

## **Performance Report – 2<sup>nd</sup> Quarter April to June 2018**

### **Introduction**

The Human Rights Commission of Sri Lanka (HRC) was established in 1996 by the Human Rights Commission of Sri Lanka Act, No. 21 of 1996. The Act sets out the legal basis and operational principles of the HRC. The HRC is referred to in the Constitution of Sri Lanka but it is not formally established by the Constitution. The Chairperson and Members of the Commission are appointed under Constitutional provisions.

The Act defines the HRC's jurisdiction in terms of fundamental rights and human rights. Fundamental rights are certain civil and political rights as well as economic, social and cultural rights guaranteed in Chapter III of the Constitution of the Democratic Socialist Republic of Sri Lanka. Human rights are defined in international law.

The statutory functions of the Commission are:

- to inquire into, and investigate, complaints relating to procedures, or infringements or imminent infringements of fundamental rights to ensure compliance with the provisions of Constitution and to provide for resolution through conciliation and mediation
- to advise and assist the government in formulating legislation and administrative directives and procedures to promote and protect fundamental rights
- to make recommendations to the Government to ensure that national laws and administrative practices are in accordance with international human rights norms and standards
- to make recommendations to Government on the subscribing or acceding to treaties and other international human rights instruments
- to promote awareness of, and provide education in relation to, human rights. (Section.10 of Act No. 21 of 1996)

The Commission functions with 153 staff members. The Commission consists of Inquiries & Investigations, Education & Special Programmes, Research & Monitoring and Administration & Finance Divisions and 10 regional offices (Ampara, Anuradhapura, Badulla, Batticaloa, Jaffna, Kalmunai, Kandy, Matara, Trincomalee and Vavuniya) to carry out its functions. Each Division is headed by a Director and each Regional Office is headed by a Regional Coordinator. The Chairperson and/or a Commissioner/ Commissioners supervise each Division and Regional Offices.

A host of activities launched by the Commission during this period, has been analyzed in the report.

1. Accreditation of the Human Right Commission of Sri Lanka as Grade A – Elite Human Rights Institution by the Global Forum of Human Rights Institutions is a case of special significance in this quarter. Human Rights Commission of Sri Lanka was classified as a lower-level Grade –B institution on two previous occasions.
2. During this quarter, the Commission conducted a 4 day inquiry into the communal violence that took place in Theldeniya and Digana in the Kandy District in March. Victims of the violence, civil society and community leaders including religious leaders and officials from Police Department, STF and the Sri Lanka Army, Administrative Officers of the Kandy District headed by the District Secretary testified at the inquiry.
3. Also, during this quarter the Chairperson of the Human Rights Commission represented the Commission at the Biennial Meeting of the Commonwealth Forum of National Human Rights Institutions which took place on the 16<sup>th</sup> and 17<sup>th</sup> of April at the Royal Aeronautical Society in London. The participants also had the opportunity to attend the Commonwealth Women’s Forum at the Queen Elizabeth II Conference Centre on 18<sup>th</sup> April.

### **Summary of Complaints – Head Office**

Number of complaints lodged with the Head Office	540
Number of complaints falling within the purview of the Human Rights Commission of Sri Lanka	234
Number of complaints not falling within the purview of the Human Rights Commission of Sri Lanka	306

### **Complaints, of which inquiries have been finalized by the Head Office**

<b>Classification of finalized complaints</b>	<b>Number of finalized complaints</b>
Number of complaints on which recommendations have been issued	09
Number of complaints on which a settlement has been reached	27
Number of complaints finalized under various other reasons (withdrawals, Uninterested, no infringement of fundamental rights)	595

### **Summary of Complaints – Regional Offices**

Summary of Complaints	Ampara	Anuradhapur	Badulla	Batticaloa	Jaffna	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya
Number of complaints received	25	136	41	91	61	48	147	90	24	64
Number of complaints within the purview	21	106	27	84	61	47	86	74	22	63
Number of complaint not within the purview	4	30	14	7	0	1	24	16	2	1
Number of complaints settled	3	19	4	5	33	18	95	3	0	19
Number of complaints referred to Head Office for recommendations	6	24	0	0	0	1	0	2	1	0
Number of persons who contacted Regional Offices	118	231	107	138	323	95	260	235	144	278
Number of complaints finalized	24	113	27	65	35	58	156	73	30	95

### **Conducting Suo Moto Inquiries**

Inquiries and Investigations Division of the Human Rights Commission of Sri Lanka has initiated 05 Suo Moto inquiries as per Section 14 of the Human Rights Commission Act in the following manner.

