

Fundamental Rights In Sri Lanka

During the fifty years since independence, Sri Lanka has made considerable strides in various spheres. Adopting a gender perspective, this volume discusses the impact on women of the social, political and economic developments which have occurred during these eventful decades. Bringing together activists and scholars, this important book thoughtfully reviews the different paths Sri Lankan women have taken to achieve greater political and economic empowerment and control over their lives.

Abstract.

This very insightful volume critically analyses the law and law enforcement in three South Asian countries India, Pakistan and Sri Lanka s in order to assess the response of the criminal justice system to violence against women. The contributors assert that the gap between reality and the practice of laws in these countries is unfortunately very wide and women who are victims of violence are further victimised by discriminatory laws, the apathy of the judicial system, and the systematic manipulation of legal provisions. They explore the opportunities to change the legal systems and make them more responsive to women s human right to justice and freedom from violence.

International human rights law is founded on the premise that all persons, by virtue of their essential humanity, should enjoy all human rights. Exceptional distinctions, for example between citizens and non-citizens, can be made only if they serve a legitimate State objective and are proportional to the achievement of the objective. Non-citizens can include: migrants, refugees and asylum seekers, victims of trafficking, foreign students, temporary visitors and stateless people. This publication looks at the diverse sources of international law and emerging international standards protecting the rights of non-citizens, including international conventions and reports by UN and treaty bodies Military justice is changing rapidly due to both domestic and international influences. This book explains what is happening and why.

Examining Sri Lanka's religious and legal pasts, this is the first extended study of Buddhism and constitutional law.

As religious polarisation in society deepens, political actors and policy-makers have begun to struggle with questions on the role of the dominant religion and how religion influences constitutional commitments and development. By focusing on Indonesia, Malaysia and Sri Lanka, *Constitutions, Religion and Politics in Asia* demonstrates how constitution-making and the operation of constitutional arrangements involving religion cannot be separated from the broader political dynamics of society. Although constitutions establish legal and political structures of government institutions and provide tools for rights protection, they do not operate in a vacuum divorced from the games of power and the political realities surrounding them. Here, Shah sets out how constitutions operate and evolve and demonstrates how constitutional provisions can produce unintended consequences over time. A vital new source of scholarship for students and scholars of law and religion and comparative constitutional law, and those interested in issues of constitutionalism and legal and political history in Asia.

This report is based on interviews with the detainees' relatives, humanitarian workers, and human rights advocates, among others. The Sri Lankan government has routinely violated the fundamental rights of the detainees, Human Rights Watch found. The government contends that the 11,000 detainees are former fighters or supporters of the defeated Liberation Tigers of Tamil Eelam (LTTE).

Over the past 40 years, countries throughout the world have similarly adopted human rights related to environmental governance and protection in national constitutions. Interestingly, these countries vary widely in terms of geography, politics, history, resources, and wealth. This raises the question: why do some countries have constitutional environmental rights while others do not? Bringing together theory from law, political science, and sociology, a global statistical analysis, and a comparative study of constitutional design in South Asia, Gellers presents a comprehensive response to this important question. Moving beyond normative debates and anecdotal developments in case law, as well as efforts to describe and categorize such rights around the world, this book provides a systematic analysis of the expansion of environmental rights using social science methods and theory. The resulting theoretical framework and empirical evidence offer new insights into how domestic and international factors interact during the constitution drafting process to produce new law that is both locally relevant and globally resonant. Scholars, practitioners, and students of law, political science, and sociology interested in understanding how institutions cope with complex problems like environmental degradation and human rights violations will find this book to be essential reading.

The best country-by-country assessment of human rights. The human rights records of more than ninety countries and territories are put into perspective in Human Rights Watch's signature yearly report. Reflecting extensive investigative work undertaken by Human Rights Watch staff, in close partnership with domestic human rights activists, the annual World Report is an invaluable resource for journalists, diplomats, and citizens, and is a must-read for anyone interested in the fight to protect human rights in every corner of the globe.

Legal articles published earlier in Nidahas, Sri Lankan newspaper.

This book makes a significant contribution to the understanding of issues of comparative constitutionalism in emergent politics. Recurrent states of emergency in Malaysia, Sri Lanka and Bangladesh provide the background for a comparative examination of constitutional emergency powers, individual rights, and judicial review. This work examines the extent to which the Court in these countries has performed its expected role, identifies problems in approaches to interpretation which have been adopted, and suggests alternatives to constitutional interpretation and judicial review. The alternatives explored are drawn from contemporary western jurisprudence, including those of Ronald Dworkin and writers of the Critical Legal Studies tradition. The juxtaposition of western jurisprudential development to issues of constitutionalism in the countries under survey is a bold attempt to seek some common ground in conceptualizing rights and techniques of juristic interpretation in western and eastern legal cultures. The theoretical framework of the study is well-perceived, the arguments convincing. This carefully researched work makes a valuable and scholarly contribution to the study of comparative constitutional law and jurisprudence.

This book explores how the Internet impacts on the protection of fundamental rights, particularly with regard to freedom of speech and privacy. In doing so, it seeks to bridge the gap between Internet Law and European and Constitutional Law. The book aims to emancipate the debate on internet law and jurisprudence from the dominant position, with specific reference to European legal regimes. This approach aims to inject a European and constitutional "soul" into the topic. Moreover, the book addresses the

relationship between new technologies and the protection of fundamental rights within the theoretical debate surrounding the process of European integration, with particular emphasis on judicial dialogue. This innovative book provides a thorough analysis of the forms, models and styles of judicial protection of fundamental rights in the digital era and compares the European vision to that of the United States. The book offers the first comparative analysis in which the notion of (judicial) frame, borrowed from linguistic and cognitive studies, is systematically applied to the theories of interpretation and argumentation. With a Foreword by Robert Spano, President of the European Court of Human Rights.

Social, political, economic and constitutional developments are considered as well as the evolution of science and arts in the development process. This is in accordance with the Sri Lankan tradition of seeing the world as a connected whole."--BOOK JACKET.

This book examines the engagement between the United Nations' human rights machinery and the respective governments since Sri Lanka (then Ceylon) joined the United Nations. Sri Lanka has a long and rich history of engagement with international human rights instruments. However, despite its active membership in the UN, the country's post-colonial trials and tribulations are emblematic of the limited influence the international organisation has exerted on this country in the Global South. Assessing the impact of this international engagement on the country's human rights infrastructure and situation, the book outlines Sri Lanka's colonial and post-colonial development. It then considers the development of a domestic human rights infrastructure in the country. It also examines and analyzes Sri Lanka's engagement with the UN's treaty-based and charter-based human rights bodies, before offering conclusions concerning the impact of said engagement. The book offers an innovative approach to gauging the impact of international human rights engagement, while also taking into account the colonial and post-colonial imperatives that have partly dictated governmental behaviour. By doing so, the book seeks to combine and analyse international human rights law, post-colonial critique, studies on biopower, and critical approaches to international law. It will be a useful resource not only for scholars of international law, but also for practitioners and activists working in this area.

5.3 Protection of witnesses

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