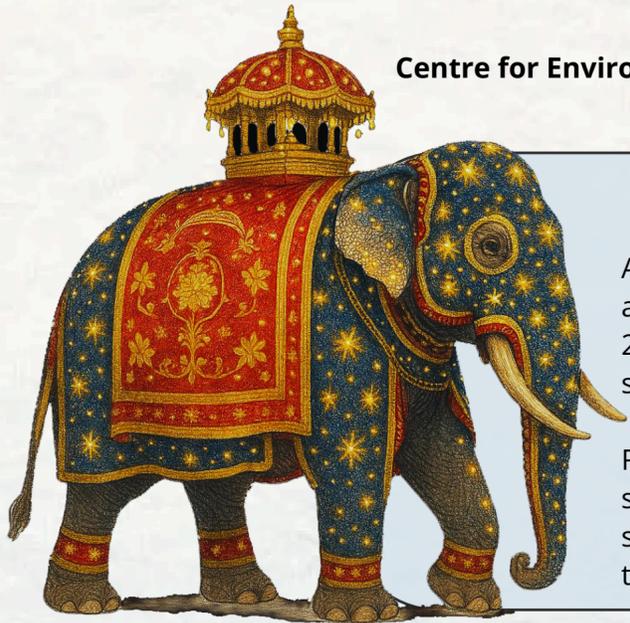


I RULE IN FAVOUR OF THE ELEPHANTS: GRANTING RIGHTS TO ELEPHANTS IN SRI LANKA

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Introduction

According to a survey conducted in 2024, Sri Lanka is home to an estimated population of between 7,400 and 7,500 elephants. However, the Department of Wildlife Conservation reported 397 elephant deaths in 2025, following 386–388 deaths in 2024 and 488 in 2023, which emphasises that the population is under significant strain due to human–elephant conflict, deforestation, and habitat degradation.

Reports further indicate that there are approximately 210 captive elephants, of which 102 are housed in state-owned facilities, while the remainder are kept by private owners. These captive elephants are subjected to various forms of human-induced cruelty throughout their lives, particularly in violation of the Five Freedoms of animal welfare.

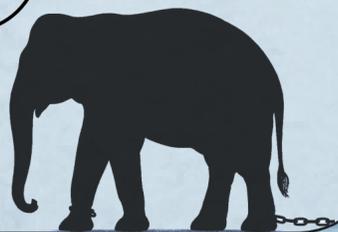
Legal Analysis

Legal Protection granted for elephants in Sri Lanka:

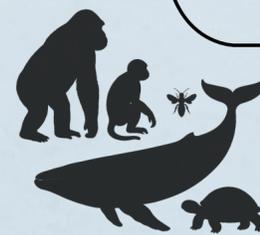
- Fauna and Flora Protection Ordinance, No. 2 of 1937 and subsequent amendments
- Registering & Licensing of Tuskers' & Elephants' Regulation, 1991
- Fauna and Flora (Protection, Well-being and Regularisation of Registration of Tamed Elephants) Regulations, No. 01 of 2021
- Prevention of Cruelty to Animals Ordinance, No. 13 of 1907

Applicable provisions of these frameworks are limited to anthropocentric considerations and do not ensure meaningful welfare protections for elephants.

From the jungle to chains,
all for human gain.



If we have legal rights,
why shouldn't elephants?



Necessity of granting rights to elephants in Sri Lanka:

- Their ecological and economic value as a native species
- Elephants are highly intelligent and sentient beings deserving of legal rights
- The concept of animal rights is not alien to Sri Lanka
- The need to balance the fundamental rights of people with the rights of elephants
- The insufficiency of current legal frameworks in protecting elephants from human-induced cruelty and mistreatment
- Landmark judicial decisions in other jurisdictions recognising the rights of animals (*Jallikattu judgment*, *Sonu's case*, and *Estrellita's case*)

Recommendations

Inspired by the Declaration of the Rights of Elephants and DeGrazia, the following rights should be granted to elephants in Sri Lanka;

- Right to life with dignity
- Right to liberty
- Right to bodily integrity
- Right to physical and mental well-being
- Right not to have their natural habitats destroyed or ruined



The effective implementation of these rights requires constitutional recognition and an empowered judiciary.

Future Works

- Work in progress: The practical and implementation challenges of granting rights to elephants in Sri Lanka.
- This work could serve as a starting point for discussions that recognising the rights of elephants in Sri Lanka is the only viable solution to ensure the survival of the species in the face of human-induced mistreatment.



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