

# Sri Lanka

## National Action Plan for the Protection and Promotion of Human Rights

2011 - 2016





# Table of Contents



Introduction .....	3 - 6
Civil and Political Rights .....	7 - 29
Economics Social and Cultural Rights .....	31 - 45
Prevention of Torture .....	47 - 59
Rights of Women .....	61 - 69
Labour Rights .....	71 - 75
Rights of Migrant Workers .....	77 - 92
Rights of Children .....	93 - 118
Rights of Internally Displaced Persons (IDPs) .....	119 - 130
Membership of Committees .....	131 - 137



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# **Introduction**





# Introduction to the National Action Plan for the Protection and Promotion of Human Rights

## Background

The Government of Sri Lanka embarked on this important endeavour of developing a National Action Plan firstly, to respond to a call from our people to take stock of the human rights situation in Sri Lanka which has had a history of colonization and the more recent experience of an armed conflict. Secondly, the National Action Plan is the Government's response to the recommendation of the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights in Vienna, Austria in 1993. This requested that:

*"each State consider the desirability of drawing up a national action plan identifying steps whereby the State would improve the protection and promotion of human rights"*

The Vienna Declaration and Programme of Action emphasizes that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. Thirdly, during the Universal Periodic Review process in May 2008, the Government pledged to develop a National Action Plan to improve the human rights situation in the country.

This National Action Plan is the result of a Government and people deciding to take concrete action to bring about positive change. In developing the Action Plan, the Government assessed the measures in place to protect and promote human rights, identified areas that need improvement and have committed ourselves to improving the protection and promotion of human rights.

This National Action Plan for the Protection and Promotion of Human Rights is the product of many months of consultation and co-operation involving both government and civil society. The Government of Sri Lanka is proud to have followed this participatory route in developing the National Action Plan that focuses on the promotion and protection of human rights, and firmly believes that the process of developing the plan is as important as the outcome. This document not only provides a detailed policy and legislative programme to realize the fundamental rights and freedoms provided for in our Constitution, but also looks to expand these rights and freedoms.

Following the pledge made at the Universal Periodic Review (UPR), the Government commenced the process of developing the Action Plan, through the then Ministry of Disaster Management and Human Rights as the focal agency for action. As a first step the Ministry embarked on a stocktaking exercise to identify the most pressing human rights issues in the country through collating Treatybody recommendations, Special Procedure recommendations, UPR recommendations and observations, including civil society input to the process, along with other relevant national reports and publications on the human rights situation. While recognizing that human rights are universal, indivisible, and interdependent eight priority areas were identified through the stocktaking exercise: two general areas on Civil and Political Rights and Economic, Social and Cultural Rights and six specialized areas looking at Prevention of Torture, Rights of Internally Displaced Persons (IDP's), Protection of Labour Rights, Rights of Children, Rights of Women and Rights of Migrant Workers. Using these areas of focus as an organization tool eight issue papers were developed which were discussed at eight consultations, which included all relevant government agencies and relevant civil society representation. A report of this process was presented at a consultation for civil society organizations in February 2009. Following this process eight Drafting Committees were established to draft the National Action Plan. Each drafting committee was made up of approximately 8-10 experts drawn from relevant Government agencies and civil society organizations. There were equal numbers of government and civil society representation on each drafting committee. Once the eight Drafting Committees completed their work and presented the eight drafts to the then Ministry of Disaster Management and Human Rights the Ministry embarked on compiling a combined draft under the guidance of the National Action Plan Steering Committee which comprised of the chairpersons of the Drafting Committees and other relevant experts.

The National Action Plan was further revised and finalized following the focus group discussions in May 2011.



## Structure of the Action Plan

The Action Plan is in eight parts representing the eight thematic areas. They are each in the form of a matrix consisting of Focus Area, Goal, Issue, Activities, Key Performance Indicators, Timeframe and Key Responsible Agencies.

The aim in general was to include priority areas and not all areas for action, as the Plan is time bound and could not realistically cover every issue which may need to be addressed. Nevertheless as is evident from a reading of the Plan, many aspects of each thematic area have been comprehensively covered.

Where national policies or plans of action exist in relation to a particular area, these have been taken into account and mentioned where appropriate. As many of these policies and laws are however yet to be implemented, it was decided to include in the Human Rights Action Plan specific areas covered by these policies or proposed laws, in addition to mentioning the implementation of these policies and laws as a Goal/Issue/Activity.

## Implementation and Monitoring

A Cabinet Sub-Committee will be set up to monitor the implementation of the Plan. It will be supported by a Monitoring Committee consisting of senior government officials from across the sectors.