	<b>Nature of the incident</b>	<b>Number of Complaints</b>
01	Torture	01
02	Arrests and detentions	01
03	Death in custody	01
04	Right to Education	01
05	Other	01

Out of the abovementioned 05 investigations, the following are identified as important cases.

- An investigation has been initiated under Suo/Moto/15/18 with regard to the assault by Police on several women at a demonstration held against the return of a monk to Shailabimbarama Raja Maha Vihara, Nallamudawa, Eppawala, who had been the previous incumbent of this temple.

- An investigation has been initiated under Suo/Moto/18/18 with regard to the taking of equipment in the TNL Broadcasting station at Polgahawela into Police custody due to failure to obtain the Annual Broadcasting Licence from the Telecommunication Regulatory Commission and investigation activities were concluded following the issuance of necessary instructions to the Telecommunication Regulatory Commission.
- An investigation is in progress under Suo/Moto/21/18 with regard to the difficulties encountered by women in repaying their loans obtained from Micro-Finance Institutions.

### **Summary of Visits to Detention Centres**

Venue	Head Office	Regional Offices									
		Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya
Police Stations	69	19	85	39	29	43	24	109	93	20	72
Prisons	9	1	4	-	6	4	-	6	2	2	3
Child Care/Child Detention camps	1	1	-	-	3	-	3	1	-	-	-
Foreign Transitional Detention Camps	--	-	15	-	-	-	-	-	-	-	-
Rehabilitation centres	-	-	-	-	-	-	-	-	-	-	1
Homes for the aged	-	1	2	-	-	-	-	-	-	-	-
CID/TID	-	-	-	-	-	1	-	-	-	-	4
Special	-	-	-	-	-	-	-	-	-	-	2
Total	79	22	106	39	39	48	27	116	95	22	82

### **Recommendations issued to State Entities**

No.	Complaint No.	Respondent Entity	Nature of Complaint	Date of Recommendation	F.R. infringed	Implementation of the recommendation

01	HRC/K/45/17	High Girls College, Kandy	Non-admission	01.05.2018	12(1)	✓
02	HRC/75/18	Royal College	Non-admission	02.05.2018	12(1)	✓
03	HRC/2645/16	M/Education	Transfers	02.05.2018	12(1)	x
04	HRC/AP/291/15(W)	Police Station, Polonnaruwa	Torture	02.05.2018	11	x
05	HRC/403/17	Royal College, Colombo	Non-admission	02.05.2018	12(1)	x
06	HRC/198/18	Royal College, Colombo	Non-admission	18.05.2018	12(1)	x
07	HRC/196/17	Royal College, Colombo	Non-admission	19.06.2018	12(1)	x
08	HRC/197/18	Royal College, Colombo	Non-admission	19.06.2018	12(1)	x
09	HRC/1682/17	Royal College, Colombo	Non-admission	19.06.2018	12(1)	x

## **Awareness Raising Programmes Special Lectures**

**Resource persons - Director (Education & Special Programmes) and Mr.Kapilan Villavarajan, Education Officer**

<b>Description of Programmes</b>
An awareness Programme on Human Rights and Human Rights Commission of Sri Lanka was conducted by the Directorate of Sri Lanka Army Humanitarian and Human Rights on 04.04.018 for the benefit of officers and other cadres of 14 <sup>th</sup> .Brigade Headquarters, Colombo 01
An awareness Programme on Human Rights, Fundamental Rights, Human Rights Commission of Sri Lanka, Child Rights and Women's Rights was conducted in Tamil medium on 19 and 20.04.2018 at Kandyan Heritage Hotel, Kurunegala for the benefit of th members of CHANGE institution.
An awareness Programme on Human Rights and Human Right Concepts was conducted under auspices of the Directorate of Sri Lanka Army Humanitarian and Human Rights on 16.05.2018 at Army Camp, Mattakkuliya for the benefit of Army officers and other cadres
An awareness Programme on the importance of respecting lives of LGBTIQ community and importance of morals of responsible reporting was conducted by Equal Ground institution with the intervention of Human Rights Commission o Sri Lanka on 09.06.2018 at Janaki Hotel, Colombo for the benefit of journalists, editors and sub editors.
An awareness Programme on Human Rights and Fundamental Rights was conducted by the

