

**Performance Report - 1<sup>st</sup> Quarter**  
**January to March 2016**

**Introduction**

The Human Rights Commission of Sri Lanka was established by Act No. 21 of 1996. Appointments of the Chairperson and 4 Commissioners are made in compliance with the 19<sup>th</sup> Amendment to the 1978 Constitution.

The Commission functions with 159 staff members. The Commission has four (4) divisions namely Inquiries and Investigations, Education & Special Programmes, Research & Monitoring and Administration and Finance, and 10 Regional Offices located in Ampara, Anuradhapura, Badulla, Batticaloa, Jaffna, Kalmunai, Kandy, Matara, Trincomalee and Vavuniya to carry out its functions. The Chairperson and /or a Commissioner/ Commissioners supervise each Division and Regional Offices.

**Main Activities for the Quarter**

- A. A High level Dialogue was conducted on 05.01. 2016 to plan and prioritize the work of HRCSL with the support of the Asia Pacific Forum. The Chairperson, Commissioners, Secretary and Deputy Secretary participated in the Dialogue.
- B. The Commission initiated an internship program by calling applications from under graduates and recent graduates to serve on voluntary basis. The Commission received 282 applications and after short listing and interviewing candidates 24 internships were granted and 07 Interns were placed in the Head Office, and 17 in the Regional Offices.
- C. The Commission in keeping with its work as per its mandate to provide advice and recommendations to the Government of Sri Lanka on policy issues to promote respect for and protection of Human Rights, established a number of Sub-Committees with the membership of civil society as expert bodies on prioritized themes to contribute to the development of policy recommendations. The established Sub Committees are Rights of Migrant Workers, Rights of the Differently-abled, Education Policy, Rights of Elders, Gender Issues, Custodial Violations, Rights of Plantation Workers, Economic, Social and Cultural Rights, and Rights of LGBTIQ Persons.
- D. The Commission received a letter from the UN High Commissioner on Human Rights dated 08 March 2016 in which he commended the work of the Commission.

## Recommendations to the Government

- A recommendation was issued to abolish the death penalty in Sri Lanka in keeping with Sri Lankan commitment to a more humane society consonant with human rights principles and values.
- The Commission recommended to the Ministry of Health to issue a circular to enable transgender persons to change their sex in their personal documentation, such as the National Identity Card (NIC). Since then the HRCSL had continuous discussions with the Ministry of Health, the Department of Registrar General and civil society regarding the gender certificate which was formulated by the Commission to enable change of sex in personal documentation. Following that, the Ministry of Health issued circular No. 01-34/2016 dated 16.06.2016 under the hand of the Director General of Health Services. The Registrar-General issued circular No 06/2016 dated 28.07.2016 instructing all registrars in the country to change the sex and name in the birth certificate based on the gender recognition certificate

## News Release

The Human Rights Commission of Sri Lanka and the National Child Protection Authority issued a news release signed by the Chairpersons of both institutions urgently calling the attention of authorities and members of the general public on the right to education of the 5 year old child who was denied admission to Sambodhi Primary School at Ilukhena in Kuliypitiya on the basis he suffered from HIV/AIDS.

## Summary of Complaints

The Commission introduced new categorization of complaints with the aim of streamlining the process.

### **Head Office**

No. of Complaints Received			1484
No. of Complaints within the mandate of HRCSL			882
No. of Complaints not within the mandate of HRC (Cannot Proceed)			371
Complaints pending more information			231
<b>Categorization of the concluded cases</b>	<b>No of Concluded Cases – those registered in 2016</b>	<b>No of Concluded cases – those registered before 2016</b>	<b>Total</b>

No FR Violation	-	158	158
Not Interested	-	49	49
Recommendation	-	13	13
Settlement	-	41	41
Relief Granted	-	43	43
Withdrawn	03	69	72
Refer to other Authorities	-	45	45
Directives given	-	24	24
Pending Court Cases	01	72	73
Not within mandate	-	33	33
Time bar	-	01	01
<b>Total</b>	<b>04</b>	<b>548</b>	<b>552</b>

### Regional Offices

Description	Ampara	Anuradhapura.	Badulla	Batticaloa	Jaffna	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya
No. of Complaints received	53	178	54	88	73	89	201	187	43	80
No. of Complaints within the mandate	41	170	43	85	67	89	165	177	40	71
No. of Complaints not within the mandate	12	8	11	3	6	-	36	10	3	11
No. of Complaints settled	44	8	6	7	33	44	175	157	34	51
No. of Complaints refer to Head office for recommendations	16	8	-	-	-	1	13	6	-	-
Number of clients visited for advice	205	1	239	82	103	68	324	343	3	356