There will be a mechanism for the Monitoring Committee to maintain a dialogue with civil society wherever necessary and with any state or other institution through which problems in the implementation of the Plan at ground level could be reported to the Committee.

Wider citizen participation in monitoring and providing feedback on the implementation of the Plan will also be facilitated, through the setting up of a website as well as communication through other social media.



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**Civil and Political Rights**



# Civil and Political Rights



Sri Lanka's commitment to promote and protect civil and political rights has had a vibrant history spanning across a period long before its accession to the International Covenant on Civil and Political rights. Both by way of legislation as well as through executive policy, civil and political rights were accorded to people of the country by the 1947 Constitution and thereafter in the successive Republican Constitutions. In addition to those provisions, Sri Lanka's international obligations under different regimes of human rights, were also incorporated into several national legislations.

In addition to the above mechanisms which promoted and protected the civil and political rights, the judiciary too played an equally efficacious role in enforcing those rights.

The International obligations enshrined in the Convention were given statutory recognition by the incorporation of a Chapter on Fundamental Rights in the Constitution and further by the enactment of the International Convention on Civil and Political Rights Act No. 56 of 2007.

The commitment of the Government of Sri Lanka towards the full realization and guaranteeing of Human Rights was further manifested when in 2008, a Committee was appointed to give effect to proposals in Mahinda Chinthana, for the inclusion of a comprehensive Bill of the Rights into the Constitution. A Draft Bill of Rights was thereafter formulated which is being deliberated by stakeholders, with a view to its incorporation.

The National Action Plan aims at giving teeth to these existing mechanisms and further strengthening the current regime, in order that they comply with modern trends of enforcing them, to achieve the efficacy of there full amplitude. The priority area on Civil and Political Rights amply sets out those objectives.