Department of Prisons on 29.06.2018 at Welikada Training Centre for the benefit of prison officials.

## Thematic Sub Committee Meetings

Date	Thematic Sub Committee
05.04.2018	Thematic Sub Committee on Disabled persons
05.06.2018	Thematic Sub Committee on Transitional Labour Rights
12.06.2018	Thematic Sub Committee on gender

## Internal Meetings

Meetings	April	May	June
HRC Staff meetings	-	21	18
HRC Board Meetings	-	14	11

## Training Programmes

1. A two –day Training Programme on nostalgia in post war/dispute societies was conducted on 05-06 May, 2018 in Galle Face Hotel, Colombo. This programme was conducted with UNDP financial support, targeting Regional Co-ordinators and Legal and Investigation Officers. Dr.M.Ganeshan, Mr.Mirack Raheem, Ms.Thyagi Ruwanpathirana, Mr.Yasantha Kodagoda, Dr.Jehan Perera, Dr.Deepika Udagama and Ms.Ambiga Sathkunanathan, Commissioner participated as resource persons.

## International Day supporting the victims of torture

A Human Rights Film Festival was held from 25-26 June 2018 to mark the International Day supporting the victims of torture and a Media Propagation campaign called " Stop Torture" was held for a duration of one month from 26.06.2018 to 26.07.2018.

### i. Human Rights Film Festival

Was held from 25-26 June, 2018 at the Tharangani Theatre of Sri Lanka Film Corporation. Four films on torture viz., The documentary :Taxi to the Darker Side, Visaranai, Matilda and Death & Maiden, were screened on two days.

Main objective of this festival was to examine the manner of comprehending Human rights. The festival was conducted with the participation of Police, Security Forces, School children, Civil societies and general public. At the conclusion of the festival, a special discussion was organized to examine the human rights in an artistic angle. Dr.Deepila Udagama, Chairperson of Human Rights Commission of Sri Lanka indicated that torture is acceptable to the society to a certain extent which poses a great challenge in eradicating torture in the society. At this discussion, Mr. Nadeeka Guruge, Misician also shared his views

and emphasized that violence was created by various forces in the social system which also has an impact on art.

## ii. Media campaign

Video films containing voice-cuts on prevention of torture were shown in Rupavahini and Vasantham television channels for a duration of one month from 26.06.2018 to 26.07.2018. Voice-cuts of Dr.Deepika Udagama (Chairperson), Mr.Philip Dissanayaka, Human Rights Activist, Mr.Lahiru Perera, Executive Director of Family Rehabilitation Centre, Mr.Priyal Weerssinghe, Journalist, M.Sithara Kaluarachhi, Journalist, Mr.Nadeeka Guruge, Musician, Dr.Ajith Tennakone, Dr. Harini Amarasuriya, Miss. Bhumi Harendran, LGBTIQ activist, Ms.Ambiga Sathkunanathan, Commissioner, Mr.Mathiyalagan, Journalist and Miss. Krishna Arunachalam, Journalist were transmitted.

## Human Rights Quiz Competition

Competition at provincial level concluded.

