

# Performance Report –02<sup>nd</sup> Quarter

April to June 2017

## Introduction

The Human Rights Commission of Sri Lanka (HRCSL) 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 HRCSL. The HRCSL 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 HRCSL'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 156 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 for the quarter

- A. The Commission submitted its report on behalf of the Third Universal Periodic Review of Sri Lanka on 30<sup>th</sup> May 2017

- B. The Commission presented its report on Economic Social and Cultural Rights in relation to the review of 5<sup>th</sup> Periodic Report of Sri Lanka under the Covenant on Economic Social and Cultural Rights on 7<sup>th</sup> June 2017 and the Chairperson of HRCSL made a representation to the UN Committee on ESC Rights via teleconference facility. There was a lively discussion on the report of HRCSL. The Commission was congratulated on the progress made.
- C. The Commission conducted media programs to mark the International Torture Victim's Day 2017.
- D. The Commission introduced and implemented Agrahara Insurance Scheme to the HRCSL Staff.
- E. The Commission adopted a new mechanism to supervise the Regional Offices.
- F. The Commission introduced a Transport Policy for the Commission.
- G. The Commission celebrated Sinhala and Tamil New Year at the HRCSL Head Office premises with the participation of Commission members and staff of HRCSL.
- H. To create public awareness on Human Rights "Human Rights snippet campaign" was broadcast via Commercial Service and all regional services of the Sri Lanka Broadcasting Corporation in Sinhala and Tamil languages.
- I. The Commission commenced phase 1 of Human Rights Quiz Competition at district level.
- J. The Commission conducted a meeting on 30.05.2017 with Heads of State Institutions to appoint focal points to liaise with HRCSL in their respective Institutions to avoid delays in resolving complaint which were filed against their Institutions.
- K. The Commission organized a public lecture in collaboration with the Commonwealth Secretariat on "Making a Constitutional Bill of Rights relevant to a post-war/Conflict Society experiences from South Africa" followed by a discussion. The lecture was delivered by the former Deputy Chief Justice of the Republic of South Africa / former Judge of the South African Constitutional Courts Mr. Dikgang Moseneke on 30.06.2017 at the HRCSL Auditorium. It was held with the representatives of independent Commissions, civil society and other invited guests and Staff of HRCSL in attendance.
- L. The Chairperson and Commissioner in charge of Regional Office Matara visited the Regional Office Matara on 25<sup>th</sup> April 2017 and conducted meetings with State Sector Coordinating Committee members and Civil Society Committee members of the Regional Office followed by a press conference.

The Commissioner in Charge of Regional Office Trincomalee visited Regional Office Trincomalee and had meetings on 15<sup>th</sup> -16<sup>th</sup> June 2017.

- M. The Commission called applications for the HRCSL internship programme from local and foreign undergraduates and recent graduates to serve on voluntary basis for the 3<sup>rd</sup> phase of the HRCSL internship programme.
- N. The Commission continued collecting details from Divisional Secretariats on Indigenous People in Sri Lanka for the purpose of monitoring protection of their rights.

### Recommendations to the Government

- The Commission issued an interim recommendation dated 03.05.2017 on the matter relating to compensation of victims of the Salawa explosion.
- The Commission conveyed its deep concern on the growing religious intolerance addressing His Excellency the President by letter dated 31.05.2017
- The Commission expressed its views on Memorialisation and Reconciliation by a letter dated 07.06.2017 to His Excellency the President.

### Summary of Complaints

#### Head Office & Regional Centres – (01.04.2017 to 30.06.2017)

Type of Complaint	Region											Regional Total	Head Office	Grand Total
	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna	Kilinochchi Sub Office	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya			
Personal Liberty	01	41	02	11	21	05	04	22	12	03	29	151	249	400
Torture (Physical & Mental)	-	19	-	-	-	-	-	05	02	02	-	28	58	86
Harassment	-	04	-	07	-	-	01	09	-	-	05	26		26
Sexual Harassment	-	-	-	-	-	-	-	-	-	-	07	07		07
Threats	01	01	01	-	11	03	02	-	-	01	11	31	111	142
Degrading treatment	-	02	-	-	05	01	01	-	-	-	-	09		09
Arbitrary Arrest / Detention	-	15	01	04	04	01		07	09		01	42	49	91
Detention Conditions	-	-	-	-	-	-	-	-	-	-	-	-	01	01

