

08.02.2024

His Excellency Ranil Wickramasinghe,
President of the Democratic Socialist Republic of Sri Lanka,
Presidential Secretariat,
Galle Face Centre Road,
Colombo 1.

Your Excellency,

Civil Society Organisations Withdraw from the Open Government Partnership in Sri Lanka

In our capacity as co-convenors of the civil society organisations involved in the Open Government Partnership (OGP) process in Sri Lanka, we write to communicate the collective decision of the group, to withdraw from the ongoing collaborative efforts with the Presidential Secretariat to create Sri Lanka's third National Action Plan (NAP). This decision is taken after careful consideration and in response to alarming developments in the country that are in direct contradiction to the fundamental principles of the OGP.

Civil society organisations in Sri Lanka have been actively involved in the OGP process since 2015, consistently advocating for transparent, accountable, and participatory governance. The formulation of the two previous National Action Plans faced numerous challenges, including administrative transfers and lack of political will. Despite past challenges and lack of sustained interest and dedication to fulfilling commitments, with some reservations that were communicated, civil society organisations demonstrated their commitment by agreeing to contribute to the development of the third National Action Plan.

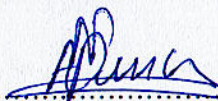
However, recent actions of the Government, specifically the purported passage of the Online Safety Act and attempts to introduce a draconian anti-terrorism law despite widespread opposition, have compelled us to take this principled stance against the suppression of civic space and the violation of fundamental freedoms. There have been serious concerns raised regarding the purported Online Safety Act and the Anti-Terrorism Bill, specifically on their potential to stifle information-sharing, questioning, critique, dissent, and protest by citizens.

Despite our appeals to the government to reconsider these bills, the Online Safety Bill was recently certified without certain amendments mandated by the Supreme Court in its determination. This constitutes a breach of the constitutional safeguards intended for seeking legal remedies through the courts in response to legislative attempts to enact unconstitutional laws. It is an unprecedented breach of the checks and balances fundamental to a constitutional democracy and marks a further, dangerous step in the democratic backsliding that Sri Lanka is witnessing.

Further, this proactive pursuit of oppressive and draconian laws represents a clear violation of principles upheld by OGP. It undermines the core tenets of open governance, transparency, and accountability that the OGP aims to promote and violates even the sense of limited trust that CSOs had in the process. For citizens to freely participate in defining, shaping, and monitoring government policies and programmes, there needs to be an enabling environment that encourages freedom of expression, dissent, and constructive dialogue. Constraints on online expression and discourse on societal problems being treated as national security threats impede this essential environment. The departure from democratic principles raises significant concerns about the government's commitment to upholding fundamental freedoms and maintaining an inclusive and participatory approach to governance.

Therefore, we demand that the Government immediately withdraw the purported Online Safety Act and the proposed Anti-Terrorism law. While taking this decisive step to withdraw from the OGP initiative, we remain committed to the ideals of the OGP, and remain ready to re-engage in the process, when the government signals through concrete action, that it is committed to the principles of open, accountable, participatory governance in good faith, and creates an environment conducive to the exercise of civic freedoms.

Yours sincerely,



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Nadishani Perera (Co-Convenor)
Executive Director
Transparency International Sri Lanka



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Dr. Vinya Ariyaratne (Co-Convenor)
President
Sarvodaya Shramadana Movement

CC: Ms. Chandima Wickramasinghe, Additional Secretary to the President, Presidential Secretariat

Ms. Shreya Basu, Deputy Director - Country Support, Open Government Partnership