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இலங்கை மனித உரிமைகள் ஆணைக்குழு  
Human Rights Commission of Sri Lanka

Press Notice No: HRC/P/i/E/21/10/26

## Press Notice

### General Observations on the Prevention of Organised Crime Bill

The Human Rights Commission of Sri Lanka wrote to the Minister of Justice and National Integration regarding the Bill titled ‘Prevention of Organised Crime’ published in the Gazette on 6 October 2026. The Commission acknowledged the need for legislation that seeks to combat organised crime, provided that such legislation fully complied with the fundamental rights chapter of the Sri Lankan Constitution and international human rights treaties to which Sri Lanka is a party. Having reviewed the contents of the proposed Bill, however, the Commission observed that the Bill was wholly incompatible with the fundamental rights chapter of the Sri Lankan Constitution and international human rights treaties to which Sri Lanka is a party. It described the Bill as potentially more draconian than the Prevention of Terrorism Act of 1979 (PTA).

The Commission observed that the Bill makes confessions to police officers not below the rank of Assistant Superintendent of Police admissible as evidence against a person, and that the provisions of the Bill virtually replicate section 16 of the PTA. It also recalled its previous statements with respect to the use of section 16 of the PTA, and in particular, its observations that the admissibility of confessions to police officers tends to incentivise torture, and cruel, inhuman, and degrading treatment of persons in custody.

The Commission pointed out that the Bill empowers the police to obtain a detention order from the Secretary to the Ministry of Public Security to detain a suspect ‘who is connected with or concerned in a serious crime’. It expressed deep concern about the inordinate scope of the term ‘serious crime’, which under clause 3 of the Bill includes a range of potentially non-serious offences, such as those connected to forfeiture or penalty under any section of the Customs Ordinance, the import of animals without permits under the Fauna and Flora Protection Ordinance, and infringement of copyright, industrial designs, patents, or marks under the Intellectual Property Act, No. 36 of 2003.

The Commission noted that the Bill includes an extremely broad basis for determining whether any person is a member of an organised criminal group. Such factors include adoption of the style of dress, hand signs, language or tattoos used by known members of the organised criminal group, or even mere association with known members of the organised criminal group. It

observed that the Bill, therefore, casts a wide and unreasonable net over Sri Lankan citizens with respect to determining whether they are members of an organised criminal group.

The Commission observed that, contrary to article 13(2), the Bill strips the judiciary of its ordinary discretionary powers to determine whether a suspect should be discharged, released on bail, or remanded. For instance, the Bill compels a Magistrate to remand a suspect or give effect to a detention order. Accordingly, the Commission reiterated its recommendation with respect to the Protection of the State from Terrorism Bill that a judicial officer must, *at all times*, be vested with meaningful authority to discharge a suspect or grant bail to any suspect.

In the above context, the Commission recommended that the Bill be withdrawn and substantially revised to ensure full compliance with the fundamental rights chapter of the Sri Lankan Constitution and international human rights treaties to which Sri Lanka is a party.

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