



RIGHT TO LIFE
HUMAN RIGHTS CENTRE

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Prevent torture to become civilized

(The statement for International Day in Support of Victims of Torture - June 26)

According to the figures released by the Human Rights Commission of Sri Lanka, 302 complaints against torture and 12 complaints of humiliating treatment and a total of 1616 complaints of restriction of personal freedom were recorded in 2021. In 2022, the number of complaints regarding torture increased to 560 and the number of complaints regarding humiliating treatment has increased to 16 whereas the total number of complaints regarding restriction of personal freedom increased to 2228.

June 26 is the International Day in Support of Victims of Torture. Sri Lanka as a member state of the United Nations as well as a state party to the International Convention against Torture, Cruel, Inhuman and Degrading Treatment also joins to celebrate this day.

Torture is a crime against humanity and UN Secretary-General Antonio Guterres has stated, "Torturers must never be allowed to get away with their crimes, and the systems that allow torture must be dismantled or transformed".

According to our conclusion, Sri Lanka is also a state with a system that allows torture. We would like to highlight that the existence of a social and administrative system that allows torture will lead the state of Sri Lanka to incivility.

Freedom from torture, cruel, inhuman, and degrading treatment, and punishment is guaranteed as a fundamental right by the Constitution of Sri Lanka. The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act No. 22 of 1994 criminalizes torture. As a party to the International Convention against Torture, Cruel, Inhuman and Degrading Treatment for more than 25 years, and as one of the oldest members of the United Nations, it is a matter of regret torture still prevails in Sri Lanka and that a state and a social structure that upholds torture has been built.

Despite Sri Lanka's strong anti-torture laws, the continuation of the existence of high levels of torture demonstrates the fragility of Sri Lanka's rule of law, governance, and social structures.



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The systematic development of torture in this way indicates an immoral situation in terms of human freedoms and rights. The government is responsible for protecting the basic rights of the people, which is part of the people's sovereignty. Therefore, the government should pay close attention to this situation. We emphasize that it is an inalienable responsibility of the government to convert law enforcement officers into people who respect rights.

Non-use of laws and ordinances in a proper manner is also a pressing issue in Sri Lanka. In particular, it can be seen that the laws enacted based on international conventions are used only to receive international recommendations and support, and in the end, they are not implemented with determination. The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act can be seen as one such major law.

Although the Act criminalizes torture, statistics show that the Act is rarely enforced against law enforcement officers who commit torture. We also point out that the number of cases filed under that Act is 115 even after 25 years of its enactment. This is a highly unsatisfying number compared to the number of complaints received by the Human Rights Commission of Sri Lanka regarding torture. We emphasize that there are also a large number of unreported cases, especially regarding abuses by law enforcement officers.

We urge that the government of Sri Lanka should act broadly and strongly for eradicating the crime of torture, which is recognized by the United Nations as a crime against humanity. In particular, we urge the government to actively intervene in the proper implementation of existing anti-torture measures, to prevent perpetrators from escaping the law, and to transform the system built in Sri Lanka into a civilized system that does not allow torture. We further urge the government to uphold the policy of "zero tolerance on torture" without making it a mere statement in international reports.

On June 26, 2023.