



HUMAN RIGHTS COMMISSION OF SRI LANKA

ANNUAL REPORT 2019

This is the Annual Report of the Human Rights Commission of Sri Lanka on its activities in 2019. It is submitted in compliance with section 30 of the Human Rights Commission of Sri Lanka Act No.21 of 1996.

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the
Commission
2019**

Chairperson

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Commissioners

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Ms. Ambika Satkunanathan

Dr. Upananda Vidanapathirana

Ms. Ramani Muttettuwegama

Message of the chairperson

The year 2019, as in the previous year, saw positive developments in the general human rights situation in the country seriously marred by sectarian violence. Sectarian violence targeting the Muslim community in the Teldeniya and Digana towns in the Kandy District in March, 2018 framed the human rights situation that year, despite expanding democratic space for free expression, assembly and association and other positive developments on human rights in Sri Lanka.

Similarly, the horror of the April 21 (Easter Sunday) terror attacks against civilians engaged in worship and its violent aftermath dominated and defined the 2019 human rights agenda. It overshadowed growing public faith in democratic institutions and in the possibility of vindicating rights through peaceful means. The unanimous Supreme Court judgment delivered at the tail end of 2018 had resolved a serious constitutional crisis through the Rule of Law. The Right to Information regime introduced in 2016 was increasingly being resorted to by the citizenry. Public engagement with the Human Rights Commission was strong. Yet, the events of 2018 and 2019 proved that without meaningfully addressing the fractious nature of inter-community relations in the country, Sri Lanka could not move forward toward a steady and stable human rights record. In fact, the events of April, 2019 and its aftermath saw a sea change in the political discourse with renewed calls for a shift to a national security paradigm in governance and efforts to legitimize majoritarianism.

Responding to human rights issues stemming from the events in April was the main focus of the HRCSL during the reporting year. The Commission was committed to handling the emerging issues in an even handed manner ensuring that all aggrieved parties were provided protection. It was also clear that a multi-pronged approach had to be adopted. The Commission monitored the rehabilitation of victims of the bombings while it also monitored the rights of hundreds taken into

custody on suspicion of involvement in the attack, often under the Prevention of Terrorism Act (PTA).

A major concern was retaliatory attacks against the Muslim community which stood collectively indicted in the public mind. The Commission issued a public appeal calling on the citizenry to rely on non-violent solutions and also called on the police to pre-empt possible retaliatory attacks. However, as the Commission's fears became a reality in May, it sent teams headed by Commissioners to investigate failure on the part of the police to provide protection to the affected communities. The Commission's observations and recommendations in that regard were communicated to the Inspector General of Police and released to the public.

As complaints of discrimination against members of the Muslim community mounted, the Commission issued recommendations to the police, Health and Education authorities, Provincial Councils and Local Authorities, on matters including arrest and detention, ensuring access to members of the Muslim community to public spaces and public services without discrimination and the right to engage in commercial activities without hindrance. Also, as Muslim women's cultural attire became a contentious issue, the Commission issued a recommendation to the government that any attempt to introduce discriminatory dress codes would be a violation of the Constitution and Sri Lanka's international human rights obligations. The Commission also wrote to the Chambers of Commerce and the Bar Association of Sri Lanka urging non-discriminatory treatment of members of the Muslim community on matters falling within their respective mandates.

The year saw the Commission and its Regional Offices engaging in a series of town hall meetings around the country with the aim of facilitating much needed dialogue among the various ethnic and religious communities. A major focus of those discussions was the rising tide of hate speech on social media. HRCSL had continued to monitor the growing incidence of hate speech on social media mainly targeting minority communities, especially the Muslim community, and had made

representations to HE the President and the Police to underscore the critical need to enforce s. 3 of the ICCPR Act, No. 56 of 2007 (the provision criminalizes hate speech).

The Commission's observation, however, was that the law was instead being used to blunt legitimate free expression including dissent, with most arrests being made for expressions that were deemed to be insulting toward the majority community. The misapplication of the law prompted the Commission to issue guidelines during the year on the application of s. 3 of the ICCPR Act. The Guidelines were formulated taking into consideration international jurisprudence on hate speech under the ICCPR and Rabat Plan of Action (2013).

'Words Hurt: Youth Reflections on Hate Speech' was the theme of the year's HRCSL Human Rights Youth Camp as well as of the year's Human Rights Day event on December 10th. The Commission prioritized these activities to underscore, especially among the youth, the critical importance of actively rejecting hate speech if all communities who call Sri Lanka their home were to live in a mutually respectful environment and move forward.

Similarly, in keeping with the Commission's commitment to promoting and protecting rights of marginalized communities, several initiatives were launched during the year to champion rights of persons with disabilities. HRCSL's International Women's Day- 2019 commemorative event held in Colombo and the regions was themed 'Mainstreaming For A Life With Dignity' and focused exclusively on life experiences of women with disabilities. The celebratory spirit in which the event was embraced by disability rights advocates was very moving. In another significant development, the Minister of Finance, Hon. Mangala Samaraweera, responded magnificently to the Commission's request to make budgetary allocations to facilitate disability access to public spaces. The Commission's Sub-Committee on disability rights also presented its recommendations to the Ministry of Social Empowerment on strengthening the draft Disability Rights Bill by making it compliant with

Sri Lanka's State obligations under the international Convention of Rights of Persons with Disabilities.

As preparations for the Presidential Election in November got under way, the Commission wrote to the Elections Commission to ensure an election that 'leaves no voter behind'. Guidelines were issued to the Police and public administration on the need for officials to function impartially during election time.

The overall complaints received by the Commission in 2019 once again pointed to custodial violations as the most problematic human rights issue facing the public. Complaints of torture remained more or less the same as in previous years, proving that eliminating the deeply entrenched practice in law enforcement requires strong political will and sustained, long term interventions. The total number of complaints reflected a significant increase from the previous year due mainly to the post- April 21 terror attack developments which unfortunately took a communal turn.

Throughout the year efforts at staff capacity building and encouraging use of ICT to support the work of the Commission continued. The Commission pursued its policy of empowering Regional Offices as they continued to provide a valuable service at the provincial level working closely with regional civil society organizations.

As in previous years, many efforts of the Commission were stymied by bureaucratic delays and anachronistic government administrative and financial regulations. The efficiency of public services is constantly lagging behind for those reasons. Extensive administrative reforms must be seriously considered by relevant authorities if the country is to move forward.

All experiences and observations of the Commission point to the growing reliance by the public, especially by the vulnerable segments, on the commitment of the HRCSL to protecting their rights. It is clear that the Commission's independence and vigilance must be a constant reassuring

factor in people's lives. In light of that reality it is certainly a rare privilege and an honor to be of service through the HRCSL.

I take this opportunity to express the Commission's sincere appreciation to all, too numerous to mention individually, who inspired, supported and encouraged its work.

Prof. Nelum Deepika Udagama
Chairperson
Human Rights Commission of Sri Lanka

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LIST OF ACRONYMS

A&F	Administration & Finance
ANFREL	Asia Network For Free Elections
APF	Asia Pacific Forum
BASL	Bar Association of Sri Lanka
BMICH	Bandaranaike Memorial International Conference Hall
CID	Criminal Investigation Department
CSE	Comprehensive Sexuality Education
CTF4HR	Community Task forces for Human Rights
DIG	Deputy Inspector General
DMS	Department of Management Services
ED&SP	Education & Special Programmes
EPF	Employees Provident Fund
ETF	Employees Trust Fund
EU	European Union
GANHRI	Global Alliance for National Human Rights Institutions
HQI	Head Quarters Inspector
HRCSL	Human Rights Commission of Sri Lanka
I & I	Inquiries & Investigations
ICCPR	International Covenant on Civil and Political Rights
IGP	Inspector General of Police
IR	International Relations
JMO	Judicial Medical Officer
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning
NGOs	Non-Governmental Organizations
NHRAP	National Action Plan for the Protection and Promotion of Human Rights 2017 – 2021
NPM	National Preventive Mechanism
OHCHR	Office of the United Nations High Commissioner for Human Rights
OMP	Office on Missing Persons
OPCAT	Optional Protocol to the International Convention Against Torture

R&M	Research & Monitoring
SoR	Scheme of Recruitment
TID	Terrorist Investigation Division
UN	United Nations
UNDP	United Nations Development Programme
UNDPKO	United Nations Department of Peacekeeping Operations
UNHCR	United Nations High Commissioner for Refugees

State of Human Rights in Sri Lanka 2019

The Easter Sunday terror attacks that shocked the entire Island and its aftermath cast a pall over the entire society, and defined the tenor of human rights situation in the country in 2019. These attacks against civilians and also the violence and discriminatory practices targeting the Muslim community in the aftermath of the attacks defined the human rights situation in the country in 2019.

On 21 April 2019 (Easter Sunday) three churches in different parts of Sri Lanka and three luxury hotels in Colombo were targeted in a series of coordinated suicide bombings. The State of Emergency declared immediately following the Easter Sunday attacks remained in place for four months. While the need for heightened security measures was indisputable, the manner in which emergency laws were applied led to concerns of human rights violations. The spate of anti-Muslim violent acts in the immediate aftermath of the Easter Sunday attacks highlighted many underlying ethnic and religious tensions and racial divisions in the country. Symptomatic of the religious intolerance was the many incidents of harassment of women based on religious attire that were reported by Muslim women. As a whole, the attack had a chilling effect on democratic ideals and a tightening of democratic spaces in which citizens could exercise vigil over government actions. It again brought into question the protection afforded to ethnic and religious minorities in the country, especially in the lackadaisical response of the security forces to quelling the violence. HRCSL made numerous interventions to safeguard the rights of the people, particularly to ensure that emergency laws are applied without discrimination and with cultural and religious sensitivity.

The Commission also focused extensively on the right to exercise franchise in an inclusive manner during the Presidential Election held in November 2019. It made interventions to ensure all registered voters were able to cast their votes, including recommending the state to

provide for special allowances to guarantee the right to vote of persons with disabilities or with special needs, persons who are geographically isolated, migrant workers, Sri Lankan refugees in other countries, and prisoners. The Commission also advocated the Elections Commission to take necessary steps to avoid undue influence of voters at polling stations and to investigate into reports of the non-inclusion of names of duly registered voters in the voter registry.

Turning the tide in relation to received complaints, the year saw the overall number of complaints received by the Commission increase from 6641 in 2018 to 8983 in 2019 (a 35% increase). In contrast, from 2015-2018, the Commission had witnessed a steadily decreasing trend in the overall number of complaints received annually. Out of the complaints received, the majority were received by the Regional Offices, which may be due to the extensive outreach activities conducted by the Commission resulting in the increased visibility of the regional offices. This rise in the number of complaints could be attributed to the aftermath of the 21 April terror attacks. Complaints relating to arbitrary arrest and detention, discriminatory practices mainly against Muslim women, freedom of expression, association and religion rose sharply due to those events. This turn of events, as in the context of the Digana riots targeting a minority community in 2018, points to the fragility of ethnic and religious co-existence in the country. This is particularly problematic and unfortunate given the general improvement in the human rights situation in Sri Lanka and calls for urgent action by the authorities and community leaders.

Of the complaints received during the year, those relating to the infringement of personal liberty were the highest (at 1629). The second highest number of complaints (at 1240) related to the violation of other civil and political rights, such as freedom of expression, association, religion, and assembly, 1006 of which were received in the aftermath of the Easter Sunday terror attacks in April 2019. Even though complaints relating to the inaction of government authorities and employment related complaints both saw a significant decrease in the previous reporting year, 2019 witnessed a dramatic surge in both those categories. The former rose from 779 in 2018 to 1100 in 2019 (an increase of 41%),

and the latter rose from 701 in 2018 to 1007 in 2019(an increase of 44%). Complaints against violations of education related rights such as admissions to schools too have increased in numbers (from 455 in 2018 to 513 in 2019).

However, as in the previous year, in a positive turn of events, all 10 cases reported of missing persons were concluded to be not within the mandate of the HRCSL as either the alleged victims were found, had voluntarily disappeared, or there was no involvement of any state authority. The one reported incident of an enforced disappearance was also later found to be a voluntary disappearance. However, the continued receipt of high numbers of complaints regarding torture in custody (at 400) and arbitrary arrest and detention (at 775) continue to concern the Commission. Sensitizing law enforcement and detention authorities on the law relating to the prohibition of torture and unlawful arrest and detention and the strict enforcement of the law against errant officers including prosecuting wrongdoers are essential in order to eliminate the recurrence of these violations.

CHAPTER 1: THE COMMISSION

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 - 1.1.2. Mission
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 - 1.1.4. Strategic focus areas
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THE COMMISSION

1.1 Overview of the Commission

1.1.1. Vision

A society that recognises diversity and respects the human rights of all

1.1.2. Mission

To provide leadership in Sri Lanka in promoting and protecting human rights, human dignity and the rule of law within a democracy based on the sovereignty of the people.

1.1.3. Core Values

- Respect for human dignity
- Respect for diversity
- Equality and non-discrimination
- Peace, truth and justice
- Independence
- Accountability
- Service
- Humility
- Integrity
- Transparency

1.1.4. Strategic focus areas

Strategic operational focus areas of the Commission are:

- Accessibility of the HRCSL and its services to all people, especially the poor and marginalized
- Gender mainstreaming within and through the HRCSL and its programs and services
- Recognition of and respect for diversity within the HRCSL and through its programs and services

The substantive strategic focus areas of the HRCSL are:

- Torture/custodial violence
- Rights of migrant workers
- Economic, social and cultural rights, including education, health and land rights
- Gender issues
- Minority rights
- Up-country Tamils and plantation workers
- Disaster management and recovery
- Rights of people with disabilities
- Rights of lesbian, gay, bisexual, transgender, intersex, and queer people
- Rights of the elderly
- Prisoners and detainees

1.1.5. Crest of the Commission

The crest of the HRCSL conveys the responsibility of the National Human Rights Institution to protect and promote human rights at the national level. The colour blue reflects the liveliness and creativity of human beings. The two hands reflect protection and taking of action for protection. The globe reflects the universality of human rights and the protection afforded at the international level. The map of Sri Lanka reflects the necessity to take action for protection at the national level. The figures of a woman, man, and child symbolize that human rights protection should be afforded equally to all.

1.2 Nature and scope of the mandate

HRCSL is an independent Commission, established to promote and protect human rights in the country. The Commission is also mindful of Sri Lanka's international human rights obligations and strives to ensure the country abides by these obligations.

The Commission was established in 1996 by the Human Rights Commission of Sri Lanka Act, No. 21 of 1996 (the Act). The Act sets out the legal basis and operational principles of the HRCSL. The HRCSL is a scheduled commission under the 19th amendment to the Constitution of Sri Lanka but it is not formally established by the Constitution. The Chairperson and Members of the Commission are appointed by the President on the recommendation of the Constitutional Council. The Commission is answerable to Parliament.

Under the Act Commissioners hold office for a period of three years and are eligible for reappointment. Under Section 4 of the Act, Commissioners are guaranteed security of tenure with removal made possible only after following procedure akin to the removal of Justices of the Supreme Court and Court of Appeal.

The Act recognizes the jurisdiction in the Commission 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 the Act as "rights declared and recognised by the international convention on Civil and Political Rights and the International Conventions on Economic, Social and Cultural Rights" thus empowering the Commission to ensure national standards are in compliance with international legal obligations of Sri Lanka.

The statutory functions of the Commission (as set out in Section 10 of the Act) are:

- to inquire into, and investigate, complaints regarding procedures, with a view to ensuring compliance with the provisions of the Constitution relating to fundamental rights and to promoting respect for, and observance of, fundamental rights;
- to inquire into and investigate, complaints regarding infringements or imminent infringements of fundamental rights, and to provide for resolution by conciliation and mediation;
- to advise and assist the government in formulating legislation and administrative directives and procedures, in furtherance of, the promotion and protection of fundamental rights;
- to make recommendations to the Government regarding measures which should be taken to ensure that national laws and administrative practices are in accordance with international human rights norms and standards.
- to make recommendations to the Government on the need to subscribe or accede to treaties and other international instruments in the field of human rights; and
- to promote awareness of, and provide education in relation to, human rights.

To carry out the statutory functions, the HRCSL is empowered to (as set out in Section 11 of the Act);

- investigate, any infringement or imminent infringement of fundamental rights;
- appoint such number of sub-committees at provincial level, as it considers necessary to exercise such powers of the Commission as may be delegated to them, by the Commission;
- intervene in any proceedings relating to the infringement or imminent infringement of fundamental rights, pending before any court, with the permission of such court;
- monitor the welfare of persons detained either by a judicial order or otherwise, by regular inspection of their places of detention, and to make recommendations necessary for improving their conditions of detention;

- take such steps as it may be directed to take by the Supreme Court, in respect of any matter referred to it by the Supreme Court;
- undertake research into, and promote awareness of, human rights, by conducting programs, seminars workshops and to disseminate and distribute the results of such research;
- award in its absolute discretion to an aggrieved person or a person acting on behalf of an aggrieved person, such sum of money as is sufficient to meet the expenses that may have been reasonably incurred by him in making a complaint to the Commission.
- do all such other things as are necessary or conducive to the discharge of its functions.

