



Human Rights Commission of Sri Lanka



Annual Report – 2021

This is the Annual Report of the Human Rights Commission of Sri Lanka on its activities in 2021. 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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Chairperson

Dr. Jagath Balasuriya
(01.01.2021 to 01.10.2021)

Justice Rohini Marasinghe
(17.12.2021 onwards)

Commissioners

Dr. M.H. Nimal Karunasiri

Dr. Vijitha Nanayakkara

Ms. Anusuya Shanmuganathan

Mr. H.K. Navaratne Weraduwa

(01.01.2021 to 01.10.2021)

Ven. Kalupahana Piyarathana Thero

(17.12.2021 onwards)

Chairperson's Message

The year 2021, the second year since the COVID-19 pandemic, brought forth unprecedented challenges to all. Although all sectors in society faced hardships, the crisis exacerbated structural inequalities, particularly affecting the human rights of marginalized and vulnerable communities.

In the face of such mounting challenges, the Human Rights Commission of Sri Lanka (HRCSL), proactively rose to the occasion and made impactful interventions in the sphere of human rights. As the Chairperson of the HRCSL, I am pleased to pen my message on the release of the Annual Report, a customary yet essential publication which highlights the yearly performance of the Commission in executing its mandate of protecting and promoting human rights in Sri Lanka.

Among the many tasks taken up by the Commission during the year, salient features of few crucial interventions are highlighted herein. The Commission in its efforts to promote human rights during the pandemic issued guidelines to the Head of the National Centre for the Prevention of the Spread of the COVID-19 pandemic with 11 points. The guidelines included the rights of the COVID diagnosed patients, their immediate families/guardians, caregivers of persons with disabilities and the required welfare standards at hospitals and treatment centers.

When the Government of Sri Lanka received the vaccines to immunize against the COVID-19 virus, the HRCSL forwarded a letter to the Director General of Health Services recommending to establish a priority scheme for the front-line workers to receive the vaccine.

The HRCSL also observed that detainees in police custody during COVID-19 pandemic were deprived of their right to see their lawyers and relatives. They were also not provided with adequate welfare facilities. The HRCSL issued directives requesting the IGP to take all steps to ensure the rights and welfare of the detainees in police custody are protected. Further, the Commission also requested the IGP to treat all quarantine law violators equally without discrimination and in accordance with the quarantine guidelines.

During the latter half of 2021, several explosions of gas stoves took place in different locations in the country. The HRCSL swiftly probed into the issue and facilitated the payment of compensation to the affected parties after concluding inquiries with the support and cooperation extended by the Ministry of Consumer Affairs, Consumer Affairs Authority, the Sri Lanka Standards Bureau, Ceylon Petroleum Corporation, Litro Gas Company and Laugh Gas Company.

Inquiries were made from the IGP regarding custodial deaths and torture as it is the primary responsibility of the Police Department to ensure the safety and rights of the suspects in police custody. The HRCSL emphasized the need to take all measures to ensure the rights of the detainees as the failure to do so leads to the collapse of the public faith in rule of law in the country.

The HRCSL also summoned the Secretary of the Ministry of Justice, the Secretary of the Ministry of Prison Reforms and the Commissioner General of Prisons to follow up on the implementation of the recommendations mentioned in the Prison Study Report of the Human Rights Commission of Sri Lanka which was conducted from 2018-2020. Consequently, a working committee was appointed to monitor the implementation of the recommendations in the said report.

During the year, strengthening relationships with Civil Society Organizations was considered a priority. Accordingly, the Commissioners visited Civil Society Organizations in Jaffna, Vavuniya, Batticaloa, Trincomalee, Ampara, Matara, Mannar, and Anuradhapura. Although in-person consultations were made impossible due to restrictions in movement due to the COVID-19 pandemic, discussions were held with smaller groups which proved to be very effective.

Another important intervention made during the year by the HRCSL is the recommendations made to the Secretary of the Ministry of Education to amend the Circular relating to grade one public school admissions. Key recommendations include inter alia the allocation of points based on residence instead of land rights, increasing the percentage of the 'residence' category to 60% and decreasing the percentage of the 'former students' category to 15%. The Commission also intends to implement a sustainable program to eliminate all forms of discrimination and fundamental rights violations that takes place in the primary school admission process.

A review of the GSP plus relief provided by the European Union in Sri Lanka also took place during the year. The EU delegation who visited Sri Lanka met with the HRCSL and exchanged views regarding the status of human rights aspects of all challenges faced during the COVID-19 pandemic. The EU delegation also focused on issues pertaining to labour organizations and women's organizations in respect of promoting and protecting labour rights.

The HRCSL as an 'A' grade National Human Rights Institute was subjected to a special review in October 2021 by the Global Alliance of National Human Rights Institutions based on reports received by third parties. As a result, it was recommended to downgrade the Sri Lanka Human Rights Commission to "B" grade as per Article 18.1 of the Constitution of the Global Alliance of National Human Rights Institutions.

This decision was challenged by the HRCSL and no firm decision has been taken as of yet by GANHRI, and the HRCSL continues to pursue its mandate.

While taking pride that HRCSL has been able to compile its annual report covering the gamut of work carried out, I wish to take this opportunity to express my gratitude to all stakeholders who have worked and supported the work of the Commission in its indispensable efforts of protecting and promoting human rights in Sri Lanka during the year 2021. We are grateful to the Government of Sri Lanka, Civil Society Organizations, Non-Governmental Organizations, UN agencies and foreign missions for their unwavering support to uphold human rights in the country.

Thank you.

Justice Rohini Marasinghe
Chairperson

Human Rights Commission of Sri Lanka

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- I. Network of Human Rights Commission
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LIST OF ACRONYMS

A&F	Administration & Finance
APF	Asia Pacific Forum
CCD	Colombo Crimes Division
CID	Criminal Investigation Department
CORE Justice	Coherent, Open, Responsive and Effective Justice Program
CTF4HR	Community Task forces for Human Rights
DIG	Deputy Inspector General
DMS	Department of Management Services
DoP	Department of Prisons
ED&SP	Education & Special Programmes
EU	European Union
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
MFA	Migrant Forum in Asia
NGOs	Non-Governmental Organizations
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
UNHCR	United Nations High Commissioner for Refugees

State of Human Rights in Sri Lanka - 2021

As in the year 2020, the year under review has been a period with the consequence of the COVID-19 pandemic having many hardships arose due to the pandemic. Since the detection of the first case in January 2020, Sri Lanka has successfully managed two waves of the pandemic but was struggling to contain a third wave that began in April 2021.

The Government of Sri Lanka has implemented strict measures to control the spread of the disease, and island-wide travel restrictions and isolation areas have been imposed. With the third wave, efforts were focused on enforcing prevention measures, strengthening COVID-19 treatment facilities around the country, and deploying the COVID-19 vaccination program, particularly in high-risk areas and among vulnerable populations. It is obvious that the rapid vaccination program helped significantly to keep the pandemic under control throughout the year 2021. By using 39.4 million doses, 14.4 million individuals have been fully vaccinated (65.9%) according to the Ministry of Health statistics. Under these circumstances, some areas of human rights showed improvement during the year, while other areas required concentrated efforts to avoid limiting democratic rights for citizens to exercise their rights over government actions, especially during COVID - 19 pandemic.

In the context of COVID -19 pandemic, there were numerous arbitrary arrests and detentions recorded in several part of the Island. It was manifested by the teacher unions' claim that in an effort to launch a protest against the non-implementation of salary increments which are entitled to teachers, the protesters were arrested by police arbitrarily and detained in quarantine centres. Also, it was the opinion of the protesters who agitated against the government's agricultural policies, they were controlled under the pretext of the pandemic. These were among some of the incidents that suppressed the right to expression and peaceful assembly of the protesters. Further, a few incidents of deaths in custody and extra judiciary killings also took place during this period. These incidents mainly targeted drug dealers and underworld groups. There were several incidents of harassment that took place in respect of detainees detained under PTA in prisons such as Anuradhapura.

Due to the COVID-19 pandemic, several rights of the people in terms of economic, social and cultural were violated, especially related to employment, education, health, food and social security etc. In view of this situation, vulnerable people became more

vulnerable and faced multiple discrimination in various aspects especially children, persons with disabilities, elders and LGBTIQ community, and plantation workers.

The Consumers were affected due to poor standards of Liquid Petroleum gas (LP Gas) and several deaths were reported following the leakage and explosion of the Gas in many parts of the island. As a result of restrictions due to the COVID-19 pandemic, food prices were increased and there was no effective price-controlling mechanism in operation.

The government introduced a policy to minimize chemical fertilizers and agrochemicals that envisaged safeguarding the environment. However, with the imposition of a ban on chemical fertilizers and agrochemicals by the government, the farmers encountered difficulties with the cultivation of their lands. As a result, several farmers were compelled to give up farming due to the non-availability of chemical fertilizers and standardized organic manure thereby losing their livelihoods. Further, the government restricted certain agro-based food items to encourage the local cultivators but prices increased drastically further aggravating the cost of living of the people.

As a whole, the year 2021 was a challenging year due to COVID – 19 pandemic issues affecting the civil, political, economic, social and cultural rights of the citizens. It is the responsibility of the government to protect, respect and fulfill the rights of the People, particularly at a time of disaster like COVID-19.

CHAPTER 1

THE COMMISSION

1.1. Overview of the Commission

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.

1.1.1 Vision

A society that recognizes 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

The HRCSL drafted the Strategic Plan for 2021 – 2024. Main goals are,

Goal 1: Protect and Promote Human Rights of all Citizen in Sri Lanka

Goal 2: Establish Accessible and Responsive Network to Protect Human Rights

Goal 3: Building Human Rights Culture

Goal 4: Enhance Efficiency of the Management System

Goal 5: Work in Partnership with other Institutions to ensure Human Rights

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

The HRCSL 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 recognized by the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)” 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.

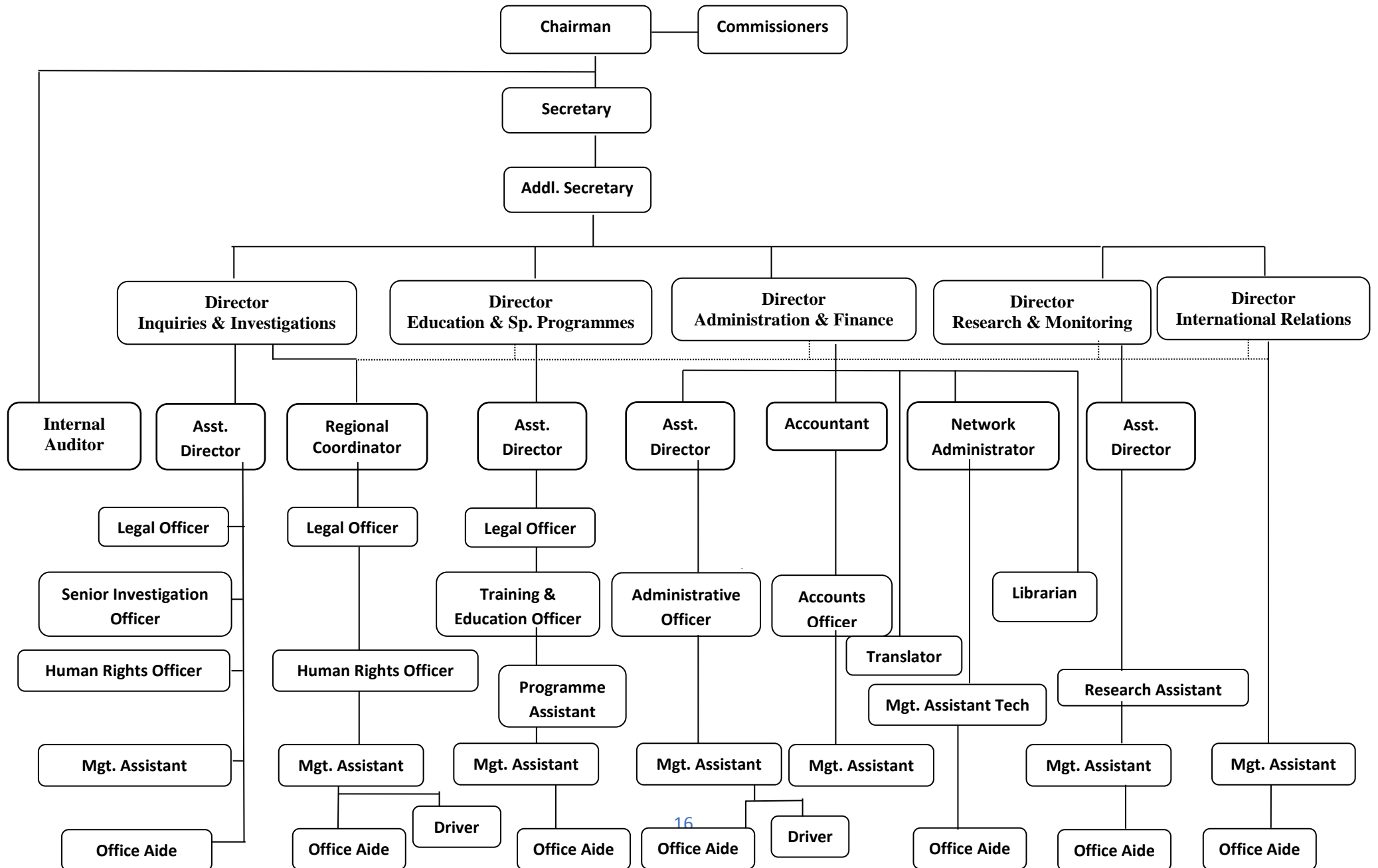
1.3. Organizational Structure

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 144 staff members. It consists of 04 Divisions namely: Inquiries & Investigations, Education & Special Programmes, Research & Monitoring, and Administration & Finance Divisions. A Division on International Relations 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 three sub-offices (Kilinochchi, Mannar, 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 the regional level in order to increase the 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 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.