Death in Custody	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Enforced or Involuntary Disappearances	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Abductions	-	-	-	-	-	-	-	-	-	-	-	-	03	03
Extrajudicial Killings	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Encounter deaths	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Prisoner's Rights	-	-	-	-	-	-	-	-	01	-	01	02	-	02
Missing Persons *	-	-	-	-	-	-	-	-	-	-	02	02	-	02
Disappearances	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	01	-	-	01	-	-	02	04	27	31
<b>Other Civil &amp; Political Rights</b>	-	-	-	02	-	-	-	-	-	-	-	02	02	04
Freedom of Expression	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Freedom of Assembly	-	-	-	-	-	-	-	-	-	-	-	-	01	-
Freedom of Association	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Freedom of Religion	-	-	-	-	-	-	-	-	-	-	-	-	01	-
Freedom of Movement	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Right to Information	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Employment</b>	11	27	14	11	11	01	20	33	23	05	18	174	143	317
<b>Education</b>	-	01	10	03	03	03	05	05	10	02	04	46	36	82
<b>State Welfare Services</b>	05	05	-	07	02	-	04	01	-	02	01	27	-	27
<b>Infrastructure Utilities</b>	01	03	06	04	01	-	01	03	02	-	02	23	05	28
<b>Complaints Relating to Vote Registration</b>	-	-	-	-	-	-	-	-	-	-	-	-	01	01
<b>Complaints About Inactions of Govt. Entities</b>	04	15	15	27	20	06	24	35	20	18	12	196	72	268
Police	01	11	08	17	14	03	19	12	19	8	11	123	37	160
Other Govt. Authorities	03	04	07	10	06	03	05	23	01	10	01	73	35	108
<b>Child Rights</b>	-	-	-	-	01	-	02	-	-	01	01	05	-	05
<b>Rights of Differently-abled</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Language rights</b>	-	-	-	-	01	-	-	-	-	-	-	01	02	03

Migrant Worker's Rights	-	-	-	-	01	-	-	-	-	02	05	08	04	12
LGBT Rights (Lesbian, Gay, Bisexual & Transgender)	-	-	-	-	01	-	-	-	-	-	-	01	-	01
Health	-	-	-	-	01	-	-	-	04	-	-	05	-	05
Land & Property Rights	13	28	02	06	01	04	04	04	15	02	14	93	16	109
IDP/Returning Refugees	-	-	-	-	-	-	-	-	-	-	02	02	-	02
Environmental	-	-	-	06	02	-	02	-	-	-	-	10	06	16
Administrative Matters	01	04	09	06	08	06	02	16	11	04	04	71	76	147
Rights of Women	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Elder Rights	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other categories	-	-	-	-	03	-	-	-	03	-	04	10	-	10
Not-Accepted/ Can Cannot Proceed	08	40	05	-	-	-	-	36	-	05	-	94	188	282
Complaint pending for more information	-	-	-	-	-	-	-	-	-	-	-	-	115	115
<b>Total</b>	<b>44</b>	<b>164</b>	<b>63</b>	<b>83</b>	<b>77</b>	<b>25</b>	<b>68</b>	<b>155</b>	<b>100</b>	<b>44</b>	<b>96</b>	<b>919</b>	<b>915</b>	<b>1834</b>

### Summary of Visits to places of Detention (01.04.2017 to 30.06.2017)

<b>Head Office</b>	Police Stations	Prisons	Terrorist Investigation Department (TID)
	242	05	02

<i>Regional Offices</i>	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya
<i>Place</i>										
Police Stations	36	90	29	24	47	24	125	99	22	32
Prisons	-	4	-	7	4	-	2	3	3	-
TID Visits	-	-	-	-	-	-	-	-	-	2
Child Care Homes Visits	1	11	-	4	-	2	-	1	-	-
Rehabilitation Cent. Disabled Persons' Home	-	2	-	-	-	-	-	-	-	2
Elders Home	2	2	1	-	-	-	2	-	-	-

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

04.04.2017	Participated in the Mental Health & Psychological Support program which was named as 'Reflection' organized by the Asia Foundation.
04.04.2017	Meeting with a team from the United State Department's Bureau of Human Rights, Democracy and Labor.
05.04.2017	Participated in the panel discussion on Constitutionalizing Economic Social & Cultural Rights organized by Law and Society Trust and Amnesty International
18.04.2017	Meeting with Refugee Advocates
12.05.2017	Participated in the United Nation's Vesak Celebration festival organized by the Ministry of Buddha Sasana.
16.05.2017	Meeting with the focal point of the Sri Lanka Army on deployment of Military Personnel as UN peacekeepers.
16.05.2017	Meeting with Chairpersons of Independent Commissions
16.05.2017	Participated in the Conference organized by the Sri Lanka Working Journalists' Association to commemorate World Media Freedom Day
17.05.2017	Meeting with H.E the President
25.05.2017	Participated in meeting for Secretaries of Independent Commissions with Auditor General
29.05.2017	Participated in a meeting with Secretary to the President
02.06.2017	Participated in a meeting with the Deputy Secretary to the Government Treasury
30.05.2017	Meeting with Hon. Speaker /Chairperson of the Constitutional Council
31.05.2017	Meeting with the Representatives from the UN Office of High Commissioner for Human Rights
02.06.2017	Participated in an event launch of National Partnership to End Violence against Children Meeting organized by the Ministry of Women and Child Affairs
05.06.2017	Meeting with the European Union Committee for Asia- Oceania
09.06.2017	Meeting with the parents of Kuda Bollatta Primary School-Ganemulla re HIV/Aids organized by the Principal of School
13.06.2017	Meeting with the National Salaries and Cadre Commission
13.06.2017	Meeting with the Secretary of the Ministry of Law and Order and other State Officials
21.06.2017	Participated in an interview for a documentary on torture on the request of Right to Life Human Rights Centre.
27.06.2017	Participated in the Commemoration of the International Day in support of Torture Survivors organized by the Right to Life Human Rights Centre
28.06.2017	Participated in the Conference on Constitutional Reforms organized by the Constitutional Assembly Secretariat of Sri Lanka
28.06.2017	Participated in the program on Women in Sri Lanka and the Independent Commissions organized by the Rights Now and FOKUS Women
30.06.2017	Participated in the Round Table Discussion on Economic Social and Cultural Rights: South Africa's Experience and the International Context organized by Lakshman Kadiragama Institute of International Relations and Strategic Studies
30.06.2017	Participated in an interview with Air Commodore of Sri Lanka Air Force for a research paper on Human Rights issues in South Asia, Redefining United Nations Role in the context of a New World Order

