

SRI LANKA

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RULES/GENERAL LAWS	
General	1. Army Act, No.17 (1949) http://www.defence.lk/main_pub.asp?fname=armyact
	2. Amendments to Army Act, No.06 (1992), 32 (1962), 22 (1964), 22 (1971), 38 (1990), and 10 (1993)
	3. Subsidiary Legislation under the Army Act, No.17 (1949) <ol style="list-style-type: none"> Army Discipline Regulations (1950) Army General Court Martial Regulations (1950) Army Field General Court martial Regulations (1950) Army Court of Inquiry Regulations (1952) Evidence Ordinance No.14 (1895)
	4. Air Force Act No.49 (1941)
	5. Air Force (Amendment) Act No.82 (1988)
SEA: military offence?	6. Subsidiary Legislation under the Air Force Act
	7. Air Force (Regular and Regular Reserve) Regulation (1951)
	8. Volunteer Air Force Regulations under the Air Force Act No.49 (1941)
	Military personnel of Sri Lanka are subjected to both military and civil law. Hence all offences under the Penal Code of Sri Lanka or any other penal statute is applicable to personnel of Government Armed Forces of Sri Lanka. Additionally, principles of International Humanitarian Law and laws of the host country are also applicable to deployed personnel.
	Once a military personnel is deployed on UN Mission, they are subject to Military Law irrespective of whether on duty or not.
Powers of the Commanding Officer (CO)	Sexual Exploitation and Abuse is not specifically mentioned as a military offence in the Army Act or the Air Force Act . However, every person subject to Military Law who commits any other fraudulent act not particularly specified, or any act of a Cruel, Indecent or Unnatural kind, including sexual offences are tried under Section 109(e) of the Army Act or Sections 40 to 43 of the Air Force Act .
	Military personnel in Sri Lanka are subject to the general law of the land and hence subjected to all offences stipulated in the Penal Code which includes sexual offences.
	There are instances where the CO is authorized to make standing orders and any person breaching such order in the unit commits a Military Offence under Section 102(1) of the Army Act or Sections 40 to 43 of the Air Force Act and may be summarily tried by the CO or an authorized officer or Court Martialled.
Who can investigate?	United Nations rules on sexual exploitation and abuse may be reproduced by way of standing orders.
	The CO has disciplinary powers subject to the relevant provisions of the Army Act or Air Force Act and also is entrusted with the administration of the unit and its persons. The CO is responsible for maintaining discipline in his unit.
INVESTIGATION	
National Investigation Officer (NIO)	In case of allegations of SEA, in the field, the initial investigation is conducted by the Military Police. A Court of Inquiry will also be convened to look into allegations and its findings and recommendations are forwarded to the convening authority.
	If it is further required, the case will be informed to the Police for further investigations.
Referral	No, however, if a requirement arises, NIO will be appointed and deployed.
PROSECUTION	
Who can charge?	The case will either be referred in accordance with the Army Act or the Air Force Act .
	CO or Military Authorities brings charges against the accused in term of the Army Act or Air Force Act

JUSTICE

Military justice	<p>1. Sri Lanka has a military justice system.</p> <p>2. Sri Lanka Military justice system consist of two types:</p> <p>a. Summary Trial Procedure (In terms of Section 42 under Part VIII of the Army Act or Section 40-43 of the Air Force Act;</p> <p>b.(1) General Court Martial Procedure and Field General Court Martial Procedure (In terms of Section 46, 47, 48, and 49 under Part IX of the Army Act.</p> <p>b.(2) General Court Martial (In terms of Part IX of the Air Force Act and Subsidiary Legislation under the Air Force Act on Court Martial Regulations)</p>
Deployable Court Martial?	<p>In terms of Section 46 and 47 of the Army Act, a General Court martial procedure and in terms of Section 48 and 49 of the Army Act, Field General Court Martial Procedure may try any person subject to Military Law who is charged with any military or civilian offence. However, in the event any officer or soldier commits a civil offence this will usually be tried by civil courts</p>

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