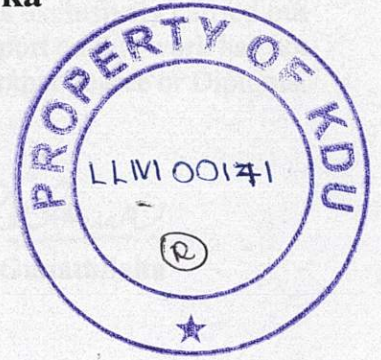


**Locked Away: A Case Study on the Unlawfully Detained
Persons under National Security Laws in Sri Lanka**

By

Dilhara Shehani Gunathilaka



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ABSTRACT

Crime is a living concept or changing concept as it is dependent upon time and place. Punishment can be considered as one form of reaction to crimes and detention is considered as one of the modes of punishment which impose restrictions to personal liberty in accordance with procedures established by law. Despite the fact that national security laws allow for the detention of anyone judged a threat to security, public order, or essential services, detainees remain an integral part of our society, and detainees do not cease to be human beings after being confined to the four walls of prison. There is an inscription proclaiming in Prisons that Prisoners are human beings'. Yet, only meters behind these high walls, the National Security laws fail to uphold this basic covenant, denying inmates 'human rights that have been enshrined in Constitutional Law and Other fundamental legislatives in Sri Lanka. Therefore, Arbitrary and illegal arrest and detention under security laws have been longstanding problem in Sri Lanka despite the end of country's long conflict, owing to the lack of a justiciable implementation mechanism as illustrated in the cases that are discuss in this study, many of which have been documented in recent times. Nevertheless, Sri Lankan authorities cast a wide net in the name of public security and justify administrative detentions constituted without charge or trial or where prosecutions did take place with no guarantees of a fair trial, imposing restriction of liberty without regard to criminal accusations, but rather on the basis of a suspect of future criminal behavior. Therefore, through this study author got an effort to identify effectiveness of National Security Laws in Sri Lanka, examine the lacunae of the National Security Laws pertaining to protection of individual liberty, study impediments to imposing restrictions on personal liberty for infractions of national security rules without a justifiable procedure, further examine international standards in relation to deprivation of liberty and finally propose appropriate reforms for preventing unlawful detention under National Security Laws. Finally results that were found show that the objective of detention should be discourage illegal activities which cause for national threat; on the other hand a balancing of rights must take place. It bears that human rights and security should not conflict with each