



CPA Challenges the Anti-Terrorism Bill (SC/SD 04/2024)

The Centre for Policy Alternatives (CPA) and its Executive Director, Dr. Paikiasothy Saravanamuttu, filed a Petition in the Supreme Court on the 18th of January 2024 challenging the Constitutionality of the Bill titled “Anti-Terrorism”. The Bill was published in the [Gazette](#) on the 15th of September 2023 but was only tabled in the Parliament [the first reading of the Bill] on the 10th of January 2024. CPA has extensively [commented](#) on this Bill, and its previous versions raising numerous concerns relating to this draconian piece of legislation.

CPA has raised concerns over the vague definitions in the Bill which may be a tool for abuse. Further, the continued use of long executive detention and the further strengthening of the already powerful Executive, particularly by giving the President powers to make curfew orders, proscription orders and prohibition orders are seen as critical issues.

CPA argues that the proposed Anti-Terrorism Bill must be looked at through the lens of the legacy of the Prevention of Terrorism Act (PTA), which has been a source of terror over the past decades. Considering the abuse that minorities, journalists, and dissenters have faced under the PTA, any new counter-terror law must contain sufficient checks and balances, to prevent similar abuses from taking place in the future. Further, to be genuine in its efforts, any counter-terror law must be designed with the aim of addressing the root causes of terrorism, rather than empowering authorities to suppress a segment of the population.

CPA argues that the clauses of the Bill violate Articles 3, 4, 11, 12(1) and 13(2), 13(4), 13(5) and 14(1)(a) –(i) of the Constitution, and therefore cannot be enacted into law, except if approved by People at a Referendum in addition to a two-thirds vote of the whole number of the Members of Parliament in favour as required by Article 83(a) of the Constitution.