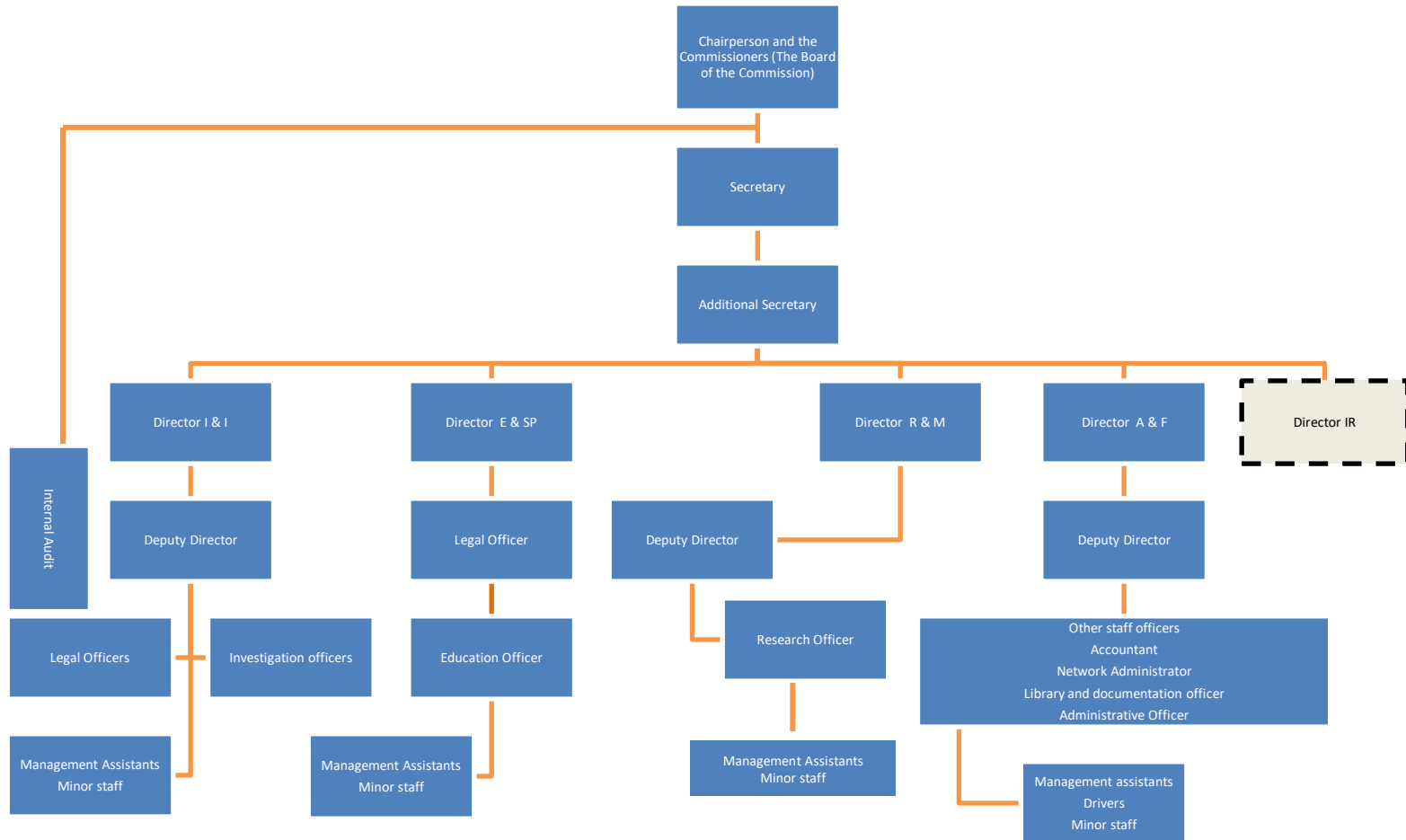
1.3 Organizational Structure

At the apex of the organization is the Board of the Commission, comprising the Chairperson and Commissioners. It takes policy decisions for the discharging of the statutory mandate of the Commission. Board Meetings are held each month.

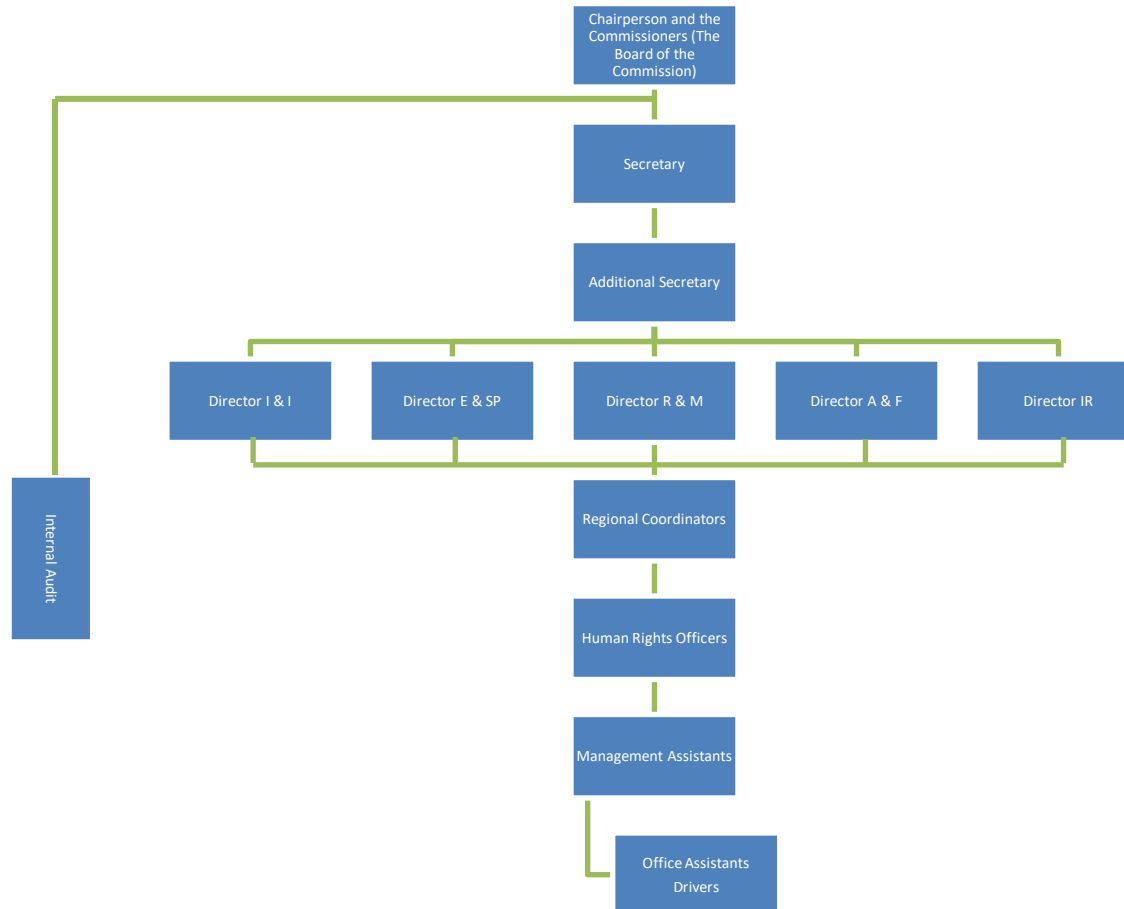
At present, the Commission functions with 148 staff members. It consists of 04 Divisions namely: Inquiries & Investigations (I&I), Education & Special Programmes (ED&SP), Research & Monitoring (R&M), and Administration & Finance (A&F) Divisions. A Division on International Relations (IR) will be operationalized as soon as the Commission is in a position to recruit requisite staff. Each Division is headed by a Director and supervised by the Chairperson and/or a Commissioner/Commissioners.

In addition, the Commission operates through 10 Regional Offices (Ampara, Anuradhapura, Badulla, Batticaloa, Jaffna, Kalmunai, Kandy, Matara, Trincomalee and Vavuniya), and six sub-offices (Kilinochchi, Mannar, Mullaithivu, Nuwara Eliya, Polonnaruwa, and Puttalam,) to carry out its functions (See appendix 1). Each regional Office is headed by a Regional Coordinator and supervised by the Chairperson and/or a

Commissioner/ Commissioners. The HRCSL operates at regional level in order to increase protection of human rights and bring the work of the Commission closer to the people. The majority of the population accesses the Commission through the Regional and Sub-Offices. Regional and Sub-Offices therefore play a crucial role in the effective discharge of the Commission's mandate, going beyond that of a mere conduit between the Head Office and the people in the regions. These offices conduct a full range of activities including receiving complaints, investigating into allegations of violations, providing consultations on alleged violations of human rights, mediating in the settlement of disputes, referral of violations to the Head Office for recommendations, carrying out monitoring activities, conducting awareness raising at regional level, and collaborating and coordinating with civil society organizations.



Organogram of the HRCSL Head Office



Organogram of HRCSL Regional Offices

CHAPTER 2: YEAR IN REVIEW

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 - 2.1.1. Investigations and inquiries
 - 2.1.2. Outreach programmes
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- 2.3. Other advocacy for reform
- 2.4. Vetting of Sri Lankan Military personnel to be deployed as UN peacekeepers
- 2.5. Challenges

YEAR IN REVIEW

2.1. Key achievements

This Chapter provides a summary of some of the Commission's key achievements in the year 2019.

2.1.1. Investigations and inquiries

As in previous years, the Commission assisted a plethora of people through its individual complaints mechanism and *suo motu* action (see chapter 3 for more details on types of complaints). While the Commission was able to provide assistance in many cases, where the Commission felt it was not the most appropriate forum for the grievance, complainants were directed to the appropriate institution for remedies. As much as the Commission is empowered by Section 15 of its parent statute to issue recommendations directing authorities to take action to remedy violations of human rights, the Commission also attempts to facilitate settlement of disputes through mediation and conciliation by providing a forum for all parties to an issue to come together and discuss their issues and identify redress quickly and informally.

In 2019, the Commission received 8983 complaints and concluded 5096 cases (which includes complaints accepted in previous years). Out of the 5096 concluded cases the Commission was able to successfully mediate settlements in 635 cases. The Commission issued 77 recommendations in response to individual complaints made to the Commission. While a slight decrease from the 94 recommendations issued in 2018, it could be explained by the security situation in the aftermath of the 21 April attack which necessitated the increased intervention of the Commission in related matters which necessarily diverted the attention of relevant officials. The many successful interventions made in the aftermath of the

21 April attacks bear testimony to the enhanced capacity of the Commission achieved through executing organizational changes and investments made in staff training to contribute more competently.

▪ **Action taken in the aftermath of the Easter Sunday attacks**

During 2019 the Commission engaged with various matters arising out of the Easter Sunday attacks (on 21 April 2019) including communal violence unleashed targeting the Muslim Community on the 13th of May and thereafter. The Commission hastened to respond by appealing to the general public to refrain from retaliatory violence, addressing various government entities on the necessity to stop discriminatory treatment against the members of the Muslim Community (e.g. preventing access to public spaces by Muslim women wearing cultural attire, allegations impeding commercial activities by Muslim traders), visiting communities affected by the violence, holding and facilitating Island-wide inter-community dialogues and conducting inquiries into the complaints lodged with the Commission. The Commission vigilantly monitored the human rights situation, held discussions, and made instant interventions in collaboration with relevant authorities. The Commission conducted several monitoring visits to the Colombo Crimes Division of the Sri Lanka Police, places of detention established under the Prevention of Terrorism Act, police stations, and the Welisara Naval Camp in order to inquire into the conditions of detention of the detainees apprehended in relation to the attack. All these visits were in addition to the routine visits to places of detention conducted by the Commission. HRCSL also conducted field visits to areas such as Negombo, Narammala, Minuwangoda, Bingiriya, Nathandiya, Anamaduwa, Kuliyaipitiya, and Hettipola in the aftermath of the retaliatory violence against the Muslim community.

In light of public protests against members of the refugee community belonging to the Muslim faith and Ahmadiya sect, in the aftermath of the bombings, the Commission also visited the Immigration Detention Centre in Mirihana and holding Centres for refugees and asylum seekers in several areas in order to examine their conditions and make interventions to improve their human rights situation as necessary. A

special discussion was held on 30. 04. 2019 at the Head Office of the Commission to create co-ordination among relevant state entities, United Nations Agencies, and Non-Governmental Organizations (NGOs) in responding to the public protests against refugees building up in the country following 21 April attacks.

Further, HRCSL launched investigations into a large number of complaints lodged by women who had been denied access to public spaces due to the fact of their cultural attire i.e. the Abaya and hijab. The Commission issued several recommendations to the authorities subsequent to conducting inquiries into these complaints.

- **Contributions to the monitoring mechanism on the implementation of the National Action Plan for the Protection and Promotion of Human Rights 2017 - 2021 (NHRAP)**

In 2019 the HRCSL continued to attend meetings of the monitoring mechanism on the implementation of the NHRAP convened by sectoral monitoring mechanisms of various line Ministries as an observer. Representatives of the Commission attended these meetings regularly and actively contributed to the discussions.

2.1.2. Outreach programmes

In 2019, the Commission successfully conducted a variety of outreach programmes in order to promote human rights awareness and educate the public on human rights issues. During the year, HRCSL identified that its main duty was to prevent serious violations of human rights that would result from ethnic and religious tensions and violence and strived to act as a body to facilitate communication among different ethnic and religious communities. The Commission also increased previous measures taken by the Commission to promote communal harmony and peaceful co-existence. Outreach programmes included lectures, mobile clinics, workshops, round-table discussions, community forums, and the second youth camp on human rights.

▪ Youth Camp on Human Rights

One of the most significant outreach programmes during the period under review was the youth camp on human rights. The Commission inaugurated its first ever annual Youth Camp on Human Rights in the previous reporting year, the resounding success of which led to the Commission hosting the second Camp in 2019 (05-09, December 2019)



Participants at the Youth Camp 2019

underscoring its continued recognition of the importance to conscientize youth on human rights. The objective of this 5 day residential camp conducted at the MAS Thulhiriya complex, was to inculcate the values and principles of democracy, human rights, diversity and pluralism and intercultural learning and dialogue among the youth based on the theme of “Words Hurt: Youth reflections on Hate Speech”. Approximately 56 youth leaders representing various ethnicities, cultures, and religions from all the districts took part in this camp to imbibe and share views, opinions, knowledge and perceptions of Human Rights. (Please see Chapter 5.1 for more information on the youth camp)

▪ Programmes to foster religious and ethnic harmony among the communities

Following the 21 April attack, the Commission initiated a host of programmes to foster religious and ethnic harmony among communities and as a possible solution to neutralize the hostile attitudes among the communities. Workshops, discussions, and community forums for building Ethnic Harmony, Peace and Co-existence were held in collaboration between Regional Offices and the Head Office with the participation of religious leaders, civil society activists, state officials, the youth, and community human rights activists in different parts of the Island such as in Mawanella, Kurunegala, Badulla,



Participants at the awareness programme for co-existence and communal harmony in Kurunegala

Trincomalee, Anuradhapura, Ampara, Jaffna, Kalmunai, Matara, Vavuniya, Puttalam etc. The main focus of the programmes was to improve harmony, along with cooperation, to identify current issues that hinder the peace process and to establish a dialogue among the majority as well as the minority community.

The Commission also made use of mass media platforms to draw attention of the general public to the necessity of respecting equal citizenship and engaging in peaceful and amicable courses of action to settle disputes.

2.1.3. Institutional Development

- **Directions for the absorption of existing staff**

Pursuant to the HRCSL obtaining final approval for the Scheme of Recruitment (SoR) for all its cadre positions from Department of Management Services in May 2018, the Commission awaited authorization of the absorption of existing staff under the scheme. These directions were received in 2019 enabling the Commission to absorb its entire existing staff to cadre positions approved by the SoR. As a result, the Commission planned on commencing new recruitments in 2020 which will go a long way to improve human resources and the efficiency of the Commission.

- **Further Improvement of the monitoring of the non-implementation of recommendations**

Continuing the success achieved through the reorganization of the I&I division in the previous years, the division introduced a cluster approach to monitoring the non-implementation of recommendations in 2019. This approach enabled the Commission to follow-up on a large volume of recommendations pertaining to personal liberty and security in which the police were respondents, education rights, and pension benefits which state institutions have not complied with. (Please see Chapter 4.3

for more information on the monitoring of non-implementation of recommendations)

2.2. Recommendations to the Government

During 2019 HRCSL made recommendations to the Government on human rights issues of concern, which the Commission viewed as requiring its intervention.

- **Recommendation to allocate funds in the annual budget to provide accessibility for disabled persons to public buildings and transport facilities**

The Commission made a recommendation to the Minister of Finance on 10.01.2019 to allocate funds in the 2019 national budget to provide access to disabled persons to public transport and public and private commercial buildings, in keeping with national laws and Sri Lanka's international human rights obligations. The Ministry of Finance, accepting this recommendation took the important and impactful step to strengthen the rights of persons with disabilities in Sri Lanka by allocating funds in the Budget-2019 as recommended.

- **Recommendation on the Bill on Rights of Disabled Persons**

The Commission presented its recommendations on the Disability Rights Bill to the Minister of Social Empowerment on 29.01.2019. These recommendations were prepared in consultation with the HRCSL Thematic Sub-Committee on Rights of Disabled Persons with a view to ensure the incorporation of rights recognized under the International Convention on the Rights of Persons with Disability (CRPD) (which Sri Lanka had ratified) into national law..

- **Guidelines for implementing emergency regulations**

While acknowledging that Emergency Regulations were needed immediately following the Easter Sunday attacks in order to provide protection to the public and to restore normalcy, the Commission urged His Excellency the President to ensure that Emergency Regulations are implemented by relevant officers in a manner that safeguards everyone's rights and with cultural and religious sensitivity. The Commission drew the attention of the President to Directives issued in 2016 by the Commission on arrest and detention under the Prevention of Terrorism Act. The President had issued those same guidelines as Presidential Guidelines (with certain amendments), to the relevant authorities to be followed when acting under the Prevention of Terrorism Act or Emergency Regulations. The Commission requested him to reissue the said presidential guidelines to law enforcement authorities once again to be followed when using emergency powers. At the same time, HRCSL issued recommended guidelines to be followed by law enforcement authorities during search operations.

▪ **Guidelines to prevent arbitrary arrest**

The Commission issued guidelines to the Police by way of letter dated 02.07.2019 addressed to the Acting IGP in order to prevent arbitrary and illegal arrests. The Commission had received a large number of complaints on arbitrary arrests and detention under the PTA pursuant to the April 21 terror attacks. HRCSL emphasized the need to ensure that arrests are made only on the basis of reasonable suspicion. The Guidelines called for arrests to be made based on solid evidence to form a reasonable suspicion pursuant to proper investigations; arrests not to be made merely on hearsay; where cultural issues are involved, such as the identification of religious symbols or identifying contents written in an alien language, proper expert opinion to be obtained; where identification of chemical substances or contents of computer files or video footage or the like are involved expert opinion to be obtained; and arrests to be made not before, but after receiving credible information based on expert analysis and opinion, and on reasonable suspicion. The IGP subsequently issued instructions and directions to all police officers on arrest procedures based on these recommendations.

- **Recommendation on the implementation of the circular on school security**

By letter dated 03.05.2019 the Commission recommended the Ministry of Education to follow steps to ensure that values of non-discrimination and equal protection are guaranteed to every child, in the process of implementing Circular No. 25/2019 on ensuring security in school premises. Recommendations were made for the purpose of ensuring the safety of the entire school community in a non-discriminatory manner and to foster mutual understanding and cordiality.

- **Recommendation to Commissioners of Local Government on the need to ensure non-discrimination in facilitating commercial activities by local authorities**

On 30.05.2019, the Commission wrote to Local Government Commissioners regarding members of the Muslim community who are lawfully engaged in commercial activities being barred in certain areas after the attacks on 21 April 2019 from using public premises even though they had duly registered with local authorities and had paid due fees. The Commission requested the Local Government Commissioners to submit reports on complaints received and actions taken in this regard.

- **Guidelines on media reporting post Easter Sunday attacks with sensitivity and responsibility**

The Commission wrote to the heads of mass media institutions on the need to be sensitive and responsible in their reporting of the April 21 terrorist attacks and its aftermath. The Commission provides guidelines to the media institutions to abide by in order to ensure that unwarranted tension between ethnic or religious communities and re-victimization of those affected by the attacks are prevented. The Commission also emphasized on the need to protect the privacy of persons involved in searches conducted by the security forces, to treat arrested suspects and their families with dignity, to avoid broadcasting traumatizing images or

video footages, avoid broadcasting unverified rumors as news items, and ensuring that news reporting does not lead to hatred against refugees in transit in Sri Lanka, who are protected by the international law.

