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இலங்கை மனித உரிமைகள் ஆணைக்குழு
Human Rights Commission of Sri Lanka

කාර්යසාධන වාර්තාව
செயலாற்றுகை அறிக்கை
Performance Report

තුන්වන කාර්තුව 2017
3 ஆம் காலாண்டு 2017
3rd Quarter 2017

Performance Report - 03rd Quarter

July to September 2017

Introduction

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

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

The statutory functions of the Commission are:

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

The Commission functions with 155 staff members. The Commission consists of Inquiries & Investigations, Education & Special Programmes, Research & Monitoring and Administration & Finance Divisions and 10 regional offices (Ampara, Anuradhapura, Badulla, Batticaloa, Jaffna, Kalmunai, Kandy, Matara, Trincomalee and Vavuniya) to carry out its functions. Each Division is headed by a Director and each Regional Office is headed by a Regional Coordinator. The Chairperson and/or a Commissioner/ Commissioners supervise each Division and Regional Offices.

Main Activities

- The Head Office of the Commission moved to a new building at No. 14, R A De Mel Mawatha, Colombo 04 with effect from 01.09.2017 as the previous lease expired. HRCSL is sharing the building with the Ombudsman's Office thereby providing easy access to the public.
- Two days planning meeting to implement the strategic plan 2017 – 2019 was held with participation of Chairperson and Commissioners on 07th and 08th July 2017.
- Discussion was held on corporal punishment in schools with school principals, Education Ministry officials, a psychologist and a child psychiatrist on 04th September 2017 at Sri Lanka Foundation Institute, Colombo.
- APF – Gender mainstreaming guidelines for trainers and developers was uploaded to the HRCSL website.
- Commenced National Quiz Programme on Human Rights for schools.

Recommendation to the Government

The Commission submitted its observations and recommendation to His Excellency the President on the International Convention for the protection of All Persons from Enforced Disappearances Bill by letter dated 28.09.2017.

Summary of Complaints

Head Office & Regional Centres – (01.07.2017 to 30.09.2017)

Type of Complaint	Ampara	Anuradapura	Badulla	Batticaloa	Jaffna	Kilinochchi	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya	Regional Total	Head Office	Grand Total
Personal Liberty Total	5	29	4	15	23	7	4	22	15	4	32	160	211	371
Torture (Physical & Mental)		9		1				5	4	1	3	23	54	77
Harassment		2	1	7	2			8			12	32	113	145
Sexual Harassment								3			2	5	-	5
Threats		4		2	7	1	1		4	1	7	27	-	27
Degrading treatment			3		1	5	3				2	14	-	14
Arbitrary Arrest/Detention	4	14		2	13			6	6	2		47	42	89
Detention Conditions													1	1
Death in Custody									1			1	-	1
Missing Persons ¹				3		1					6	10	1	11
Other	1											1	-	1
Other Civil & Political Rights	2			2	4							8	-	8
Freedom of Association					4							4	-	4
Freedom of Religion				2								2	-	2
Other	2											2	-	2

Employment	12	19	13	1	8		8	22	24	2	11	120	107	227
Education	6	1	3	1	1		3	9	9	2		35	48	83
State Welfare Services		5		6	2	1		3		1	2	20	-	20
Infrastructure Utilities	1	1	5				2				1	10	3	13
Complaints relating to vote registration													4	
Complaints About Inaction of Govt. Entities	3	35	10	9	10	3	22	20	27	13	11	163	72	235
Police	1	16	3	8	6	2	16	10	22	4	2	90	35	125
Other Government Authorities	2	19	7	1	4	1	6	10	5	9	9	73	37	110
Rights of Differently - abled			1								1	2	-	2
Language rights				2	1							3	-	3
Migrant Worker's Rights			1	4			1	1			3	10	2	12
LGBT Rights					1							1	-	1
Health					1		3					4	1	5
Land & Property Rights	5	21	2	12	5	7	5	14	11	8	32	122	8	130
Environmental	1			1	1		2	1				6	-	6
Administrative Matters	1	4	7	9	5	4	2	9	12	3	3	59	71	130
Other Categories				1	1						2	4	-	4
Not-Accepted/ Cannot Proceed/		15	7			1		54	7			84	270	354
Pending for more Information from complainant												-	143	143
Total	36	130	53	63	63	23	52	155	105	33	98	811	940	1747

Source: HRCSL Database 2017 & Regional Offices Monthly Report of HRCSL 2017

¹The given cases initially accepted under 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 authorities.