Organizational Structure of the Human Rights Commission of Sri



CHAPTER 2

INVESTIGATIONS AND INQUIRIES

2.1. Overview

The affairs of Inquiries and Investigations are assigned to the Division of Inquiries and Investigations and its main responsibility is to inquire into and investigate complaints regarding violations or imminent violations of fundamental rights, as per the HRCSL Act No. 21 of 1996 and sections 10 (a) 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; 10 (b) to inquire into and investigate, complaints regarding infringements or imminent infringements of fundamental rights, and to provide for resolution thereof by conciliation and mediation in accordance with the provisions hereinafter provided;

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

2.1.1. Strengthening Working Methods

By introducing and implementing new working methods and enhancing existing mechanisms the Commission has ensured the efficiency and responsiveness of the Inquiries and Investigations Division which is taking care of complaints and grievances of the public who are subjected to the violation of their fundamental rights,

2.1.2. Launching the Human Rights Information System (HURIN)

The Commission launched the Human Rights Information System (HURIN) to streamline the complaint mechanism and facilitate receiving complaints electronically.

2.1.3. Introducing Appeal Mechanism

The appeals mechanism introduced in 2018 for all complaints disposed of other than for finalized complaints on which recommendations were issued was successfully active in 2021. Despite challenging working conditions resulting from the COVID-19 pandemic, a significant number of appeals were reviewed in 2021 in order to determine if there were grounds for re-entertaining complaints.

2.1.4. Handling Complaints in 2021

The HRCSL received 6322 complaints in 2021. Out of 6322 complaints, 3228 (51%) were received by the regional offices, while the balance was received at the Head Office. There is no significant difference between the total complaints when compared with the previous year. The COVID - 19 pandemic situation continued throughout out 2021. As in the previous years, the highest number of complaints for any individual category amounting to 26% was received in relation to violations of personal liberty, including torture in custody, arbitrary arrests, detentions and harassment. Personal liberty complaints were reduced when compared with the previous year. The total number of complaints related to the inaction of government entities was 1080, of which 592 were complaints against the police. The category of complaints in relation to employment was at 811 amounting to 13% of the total complaints. The statistics of complaints on different categories received by the Head Office and Regional Offices are shown in Table. 1

2.1.5. Concluded cases in 2021

In this year 4319 cases were concluded and 37% of these cases (1588) were winded up due to no interest shown by the complainants. However, 369 cases were settled. The details of concluded cases are given in Table 2.

Details of Complaints Received by Head Office & Regional Office - 2021

Types of Complaints	Regional Office											Regional Office	Head Office	Grand Total	
	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna & Kilinochehi	Kalmunai	Kandy	Matara	Trincomalee	Vavuniya	Mannar				Puttlam
Personal Liberty	17	112	21	51	109	51	93	155	39	56	25	84	813	803	1616
(a) Torture (Physical and Mental)	3	36	1	5	26	4	18	13	4	7	5	12	134	168	302
(b) Degrading Treatment	-	-	-	-	6	-	-	2	1	-	-	3	12	-	12
(c) Harassment	2	4	13	9	30	25	23	-	9	34	11	32	192	199	391
(d) Sexual Harassment	-	-	-	-	-	-	-	1	-	-	-	-	1	7	8
(e) Threats	-	7	-	10	23	3	-	34	2	1	-	18	98	-	98
(f) Arbitrary Arrest/Detention	12	65	7	27	24	19	51	99	23	14	9	19	369	403	772

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(g)Death in Custody	-	-	-	-	-	-	-	2	-	-	-	-	2	11	13
(h)Extra-Judicial Killings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(i) Enforced or Involuntary Dissappearance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(k) Prisoners Rights	-	-	-	-	-	-	1	4	-	-	-	-	5	15	20
Other Civil & Political Rights	-	-	-	4	2	2	2	2	-	-	-	-	12	3	15
Employment	17	48	38	24	30	34	120	51	8	17	3	34	424	387	811
Education	-	3	7	25	9	13	52	60	-	1	1	11	182	135	317
State Welfare Services	-	-	-	3	16	8	15	4	4	1	3	4	58	-	58
Infrastructure & Utilities	1	-	4	-	3	7	11	1	-	2	-	3	32	8	40
Complaints Relating to Voter Registration	-	-	-	1	-	1	-	-	-	-	-	2	4	3	7
Complaints about Inaction of Gov. Entities	27	208	73	247	98	55	143	35	23	53	14	4	980	100	1080
(a)Police	5	60	39	165	72	44	68	25	14	32	10	-	534	58	592
(b)Other Gov. Authorities	22	148	34	82	26	11	75	10	9	21	4	-	442	42	484
Child Rights	-	3	-	2	-	3	2	-	-	-	-	-	10	-	10
Rights of Differently-abled	-	-	-	-	-	-	1	-	-	-	-	-	1	2	3
Language Rights	-	-	-	-	-	-	1	-	-	-	-	1	2	-	2
Migrant Workers' Rights	-	2	-	6	-	-	1	-	1	-	-	1	11	3	14
LGBT(Lesbian,Gay,Bi- sexual,Transgender)Rights	-	-	-	-	-	-	-	-	-	-	-	-	-	4	4

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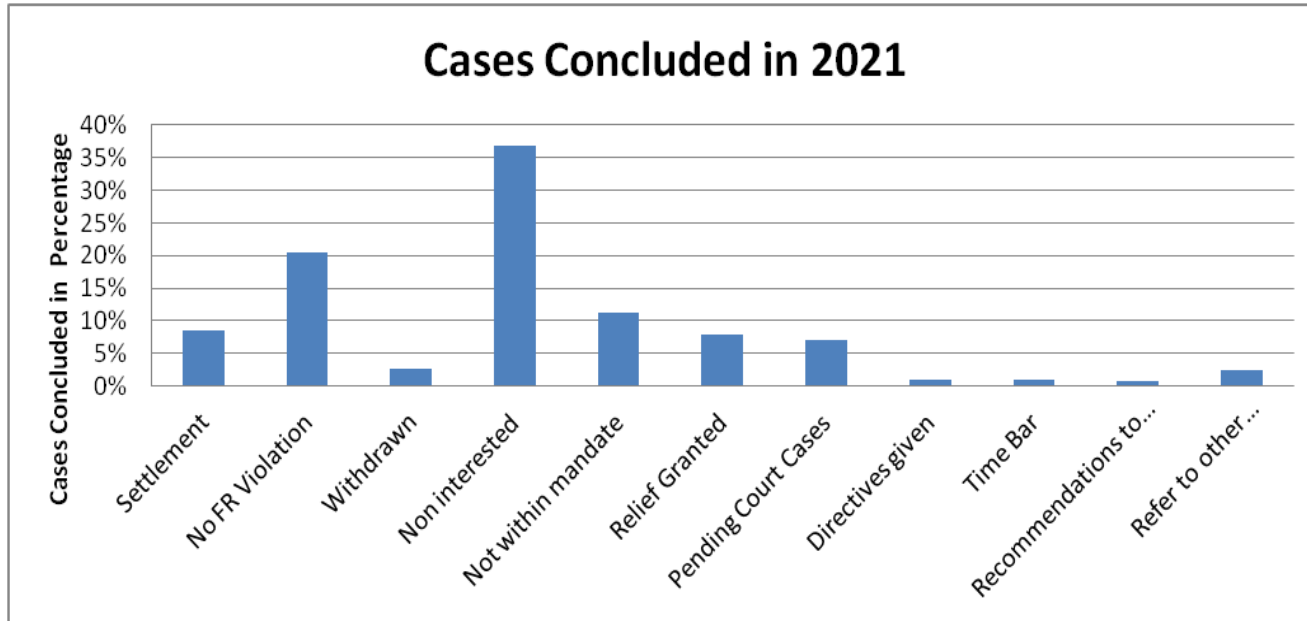
Health Rights	-	2	1	6	2	-	1	-	-	-	-	-	12	4	16
Land & Property Rights	20	22	15	19	16	19	32	11	10	26	16	45	251	66	317
IDP/Returning Refugees	-	-	-	-	-	-	1	-	-	-	-	-	1	-	1
Environmental Rights	-	1	-	2	3	1	-	3	-	1	-	4	15	9	24
Administrative Matters	3	-	10	-	7	8	34	16	7	1	-	17	103	71	174
Rights of Women	-	-	-	-	-	-	-	1	-	1	-	-	2	-	2
Other Categories (including the complaints not within the mandate)	50	75	22	10	16	5	23	95	3	9	7	-	315	1496	1811
(a)Refferels to other institutions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(b)Refferels to other Regional Offices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	135	476	191	400	311	207	532	434	95	168	69	210	3228	3094	6322

Table 1 - Details of complaints received to the Head Office & Regional Offices

Disposed Cases – 2021

	Ampara	Anuradhapura	Badulla	Batticaloa	Jaffna & Kilinochchi	Kandy	Kalmunai	Matara	Trincomalee	Mannar	Vavuniya	Puttiam	Total	Percentage
Settlement	07	128	21	40	80	12	10	01	13	13	15	09	369	8.54
No FR Violation	18	76	46	19	106	193	22	64	14	13	40	04	887	20.54
Withdrawn	--	10	15	01	01	08	01	02	02	03	03	05	118	2.73
Not interested	25	88	32	57	17	93	09	82	20	03	34	20	1588	36.77
Not within mandate	50	75	22	10	18	29	--	97	19	12	13	--	489	11.32
Relief Granted	10	--	19	74	10	52	31	20	--	06	17	04	340	7.87
Pending Court Cases	11	62	--	14	47	39	08	16	--	02	--	02	304	7.04
Directives given	--	--	--	--	--	37	--	--	--	--	--	--	44	1.02
Time Bar	--	--	--	--	01	06	--	35	--	--	--	--	44	1.02
Recommendations to Head Office	--	07	06	02	--	13	--	--	01	--	--	--	29	0.67
Refer to other Authorities	--	02	51	01	03	22	--	10	--	02	06	--	107	2.48
Total	121	448	212	218	283	504	81	327	69	54	128	44	4319	100.00

Table 2. Recommendations Issued on Complaints - 2021

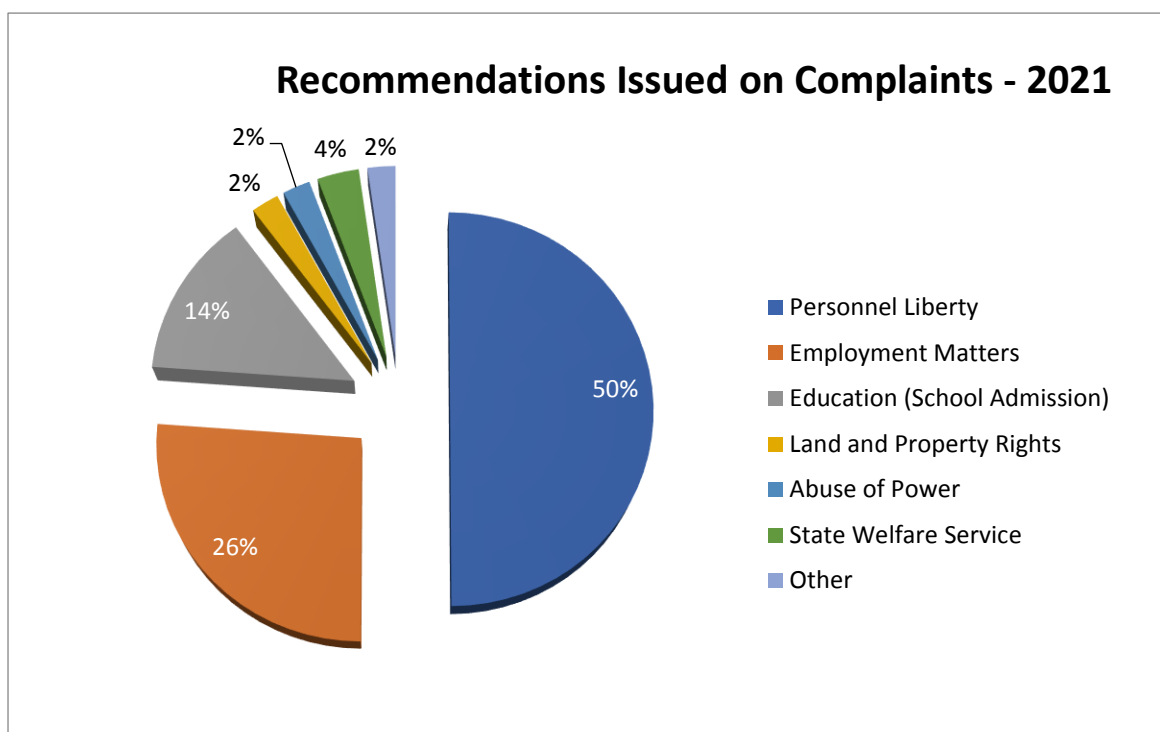


2.2. Recommendations

In 2021, the Commission issued 88 recommendations under the following categories as shown in the Table 3.

Category of Complaints	No of Cases	Percentage
Personnel Liberty	44	50%
Employment Matters	23	27%
Education (School Admission)	12	14%
Land and Property Rights	02	2%
Abuse of Power	02	2%
State Welfare Service	03	3%
Other	02	2%
Total	88	100%

Table 3: Recommendations Issued on Complaints – 2021



2.3 Special Inquiries and Interventions

2.3.1 Investigation of incidents at Anuradhapura Prison

An incident took place on 12.09.2021 when a group of persons including the State Minister for Prison Reforms unofficially entered the premises of the Anuradhapura Remand Prisons without having any specific purpose to enter the premises. The several prisoners remanded under the Prevention of Terrorism Act were brought before the said minister and he ordered to kneel down before him and threatened them with death. Subsequently, a Special HRCSL Team made an official visit to Anuradhapura Prison and took statements from the detainees. Further, the HRCSL summoned the relevant authorities including the State Minister.

