inspections of police stations.
- A rapid response unit to prevent torture.

Despite these efforts, challenges persist. Civil and political rights remain a focus, alongside inclusivity for marginalized groups, including persons with disabilities and plantation workers. Mr. Weerasinghe highlighted the importance of civil society partnerships in strengthening these efforts.



Legal Reforms and Civil Society Advocacy

Lakshan Dias, Chairman of R2L, underscored the importance of enhancing existing legal frameworks and fostering active public participation. Key recommendations include:

- Strengthening the Domestic Violence Act to cover in-laws and extend protections to the household level.
- Addressing misuse of the ICCPR Act and ensuring its positive provisions are utilized.
- Advocating for democratic anti-terrorism legislation to replace the Prevention of Terrorism Act (PTA).
- Enhancing the implementation of the Witness Protection Act and encouraging civil society collaboration with the Witness Protection Commission.
- Pushing for reforms to protect prisoners' rights and promote police accountability.

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Dias also highlighted the need for legal reforms to protect prisoners' rights, engage with security forces, and advocate for a more people-friendly judicial system. He emphasized that civil society must push for a shadow constitutional-making process to ensure inclusive and equitable governance.



The Nimal Chandrasiri Case: A Decade of Injustice

The case of Nimal Chandrasiri, a fisherman from Thalpitaya, Wadduwa, epitomizes the devastating consequences of police misconduct and systemic failures in Sri Lanka's justice system. Arrested in April 2012 under questionable circumstances, Chandrasiri was subjected to extreme physical abuse while in custody. Despite repeated pleas for medical attention, his suffering was ignored, leading to his untimely death. Over the past decade, his family, supported by the Right to Life Human Rights Center (R2L), pursued justice against significant odds. Their perseverance culminated in a landmark Supreme Court ruling in November 2024, which awarded compensation for the violation of Chandrasiri's fundamental rights. This judgment highlighted the necessity of accountability and robust safeguards against police abuse, serving as a critical turning point in Sri Lanka's human rights landscape.

Torture Prevention and Delayed Justice

Dulan Dasanayake, Legal Director of R2L, highlighted significant milestones and ongoing challenges in implementing the Convention Against Torture Act. Mr. Dasanayake called for robust advocacy to address these issues, emphasizing that justice delayed is justice denied. Torture complaints received by the HRCSL exceed 500 annually, yet few cases proceed under the Torture Act. Marginalized groups face systemic barriers in accessing justice, with political interference further undermining human dignity.

He noted that fewer than 120 cases have been filed under the Torture Act since its enactment, with less than 40 reaching indictments in the High Court. He called for stronger advocacy to expedite judicial processes and prevent evidence erosion due to delays. Additionally, he highlighted systemic issues such as the inaccessibility of courts and the marginalization of vulnerable groups, emphasizing the urgent need for judicial reforms to uphold human dignity.

The Role of Transitional Justice and Inclusivity

Sri Lanka's human rights landscape faces significant challenges, from police brutality and systemic discrimination to judicial delays and political interference. However, the 2024 political paradigm shift offers a unique opportunity for transformative change. Sri Lanka can move toward a more equitable and just society by addressing structural inequalities, fostering inclusivity, and strengthening legal frameworks. Organizations like R2L and the HRCSL play pivotal roles in this journey, advocating for accountability, supporting victims, and championing the fundamental rights of all Sri Lankans.



Conclusion

Sri Lanka's human rights landscape faces significant challenges, from police brutality and systemic discrimination to judicial delays and political interference. However, the 2024 political paradigm shift offers a unique opportunity for transformative change. Sri Lanka can move toward a more equitable and just society by addressing structural inequalities, fostering inclusivity, and strengthening legal frameworks. Organizations like R2L and the HRCSL play pivotal roles in this journey, advocating for accountability, supporting victims, and championing the fundamental rights of all Sri Lankans.

A landmark judgment delivered by the Matara High Court on June 24, 2024, where three police officers were sentenced to seven years of rigorous imprisonment for torturing five individuals in 2003. The case, which took over 21 years to resolve, underscores the detrimental impact of judicial delays on justice.