### Summary of Visits to places of Detention

Head Office	Number of Visits to Police Stations	Number of Visits to Prisons	No. of Visits to other
	202	01 - Welidaka Prison	01 – Mulleriyawa Rehabilitation Centre

<i>Regional Offices</i>	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya
<i>Place</i>										
Police Stations	36	69	06	34	61	24	41	113	28	20
Prisons	-	01	01	05	01	-	02	-	01	01

TID Visits	-	-	-	-	-	-	-	-	-	02
Child Care Homes Visits	-	02	-	-	02	-	01	-	-	-
Gazette Places of Detention	-	-	-	-	-	-	-	-	01	-
Rehabilitation Cent.	-	-	-	-	-	-	-	-	-	03

### **Monitoring Activities**

Date	Activity
29.01. 2016	Review Meeting on Rathupaswala water issue with the Young Journalists Association of Sri Lanka
03.02. 2016	Surprise visit to Mirihana National Holding Centre
17.02. 2016	Field Visit to Kajeemawatte, Colombo where homes were demolished.
29.02.2016	Field Visit to Kuliypitiya re the issue of a child who was facing danger of denial his education right on the suspicion that he was affected with HIV/AIDS

### **Suo Motu Actions (Under Section 14 of Human Rights Commission of Sri Lanka Act No. 21 of 1996)**

- Completed investigation and inquiry on excessive use of force by the police on the demonstration conducted by the Higher National Diploma Accountancy students on 2015.10.29.
- Commenced investigation on killing at Embilipitiya allegedly by the police on 19.01.2016

### **Meetings (Internal)**

Meetings	January	February	March
Board Meetings	25 <sup>th</sup>	01 <sup>st</sup>	28 <sup>th</sup>
Commissioners Meetings	13 <sup>th</sup>	15 <sup>th</sup>	14 <sup>th</sup>
Meeting with Regional Coordinators		11 <sup>th</sup>	
Senior Managers Meetings	12 <sup>th</sup>	09 <sup>th</sup>	09 <sup>th</sup>

### **Meetings/Discussions with External Stakeholders**

14.01.2016	Chairperson of the National Police Commission
14.01.2016	Officials of the UN Office of High Commissioner for Human Rights
19.01.2016	A Mission from European Union
21.01.2016	Representatives of UNHCR on Refugees and Asylum Seekers

01.02.2016	UN Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantee of Non-recurrence
02.02.2016	High Commissioner of South Africa
08.02.2016	UN High Commissioner for Human Rights
11.02.2016	Head, Department of History and Theory of Arts, University Of Visual and Performing Arts
12.02.2016	Outcome of the assessment carried out by ICRC on the needs of families of persons considered missing in relation to the past armed conflict in Sri Lanka jointly organized by ICRC & Ministry of Foreign Affairs
15.02.2016	Meeting with Probation Officers Association
15.02.2016	Sri Lanka Child Protection Systems Mapping-Steering Committee at the Ministry of Child Development
15.02.2016	FOKUS – A civil society organization
19.02.2016	Meeting with Ministry of Foreign Affairs on 2 <sup>nd</sup> Periodic Report of SL to the UN Committee on the Migrant Workers Rights
23.02.2016	The Norwegian Department of Country of Origin Information
24.02.2016	Meeting on Kajeemawatte eviction with relevant State Officials
26.02.2016	Special Meeting with Dept. of Emigration & Immigration Officials
26.02.2016	Special Meeting with Commissioner General of Dept. of Prisons
02.03.2016	Mannar Citizens Committee
02.03.2016	Discussion on HIV issue and right to education at Kuliypitiya organized by the National Child Protection Authority
09.03.2016	Public Representations Committee on Constitutional reforms
16.03.2016	National Anti- Trafficking at Ministry of Justice
21.03.2016	Second Secretary of the British High Commission
30.03.2016	Hon. Attorney General
31.03.2016	Orientation on activities of UNHCR for HRCSL Official and Interns