2.3.2. Death in Custody

On 25th November 2021 around 10 pm, Sanjaya Ariyadasa, Attorney-at-Law made a telephone call to the hotline of the Commission and informed that Hewa Lunuvilage Lasantha alias Tinkering Lasantha was arrested by the Kaluthara Divisional Crime Detective Bureau and stated that there was a plot to murder him on that day on the pretext of recovering hidden weapons. Following the above-mentioned complaints, the Director-Inquiry and Investigation Division of the HRCSL instructed the Director-Human Rights Division of the Sri Lanka Police Department to take relevant legal protection regarding the said complaint. Further, the officer who was assigned the hotline on 25th November 2021, has called the Crimes Division of the Police and inquired about such an arrest. However, the officer was informed by SDO that no such arrest had been made. Later, the news of the death of Lunuvilage Lasantha alias Tinkering Lasantha in a shootout which took place while he was escorted out to recover hidden weapons, came to the attention of the Commission. Following this, an investigation team was sent by the Commission and they visited the scene of the crime and recorded statements from the relevant parties involved in this case. The investigation process pertaining to the custodial death of Lunuvilage Lasantha alias Tinkering Lasantha is currently ongoing.

2.3.3 Inquiry into the Explosion of Household LP Gas

HRCSL took action and launched an inquiry into explosions of household LP Gas with officials of the State Ministry of Consumer Protection, Consumer Protection Authority, and Sri Lanka Standards Institute and other relevant

parties to find a quick solution to protect LP Gas consumers from any possible harm. HRCSL has summoned Gas Companies and other related institutions for this inquiry held at the Head office of the HRCSL.

2.3. Vetting of Sri Lankan security forces to be deployed as UN Peacekeepers

The human rights vetting of military personnel began in 2017 to be deployed for United Nations peacekeeping operations at the invitation of the Government of Sri Lanka was continued in 2021 as well. This process ensures that individuals to be deployed meet the highest standards of integrity, including respect for and commitment to human rights. As there was a lack of procedural rules that govern the vetting process it was decided at a round table discussion in 2018, to formulate Standard Operating Procedure (SOP) in order to streamline the vetting process. The vetting process was halted until the SOPs were agreed upon by all stakeholders, which ultimately came into effect in December 2018. Due to the halting of the process which resulted in a backlog of applications, it was decided by all stakeholders to conduct a double vetting i.e. the applications were vetted by the Commission as well as the Office of the UN High Commissioner for Human Rights (OHCHR) in Geneva in order to expedite the vetting process. In the year 2021, the Commission vetted and confirmed 296 military personnel for deployment in the reporting year. The details are shown in the table below.

Information on the number of files screened by the HRCSL during the year 2021

Name of Mission	Entity	Files Cleared
UNIFIL Contingent	SL Army	66
UNMISS L II Hospital Contingent	SL Army	78
MINUSMA Contingent	SL Army	34
MINUSCA Aviation Contingent	SL Air Force	110
MINUSCA Individual Officers	SL Air Force	05
MINUSCA Individual Officers	SL Air Force	02
UNIFIL Individual Officers	SL Navy	01
Total Files Cleared	-	296

2.5. *Suo Motu* inquiries

The Commission intervened in several issues exercising its own initiative (*suo motu*) under Section 14 of the Human Rights Commission Act. Often, the matters deserving intervention are identified through media monitoring and individuals or organizations bringing such issues to the attention of the Commission. This activity manifests close collaboration between the Investigations and Inquiry Division, the Research and Monitoring Division, and the Regional Offices of the HRCSL.

2.5.1. Case No. HRC/SUO/MOTU/01/21

This Complaint is about a violation of Article 11 of the Constitution. The Complainant, Satyendra Migara Gunawardena who is a Law student of Sri Lanka Law College has been subjected to torture, cruelty and inhuman punishment while he was in the Peliyagoda Police Station on the 25th February 2021. He was subjected to torture while he was visiting his two friends who were in Police Custody. The Commission is yet to be informed about the petitioner's response in order to continue further investigations regarding this matter.

2.5.2. Case No. HRC/SUO/MOTU/04/21

In this complaint, the suspect of a theft alleges that the Police officers of the Narahenpita Police Station have arrested and tortured him. A team of the HRCSL visited the said police station and made their observation. A further investigation is to be held by the Commission.

2.5.3. Case No. HRC/SUO/MOTU/06/21

In this case, the deceased, S.H.M. Ali Khan was arrested by officers of the Panadura – North Police Station on the 6th of June 2021 while he had ventured out of his house to buy food. According to the CCTV footage released in the media, the deceased was seen flung out of the vehicle as a result of pushing him out of the police vehicle. According to the statement given by his wife, he was severely injured when she visited him. He later died in the Panadura Hospital. According to the complaint, further investigation is to be held by the Human Rights Commission.

2.5.4. Case No. HRC/SUO/MOTU/08/21

A complaint was received by the Commission in regard to the protest initiated by the prisoners of the Welikada Prison requesting Presidential pardon. The officers of the Commission visited the Prison and they explained the legal background regarding the Presidential pardon and the responsibility of the Commission. Some of the protesters agreed to quit the protest after this explanation and the officers of the Commission advised the rest of the protesters to settle the matter.

2.5.5. Case No. HRC/SUO/MOTU/09/21

In this case, several incidents in which the general public has been mistreated by the police officers of the Sri Lanka Police Force were brought to the attention of the Commission. The Commission had drawn its attention to the incident surrounding the conduct of the Senior Deputy Inspector General of Police Ratnapura, and the incident surrounding the conduct of the police officers attached to the Eravur Police station and the Kadawatha Police station. This matter is being investigated by the HRCSL and an application is being filed in the Supreme Court of Sri Lanka as well.

2.5.6. Case No. HRC/MTR/Suomotu/07/21/V

Indika Jayaratne, was arrested by the Panamura Police on 16.11.2021, and it was alleged that he was hanged while in police custody. He was being investigated on suspicion of assaulting and killing a resident of the area. In connection with the incident. The HRCSL Team visited the police station – Panamure and reported to the court the arrest, checked all the information books and kept the relevant notes. A report from the JMO reports was also called the all reports from Arrests to reporting to the Court. Statements have been obtained from the relevant officials so far.

2.5.7. HRC/MTR/Suomotu/08/21/G

Prematilleke Amaraweera, who was arrested by the Hungama Police on 18.12.2021, had died in police custody. The reason for this death was given as a heart attack. Investigations were launched into the death of this suspect who had been arrested in connection with the sale of liquor illegally on 18.12.2021. A team of the HRCSL visited the Hungama police station, reported to the court

regarding the arrest, checked all the information books, checked CCTV footage and kept the relevant notes. The HRCSL also called the JMO reports

2.5.8. HRC/AP/Suomotu/01/09/2021 (S)

During the “Ukussa Programme” telecasted by Adaderana, it was revealed that the underaged girls of Awanthidewi orphanage are subjected to inappropriate treatments. The documentary further reported that there were functions involving the use of liquor organized by the above-said orphanage. Furthermore, it was reported that many irregularities happened inside the orphanage, but the instate authorities have failed to do proper investigations regarding this matter. After the above-reported incident, the Commission called reports from the Commissioner of the Department of Probation and Childcare Services and the Officer in charge of the Anuradhapura Police Station. According to the report submitted by the relevant authorities, investigations are being already carried out on this matter.

2.6. Meetings

2.6.1. Meeting with the Commissioner General of the Department of Prisons

A meeting was held at the Human Rights Commission on 12.05.2021 with the Commissioner General of the Department of Prisons to discuss the Commission’s observations and concerns regarding matters relating to the detainees under COVID – 19 Pandemic. The Commission inquired about the conditions of the detention centres during the COVID- 19 situation and about the treatments given to the detainees who contracted the virus. The Commission also inquired about the communication facilities given to the detainees as their relatives cannot visit them under the prevailing condition. In this meeting, the commission also inquired about the sanitary facilities given to the detainees during the Pandemic. Moreover, the Commission inquired about the incident that happened in the Agunukolapalessa prison where detainees were subjected to torture and about the incident where Asela Sampath was tortured while he was in a quarantine period. Furthermore, the Commission inquired about the steps taken by the Department of Prisons to control the riots happening inside the prisons and detention centres.

In this meeting, the Commissioner General addressed the issue regarding the conditions of the detention centres during the COVID - 19 situation and regarding the treatments given to the detainees who contracted the virus. The commissioner described the steps taken to refer the detainees to PCR tests and the arrangements made to isolate the tested detainees. The Commissioner also mentioned that all the prisoners are released only after a PCR test and after informing the PHI.

He further described the facts that led to the incident that happened in Agunukolapalassa prison and provided details about how they managed the situation.

The Commissioner also described the steps taken to provide sanitary materials to the detainees and the facilities given to them to make video calls with their relatives. The Commissioner General of Prisons also provided details about the steps taken to control the riots and the establishment process of an emergency force which may use non-dangerous weapons to control the riots. The Human Rights Commission also stressed the augmentation of the torture cases inside prisons and detention centres and in response, the Commissioner General of prisons promised to appoint an officer to investigate matters relating to torture.

In this meeting, the Commissioner General of prisons requested the commission to make recommendations to the Director General of Health Services to increase the PCR tests in the prisons and he also requested to make recommendations to the Inspector General of Police and Judicial services Commission to avoid arresting suspects unnecessarily during the pandemic time.

2.6.2. HRCSL Meeting regarding Detainees under PTA with Police on 29/12/2021

The purpose of this meeting was to discuss regarding the detainees under PTA. When inquired about the detainees, the Director of Counter Terrorism and Terrorism investigation Department (CTID) informed the Commission that there was an Advisory Board under PTA with 3 officers and the detainees could send their requests by writing to the Advisory Committee. Furthermore,

the Director provided information about the number of detention centres and detainees under custody. Human Rights Commission informed that only the arrests were reported by the CTID but not the releases and transfers. The Director of CTID promised to send those details in the future. Further, the chairperson also inquired about the facilities in detention centres and the Director of CIRD informed that judicial officers had visited the Detention centres before 2019.

The Commission informed that details as to the number of detainees who are on trial at the bar, the number of detainees in the custody and the number of detainees who had been released/bailed/convicted each year be conveyed to the Commission.

The Director of CTID was inquired about the many cases that the commission has received from NGOs where they had to face harassment from CTID when questioning. In response, the Director stated that the Central Bank was instructed to investigate suspicious transactions as there were lots of foreign funds coming through foreign channels. Further, the Director of CID has stated that the suspects who are arrested under the PTA are referred to Attorney General's Department on available evidence after investigations. According to him, there is a gazette to release the suspects and send them to rehabilitation centers when there is a lack of evidence. The Director of CID further informed that there are two cases pending in the Supreme Court regarding this gazette and there is a stay order to stop its implementation.

CHAPTER 3

RESEARCH AND MONITORING

3.1 Overview

The principal responsibility of the Division is to monitor the human rights situation in Sri Lanka to assist the Commission in making necessary policy interventions. The activities under this theme are in accordance with sections 10 (c), 10 (d), 10 (e), 10 (f) and 10 (g) of the Human Rights Commission of Sri Lanka Act No. 21 of 1996

3.2. Following up on the National Prison Study

The findings and recommendations of the national prison study address the gap that exists in the understanding of prisons, penal and correctional systems as well as the broader criminal justice system in Sri Lanka and increase the general understanding of the prison system, while also highlighting the shortcomings of the framework. These are expected to lead to the formulation and implementation of better practices and policies, to protect and promote prisoners' rights and strengthen the correctional system. The focal point was established by the commission to coordinate with relevant authorities to review and implement the recommendations. There were several review meetings held with the Secretary to the Ministry of Justice, the Secretary to the Ministry of Prison Rehabilitation, and the Commissioner General of Prisons. The HRCSL emphasized the capacity building of Prison staff. The Prison authority submitted its training curricula and module for review.

3.3. Special Supervision and Interventions

3.3.1. Displaced People due to “Buravi” cyclone

The HRCSL has taken steps for monitoring people who were affected due to the “Buravi” cyclone in Jaffna District. The people were displaced due to heavy thunderstorms and floods and their houses were damaged and their livelihoods were affected. The HRCSL Jaffna Regional office carried out an inquiry in order to elicit information from the Urban Development

Authority and Disaster Management Centre, for mitigation of influences of the incident on inhabitants by natural disasters arising from the implementation of development project activities. The investigations have given attention to the people who were affected by floods caused by the “Buravi” cyclone in Jaffna District. The HRCSL Regional Office Jaffna was also requested to collaborate with this task in order to work together with the people affected.

3.3.2. Rights of Plantation Community

A plantation family in Haupe Estate in the Ratnapura District was forcefully evacuated from the temporary shelter and it was demolished later by police under the instruction of the Plantation Authority. After that, this family was kept under custody by the Police. The HRCSL called a report from the Superintendent of Police Ratnapura to prevent such action further.

An inquiry was made by the HRCSL regarding the closure of the old hospital at Dolosbage by the Department of Health Services, Central Province. As an outcome, the HRCSL informed the Health authority to intervene in this issue and ensure the health rights of the beneficiaries of the old hospital of Dolosbage.

The HRCSL has taken action to monitor the land where the Dipwin Tamil School is situated with a landslide threat. The HRCSL summoned the Provincial Director of Education, Sabaragamuwa Province, regarding an incident that violates the accessibility and availability of quality education.

3.3.3. Rights of Refugees

Two Afghanistan nationals detained by the Department of Immigration and Emigration complained through civil society to the HRCSL about their detention condition at the Foreign National Holding centre. The action was taken to call a report from the Department of Immigration and Emigration and clarify the reason for the detention and about detention condition.

3.3.4. Eradication of Child Domestic Work

A death was recorded of a domestic worker in Colombo and later found out she was under 18. The HRCSL was seriously concerned about this death and decided to have a special discussion regarding child domestic workers. The

Commission conducted a special discussion with Prof. Harendra Silva, Former Chairman of the Sri Lanka Child Protection Authority, Dr. Dulangi Dahanayake, Consultant Child Psychiatrist and Mr. Jeevan Thyagarajah, Executive Director of the Home for Human Rights. The purpose of the discussion was to find out the Sectors where the HRCSL mediation is needed immediately.

