



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**PREVENTION AND PUNISHMENT OF
CRIMES AGAINST INTERNATIONALLY
PROTECTED PERSONS
ACT, No. 15 OF 1991**

[Certified on 15th March, 1991]

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*Prevention and Punishment of Crimes against
Internationally Protected Persons Act, No. 15 of 1991*

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L.D.—O 60/88

AN ACT TO GIVE EFFECT TO THE CONVENTION ON THE PREVENTION
AND PUNISHMENT OF CRIMES AGAINST INTERNATIONALLY
PROTECTED PERSONS, INCLUDING DIPLOMATIC AGENTS; AND
FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS a Convention on the Prevention and Punish-
ment of Crimes against Internationally Protected Persons,
including Diplomatic Agents was signed in New York on
the fourteenth day of December, Nineteen Hundred and
Seventy-Three:

Preamble.

AND WHEREAS Sri Lanka intends acceding to the said
Convention:

AND WHEREAS it is necessary to make legal provision to
give effect to the provisions of the said Convention in Sri
Lanka.

NOW, therefore be it enacted by the Parliament of the
Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Prevention and Punish-
ment of Crimes against Internationally Protected Persons,
Act, No. 15 of 1991 and shall come into operation on
such date as the Minister, by Order published in the
Gazette, certifies as the date on which the Convention on
the Prevention and Punishment of Crimes against Inter-
nationally Protected Persons, including Diplomatic Agents,
signed in New York on December 14, 1973, (hereinafter
referred to as "the Convention") enters into force in
respect of Sri Lanka.

Short
title and
date of
operation.

2. The Minister may, from time to time, by Order
published in the *Gazette*, certify the countries which are
parties to the Convention. A country in respect of which
an Order made under this section is in force, is hereinafter
referred to as "a Convention Country".

Minister
to certify
convention
countries.

3. (1) Any person who, whether in or outside Sri
Lanka, murders an internationally protected person shall
be guilty of an offence under this Act and shall on convic-
tion after trial on indictment before the High Court, be
punished with death.

Offences
against
Internation-
ally
protected
persons.

(2) Any person who, whether in or outside Sri Lanka, kidnaps or abducts an internationally protected person shall be guilty of an offence under this Act, and shall on conviction after trial on indictment before the High Court, be liable to imprisonment of either description for a term which may extend to seven years and to a fine not exceeding five thousand rupees.

(3) Any person who, whether in or outside Sri Lanka, commits an attack on the person or liberty of an internationally protected person shall be guilty of an offence under this Act and shall on conviction, after trial on indictment before the High Court, be liable to imprisonment of either description, to a term which may extend to seven years or to a fine not exceeding five thousand rupees.

(4) Any person who, whether in or outside Sri Lanka, commits a violent attack upon the official premises, the private accommodation or the means of transport, of an internationally protected person, likely to endanger his person or liberty, shall be guilty of an offence under this Act, and shall on conviction after trial on indictment before the High Court, be liable to imprisonment of either description for a term which may extend to seven years or to a fine not exceeding five thousand rupees.

(5) Any person who, whether in or outside Sri Lanka—

(a) threatens or conspires to commit ;

(b) attempts to commit ; or

(c) abets in the commission of,

any such offence as is referred to in subsection (1) or subsection (2) or subsection (3) or subsection (4) shall be guilty of an offence under this Act and shall on conviction, after trial on indictment by the High Court, be liable to the same punishment as he would have been liable to, had he committed the offence, which he is convicted of having threatened or conspired or attempted to commit or of having abetted in the commission of.

(6) In this section, "abet" has the same meaning as in sections 100 and 101 of the Penal Code.

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4. In any prosecution for an offence under this Act, a certificate under the hand of the Secretary to the Ministry of the Minister in charge of the subject of Foreign Affairs, to the effect that the person named therein is an internationally protected person within the meaning of this Act, shall be admissible in evidence without further proof, and shall be *prima facie* evidence of the matters stated therein.

Evidence.

5. (1) The High Court of Sri Lanka is hereby vested with jurisdiction to hear, try and determine, in the manner provided by written law, any offence under this Act.

Jurisdiction of High Court to try offences under this Act.

(2) The jurisdiction vested in the High Court of Sri Lanka by subsection (1) shall be exercised by the High Court holden at Colombo.

6. Where a person who is not a citizen of Sri Lanka is arrested for an offence under this Act, then he shall be entitled—

Rights of certain persons arrested for offences under this Act.

(a) to communicate without delay, with the nearest appropriate representative of the State, of which he is a national, or which is otherwise entitled to protect his rights, or if he is a stateless person, which he requests and is willing to protect his rights; and

(b) to be visited by a representative of that State.

7. The Extradition Law, No. 8 of 1977, is hereby amended in the Schedule to that Law, by the insertion, immediately before Part B thereof, of the following :—

Amendment of Extradition Law, No. 8 of 1977.

“(38) (a) a violent attack upon the official premises the private accommodation, or the means of transport of an internationally protected person within the meaning of the Prevention and Punishment of Crimes against Internationally Protected Persons Act, of 1991, likely to endanger his person or liberty ;”.

8. Where there is an extradition arrangement in force, between the Government of Sri Lanka and a Convention Country, such arrangement shall be deemed, for the purposes of the Extradition Law, No. 8 of 1977, to include provision for extradition in respect of the offences set out in the Schedule to this Act.

Existing extradition arrangements deemed to provide for offences in the Schedule.

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Minister
may treat
Conven-
tion as an
extradition
arrangement
between Sri
Lanka and
Convention
country in
respect of
offences
in the
Schedule.

9. Where there is no extradition arrangement, in force, between the Government of Sri Lanka and a Convention Country, the Minister may, by Order published in the *Gazette*, treat the Convention for the purposes of the Extradition Law, No. 8 of 1977, as an extradition arrangement made by the Government of Sri Lanka with such Convention Country providing for extradition in respect of the offences set out in the Schedule to this Act.

Interpreta-
tion.

10. In this Act—

“internationally protected person” means—

(1) a Head of State, including any member of a collegial body performing the functions of a Head of State under the Constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign state whether in transit or otherwise as well as members of his family who accompany him ;

(2) any representative or official of a State or any official or other agent of an international organization of an intergovernmental character who, at the time when, and in the place where, a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection from any attack on his person, freedom or dignity, as well as members of his family forming part of his household.

Sinhala
text to
prevail.
in case of
inconsistency.

11. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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SCHEDULE

[Sections 8 and 9]

1. Murder, kidnapping, or other attack, upon the person or liberty of an internationally protected person.

2. A violent attack upon the official premises, the private accommodation or the means of transport, of an internationally protected person, likely to endanger his person or liberty.

3. (a) a threat or conspiracy to commit any such act as is referred to in item (1) or (2) above;

(b) an attempt to commit to any such act as is referred to in item (1) or (2) above;

(c) abetting the commission of any such attack as is referred to in item (1) or (2) above.

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