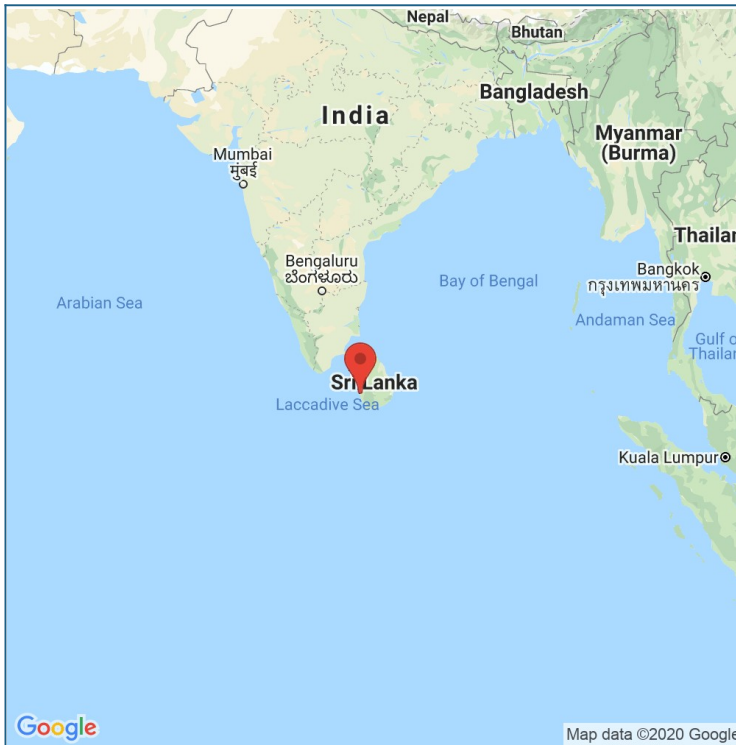


Sri Lanka Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2019)	Not Available
Detained minors (2017)	1
International migrants (2019)	40,018
New asylum applications (2019)	299

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/asia-pacific/sri-lanka>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2019	Total number of detained minors	1	2017
				1	2016
				4	2014
Criminal prison population	16,990	2017	Percentage of foreign prisoners	1.4	2016
	22,414	2013		1.1	2013
	26,984	2010			
	24,255	2007			
	20,661	2004			
	17,216	2001			
	13,999	1998			
	11,447	1995			
	9,162	1992			
Prison population rate (per 100,000 of national population)	78	2017			
	105	2013			
	129	2010			
	120	2007			
	105	2004			
	91	2001			
	76	1998			
	63	1995			
	52	1992			

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	21,400,000	2020	International migrants	40,018	2019
	20,715,000	2015		38,700	2015
International migrants as a percentage of the population	0.2	2016	Refugees	1,041	2019
				800	2018
				822	2017
				597	2016
				784	2015
				848	2015
				511	2014

Ratio of refugees per 1000 inhabitants	0.03	2016	Total number of new asylum applications	299	2019
	0.02	2014		345	2016
				1,520	2014
Refugee recognition rate	75.7	2014			

DOMESTIC LAW

LEGAL TRADITION

	Name	Observation Date
Legal tradition	Civil law	2017
	Common law	2017
	Customary law	2017

COVID-19 UPDATES

	Update Status	Observation Date
Latest Update	<p>As of 28 September, Sri Lanka, with a population of 21.5 million, had detected only 3,360 cases of COVID-19. Although the country has been lauded for its containment of the virus, members of Sri Lanka's Muslim minority have allegedly become stigmatised as carriers of the virus. There is also little information available concerning the impact of the virus on displaced populations, including migrants and refugees. Sri Lanka is not a signatory to the Refugee Convention. With no national asylum framework, asylum seekers and refugees are treated as irregular immigrants and may be subject to arrest, detention, and deportation under the Immigrants and Emigrants Act. In 2005, UNHCR signed a Memorandum of Understanding with the Sri Lankan government allowing UNHCR to pursue its protection mandate for asylum seekers, refugees, and internally-displaced people. In 2019, UNHCR reported that there were 37,947 persons of concern in the country. Sri Lankan immigration detention facilities are known to subject detainees to poor living conditions, raising concerns for the welfare of detainees during the pandemic. In 2017, the Working Group on Arbitrary Detention visited Mirihana detention facility, and noted extreme overcrowding, poor shower and bathroom facilities, and lack of recreational activities. The group urged Sri Lankan authorities to "Cease holding migrants in Mirihana immigration detention facility immediately as it is entirely inappropriate for such purposes." However, as of at least February 2020 the facility remained open. Civil society organisations have criticised Sri Lanka's prison conditions for being overcrowded, sometimes housing 5,000 inmates in a facility made for 800 people. On 7 July, an inmate at Sri Lanka's largest prison, Welikada Remand Prison, tested positive for COVID-19. Subsequently, all inmates and staff members at the prison were tested for the virus, and all wards were cleansed and sanitised. The infected inmate had been transferred into the Prison from a drug rehabilitation centre in Kandakadu in Polonnaruwa district, located in Sri Lanka North Central Province. Shortly afterwards, it was reported that a cluster of at least 340 cases of COVID-19 had emerged from the Kandakadu centre. On 8 July, the government banned personal prison visits to prevent the spread of COVID-19.</p>	2020

