

**STRENGTHENING THE LAW RELATING TO ONLINE
CHILD PORNOGRAPHY IN SRI LANKA, UNDER THE
NEW NORMAL; COMPARATIVE ANALYSIS**

A Dissertation by

ANURADHIE KIRIELLA

(Attorney-at-Law, Dip in Forensic Medicine)

401Law20037

Supervised by

Mrs. Kalyani Jayasekara.

(Head of the Department (of Civil Law), Senior Lecturer, Faculty of Law, KDU
LLM in International Law, LLB(Hons), Attorney-at-Law, Commissioner for Oaths, Notary
Public, Registered Company Secretary.)

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ABSTRACT

The ongoing issue of child pornography being uploaded online. The situation is exacerbated by children's increasing use of smart devices, often without proper understanding, and the lack of knowledge among parents to regulate their children's device usage. The Obscene Publication Ordinance, The Computer Crimes Act, and Penal Code are the existing laws in Sri Lanka that do not explicitly address computing, online, or internet-related terms, and these laws are limited to the jurisdiction of Sri Lanka. The focus of the study is on minors who have not reached the legal age and their communication with people through digital platforms, primarily using smart devices and fraudulently recorded child pornography on e-platforms. The study examines how other selected jurisdictions have managed similar situations and intends to assist in reforming the legal framework regarding pornography related to smart devices in Sri Lanka to protect the mental well-being and better future of the children. It involves a critical analysis of existing laws, including domestic legislative instruments in relation to international instruments, to identify gaps and shortcomings in the current legal framework and address them through the examine from black-letter approach to fulfill the requirements for uncovering and addressing the deficiencies. By setting up a consumer monitoring system through internet service providers (ISPs) and developing data banks to retain criminals' DNA profiles for identification and evidence preservation, Sri Lanka can put comparable regulations into practice. With caution to prevent double jeopardy for the victims, relevant parts of the Obscene Publication Bill can be used for documentation, certification, and release of the property to the perpetrators. The constitutional ideal of the rule of law, which aims to provide clarity and consistency in the application and interpretation of laws, has been violated due to the lack of defined rules or policies. In order to remedy this, Sri Lanka should set up national regulations or policies that align with global viewpoints and allow the judiciary to interpret the law effectively. Teaching people about photography, child pornography, or online child pornography is ineffective without a basic grasp of sexuality. Even though people covertly browse this stuff online, open discussions about it remain taboo due to cultural and religious influences. As a result, Sri Lanka should take the risks to the next generation seriously and concentrate on long-term strategies rather than short-term cures.

Keywords: Child pornography, Obscenity, Cross-border, Child rights, Artificial Intelligence.