

Advocacy to Contribute to the Sri Lankan Civil Movement on Resisting Corruption (CMRC)

This project is an extension of the previous project funded by CISU entitled “*Supporting the Rule of Law and Defending the Rights to Freedom of Assembly and Association through Civil Society Engagement in Sri Lanka*” (see below) and intends to provide much needed capacity building support to CSOs, civil actors, and local communities to understand the serious interconnection between the failure of rule of law and rampant corruption at all levels, as a way of addressing corruption.

The project objective is to contribute to the emerging civil movement on resisting corruption in Sri Lanka that is taking place on a daily basis. The project proposes to bridge an important gap of the civil society movement emerging from the grassroots activists including youth and women by creating discourses and strategies for building resistance against bribery and corruption in a manner that is sustained and impactful. The implementation strategies comprise training of CSOs and other civil actors, public education through media and social media, and building community solidarity with specific victims’ groups. The project will advocate for changes that are needed structurally to implement interventions aimed at eliminating of corruption at local and national level by improving country’s rule of law system and the institutions which are dealing with the law enforcement functions.

Supporting the Rule of Law and Defending the Rights to Freedom of Assembly and Association through Civil Society Engagement in Sri Lanka

Summary

The project aims to support legal reform in Sri Lanka through offering an urgent advocacy & policy intervention that calls for the repeal of the Prevention of Terrorism Act, enabling respect for the right to Freedom of Assembly and Association, the replacement of the regressive 1978 Constitution and maintenance of the Voluntary Social Service Organizations' Act to enable the rule of law to flourish. With the project, the partners will boost the capacity of minimum 150 men and women representing provincial and rural CSOs on effective advocating and campaigning tactics, and through comprehensive training they will gain a sufficient understanding of law and legal mechanisms required to drive positive rule of law reform for the country. The wider strategy is to stimulate public opinion of those living in rural and provincial parts of the country, to increase general awareness and to share views at the national level on the deteriorating rule of law and human rights violations, and how they can support a nationwide movement for the rule of law.

Historical Context

The months of April and May 2022 saw widespread people's protest in Sri Lanka. The main demand besides the resignation of President were reforms relating to democracy, rule of law, justice, and human rights. The immediate reason for rise of popular protest is the economic crisis. Massive queues at gas stations have become normal. In the agricultural sector lack of fertilizers has created the worst crisis ever. The country is unable to pay for energy and staple foods. According to IMF and the central bank authorities the Sri Lankan economy itself has characteristics as unsustainable and may possibly lead to debt default.

The 2022 report by the United Nations High Commissioner for Human Rights (OHCHR) on reveals that the human rights situation is in alarming decline. It documents discrimination against religious and ethnic minorities and security forces' targeting of civil society groups, while accountability for past abuses has been blocked, not least in the former war zone in the Northeast, where tens of thousands of women have lost their husbands – many confirmed dead, while many others remain missing.

Over the years, SL's Constitution of 1978 and its Prevention of Terrorism Act (PTA) have been used to limiting critical voices against the policies of government. Enacted in 1979 as a temporary measure, the PTA has been used for over 40 years to enable prolonged arbitrary detention, to extract confessions through torture, and to target civil society groups and minority groups. After years of domestic and international criticism, the Government published a bill in 2022 to amend the PTA act. However, the proposed amendments leave the most often abused provisions of the law intact, and if enacted, will do little to bring the PTA into compliance with Sri Lanka's international human rights obligations.

Meanwhile, the Government is seeking to repeal Voluntary Social Service Organizations Act (VSSO) governing state and civil society (CS) relations since 1980, which could curb CSOs and individuals' rights to freedom of association and assembly, and other rights. If the VSSO is repealed and a replacement like India's Foreign Contribution (Regulation) Act 2010 and Bangladesh's Foreign Donations (Voluntary Activity) Regulation Act 2016 will be enacted, civil society and human rights organisations would be starved of financial resources and therefore silenced.

With the project, the partner organisations will enhance the capacity of provincial and rural civil society organisations (CSO) on advocating, campaigning, and gaining understanding of law and legal mechanisms which are necessary to drive positive rule of law reform for the country. Further, they will have the opportunity to share their views with leading journalists, key political leaders and the UN Special Rapporteur on the rights to freedom of assembly and of association thereby bringing their concerns about human rights violations at the national and international levels.

Our Approach

The main aim of this project is to support legal reform through the repeal of the PTA and the roll-out of a progressive Constitution and the maintenance of the VSSO in place, assisted by a push from many corners within Sri Lanka that need additional support, ad intra (from within, domestically) and ad extra (from outside, internationally). The ability of civil society to freely associate, and to assemble and organise is critical for effective campaigning for improvements in the justice system which can reinforce, and even enable the rule of law to flourish. The project will equip civil society in rural and provincial areas with the tools necessary to expand the enjoyment of their FoAA rights, and to strengthen the rule of law at the provincial and national levels. Further, the UN SR on FoAA has taken a keen interest in SL, and he is seeking to raise the attention of the international community and the UN Human Rights Council to these efforts being undertaken by civil society in-country. In this endeavour Nunca Más will support its Sri Lankan partners by accompaniment and technical inputs.