

Striking a Balance between COVID-19 Regulatory Responses and the Fundamental Rights of Citizens in Sri Lanka within the New Normal

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With the World Health Organization (WHO) declaring the Covid-19 outbreak a global pandemic, states have been compelled to take prompt actions to limit the spread of the virus. In response to the crisis and adhering to the global health standards, the Sri Lankan government has imposed a series of restrictions. The legal basis upon which these restrictions have been imposed is constantly debated and are viewed as unlawful restrictions upon the fundamental rights of citizens secured by virtue of the Constitution. Counter arguments support that these restrictions are imposed as prescribed by law in the interests of national security, public order, and public health. In such a background this paper will attempt to recognize the possible breaches of fundamental rights caused by the restrictions imposed while analysing the impact of such restrictions on the fundamental rights of citizens. In order to study the main research problem library research was carried out with the aid of relevant statutes and international instruments. The analysis of the present legal framework relating to the imposition of quarantine restrictions supports the view that the rule of law must be a fundamental principle in every government action whereby the states should collectively collaborate to curb the virus while respecting the basic norm of sovereignty of the people. It is understood that the imposition of quarantine restrictions is essential in present times, but they should be imposed in a manner that does not interfere with the fundamental rights of people while protecting the dignity of a democratic society.

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