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## **IFRC COVID-19 Emergency Decree Pro Bono Research: Sri Lanka**

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### **1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?**

Although there does not yet appear to be any formal national emergency response mechanism implemented between the Sri Lanka government and non-state actors (such as the Sri Lanka Red Cross), given the position of the Red Cross in Sri Lanka, it is possible that it will be coordinating with the government of Sri Lanka in their response to COVID-19. The Red Cross has accepted the role of National Society in Sri Lanka, thereby confirming the status of the National Society of the Red Cross in Sri Lanka as an Inter-Governmental Organisation (“IGO”). It was declared and approved as a charitable organisation in 1951, and it has since held official charitable status, as well as legal status, in Sri Lanka.

The National Society of the Red Cross in Sri Lanka is the implementation authority for the International Federation of the Red Cross within the territory of Sri Lanka, and it has freedom of action and field operations to carry out, within the Sri Lanka, activities which may be necessary for its humanitarian mission, in accordance with the “Fundamental Principles” of the International Federation of the Red Cross and Red Crescent.

For example, the Red Cross in Sri Lanka has launched an awareness-raising campaign, using its 25 national branches, in order to educate people about the virus and inform them of precautionary measures. This campaign has mainly been effected by the dissemination of pertinent information in relation to the virus (through leaflets, posters and on social media).

On 20 March 2020, the Sri Lanka Red Cross distributed personal protection materials, such as face masks, and relevant communication materials to both the police and to the Ministry of Transport Services Management.

### **2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?**

Other than in relation to their working with the police and the Ministry of Transport (as described above), we have not found any mention of the role of the Red Cross or other humanitarian actors in Sri Lanka.

### **3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?**

On 18 March 2020, the Sri Lanka Tourism Office announced it was prohibiting all international inbound commercial flights to the country until 25 March 2020, with this closure period to be kept under review by the authorities. On 22 March 2020, the Ministry of Foreign Affairs announced that the suspension of all inbound flights would remain in place indefinitely. However, the Tourism Office confirmed that

humanitarian flights and freighter operations would be exempt from this ban. Therefore, it appears that humanitarian teams would still be permitted to fly into Sri Lanka, as necessary.

On 22 March 2020, it was further announced that all arrivals by ship into Sri Lanka were also to be stopped in an attempt to prevent the spread of the virus. While the same exceptions for flights carrying humanitarian workers may also apply here, the position is not clear at this stage.

A mandatory 14-day quarantine process is in place for those who have returned from countries where large-scale COVID-19 outbreak has been detected. There does not appear to be an exemption to this mandated quarantine period for humanitarian relief teams, therefore if such workers are arriving in Sri Lanka from such areas, they may need to quarantine in one of the country's 45 quarantine centres.

**4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?**

On 20 March 2020, the Ministry of Foreign Relations announced an island-wide curfew commencing at 18:00 on 20 March 2020 until 06:00 on 23 March 2020. On 23 March 2020, in relation to the districts of Colombo, Gampaha, Puttalam and the Northern Province, this curfew was then extended from 6:00 on 23 March 2020 to 06:00 on 24 March 2020, following which it was lifted for 6 hours and then shortly re-imposed from 12:00 on 24 March 2020 until 06:00 on 27 March 2020. The curfew for the country's other regions will last from 12:00 on 24 March 2020 until 06:00 on 27 March 2020.

On 24 March 2020, the President's Media Division identified the districts of Colombo, Gampaha and Kalutara as "high risk areas", and therefore announced that the curfew imposed on these districts would continue until further notice.

The Ministry of Foreign Relations exempted from the curfew those delivering or transporting "essential services", media services or those who had been granted permission. On 24 March 2020, the Defence Secretary, Major General (Retd) Kamal Gunaratne, reiterated that public servants working in the "essential services" could use their service identity cards as curfew passes to report to their respective institutions during the curfew.

It is not entirely clear whether humanitarian organisations would be deemed as providing "essential services" and whether therefore they would be exempt from the curfew.

**5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?**

The Ministry of Finance stated that all taxes on imported face masks and hand sanitizing products have been waived. Accordingly, such imported goods have been subjected to the Special Commodity Levy Act, and no import fees are payable.

Sri Lanka Customs have also made special arrangements in relation to both sea and air cargo to provide services to importers, exporters and other agencies in response to the coronavirus pandemic.

Arrangements have been made to facilitate the clearance of imported essential goods such as food items, perishable goods, medicines, medical devices and related items. Further, bulk cargo such as gas, petroleum, fertilizers, cement etc., and any raw material or commodity intended for the production of essential goods shall also be cleared during this period. It is proposed that clearance of other imported commodities will be decided in due course after monitoring the pandemic situation of the country.

**6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?**

It is not entirely clear whether the Sri Lanka Red Cross (and other humanitarian organisations) will be categorized as providing “essential services” and therefore exempt from the restrictions introduced by the government. From our research we have found no official confirmation of the legal position.

**7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).**

On 12 March 2020, all schools were ordered to close for a period of five weeks, from 13 March – 20 April 2020. The government of Sri Lanka also banned all public gatherings on 15 March 2020.

**8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?**

Yes – on 17 March 2020, an extraordinary gazette notification was issued prohibiting the export or re-export of disposable surgical face masks and N-95 type face masks without the prior written approval of the National Medicines Regulatory Authority. The gazette was signed by the Minister of Health and Indigenous Medical Services, Pavithra Wanniarachchi.

In a related restriction, Sri Lanka also imposed a maximum retail price of (i) Rs 50.00 for the sale of disposable surgical face masks, and (ii) Rs 325.00 for the sale of N-95-type face masks.