- **Call for non-discrimination in enforcing security measures in public institutions**

Pursuant to receiving several complaints from women that they were prevented from entering public institutions due to their attire, HRCSL wrote to the Ministry of Public Administration, Ministry of Health, Department of Immigration and Emigration, all Governors of the Provincial Councils, all Chief Secretaries of Provincial Councils, all Secretaries of Provincial Health Ministries and all District Secretaries, and to the Judicial Services Commission requesting that the implementation of security measures in the aftermath of the April 21 terrorist attacks do not contravene the law by preventing access to essential services and the equal protection of the law.

- **Maintaining the value of diversity and non-discrimination in institutions of higher education**

The Commission emphasized the need to ensure that the security measures put in place in the aftermath of the April 21 terrorist attacks are non-discriminatory and does not harm the relations between the various ethnic and religious communities represented in institutions of higher studies by way of letter dated 23.05.2019 addressed to the Chairperson of the University Grants Commission. The Commission stated that it continues to receive complaints of persons, particularly women, who have been refused access to public buildings and spaces even when they are not violating the Emergency Regulation that prohibits full face cover. The Commission brought this to the attention of the University Grants Commission and requested that the values of diversity and non-discrimination are upheld in institutions of higher studies.

- **Call for the Police Department to prevent sectarian violence and promote communal harmony**

Writing to the IGP following the 21 April terror attacks, the Commission emphasized that the main challenge facing the society at this point in time was to prevent religious division and resulting violence as well as promoting communal harmony. HRCSL identified that its main duty was to prevent serious violations of human rights that would result from such tensions and violence and stated that the head office and the ten regional offices of the Commission will liaise with regional civil society organizations and relevant State institutions in order to make interventions in areas where there is unrest based on religious divisions and to act as a body to facilitate communication among those communities. The Commission also pledged to intensify previous measures taken by the Commission to promote communal harmony and peaceful co-existence. At the same time, the Commission urged the Police Department, which is empowered by the law to prevent such violent activities, to give primary attention to investigations to identify the perpetrators of these crimes. At the same time, the Commission recognized that violence could be instigated by anti-social elements who, for personal revenge or narrow political gains, wish to exploit the tense situation that has arisen in the country and requested to Police to be mindful of this.

▪ **Observations and recommendations regarding the incidents of communal violence which broke out in the North-Western Province and Minuwangoda Town**

The Commission wrote to the IGP stating its observations and recommendations regarding the incidents of communal violence that broke out on 12 and 13 May 2019. The Commission observed that no preventive measures have been taken although retaliatory violence against the Muslim communities was a distinct possibility after the terror attacks of 21 April. HRCSL emphasized the role and responsibility of the police in ensuring that equal protection of the law is provided to the affected citizens and to the public at large. The Commission recommended the IGP to take immediate corrective actions such as the need to take heed of early warning signs; urgently provide crowd control

training and necessary equipment such as tear gas canisters, rubber bullets and water cannons in a manner that is easily accessible to provincial police stations; instructing the officers-in-charge of police stations of the need to strictly enforce Section 3 of the International Covenant on Civil and Political Rights Act No.56 of 2007 (ICCPR Act) in relation to those who are inciting communal violence; and ensuring that no undue political or other external interventions are tolerated, and that strict legal action be taken against those who obstructs police officers from performing their duties.

- **Recommendation to withdraw the circular entitled 'Ensuring Security in the office premises of the Government'**

The Commission recommended that the Public Administration Ministry withdraw the above circular immediately. The Commission found the said circular which imposes a certain dress code on employees at government institutions to be a violation of Article 12 (1), Article 12 (2) and Article 14 (1) of the Constitution and Section 6 (1) of ICCPR Act No. 56 of 2007.

- **Guidelines on Section 3 of the International Covenant on Civil and Political Rights Act No.56 of 2007**

The Commission issues guidelines on the application of the hate speech law (S.3 of ICCPR) on 29.08.2019. The Commission considers Section 3 of the International Covenant on Civil and Political Rights Act No.56 of 2007 as a significant legal framework to address hate-crimes. As there is no authoritative Sri Lankan jurisprudence on section 3 of the ICCPR Act, the Commission drew from the discourse surrounding Article 20 of the International Covenant on Civil and political Rights i.e. the original Article to which Section 3 of the ICCPR Act gives domestic effect, in order to understand its scope and application. After an analysis of the scope and application of the law, the Commission issued the guidelines on the application of the hate speech law. The Commission has forwarded the guidelines to the Hon. Attorney General and the Inspector General of

Police. The Guidelines were also circulated widely for use by legal professionals, human rights defenders and members of the public.

▪ **Interventions to ensure a free and fair election at the presidential election 2019**

The Commission made several interventions to ensure that the Presidential election 2019 was a free and fair process that left no one behind:

- On 23.10.2019 The Commission wrote to the Secretary, Ministry of Labor and Trade Union Relations, and the Chairperson of the Election Commission on granting paid leave to private sector employees to cast their vote, without having an impact on their leave balance. The Commission recommended that a public notice should be issued through newspapers etc. declaring that all private sector employees are granted a holiday to cast their vote, in order to ensure that the citizens sovereign right to vote is protected. The Commission copied this recommendation to the Election Commission.
- The Commission wrote to the chairperson of the Election Commission providing recommendations to ensure that the presidential election of 2019 was a “Leave No Voter Behind” election. The Commission underscored the responsibility of the state to provide for special allowances to guarantee the right to vote of persons with disabilities or with special needs, persons who are geographically isolated, migrant workers, and Sri Lankan refugees in other countries, and remand prisoners.
- On 15.10.2019 the Commission, having been made aware of incidents in the past where persons with authority at polling centers were reported to have unduly influenced the public that come to vote, wrote to the Chairperson of the Election Commission requesting him to select neutral public places instead of places that could be under the custody of certain ethnic or religious groups, such as places of religious worship.

- The Commission wrote to the Secretary to the Ministry of Health, Nutrition, and Indigenous Medicine on 31. 10. 2019 reiterating the right of internment doctors to vote, as the Commission had received information that these internment doctors are faced with an imminent infringement of this right. The Commission requests the Ministry to take necessary steps and to inform the Commission of any such actions taken.
- On 08. 11. 2019 writing to the Chairperson of the Election Commission, HRCSL drew the attention of the Election Commission to the deprivation of the opportunity of casting their vote at the Presidential Election to around 8000 Bikkhunies (female Buddhist clergy).
- HRCSL also made the Election Commission aware by letter dated 13. 11. 2019 of the propagation /circulation of incorrect information through social media with regard to marking of the vote.
- By letters dated 14 and 15. 11. 2019 the Commission brought the issue of the non-inclusion of names of constituents in the Voter Registers to the attention of the Election Commission. HRCSL urged the Election Commission to inquire into the matter as a large number of citizens who had duly filled in the voter information forms within the stipulated time and fulfilled their duty as conscientious citizens have been denied the right to vote at the presidential election 2019. The Commission also requested the Election Commission to investigate whether this was an intentional act of mischief designed to deprive citizens of their rights and publish a report of its findings.
 - **Guidelines for police officers and directives pertaining to activities of officers in the Public Service and the Provincial Public Services in connection with the presidential election 2019**

Taking into consideration the right of every citizen to vote, to freely engage in political activities, and the right to free and fair elections under the Constitution of Sri Lanka, the HRCSL issued guidelines to be observed by all police officers during the run-up to the election, on the day of the election, and the period immediately following the election. The Commission monitored compliance with these guidelines issued under powers vested in the Commission under the Act of the Commission.

The Commission also issued directives to public officers and public officers in the provincial public service in relation to the presidential election to ensure that the election is conducted freely and fairly. The Directives emphasized that the non-implementation of the law and the abuse of authority including the use of powers in a politically partial manner result in violation of fundamental rights, and that in addition to holding the state responsible, individual officers will also be held personally responsible for violations.

2.3. Other advocacy for reform

- **Call for non-discrimination in enforcing security measures in private institutions**

Pursuant to receiving several complaints from women that they were prevented from entering public premises and public buildings following the Easter Sunday attacks, and that such wrongful refusal of entry had led to these women from being denied essential services, the Commission wrote to appeal to the Chambers of Commerce to ensure that no one is denied entry to public spaces unless they contravene the law. The Commission urged the Ceylon Chamber of Commerce to take immediate steps to ensure its members grant access to all persons who conform to the prohibition contained in Regulation 32A to all private institutions under its purview. The Commission also suggested that the Ceylon Chamber of Commerce provide clear guidelines to its members about the types of attire NOT prohibited so as to facilitate this process.

- **Request to inquire into the unprofessional and unethical conduct of certain members of Regional Bar Associations**

The Commission wrote to the President of the Bar Association of Sri Lanka (BASL) to draw the attention of the BASL to the refusal of certain members of the bar to appear on behalf of members of the Muslim community arrested in the backdrop of the post-21 April violent attacks. The Commission urged that such conduct was unprofessional and unethical conduct of certain members of regional bar associations in the context of the post-21 April attacks. HRCSL highlighted that such discriminatory conduct, denies to some citizens the possibility of enjoying equal protection of the law under the Constitution of Sri Lanka, which questions the core values of the legal profession. Therefore, the Commission requested the BASL to earnestly look into this matter and take urgent corrective measures.

In a subsequent correspondence, the Commission reiterated that the above was a request made to the BASL as the Commission, in the capacity of a National Human Rights institution, was of the opinion that it should engage with professional bodies in the public interest. The Commission pointed out that the request was not in the form of a recommendation subsequent to an inquiry. The Commission further underscored that a positive action by the BASL in this regard would have sent a salutary message and reassured the public, especially the aggrieved parties, that they have the benefit of legal representation in keeping with the highest professional standards. This was particularly important at a time when there appear to be deep tensions and divisions among the various communities in the country. The Commission further stated that it makes its interventions public as its mandate is to promote and protect human rights of the people and not to cause any embarrassment or inconvenience the institution or organization it addresses.

2.4. Vetting of Sri Lankan military personnel to be deployed as UN peacekeepers

As decided at a round table discussion in 2018, the United Nations Department for Peacekeeping Operations (UNDPKO) issued a priority list comprising 9 groups to all concerned parties on 7 January 2019, and asked the Commission to prioritize only these 9 groups when conducting the vetting process. In addition, by a letter dated 2 March 2019, the UNDPKO informed all parties concerned that the deployment timeline for the contingents on the priority list may be subject to change. As was agreed at the 2018 roundtable discussion, in order to expedite the vetting process, the lists of personnel from the military troops were to be vetted by HRCSL in collaboration with the Office of the High Commissioner for Human Rights (OHCHR). The United Nations High Commissioner for Human Rights also informed the Commission that each and every troop member must be cleared by both entities. Although the Commission expressed that a double vetting process may cause delays, the double vetting process was agreed upon by all the parties present at a meeting on 30 January 2019, which was chaired by the Hon. Speaker.

Furthermore, following a discussion regarding false media reports published about the Commission's discharge of functions in the vetting process, the Army Commander welcomed the role of HRCSL as the vetting authority in Sri Lanka of officers nominated to serve as UN Peace Keepers and stated that reliable information on the vetting of military personnel can only be obtained from the Army Commander and the media unit of the Sri Lanka Army. Any other information extracted from other personnel or sources would not be true or accurate. A media release to this effect was issued by the Army Commander on 27 March 2019. At a meeting held on 20 June 2019 with all relevant parties including the tri-forces and the police, chaired by His Excellency the President, the current status of the vetting process was explained to all those present. The Commission vetted and confirmed 671 military personnel for deployment in the reporting year.

The Commission by way of a public announcement denounced the false reports issued by several media outlets regarding the process of vetting. False reporting creates a negative perception of the Commission in the public view, thereby misleading the citizens of Sri Lanka.

2.5. Challenges

Despite its achievements, the activities of the Commission were hampered by long-standing challenges. The main challenge was the shortage of staff to carry out the activities of the Commission. As the call for applications in 2018 for the five (05) positions of directors did not attract qualified candidates, the capacity of the Commission to function effectively was impacted negatively. Existing staff of the Commission too need further capacity development on knowledge and skills in order to contribute to the work of the Commission efficiently and effectively.

Another recurrent challenge for the Commission was administrative difficulties encountered due to archaic administrative and financial regulations in the public sector and the lack of innovative administrative solutions to address these problems which prevented the Commission from achieving progress on administrative matters at the level anticipated.

Further, despite the existence of a specialized unit of the I&I division which followed up on implementation of HRCSL recommendations, non-compliance by public officials of a considerable percentage of recommendations remained a perennial concern. This adversely impacted the Commission in fully realizing its mandate to protect human rights. The Commission remained committed to its position that seeking an amendment to the parent Act in order to have its recommendations implemented by the courts was not the solution to non-implementation as it would burden the parties with legal fees and protracted delays. The Commission is of the view that seeking disciplinary action against errant officials was the best method of ensuring compliance.

CHAPTER 3: INVESTIGATIONS AND INQUIRIES

3.1 Overview

3.1.1.Introduction of new working methods

3.1.2.Statistics of complaints received

3.1.3.Statistics of cases concluded in 2019

3.1.4.Recommendations

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3.2 Examples of individual complaints by category of rights

3.2.1.Custodial violence (Article 11 of the Constitution)

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3.2.4.Multiple rights violations

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3.4 Interventions by the Chairperson's Office

INVESTIGATIONS AND INQUIRIES

3.1. Overview

The Commission receives complaints from the public, while at the same time the Commission is empowered under section 14 of its parent statute to, on its own motion, inquire into issues which reveal violations of fundamental rights.

3.1.1. Introduction of new working methods:

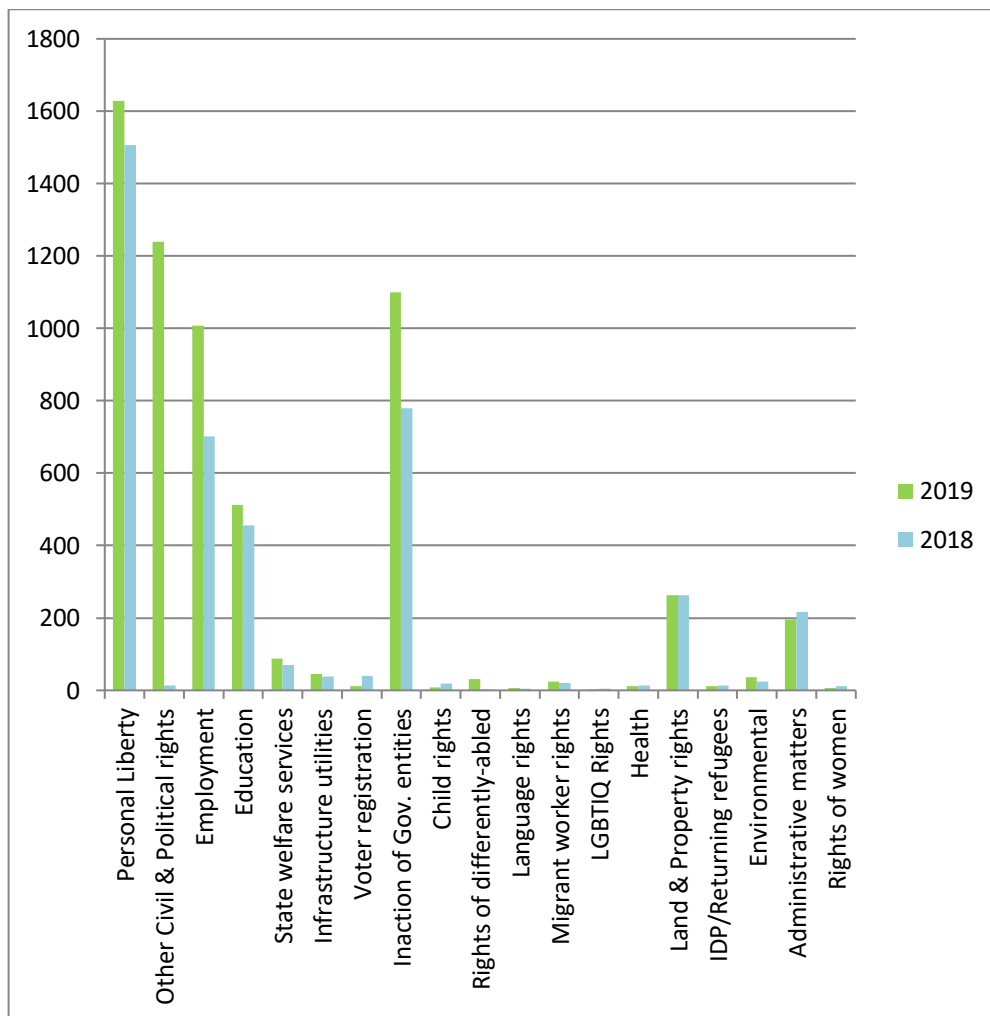
The Commission introduced and implemented new working methods in order to increase the efficiency and responsiveness of the Inquiries and Investigations division (I&I).

- The non-implementation monitoring unit of the I&I division established in 2018 to monitor the status of implementation of the recommendations issued by the Commission has been successfully active in 2019. The unit also adopted a new thematic cluster method of following up on recommendations not implemented by government institutions in order to increase the efficiency of the unit. (See chapter 4.3. for further information on this unit)
- The appeals mechanism introduced in 2018 for all disposed complaints other than for finalized complaints on which recommendations were issued was successfully active in 2019. A large number of appeals were reviewed during 2019 in order to determine if there were grounds for re-entertaining complaints.

3.1.2. Statistics of complaints received:

In total, the HRCSL received 8983 complaints in 2019. This is compared to 6641 complaints received in the previous year. As in the previous year, the highest number of complaints for any individual category (at 1629), amounting to 18% of received complaints was in relation to violations of personal liberty, including torture in custody and arbitrary arrest and detention. The second highest number of complaints (at 1240) relates to the violation of other civil and political rights, 1006 of which were received in the aftermath of the Easter Sunday terror attacks in April 2019. Interestingly, both complaints of violations relating to the inaction of government authorities and employment related complaints also have

significantly increased from the previous year. Accordingly, complaints related to inaction of government authorities rose from 779 in 2018 to 1100 in 2019 (an increase of 41%) and employment related complaints rose from 701 in 2018 to 1007 in 2019 (an increase of 44%). Out of the 8983 complaints received, 4958 were received by the regional offices, while the remainder was received by the Head Office.