### REGIONAL OFFICES

#### Support by way of lectures

Regional Offices	Target Group					
	Police	Army	Civil Security Officers	Public Officers	Students/ Youth Groups	General public/civil societies/religious leaders/others
Matara	1	-	-	1	-	2
Jaffna	-	-	-	2	-	-
Ampara	2	1	-	-	-	-
Anuradhapura	-	7	1	-	-	2

#### Awareness and Training Programmes

Regional Offices	Target Groups			
	Police	Public Officers	Students/Youth groups	General public/civil societies/religious leaders/others
Matara	-	2	-	-
Kandy	-	1	-	1
Anuradhapura	1	-	-	-
Ampara	1	1	1	-



Kalmunai	1	2	-	3
Badulla	-	-	-	1

### **Mobile Services/ Other programmes**

<b>Regional Office</b>	<b>Date</b>	<b>Topic</b>
Matara	13.05.2018	Participated at the mobile service organized by the Ministry of National Harmony, Dialogue and Official Languages.
	14.05.2018	Human Rights Quiz Competition (provincial level) conducted.
Kandy	03.06.2018	Participated at the mobile service organized by the Ministry of National Harmony, Dialogue and Official Languages.
Jaffna	24.04.2018	Human Rights Quiz Competition (provincial level) conducted.
	09.04.2018	District Co-ordinating Meeting was held.
	22.05.2018	Meeting on Labour Rights was held.
	30.05.2018	Civil Society Meeting was held
	12.06.2018	Participated at the mobile service organized by the Ministry of National Harmony, Dialogue and Official Languages.
Kalmunai	18.04.2018	Meeting on Regional Reconciliation Mechanism was held
	28.05.2018	Meeting on Regional Reconciliation Mechanism was held

### **Commemoration of International Days**

Commemoration event of International Day for supporting victims of torture was conducted by the Regional Offices at Matara, Kandy, Trincomalee, Ampara, Badulla and Batticaloa.

### **Implementation of Apprentice Training Programmes for Graduates/Under-Graduates**

In this instance, trainees are recruited for a three-month Training Programme. Relevant notices pertaining to these recruitments are published in the HRC Web page in addition to calling for applications by post from the degree-awarding institutions. Trainees selected through interviews held by the Head Office and Regional Offices are recruited for the positions.

Accordingly, during the 2<sup>nd</sup> quarter of this year, 18 trainees and 10 trainees have been respectively attached to the Head Office and Regional Offices.

Relevant notices pertaining to these recruitments are published in the HRC Web page in addition to calling for applications by post from the degree-awarding institutions. Trainees selected through interviews held by the Head Office and Regional Offices are recruited for the positions.

Accordingly, during the 1<sup>st</sup>.quarter of this year, 07 trainees and 10 trainees have been respectively attached to the Head Office and Regional Offices.

### **Media Conferences held by Human Rights Commission of Sri Lanka**

<b>Themes</b>
Dr.Deepika Udagama, Chairperson of the Commission participated at the discussion conducted by Rupavahini on 16.06.2018 in connection with the International Day for supporting the victims of torture
An awareness raising meeting on accreditation the Human Rights Commission of Sri Lanka as a Human Rights Organization of distinction-Grade (A) by the Global Forum of Human Rights National Institutions was conducted on 31.05.2018 at the Head Office of the Commission.

### **Discussions held by the Human Rights Commission of Sri Lanka with Civil Organizations**

An awareness raising meeting on accreditation the Human Rights Commission of Sri Lanka as a Human Rights Organization of distinction-Grade (A) by the Global Forum of Human Rights National Institutions and the Present Activation of the Human Rights Commission of Sri Lanka was conducted on 1.06.2018 at HRCSL Head Office for the benefit of Civil Organizations.
---

### **Meetings/Programmes held with the participation of HRCSL Officials**

<b>Date</b>	<b>Meeting</b>	<b>Participant</b>
04.04.2018	A meeting was held by the HRCSL in its Head Office with the participation of the representatives of ICRC on the detention conditions of detainees and the present day interventions of both these institutions.	Director- Research & Monitoring (A/to duties.)
20.04.2018	Meeting of the Committee on the Rights of Transitional Labour contained in the National Human Rights Action Plan was held in the Ministry of Foreign Employment Promotion.	Director- Research & Monitoring (A/to duties.)
21.04.2018	ICRC workshop on its thematic intervention was held at Galle Face Hotel.	Director- Research & Monitoring (A/to duties.)
08.05.2018	Meeting of the Committee on prevention of torture contained in NHRAP was held in the Ministry of Law and Order and the HRCSL participated at observer level.	Director- Research & Monitoring (A/to duties.)
09.05.2018	A workshop on a national strategy on reporting and follow-up action as per United Nations Convention was organized by the Ministry of Foreign Affairs and held in Kalutara.	Director- Research & Monitoring (A/to duties.)
17.05.2018	Institutional Network Meeting being conducted by the Office of the United Nations High Commissioner for Refugees to ensure protection of refugees within Sri Lanka	Director- Research & Monitoring (A/to duties.)

