

Sri Lanka

The Constitution of Sri Lanka protects the right to “freedom of speech and expression including publication” (Art. 14(1)(a)), but does not contain any reference to the right to information. The Supreme Court of Sri Lanka held in 1984 that freedom of speech and expression includes the right to information. However, in a decision in 1996, the Court rejected this connection saying that there is no right to information simpliciter and that RTI may be implied in the constitutionally guaranteed freedom of thought (Art. 10). This position was reiterated by the Court in 1997 when it was called upon to decide on the constitutionality of the Broadcasting Authority Bill. More recently in the celebrated Galle Face Green case, the Supreme Court without referring to these cases held that for the right to expression to be meaningful and effective, a person has an 'implicit right' to secure relevant information from a public authority in respect of a matter in the public domain.

There is currently no right to information legislation in Sri Lanka.

In 2004, a draft FOI Bill was approved by Cabinet for introduction in Parliament. However no progress was made as parliament was dissolved soon after.

In May 2011, the Government rejected a Right to Information Bill tabled by a member of the opposition party. Although the Government pledged to present its own RTI Bill in June 2011, the President stated in July 2011 that an RTI law is unnecessary.

In 2011, CHRI and Transparency International Sri Lanka published “Open Sesame – Right to Information: Touchstone for Democracy and Development” in Sinhala¹ and Tamil².

¹ http://www.humanrightsinitiative.org/publications/rti/2_Sinhala_small.pdf

² http://www.humanrightsinitiative.org/publications/rti/2_tamil_small.pdf