INTERNATIONAL LAW

Relevant international treaties and date of ratification		
International treaties	Name	Ratification Year
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2016
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2017
	VCCR, Vienna Convention on Consular Relations	2006
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1982
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1980
	ICCPR, International Covenant on Civil and Political Rights	1980
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1981
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1994
	CRC, Convention on the Rights of the Child	1991
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1996
	CRPD, Convention on the Rights of Persons with Disabilities	2016
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2015
Ratio of relevant international treaties ratified	12/19	
Relevant international treaties and date of ratification		
Individual complaints procedure	Name	Acceptance Year
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1997
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2002
	CAT, declaration under article 22 of the Convention	1994
Relevant international treaties and date of ratification		
Ratio of complaints procedures accepted	Number	Observation Date
	3/8	2017

Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Committee against Torture	§ 44. The State party should: [...] (c) Ensure that persons in need of international protection are not detained or that detention is used only as a measure of last resort, after alternatives have been duly examined and exhausted, and for the shortest possible time, in detention centres that are suitable for their purpose and whose regime is different from that of penal institutions; (d) Consider ratifying the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto.	2017
	Committee on Migrant Workers	33. The Committee recommends that the State party: (a) Ensure that administrative detention is used as a measure of last resort only and that non-custodial alternatives are promoted, in line with the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families; (b) Expeditiously and completely cease the detention of children on the basis of their or their parents' immigration status, and allow children to remain with family members and/or guardians in non-custodial, community-based contexts while their immigration status is being resolved, in accordance with their best interests and with their rights to liberty and family life; (c) Refrain from detaining migrants with specific needs, particularly women, children, the elderly and persons with physical or mental disabilities, and where detention of migrants in these categories does take place, ensure that there is a specific policy in place for their detention and safe, gender-responsive and adequate detention facilities, including access to sexual and reproductive health care; (d) Take the steps necessary to ensure that in administrative and judicial proceedings, including detention and expulsion proceedings, migrant workers and members of their families, particularly those in an irregular situation, are guaranteed due process on an equal basis with nationals of the State party before the courts and tribunals;	2016
	Committee on Migrant Workers	§ 33. The Committee recommends that the State party: (a) Ensure that administrative detention is used as a measure of last resort only and that non-custodial alternatives are promoted, in line with the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families; (b) Expeditiously and completely cease the detention of children on the basis of their or their parents' immigration status, and allow children to remain with family members and/or guardians in non-custodial, community-based contexts while their immigration status is being resolved, in accordance with their best interests and with their rights to liberty and family life; (c) Refrain from detaining migrants with specific needs, particularly women, children, the elderly and persons with physical or mental disabilities, and where detention of migrants in these categories does take place, ensure that there is a specific policy in place for their detention and safe, gender-responsive and adequate detention facilities, including access to sexual and reproductive health care; (d) Take the steps necessary to ensure that in administrative and judicial proceedings, including detention and expulsion proceedings, migrant workers and members of their families, particularly those in an irregular situation, are guaranteed due process on an equal basis with nationals of the State party before the courts and tribunals; § 35. The Committee recommends that the State party: [...] (e) Ensure that diplomatic missions in States of employment have specific policies that address prevention of and response to arbitrary detention and sexual and gender-based violence, including having female officers to deal with cases of sexual abuse, a local 24/7 hotline free of charge, a roster of competent local lawyers able to help the State party's migrant workers with legal issues, and that they conduct frequent visits to migrant detention centres; [...], §59. The Committee recommends that the State party: [...], (e) Take measures to properly identify victims of trafficking and to protect them from prosecution, detention or punishment for activities in which they were involved as a direct consequence of their situation as trafficked persons;	2016
Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	EU	2005	2017

Non treaty-based international human rights mechanisms				
Visits by special procedures of the Human Rights Council	Name		Year of Visit	Observation Date
	Working Group on arbitrary detention		2017	
Non treaty-based international human rights mechanisms				
Relevant recommendations by UN Special Procedures	Name	Recommendation Excerpt	Recommendation Year	Observation Date
	Working Group on arbitrary detention	91 (b) Enact legislation that would specify that any detention in the course of migration proceedings must be exceptional, ordered by a judicial authority only in cases when specifically prescribed by law and assessed as necessary and proportionate in individual cases; [...] (d) Ensure that alternatives to detention in the context of migration, which are accessible and realistic, are deployed; (e) Cease holding migrants in Mirihana immigration detention facility immediately as it is entirely inappropriate for such purposes.	2018	
Non treaty-based international human rights mechanisms				
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued		Year Issued	Observation Date
	No		2008	2017
	No		2012	2017

INSTITUTIONAL INDICATORS		
Detention monitoring institutions		
Do international and/or regional bodies (IRBs) visit immigration-related detention facilities?	Do international and/or regional bodies (IRB) regularly visit immigration-related detention facilities?	Observation Date
	Yes	2017
Detention monitoring institutions		
Do IRBs publicly report their findings from inspections?	Do IRBs publicly report their findings from detention inspections?	Observation Date
	Yes	2018

More information about immigration detention in Sri Lanka is available at the website of the Global Detention Project (www.globaldetentionproject.org)