3.4. Monitoring Detention Places and Care Homes

HRCSL, through its head office and regional office network, made 473 visits to police stations in 2021. The objectives of these visits were to prevent incidents of torture and other forms of custodial violations in Sri Lanka through efficient proactive and reactive measures, to initiate ways and means to identify officers who commit such violations and to recommend corrective actions. Further HRCSL coordinates with other relevant government and non-governmental institutions as well to prevent the incidence of torture and other human rights violations. Thus, there is an around the clock hotline facility to receive complaints about torture, illegal arrest and detention etc. When the Commission makes sudden, surprise visits and investigations, the Officer in - charge attends to follow-up on those on-going cases too.

Several Common issues were identified during these visits

- No proper recording of cases of arrests in the places of detentions
- Overcrowding and lack of basic amenities in the cells
- Failure to follow due process during arrest
- A lot of suspects are taken into custody on suspicion, but the police officers are not in a position to explain the offence/crime that the detainees are on suspicious

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

Further, the Commission made 56 visits to other places of detention and care homes. Usually, these visits are conducted 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. However, again as a result

of staff shortages due to the COVID 19 pandemic, the head office carried out the majority of visits (153) in the year 2021.

It seems that the visits have been made less than in the previous years due to staff shortages resulting from the COVID-19 pandemic, the Commission made successful interventions to prevent the incidence of torture and improve conditions in places of detention. Accordingly, the HRCSL held a number of meetings in relation to the conditions of detention places:

A meeting with the Commissioner-General of Prisons was held on the conditions of detention of prisoners, complaints regarding torture, and management of the COVID-19 pandemic among prisoners, their well-being and their communication with family during the COVID-19 pandemic. It was also discussed on the establishment of a Focal Point in order to expedite communication between HRCSL and the Prisons Department.

No of Visits made to detention places and care homes

	Head office	Ampara	Anuradhapura	Batticola	Badulla	Jaffna & Kilinochchi	Kandy	Kalmunai	Matara	Trincomalee	Vavuniya & Mannar	Total
Police Stations	141	31	71	81	20	17	28	26	15	19	24	473
Prisons	05	02	-	06	03	-	04	02	06	02	02	32
Child care/Child homes	-	-	01	-	-	-	01	02	1	-	-	05
Foreign migrant detention centres	-	02	-	-	-	-	-	-	-	-	-	02
Gazetted Detention Centres	-	-	-	-	-	-	-	-	-	-	-	-

Rehabilitation Centres	01	-	-	-	-	-	-	-	-	-	-	01
Women's Home	-	-	-	-	-	-	-	-	-	-	-	-
Disable Person's Homes	-	-	-	-	-	-	-	-	-	-	-	-
Elders Homes	-	02	-	-	-	-	01	-	-	-	-	03
CID/TID	04	-	-	-	-	-	-	-	-	-	1	05
Other Places	02	-	-	-	-	06	-	-	-	-	-	08
Total	153	37	72	87	23	23	34	30	22	21	27	529

3.4.1. Registrations of Detention Orders

In terms of section 28 of the Act of HRCSL where a person is arrested or detained under the Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979 or a regulation made under the Public Security Ordinance (Chapter 10), it shall be the duty of the person making such arrest or order of detention, to inform the Commission of such arrest or detention and where a person so held in custody or detention is released or transferred to another place of detention, and to inform the Commission regarding such instance. The Commission maintains a Registry for Detention Orders in 2021. The Commission was informed of 92 PTA arrests and Detention cases.

3.5. Prioritization of COVID-19 vaccinations

HRCSL issued instructions to the Director-General of Health Services on 28.05.2021 regarding prioritizing COVID-19 vaccinations taking into consideration of high demand for vaccinations and crowds gathered around vaccination Centers. According to the instructions front-line health workers and others who come into direct contact with infected persons when carrying out their duties and vulnerable people (due to age or health conditions) were to receive priority according to the instruction issued by the HRCSL.

3.6 Guidelines for arresting of persons violating quarantine rules

HRCSL set out guidelines to protect the basic civil rights of people taking into consideration the arrest of people under the quarantine laws, regulations, and rules and the Guidelines were issued to the Inspector General of Police. Thus,

the Police Headquarters in Colombo had taken action to circulate the guidelines to all the police stations in Sri Lanka and the police stations have taken necessary steps accordingly.

3.7 Recommendations on the protection of prisoners from the COVID-19 pandemic

A request was made to the HRCSL by the Commissioner General of Prisons to make recommendations to the Director General of Health Services to increase the PCR tests in prisons and the request to make recommendations to the Inspector General of Police and Judicial Services Commission to advise not to arrest suspects unnecessarily during the pandemic period are noteworthy.

CHAPTER 4

EDUCATION AND OUTREACH ACTIVITIES

4.1. Overview

As the very purpose of the existence of human rights commission is to promote and protect the human rights of the citizenry, the Commission considers the public an integral part of its work. In spite of the COVID-19 pandemic situation, many important events have been organized and conducted in realizing its objective, during the year 2021.

4.2. Commemorating International Days

4.2.1. International Day in Support of Victims of Torture

A special statement was made by the chairman of the Commission to mark the International Day in Support of Victims of Torture. He pointed out that HRCSL observed a significant number of incidents of torture and ill-treatment across the country. Therefore, the Commission with its two-pronged approach to eradicating torture in Sri Lanka maintains a zero-tolerance policy for inquiring and taking firm action to protect the victims of torture and to strengthen the mechanism for the prevention of torture or cruel, inhuman or degrading treatment or punishment. The Commission has already launched an island-wide Anti-Torture Campaign through ten Regional Offices of the Commission, under the theme of “Stop Torture”. This campaign will enhance the awareness of the general public on torture and inhuman treatment and thereby the Commission expects to obtain the people’s participation for the torture prevention activities and to provide proper guidance for the obliging behaviour pattern of the people. Further, he requested all relevant authorities, to take effective measures to prevent torture and ill-treatment in all levels without any exceptions and to protect all victims of torture and other forms of violence.

Awareness Programmes for this event

The Commission organized a virtual awareness Programme in collaboration with the National Police Academy, Katana under the theme of “Stop Torture; A Human Rights Perspective. Police officers in various parts of the Island participated in the programme. Further, a TV Discussion was also held on relation to marking this event on DAN TV-Jaffna

4.2.2. International Women’s Day

International Women’s Day was celebrated by the Commission focusing on the Impact of the COVID-19 pandemic on Women and Gender Equality. Taking the adverse effects of the COVID-19 pandemic such as posing an unparalleled threat to public health, education, social life, and the job market into consideration and also paying attention to deepening social inequality due to the pandemic aggravating the vulnerabilities of women's social grievances, was the objective of choosing this theme for the event. Her Excellency Trine Joranli Eskedal, Ambassador to the Kindom of Norway to Sri Lanka graced the occasion as the Chief Guest and delivered the keynote address mainly focused on how the pandemic has impacted and reversed the progress of women’s rights in the world. She quoted the words of Melinda Gates “A woman with a voice is by definition a strong woman. But the search to find that voice can be remarkably difficult.” and added that the Royal Norwegian Embassy was proud to collaborate with the Commission to celebrate International Women’s Day and be a voice for women’s rights in the year 2021. This event consisted of presentations and panel discussion which was chaired by Mr. Thorsten Bargfrede, Deputy Head of Mission/Head of Political, Trade and Communications Section of the European Union to Sri Lanka.

4.2.3. International Human Rights Day

The Human Rights Commission of Sri Lanka organized a number of press conferences with the help of electronic media under the theme "All Humans - All Are Equal" to commemorate International Human Rights Day 2021. The Commission acknowledges that mass media is a powerful medium for making the general public aware of human rights. Accordingly, a number of programs on human rights were held on six television channels and a number of radio broadcasting services with the participation of the commissioners and officials

of the Sri Lanka Human Rights Commission in commemoration of International Human Rights Day. Regional centres of the HRC SL also organized events to mark International Human Rights Day. (Details of media programs held are shown in the table below.)

Date	Programme	Resource Person
06.12.2021	Siyatha TV –Piumvila	Dr. Nimal Karunasiri- Commissioner, Mr.Nihal Chadrasiri-Director -Research & Monitoring
06.12.2021	SLBC - Swadeshiya Service	Dr. Nimal Karunasiri- Commissioner
09.12.2021	SLBC - Tamil	Mr. Kapilan Villavarajan - Legal Officer
10.12.2021	SLBC- Swadeshiya Service-Sadeliya sevena	Ms. Menaka Herath, Director- Education & Special Programmes, Ms.Sulari Liyanagama, Director- Investigation & Inquiries
10.12.2021	Saval - Eye Channel & Nethra TV	Mr. Kapilan Villavarajan - Legal Officer
10.12.2021	Derana TV-Big Focus	Dr.Nimal Karunasiri, Commissioner, Mr. Lal Weerasinghe, Deputy Director - Investigation & Inquiries
10.12.2021	Rupavahini (SLRC)	Dr.Nimal Karunasiri, Commissioner, Mr. Lal Weerasinghe, Deputy Director - Investigation & Inquiries

Media programs organized in commemoration of Human Rights Day by the Regional Offices of HRCSL are as follows:

Date	Regional Centre	Program Centre
10.12.2021	Batticaloa	International Human Rights Day - 2021 TV Programme on the DAN TV
09.12.2021	Trincomalee	Two webinars on International Human Rights Day for the general public
10.12.2021	Matara	International Human Rights Day on the SLBC Ruhunu FM
06.12.2021 to 10.12.2021	Jaffna	Thirty-second advertisement on “How to avail the services of the Human Rights Commission’s Northern Office telecasted on the DAN TV Network
10.12.2021	Anuradhapura	A webinar conducted for women representatives in Pradeshiya Sabha in Anuradhapura District
10.12.2021	Kandy	International Human Rights day on the SLBC Kadurata service
09.12.2021 10.12.2021	Kalmunai	International Human Rights Day Programme on the Darussabah TV , Kalmunai and International Human Rights Day Zoom Meeting

4.3. Human Rights Awareness and Training Programs

The Commission also conducted several awareness raising programs at HRCSL both at national and regional levels.

4.3.1 Awareness Programs

The HRCSL Head Office and Vavuniya Regional Office jointly organized an awareness program for naval officers in Mannar and Jaffna districts on the 14th and 15th of December 2021 respectively. This programme was funded by UNHCR. There were about 100 participants attended these programmes. The main objective of these programmes was to make the naval officers aware of carrying out their duties from a human rights perspective.

4.4. Sharing knowledge with other public institutions/programs

The Commission, through its head office and the regional offices, also extends its assistance by way of providing resource persons to programs conducted by public and non - governmental institutions. The commission actively contributed to discussions of relevance to the Commission convened by other public institutions. During the year 2021, the head office and regional offices of the HRCSL conducted lectures and participated in discussions on topics of interest such as the Human Rights Commission of Sri Lanka, sexual harassment at the workplace, minority rights, women and child rights, child protection and gender-based violence, the importance of journalists having an understanding of human rights, fundamental rights and human rights and human rights issues faced by Sri Lanka Army, Navy and Air Force officers, Police officers and several other community groups. The details of the activities are given in the Tables below.

Total No. of Human Rights awareness and training provided by HRCSL in 2021

	Head Office
Trainings	06
Lecture Assistance	05
Meeting/Workshops	07
Webinars	01

Human Rights resource assistance for lectures provided by the Regional Offices of the HRCSL in 2021

Head Office/ Regional Office	Target Groups			
	Armed Forces/ Police	Public Officers	Students/You th groups	General public/civil societies/religious leaders/journalists/ others
Ampara	01	--	--	--
Anuradhapura	07	--	01	07
Badulla	04	--	03	--
Batticaloa	--	01	03	01
Jaffna/Kilinoch hi	01	02	02	02
Kandy	--	--	--	--
Kalmunai	--	02	--	05
Matara	01	--	--	04
Trincomalee	--	--	01	01

4.5. Engagement with Media

The Commission gives priority to engage with 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 as well as online platforms for promotional activities.

4.5.1. Website and Hotline Service

The policy recommendations, interventions, and advocacy statements as well as the directives of the Commission have been uploaded on the Commission's website and made available for the accessibility of the public. The website of the Commission is updated regularly which therefore is a reliable source of up-to-date information about the HRCSL. It further expanded under the COVID-19 pandemic environment giving an opportunity to interact with the Commission without any difficulty. A hotline service of 24 hours provides a facility for the public, to contact the Commission for any emergency matter where the Investigation Officers support the public to take immediate action on arrests and detentions by contacting relevant authorities.

4.6. Engagement with Civil Society

The HRCSL regularly engages with Civil Society Organizations through the Head office and Regional Office network. Civil societies as representatives of the citizens make a visible bridge between the Public and the HRCSL and draw the attention of the Commission towards the human rights of the public while the Commission in turn contributes to the work of civil society on human rights. The newly appointed Commissioners visited the Northern and Eastern Provinces and met regional-level civil society organizations in a series of meetings organized by the regional offices and sub-offices in March and April 2021. The issues raised by the representatives of the civil societies were brought to the notice of the Heads of Government Bodies in Northern and Eastern provinces through the discussions had with them to seek a solution for the issues.

The Commission held a small group meeting with national-level civil society organizations at the Head Office of the Commission. The purpose of this meeting was to discuss current human rights issues and solutions identified for them by Civil Society Organizations. The Commission had to invite selected Civil Society Organizations due to COVID-19 restrictions. Among the participants of this meeting were Dr. Jehan Perera - National Peace Council, Mr. Lakshan Dias Attorney-at-Law, Mr. Phillip Dissanayake - Right to Life, Ms. Chamila Thushari-Dabindu Collective, Mr. Prabha Ratnayake – Right

Now, Ms. Ranitha Gnanarajah – Centre for Human Rights Development and Rev. Fr. Mahendra Gunathilake – Caritas Sri Lanka – SEDEC.

4.6.1. Regional civil society coordinating committees

The regional-level coordinating committees that were established by the HRCSL through the Regional Office network assist the Commission to identify the human rights violations that take place in respective areas and the need for the intervention of the Commission. On the other hand, the concern of the Head of Government Bodies especially in provincial areas was able to captivate through these coordinating committees. These coordinating committees also assist the Commission in monitoring the protection of human rights in the regions.