Comparison of the number of complaints received in each category in 2019 with those of 2018

Types of Complaints	Region											Regional Office	Head Office	Grand Total
	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna	Killinochchi	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya			
Personal Liberty	13	124	16	143	69	15	31	98	109	26	56	700	929	1629
(a) Torture (Physical and Mental)	4	32	-	3	13	2	1	24	19	3	7	108	292	400
(b) Degrading Treatment	3	-	3	3	8	2	15	-	1	8	5	48	1	49
(c) Harassment	-	-	7	10	23	2	1	17	-	4	1	65	202	267
(d) Sexual Harassment	-	-	-	-	-	-	-	-	-	-	2	2	1	3
(e) Threats	-	19	-	3	13	3	3	7	26	-	21	95	-	95
(f) Arbitrary Arrest/Detention	6	72	6	121	8	6	10	46	60	9	14	358	417	775
(g) Death in Custody	-	-	-	2	1	-	-	-	-	-	-	3	5	8
(h) Extra-Judicial Killings	-	-	-	-	1	-	-	-	3	-	-	4	2	6
(i) Enforced or Involuntary Disappearance	-	-	-	-	*1	-	-	-	-	-	-	1	0	1
(j) Missing Persons**	-	-	-	-	-	-	1	4	-	-	5	10	-	10
(k) Prisoners Rights	-	1	-	1	1	-	-	-	-	2	1	6	9	15
Other Civil & Political Rights	1	4	-	66	6	1	*** 1006	15	82	41	2	1224	16	1240

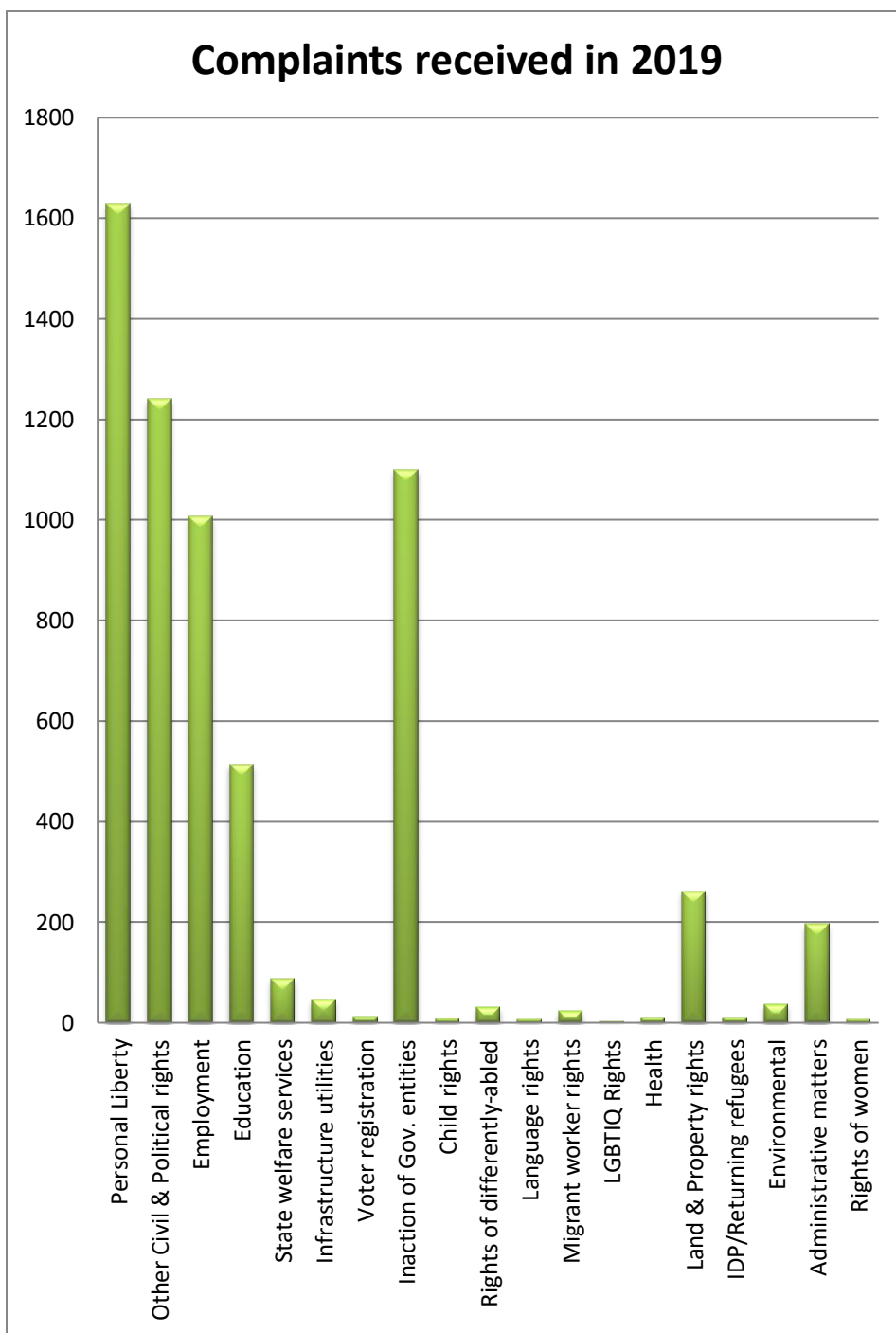
Employment	51	71	76	127	25	5	57	133	119	22	34	720	287	1007
Education	1	51	18	10	13	7	5	82	76	5	2	270	243	513
State Welfare Services	2	16	-	12	17	10	2	11	7	1	4	82	5	87
Infrastructure & Utilities	1	3	1	1	4	-	2	14	6	-	7	39	7	46
Complaints Relating to Voter Registration	-	-	-	2	-	-	-	-	4	-	-	6	6	12
Complaints about Inaction of Gov. Entities	12	114	264	199	71	14	73	127	-	41	54	969	131	1100
(a)Police	-	35	35	81	50	12	48	49	-	19	36	365	68	433
(b)Other Gov. Authorities	12	79	229	118	21	2	25	78	-	22	18	604	63	667
Child Rights	-	-	-	-	2	-	5	-	-	1	-	8	-	8
Rights of Differently-abled	-	6	-	-	3	10	2	-	4	-	1	26	5	31
Language Rights	-	-	-	-	3	-	-	-	-	-	1	4	3	7
Migrant Workers' Rights	-	1	-	8	-	-	1	1	1	-	5	17	7	24
LGBT(Lesbian,Gay,Bi-sexual,Transgender)Rights	-	-	-	-	-	-	-	-	-	-	1	1	2	3
Health Rights	-	2	-	-	1	-	1	-	1	1	1	7	4	11
Land & Property Rights	19	53	5	9	10	18	10	38	11	7	39	219	43	262
IDP/Returning Refugees	-	-	-	-	1	-	-	-	-	-	10	11	-	11
Environmental Rights	-	4	-	4	1	-	5	11	1	1	1	28	8	36
Administrative Matters	1	-	42	-	9	2	-	73	16	17	6	166	30	196

Rights of Women	-	-	-	5	-	-	1	-	-	-	-	6	1	7
Other Categories (including the complaints not within the mandate, Refferrals to other institutions)	31	112	89	-	1	-	2	73	131	8	8	455	2298	2753
Total	132	561	511	586	236	82	1203	676	568	171	232	4958	4025	8983

* The complaint was initially lodged as an enforced or involuntary disappearance but was later found to be a voluntary disappearance

** The cases initially accepted in this category were later concluded to be not within the mandate of the HRCSL as either the alleged victims were found, voluntarily disappeared, or there was no involvement of any state authority.

*** The number of complaints received due to the situation which prevailed in the country post Easter Sunday attacks



3.1.3. Statistics of cases concluded in 2019:

Categories by outcome of complaints	Ampara	Anuradhapura	Batticaloa	Badulla	Jaffna/Kilinochchi	Kandy	Kalmunai	Matara	Trincomalee	Vavuniya	Head Office
Settlement	17	184	48	36	120	44	53	1	5	59	68
No FR violation / Not within the mandate	50	207	84	62	76	336	2	64	48	75	368
Complainant lacks interest	30	76	36		33	96	31	46	32	33	1260
Withdrawn		18	8		8	19		24	8	13	156
Referred to other Institutions		14	3		13	5	1	31			14
Pending judicial proceedings	12	22	21		15	19	1	4	5		173
Relief Granted	12		125		29	64	96	50	57	36	155
Directives given											5
Time barred (prescribed)						2					2
Recommendations issued		26			19	21	1				79
Subtotal	121	547	325	98	313	636	185	220	155	216	2280
Total											5096

3.1.4. Recommendations:

In 2019 the Commission issued a total of 77 recommendations. The reason for the slight decrease in numbers from previous years is the security situation in the aftermath of the Easter Sunday attack which necessitated the Commission to increase monitoring visits to places of detention and conduct a host of activities to promote ethnic Harmony, peace, and co-existence among communities.

The majority of the recommendations was on the violation of equality and non-discrimination provisions in the Constitution in the context of complaints pertaining to economic and social rights, such as the right to education. Similar to the previous year, the highest number of recommendations (at 38) was issued in relation to admission to public schools which remains a perennial problem the Commission has to intervene in each year. Of the total recommendations, only 14 were on complaints of torture and unlawful arrest and detention (For a full list of Recommendations issued in 2019 see appendix 2). All recommendations are posted on the HRCSL website for public reference.

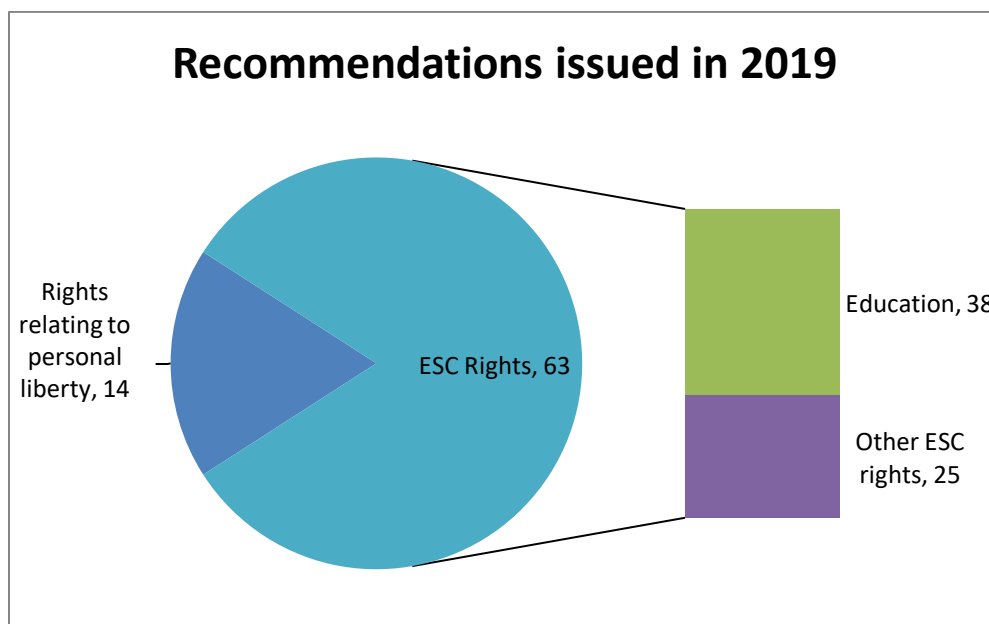
Subject/Area	No. of recommendations
Economic Social & Cultural Rights	63
- Rights relating to education*	38
- Other ESC rights**	25
Rights relating to Personal liberty***	14
TOTAL	77

Source: Database of Human Rights Commission of Sri Lanka

*These recommendations pertain to violations in school admissions, in students' disciplinary matters, in university admissions, in harassment in educational institutions, and job promotions in educational institutions.

**The other recommendations pertaining to economic social & cultural rights comprise violations relating to pensions, livelihood, salary increments, transfers, recruitment, service conditions in employment, interdiction from service, terminations, compensations, and misuse of power.

***Rights relating to personal liberty consist of violations such as illegal arrests and detention, torture, and deaths in custody.



3.1.5. The Backlog project:

The Backlog Unit was established by the current Commission in 2016 to expedite the completion of accumulated files relating to pending complaints received before 2015. These inquiries have been pending for a considerable period of time due to a variety of reasons, including staff shortages, and have been the subject of public disquiet which the Commission takes seriously. The officers of the unit are committed towards expediting the inquiries and concluding the cases assigned to the Unit within a reasonable period of time. The functions performed by the Unit include compiling reports and drafting recommendations to be issued subject to the approval of the Commissioners. A total of 327

inquiries were either conclude or are nearing conclusion at the end of 2019.

Total Number of cases	1247
Cases pending	920
Cases in the final stages of conclusion & Cases concluded	327

Statistics of the backlog unit 2019

3.2. Examples of individual complaints by category of rights

3.2.1. Custodial violence (Article 11 of the Constitution)

- **Physical punishment meted out to a school student (Complaint No: HRC/AP/01/13)**

The HRCSL found a violation of article 11 of the Constitution by the Principal and a teacher of a public school in Aralaganwila for meting out physical punishment on a student for disciplinary purposes. The 2nd respondent teacher was accused of hitting the victim student with a stick for disobeying instructions to clean the classroom. Upon the incident being reported to the 1st respondent Principal of the school by the teacher, the victim student had allegedly been slapped a few times on the ear by the Principal without affording the victim an opportunity to explain himself. The Aralaganwila Police who had inquired into the matter pursuant to a complaint lodged by the victim's father, reported its findings to the Commission upon summons. The report of the Judicial Medical Officer states that "there was a perforation of the left ear-drum and it was completely healed at the review (after 3 weeks) with no hearing impairment" three weeks after the incident. The Commission found that the teacher and principal in question have acted in violation of circulars No. 17/2005 and 12/2016 which prohibits corporal

punishment being inflicted on students even for disciplinary purposes and concluded that article 11 of the Constitution had been violated. The Commission recommended disciplinary action be taken against the 1st, 2nd and 3rd respondents by the Ministry of Education and further recommended the Secretary to the Ministry to take necessary action to raise awareness among schools on the content of the above circulars.

- **Torture or cruel, inhuman or degrading treatment in police custody (Complaint No: HRC/AP/258/2016)**

In this case, the Commission concluded that the victim's rights under article 11 of the Constitution has been violated and directed the respondents to pay Rs. 5000/= each as compensation to the victim. The Commission did not find a violation of Article 13(1) of the Constitution in the procedure followed leading to the arrest of the complainant by the Polonnaruwa police. Torture had allegedly been inflicted on the complainant subsequently in order to extract a confession from him to a theft of a machine belonging to a person attached to the Faculty of Science of the Rajarata University of Sri Lanka. The HRCSL, supported by medical evidence contained in the JMO's report, found that the "abrasion of 4cm x 3cm on the back of the chest, an abraded contusion of 10cm x 1cm on the inner aspect of the left wrist joint and an abrasion of 4cm x 1cm on the inner aspect of the right wrist joint" were caused by handcuffs. Evidence revealed that the police had not followed the directives contained in the Departmental Standing Order 20(3) in relation to using handcuffs on a suspect. Further, the Commission recommended the IGP to take disciplinary action against the respondents and the IGP and the Attorney General to institute criminal proceedings against them.

3.2.2. Equality and Non-discrimination (Article 12 of the Constitution)

- **Permanent disability pension of a former military officer (Complaint No: HRC/K/385/15)**

The Commission found a violation of article 12(1) of the Constitution and directed the Army Headquarters to pay the enhanced compensation due to the complainant and adjust the permanent disability pension accordingly. The complainant had been permanently disabled in the line of duty in the capacity of a Major in the Sri Lanka Army. At the time of disability, his percentage of disability was decided to be 40% by the Medical Board and compensation commensurate with such disability was recommended to be paid in addition to his salary and benefits until the age of 55 years. The complainant retired from service subsequent to the disability and his disability pension was also decided accordingly. As the officer was above the age of 55 at the time of retirement, no salary or benefits were due to him. However, he received compensation and the disability pension. Subsequent to retirement his disability worsened prompting the complainant to submit an appeal to the Army Commander requesting a fresh assessment of his disability. As a result, he was referred to another Medical Board, which pegged his disability at 60% and recommended an enhanced amount as compensation and a commensurate disability pension. However, this amount was not paid as the 1st Respondent contended that the complainant had already been paid the compensation due to his disability and reassessment by a second Board is not legally provided for nor had the Board taken account of the fact that the officer was above 55 years. The Commission noted that the initial medical assessment had found that the disability could have repercussions in the future. Therefore, it directed that the complainant be paid the enhanced compensation and the corresponding disability pension. The Commission also recommended the Army Commander to take necessary steps to review the laws and procedures in place to reassess disabilities incurred by military personnel in the line of duty at a future date in order to accommodate aggravated mental and physical disabilities.

- **Non-payment of Employees Provident Fund (EPF) benefits, Employees Trust Fund (ETF) benefits, and Gratuity to retired plantation workers (Complaints No: HRC/K/364/13, HRC/4682/13, HRC/4683/13, HRC/4684/13, HRC/4685/13, HRC/4586/13, HRC/4687/13)**

Responding to a series of complaints, the HRCSL found a violation of article 12(1) of the Constitution in the non-payment of EPF, ETF, and gratuity benefits to retired plantation workers by state owned plantation companies since the year 2000. It transpired that the deductions from the employees' salaries as contributions to these schemes have not been credited to the Central Bank for years in contravention of the Employees' Provident Fund Act No. 15 of 1958, Employees Trust Fund Act No. 46 of 1980, and the Gratuity Act No. 12 of 1983. While the respondents have admitted to not having paid the benefits, the reasons cited for such lapse is that the companies have been operating at a loss due mostly to mismanagement. Not even periodic disbursements by the Treasury for purposes of paying benefits have been sufficient. In such instances, the Commissioner of Labour is empowered to take steps to initiate proceedings against the relevant institutions. The proceedings that have been filed have been subjected to the vagaries of litigation as the respondents have not come before court in a timely fashion and they have pleaded a lack of profit. Recognizing the significant contribution plantation workers make to the national economy which is in stark contrast to their living conditions, the Commission raised serious concerns regarding the treatment of such workers by the state plantation companies. Consequent to the inquiry, the Commission recommended a payment scheme according to which all arrears of benefits to workers will be paid in three stages. It also directed the companies to pay these benefits to current employees without any delays in the future, the compliance of which is to be supervised by the Commissioner of Labour. Thirdly, the Commission recommends the adoption of procedure for the annual and bi-annual EPF and ETF statements to be issued to employers and employees directly by the Department of Labour and the Central Bank without relying on the employers to furnish copies to the employees.

▪ **Admission to Grade 1 of a public school (Complaint No: HRC/K/695/17)**

Responding to a complaint that the petitioner's child has been unfairly deprived of admission to a leading public school in Kandy, the

Commission found a violation of Article 12(1) of the Constitution and directed the child be admitted to the public school. Based on circular No. 22/2017 issued by the Minister of Education to principals which requires applications for admission to Grade 1 not to be rejected by reason of the absence of marks i.e. '0' marks, for one of the criteria, if the basic requirement of scoring above the cutoff mark is fulfilled, the Commission found that the petitioner's application had been rejected erroneously at the interview as well as subsequently by the appeals board. The complainant had only been unable to prove residence by producing a property deed thereby losing the entirety of marks allocated for that criterion at the initial interview. However, he could have obtained marks for the remaining criteria if such marks had been granted. Subsequently, before the Board of Appeals, the applicant was yet again denied marks due to his place of residence bearing two assessment numbers. He had not been afforded adequate time to produce evidence of the fact that both assessment numbers in fact refer to the same residence. The Commission was of the view that according to circular No. 22/2017 even if the deed of the place of residence cannot be produced it does not preclude the committee from allocating marks for other criteria. The Board of Appeals has stated that the complainant had not been present at the hearing in order for the other marks to be allocated. However, the records of the Board of Appeals showed that the complainant had in fact been present on both occasions. Therefore, although the Board had the opportunity to award marks for the other criteria it had failed to do so. The Commission directed the complainant's application to be awarded relevant marks for all documents produced together with the application and admit the student to a parallel grade in the school if his application obtains adequate marks. Furthermore, the Commission recommended the Ministry of Education to conduct an inquiry against the 1st and 2nd respondents for their failure to act in accordance with the circular.

