



CPA Statement on the new Regulations under the Prevention of Terrorism Act

23 September 2011, Colombo, Sri Lanka: The Centre for Policy Alternatives (CPA) condemns the government's decision to perpetuate a number of the most widely used Emergency Regulations, such as those relating to detainees, purported 'surrendeers' and local authorities, in the form of regulations under the Prevention of Terrorism Act (PTA). We believe that the reintroduction of regulations of this nature, just over a week after the President declared that the need for the state of emergency no longer exists, is dishonest and wholly incongruent with the President's promises to Parliament. Further, it will lead to disillusionment among the public who were led to believe that the end of emergency meant the country would now function "democratically under the ordinary law."

The replacement of Emergency Regulations by the expedient method of PTA regulations confirms the concerns expressed by civil society over a long period that unless and until the PTA is repealed, the termination of the state of emergency offers no genuine promise of improvement in the protection of human rights, especially for minorities and those in the North and East of the country. The fact that the PTA regulations took effect at midnight on 29th August – twenty four hours before the state of emergency lapsed – is a worrying but telling indicator of the fact that the government never intended to relax emergency laws when it announced the termination of the state of emergency.

CPA notes that Section 27 of the PTA, which enables the making of regulations by the Minister of Defence, should not permit the kind of expansive executive rule-making power, which the new PTA regulations have required. Since the PTA is not even remotely concerned with many of the matters dealt with in the new regulations, such as those concerning local authorities, and the manner in which the application of previous Emergency Regulations are sought to be extended without regard to what is permitted under the PTA, these regulations appear to be illegal.

CPA therefore calls on the government to rescind forthwith the PTA regulations promulgated on 29th August, release detainees and surrendeers held under lapsed Emergency Regulations, desist from interfering with the administration of local authorities, and take steps to repeal the PTA. CPA also calls on the government to remove forthwith all restrictions relating to areas that were previously demarcated as High Security Zones under lapsed Emergency Regulations, given that there is no continuing legal basis for such restrictions.

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The Centre for Policy Alternatives (CPA) was formed in the firm belief that there is an urgent need to strengthen institution- and capacity-building for good governance and conflict transformation in Sri Lanka and that non-partisan civil society groups have an important and constructive contribution to make to this

process. The primary role envisaged for the Centre in the field of public policy is a pro-active and interventionary one, aimed at the dissemination and advocacy of policy alternatives for non-violent conflict resolution and democratic governance. Accordingly, the work of the Centre involves a major research component through which the policy alternatives advocated are identified and developed.