4.6.2. Participation at events organized by civil society organizations

The Commissioners and staff of HRCSL participated in several events organized by civil society organizations. Among them are; Participation at the meeting held on 16.03.2021 on Post COVID 19 of South Asia conducted by the South Asian Forum of United Nations on Business and Human Rights and Participation in the meeting held with representatives of the Business and Human Rights Resource Centre on Responsible Business & Human Rights at the premises of the Human Rights Commission.

4.6.3. Training for civil society

The HRCSL has taken initiative to conduct training and sensitization programs for members of civil society in spite of the limitations caused by the COVID-19 pandemic. Among the activities so organized during the year under review are the Workshop on Fundamental Rights organized by a Religious Association in Batticaloa, and the Discussion on Language Rights held via the Zoom platform organized by the Human Development Organization, Kalmunai.

CHAPTER 5

INTERNATIONAL COLLABORATION

5.1. Overview

In the year 2021 too, 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 empowered by the Commission's Act No 21 of 1996.

5.2. Strengthening ties with Regional Human Rights Alliances

As a member of the Asia Pacific Forum (APF) the Commission participated in the Annual General Meeting of the APF held virtually on the 15th and 16th September 2021 bringing together all 25 member countries as well as observer representatives from other National Human Rights Institutions in the Asia Pacific. The APF is the regional umbrella organization for National Human Rights Institutions that provide technical support.

5.3. Meeting with the British High Commissioner

The Commission held a zoom meeting with the British High Commissioner, Her Excellency Mrs. Sarah Hulton on the 1st of June 2021 at the Head Office of the Commission. The human rights issues prevailing in the country and the current human rights interventions by the Commission were taken up for discussion.

5.4. Meeting with Delegation of European Commission

The delegation of the European Commission visited Sri Lanka, with a view to discussing with the HRCSL about legal protection targeted at Sri Lankan workers and measures that have been taken to safeguard their human rights-related matters. The discussion was conducted with the participation of labour unions that are active in the mainstream but who had no chance to convey their views to the EU. The active non-labour organizations, that are not operative

in the mainstream in Biyagama and Katunayake Free Trade Export Zone, have also been invited to this discussion. A number of participants representing 05 such organizations took part in this discussion held on 24.09.2021. The main focus of this discussion was the factors that have been adversely affected by unique characteristic features that are needed for a pro-democratic society and existing labour rights prevailing in the country. It was a unique opportunity for the labour organizations to discuss the matters of their concern with the EU facilitated by the HRCSL.

Further, there was another meeting between the commission and European Union delegates held on 28.09.2021 to discuss the GSP+ tax holidays extended to Sri Lanka by the European Commission.

5.5. Accreditation Status of the Commission

The Commission received a report on the HRCSL submitted by a third party, Asian Non-governmental Organization Network on National Human Rights Institution, via email. The facts have been inquired from the HRCSL relating to the report and also from the Sub-committee on Accreditation (SCA) of the “A” grade member of the Global Alliance of National Human Rights Institutions (GANHRI). A written response justifying the matters of this third-party submission had been sent to the SCA by the Commission. The SCA informed the HRCSL that a special online review meeting would be held on this issue on HRCSL from Geneva. The review meeting was held and based on these deliberations, the SCA submitted its recommendations on HRCSL. According to section 18.1 of the GANHRI Act, after a year HRCSL has been degraded to a “B” grade as per the declaration. SCA further stated that Sri Lanka shall challenge this recommendation in writing if it deems it necessary to do so. Accordingly, HRCSL sent a report in writing in this respect to the President of the GANHRI.

5.6. Meeting with the HE, High Commissioner of New Zealand to Sri Lanka

The Commission conducted a meeting with the HE, High Commissioner of New Zealand to Sri Lanka on 21 October 2021. The current situation of human rights in the country was discussed at the meeting.

5.7. Discussion with ICRC Representatives

A discussion was held on 05.11.2021 with Red Cross Representatives who visited Sri Lanka in respect of the rights of prison inmates of Sri Lanka.

CHAPTER 6

HUMAN RESOURCES, ADMINISTRATION AND FINANCE

6.1. Overview

The Commission understands the importance of having a capable staff at the Head Office as well as Regional Offices and encourages the staff to acquire training both locally and internationally in order to improve their efficiency, taking challenges and the ability to utilize their skills to provide assistance to the communities they provide their service. Due to international travel restrictions imposed at the onset of the COVID-19 pandemic, the staff could not avail themselves of international training opportunities in 2021

6.2. Human Resource Management

The Human Resource Development plan for the year 2021 was prepared for capacity building for the qualitative development of human resources. Thus several training programmes for the staff of the HRCSL were conducted during the year under review by way of Workshops, Dialogues and Capacity Building programmes. Amongst such programmes were NHRIs and Advancing Human Rights in Humanitarian Action, the Role of NHRIS in Monitoring SDG Achievements in their National Content, Promoting and Protecting Human Rights in relation to Sexual Orientation and Gender Identity and Promoting and Protecting Human Rights Defenders. These programs for the staff had been organized by the Asia Pacific Forum and UN Women. However, some of the training programs which were to be implemented could not be conducted due to the recommendations of the Health Authorities in view of the prevailing COVID-19 pandemic situation in the country.

By the year 2021, 87 vacancies remained in the Commission. 33 out of 87 vacancies have been filled in 2021 and the recruitment belonged to the category of permanent, contract and secondment. The applications were called to fill the remaining 54 vacancies, on limited and open advertisements. Although the interviews were held to recruit for the posts of Legal Officers

and Program Assistants, the recruitment were not possible due to government fiscal policy decisions to restrict new recruitment due to the COVID -19 pandemic during the year 2021. However, as a temporary arrangement, 27 graduates have been attached to the Commission to facilitate the difficulties encountered by the Commission due to lack of staff to perform its activities.

Internal arrangements were made to cover the duties of those posts while recruitment was made for the vacancies. Accordingly, the appointment of the Additional Secretary on an Acting basis for the vacant post of Secretary, the appointment of a public service officer on secondment basis to the post of Director of Administration and Finance, the appointment of an Administrative Officer on a contractual basis, and appointment of 14 officers who have been absorbed through the absorption process under the recruitment procedure for the post of Human Rights Officer, the appointment of 3 regional Coordinators were made. Steps have been taken by Jaffna Regional Coordinator to cover the duties of the Vavuniya, Mannar and Kilinochchi offices.

6.3. Financial Resource Management

The Commission received its funding from the treasury to carry out core activities. The table below shows the financial position for the year 2021.

Financial Position from 01.01.2021 to 31.12.2021

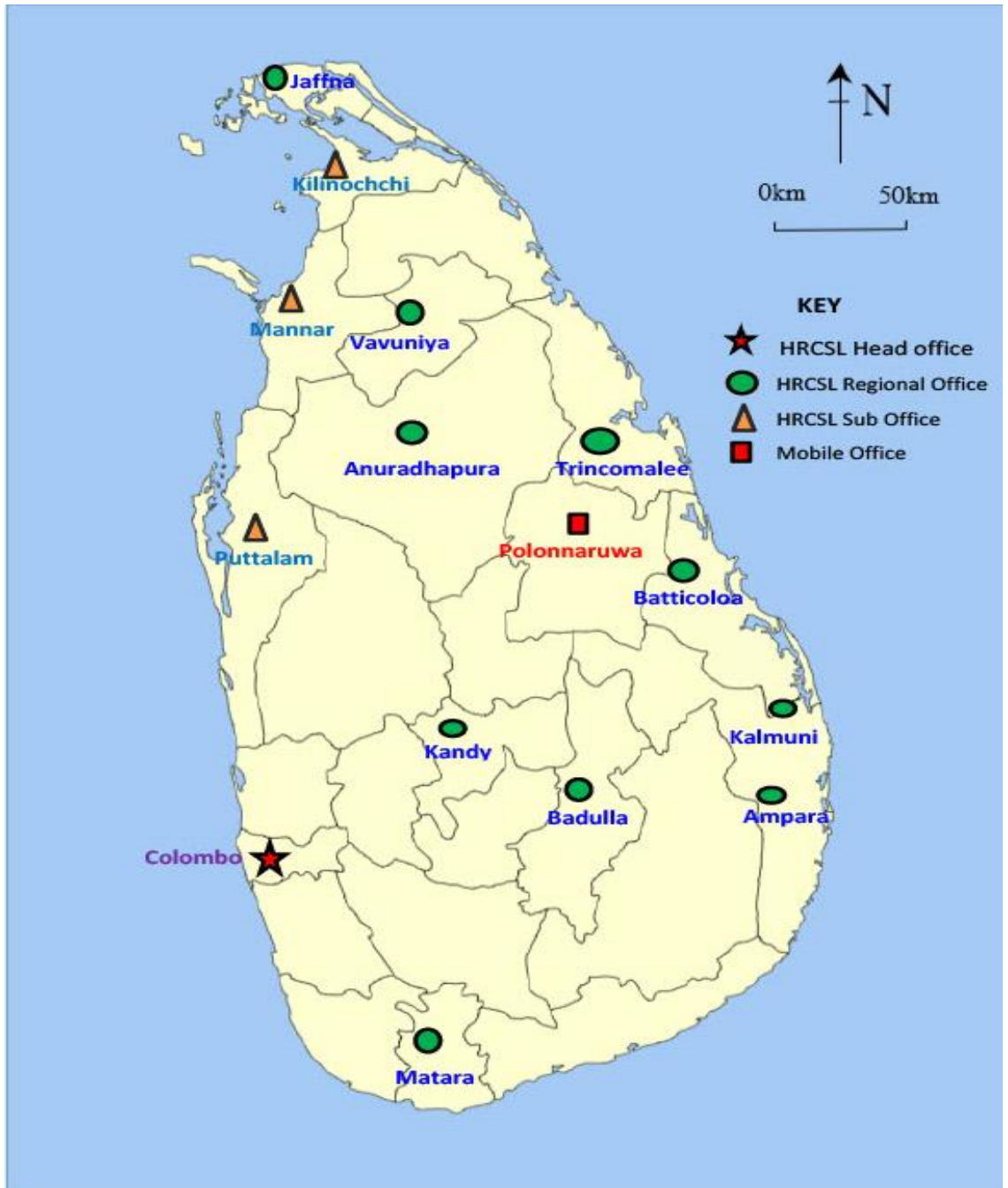
Opening Balance	Rs.
Impress Received from Treasury	
Recurrent	208,659,000.00
Capital	4,150,720.00
Other Receipts	687,258.38
Net change in deposit account	(1,932,767.11)
Remittance to the Treasury	(206,995.73)
Total Receipts	211,357,215.54
<u>Expenditure</u>	
Personnel Emoluments	128,183,128.34
Travelling Expenses	496,047.50
Supplies	5,739,625.21
Maintenance Expenditure	3,855,318.09
Services	62,703,083.06
Transfers	5,470,459.63
Human Rights Programmes	1,646,726.47
Rehab.& Impr. Of Capital Assets	292,270.00
Acquisition of Capital Assets	1,498,720.00
Capacity Building	130,936.00
Catalytic Support to Peace Building in S.L (UNDP)	-
Enabling Returnees to access their rights (UNHCR)	1,340,901.24
Strengthening the Capacity of HRC (SWISS)	-
Total	211,357,215.54

6.4. Internship or Apprentice Training Program

Trainees or Interns from various educational institutions are recruited on a volunteer basis by conducting interviews with the Head office and Regional offices of the Commission. Accordingly, under this scheme, 14 and 26 apprentice trainees have been recruited for the Commission's head office and regional offices respectively in the year under review. However, internship programmes are also restricted due to Covid – 19 restrictions.

APPENDIX 1

Network of Human Rights Commission



APPENDIX II

RECOMMENDATIONS - 2021

Year 2021 sent

Recommendation 88

Implemented 9

	Case Number	Petitioner	Issue date	Constitutional Article/s Violated	Respondent	Type of the complaint
1	HRC/1631/15	K.U. Pushpakumara	01/06/2021	Article 12(1)	U.G.C	Service conditions
2	HRC/1144/15	K. Sivanandaselvan	02/01/2021	Article 12(1)	Min: of Education	Promotion
3	HRC/AP/147/18	S. Kumara	13/1/2021	Article 12(1)	S.L. Army	Pension
4	HRC/AP/376/15	Y.S. Senarath	02/01/2021	Article 12(1)	D/S, Anuradhapura	Pension
5	HRC/2213/16	P.V.P. Darshani	13/1/2021	Article 12(1)	Coconut Development Authority	Promotion
6	HRC/K/657/18	P.R. Lokugalappatti	02/01/2021	Article 12(1)	Kingswood college -kandy	School admission
7	HRC/3620/17	B. Sriyawathi	02/01/2021	Article 12(1)	Sangamiththa baika Vidyalaya	School admission
8	HRC/AP/476/15	T.D. Amugoda	02/01/2021	Article 12(1)	D/S, Rabewa	Land matter
9	HRC/845/17	Y.G.A. Karunaratne	02/01/2021	Article 12(1)	National Youth service council	Promotion
10	HRC/MT/355/17	A. Gunawardena	18/2/2021	Article 13(2)	Weligama Police	Arrest/Detention
11	HRC/284/15	W.S. Bandara	18/2/2021	Article 11,13(2)	Ebilipitiya Police	Torture
12	HRC/AP/561/14	D.M.N. Dassanayaka	18/2/2021	Article 13(1)	Rajanganaya Police	Arrest/Detention
13	HRC/1751/18	D.M. Threemawithana	18/2/2021	Article 11	Piliyandala Police	Torture
14	HRC/AP/120/18	G.A.T.M. de Silva	18/2/2021	Article 12(1),13(1)	Mathale Police	Arrest/Detention
15	HRC/3757/13	K.A. Nimal	18/2/2021	Article 11	Kirulapana Police	Torture
16	HRC/2901/19	G. Sacred Heart Convent (Sri Herdaya kanyaramaye muslim daruwange demapiya sangamaya)	18/2/2021	Article 10,12(1),12(2), 14(1)	Southern prov: Min: of Education	Harassment (Abaya) Muslim mothers dress