	was held in the Office of UNHCR.	
18.05.2018	Meeting of the Committee on Prevention of Torture contained in the NHRAP was held in the Ministry of Justice and HRCSL participated at observer level.	Director- Research & Monitoring (A/to duties.)

### **Updating of HRCSL Web Page**

<b>Date</b>	<b>Updating</b>
05.04.2018	Publishing of the notice on recruitment of Project Assistant on contract basis.
05.04.2018	Publishing of letter addressed to the President by the Commission on vetting of Sri Lankan security officers who are referred to peace keeping operations.
06.04.2018	Publication of the notice on receiving written complaints with regard to the violence based on the religion in the district of Kandy.
20.04.2018	Publication of the notice on recruitment of a Project Assistant for Mannar HRC Sub Office on contract basis.
08.05.2018	Publication of the notice on raising awareness on the inquiries conducted by the Commission into the incidents of violence based on the religion in the district of Kandy.
05.04.2018	Publication of the notice of Human Rights Commission with regard to the accreditation of HRC as a Grade A- elite National Human Rights Institution by the Global Forum of Human Rights National Institutions.
06.06.2018	Publication of details of Media Conference held on the accreditation of HRC as a Grade A- elite National Human Rights Institution by the Global Forum of Human Rights National Institutions.

### **Creating awareness among the various external parties regarding News/Specific Recommendations/ exclusive interventions of the Human Rights Commission of Sri Lanka.**

This information is shared with Printed Media, Electronic Media, Internet, Civil Society Organizations, Members of the Thematic Committees of Human Rights Commission of Sri Lanka, Diplomatic Missions in Sri Lanka, International Human Rights Organizations, Asia Pacific Regional National Human Rights Institutions, it's Communication Network, and Asia Pacific Regional National Human Rights Institutions Forum. This sharing is always done after every updating.

After every updating, these details are referred to all the regional offices of the Human Rights Commission with instruction to display them in their notice boards for the information of the general public.

Monitoring news reports in the electronic and printed media with regard to the violation of human rights falling within the purview of the Regional Offices and calling for reports from the respondent parties and take follow-up action with regard to the progress.

### **Media Discussions held with the Chairperson of the Human Rights Commission of Sri Lanka**

The interview conducted by Dr.Deepika Udagama, the Chairperson with Mr.Philip Dissanayaka, Chief Executive Director of the Right to Life Human Rights Centre on International Day for supporting victims of torture was given publicity on 17.06.2018 in Newspapers of Anidda and Samabima.