3.2.3. Arbitrary arrest and detention (Article 13 of the Constitution)

- **Illegal Arrest and Detention of a person (Complaint No. HRC/3162/17)**

In this case, the Commission concluded the fundamental rights of the petitioner under articles 13(1) and (2) of the Constitution were violated by the Police when he was illegally arrested and detained. The evidence demonstrated that the arrest had been made in response to a call received on the police emergency hotline-119. The 1st Respondent who responded to the call had not inquired into the alleged assault by the complainant nor recorded any statements against the complainant. The Commission observed that the complainant had been arrested without a warrant, which could only be done in accordance with Section 32 of the Code of Criminal Procedure Act which stipulates the conditions for an arrest without a warrant, i.e. the suspect must have committed a cognizable offence, there should be a reasonable complaint against said offence, and credible evidence of the commission of such a crime or a reasonable suspicion that such a crime was committed should exist. An arrest could only be made if the arresting officer is satisfied that one or more of these conditions are fulfilled. The Commission concluded that the arrest of complainant had not satisfied these conditions. The Commission ordered Rs. 25,000/- to be paid as compensation to the complainant and directed copies of the recommendation be forwarded to the National Police Commission to take disciplinary action against the respondents.

3.2.4. Multiple rights violations

- **Harassment in the education sector due to religious attire (Complaint No: HRC/TCO/27/18)**

The complaints were four assistant teachers at a National School in Trincomalee. The complainants alleged that they were prohibited from wearing the Abaya (Islamic religious attire) to work by the Management Committee headed by the Principal of the school. The complainants also stated that the Principal and the Management Committee had shared details of this matter with parties not related to the issue, resulting in creating communal friction between communities that have been co-

existing in the area for decades. As a temporary measure the education authorities of the complainants had been transferred to a different school.

In response, the Principle of the school states that this school was established in 1923 by a Hindu philanthropist and was administered according to Hindu practices and cultural observances, while also including those of other religious denominations even after being taken over by the government. It was the contention of the respondents that they have been maintaining Hindu culture for more than 95 years and that there is an unwritten dress code that women teachers should wear "saree". It was also pointed out that although teachers of all religious denominations have worn saree in past they have never forced any teacher to follow Hindu practices. They state that teachers are allowed to wear saree in a way in which they can express their individual religious or ethnic identities. It was also contended that the said teachers had worn saree before and that the 'Abaya' itself was a novel introduction to Sri Lanka.

The Commission found the violation of articles 10, 12 (1), 12(2) and 14 (e) of the Constitution in respect of the complainants. It held that regardless of the history of the school, it is currently a national school that receives funds from the state and is hence bound by all state rules and regulations, and most importantly the Constitution. Therefore, the respondents were directed to allow the complainants to wear the dress of their choice and to raise awareness of the need for respect for diversity and pluralism in a multi-ethnic and multi-religious country such as Sri Lanka. Further, the Commission also concluded that the transfer of the complainants to a provincial school from a national school was in contravention of the National Transfer Policy and that the said transfers were not made on any recognizable grounds in the Establishment Code but was done capriciously, arbitrarily, and in a non-transparent manner.

Most importantly, the Commission pointed out the importance of ensuring social media is not used in manner that leads to communal disharmony and, that expressions of hate and violence targeting a specific

community amounts to crimes under the ICCPR Act, No 56 of 2007 and the Penal Code of Sri Lanka.

▪ **Torture, cruel or inhuman and degrading treatment and illegal detention (Complaint No: HRC/4715/13)**

HRCSL found a violation of articles 11 and 13(2) of the Constitution, in this case. The investigation confirmed the complainant's allegation regarding Torture, cruel or inhuman and degrading treatment and illegal detention of her husband and son while in police custody. The accounts of the victims were confirmed by medical evidence. The Commission ordered the 1st to 6th Respondents pay Rs. 5,000/= each to the two suspects amounting to Rs. 10,000 per officer. The Commission also forwarded copies of the recommendation to the IGP, the Attorney General, and the National Police Commission in order to take suitable action against the officers. Further, it was recommended to the IGP that police officers be provided training on proper and legal investigation procedures and techniques. Finally, it was recommended to install CCTV cameras in police holding cells as stipulated in the National Action Plan for the promotion and protection of Human Rights in order to ensure that suspects are not mistreated while in custody.

3.3. *Suo Motu* inquiries

The Commission intervened in several issues exercising its own initiative (*suo motu*) under Section 14 of the Act. Often, issues meriting intervention are identified through media monitoring and individuals or organizations bringing such issues to the attention of the Commission. This activity sees close collaboration between the Investigations and Inquiry Division and the Research and Monitoring Division. In total, the Commission launched 25 *suo motu* inquiries into different incidents during 2019 (for a full list of *suo motu* inquiries see appendix 3).

▪ **Abduction and extra-judicial killing of two citizens
(HRC/MT/Suo/Motu/01/19)**

The Commission initiated an investigation into the alleged abduction and subsequent murder of two local businessmen from Ratgama on or around 23 January 2019 which came to the notice of the Commission through its media monitoring activities. The bodies of the victims had been incinerated to avoid possible detection. The Commission later received three complaints on this same incident which were investigated together with the suo motu inquiry. At the preliminary stages of the inquiry it came to light that a special unit attached to the office of the Deputy Inspector General (DIG) of Galle was responsible for the abduction. As a result, the Commission called for and recorded statements of the respondents to proceed with the inquiry.

▪ **Arrest of a University student activist
(HRC/Suo/Motu/06/19)**

An investigation was initiated pursuant to newspaper reports of the alleged illegal arrest of Mahil Bandara, Convenor of the Inter-student Federation during a student demonstration in Colombo on or around 13 March 2019 violating his right to freedom from arbitrary arrest. The Commission continues the investigation to determine if due process was followed in the arrest so as not to impede on the right to freedom from arbitrary arrest and other rights such as the freedom of expression.

▪ **Assault of persons by the police (HRC/MT/Suo/Motu/07/19)**

The Commission launched an investigation in light of disclosures in the media, into the assault of three persons by the DIG in charge of the Puttalam area while dispersing a public demonstration in Puttalam area on or round 22.03.2019. The demonstration was against Colombo's garbage disposal to the Aruwakkalu Garbage Recycling Plant. The investigation continued to the end of 2019.

- **Harassment and discrimination in the education sector based on religious attire (HRC/Suo/Motu/09/19)**

Pursuant to information released in electronic media, an investigation was launched in to the denial of access to a public school to a group of teachers of the Puwakpitiya Tamil Maha Vidyalaya who had arrived at the school in Islamic religious attire by the members of the School Development Society on or around 07 May 2019. It also came to light that these teachers were subsequently transferred to another school in the area by the Zonal Department of Education. The inquiry in to the alleged Discriminatory treatment of the teachers in the immediate aftermath of the Easter Sunday attacks continues.

- **Harassment and discrimination in the public health sector based on religious attire (HRC/Suo./Motu/11/19)**

The Commission launched an investigation into a similar incident as above in the public health sector. Newspapers reported that the Family Health Clinic at Atulugama, Bandaragama, has been closed in protest against the arrival of certain pregnant mothers belonging to the Islamic faith attired in Burkas on or around 09 May 2019. The inquiry in to the alleged Discriminatory treatment of the mothers continues.

- **Denial of access to housing (HRC/Suo./Motu/12/19)**

An investigation was initiated into the suspension of construction activities of the proposed “Samata Sevana” model village for the Sinhalese minority community in Kokilai in the Mulativu District due to the arbitrary intervention of a politician.

- **Torture of a female journalist (HRC/ Suo/Motu/19/19)**

The Commission launched an investigation into the incident of torture inflicted on a female provincial journalist by the Pamunugama Police as disclosed in a newspaper article. The Commission summoned the respondents and recorded statements while also obtaining copies of the

Medico Legal Report of the complainant. The investigations continue based on the evidence provided.

3.4. Interventions by the Chairperson's Office

The Chairperson intervened, as in previous years since taking office, to provide relief to complainants who are aggrieved by delays and other issues relating to the investigation and inquiry process. Several such appeals are received by the Chairperson's office each day. As the volume of appeals kept increasing, the services of a Legal Assistant were secured during the year to expedite the appeals process.

Further, direct interventions are made by the Chairperson with relevant authorities when it is deemed appropriate. Generally, such direct interventions are made in regard to complaints received on serious violation of economic and social rights via administrative action or inaction, e.g. complaints of pensioners on non-payment of pensions as it is a critical livelihood issue for senior citizens.

CHAPTER 4: RESEARCH AND MONITORING

- 4.1. Thematic sub-committees
- 4.2. National Studies conducted
- 4.3. Monitoring the non-implementation of recommendations
- 4.4. Other monitoring activities
 - 4.4.1. Monitoring places of detention and care homes
 - 4.4.2. Other monitoring activities

RESEARCH AND MONITORING

4.1. Thematic sub-committees

In 2016 HRCSL appointed 9 sub-committees on specific thematic issues. The Sub-Committees were expected to review legislation, policies, and official practices pertaining to each theme in order to make recommendations to the Commission on the policy interventions to be made to the Government of Sri Lanka pursuant to its mandate under section 10 of HRCSL Act No 21 of 1996. Further, the Sub-Committees were expected to advise the Commission on required policy and practical interventions on respective issues. The sub-committees are;

1. Sub-Committee on Persons with Disabilities
2. Sub-Committee on Education Policy (from a human rights perspective)
3. Sub-Committee on the Rights of LGBTIQ Persons
4. Sub-Committee on Plantation Workers' Rights
5. Sub-Committee on Prevention of Torture and Custodial Violations
6. Sub-Committee on Gender
7. Sub-Committee on Rights of Elders
8. Sub-Committee on Economic, Social, and Cultural rights
9. Sub-Committee on Migrant Workers' Rights

The membership of the sub-committees comprises experts and civil society activists. Each Committee is chaired by one or more Commissioners while HRCSL staff members act as secretaries to each sub-committee.

During 2019, the sub-committee on persons with disabilities agreed upon criteria for the membership of the sub-committee and decided to increase the number of members to ensure a quorum of 4 members are present for each meeting. It also resolved to follow-up on its recommendations formulated upon reviewing the draft legislation on the rights of persons with disabilities with the Ministry of Social Empowerment & Welfare as it came to light that the Ministry has finalized the Bill without considering the recommendations of the HRCSL which the Ministry claimed it did not receive.

The Sub-Committee on the Rights of LGBTIQ Persons discussed the challenges faced by transgender persons when applying for the Gender Certificate such as the requirement to undergo surgery and hormonal therapy in order to obtain the gender certificate, which prevents those who do not wish to undergo such treatments from obtaining the gender certificate. The Committee also decided to initiate discussions with the Ministry of Health to ascertain the feasibility of amending such mandatory requirements as hormonal therapy. Further, the Committee discussed issues faced by LGBTIQ persons in universities, such bullying and alienation. It decided to conduct awareness programmes for university lecturers, staff and the students to sensitize them to issues faced by LGBTIQ persons. The Sub-Committee also decided to meet the Secretary, Ministry of Justice to discuss the decriminalization of same sex relations; to request the police to submit to HRCSL the curriculum they use for officer training, review the training material and thereafter convene a meeting with DIG-Training to discuss the inclusion of LGBTIQ rights in the curriculum; to advocate for separate health education for school children which includes Comprehensive Sexual Education (CSE); to conduct discussions with the Election Commission on the difficulties faced by LGBTIQ community at elections; and to issue a recommendation to the Registrar General's Department to amend the requirement that persons under 21 years need to obtain the approval of parents or guardians to change their names in the birth certificate and enable all persons over 18 to obtain it without parental approval.

During the year, the Sub-Committee on Plantation Workers' Rights decided to conduct a discussion with the Registrar General on the many issues relating to identity documents faced by Plantation workers. The Sub-Committee also decided to conduct Human rights awareness programmes for plantation worker communities and training programmes for police officers in the plantation areas.

4.2. National Studies conducted

In accordance with the power vested in the HRCSL to visit any place of detention to monitor the conditions of detention and make recommendations for the improvement of such conditions (Section 28(2) of the Act) the Commission commenced the first national study of prisons in Sri Lanka in the previous reporting year i.e.2018. The Study continued in to 2019, during which the first draft of the Study was compiled and reviewed. The Study intends to evaluate the treatment and conditions of prisoners and make recommendations in order to promote compliance with international human rights standards, primarily the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). The team of researchers visited 20 prisons in Sri Lanka to collect information and data for the report. This Study is conducted with the financial assistance provided by the UNDP. Review and editing of the report were ongoing at the end of the year.

4.3. Monitoring the non-implementation of recommendations

In keeping with one of the identified Goals in the Strategic Plan of the Commission to “Provide prompt and effective remedies by strengthening the inquiry, investigation and monitoring mechanism of the HRC”, the non-implementation unit of the I&I Division, which was established to monitor the implementation of the Recommendations issued by the Commission, has been successfully active in 2019. This year, the Non-implementation Unit compiled lists of institutions failing to implement HRCSL recommendations and clustered the recommendations that have not been implemented according to subject matter. Thereafter, cluster inquiries were held for all non-implemented recommendations relating to education rights and pension benefits. Relevant government institutions were summoned to provide explanations for the non-implementation of recommendations. Recommendations not implemented by the Police too were followed-up as a cluster. The clustered approach was more efficient in yielding positive results than inquiring into the non-implementation of individual recommendations as

government institutions were called to account for the non-implementation of multiple recommendations at once. While this highlighted the extent of non-implementation thereby justifying the intervention by the Commission, officials were also more responsive as the Commission was able to dispense with summoning officials multiple times with regards to the non-implementation of different recommendations.

As a result of the efforts of the Non-implementation Unit, many of the institutions have taken cognizance of these directions and have responded to the Commission setting out the initiatives they have taken to implement the said recommendations. The year 2019 continued to show a gradual increase in the implementation of recommendations from previous years, which is a testimony to the success of the Unit.

4.4. Other Monitoring activities

Under its mandate, the Commission is empowered to visit places of detention to monitor the wellbeing of detainees and to make recommendations to improve conditions of detention with the objective of ensuring the rights of detainees are respected and protected. Exercising its powers, the Commission conducts unannounced (surprise) visits to places of detention throughout the year. These visits are carried out by the head office as well as by regional offices. Apart from regular monitoring of police stations, the Commission also visits other places of detention such as prisons, remand homes, receiving homes, rehabilitation centers, homes for children, homes for the disabled, and immigration detention centers. The Commission conducts unannounced visits throughout the week, including the weekend, and conducts investigations into allegations of torture and illegal treatment made by detainees during these visits.

4.4.1. Monitoring places of detention and care homes

In 2019, the Commission, through its head office and regional offices, made 2265 visits to police stations. The objective of these visits is to prevent incidents of torture and other forms of custodial violations in Sri Lanka through efficient proactive and reactive measures, to initiate steps to identify officers who commit such violations, and recommend remedial action, in addition to coordinate and collaborate with other relevant government and non-governmental institutions to prevent the incidence of torture.

Certain common issues were identified during these visits, including:

- Failure to follow due process during arrest
- Ill-treatment and torture in custody
- Delay in producing suspects before courts
- Overcrowding and lack of basic amenities in the cells

HRCSL repeatedly highlights these observations in its policy interventions to address torture, ill-treatment, and conditions of detention.

In addition, the Commission made 273 visits to other places of detention and care homes. These visits are mostly through the regional offices. The monitoring activities of the regional and sub-offices are crucial in expanding the reach of the Commission in terms of its mandate to monitor places of detention to ensure the rights of detainees.

Places of detention and care homes	Am par a	Anu rad hap ura	Bad ulla	Batti caloa	Jaff na	Kalm unai	Kan dy	Mat ara	Tri nco mal ee	Vav niya	Head Office	Total
Police Stations	102	194	232	126	176	74	412	227	74	177	471	2265
Prisons	11	04	04	39	07	-	10	08	05	06	26	120
Orphanages and rehabilitation centres for children	11	26	-	06	-	17	01	14	01	-	04	80
Foreign national holding centres	-	-	-	-	-	-	-	-	-	01	02	03
Rehabilitation centres	-	-	-	-	-	01	-	-	-	02	04	07
Elders homes	11	08	-	01	01	04	-	-	01	-	01	27
Disability homes	-	02	-	01	-	02	-	-	-	-	-	09
TID/CID	-	-	-	-	04	04	-	-	-	04	16	28
Special/ Other	-	-	-	-	-	-	-	-	01	03	12	16
Total	135	234	236	173	188	102	423	249	82	193	536	2555

4.4.2. Other monitoring activities:

- **Complaints Unit for the Presidential Elections- 2019**

A Complaint-receiving unit was established by the Human Rights Commission of Sri Lanka to receive complaints relating to the Presidential Elections -2019. In addition to written complaints, the Commission also received complaints relating to the elections through its 24-hour hotline.

- **Monitoring of news reports**

The Commission also continued to monitor news reports in the electronic and print media with regard to the violation of human rights falling within the purview of the Regional and sub-Offices. This activity assists the Commission in making *suo motu* interventions as well as following-up on the progress of remedial action by respondent parties.

- **Interventions requiring continuous monitoring**

A series of discussions were conducted with relevant authorities and affected parties in matters which in the opinion of the Commission required intervention and continuous monitoring. The following are selected examples:

- A series of discussions with relevant stakeholders to provide a solution to the issue of the non-delivery of postal mail to the estate sector in the Sabaragamuwa Province. The Ministry of National Harmony, Dialogue and Official Languages, the Ministry of Estate Infrastructure, the Ministry of Postal Services, Postal Department, Deputy Post Master General of the Sabaragamuwa Province, and the Ministry of Home Affairs were represented at these discussions, which issue is also the subject of a *suo motu* inquiry of the HRCSL.
- A discussion with the complainant and the respondents, i.e. Central Highway Project-Part II and Road Development Authority, of a complaint against the health hazards caused to the general

public due to the implementation of the Central Highway development project.