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17	HRC/2785/17	D.H.P. Kawushalya	18/2/2021	Article 12(1)	Meethiyagoda Police	Arrest/Detention
18	HRC/KL/136	M.B.M. Siraj	18/2/2021	Article 12(1),12 (2)	Dept: of Technical & Training	Arrest/Detention
19	HRC/4625/12	W.S.N.L. Kumara	23/2/2021	Article 12(1)	S.L. Navy	Service conditions
20	HRC/2499/19	V. Subramaniam		Article 12(1)		
21	HRC/AM/03/18/ S/EM	H.M.P.N. Herath	03/03/2021	Article 12(1)	Dept: of Postal	Recruitment
22	HRC/1531/15	K.D. Suneetha	03/09/2021	Article 12(1)	Min: of Housing, Construction & Cultural Affairs	Compensation
23	HRC/AP/446/17	A.M. Bandamma	03/09/2021	Article 12(1)	Dept: of Railway	pension
24	HRC/KL/84/17	S.M. Ishaq & others	15/3/2021	Article 11,13(1),13(2)	Chawakalladi Police	Arrest/Detention
25	HRC/2011/12	W.P. Nilantha	03/09/2021	Article 12(1)	S.L. Army	Termination
26	HRC/3852/14	M. Jayaratne	03/09/2021	Article 12(1)	Western Prov: Dept: of Co- operative Development	Service conditions
27	HRC/1004/14	K.G.P.Fernando	03/09/2021	Article 12(1)	S.L Insurance Co-operation	Insurance
28	HRC/K/171/13	W.D.M.G.A. Wijesundara	18/3/2021	Article 12(1)	Thihagoda Police	Torture
29	HRC/AP/68/18	C.U. Kappagoda -2		Article 12(1)		
	HRC/AP/237/18	C.J. Wijayasundara	29/3/2021	Article 12(1)	Anuradhapura M.m.C	School Admission -Year 6
30	HRC/110/20	B.H.S. Kumara	29/3/2021	Article 12(1)	Richmand Vidyalaya	School Admission
31	HRC/3220/16	U.D. Chathuranga	29/3/2021	Article 12(1)	D.S. Senanayaka Vidyalaya	School Admission
32	HRC/K/166/15	B.W.D.M.R. Dharmakeerthi	29/3/2021	Article 12(1)	Dept: of Education - Central Prov:	Recruitment
33	HRC/K/87/20	J.R.T. Samarathunga	29/3/2021	Article 12(1)	Kegalle Vidyalaya	School Admission
34	HRC/1321/15	K.K.W.L. Wimalasiri	29/3/2021	Article 12(1)	Ambalangoda Police	Torture
35	HRC/AP/515/17 (S)	T.M.N.C. Piyaratne	04/09/2021	Article 12(1)	Giribawa Police	Arrest/Detention
36	HRC/417/19	H.T. Tharanga	04/09/2021	Article 12(1)	Vishaka Vidyalaya	School Admission
37	HRC/5069/16	M.S. Abeydeera	04/09/2021	Article 12(1)	D/S, Ruwanwella	Land & Property rights

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38	HRC/JA/3398/07	R. Karunanithy	19/4/2021	Article 12(1)	Registrar General - Battaramulla	Promotion
39	HRC/76/18	D.N.S. de Silva	04/09/2021	Article 12(1)	Senior Deputy Inspector of Police - Southern Prov: -Matara	Sexual Harassment
40	HRC/415/18	M.M.C. Perera	18/5/2021	Article 12(1)	Kirulapana Police	torture
41	HRC/1565/18	L.M.A.M. Lankadeera	19/5/2021	Article 11,12(1)	S.P -Badulla	Sexual Harassment
42	HRC/KL/55/15	The Group of Affected Employees	05/10/2021	Article 12(1),12 (2)	Water Board	Recruitment
43	HRC/94/19	Z.T.M. fazli	05/10/2021	Article 12(1)	Royal College	School Admission
44	HRC/2953/17	A. Premalatha	05/10/2021	Article 11	Eheliyagoda Police	Torture
45	HRC/AM/60/11	K.M.S Ranjith	18/5/2021	Article 12(1)	District Forest Officer, Anuradahapura	Permit
46	HRC/53/17	P. Wijesooriya	18/5/2021	Article 11,13(1)	Homagama Police	Torture
47	HRC/359/14	S.A.D. Kanchana	18/5/2021	Article 11	S.L. Army	Torture
48	HRC/3267/17	W.M.P.C. Warnasooriya & others	18/5/2021	Article 12(1)	Dept: of Labour	Recruitment
49	HRC/K/462/19	L.P.D.N.T. Dias	18/5/2021	Article 12(1)	Base Hospital - Karawanella, District Hospital - Karawanella	Service condition
50	HRC/AM/22/20	R.A. Jayaweera	18/5/2021	Article 11	Maha oya Police	Torture
51	HRC/97/19	M.R.L. Jinadasa	18/5/2021	Article 12(1)	Sirimavo Bandaranayaka Vidyalyaya	School admission
52	HRC/821/17	A.N. Wijesekara	19/7/2021	Article 11,13(4)	Peliyagoda Police	Death in custody
53	HRC/4437/15	A.L. Wickrama		Article 11		
54	HRC/922/18	H.M. Premaratne	19/7/2021	Article 13(1)	Eheliyagoda Police	Arrest/detention
55	HRC/1120/19	A.H.F. Haneefa	19/7/2021	Article 12(1),12(2), 13(2)	Bandaragama Police	Harassment
56	HRC/1040/15	I.P.W.R. jayaweera	19/7/2021	Article 11,13(1)	Kiridiwela Police	Torture

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57	HRC/1697/18	W.M.P. Wijayasundara	19/7/2021	11,13(1) Article	Rakwana Police	Torture
58	HRC/3346/16	B.H.A.H.G. Mathurata	19/7/2021	Article 12(1),14(1)(g)	Min: of Finance	Permit matter
59	HRC/4408/15	S.D.M. Priyantha	19/7/2021	Article 12(1)	Payagala Police	Torture
60	HRC/618/21	P.A.M. Wijsekara	22/7/2021	Article 12(1)	S.L. Air Force	service conditions
61	HRC/JA/26/21	N.P. Manoharathas	13/9/2021	Article 12	Jaffna M.C	Inaction
62	HRC/537/15	W.A.P. Wanniarachchi	16/9/2021	Article 12(1),12(2), 14(1)a,g	Thanamalwila police	Torture
63	HRC/AP/278/14	R.M.S. Chandani	16/9/2021	Article 13(1)	Galenbindunuwewa Police	Arrest/detention
64	HRC/1459/17	D.P Thissa	27/9/2021	Article 11	Samanalawewa Police	Torture
65	HRC/AP/339/15	A.M.L. Angamma	25/10/2021	Article 13(1)	Anuradapura police	Arrest/detention
66	HRC/1642/18	S.G. Somawathi	25/10/2021	Article 12(1)	Agricultural & Agrarian Insurance board	pension
67	HRC/2557/16	W.H. Malani	26/10/2021	Article 11	wadduwa Police	Arrest/detention
68	HRC/1930/15	W.M. Abeykoon	26/10/2021	Article 11,13(1),13(2)	Kuruwita police	torture
69	HRC/4538/16	E. Croos	26/10/2021	Article 13(1)	C.I.D	Arrest/detention
70	HRC/1958/16	J.P. Hindle	26/10/2021	Article 12(1),13(2)	Mawathagama police	Arrest/detention
71	HRC/3447/16	W.I. Mihirani	26/10/2021	Article 11,13(1),13(2)	Ambalangoda Police	Torture
72	HRC/2112/17	J.L. Padmasiri	11/08/2021	Article 11,12(1),13(1),13(2)	Weliweriya Police	Torture
73	HRC/715/15	N.G.S.M. Rathnayaka	11/12/2021	Article 12(1)	Moratumulla Police	Arrest/detention
74	HRC/3084/18	I.K.S. Karunanayaka & others	11/12/2021	Article 12(1)	Royal College	School admission
75	HRC/AP/665/13	R.N.T.A. Rathnayaka	11/12/2021	Article 12(1)	University of Rajarata	recruitment
76	HRC/578/15	Y.A.C.D.R. Weerasooriya	11/12/2021	Article 13(1)	Balangoda Police	Arrest/detention
77	HRC/195/18	R.A. Priyantha	11/12/2021	Article 12(1)	Fergazan National Vidyalaya-Rathnapura	School admission

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78	HRC/K/379/15	W.G.N. Marasinghe	11/12/2021	Article 13(1)	New cinnamangarde n Police	Arrest/Detention
79	HRC/2600/16	M.D.S. Amarasiri	11/08/2021	Article 11	Polonnaruwa police	Torture
80	HRC/AM/70/16	H.D. Premaratne	11/12/2021	Article 12(1)	zonal director of education - Ampara	transfers
81	HRC/112/20	S.A.C.S. Gunaratne	29/11/2021	Article 12(1)	Ananda Vidyalaya	School admission
82	HRC/2953/16	D.A.A. Rajakaruna	29/11/2021	Article 13(5),12(1)	S.L. Navy	Misuse/abuse of power
83	HRC/2927/17	H.M.G.N.K. Kaluhendiwela	29/11/2021	Article 12(1)	Dept: of Agrarian Development	Misuse/Abuse of Power
84	HRC/3794/19	P.G.R.C.A. Gamlath	29/11/2021	Article 12(1)	I.G.P	Inaction
86	HRC/2793/15	R.B. Deepani	29/11/2021	Article 11	D/S, Horana	Torture
86	HRC/AP/412/14	L.B. Rajakaruna	29/11/2021	Article 12(1)	Dept: of Pension	Pension
87	HRC/K/655/16	H.M.M.G.H. Wimalaweera	17/11/2021	Article 11	Bulathkohupitiya Police	Torture
88	HRC/K/492/20	H.P. Gunawardena	20/12/2021	Article 12(1)	Dept: of Management Services	Promotion

My No: PIC/B/HRC/2/21/28

30th May 2022

Secretary
The Human Rights Commission of Sri Lanka

Summary report of the Auditor General in terms of Section 11(1) of the National Audit Act No. 19 of 2018 on the financial statements of the Sri Lanka Human Rights Commission for the year ending 31 December 2021

Original copies of the above report and financial statement in all three languages have been sent herewith.

M. Somathilake
Deputy Auditor-General

For Auditor-General

Copy to: Director General, Public Accounts Department

My No: PIC/B/HRC/2/21/28

30th May 2022

Secretary
The Human Rights Commission of Sri Lanka

Auditor General's Summary Report pursuant to Section 11(1) of the National Audit Act No. 208 No. 19 on the Financial Statements of the Human Rights Commission of Sri Lanka for the year ended 31 December 2021

1. Financial Statements

1.1. Opinion

The statement of financial position of the Sri Lanka Human Rights Commission as at 31 December 2021, the statement of financial performance and cash flow statements for the year ended 31 December 2021 read in conjunction with the provisions of the National Audit Act No. 19 of 2018 The audit was conducted under my command in accordance with the provisions contained in Article 154(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka. This report contains my comments and observations on the financial statements submitted to the Commission pursuant to Section 11(1) of the National Audit Act No. 19 of 2018. The Auditor General's report to be submitted in accordance with Section 10 of the National Audit Act No. 19 of 2018, to be read in conjunction with Article 154 (6) of the Constitution of the Democratic Socialist Republic of Sri Lanka, will be submitted to Parliament in due course.

In my opinion, the financial statements of the Human Rights Commission of Sri Lanka give a true and fair view, in accordance with generally accepted accounting principles, of the financial position of the Human Rights Commission of Sri Lanka as at 31 December 2021 and the financial performance and cash flows for the year then ended.

1.2. Basis for opinion

I conducted my audit in accordance with Sri Lanka Auditing Standards. My responsibilities under these auditing standards are further described in the Auditor's Responsibilities for the Audit of Financial Statements section of this report. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

1.3 Chief Accounting Officer's Responsibility for Financial Statements

In accordance with generally accepted accounting principles and in accordance with the provisions referred to in Section 28 of the National Audit Act No. 19 of 2018, the preparation of financial statements reflecting a true and fair situation and determining the internal control necessary to enable the preparation of financial statements without material misstatements that may result from fraud and errors is the responsibility of the Chief Accounting Officer. According to Section 16(1) of the National Audit Act No. 19 of 2018, the Human Rights Commission of Sri Lanka shall maintain proper books and records of its income, expenses, assets and liabilities so as to be able to prepare annual and periodic financial statements.

In terms of sub-section (1)(38c) of the National Audit Act, the Chief Accounting Officer shall ensure that an effective internal control system is developed and maintained for the financial control of the Human Rights Commission of Sri Lanka and shall periodically review the effectiveness of the system. Accordingly, necessary changes should be made to run the system effectively.

1.4 Auditor's responsibility in relation to the audit of financial statements

My objective is to provide reasonable assurance that the financial statements as a whole are free from material misstatements resulting from fraud and error and to issue the audit report containing my opinion. Reasonable assurance is a high level of assurance, but it will not always be an assurance that material misstatements will be detected when

conducting an audit in accordance with SLASs. The effect of fraud and error, individually or collectively, can result in material misstatements, the materiality of which depends on the effect on the economic decisions made by users on the basis of these financial statements.

I exercised professional judgment and professional scepticism in the audit as part of the audit in accordance with Sri Lanka Auditing Standards. I further,

- In providing a basis for the audit opinion expressed, appropriate audit procedures were designed and performed to identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error. The effect of fraud is stronger than the effect of material misstatements due to misrepresentations because they are caused by negligence, falsification of documents, intentional omissions, misrepresentations or circumvention of internal controls.
- Although not for the purpose of expressing an opinion on the effectiveness of internal control, an understanding of internal control was obtained in order to design appropriate audit procedures as appropriate.
- Evaluating the appropriate and fair inclusion in the financial statements of the transactions and events underlying the structure and content of the financial statements that include disclosures.
- Assessed the overall presentation of the financial statements including the appropriate and fair inclusion of underlying transactions and events and disclosures for the structure and content of the financial statements.

