

ABSTRACT

This research study seeks to analyse whether law relating to abortion in Sri Lanka violates the Article 12 (1) and 12 (2) of Constitution of the Democratic Socialist Republic of Sri Lanka and the right to equality and non-discrimination that internationally accepted. The study would also look consider how can be reform the law in order to protect women's right equality. This study conducted as by adopting primary and secondary sources of law, such as statutes, conventions, case laws, articles, books, journals.

The issue of abortion presents an ethical, psychological and religious dilemma for women. On the other hand the research contends that limitations on abortion violate internationally recognized right to equality and non-discrimination. In Sri Lanka according to Penal Code abortion can done only to save mother's life.

The main objective of this research is proposing legal reforms to the existing legal framework in order to legalize abortion in selected circumstances on behalf to protect the women's right to equality and non-discrimination.

The findings of the research contributed to identify loopholes in the law. The study has drawn special attention to protect women's equality right that has been protected by article 12(1) (2) of the Constitution of the Democratic Socialist Republic of Sri Lanka. Furthermore, it has contributed to developing comprehensive conceptual legal framework in understanding law relating to abortion in Sri Lanka and how that law must be reformed in order to accomplish the rights that has been provided in constitution in Sri Lanka. In the legal aspect, this study provides how Sri Lankan Law should be reformed according to the current values of the fundamental rights. Also, the outcome of the research will help to identify the contradiction between section 303 of the Penal Code and article 12(1) (2) of the Constitution of the Democratic Socialist Republic of Sri Lanka.