- A fact finding mission to identify the problems prevailing in the Health Sector in the Maskeliya area. The HRCSL visited the Maskeliya Government Hospital, Maskeliya MOH Office, and the Nallathanni Emergency First Aid Unit. The monitoring mission also met with Civil Society Organizations in the area to obtain further information on issues pertaining to the health sector in the area.
- A special discussion with the Ministry of Education and National Education Commission on the need to monitor and hold accountable international schools and private schools pursuant to complaints received regarding an attack on a student and remuneration issues of teachers.
- Monitoring visit to the Pasyala Holding Centre, to inquire into the conditions of the Pakistani Ahmadiya Refugees and Asylum seekers housed in the Centre in the aftermath of the Easter Sunday attack. The NGO in charge of the Centre and the UNHCR were informed of the findings with recommendations for improvement. Further, a discussion was held with HQI, Nittambuwa with regard to the steps taken for the security of the asylum-seekers.
- A fact-finding mission on the attack unleashed on the Anuradhapura Methodist Church on Palm Sunday. The Mission held discussions with the congregation of the victim church, the community suspected of the attack, members of the Municipal Council Anuradhapura, Police, and congregations of other churches on the importance of religious tolerance and guaranteeing the right to freedom of religion. The Commission intends continuing these discussions in all parts of the country.
- A series of discussions with the complainants and respondents on the issue of closing down the Minu/Doranagoda Maha Vidyalaya. The complainants were the School Development Society, the Old

Boys' Association, the Organization for the protection, for the School while the respondents were the Provincial Director of Education - Western Province Education Department, Zonal Director of Education - Minuwangoda Zonal Education Office and Principal, Minu/Doranagoda Maha Vidyalaya. As a result, the Zonal Director of Education, Minuwangoda concurred with the approval of the Western Province Director of Education, to grant redress sought by the complainants.

- A special discussion with regard to the infringement of human rights of the students of the Institute of indigenous Medicine of the University of Colombo pursuant to which a report was called for from the Institute.
- A special intervention by way of informing the Election Office and the Police of Kalutara to take appropriate action in order to ensure a free and fair election in an incident of Buddhist monks attempting to influence voters who arrived at a polling centre at a temple in Bandaragama at the Presidential Elections in November 2019.

CHAPTER 5: EDUCATION AND OUTREACH

- 5.1. Public awareness raising
 - 5.1.1. Celebration of International Commemorative Days
 - 5.1.2. Human Rights Training Programmes for Various Focus Groups
- 5.2. Sharing Knowledge with Other Public Institutions/Programmes
- 5.3. Reconciliation initiatives
- 5.4. Engagement with the media
 - 5.4.1. Engagement with traditional print and electronic media
 - 5.4.2. Use of online platforms
- 5.5. Engagement with civil society
 - 5.5.1. Regional civil society coordinating committees
 - 5.5.2. Community Task forces for Human Rights (CTF4HR)
 - 5.5.3. Civil Society representatives as members of the thematic sub-committees
 - 5.5.4. Participation at events organized by civil society organizations
 - 5.5.5. Training for civil society
- 5.6. Mentoring

5.1. Public awareness raising

As mandated by Section 10 of the parent Act, the Commission strives to actively engage in raising public awareness and sensitivity on issues of human rights. The Commission considers the public an integral part of their work as the very purpose for its existence is to promote and protect the human rights of the citizenry. Therefore, the year 2019 is marked by many important events in realizing this objective.

5.1.1. Celebration of International Commemorative Days

▪ International Human Rights Day – 2019

The event themed “*Words Hurt: youth Reflections on Hate Speech*” was organized by the HRCSL to commemorate the International Human Rights day and was held on 10 December, 2019 at the Lakshman Kadiragamar Institute for International Relations and Strategic Studies. The chief guest and the keynote speaker of the event was Mr. Saliya Peiris, President’s Counsel, Chairperson of the Office on Missing Persons.



Cultural event on hate speech at the Human Rights Day commemoration 2019 performed by youth participants of the 2019 Youth Camp

In keeping with the theme of the commemoration, presentations, cultural events, and an interactive discussion on the impact of hate speech were performed by youth who had participated in the Youth Camp on Human Rights 2019, which incidentally successfully concluded the day prior to the International Human Rights day commemoration.

Commemoration Programmes for the International Human Rights Day were organized by all the Regional Offices on the same theme. Accordingly, a host of programmes were held targeting the youth and wider civil society in the regions.

▪ International Women's Day 2019

A national round table discussion on the rights of women with disabilities themed 'Mainstreaming For A Life With Dignity' was organized by the Human Rights Commission of Sri Lanka on 08 March 2019 in commemoration of the International Women's Day held at the Sri Lanka Foundation Institute, Colombo 07. The discussion proceeded along four broad areas, i.e. Education, Health, Employment, and Family Matters. Dr.Sashika Jayalath, a medical officer attached to the Panadura Hospital and a person with disabilities was the chief guest while the round table discussion was moderated by Prof. Chandra Gunawardana, Emeritus Professor of Education at OUSL and Ms. Thanuja Nawaratna, Attorney-at-



Participants sharing their views at the National Round-Table to commemorate the International Women's Day 2019

Law. The audience comprised persons with disabilities, government officials, representatives of civil society organizations including disability rights organizations. Issues highlighted during the discussion were presented to the relevant government officials and viable solutions were explored, discussed, and agreed upon by the gathering. The participation of the Chairpersons of the Election

Commission and the University Grants Commission at this event was noteworthy.

Since 2017 the Commission pays homage to the efforts of women in the informal economic sector during the International Women's Day commemoration. As an extension of this recognition, an award ceremony is held during the celebration to recognize the most noteworthy contributions made by women's associations and representatives who work tirelessly to empower women in the informal sector. In 2019, the award for 'Empowering women in the informal economic sector' went to the Uva Wellassa Women's Organization. The Organization is based in a village in Handapanagala. The award recognized their contribution as an independent organization towards the empowerment of women through



The 2019 award for 'Empowering women in the informal economic sector'

livelihood support while raising awareness of their rights and assisting them to address their pressing social issues.

Based on this year's theme HRCSL conducted a series of round table discussions at the regional level. Based on the outcome of these discussions a series of recommendations were formulated in relation to the rights of disabled women to be presented to the government.

▪ International Day in support of victims of torture 2018

A training programme was conducted in the Sinhala and Tamil media to mark the International Day in support of victims of torture for 500 police trainees freshly recruited and undergoing basic training at the Police Training School at Kalutara.



At the training programme for new recruits of the Police Training School

Lectures covered topics such as Human Rights basics and values, a human rights perspective of eradicating torture, and medical evidence on Torture. A drama by the trainees and a segment on the eradication of torture in the interactive theatre form of a Forum Theatre were highlights of the programme which powerfully conveyed the intended message to the audience.

Regional Offices in Matara, Trincomalee, Jaffna, Ampara, Anuradhapura, Badulla, and Batticaloa too held awareness workshops for Police Officers parallel to the programme of the Head Office to mark the International Day in support of victims of torture.

5.1.2. Human Rights Training Programmes for Various Focus Groups

▪ Youth Camp on Human Rights

After successfully hosting the first ever annual Youth Camp on Human Rights in the previous reporting year, HRCSL excitedly looked forward to holding the second Youth Camp in 2019. The Youth Camp was initiated to

sensitize the youth on Human Rights in order to foster a strong human rights culture in the country and to ensure the youth become proactive citizens. The 5-day Youth Camp was held at the MAS fabric Park Thulhiriya from 5-9 December 2019 on the theme “Words Hurt: Youth Reflections on Hate Speech”. This residential program saw approximately 56 youth leaders representing various ethnicities, cultures, and religions drawn from all 25 districts in the country taking part in a variety of interactive sessions designed to explore the theme. The participants were selected through a public call for applications.

The Youth Camp commenced with an introductory session on Democratic Life: ‘Perceiving the world in a democratic way’. The following days unfolded along themes such as diversity and pluralism, deconstructing



A theatrical performance at the Youth Camp 2019

constructed identity as a solution to discrimination, ethics of social media, power of words, leadership, and climate change and sustainable development. The Camp saw many interactive discussions, theatrical performances, screening of videos, and other practical activities taking place, conceptualized to instill human

rights based values in the youth of Sri Lanka. The food festival provided an opportunity for the participants to prepare and present food from different culinary traditions underscoring the diversity and pluralism of our society, while the fire camp was designed to develop effective methods of communicating their understanding of human values to the society.

The participants were also requested to design social media campaigns to counter the impact of hate speech and to present these at the finale. Further, they were required to draft an individual action plan on how they intend to work with the HRCSL in the future.

▪ Other awareness programmes

The Commission also conducted many other awareness-raising programmes such as:

- An awareness programme on Human Rights held at the Udathuththiripitiya Elders' Society Hall for the members of the Udathuththiripitiya Elders' Society on 17 January 2019
- An awareness programme on the Human Rights Commission of Sri Lanka and its scope held for the volunteers of the National Peace Council on 29 June 2019
- An awareness programme on Human Rights held for the benefit of the delegates of the Northern Province Disability Conference in collaboration with the Jaffna Regional Office at Kilinochchi on 22 July 2019
- An awareness programme on Human Rights and the Rights of Plantation workers held for the benefit of police officers in Hatton on 08 October 2019. A discussion was held on how to adopt a people friendly approach to providing services to the public in the plantation sector and ensure their rights are protected.

▪ Community mobile services

The Commission conducted a mobile service under its own auspices at



Community members attending the mobile service in Maskeliya

Lacome Tamil Maha Vidyalaya and Gowrawila Tamil Maha Vidyalaya, Upcot Maskeliya on 11-12 May 2019 for the purpose of identifying the human right issues encountered by plantation workers. A large number of persons availed of the mobile service and submitted a number of problems including difficulties encountered in obtaining

birth certificates and National Identity Cards, housing and infrastructure related issues, health related issues, and employment benefits related issues.

Further, the Commission also held mobile services together with the Jaffna regional office and the Puttalam regional office on 11-12 October

2019 at Akkarayankulam in Kilinochchi and Iranathivu Island, and on 12 December 2019 at Thammennawetiya in Anamaduwa respectively.

The Commission and the Regional Offices continued to provide assistance to mobile services organized by the Ministry of National Co-Existence, Dialogue and Official Languages for marginalized groups in several parts of the country. As such, the HRCSL Head Office sent its officials as resource persons for mobile services in areas such as Kalutara, Mutwal, and Awissawella while the respective Regional Offices provided assistance to mobile services in areas such as Batticaloa, Matale, Bulathkohupitiya, and Mallakam.

5.2. Sharing Knowledge with Other Public Institutions/Programmes

The Commission, through its Head Office and the Regional Offices, also provides assistance by way of resources persons to programmes conducted by other public institutions and actively contributed to discussions of relevance to the Commission convened by other public institutions. During 2019, HRCSL conducted lectures, and participated in discussions on a wide array of topics of interest. The following is a selected list of such events the HRCSL Head Office contributed to:

- a) Contributing expertise to progress monitoring meetings on the implementation of National Human Rights Action Plan (2016-2021). This activity included attending meetings of the Committee on the Rights of migrant workers convened by the Ministry of Foreign Employment Promotion, Committee on Civil and Political Rights contained in National Human Rights Action Plan convened by the Ministry of Justice, and meetings convened by the Coordinating Secretariat for Reconciliation Mechanisms.

- b) Awareness raising lectures as part of periodic workshops organized by the Directorate of Humanitarian Law and Human Rights of the Sri Lanka Army.
- c) Awareness raising lectures as part of periodic workshops organized by the Police in-service training units.
- d) A One Day Workshop on Prevention of deployment of cluster weaponry organized by the Ministry of Foreign Affairs with the support of the International Committee of the Red Cross held in Colombo.
- e) A workshop on Sexual harassment organized by the National Mental Health Institution.
- f) The national session on Child abuse, sexual exploitation, and security on the internet held in Colombo in association with the Ministry of Women and Child Affairs, National Child Protection Authority, and the Department of Probation and Childcare.

No. of Human Rights awareness and training provided by the Head Office and Regional Offices of the HRCSL in 2019

Head Office/ Regional Office	Target Groups				
	Police	Civil Defense Force	Public Officers	Students/ Youth groups	General public/ci vil societies/ religious leaders/j ournalist s/others
Head Office	1	-	-	-	2
Ampara	-	-	4	-	2
Anuradhapura	-	-	-	1	2
Badulla	-	-	-	-	1
Batticaloa	-	-	-	-	-
Jaffna	-	-	1	1	3
Kandy	--	-	-	-	4

Kalmunai	-	-	2	-	5
Matara	-	-	-	-	5
Trincomalee	-	-	-	-	-
Vavuniya	-	-	1	-	1
Nuwara Eliya (Mobile Office)	-	-	-	-	1
Puttalam (Mobile Office)	-	-	-	-	1
Mannar (Mobile Office)	-	-	1	-	-

No. of Human Rights resource assistance for lectures provided by the Head Office and Regional Offices of the HRCSL in 2019

Head Office/ Regional Offices	Target Groups						
	Armed forces	Police	Prison s	Civil Defen se force	Public Office rs	Studen ts/ Youth Group s	Gener al public/ civil societie s/ religious leader s/ other s
Head Office	8	1	-	-	2	1	7
Ampara	-	3	-	-	-	4	-
Anuradhapu ra	5	5	-	2	-	-	3
Badulla	-	2	-	-	-	1	1
Batticaloa	-	-	-	-	1	6	7
Jaffna	-	1	-	-	5	3	9
Kandy	-	1	-	-	-	1	1
Kalmunai	-	2	-	-	1	-	5
Matara	1	1	-	-	-	4	1
Trincomalee	-	2	-	-	-	-	2
Vavuniya	15	-	-	1	-	-	-

5.3. Reconciliation initiatives

As it has direct relevance to the HRCSL's statutory mandate, the Commission strives to contribute to reconciliation initiatives in Sri Lanka, which raise human rights related issues of concern. In 2019, the HRCSL contributed to several reconciliation initiatives. The Commission held consultations with the Office on Missing Persons(OMP) during the year to explore the possibility of entering into a Memorandum of Understanding in order to enable the two entities to co-ordinate their activities pertaining to enforced disappearances.

Most importantly, following the Easter Sunday attack on 21 April 2019 the Commission conducted many monitoring visits, a number of training programmes and discussion targeting state officials, religious leaders, civil society organizations, and the youth community with a view to create social reconciliation, co-existence, and an environment free of confrontations. (See chapter 2.1.2 for more information on action taken in the aftermath of the Easter Sunday attack)

5.4. Engagement with the media

As part of its outreach efforts, the Commission engaged with the media to keep the public informed of critical issues, as well as on the activities of the Commission. The Commission employs traditional print and electronic media well as online platforms for promotional activities.

5.4.1 Engagement with traditional print and electronic media

A special discussion with the editors in chief of all print media institutions was held at the HRCSL head office on 23 May 2019 to explain the prevailing situation in the country in the aftermath of the Easter Sunday attacks and to brief them on activities to be carried out and interventions to be made to protect and improve human rights and communal tolerance in the country.

An interview with the chairperson on ethnic and religious disturbances arisen in the country in the aftermath of the Easter Sunday attacks was published in the *Resa* Newspaper on 28 May 2019. Further, *Samabima* and *Anidda* newspapers acknowledged the manner in which the Commission had acted following the Easter Sunday Attack on 03 June 2019.

The Sri Lanka Police's acceptance of the HRCSL recommendations to prevent illegal arrests was given publicity in several publications such as in the *Samabima* newspaper on 08 July 2019; the *Lankadeepa* newspaper on 30 August 2019; the *Colombo Telegraph* on 29 August 2019; and in *The Island* on 03 September 2019.

5.4.2 Use of online platforms

All policy recommendations, interventions, and advocacy statements as well as the directives of the Commission are uploaded on the Commission's website and made publicly accessible. In appropriate cases, this information is also shared electronically with Civil Society Organizations, Members of the thematic sub-committees of the Human Rights Commission of Sri Lanka, Diplomatic Missions in Sri Lanka, International Human Rights Organizations, and Asia Pacific Regional National Human Rights Institutions.

The Commission also uses the Asia Pacific Forum's (APF) bulletin to disseminate its work to a wider audience in the region and globally.

5.4. Engagement with civil society

The Commission, especially via the Regional Offices, engages closely with civil society. It views civil society as a great resource, which enriches the work of the Commission, while the Commission in turn contributes to the work of civil society on human rights.

5.5.1 Regional civil society coordinating committees

The close cooperation fostered by the Commission through the civil society coordinating committees at regional level assists the Commission in identifying human rights violations or situations warranting the intervention of the Commission. These coordinating committees also assist the Commission in monitoring the protection of human rights in the regions. In 2019, the Commission continued to facilitate these meetings.

5.5.2 Community Task forces for Human Rights (CTF4HR)

The Community Task forces for Human Rights established by the Regional Offices of the HRCSL to facilitate communities to protect their rights at the grass-root level and agitate against any violations of these rights were active during 2019. The members of the CTF4HR comprise volunteer members of the community who indicated an interest to work with the Commission. The task forces act as a conduit between the Commission and the communities, enabling timely interventions in situations of rights violations which are brought to the attention of the Commission by CTF4HR members.

5.5.3 Civil Society representatives as members of the thematic sub-committees

Active members of the civil society and civil society organizations are members of the thematic sub-committees, further contributing to the work of the Commission. The sub-committees are an opportunity for the Commission to benefit from the expertise and experience of civil society members in enriching the policy level efforts of the Commission.

5.5.4 Participation at events organized by civil society organizations

- The Commissioners and staff of HRCSL participated in many events organized by civil society organizations such as:
 - The Discussion on action taken by the Human Rights Sub Committee on LGBTIQ organized by the Sri Lanka Family Planning Association
 - The workshop on Independent Commissions for members of Women's Organizations, other Civil Society Organizations, Journalists, and the youth in Ratnapura organized by the Environment and Community Development Information Centre
 - The workshop on the impact of Sri Lanka's economic policy on workers in the apparel industry, organized by the Dabindu Collective
 - A lecture on the functions of the HRCSL at the workshop on victims of sexual bribery organized by the Centre for Equality and Justice
 - An intellectual dialogue organized by the Sri Lankan Collective against Torture
 - The workshop organized by the Integrated Front of Organizations for the disabled
 - A discussion with the representatives of the International Centre for Ethnic Studies in order to gather information for the preparation of the Alternate Report on Institutions of Human Rights in the Asian Region.

5.5.5 Training for civil society

During 2019, HRCSL conducted multiple training and sensitization programmes for members of the civil society. The following is a snapshot of such trainings:

- The discussion for religious leaders, civil society activists and community human rights activists on building ethnic harmony, peace and co-existence necessitated by the Easter Sunday attack was held on 25 July 2019 in Badulla in collaboration with the HRCSL Badulla Regional Office.

- Lecture and dialogue organized by Matara Regional Office was held on 18-20 September 2019 at three different venues in collaboration with the HRCSL Head Office for the benefit of school children.
- Training Programme on Human Rights for rural leaders of the Puttalam District was held on 7-8 of September 2019 and 21-22 September 2019 in Puttalam. The programme was conducted in both Tamil and Sinhala media.



