

ABSTRACT

Good legislation is an important part of the animal welfare environment of any state and Sri Lanka has laws in place to prevent cruelty towards animals. However, the laws however, at most seem to be ineffective and are left unimplemented. Since 1907, the laws have been periodically amended, and on occasion enabling legislation forgotten, but most importantly, rights and duties obliged by law are largely ignored. Domestic or wild animals always in a vulnerable situation in Sri Lanka and they are not safe. We could find more and more situations all over the country day by day, but no one is responsible for cruelties faced by animals. The laws in Sri Lanka make it an offence to cruelly beat, ill-treat, abuse, torture, cause unnecessary pain or suffering to any animal. The Fauna and Flora Protection Ordinance prohibits any person in a Strict Natural Reserve, National Park, Nature Reserve or Jungle Corridor, Refuge, Marine Reserve or Buffer Zone to hunt, shoot, kill, take possession dead or alive of any animal. This would have prevented the extreme animals turning hostile against people. However, unfortunately these laws are not sufficient to protect animals in Sri Lanka. Cruelty to animals is defined by Prevention of Cruelty to Animals Ordinance No. 13 of 1907 (amended by No.19 of 1912, 43 of 1917, 9 of 1919, 23 of 1921, 16 of 1927, 17 of 1930, 12 of 1945 and Act no. 22 of 1955). The last changes that have been brought to it has been in 1955, and since then the law remains the same with penalties that are far from being taken seriously.

This research will explore the animal rights and cruelty against animals in Sri Lanka. And This research will discuss the rich and unique history of Sri Lanka in respect of Animal Welfare and the present situation in Sri Lanka how the current society treat animals in a cruel way. Also this research will overview the Prevention of Cruelty to Animals Ordinance No.13 of 1907 which is the current legislation in force relating to Animal Welfare and to prevent cruelty against them and

analyze the Sri Lankan legal framework on Animal Welfare. Prevention of Cruelty to Animals Ordinance No 13 of 1907 is an antiquated statute and the form and scope of this legislation is substantially inadequate. Its limitations are apparent when it is compared with animal welfare legislation of neighboring countries such as India or Western countries such as United Kingdom or Australia. And this research will identify the weaknesses in the Prevention of Cruelty to Animals Ordinance No.13 of 1907 and analyze the legislative and judicial trends and precedents in foreign jurisdictions on Animal Welfare. And also this research will be focused to propose law reforms to prevent cruelty to animals and secure the protection and welfare of animals.

With cruelty to animals being visible in today's society, reform to law on animal welfare is an immediate need and the existing laws do not address the key concerns, and do not prevent cruelty occurring. In this research I present with an opportunity to change the system that has existed for over a century, and to create effective and efficient laws that can be implemented to provide animal welfare in Sri Lankan society. Key issues with the laws on cruelty to animals as they are now. One of the key issues of the law that is existing on cruelty to animals is that it does not reflect the concerns of the present day.

The issue on animal welfare and protection of animals is an important issue that has been inadequately addressed by the existing laws in Sri Lanka. The law on animal cruelty as it stands is an archaic one as the country has experienced its last amendment to the law addressing cruelty to animals in 1955, and the Prevention of Cruelty to Animals Ordinance of 1907 under which welfare of animals is taken into consideration is over a century old, and needing urgent reforms with outdated fines, and the implementation being on a rare occasion.

Key words: Animal Rights, Cruelty, Animal welfare, Law reform.