



Centre of Policy Alternatives Statement in regard to State of Emergency imposed by the President on the 6th of May 2022 in response to the Island-wide Protests.

7th May 2022, Colombo, Sri Lanka: The Centre for Policy Alternatives (CPA) is deeply concerned by the President's decision to declare a State of Emergency under section 2 of the Public Security Ordinance (PSO) with effect on the 6th of May 2022 as per [Gazette Extraordinary No. 2278/22](#). This is the second time the President has declared a State of Emergency in the span of five weeks, with no credible justification provided, in a context when Sri Lanka has witnessed weeks-long peaceful protests across the island. Despite the peaceful citizen mobilisation, CPA is alarmed by the violent and intimidatory tactics used by authorities, with the declaration of state of emergency being the latest move to crush dissent and other democratic rights.

CPA notes that this measure is counterproductive at a time when Sri Lanka is facing an unprecedented political and economic crisis, and when the priority of the government must be to ensure stability and address the economic hardships and the food insecurity experienced by a significant portion of the population. At such a critical juncture, it is unfortunate that the government is failing in its primary responsibility of providing for and protecting the rights of the citizenry, and opting for arbitrary measures that further erode the trust in government and governance. Thus, CPA urges the President to immediately revoke the Proclamation declaring a State of Emergency and to take all steps to uphold the fundamental rights of citizens.

The present State of Emergency comes within weeks of the previous emergency declared on the [1st April 2022](#), which was [revoked](#) 4 days later, before it could be tested before a vote in Parliament. CPA notes with grave concern, that in terms of Article 155(7) of the Constitution, 6th May 2022, was the first date on which the President could declare a state of emergency, because the previous declaration was not approved by Parliament. CPA thus notes that this latest declaration of a State of Emergency is a bad faith exercise of the President's power and is yet another attempt by the President to govern by circumventing Parliament & the free expression of ideas by the people.

CPA has [previously noted](#) concerns with the use of emergency by successive governments and reiterates that a declaration of emergency must be reserved for times of genuine need, for the limited interests of 'public security and the preservation of public order or for the maintenance of supplies and services essential to the life of the community'. The abuse of Emergency Powers to cater to the Presidents own insecurity is unconstitutional and undemocratic, and demonstrates a blatant disregard for the people and state of the country's economy and stability. In light of these unexplained and unjustified declarations of emergency it is important that such declaration is accompanied by the reasons which necessitate doing so.

Furthermore, the Supreme Court [granted Leave to Proceed](#) in several applications challenging, *inter alia*, the previous declaration emergency on the 1st April 2022. The declaration of a fresh emergency soon after, again when there are no justifiable grounds for doing so is an intentional violation of the Constitution by the President. In such a context and amidst the growing and persistent calls by the

citizens for a system change, and the resignations of the President and the Prime Minister, CPA urges all relevant stakeholders to heed the demands of the people and step down, allowing for a peaceful transition of power that is sequenced by structural, constitutional and legislative reforms and other initiatives focused on alleviating the social and economic hardships faced by many Sri Lankans. Inability and unwillingness to acknowledge this and take swift action will likely lead to violence and instability and thus impede real transformation in Sri Lanka.