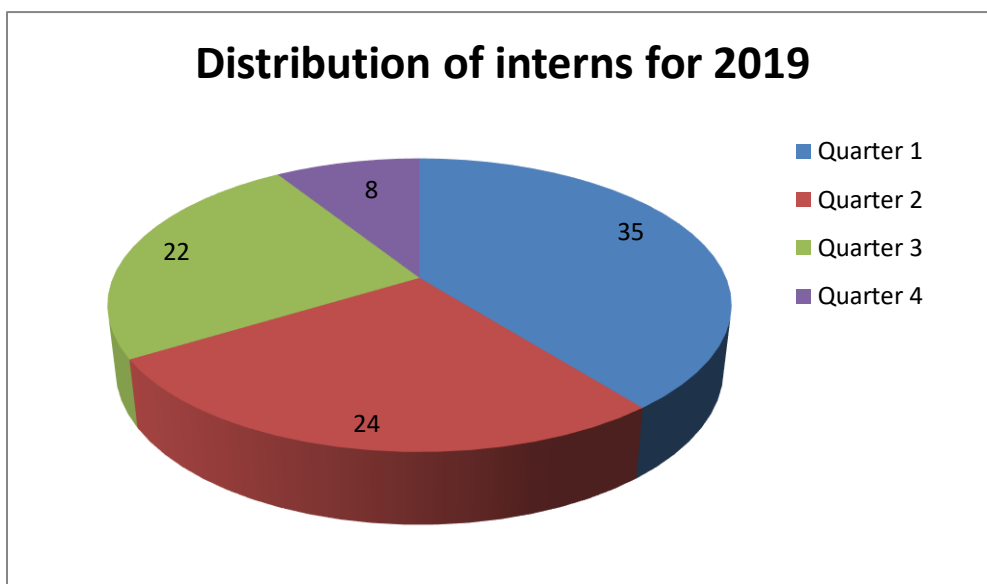
Training programme for
rural leaders on Human
Rights in Puttalam

In addition, a wide cross section of people such as school and university students, Officers of armed forces, police officers, government officials, and representatives of non-governmental organizations call over at the Commission in person to collect Human Rights publications such as hand bills and posters published by the Commission. In such instances, the Commission welcomes the opportunity to conduct awareness raising-discussions for these groups of persons at its premises.

5.6. Mentoring

The Commission continued the HRCSL internship programme which was revived in 2017 due to the conviction that investing in the youth of the country, especially in the promotion and protection of human rights, is a right step forward. Applications were called from undergraduates and recent graduates of any discipline to serve on a voluntary basis throughout 2019. The objective of the programme was to give the successful candidates exposure to the role of HRCSL, promotion and protection activities of the Commission including research, and to foster commitment to public interest activities in the youth. The internships were for a minimum period of 3 months, and the interns had the choice of undergoing training at the Head Office or at a Regional Office under the

close supervision of Directors or Regional Coordinators. 89 interns served internships during 2019 throughout the country. Upon the successful completion of the program, interns are issued with an official certificate of participation.



CHAPTER 6: INTERNATIONAL COLLABORATION

- 6.1. Promoting compliance with international obligations
- 6.2. Strengthening ties with regional human rights alliances
- 6.3. Appointment of HRCSL as the National Preventive Mechanism under OPCAT
- 6.4. Other collaborations with international organizations and experts
 - 6.4.1. Bi-lateral meetings
 - 6.4.2. Foreign funding received

INTERNATIONAL COLLABORATION

6.1. Promoting compliance with international obligations

In 2019 the Commission continued to actively communicate and cooperate with international and regional human rights organizations and protection mechanisms in promoting compliance with international human rights obligations of Sri Lanka as required by the Commission's statutory mandate.

The Commission received visits by Clement Nyaletsossi Voule, UN Special Rapporteur on Freedom of peaceful assembly and association, and Dr. Ahamad Shahid, the UN Special Rapporteur on Religious Freedom on their visits to Sri Lanka. The chairperson and Commissioners discussed issues of mutual relevance with the special mandate holders, and acknowledged certain issues highlighted by them as needing immediate responses. The end of mission statement of the Special Rapporteur on The Rights To Freedom Of Peaceful Assembly And Association acknowledged the tireless work of the Commission in the following manner:

“Everywhere I went, I heard repeated praise for the unrelenting work of the Human Rights Commission, which now holds an A-status according to the Paris Principles, in defence of all human rights for all”.

The Report on the “Preliminary Findings of Country Visit To Sri Lanka By The Special Rapporteur on Freedom Of Religion or Belief” acknowledged HRCSL obtaining A-status international accreditation by the Global Alliance for National Human Rights Institutions (GANHRI) as a positive development in the country.

6.2. Strengthening ties with Regional Human Rights Alliances

As customary, the Commission participated in the Annual General Meeting of the APF held in Seoul, South Korea in September 2019. The APF is the regional umbrella organization for National Human Rights Institutions that provides technical support. HRCSL is a member of the APF and could participate in decision making at the 2019 AGM as an ‘A’

Status accredited Human Rights Commission. The Chairperson also made a presentation at a panel discussion organized by the South Korean Human Rights Commission on equality and non-discrimination in conjunction with the APF AGM.

6.3. Appointment of HRCSL as the National Preventive Mechanism under OPCAT

Pursuant to Sri Lanka acceding to the Optional Protocol to the International Convention Against Torture (OPCAT) in December, 2017, HRCSL was nominated by the Government of Sri Lanka to be the National Preventive Mechanism (NPM). Under the OPCAT the State is obligated to set up one or more national preventive mechanisms to attempt to prevent torture and other forms of custodial abuse through preventive visits. HRCSL is already mandated and empowered to visit places of detention without prior permission under its parent statute.

The Commission received the members of the United Nations Sub Committee on Prevention of Torture in April 2019 to discuss HRCSL's role as the National Preventive Mechanism in Sri Lanka and methodologies to be used in preventive work. The Sub-Committee once again assured technical cooperation to HRCSL in conducting NPM related activities.

6.4. Other collaborations with international organizations and experts

6.4.1 Bi-lateral meetings:

HRCSL broadened its international collaborations through bi-lateral meetings with multiple entities:

- The Commission participated in several meetings and engagements with different UN organizations in Sri Lanka such as:

- Participating at the review meeting and meeting on future plans of United Nations Population Fund projects on 06 June 2019
- Participating at the discussion on Responsible Enterprises and Human Rights organized by the United Nations Development Programme (UNDP) on 31 July 2019
- Meeting with Robert Jukham, Resident Representative, UNDP Sri Lanka on 29 October 2019
- Meeting with UNDP Mission on Business and Human Rights on 09 October 2019
- The Commission met with several visiting European Union delegations to discuss HRCSL action in promoting and protecting human rights:
 - Ms. Elisa Moretti, European Union on 07 May 2019
 - The European Union GSP+ Monitoring Team on 27 August 2019
 - European Union Exploration Mission on 08 August 2019
- During the Presidential Election 2019, the Commission met with several international election monitoring missions to ensure a free and fair election:
 - Meeting with the European Union Election Observation Mission
 - Meeting with the Asia Network For Free Elections (ANFREL)
 - Meeting with Marisa Matias, Chief Observer of the European Union Election Observation Mission to Sri Lanka
- Meetings were also held with:
 - The Secretary of State, Norwegian Ministry of External Affairs
 - The Deputy Director of the Democracy, Human Rights and Labour Bureau
 - The Australian High Commissioner
 - The High Commissioner for New Zealand
 - The Ambassador for the Netherlands
 - The Canadian High Commissioner
 - The Deputy Ambassador and Political Advisor of the Japanese Embassy

- Dr. Lavian Starahan, First Secretary, Australian Ministry of Foreign Affairs and Trade
- Prof. Ivan Symonavick, Commissioner, International Commission against the Death Penalty

6.4.2 Foreign funding received

HRCSL received a majority of its funding from the treasury to carry out core activities. However, the Commission was also able to secure financial support for its activities through collaborations fostered between the HRCSL and international development partners. As such, HRCSL acknowledges and appreciates the cooperation extended by the UNDP, UNHCR, and the Government of the Swiss Confederation for programmatic work of the Commission in 2019, which enabled the Commission to carry out its mandate effectively.

The Swiss Confederation continued to support the clearing of the backlog of inquiries. The backlog of complaints contributed to the lack of public confidence in the Commission and the existing trust deficit. Through the grant, the Commission was able to garner resources to tackle the complaints backlog and provide remedies to complainants. This enabled the Commission to increase public confidence and trust in the institution, and also illustrate its ability to respond to the needs and concerns of the people of Sri Lanka, which is integral to its effectiveness.

UNHCR supported a project aimed at strengthening sub-offices through the provision of infrastructure as well as capacity building. The objective of the project was to enable and strengthen the access that populations in Kilinochchi, Mannar, and Puttalam, particularly vulnerable and marginalised groups to the HRCSL to seek remedies for human rights issues, including violations of fundamental rights. The UNHCR also supported the mobile clinics conducted by the Commission in the regions during 2019.

The UNDP extended financial cooperation for several programmatic activities such as the national Prison Study, and outreach activities

including the use of mainstream and social media platforms, updating the website and the design of an electronic case management system. The aim of the overall project was to convert the structural independence of the HRCSL to positive impact on improving enforcement of the equal protection of the law, protection and promotion of human rights throughout the country; and inculcating a culture of accountability and transparency.

CHAPTER 7: HUMAN RESOURCES, ADMINISTRATION, AND FINANCE

- 7.1. Staff development programmes
 - 7.1.1. Local training opportunities
 - 7.1.2. International programmes
- 7.2. Employment and vacancies
- 7.3. Annual financial statements

HUMAN RESOURCES, ADMINISTRATION, AND FINANCE

7.1. Staff development programmes

Since the tenure of the current Commission began in October 2015, HRCSL has strived to develop professional excellence and capacity of the staff. The Commission understands that institutional excellence is essential to respond effectively to violations of human rights and promote

human rights. Therefore, the staff of both the head office and regional offices are encouraged and required to benefit from the many training opportunities available, both locally and internationally, to improve their professionalism, efficiency, understanding of challenges, and the ability to utilize their skills to provide assistance to the communities they serve.

7.1.1 Local training opportunities

- A residential Training of Trainers workshop was held from 25-27 January 2019 with the objective of enhancing the capacity of the HRCSL staff of both the Head Office and regional offices to develop, manage, and deliver educational and special programmes of the Commission. The training benefited from experienced resource persons who have had extensive exposure as trainers including foreign training.
- Phase II of the training programme on Human Rights for the support staff of the Commission was held from 24-25 February 2019. With the objective of creating an active and efficient support service for the operational activities of the HRCSL, the training mainly focused on providing refresher training on concepts of Human Rights for the support staff of the Head Office and Regional Offices.
- In recognition of the need to enhance the capacities of the support staff of the Commission, who are integral to the efficient functioning of the institution, another workshop disciplinary procedures and office management was held on 20-21 and 27-28 September 2020 for the support staff of the Commission.
- Encouraging peer to peer knowledge-sharing, a successful discussion on the experiences of Ms. Kumudini Vithanage, Mr. A. C. A. Azeez, Mr. A. S. Nilantha and Mr. S. Arun, all HRCSL staff members who attended the APF and CESR Monitoring Economic, Social, and Cultural Rights (ESCR) Workshop held in November 2018 in Nepal was held at the Head Office on 27 March 2019.

- In addition, a series of special lectures on diverse topics was organized by the Commission to enhance the knowledge of staff of the HRCSL. These include:
 - A special lecture titled 'Protection of Human Rights – Moral Values–Orientation Constraints' was delivered by Mr.S.G.Punchihewa, Attorney-at-Law, Human Rights Advocate and Member of the Right to Information Commission on 09 January 2019.
 - A special lecture HIV/AIDS related discrimination delivered by Mr.Palitha Bandara, a HIV activist on 13 March 2019.
 - A special lecture titled "Let Us Eradicate Inveterate Ideologies And Tolerate Others' Views In Order To Ensure Harmony Among The Communities" was delivered by Mr. Gazali Hussain, Commissioner of the Human Rights Commission of Sri Lanka on 08 May 2019.
 - A special lecture on Emergency Regulations and related laws delivered by Mr. Jagath Liyanaarachchi, Attorney-at-Law on 17 July 2019.
 - A special lecture titled "Buddhism and the Righteous Society" delivered by Rev. Galkande Dhammananda Thero, Director of Walpola Rahula Institute on 28 August 2019.

7.1.2 International programmes

- The Acting Deputy Director of the I & I Division attended the 2019 Partnership Programme for Human Rights Officers organized by the National Human Rights Commission of Korea in South Korea from 27-31 May 2019.
- Two officers of the Commission attended the Workshop on Strengthening the Capacity of National Human Rights Institutions in

South and South East Asia to integrate Humanitarian action organized by the APF and held in Thailand from 02-03 April and 01-03 October 2019. These programmes were especially tailored for staff of national human rights institutions.

7.2. Employment and vacancies

The Commission received final approval for all the cadre positions in the approved SoR from the Department of Management Services (DMS) in May 2018. However, it awaited directions on absorption of existing staff to cadre positions to begin the absorption process. Consequent to a series of meetings and consultations held with the National Salaries and Cadre Commission and the DMS in 2019 on this topic, the Commission received directions on the absorption process during last quarter of the year, enabling it to begin the process.

The staff of HRCSL was afforded the opportunity to submit appeals in respect of grievances regarding the process of staff absorption.. The Appeals Committee appointed by the HRCSL Board to consider these appeals met on the 5, 13, and 18 December, 2019 and decided to seek further instructions from the DMS and the National Salaries and Cadre Commission prior to responding to the appeals. Following further directions from the DMS, the Committee recommended absorbing the full strength of staff with effect from 01 January 2020 in accordance with the new SOR. The Appeals Committee comprised two HRCSL Commissioners and a retired senior civil servant as an outside member.

7.3. Annual financial statements

The Commission received a majority of its funding from the treasury to carry out core activities. The Commission also acknowledges and appreciates the corporation extended by the UNDP, UNHCR, and Swiss Confederation for programmatic work of the Commission in 2019. (Please see 6.4.2 for more information on financial support extended by external donors)

The financial support extended by external donors is as follows:

Funding Agency	Amount (Rs.)
UNDP	1,287,100.83
Swiss Confederation	5,093,000.00
UNHCR	3,731,000.00
Total	10,111,100.83

- **Total Annual financial provisions:**

		1	2	3	4	5	6	7
Object code	Description	Provision in Budget Estimates	Supplementary Allocation	Transfers in terms of FR 66 and 69	Budget saving as per NBD circular 5/2019	Total Net Provision	Total Expenditure	Expenditure as a % of Net Provision
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Personal Emoluments							
1001	Salaries and Wages	76,000,000.00		(650,000)		75,350,000.00	74,765,242.11	99
1002	Over Time & Holiday payments	3,000,000.00		150,000		3,150,000.00	2,998,303.37	95
1003	Other Allowances	37,500,000.00	4,410,000.00	1,950,000		43,860,000.00	40,605,208.52	93
	Total - Personal Emoluments	116,500,000.00				122,360,000.00	118,368,754.00	
	Traveling Expenses							
1101	Domestic	800,000.00		650,000		1,450,000.00	1,357,255.50	94
1102	Foreign	1,500,000.00		(1,350,000)		150,000.00	78,305.45	52
		2,300,000.00				1,600,000.00	1,435,560.95	
	Supplies							
1201	Stationery and Office Requisites	2,100,000.00		500,000		2,600,000.00	2,522,533.35	97
1202	Fuel	3,900,000.00	650,000.00	700,000		5,250,000.00	3,998,963.80	76
1203	Diets & Uniforms	200,000.00		(50,000)		150,000.00	144,000.00	96
1205	Other - Consumables	500,000.00				500,000.00	404,739.32	81
		6,700,000.00				8,500,000.00	7,070,236.47	
	Maintenance Expenditure						-	
1301	Vehicles	2,500,000.00		1,200,000		3,700,000.00	3,363,824.00	91
1302	Plant, Machinery and Equipments	1,000,000.00		(200,000)		800,000.00	570,958.30	71
1303	Buildings and Structures	150,000.00				150,000.00	127,360.00	85
		3,650,000.00				4,650,000.00	4,062,142.30	
	Services						-	
1401	Transport and Vehicle Rent	3,000,000.00	1,200,000.00	2,000,000		6,200,000.00	3,572,795.80	58
1402	Postal and Communication	4,000,000.00	320,000.00	1,250,000		5,570,000.00	4,681,413.69	84
1403	Electricity & Water	8,100,000.00		(900,000)		7,200,000.00	6,474,049.38	90
1404	Rents and Local Taxes	41,500,000.00				41,500,000.00	37,825,618.24	91
1409	Other	8,000,000.00				8,000,000.00	7,997,404.81	100
		64,600,000.00				68,470,000.00	60,551,281.92	
	Transfers							
1502	Retirement benefits - Gratuity	1,400,000.00	1,500,000.00			2,900,000.00	2,762,723.75	95
1505	Subscription and Contribution	250,000.00	584,000.00			834,000.00	821,641.02	99
		1,650,000.00				3,734,000.00	3,584,364.77	
	Human Rights Programs							

		18,000,000.00				12,750,000.00	11,818,614.53	
Total - Other Recurrent		96,900,000.00	-	-	-	99,704,000.00	88,522,200.94	
TOTAL - RECURRENT		213,400,000.00	8,664,000.00	-	-	222,064,000.00	206,890,954.94	
	Rehabilitation and Imp. of Capital Assets							
2001	Buildings and Structures	1,000,000.00			250,000.00	750,000.00	406,075.00	54
		1,000,000.00				750,000.00	406,075.00	
	Acquisition of Capital Assets							
2102	Furniture and Office Equipmer	5,600,000.00			1,400,000.00	4,200,000.00	2,928,297.40	70
		5,600,000.00				4,200,000.00	2,928,297.40	
	Capacity Building							
2401	Staff Training	4,400,000.00			1,100,000.00	3,300,000.00	1,724,969.86	52
		4,400,000.00				3,300,000.00	1,724,969.86	
2509-3	Catalytic Support to Peace Building in S.L (UNDP)		1,290,000.00			1,290,000.00	1,287,100.83	100
2509-4	Enabling Returnees to access	3,100,000.00	802,000.00			3,902,000.00	3,695,186.08	95
2509-5	Stengthening the Capacity of H	300,000.00	5,093,000.00			5,393,000.00	4,041,776.05	75
		3,400,000.00				10,585,000.00	9,024,062.96	
OTAL CAPITAL		14,400,000.00	7,185,000.00			18,835,000.00	14,083,405.22	
GRAND TOTAL		227,800,000.00	15,849,000.00		2,750,000.00	240,899,000.00	220,974,360.16	
	Imprest received from Treasury - Recurrent						205,510,000.00	
	- Capital						15,275,575.52	
	Total Imprest Received from Treasury						220,785,575.52	
	Other Receipts						216,034.64	
	Total Receipts						221,001,610.16	

APPENDICES

Presence of HRCSL in Sri Lanka: Map



List of recommendations:

