

මගේ අංකය  
எனது இல.  
My No.

ඔබේ අංකය  
உமது இல.  
Your No.



දිනය  
திகதி  
Date.

09 January 2019

**ශ්‍රී ලංකා මානව හිමිකම් කොමිෂන් සභාව**  
**இலங்கை மனித உரிமைகள் ஆணைக்குழு**  
**Human Rights Commission of Sri Lanka**

Hon. Mangala Samaraweera,  
Minister of Finance,  
Ministry of Finance and Mass Media,  
The Secretariat,  
Lotus Road,  
Colombo 01.

Hon. Minister,


**Re: Allocation of Funds in the Annual Budget to Make State Buildings & Transport  
Accessible to Persons with Disabilities**

The Human Rights Commission of Sri Lanka is writing to submit a recommendation regarding the upcoming budget in relation to the allocation of funds to make state buildings and transport accessible to persons with disabilities in line with our national laws as well as international obligations of Sri Lanka. In this regard, we would like to draw your attention to the following:

- During the past three years the Commission has engaged in numerous activities to ensure persons with disabilities have access to public buildings and transport, such as conducting training programmes with the collaboration of the Human Rights Commission of Australia and conducting audits of public buildings to assess disability accessibility.
- The lack of access to public buildings can adversely impact a person's life and education and livelihood opportunities, as in the complaint made to the Commission by an undergraduate who was unable to continue studying at the Institute of Indigenous Medicine, University of Colombo, due to the buildings not being disability accessible.
- While Article 14 (1) (h) of the Constitution of Sri Lanka guarantees freedom of movement, Article 12 (4) of the Constitution makes provision for special measures to be taken for the advancement of persons with disabilities.
- Also, Sri Lanka as a State Party to the United Nations Convention on the Rights of Persons with Disabilities has undertaken international legal obligations to enable persons with disabilities to access, *inter alia*, facilities and services open or provided to the public, both in urban and in rural areas.

- Section 23 (2) of Protection of Persons with Disabilities, Act No. 28 of 1996 and Section 04 of the Amendment Act, No. 28 of 1996 reaffirm accessibility rights.
- Accessibility Regulation No. 01 of 2006 (attached) requires that within a period of three years from the coming into operation of the regulations, all existing public buildings, public places and places where common services are available should be made accessible to persons with disabilities.
- The decision of the Supreme Court in *Dr. Ajith C.S. Perera v. Attorney General and Others*, S.C. (FR) NO. 221/2009 re-affirmed this right and stated that new public buildings or public places should be designed and constructed in accordance with the design requirements specified in the regulations in force thereby giving access to disabled persons.

Since even twelve years following the issuance of the Regulation the majority of public buildings and public transport in Sri Lanka are not yet disability accessible, we kindly request you to take necessary steps to ensure the allocation of sufficient funds in the upcoming budget for the financial year 2019/2020, to renovate and make required structural changes to existing public buildings and transport to provide access facilities to persons with disabilities.

  
Dr. Deepika Udagama  
Chairperson

Dr. N. D. Udagama  
Chairperson  
Human Rights Commission of Sri Lanka