I inform the Chief Accounting Officer about significant audit findings, major internal control weaknesses and other matters identified during my audit.

1.5 Notice of Other Legal Interests

In terms of Section) (1)6c) of the Audit Act No. 19 of 2018, I declare the following facts.

- a) that the financial statements are consistent with the previous year,

- b) The following recommendation I had made regarding the financial statements related to the previous year had not been implemented.

Paragraph reference	Audit Observation	Recommendation
1.6.2.1.(a)	Although all the assets owned by the Commission should be included in the non-financial assets statement, only the assets acquired by the Commission after January 01, 2004 were included in the non-financial assets statement and the assets before the year 2004 were not included.	Differences should be identified and properly accounted for

2. Financial review

2.1. Non-compliance with rules and regulations

The following non-conformances were observed

Reference to rules and regulations	Non-compliance
(a) Public Finance Circular No. 05/2016 dated 31 March 2016 (1) 2.3. paragraph	Although the last year's Board of Survey report should be submitted to the Chief Accounting Officer with a copy to the Auditor General before June 15 of each financial year, the commission had submitted a part of the report for the year 2020 to the audit in December 2021 with

	a delay of about 06 months. The report did not include the Board of Survey reports of the regional offices of Ampara, Badulla, Kalmunei, Kandy and the sub-offices of Nuwara Eliya, Kilinochchi, Mannar and Polonnaruwa.
(ii) Paragraph 3.2.5	According to the said circular and as per the General 47report, although the goods that should be destroyed, repaired, sold and transferred to other institutions should be dealt with before April 30of every financial year, the report had been submitted without doing so.
b) Public Administration Circular No. 22/93 dated 21.09.1993	In addition to the compensation of Rs. 308,700/- paid as per circular to an officer of the Commission who met with an accident in 2014 while on duty, an amount of Rs. 650,016/- had been paid only with the approval of the Commission, from April 2016 up to March 2019 as monthly transport allowances.

3. Operational review

3.1 Performance

The following observations are made

- a) Out of the 90 recommendations given by the Commission in relation to the Ministry of Education during the period from 2016

to 2018, only 57 recommendations had been implemented till the date of the audit, February 14, 2022. That is 63 per cent.

- b) Out of the 07 recommendations given by the commission in relation to the pension department during the period from 2016 to 2018, only 29 per cent of the recommendations given, i.e. 02 recommendations, had been implemented till the date of audit, February 14, 2022.
- c) Out of the 50 recommendations given by the Commission in relation to the Sri Lanka Police during the period from 2016 to 2018, only 10 per cent of the recommendations i.e. 05 recommendations had been implemented till the date of audit, February 14, 2022.
- d) No information with regard to the observation of police stations, detention centres and prisons, the conclusions and the measures taken which are considered the most important points to have included in the report prepared by the Investigating officer of the Matara Regional Centre in the year 2020 and 2021. Furthermore, it was not mentioned to whom the report was directed and there was no evidence that the report was followed up by another officer.
- e) Although education and awareness programs have been implemented, there has been no increase in public awareness due to the fact that the number of complaints received at the Matara Regional Office in the last 5 years without giving recommendations and giving relief is between 67 per cent and 95 per cent of complaints due to various reasons. More than 40 per cent of complaints were dismissed due to lack of human rights violations or non-compliance with the scope.

- f) There was a long period of time between 2 to 8 years in the investigation of complaints by the Matara Regional Office and recommendations were given for less than 01 per cent of the complaints received during the year.

3.2. Procurement

The following observations are made

- a) The photographing and video recording of the women's day celebration program held in the year under review was done by a private company without any quotation and without following the government procurement guidelines and for that Rs. 30, -/000 had been paid.
- b) The Bandaranaike Memorial Conference Hall was chosen to host the Women's Day celebrations held at the Commission's head office. Bids were not invited for the purchase of food and beverages and only for the hall facilities. On behalf of 75 people who participated in the celebration, food had been purchased for Rs. 225,000/- without following any procurement procedure from a private company and in addition to that food cost another Rs. 82,950/- had been paid to the said institution without obtaining any prior approval.
- c) During the year under review, approval was given only by the signature of the Chairman of the Technical Appraisal Committee for the purchase of laptop computers for Rs. 600,000/- without following paragraph (ii) of the Government Procurement.
- d) In terms of 6.3.6 of the Government Procurement Guidelines Code, the proceedings of the bid opening as per paragraph shall be recorded in a prescribed form and the said minutes shall be signed by all the members of the bid opening committee. However, no such bid opening records were maintained in the procurement for the purchase of laptops.

3.3 Management weaknesses

The following observations are made.

- a) The commission had not taken any appropriate action to repair or dispose of 03motorcycles which were parked in the premises without running since last year or to hand them over to another institution.
- b) The amount of Rs. 80, -/000spent to restore the damaged laptop by an officer in the year under review had not been recovered from that officer till the date of theaudit.
- c) The regional offices of the commission should prepare monthly work plans and submit them to the head office and at the end of the month, a progress report should be submitted to the head office regarding the execution of the planned tasks. However, the Matara Regional Office did not act in this way in 2020and 2021
- d) Since the commission had not prepared the vehicle cost reports for the year 2021and submitted them to the audit, it was not possible to verify whether the vehicles have been effectively utilized by the commission during the audit.

4. Good governance

4.1.Internal Audit

According to Section 40of the National Audit Act No. 19of 2018, the Chief Accounting Officer should have appointed an appropriate auditor to carry out internal audit work, but since 2017, an internal auditor has not been appointed and internal audit work has not been carried out.

4.2. Audit and Management Committee

According to Section 41 of the National Audit Act No. 19 of 2018, there should be an Audit and Management Committee for each institution, but

the Commission's Audit and Management Committee has not been held since 2017.

5. Human Resource Management

The following observations are made.

- a) The former secretary of the Human Rights Commission was sent on compulsory leave on January 30, 2018, and the secretary was suspended on November 21, 2019, based on the report of the preliminary investigation. The Commission started a formal disciplinary investigation in this regard in the year 2020, but by the date of the audit, almost 3 years had passed, and the disciplinary investigation had not been completed
- b) As on December 31, 2021, the approved cadre was 235 and the actual staff was 144. There were 93 vacancies of officers out of which 21 vacancies were at the senior level, 37 vacancies at the tertiary level and 35 vacancies at the secondary level. Two officers remained redundant beyond the approved staff at the primary level.
- c) The senior-level approved cadre of the Commission was 46 and the actual staff was 25. Out of which, one officer was filled on secondment basis and two other officers were filled on a contract basis. Accordingly, 24 senior-level positions in the Commission were not filled.

M. Somathilake
Deputy Auditor-General
For Auditor-General

My No. PIC/B/HRC/2/21/28

17th June 2022

Secretary

Human Rights Commission of Sri Lanka

Annual Descriptive Management Audit Report Pursuant to Section 11(2) of the National Audit Act No. 19 of 2018 on the Financial Statements of the Human Rights Commission of Sri Lanka for the year ended 31 December 2021

The above audit report is sent herewith.

02. In accordance with the provisions mentioned in sub-section 39(1) of the National Audit Act, within 03 months from the date of this report, the remedial measures proposed or the measures taken should be reported to me, the Secretary of the Treasury and the concerned Minister.

03. In terms of sub-section 39(2) of the Act, if there are any reasons for the implementation or impossibility of any action or matter that I have indicated in this report, please let me know.

M. Somathilake

Deputy Auditor-General
For Auditor-General

Copy to: 1. Minister of Finance, Economic Stabilization and National Policies
 2. Secretary, Ministry of Finance, Economic Stabilization and National Policies

My No. PIC/B/HRC/2/21/28

17th June 2022

Secretary

Human Rights Commission of Sri Lanka

Annual Descriptive Management Audit Report pursuant to Section 11 (2) of the National Audit Act No. 19 of 2018 on the financial statements of the Human Rights Commission of Sri Lanka for the year ending 31 December 2021.

The statement of financial position of the Sri Lanka Human Rights Commission as at 31 December 2021, the statement of financial performance for the year ending on that date and the financial statements for the year ending 31 December 2021 consisting of cash flow statements should be read in conjunction with the provisions of the National Audit Act No. 19 of 2018. The audit was conducted under my command in accordance with the provisions contained in the Constitution of the Democratic Socialist Republic of Sri Lanka. This report is issued in terms of Section 11 (2) of the National Audit Act No. 19 of 2018 and the Chief Accounting Officer shall deal with the provisions mentioned in Section 39 of the National Audit Act and within 03 months from the date of this report any remedial action or consideration suggested. Actions taken should be reported to me. If there are any reasons for the implementation or impossibility of any action or matter indicated in this report, that should also be communicated to me.

1.3.Opinion on Financial Statements

1.2.1. Accounting deficiencies

Audit Observation	Recommendation	Comment of the Chief Accounting Officer
<p>Although all the assets owned by the Commission should be included in the non-financial assets statement, only the assets acquired by the Commission after January 01, 2004, were included in the non-financial assets statement and the assets before the year 2004 were not included.</p>	<p>Accounting should be done correctly</p>	<p>The acquisition of the Commission's assets has been included in the statement of non-financial assets, but steps are being taken to revalue all those assets and bring them into the books as applicable. A board paper related to the valuation of goods has been submitted.</p>

2. Financial review

2.1. Non-compliance with rules and regulations

The instances of non-compliance with the provisions of the laws, rules and regulations observed in the sample audits are analyzed below.

3. Operational review

3.1. Non-performance of duties

The following observations are made.

	Audit Observation	Recommendation	Comment of the Chief Accounting Officer
(a)	Out of the 90 recommendations given by the Commission in relation to the Ministry of Education during the period from 2016 to 2018, only 57 recommendations had been implemented till the date of the audit, February 14, 2022. That is per cent 63.	Follow up on the implementation of the recommendations given should be done.	In order to review the non-implementation of the Commission's recommendations, the Commission has set up a separate unit by the Inquiries and Investigation Division and is following up on the non-implementation of the recommendations.
(b)	Out of the 07 recommendations given by the commission in relation to the pension department during the period from 2016 to 2018, only 29 per cent of the recommendations given, i.e. 02 recommendations, had been implemented till the date of audit, February 14, 2022.	Follow-up on the implementation of the given recommendations should be done.	In order to review the non-implementation of the Commission's recommendations, the Commission has set up a separate unit by the Inquiries and Investigation Division and is following up on the non-implementation of the recommendations.
(c)	Out of the 50 recommendations given by the Commission in	Follow-up on the implementation of the given	In order to review the non-implementation of the Commission's

	<p>relation to the Sri Lanka Police during the period from 2016 to 2018, only 10 per cent of the recommendations i.e. 05 recommendations had been implemented till the date of audit, February 14, 2022</p>	<p>recommendations should be done.</p>	<p>recommendations, the Commission has set up a separate unit by the Inquiries and Investigation Division and is following up on the non-implementation of the recommendations.</p>
(d)	<p>No information with regard to the observation of police stations, detention centres and prisons, the conclusions and the measures taken which are considered the most important points to have included in the report prepared by the Investigating officer of the Matara Regional Centre in the year 2020 and 2021. Furthermore, it was not mentioned to whom the report was directed and there was no evidence that the report was followed up by another officer.</p>	<p>After observation of the police stations, detentions centers and prisons, the report prepared by the investigating officer should include the facts discovered during the observation, his conclusions and the steps taken in this regard.</p>	<p>In order to reconsider the non-implementation of the recommendations of the Human Rights Commission of Sri Lanka, the Commission has set up a separate unit by the Inquiries and Investigation Division and is following up on the non-implementation of the recommendations.</p>
(e)	<p>Although education and awareness programs have been implemented, there has been no increase in public awareness due to the fact that the number of complaints received at the</p>	<p>Education and awareness programs should be implemented to increase public awareness.</p>	<p>The Matara Regional Office covers the three districts of Galle, Matara and Hambantota in the Southern Province. Matara Regional Office has conducted about 108</p>

	Matara Regional Office in the last 5 years without giving recommendations and giving relief is between per cent 67 and per cent 95 of complaints due to various reasons. More than per cent 40 of complaints were dismissed due to lack of human rights violations or non-compliance with the scope.		educational programs in the last 5 years. It has informed the people of the area about human rights. Matara Regional Office covers a large area and a large number of people live in that area.
(f)	There was a long period of time between 2 to 8 years in the investigation of complaints by the Matara Regional Office and recommendations were given for less than 01 per cent of the complaints received during the year.	Investigation of complaints should be expedited	The regional offices have been instructed to take prompt action to investigate the complaints and make recommendations.

3.2 Procurement

The following observations are made

	Audit Observation	Recommendation	Comment of the Chief Accounting Officer
(a)	The photographing and video recording of the women's day celebration program held in the year under review was done by	Must adhere to procurement guidelines	Photographing and video recording of programs for the conference held by the Sri Lanka Human Rights Commission to

	<p>a private company without any quotation and without following the government procurement guidelines and for that Rs. 30, -/000 had been paid.</p>		<p>celebrate International Women's Day in the year 2021 was done by calling verbal quotation from an organization that is always involved in the previous programs and the formal approval for those quotations has been obtained in a way that does not cause loss to the government ensuring the maximum service. All the officers were informed to avoid such deficiencies and perform their duties in accordance with the procurement guidelines.</p>
b)	<p>The Bandaranaike Memorial Conference Hall was chosen to host the Women's Day celebrations held at the Commission's head office. Bids were not invited for the purchase of food and beverages and only for the hall facilities. On behalf of 75 people who participated in the celebration, food had been purchased for Rs. 225,000/- without following any procurement procedure from a private company</p>	<p>In calling for bids, the bidding should be done not only for hall facilities but also for catering.</p>	<p>For the 2021 Women's Day celebration, bids were invited from 4 institutions and the Bandaranaike Memorial Conference Hall was selected and the institution also provided food. Bandaranaike Memorial Conference Hall does not provide an opportunity to get food from any other institution or external person. Therefore, since there is no opportunity to call for prices to procure food, the food was procured from the</p>

	and in addition to that food cost another Rs. 82, -/950 had been paid to the said institution without obtaining any prior approval.		concerned institution itself.
(c)	During the year under review, approval was given only by the signature of the Chairman of the Technical Appraisal Committee for the purchase of laptop computers for Rs. 600,000/- without following paragraph (ii) of the Government Procurement Guidelines Code. 2.6.2. (a) for technical specifications.	Procurement guidelines should be followed	The specifications and prices were submitted to the Technical Evaluation Committee for approval by the Technical Evaluation Committee. Since the Covid-19 pandemic was serious during this period, the chairman discussed with the committee members over the phone and took the decision based on the agreement given by the members related to the report prepared by the chairman based on verbal agreements and the decision was signed and submitted by the chairman alone and it was accepted. However, all the officers were also informed to minimize such shortcomings and take necessary steps in performing their duties.