	Case Number	Issued date	Type of complaint received	Constitutional Article/s violated	Respondent
1	HRC/1729/17	3/1/2019	Discrimination	Article 12(1)	Royal College, Colombo 07
2	HRC/AP/475/17	3/1/2019	Recruitment	Article 12(1)	North Central Province Provincial Council
3	HRC/AP/498/17	3/1/2019	Recruitment	Article 12(1)	North Central Province Provincial Council
4	HRC/1983/17	25/1/2019	Remuneration	Article 12(1)	Ministry of Education
5	HRC/1576/16	28/1/2019	Recruitment	Article 12(1)	Ceylon Petroleum Storage Terminal Ltd.
6	HRC/237/17	8/2/2019	Admission to schools	Article 12(1)	Yashodara Devi Balika Vidyalaya, Gampaha
7	HRC/AM/150/15/S/EM	8/2/2019	Transfer	Article 12(1)	Zonal Director of Education, Ampara
8	HRC/AM/72/16/T/EM	8/2/2019	Transfer	Article 12(1)	Zonal Director of Education, Ampara
9	HRC/368/18	8/2/2019	Admission to schools	Article 12(1)	Royal College, Colombo 07
10	HRC/K/105/17	8/2/2019	Transfer	Article 12(1)	Department of Animal Production & Health
11	HRC/3578/17	15/2/2019	Admission to schools	Article 12(1)	Royal College, Colombo 07
12	HRC/TCO/27/18	18/2/2019	Harassment based on religious attire	Article 10	Tri/Tri Sri Shanmugam Hindu ladies College, Trincomalee

13	HRC/AM/78/17/S/ED	18/3/2019	Admission to schools	Article 12(1)	AM/D.S. Senanayaka National College, Ampara
14	HRC/398/15 HRC/1149/15	22/3/2019	Torture	Article 11	Yatiyanthota Police
15	HRC/BD/217/14	4/4/2019	Arrest/Detention	Article 12(1)	Mirihana Police/ Kandaketiya Police
16	HRC/1936/16 HRC/2018/16	4/4/2019	Arrest/Detention	Article 13(2)	Thalangama Police
17	HRC/81/18	8/2/2019	Admission to schools	Article 12(1)	Royal College, Colombo 07
18	HRC/K/385/15	21/5/2019	Retirement benefits	Article 12(1)	Sri Lanka Army
19	HRC/K/661/16	23/5/2019	Admission to schools	Article 12(1)	Kingswood College, Kandy
20	HRC/1317/15	23/5/2019	Inhuman treatment	Article 11	I.G.P & Giriulla Police
21	HRC/K/728/16	23/5/2019	Admission to schools	Article 12(1)	Kingswood college, Kandy
22	HRC/AM/05/14	23/5/2019	Arrest/detention	Article 13(1)	Weligepola Police/Mahanagapura Police/Borella Police
23	HRC/K/64/18/A	4/6/2019	Admission to schools	Article 12(1)	Provincial Department of Education, Kurunegala
24	HRC/K/667/16	4/6/2019	Admission to schools	Article 12(1)	Kingswood College, Kandy
25	HRC/302/18	4/6/2019	Admission to schools	Article 12(1)	Royal College, Colombo 07
26	HRC/3875/17	4/6/2019	Admission to schools	Article 12(1)	Anula Vidyalaya, Nugegoda
27	HRC/AP/459/17	4/6/2019	Recruitment	Article 12(1)	Provincial Public Service Commission
28	HRC/K/483/16	4/6/2019	Admission to schools	Article 12(1)	Kingswood College, Kandy

29	HRC/AP/288/14	4/6/2019	Torture	Article 11	Anuradhapura police /Galenbindunuwewa Police
30	HRC/3990/17	4/7/2019	Admission to schools	Article 12(1)	Ananda College, Colombo 10
31	HRC/K/695/17	8/7/2019	Admission to schools	Article 12(1)	Dharmaraja College, Kandy
32	HRC/K/71/18	19/7/2019	Admission to schools	Article 12(1)	Mahamaya Girls College, Kandy
33	HRC/5057/16	19/7/2019	Admission to schools	Article 12(2)	Anula Vidyalaya, Nugegoda
34	HRC/AM/95/14/B	19/7/2019	Conditions of employment	Article 12(1)	S.S.P -Ampara /Pothuwil Police
35	HRC/K/31/18	19/7/2019	Admission to schools	Article 12(1)	Kingswood College, Kandy
36	HRC/3162/17	19/7/2019	Torture/Arrest	Articles 11 and 13(1)	Kosgoda Police
37	HRC/AP/230/16	19/7/2019	Conditions of employment	Article 12(1)	Provincial Road Development Authority, Anuradhapura
38	HRC/K/719/16	8/8/2019	Pension	Article 12(1)	Ministry of Industry & Commerce
39	HRC/K/660/16	8/8/2019	Admission to schools	Article 12(1)	Kingswood College, Kandy
40	HRC/AM/117/16	8/8/2019	Termination of employment	Article 12(1)	Provincial Public Service Commission
41	HRC/4339/15	8/8/2019	Torture	Article 11	Meegahawatta Police
42	HRC/K/364/13 HRC/4682/13 HRC/4683/13 HRC/4684/13 HRC/4685/13 HRC/4686/13 HRC/4687/13	8/8/2019	Employment benefits	Article 12(1)	Janatha estate Development Board

43	HRC/722/16	16/8/2019	Admission to schools	Article 12(1)	Visakha Vidyalaya, Colombo 05
44	HRC/K/536/16	21/8/2019	Admission to schools	Article 12(1)	Kingwood College, Kandy
45	HRC/5083/16	21/8/2019	Service promotion	Article 12(1)	National Education Institute
46	HRC/K/310/15	29/8/2019	Admission to schools	Article 12(1)	Ministry of Education
47	HRC/2513/16	16/9/2019	Service promotion	Article 12(1)	State Timber Corporation
48	HRC/AP/01/13	19/9/2019	Torture	Article 11	Wilayaya Central College, Aralaganwila
49	HRC/4392/16	25/9/2019	Admission to schools	Article 12(1)	C.W.W. Kannangara Central College, Mathugama
50	HRC/123/19	24/9/2019	Admission to schools	Article 12(1)	Ananda College, Colombo 10
51	HRC/4020/17	17/10/2019	Admission to schools	Article 12(1)	Sirimavo Bandaranayaka Vidyalaya, Colombo 07
52	HRC/BD/04/19	17/10/2019	Admission to schools	Article 12(1)	Bandarawela Central College, Bandarawela
53	HRC/2498/15	17/10/2019	Recruitment	Article 12(1)	Peoples Bank
54	HRC/716/18	17/10/2019	Admission to schools	Article 12(1)	Royal College, Panadura
55	HRC/2403/18	17/10/2019	Admission to schools	Article 12(1)	Ananda College, Colombo 10
56	HRC/AP/76/17(W)	30/10/2019	Pension	Article 12(1)	Sri Lanka Army
57	HRC/86/18	30/10/2019	Admission to schools	Article 12(1)	St. Aloysius National College, - Rathnapura
58	HRC/1966/13	30/10/2019	Pension	Article 12(1)	Department of Pensions
59	HRC/33/17	30/10/2019	Admission to schools	Article 12(1)	C.W.W. Kannangara National College, Mathugama
60	HRC/3467/16	30/10/2019	Housing	Article 12(1)	National Housing Development Authority

61	HRC/K/615/16	30/10/2019	Admission to schools	Article 12(1)	Kingswood College, Kandy
62	HRC/4715/13	30/10/2019	Torture	Article 11	Kuliyapitiya Police /Bingiriya Police
63	HRC/K/12/18	30/10/2019	Admission to schools	Article 12(1)	Mahamaya Girls College /Dharmaraja College, Kandy
64	HRC/AM/105/17	30/10/2019	Pension	Article 12(1)	I.G.P /Department of Pensions
65	HRC/K/424/17(W)	30/10/2019	Admission to schools	Article 12(1)	Mahamaya College, Kandy
66	HRC/02/19 HRC/272/19	5/11/2019	Admission to schools	Article 12(1)	Royal College, Colombo 07
67	HRC/3243/17	7/11/2019	Admission to schools	Article 12(1)	Vishaka Vidyalaya, Colombo 05
68	HRC/AP/258/16(W)	7/11/2019	Torture	Article 11	Welikanda Police /Polonnaruwa Police
69	HRC/AM/25/13	4/12/2019	Torture	Article 12(1)	Dehiaththakandiya Police
70	HRC/2753/15	4/12/2019	Arrest/Detention	Article 13(1)	General Hospital, Chilaw
71	HRC/136/19	4/12/2019	Admission to schools	Article 12(1)	Ananda College, Colombo 10
72	HRC/3297/18	4/12/2019	Admission to schools	Article 12(1)	Ananda College, Colombo 10
73	HRC/2675/12 HRC/3406/12	12/12/2019	Arrest/Detention	Article 13(1)	Walasmulla Police
74	HRC/K/128/19A	12/12/2019	Admission to schools	Article 12(1)	Maliyadewa Boys College, Kurunegala
75	HRC/4446/12	12/12/2019	Service promotion	Article 12(1)	Department of Railways
76	HRC/4499/14	28/11/2019	Service conditions	Article 12(1)	Central Cultural Fund
77	HRC/2750/14	12/12/2019	Arrest/Detention	Article 12(1)	Kadawatha Police

List of *suo motu* inquiries undertaken (The interventions of the Commission exercising its own initiative under Section 14 of the Act):

	Date	Case No.	Subject matter	Respondent
1	11/1/2019	HRC/SUO/MOTU/01/19	Death in custody	Welikada Prison
2	11/1/2019	HRC/SUO/MOTU/02/19	Death in custody	Kuruwita Prison
3	28/1/2019	HRC/SUO/MOTU/03/19	Torture	Jayawiru Rehabilitation center
4	28/1/2019	HRC/SUO/MOTU/04/19	Torture	Welikada Prison
5	14/3/2019	HRC/SUO/MOTU/05/19	Torture	Rideegama Police
6	14/3/2019	HRC/SUO/MOTU/06/19	Arrest/detention	Department of Police
7	14/3/2019	HRC/MT/SUO/MOTU/01/19	Enforced or Involuntary Disappearance	Rathgama Police
8	14/3/2019	HRC/SUO/MOTU/07/19	Torture	Puttalam police
9	14/3/2019	HRC/SUO/MOTU/08/19	Torture	Welikada Prison
10	10/5/2019	HRC/SUO/MOTU/09/19	Harassment due to Religious attire	Puwakpitiya Tamil M.V-Awissawella
11	10/5/2019	HRC/SUO/MOTU/10/19	Extrajudicial killing	Marawita Police
12	23/5/2019	HRC/SUO/MOTU/11/19	Harassment due to Religious attire	Medical staff of Aluthgama MOH
13	23/5/2019	HRC/SUO/MOTU/12/19	Housing	District Secretary, Muhudubadapattuwa
14	23/5/2019	HRC/SUO/MOTU/13/19	Harassment re: Transparent bags	Mawanella Mayurapada Vidyalaya
15	23/5/2019	HRC/SUO/MOTU/14/19	Harassment	Zonal Director of education-Hambanthota

16	11/6/2019	HRC/SUO/MOTU/15/19	Harassment due to Religious attire	Medical staff of Mahabage MOH
17	11/6/2019	HRC/SUO/MOTU/16/19	Harassment due to Religious attire	Silvester vidyalaya -Kandy
18	21/6/2019	HRC/SUO/MOTU/17/19	Inaction	District Secretary, Hambanthota
19	09/8/2019	HRC/SUO/MOTU/18/19	Access to water	District Secretary, Madurawala / Pradeshiya Sabha, Madurawala
20	27/8/2019	HRC/SUO/MOTU/19/19	Torture	Pamunugama Police
21	19/8/2019	HRC/SUO/MOTU/20/19	Police inaction	Mahiyanganaya Police
22	11/10/2019	HRC/SUO/MOTu/21/19	Torture	Presidents College -Veyangoda
23	06/11/2019	HRC/SUO/MOTU/22/19	Police inaction	Galle Police
24	31/12/2019	HRC/SUO/MOTU/23/19	Rights of prisoners	Welikada Prison
25	31/12/2019	HRC/SUO/MOTU/24/19	Death in custody	Welikada Prison

Chronological List of Meetings and other events attended by the Chairperson and Commissioners of the Human Rights Commission of Sri Lanka- 2019:

Date	Objective of the meeting/event
01.01.2019	Orientation Programme for new intern trainees
04.01.2019	Meeting with the Hon. Speaker and stakeholders on the vetting process of Sri Lanka military personnel to be deployed as UN peace keepers
16.01.2019	Meeting on the National Human Rights Action Plan with the Secretariat for the Coordination of Reconciliation Mechanisms
18.01.2019	Discussion of the Panel of Elites, Sri Lanka Economic Summit – 2019
25.01.2019	Training programme for the staff of the Human Rights Commission of Sri Lanka on new methods on public education, Neralu Holiday Resort, Henegama
25.01.2019	Australia Day celebrations- Australia House
30.01.2019	Meeting with the Hon. Speaker on the vetting process of Sri Lanka military personnel to be deployed as UN peace keepers
31.01.2019	One Day Training on incorporating Domestic laws on Cluster Weaponry Convention in legislation
31.01.2019	Town Hall Meeting on Communal Harmony, Mawanella
01.02.2019	Inauguration ceremony of the new building of the Finance Commission
02.02.2019	Sri Lanka Medico-Legal Society Annual Scientific Session- Chairperson attended as the Chief Guest and Guest Speaker
14.02.2019	Commemoration - Reminiscence of Thirty Year Era of Democratic Mission (Co-operation, Citizenry and Democracy) PAFFREL
05.03.2019	Discussion with the Secretary of State, Norwegian Ministry of External Affairs
05.03.2019	Discussion on the current status of human rights in Sri Lanka with the Deputy Ambassador and Political Advisor of the Japanese Embassy
08.03.2019	HRCSL Commemoration of International Women's Day
08.03.2019	Launching of 'Wimarshi' by Ms. Sita Ranjanie (mass media's social responsibility in reporting stories with humanism)
09.03.2019	Lecture by Dr. Luis Fondebrider on "Respecting Humanity in Scientific Exploration of Truth" on invitation from the Office of the Missing Persons

12.03.2019	Discussion on the National Human Rights Action Plan with the Secretariat for the Coordination of Reconciliation Mechanisms
13 to 16.03.2019	Inaugural South Asia Forum on United Nations Business and Human Rights
18.03.2019	Launch of the National Action Plan for the Eradication of Bribery and Corruption
21.03.2019	Addressing the Regional Judicial Academic Summit organized by the Asia Pacific Foundation
27.03.2019	Meeting with the United Nations Sub Committee on Prevention of Torture organized by the Ministry of Foreign Affairs
01.04.2019	Meeting with the Deputy Director of the US Democracy, Human Rights and Labour Bureau
04.04.2019	Visit of United Nations Sub Committee on Prevention of Torture
10.04.2019	Meeting with the European Union Consultant
10.04.2019	Luncheon Meeting with Australian High Commissioner at Australia House
12.04.2019	Meeting with the United Nations Sub Committee on Prevention of Torture
02.05.2019	HRCSL Regional Co-ordinators' Meeting
07.05.2019	Meeting with Ms.Elisa Moretti, European Union
08.05.2019	Business Today Programme, Eye Channel
08.05.2019	Meeting with Civil Society Organizations
13.05.2019	'Hathweni Peya' programme, Independent Television Network
14.05.2019	SLBC programme, Sri Lanka Broadcasting Corporation
15.05.2019	'Subharathi' Programme, SLBC
15.05.2019	Meeting with the Ambassador to the United States of America
23.05.2019	Meeting with Chief Editors of print media
28.05.2019	Sectoral Committee Meeting of NHRAP, Ministry of Defence, Battaramulla
06.06.2019	Project Progress Review Consultation organized by United Nations Population Fund
08.06.2019	Lecture by Secretariat for Coordinating Reconciliation Mechanism
08.06.2019	Meeting with UN Assistant Secretary General on Counter Terrorism e
10.06.2019	Meeting with United Nations Development Programme programme officials
11.06.2019	Meeting at HRCSL Regional Office, Kandy

19.06.2019	Meeting with Prof.Ivan Symonavick, Commissioner, International Commission against Death Penalty
20.06.2019	Meeting with His Excellency the President on the vetting process of Sri Lanka military personnel to be deployed as UN peace keepers
23-28.06.2019	German Guest Programme on Women's Rights, Reconciliation, and Memory Inspiration
24.07.2019	Meeting with Clement Wall, United Nations Special Rapporteur on Freedom of Peaceful Assembly And Association
26.07.2019	Meeting with Ms.Kshenuka Seneviratna, Sri Lanka Permanent Representative to the United Nations, New York
31.07.2019	Discussion on Responsible Enterprises and Human Rights, United Nations Development Project
01.08.2019	Swiss National Day
05.08.2019	Meeting with lawyers to discuss draft HRCSL Guidelines on the implementation of S.3 of the ICCPR Act No. 56 of 2007 and situation regarding the death penalty
08.08.2019	Meeting with European Union Exploration Mission
08.08.2019	Meeting with Hon. Ms. Joana Kempers, High Commissioner for New Zealand
13.08.2019	Program on Religious Freedom in Sri Lanka at the International Centre for Ethnic Studies
15.08.2019	Meeting with Hon. Speaker and Officials of the Ministry of Megapolis and Western Development, Sri Lanka Parliament
16.08.2019	Meeting with UN Special Rapporteur on Religious Freedom, Dr. Ahamad Shahid at HRCSL
19.08.2019	Anti-Ragging Program organized by the University Grants Commission under the heading "Creating a Supportive Environment in State Universities"
21.08.2019	Program organized by the youth group Sri Lanka Unites for university students on reconciliation
22.08.2019	Meeting with the Ambassador for the Netherlands,
26.08.2019	University Grants Commission Meeting on Ragging at National Police Commission
27.08.2019	Meeting with European Union GSP+ Monitoring Team
28.08.2019	Meeting with Brian Kayto and Jose Dobako, Foreign Affairs Officials, Washington
29.08.2019	Meeting with the Canadian High Commissioner
3-5.09.2019	Asia-Pacific Forum Annual General Meeting, Seoul, South Korea

2019.10.07	United Nations Dialogue on Responsible Business and Human Rights, UNDP
2019.10.09	UNDP Mission on Business and Human Rights
2019.10.22	Public Forum on Media Guidelines made by the Election Commission
2019.10.24	Chairperson as the chief guest at the annual prize giving of Mahamaya Girls' College, Kandy
2019.10.29	Meeting with Robert Jukham, Resident Representative of UNDP
2019.11.11	Meeting with the European Union Election Observation Mission
2019.11.13	Meeting with the Asia Network For Free Elections (ANFREL)
2019.11.13	Meeting with Marisa Matias, Chief Observer of the European Union Election Observation Mission to Sri Lanka
2019.11.26	Meeting with Ernst and Young (Performance audit of the National Police Commission)
2019.12.02	Meeting with the High Commissioner for New Zealand
2019.12.10	Launch of the New EU-funded projects with civil society to promote Human Rights, Fundamental Freedoms, and Women Empowerment in Sri Lanka
2019.12.23	Meeting with Election Monitors (PAFFREL , CMEV and CAFFE)
06.09.2019	Panel Discussion on Equality and Non-Discrimination organized by the Human Rights Commission of South Korea
16.09.2019	Meeting with Dr. Lavian Starahan, First Secretary, Australian Ministry of Foreign Affairs and Trade at Australia House