Summary of Visits to places of Detention (01.07.2017 to 31.09.2017)

Head Office	Police Stations	Prisons
	169	01

<i>Regional Offices</i>	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya
<i>Place</i>										
Police Stations	23	75	12	37	02	23	68	82	11	127
Prisons		04	-	06		-	03	-	01	09
TID Visits		-	-	-		-	-	-	-	07
Child Care Homes Visits	02	13	01	03	01	-	02	01	01	04
Gazetted Places of Detention		-	-	-		-	-	-	-	-
Rehabilitation Cent.		-	-	-		-	-	-	-	05
Elders Home	02	02	-	-		-	-	-	02	-
Women's Home		-	-	-		-	-	-	-	-
Resettled area				-		-	-	-	-	04

Selected Meetings/Discussions/Programs held with/participated in with External Stakeholders

04.07.2017	Participated in a Professional Forum on “toward a clean and up right country” organized by the Commission to Investigate Allegations of Bribery or Corruption.
11.07.2017	Meeting with UN Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism
11.07.2017	Meeting with additional Auditor General
18.07.2017	Participated in the book launch of “People of Sri Lanka” organized by Ministry of National Co-existence, dialogue and official languages

23.07.2017	Chairperson participated as Chair of panel on independence of lawyers – Presidents of Law Associations (POLA) Annual Meeting held in Colombo.
24.07.2017	Meeting with Hon. Minister of Foreign Affairs
30.07.2017	Chairperson participated as the Chief Guest Holy Family Convent – Model United Nations 2017
30.07.2017	Participated in a discussion on HRCSL and War affected women organized by Rights Now and Fokus Women
31.07.2017	Meeting Leut. Col Carlos A M Vaz and Ms. Brenda Ammeraal, Office of Military Affairs, Department of Peacekeeping Operations, UN
01.08.2017	Meeting with Senior Officials of Foreign Employment Bureau
02.08.2017	Participated in a conference on “Up-country Tamils : Charting a New Future” organized by International Centre for Ethnic Studies.
09.08.2017	Meeting with Westminster Foundation for Democracy
11.08.2017	Participated in meeting with counsellors, nurses and social workers on Mental Health issues in Sri Lanka at HRCSL auditorium.
11.08.2017	Meeting with National Salaries and Cadre Commission
15.08.2017	Meeting with Ms. Elizabeth Broderick, Australia’s former Sex Discrimination Commissioner
01.09.2017	Chairperson addressed the Annual Academic Sessions of the College of Community Medicine
04.09.2017	Participated in a discussion on Corporal Punishment in Schools
04.09.2017	Meeting with Comptroller General of Ministry of Finance
12.09.2017	Participated stakeholders workshop on procurement guidelines and manuals organized by National Procurement Commission
12.09.2017	Meeting with European Union’s - GSP+ Monitoring Mission.
29.09.2017	Chairperson participated as Chief Guest at Annual General Meeting of the Sri Lanka Association for the Advancement of Education.

Meetings (Internal)

Meetings	July	August	September
Board Meetings	17 th	21 st	-
Commissioners’ Meetings	10 th	14 th	-
Senior Managers Meetings	18 th	09 th	21 st

Assistance to Mobile Series Programme of Ministry of National Co-Existence, Dialogue and Official Languages

The Ministry of National Co-Existence, Dialogue and Official Languages organized mobile services for marginalized groups in urban areas in Colombo district. The HRCSL provided resources for mobile services.

Date	Venue
27.08.2017	Thambasiti Methodist Mission Mix School, Point Pedro
03.09.2017	VinayagarMahaVidyalaya, Batticaloa
10.09.2017	CCTMC, Vavuniya
17.09.2017	Tamil MahaVidyalaya, Haputale
23.09.2017	Rambadagalla Central College, Redigama
30.09.2017	AdampanaiVidyalaya, Manthai

Functioned as resource persons

Date	Topic	Organizers	Target Group
26.07.2017	SLIDA Training for new recruits on Human Rights & Fundamental Rights	SLIDA	New SLAS recruits
28.09.2017	Legal Aspect of Sexual Harassment in the Workplace	National Institute of Mental Health	Nursing Staff
29.09.2017	Policy Against Sexual Harassment in the work place	Ministry of Law & Order and southern Development	Police and STF