**Regional Coordinating Committee and Civil Society Meetings**  
**(01.04.2017 to 30.06.2017)**

Ampara	-
Anuradapura	2
Badulla	-
Batticaloa	4
Jaffna	1
Kandy	2
Kalmunai	4
Matara	2
Trincomalee	2
Vavuniya	-

**Meetings (Internal)**

<b>Meetings</b>	<b>April</b>	<b>May</b>	<b>June</b>
Board Meetings	-	2 <sup>nd</sup> 15 <sup>th</sup>	20 <sup>th</sup>
Commissioners' Meetings	17 <sup>th</sup>	8 <sup>th</sup>	12 <sup>th</sup>
Senior Managers Meetings	5 <sup>th</sup>	17 <sup>th</sup>	13 <sup>th</sup>
Regional Coordinators Meeting	-	-	27 <sup>th</sup>
Staff Meeting	6 <sup>th</sup>	-	-

**Functioned as resource persons**

<b>Date</b>	<b>Topic</b>	<b>Organizers</b>	<b>Target Group</b>
09.04.2017	Women's Rights	Old Students Association of Vivekananda College Colombo 13	Old students
24.05.2017	Mechanisms to implement Human Rights	Bandaranayake International Diplomatic Training Institute	Participants of Defense Services Command and Staff College
30.05.2017	Laws & Regulations related to women in Sri Lanka	Disability Organization Joint Front	Women in member organizations
01.06.2017	Human Rights Concepts	Department of Prisons	Prison Officers

### **Foreign Trainings/Conferences**

<b>Programme</b>	<b>Participated by</b>
Conference on Yogyakarta Principles organized by the Asia Pacific Forum and UNDP from 24-26 April 2017 in Bangkok, Thailand	Ms.MenakaHerath Acting Director (Education & Special Programs) and Mr. S A Wijayananda, Investigation Officer, Regional Office, Anuradapura
Regional Blended Learning Course on Business & Human Rights. From 5 – 7 June 2017 in Bangkok, Thailand	Mr. ChamilSatyadasa, Education & Data Officer, Regional Office, Anuradapura

### **Monitoring Activities**

<b>Date</b>	<b>Activity</b>
05.05.2017	Visit to Mirihana National Holding Centre

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

The Commission intervened on 05.06.2017 to a water issue at Sadalanakawa, Pannalain the North Western Province.

### **Thematic Subcommittee Meetings**

<b>Date</b>	<b>Sub Committee</b>
17.05.2017	LGBTIQ Sub Committee Meeting
31.05.2017	Education Policy Sub Committee Meeting
23.06.2017	Migrant Workers Sub Committee Meeting
22.06.2017	Gender Sub Committee Meeting

### **Media Programmes**

<b>Date</b>	<b>TV / Radio Programme &amp; Paper Article</b>	<b>Channel/ Paper</b>	<b>HRCSL Participation</b>
07.06.2017	AyubovanSubaDawasak	SLRC	Dr. Deepika Udagama, Chairperson
26.06.2017	Face the Nation	MTV	Dr. Deepika Udagama, Chairperson and Commissioner Ms. Ambika Satkunanathan
30.06.2017	Open Forum	SLBC	Dr. Deepika Udagama, Chairperson

### **Number of Human Rights Awareness Programs conducted and Lecture Assistances provided by Regional Offices from 01.04.2017 to 30.06.2017.**

<b>Regional Office</b>	<b>Number of Programs</b>
Ampara	-
Anuradapura	6
Badulla	1
Batticaloa	5
Jaffna	4
Kandy	3
Kalmunai	-
Matara	-
Trincomalee	-
Vavuniya	-

**Financial Report ( 01.04.2017 - 30.06.2017)**

<b>Opening Balance</b>	3,524,461.99
<b>Imprest Received from Treasury</b>	
Recurrent	67,060,000.00
Capital	-
Other Revenue	33,683.67
<b>Total</b>	<b>70,618,145.66</b>
<b>Expenditure</b>	
Personnel Emoluments	24,700,689.03
Travelling Expenses	162,044.00
Supplies	1,067,983.40
Maintenance Expenditure	333,190.78
Services	40,703,102.12
Transfers	914,172.49
Rehab. & Impr. of Capital Assets	-
Acquisition of Capital Assets	10,500.00
Capacity Building	39,686.00
<b>Total Expenditure</b>	<b>67,931,367.82</b>