### **Media Programmes**

<b>Date</b>	<b>HRCSL Programme</b>	<b>TV / Radio Programme</b>	<b>Channel</b>	<b>HRCSL Participation</b>
15.02.2016		Subarathi	SLBC	Dr. Deepika Udagama Chairperson
07.03.2016	International Women's Day	Sirasalindaya	Sirasa	Dr. Deepika Udagama – Chairperson

13.03.2016	International Women's Day	Talk show	Sirasa	Ms. Menaka Herath – Actg. Director -E & S P
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### **Foreign Conferences**

<b>Name</b>	<b>Nature of the Programme</b>
Dr. Deepika Udagama, Chairperson	29 <sup>th</sup> General Meeting of the International Co-coordinating Committee of National Institutions for the Promotion and Protection of Human Rights in Geneva from 21 – 23 March 2016.

### **Staff Capacity Building**

<b>Date</b>	<b>Program</b>	<b>Resource Persons</b>
12/13 .02.2016	Referral Mechanism for Complaints Training for Investigation & Inquiry Division staff.	Senior Officials of Public Institutions; Public Service Commission National Police Commission Parliament Commissioner for Administration National Child Protection Authority Legal Aid Commission Mediation Board Commission
25 /26 .02.2016	The Secretary/HRC SL participated in the training on “How to minimize Audit Queries” organized by Association of Public Finance Accountants of Sri Lanka at Training Institute of Technology Professionals.	Experts on subject including retired Auditor General
30.03.2016	Special lecture for staff on Social and Legal perspectives on Death Penalty	Prof. Siri Hettige, Chairperson National Police Commission

### **Special Programs**

<b>Date</b>	<b>Program</b>	<b>Activity</b>
08.03.2016	International Women's Day	Marked the day on the theme of “A world without her” with the participation of rural women leaders from various ethnic communities. The key note speech was delivered by Dr. Saumya Liyanage, Senior Lecturer, University of Visual and Performing Arts. The Commission implemented an island wide sticker campaign and the Colombo campaign was held at the main CTB Bus Stand.  As a part of the celebration media programmes were

		also conducted.
09.03.2016	Interns orientation program	Brief description on HRCSL activities

### **Education and Awareness Programs**

<b>Date</b>	<b>Nature of the program</b>	<b>Target group</b>
January 2016	Initiated electronic media campaign by signing an agreement with SLBC to Broadcast snippets on key human rights issues for one year.	General Public
02.02.2016	The Chairperson of HRCSL conducted a session on National Human Rights Institutions at the Regional Seminar on the role of Parliamentarians in the Promotion and Protection of Human Rights organized by the Commonwealth Secretariat.	Members of Parliament in the region

### **Lecture Assistances by the Head Office**

<b>Date</b>	<b>Target group</b>	<b>Topic</b>	<b>organizers</b>
13.01.2016	Nurses	Patients' Rights/Human Rights	Kalubowila Hospital
30.01.2016	Transgender Persons	Human Rights and Right to Identity	Heart to Heart Organization
23.02.2016	Newly recruited Excise Officers	Human Rights and fundamental rights	Excise College, Panadaragama
23.02.2016	Police Officers	HR/FR Certificate Course	National Police Academy – Negombo
04.03.2016	Police Officers	HR/FR Certificate Course	National Police Academy – Negombo

### **Number of Human Rights Awareness Programs conducted and lecture assistances provided by Regional offices**

Ampara	08
Anuradapura	04
Badulla	02
Batticloa	16
Jaffna	01

Kandy	10
Kalmunai	02
Matara	03
Trincomalee	-
Vavuniya	03

**FINANCIAL REPORT FOR 01.01.2016 – 31.03.2016**

<b>Imprest Received from Treasury</b>	
Recurrent	44,352,000.00
Capital	4,300,000.00
<b>Total</b>	<b>48,652,000.00</b>
<b>Expenditure</b>	
PERSONNEL EMOLUMENTS	23,698,131.61
TRAVELING EXPENSES	789,582.53
SUPPLIES	936,522.83
MAINTENANCE EXPENDITURE	637,981.93
SERVICES	15,733,561.63
TRANFERS	297,747.45
REHAB. & IMPR. OF CAPITAL ASSETS	
ACQUISITION OF CAPITAL ASSETS	
CAPACITY BUILDING	285,752.90
OTHER CAPITAL EXPENDITURE (Other Investments - HR Programs)	2,505,724.76
<b>TOTAL EXPENDITURE</b>	<b>44,885,005.64</b>