A STATEMENT ON PROPOSED LEGISLATION, THE STATE AND HUMAN RIGHTS
THE NATIONAL CHRISTIAN COUNCIL OF SRI LANKA

The National Christian Council believes that the Rule of Law must remain central to all efforts to maintain public security and respond to corruption. The Christian faith affirms the inherent worth and dignity of every human person, calling us to stand for a society where justice is administered fairly, public institutions remain accountable, and no individual is deprived of fundamental rights through arbitrary state action.

Affirming the Positives

- **Recognizing the State's Responsibility:** We recognize the legitimate duty of the State to combat terrorism, suppress organized crime, and protect citizens, including aligning national frameworks with international instruments such as the UN Convention Against Transnational Organised Crime.
- **Welcoming the Repeal of the PTA:** We welcome the long-overdue repeal of the Prevention of Terrorism Act (PTA) No. 48 of 1979, which has for many years been abused by governments to suppress legitimate dissent.

Raising Severe Dangers and Concerns

Despite these steps, a rigorous evaluation of the proposed package of Bills- comprising the Protection of the State from Terrorism Bill (PSTA), Prevention of Organised Crimes Bill (POCB), and Non-Governmental Organisations (Registration and Supervision) Bill-reveals alarming dangers:

1. **Overbroad Definitions and Protecting State over People:** The PSTA shifts focus from protecting civilians to protecting state institutions against dissent. Defining terrorism and serious crime through vague criteria like "unduly compelling a government" or considering dress, tattoos, and associations risks criminalizing identity and peaceful protests.
2. **Erosion of Judicial Oversight and Executive Overreach:** Extraordinary detention powers up to 12 months are vested in executive officials, such as the Defence Secretary or senior police, rather than judicial officers. Magistrates are stripped of discretion, compelled to give effect to executive orders without granting bail. Furthermore, critical bail safeguards agreed upon by advisory committees were secretly removed from the tabled PSTA text. Suspects face cumulative custody extending up to three years.
3. **Expanded Military Powers and Digital Surveillance:** The PSTA expands warrantless arrest powers to armed forces and coast guard personnel, while restricting suspect legal counsel through subordinate circulars. Concurrently, the POCB permits intrusive digital surveillance, device decryption, and subscriber data extraction without court orders.
4. **Suppression of Civil Society under the NGO Bill:** The NGO Bill mandates prior authorization, penalizes unregistered operations with fines up to Rs. 1 million, enforces warrantless property inspections, and requires NGOs to align with government policy. This crosses the line from regulation to control, which is contrary to human rights norms. Contrary to government claims, UN experts and research establish that these blanket restrictions contradict FATF Recommendation 8's risk-based approach.

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5. **Cumulative Impact and Lack of Consultation:** Together, these laws form a mutually reinforcing architecture of suppression drafted without transparent, inclusive consultation with relevant stakeholders and civil society including religious bodies.

Conclusion and Call to Action

Legislation dealing with national security or corruption must never suppress dissent or dismantle democratic accountability. We call upon the Government of Sri Lanka to immediately withdraw or substantially overhaul these draft bills. True national security and good governance are achieved when human dignity is protected, equality before the law is guaranteed for all and the state wields its power with accountability and in accordance with the Constitution.

Signed:

- Rev. Saman Perera - Chairperson of the NCCSL, Moderator, Presbytery of Sri Lanka
- Rt. Rev. Dushantha Rodrigo - Bishop of Colombo - Church of Ceylon
- Rt. Rev. Dr. V. Pathmathayalan - Bishop of Jaffna Diocese - The Church of South India (C.S.I)
- Rev. Kingsley Weerasinghe - President of Methodist Church Sri Lanka
- Associate Pastor Lakmal Wijeratne - President of Christian Reformed Church
- Rev. Wilee Ranasinghe - President of Sri Lanka Baptist Church
- Rt. Rev. Nishantha Fernando - Bishop of Kurunagala - Church of Ceylon
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- Rev. Dr. Romesh Bulathsinghala - President of the Church of Four-Square Gospel
- Rev. Dr. Chrisso Handy - Superintendent/Chair - Assemblies of God
- Back to The Bible Broadcast
- The Ceylon Bible Society
- Christian Literature Society
- Student Christian Movement
- Young Men Christian Association
- Young Women Christian Association
- Theological College of Lanka
- Colombo Theological Seminary
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- Rev. Sujithar Sivanayagam - General Secretary of the NCCSL.