

## **Role of International Relations and International Law in Addressing the Post-Pandemic Crisis in Sri Lanka**

Hon. Prof. GL Peiris

*Member of Parliament, Sri Lanka*

COVID-19 is not a challenge that Sri Lanka had to face alone. It enveloped the international community as well; it was a global issue. The entire country and the entire world had to confirm these terrains and find a pragmatic solution. The importance of international institutions and international legal principles which are to be the focus of this discussion is of special importance unlike in Spanish flu and other similar epidemics which afflict the world in the last century. The important difference today is that countries through domestic policies cannot find reliable solutions to this problem. We cannot eradicate this COVID-19 by formulating and implanting within national boundaries policies that are conceived of by individual states because the problem has spread far beyond national boundaries. It is consequently important if we are to achieve pragmatic results on the ground for a measure of collaboration among all the countries in the international community, we have to formulate strategies together. If COVID-19 is raging in one part of the world and there is no sufficient interest, it is bound to have repercussions for other countries. So, it is today a true reason that no country is safe from COVID-19 until all the countries are safe. Now, this highlights the issue relating to equity regarding access to vaccines, and

that in turn brings out the issue of economic inequalities, the horrendous imbalance between the resources that are available in different countries to protect their populations through a systematic program of vaccination.

So this is why the World Health Organization has taken leadership in this field and is striving very hard to ensure an equal distribution of vaccines throughout the world in countries weak and small and countries wealthy and not so wealthy, in order to ensure minimum access to greatly needed vaccines for vast populations inhabiting countries where economic resources are scarce and not sufficient for the governments of those countries to procure sufficient vaccines to keep the overwhelming section of the population protected. So, all countries have to cooperate in this endeavor. There should not be selfishness, brotherly spirit must be adopted, not just as a matter of paying lip service to ideals but as a matter of practical implementation through deeply held convictions and unrelenting commitments. So, I think that is very important at the international level.

Then we also need the legislation in this country Sri Lanka. It is essential in formulating this legislation. We do not need to reinvent the wheel nor is it either feasible or desirable to evolve solutions

taking into account only this country. We must look at successful experiments elsewhere. After all, this pandemic has been tackled quite effectively in some countries. So, we must look at those experiences and try to extract what is our value from those experiences but all the time we must have uppermost in our minds the paramount means to adapt those experiences to suit the combination of circumstances in our own country. A solution that has worked very well may not be equally successful in Sri Lanka because of differences relating to our culture, our economy, our social customs and so else, so there has to be elasticity and creativity in that regard but we do need a legislative initiative which we do not have at this time.

There is no comprehensive statute in Sri Lanka as we speak which makes provision for the steps that need to be taken to combat COVID - 19. We went through different phases at one time, we perhaps, that we close down the entire country, but there is a horrendous impact on the economy. We may be able to spend, and we are maybe able to control the spread of medicines but at a considerable cost to livelihoods in the country to encounters. So that is not a balanced approach to a problem. We have to strike a balance between these competing objectives of public policy. You can't open everything out and life cannot be as normal because then there is very considerable risk with regard to health awareness at the same time, we cannot deprive our people of income by shutting down the country in time.

What is the right balance to strike on certain occasions? We adopted measures that are not strictly legal, for instance, curfews were imposed under general laws which have no application to this particular instance. So many countries have enacted special legislation to deal with COVID-19 and Sri Lanka should do the same.

There's been a private members bill that was formulated for this purpose. I think it was drafted by the Hon. Justice Sunandaram and was submitted to the government. It was referred to the Health Ministry for their observations but unfortunately, up to now, no progress has been made with regard to the enactment of that legislation. I think it is urgently required. We should not postpone that. In that way, this legislation is required to consider all aspects of COVID-19. The health aspects, the economic aspects, the demographic aspects, in the cultural aspects, all of these must be comprehensively addressed in one piece of legislation that represents an adequate response to the formidable challenges that have arisen as a consequence of COVID-19. This country certainly has the expertise to do that. We have international exposure and international institutions stand ready and willingly eager to assist in this endeavor. So, I don't think there should be further procrastination or delay. We should seize the opportunity and come up with legislation that the country needs to face this effectively. That is well within our capability our means to do so, and I think the central message emanating from this International Seminar that Kotelawala

Defense University has had the resolve and the imagination to organize, the central message should be the need for such legislation and paramount necessity for all political parties irrespective of their differences to lay aside temporarily different aims and objectives and to unite national interest for the purpose of formulating and implementing legislation of this time. So may I thank you for the invitation that you have extended to me

through participating in these important deliberations.