

# Legal Framework on Xenophobia and Racism in Sri Lanka

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# Constitution of Sri Lanka

## Article 11.

No person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

## Article 12.

- (1) All persons are equal before the law and are entitled to the equal protection of the law.
- (2) No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds:

# **Penal Code of Sri Lanka**

## **Section 290A**

Whoever does any act, in or upon, or in the vicinity of, any place of worship or any object which is held sacred with intent to or in veneration by any class of persons, with the intention wounding the religious feelings of any class of persons or with the knowledge that any class of persons is likely to consider such act as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

## **Section 291A**

Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

## **Section 291B.**

**Whoever, with the deliberate and malicious intention of outraging the religious feelings of any class of persons, by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.**

# **The International Covenant on Civil and Political Rights (ICCPR) Act, No. 56 of 2007**

## Section 3

3. (1) No person shall propagate war or advocate national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

(2) Every person who—

- (a) attempts to commit;
- (b) aids or abets in the commission of; or
- (c) threatens to commit, an offence referred to in subsection (1),

shall be guilty of an offence under this Act.

## **Online Safety Bill**

An act to establish the online safety commission; to make provisions to prohibit online communication of certain statements of fact in sri lanka; to prevent the use of online accounts and inauthentic online accounts for prohibited purposes; to make provisions to identify and declare online locations used for prohibited purposes in sri lanka; to suppress the financing and other support of communication of false statements of fact and for matters connected therewith or incidental thereto.

**12.** Any person, whether in or outside Sri Lanka, who promotes feelings of ill-will and hostility between different classes of people, by communicating a false statement, commits an offence

**16.** Any person, whether in or outside Sri Lanka who, with the deliberate intention of wounding the religious feelings of any other person, communicates a false statement to the target person, commits an offence

**17.** Any person, whether in or outside Sri Lanka who with the deliberate and malicious intention of outraging the religious feelings of any class of persons, insults or attempts to insult the religion or the religious beliefs of that class by communicating a false statement, commits an offence

Thank you