(d)	In terms of 6.3.6 of the Government Procurement Guidelines Code, the proceedings of the bid opening as per paragraph shall be recorded in a prescribed form and the said minutes shall be signed by all the members of the bid opening committee. However, no such bid opening records were maintained in the procurement for the purchase of laptops.	Procurement guidelines should be followed	According to the paragraph 6.3.6 of the Government Procurement Guidelines Code, all the members should sign for the opening of the bids, but it was not possible to do so at the time of covid-19, and currently, necessary steps have been taken to update the deficiencies in opening the bids.
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3.3 Management weaknesses

The following observations are made.

	Audit Observation	Recommendation	Comment of the Chief Accounting Officer
(a)	The commission had not taken any appropriate action to repair or dispose of 03 motorcycles which were parked in the premises without running since last year or to hand them over to another institution.	Appropriate action should be taken regarding motorcycles.	Arrangements are being made for allotment of 03 bicycles based on duty requirements.

(b)	<p>The amount of Rs. 80, =/000 spent to restore the damaged laptop by an officer in the year under review had not been recovered from that officer till the date of the audit.</p>	<p>Rs. 80, =/000 should be recovered.</p>	<p>The cost of repairing the damaged laptop was Rs. 80, =/000 and was directed to pay the officer who used the computer. She has submitted an appeal for this and has noted to take the necessary steps to recover the amount once the decision is received regarding the appeal.</p>
(c)	<p>The regional offices of the commission should prepare monthly work plans and submit them to the head office and at the end of the month, a progress report should be submitted to the head office regarding the execution of the planned tasks. However, the Matara Regional Office did not act in this way in 2020 and 2021.</p>	<p>That the regional offices should submit monthly work plans and a progress report on the same to the head office at the end of the month.</p>	<p>The regional offices of the Commission shall prepare monthly work plans and submit them to the head office, and at the end of the month, progress reports should be submitted regarding the execution of the planned tasks, but the head office should follow up on whether the reports are submitted properly. Although it should have been, the shortcoming of not doing that follow-up is accepted, and instructions have</p>

			<p>been given to take the necessary steps to avoid those shortcomings in the future, and action will be taken to avoid that shortcoming in the future.</p>
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4. Good Governance

4.1 Internal Audit

Audit Observation	Recommendation	Comment of the Chief Accounting Officer
<p>According to Section 40 of the National Audit Act No. 19 of 2018, the Chief Accounting Officer should have appointed an appropriate auditor to carry out internal audit work, but since 2017, an internal auditor has not been appointed and internal audit work has not been carried out.</p>	<p>Internal audit activities should be carried out in accordance with Section 40 of the National Audit Act No. 19 of 2018</p>	<p>Applications were invited and interviews conducted to appoint an internal auditor for the Commission. Recruitment was delayed as there was no suitable officer for the duties of the Commission. As the recruitment has</p>

		stopped at present, it has become problematic to appoint an officer for this purpose.
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4.2 Audit and Management Committee

Audit Observation	Recommendation	Comment of the Chief Accounting Officer
According to Section 41 of the National Audit Act No. 19 of 2018, there should be an Audit and Management Committee for each institution, but the Commission's Audit and Management Committee has not been held since 2017.	To proceed in accordance with Section 41 of the National Audit Act No. 19 of 2018	Audit and Management Committee was not held as there is no internal auditor.

5. Human resource management

The following observations are made.

	Audit Observation	Recommendation	Comment of the Chief Accounting Officer
(a)	The former secretary of the Human Rights Commission was sent on compulsory leave	Formal disciplinary investigations should be	In the backdrop of the covid- 19 epidemic in the country, it is

	<p>on January 30, 2018, and the secretary was suspended on November 21, 2019, based on the report of the preliminary investigation. The Commission started a formal disciplinary investigation in this regard in the year 2020, but by the date of the audit, almost 3 years had passed, and the disciplinary investigation had not been completed.</p>	<p>completed promptly.</p>	<p>difficult to call witnesses for evidence and the investigation has been delayed due to the continuous postponement. It has been asked to complete this investigation and provide the report, and confirmation has been given that it will be completed within 03months.</p>
(b)	<p>As on December 31, 2021, the approved cadre was 235 and the actual staff was 144. There were 93 vacancies of officers out of which 21 vacancies were at the senior level, 37 vacancies at the tertiary level and 35 vacancies at the secondary level. Two officers remained redundant beyond the</p>	<p>Vacancies for essential posts should be filled.</p>	<p>Applications are invited for 63 posts out of these vacant posts. Recruitment has been suspended due to government policy reasons.</p>

	approved staff at the primary level.		
(c)	The senior-level approved cadre of the Commission was 46 and the actual staff was 25. Out of which, one officer was filled on secondment basis and two other officers were filled on a contract basis. Accordingly, 24 senior-level positions in the Commission were not filled.	Vacancies for essential posts should be filled	Applications are invited for 63 posts out of these vacant posts. Recruitment has been suspended due to government policy reasons

M. Somathilake
Deputy Auditor-General
For Auditor-General

Human Rights Commission of Sri Lanka

12.09.2022

Auditor General
National Audit Office

Annual Descriptive Management Audit Report Pursuant to Section (2)11 of the National Audit Act No. 19 of 2018 on the Financial Statements of the Human Rights Commission of Sri Lanka for the year ending 31 December 2021

02. Remedies, courses of action or courses of action contemplated pursuant to the provisions of subsection (1)39 of the National Audit Act,

03. I submit herewith the report on the reasons for not being able to implement the procedures or matters indicated in terms of sub-section (2)39 of the National Audit Act.

Chairperson

Human Rights Commission of Sri Lanka

Copies to:

1. Minister of Finance, Economic Stabilization and National Policies
2. Secretary, Ministry of Finance, Economic Stabilization and National Policies

Annual Descriptive Management Audit Report Pursuant to Section (2)11 of the National Audit Act No. 19 of 2018 on the Financial Statements of the Human Rights Commission of Sri Lanka for the year ending 31 December 2021

1.2 Opinion on Financial Statements

1.2.1 Accounting deficiencies

Audit Observations	Recommendations	Action taken
That all assets owned by the Commission are not included in the statement of non-financial assets	Accurate accounting	Necessary steps are being taken for the assessment

2 Financial Review

2.1. Non-compliance with rules and regulations

Audit Observations	Recommendations	Action taken
(a) Public Finance Circular No. 2016/05 dated March 31, 2016, paragraph 3.2.	Completion of Board of surveys and preparation of report before 15th June of every financial year and submit a copy to the Auditor General.	For the year 2021, the reports of all regional offices were submitted by June 15, 2022, and the head office report was submitted by July 31, 2022.
(a) Public Finance Circular No. 2016/05 dated March 31, 2016, paragraph 3.25.	Submission of public 47 final report before 30 th April of every financial year	Updated
(b) Public Administration Circular No. 22/93 dated 21 September 1993	Compensation to injured officers	As compensation for the officer involved in the accident, a sum of Rs. 308, 700 and a monthly transport allowance were paid to her as per the decision to bring her to the office for official purposes. Travelling Allowance has been approved to her based on exigencies of duty and her disability.

3. Operational Review

3.1. Non-performance of duties

Audit Observations	Recommendations	Action taken
(a). Non-implementation of the recommendations made by the Commission to	Should be followed-up	*Follow up is done. *Regarding the non-implementation of the

<p>the Ministry of Education from 2016 to 2018</p>		<p>recommendations given to the Ministry of Education, on 2021.04.20, the officials of the Ministry of Education have been summoned and inquiries have been made, and instructions to implement the recommendations have been sent in writing to the Secretary, Ministry of Education on 07.05.2021</p> <p>*The Secretary of the Ministry of Education is scheduled to be summoned before the commission in September 2022</p>
<p>(b) Non-implementation of the recommendations given by the Commission in relation to the Pension Department from 2016 to 2018</p>	<p>Should be followed-up</p>	<p>*The parties responsible for the relevant recommendations will be consulted.</p>
<p>(b) Non-implementation of the recommendations given by the Commission to the Sri Lanka Police from 2016 to 2018</p>	<p>Should be followed-up</p>	<p>*Inform the Inspector General of Police that there is a delay in the implementation of the recommendations given by the Commission in the discussion held with</p>

		<p>the higher officials of the Police Department on 27.01.2021, and to give priority to it in the future and to implement the relevant recommendations promptly and to inform us about the recommendations that have been implemented so far.</p> <p>*On 02.03.2022, a telephone message has been issued to inform all the officers in charge of all divisions of the Sri Lanka Police with the signature of the Inspector General of Police regarding these matters and to call for a report on the recommendations made so far.</p>
<p>(c) Observations by the Matara Divisional Office in 2020 and 2021, the terms referred by the Investigation Officer and the steps taken were unclear.</p>	<p>All details should be mentioned in the reports.</p>	<p>* Necessary instructions have been given orally to the concerned officers.</p>
<p>(e) Despite the implementation of education and awareness programs,</p>	<p>Implementation of education and awareness programs to increase public awareness.</p>	<p>Due to the current economic inflation in the country, it is not possible to prepare</p>

the knowledge of the public is low.		programs due to the non-release of provisions for awareness programs in the year 2022, but it is expected that steps will be taken to accelerate them in the future.
(f) Delays in providing recommendations for complaints received for a period of 8-2years for investigations at the Matara Divisional Office.	Investigation of complaints should be expedited.	All regional offices have been informed.

3.2. Procurement

Audit Observations	Recommendations	Action taken
(a) Photography and videography for Women's Day celebration without procurement.	Non-adherence to procurement guidelines	Updated
(b) Use of Bandaranaike Conference Hall for Women's Day celebration and purchase of food and beverages from a private establishment.	Not only the restaurant facilities but also the food should be priced.	The officer required to implement procurement processes in future has been informed.
(c) Non-compliance with paragraph 2.6.1a (ii) of the Government Procurement Guidelines Code.	Procurement guidelines should be followed	All officers have been informed and given instructions on how to do it up-to-date.

3.3 Management weaknesses

Audit Observations	Recommendations	Action taken
(a) Actions not taken for the 3motorcycles parked in the premises.	Taking appropriate action	Deployed for duty after repairs.
(b) The expenditure incurred on restoring the damaged laptop is Rs. 80, 000amount.	Action should be taken to recover.	According to the decision to recover in 60instalments according to the money regulations, it is currently deducted from the monthly salary.
(c) Monthly work planning by Regional Offices. Forwarding it to Head Office. At the end of the month, check the progress on the execution of the planned tasks	Monthly work plans and month-end progress reporting to Head Office by each Regional Office	Necessary steps have been taken to update

4. Good Governance

4.1. Internal Audit

Audit Observations	Recommendations	Action taken
According to Section 40 of the National Audit Act No. 19of 2018, a suitable auditor should have been appointed to carry out internal audit work but has not been done so.	Internal audit activities should be carried out in accordance with Section 40of the National Audit Act No. 19of .2018	Due to the problematic situation in recruiting officers, the accountant has been employed to perform duties on a temporary basis for this purpose.

4.2 Audit and Management Committee

Audit Observations	Recommendations	Action taken
Appointment of an Audit and Management Committee in terms of Section 41 of the National Audit Act No. 19 of 2018	Proceedings in accordance with Sections	Necessary steps will be taken to establish the audit and management committee.

5. Human Resource Management

Audit Observations	Recommendations	Action taken
(a) Non-completion of investigations into the suspended ex-Secretary of the Commission.	The investigation should be completed soon.	At present, all efforts are being made to complete the investigation as soon as possible.
(b) Staff Vacancies	Arrangements should be made to fill the required posts	Due to government policies and legal reasons, it has not been possible to take the necessary steps to fill the vacancies. Graduate officers are engaged to perform the duties.
Non-filling of senior-level positions in the Commission	Vacancies should be filled.	Due to the inability to fill vacancies in view of government policy reasons, only officers have been recruited necessarily on secondment and contract basis.

Chairperson

Human Rights Commission of Sri Lanka

Short term and medium term actions intended to be taken in order to improve the performance of the Commission in 2022

- Establishing at least two regional offices in Rathnapura and Nuwara Eliya to increase the accessibility of the Plantation Community
- Recruiting staff for the existing vacant cadre positions of the Commission
- Preventing torture in custody through establishing National Preventive Mechanism (NPM)
- Establishing the International Relations Division for the Commission
- Introducing a mechanism for inquiring about the HRCSL cases of previous years
- Preparing a strong report reflecting our human rights interventions and facing the GANHRI review successfully in October 2022
- Strengthen the relations with human rights defenders and civil society organizations
- Enhance the capacity of the staff through human rights training
- Strengthen the HRCSL intervention on the sudden incident and situations monitoring
- Building close relations with the Asia Pacific Forum of National Human Rights Institutions (APF), UN agencies, and other international interest groups
- Reestablishing thematic sub-committees considering the need and issues of minority communities
- Dissemination of the opinion of the HRCSL through Media Statements on regular basis.