Staff Capacity Building

Date	Programme	Resource Person/s/ Institution
15.07.2017	Sensitizing programme to improve the legal protection and rights of LGBTIQ persons for HRCSL staff	Mr. Thushara Manoj Project Officer – Equal Ground Mr. Roshan de Silva – Activist Ms. Bhoomi Harendaran – Activist Ms. Menaka Herath – Actg. Director (Edu. & Sp. Prog.) - HRCSL
17.08.2017	Workshop on updating new CIGAS – Entering commitments & liabilities for	Organised by Dept. Of State Accounts

	the HRCSL staff. Ms. Thushani Karunaratne – Financial Assistant participated	
18 – 19.09.2017	End user training of ITMIS budget planning & budget appropriation modules for the HRCSL Staff. Director (Admin. & Fin.) and Financial Assistant participated	Organised by Ministry of Finance & Mass Media

Monitoring Activities

Date	Activity
14.07.2017	Visit and re-inquiry into Pānama land issue
29.08.2017	Visit to areas affected by the Uma- Oya Project
26.09.2017	Special visit to Boossa Detention Centre

SuoMotu Action (Under Section 14 of Human Rights Commission of Sri Lanka Act No. 21 of 1996)

- Instituted action to investigate the attempted arrest of Rayan Jayalath, Convener of Inter University Students Federation.

Thematic Subcommittee Meetings

Date	Sub Committee
07.07.2017	Sub-Committee meeting on Rights of Persons with Disability
04.08.2017	Sub-Committee meeting on Plantation workers
15.08.2017	Sub-Committee meeting on Education policy & Human Rights

Media Programmes

Date	Radio Programme	HRCSL Participation
05.07.2017	SLBC	Dr. Deepika Udagama, Chairperson
11.07.2017	SLBC	Dr. Deepika Udagama, Chairperson
17.07.2017	SLBC	Ms. Ambika Satkunanathan, Commissioner
20/27.08.2017	SLBC	Ms. Menaka Herath Acting Director-Education & Special Programmes Division

Education & Special Programme Activities

- **Meeting on cultural practices that impair health rights of women.**
A meeting was held with medical personnel to discuss female genital mutilation, a cultural practice that impacts on health rights of women.
- **Human Rights Snippets Campaign**
Human Rights snippets campaign broadcast via Commercial Service and all regional services of the Sri Lanka Broadcasting Corporation for purposes of public education.
- **Human Rights Quiz Competition in Schools**
Phase I of the District level competition progressed under the Regional Offices.
- **Accessibility Rights of persons with disability.**
Regional level activities were conducted on accessibility rights of persons with disability, including accessibility audits.
- **Publications**
Published poster relating to women's rights. It was sent to all the Regional Offices for distribution among Divisional Secretariats, Grama Sevaka Officers, Samurdhi Officers etc in their regions.

Regional Coordinating Committee* and Civil Society Meetings** **(01.07.2017 to 31.09.2017)**

Ampara	02
Anuradapura	02
Badulla	02
Batticaloa	04
Jaffna	02
Kandy	02
Kalmunai	06
Matara	02
Trincomalee	01
Vavuniya	03

* Regional Co-ordinating Committees consist of senior representatives of relevant government institutions.

** Regional Civil Society Committees consist of representatives of human rights and other voluntary organizations.

**Number of Human Rights awareness programs conducted and lecture assistances provided
by Regional Offices from 01.07.2017 to 31.09.2017**

Regional Office	Number of Programs
Ampara	16
Anuradapura	09
Badulla	05
Batticaloa	06
Jaffna	15
Kandy	09
Kalmunai	10
Matara	11
Trincomalee	08
Vavuniya	04

Financial Position from 01.07.2017 to 30.09.2017

Opening Balance	Rs. 2,686,777.84
<u>Imprest Received from Treasury</u>	
Recurrent	40,160,000.00
Capital	4,500,000.00
Other Revenue	1,675,573.67
Total Receipts	49,022,351.51
<u>Expenditure</u>	
Personnel Emoluments	23,524,070.94
Travelling Expenses	188,491.25
Supplies	1,402,117.33
Maintenance Expenditure	948,491.64
Services	18,743,280.43
Transfers	320,895.00
Rehab. & Impr. of Capital Assets	-
Acquisition of Capital Assets	114,111.00
Capacity Building	918,052.75
Total Expenditure	46,159,510.34