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இலங்கைச் சட்டத்தரணிகள் சங்கம்  
BAR ASSOCIATION OF SRI LANKA

25<sup>th</sup> March 2022

**BASL FILES FR APPLICATIONS ON THE ECONOMIC CRISIS**

Two fundamental rights applications were filed in the Supreme Court today by the Bar Association of Sri Lanka on the present economic crisis in the public interest.

The applications were filed by the President of the BASL, Saliya Pieris PC; Deputy President, Anura Meddegoda PC; Secretary, Rajeev Amarasuriya; Treasurer, Rajindh Perera; and the Assistant Secretary, Pasindu Silva.

The Petitioners have claimed that their fundamental rights under Articles 11, 12(1), 13(4), 14(1)(g), 14(1)(h) and 14A of the Constitution are being violated or are in imminent danger of infringement by the actions and/or inaction of the State including the Respondents. The Petitions have made the Attorney General, the Cabinet of Ministers, the Governor of the Central Bank, the Secretary to the Treasury, Secretaries to several Ministries, the Ceylon Electricity Board, the Ceylon Petroleum Corporation and the State Pharmaceutical Corporation as Respondents.

The Petitioners have made the application as People of Sri Lanka in whom sovereignty is reposed and as People of Sri Lanka in whom is also imposed several Fundamental Duties, under Article 28 of the Constitution for and on behalf of the Bar Association of Sri Lanka, which is the apex professional body in Sri Lanka for Attorneys-at-Law and is committed to upholding the Rule of Law, Fundamental Rights, the Independence of the Judiciary and justice in Sri Lanka, in the public interest.

The Petitions state that the Country is at present witnessing long queues for the purchase of essential supplies, mass protests and public unrest due to acute shortages and the sharp increase in the cost of goods and services including food, fuel and travel costs.

The Petitioners complain that Sri Lanka is currently facing an unprecedented economic and financial crisis resulting in acute shortages of fuel, electricity, gas, food, milk powder and medicines. The Petitioners complain that they are compelled to come into court due to the severe shortages in essential goods and services, that are considered vital for the survival and existence of the citizens of the Republic in whom is guaranteed the fundamental right to equality, equal protection of the law and the right to life under the Constitution.

The Petitioners state that in view of the growing unrest and public protests witnessed across the island, they verily fear that there is a substantial, real and grave threat of a break down in the law-and-order situation of the Country and a substantial threat to the Rule of Law, which should be addressed through timely and proportionate measures within the legal framework of the country.

The Petitioners are seeking orders from the Supreme Court:

- directing the Cabinet of Ministers, and/or any other Respondents to immediately consult with all the relevant stakeholders and independent experts to formulate and implement policies to provide uninterrupted access to and to provide concessions in relation to the prices of essential

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goods and services to the people including LP gas, fuel, electricity, milk powder, medicines and food and to report to the Supreme Court of the policies formulated on the above;

- for directions on the Respondents to immediately formulate and implement short term policies and measures to ensure that the people have adequate access to such essentials as well;
- to seek directions on the 1<sup>st</sup> – 28<sup>th</sup> Respondents which comprise the Cabinet of Ministers and/or any other Respondents to immediately consult with all the relevant stakeholders and independent experts including the International Monetary Fund to formulate and implement policies to provide uninterrupted access to essentials and report such findings/recommendations and their implementation to the Supreme Court;
- seek directions to formulate mid-term and long-term policies to ensure that the People have uninterrupted access to essentials such as inter alia, food, medicine, fuel, gas and electricity and to formulate medium and long-term policies to provide concessions in relation to the prices of such essential goods and services;
- directions on the Cabinet of Ministers to formulate an urgent national policy to provide immediate relief to the people and businesses affected by the present financial and economic crisis and to formulate and implement urgent policies to prioritize projects and programmes, to alleviate the foreign exchange crisis, guarantee uninterrupted supply of goods and services, control inflation and reduce the cost of living;
- directions on the Cabinet of Ministers to formulate and implement urgent policies to promote the production of local agriculture, dairy farming, and animal husbandry to ensure food security;
- directions on the Respondents in consultation with stakeholders, to formulate new systems, processes, rules and regulatory frameworks which assure transparency and good governance practices in respect of future public debt management.

The Petitioners will be represented by Dr. K. Kanag Isvaran PC, Mr. Uditha Egalahewa PC, Mr. Suren Gnanaraj and Mr. Pulasthi Hewamanne instructed by Mr. G.G. Arulpragasam.

SGD.

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