### **Discussions/Programmes held with the participation of the Chairperson and Commissioners**

	<b>Date</b>	<b>Description</b>
01	03.04.2018	Meeting of Committee of Monitoring Officers on the implementation of National Human Rights Action Plan
02	05.04.2018	Dinner hosted by the Secretary/Ministry of Foreign Affairs at Hilton Hotel
03	10.04.2018	NHRAP - Sectorial Committee on Economic, Social and Cultural Rights- held at the Ministry of National Policies and Economic Affairs
04	05 and 06.04.2018	International Conference- Nepal
05	14 -22.04.2018	Commonwealth Forum – United Kingdom
06	21.04.2018	4 <sup>th</sup> .Consultativ workshop on Inquests into sudden deaths – Galle face Hotel
07	25.04.2018	Breakfast Meeting with High Commissioner for Canada and Mr. David Hartman
08	25.04.2018	Asia Foundation-Luncheon Meeting- Hilton Hotel
09	26.04.2018	National Women’s Committee – Ministry of Women and Child Affairs
10	02.05.2018	Minister of Finance, M/Finance
11	08.05.2018	OHCHR - HRCSL
12	08.05.2018	Reception- EU Ambassador – Galle Face Hotel
13	09,10.05.2018	Workshop at Avani,Kalutara
14	15.05.2018	Meeting with Speaker to discuss matters pertaining to Peace Keeping Missions
15	15.05.2018	Norwegian Team - HRCSL
16	16.05.2018	SCA Call
17	17.05.2018	Mr.G.T.F.de Silva of Research Project for NEC University Students’ Welfare and Discipline - HRCSL
18	17.05.2018	Equal Ground – NADA, Colombo 07
19	18.05.2018	Ministry of Justice - NHRAP at the M/Justice
20	22.05.2018	UNDP - HRCSL
21	22.05.2018	Presentation on “ The HRCSL and its Efforts and Challenges in protecting human rights. ” BIDTI
22	23.05.2018	Ms. Cameena Gunaratna –Luncheon Meeting - HRCSL
23	24.05.2018	NHRAP – Prime Minister’s Office, Temple Trees
24	28.05.2018	Launching of web site – Presidential Secretariat Auditorium
25	31.05.2018	Farewell to Mr.Saliya Peiris, Commissioner – HRCSL
26	04.06.2018	Presentation on” Prospects and Challenges in protecting Human Rights in Sri Lanka” - BIDTI
27	04.06.2018	Italian National Day – Villa Roma

28	06.06.2018	Italian Cultural Event
29	07.06.2018	Chief Guest and Guest Speaker at the Conference on " Trends in Youth Radicalization in South Asia " organized by the Regional Centre for Strategic Studies- Hotel Ramada
30	12.06.2018	Commonwealth Secretariat's Democracy Programme - HRCSL
31	13.06.2018	Asia Foundation - HRCSL
32	13.06.2018	Reception- British High Commissioner at Westminster House
33	20.06.2018	Meeting on Riots in Kandy – Kandy Regional Office
34	25.06.2018	Workshop on Regional Blended Learning – Galle Face Hotel
35	26.06.2018	Rupavahini Programme on International Torture Day – ITN
36	28.06.2018	" Right To Information" Book launch by Ms. Geethani Jeewanthi – Human Studies and Social Science Division of Open University.
37	28.06.2018	Right to Life – International Torture Day – Lakshman Kadirgamar Institute
38	10.06.2018	Dinner - Australian High Commissioner - Australian House

### **Foreign Training**

<b>Name</b>	<b>Designation</b>	<b>Institution</b>	<b>Programme/Training</b>	<b>Duration</b>
Mr.K.K.Villavarajan	Education Officer	Hong Kong	International Workshop on Gender Orientation, Gender Identity and Inter-sexual Social status	09.05.2018 to 11.05.2018

### **Local Training**

<b>Name</b>	<b>Designation</b>	<b>Institution</b>	<b>Programme/Training</b>	<b>Duration</b>
Ms.L.Dulika Silva	Management Assistant	Sri Lanka Foundation Institute	Discipline Management	15.05.2018 to 17.05.2018

- Recruitment Procedure for 18 posts was approved by the Dept. of Management Services on 17.05.2018.

### **Financial Statement**

<b>Opening Balance</b>	
7,989,502.55	
<b>Imprest Received from the Treasury</b>	
Recurrent	43,014,000.00
Capital	510,000.00
Other Revenue	31,487.78
<b>Total</b>	<b>51,544,990.33</b>
<b>Expenditure</b>	
Personnel emoluments	26,023,284.99

Traveling expenses	185,981.00
Supplies	1,330,790.85
Maintenance expenditure	1,101,749.71
Services	12,504,828.39
Transfers	-
Human Rights Programmes	1,142,408.16
Rehab. & Impove. of capital assets	-
Acquisition of capital assets	494,470.00
Capacity building	9,000.00
Catalytic support for peace-building in Sri Lanka (UNDP)	1,321,864.17
Provision of opportunity to returnees to the Island to enjoy their rights (UNHCR)	378,715.93
Strengthening capacity of HRCSL (SWISS)	-
<b>Total expenditure</b>	<b>44,493,093.20</b>