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Measures to give effect to international human rights obligations	1.1	A legislative/ policy regime, which gives effect to the obligations of the Executive in the realm of the protection and promotion of human rights and provides for the effective implementation of the duties and functions of the Executive.	1.1.a	Need for improvement of a legislative/policy regime defining, stipulating, governing and regulating executive and administrative mechanisms and activities for the promotion and protection of human rights	Appointment of a Cabinet Sub-Committee on Human Rights	Appointed a Cabinet Sub-Committee	1 month	Office of the Cabinet of Ministers
						Review the Report of the Committee appointed to draft a Bill of Rights to the Cabinet of Ministers	Review completed	1 months	Ministry of Justice
						Establish dedicated unit inter alia- 1) to support the work of the Cabinet Sub-Committee and, 2) to advise on positions to be taken in debates in international fora related to the adoption of human rights conventions, position to be taken up during votes on human rights conventions etc.	Dedicated Unit established	6 months	Presidential Secretariat/ Ministry .to which the subject of Promotion of human rights will be assigned.
		1.2	Enhanced awareness among duty bearers and claim holders, of Sri Lanka's international obligations on human rights	1.2.a	Inadequate awareness and knowledge on human rights among the duty bearers and claim holders	Need to enhanced awareness programmes relating to human rights with a view to enhancing knowledge and understanding, and creating appropriate attitudinal change relating to human rights, for the public at large public officers, with special programmes for security forces and the Police and for employers in the private sector, trade unions and such similar specialized groups.	Number of programmes conducted	ongoing	Human Rights Commission of Sri Lanka (HRCSL)
							Regional coverage of programmes		
							Number of people targeted		
							Profile of people targeted		
							Organizations and institutions targeted		
				1.2.b	Need to enhance awareness on human rights among policymakers, legislators, members of Local authorities and public officers	Conduct awareness programmes relating to human rights for policymakers, legislators, members of Local authorities and public officers	Number of programmes conducted	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
							Regional coverage of programmes		
							Number of people targeted		
							Profile of people targeted		
							Institutions targeted		
						Include in training modules for senior Public Officers, programmes relating to Human Rights.	Module included in training programme	+ 3 months	Secretaries to relevant Ministries
						Review syllabus of the Police Department and the three Armed Forces; and where necessary improve existing programmes aimed at creating awareness regarding human rights and causing an attitudinal change regarding human rights.	Syllabus reviewed	+ 3 months	Ministry of Defence
							Syllabus amended		
						Continuously monitor training programmes with a view to determining the efficacy of such programmes and make recommendations for improvement	Monitoring mechanism established	+ 3 months	Secretaries to relevant Ministries
							Periodic monitoring of training programmes and recommendations for improvement made	ongoing	
							Recommendations implemented		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		1.3	Comprehensive compliance with Chapter 3 of the Constitution and transparency in the law making process	1.3.a	Lack of adequate time within which to consider proposed legislation for its compliance with Chapter 3 of the Constitution	Amend Standing Orders of Parliament so as to require the Secretary General of Parliament to mandatorily place all Bills of Parliament on the Parliament website and provide a mechanism for public comment	Standing Orders of Parliament amended	+ 1 year	Parliament
							Number of Bills published on website	ongoing	
							Mechanism for public comment in place	+ 1 year	
		1.4	Ensure Participatory democracy	1.4.a	Inadequate consultation with and participation of civil society, vulnerable groups and relevant stakeholders in the process of developing national laws and policies	Consider extending the period granted for challenging a Bill in the Supreme Court	Constitutional amendment Bill	1 year	Presidential Secretariat
						Conduct awareness programmes for the public on underlying policy of proposed draft legislation and proposed Bills, save urgent Bills.	Number of programmes conducted with a regional breakdown	ongoing	Initiating Ministry
							Number of people targeted		
2.	Constitutional Rights	2.1	Rule of Law	2.1.a	Constitutionality of certain laws which were in existence at the time of the promulgation of 1978 Constitution	Revisit relevant laws	Revisit in progress	+ 2 years	Relevant line Ministry
						Based on review amend laws	Laws amended	+ 4 years	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
3.	Accountability in providing remedies for human rights violations	3.1	Accountability and transparency to ensure justice	3.1.a	Availability of access to State representation in Fundamental Rights Applications	Attorney General to develop guidelines	Guidelines formulated and announced	+ 6 months	Attorney General's Department
		3.2	More effective enforcement of laws and regulations ascribing personal liability	3.2.a	Inadequate follow-through on personal liability in abuse of persons in State institutions, eg: prisons, children's homes, elders homes	Review of relevant legislations regulating care of different categories of persons	Review completed and necessary amendments effected	1 year	Relevant line Ministry
						Monitoring instances of complaints regarding abuse/neglect/discrimination which have resulted in personal liability	Monitoring mechanism established	ongoing	
4.	Effective judicial, administrative or legislative authorities ensuring the right to remedy for HR violations	4.1	Strengthening Human Rights Commission of Sri Lanka to ensure effective functioning of the Commission	4.1.a	Need to enhance capacity of the Commission	Amend the Human Rights Commission of Sri Lanka Act to empower the Commission to act in respect of both violation of fundamental rights contained in Chapter 3 of the Constitution and human rights justifiable under national laws including the ICCPR Act.	HRCSL Act amended	+ 1 year	Human Rights Commission of Sri Lanka
						Amend the Human Rights Commission Act to require the Commission to publish within the first quarter of every year an annual report, which shall also be posted on the website of the Human Rights Commission, documenting the: a) Status of human rights in Sri Lanka during the preceding year b) Action taken in the form of discharge of its duties c) Research findings	Legislation amended Annual report published (month of publishing)	+ 1 year ongoing on an annual basis	Human Rights Commission of Sri Lanka



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				4.1.b	Inadequacy of skilled staff in the Human Rights Commission of Sri Lanka, including regional offices	Evaluate need for cadre expansion and expand cadre if necessary	Evaluation conducted cadres expanded	+6 months	Ministry of Finance and Planning
						Enhance knowledge and skills of the staff of HRCSL especially training of investigation officers in the conduct of criminal investigations.	Training programmes conducted	ongoing	Human Rights Commission of Sri Lanka
						Provide permanent location to house the headquarters and regional offices of the Human Rights Commission of Sri Lanka	Permanent offices provided	+ 1 year	
						Provide for secondment of officers of the Attorney General's Department to function as officers of the legal/inquiry divisions of the HRCSL	Number of officers seconded from the AG's Department	ongoing	Attorney General's Department
				4.1.c	Lack of enforceability and efficacy of the HRCSL	Amend the Code of Criminal Procedure Act to empower the AG to consider notes of investigations presented by the HRC for the purpose of considering and instituting criminal proceedings against persons responsible for having committed offences arising out of violations of fundamental rights.	Code of Criminal Procedure Act amended	+ 1 year	Ministry of Justice
							Number of cases instituted with notes from the HRCSL	ongoing measured annually	Human Rights Commission of Sri Lanka
							Amend the Human Rights Commission of Sri Lanka Act to empower the Commission to refer to the Attorney General with a view to considering the possibility of prosecution of actions in the Provincial High Courts on behalf of the victimized party when a recommendation of the Commission is not implemented without valid reason.	Human Rights Commission of Sri Lanka Act amended	
							Number of cases instituted in the Provincial High Courts by the AG	ongoing measured on an annual basis	





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Amend the Code of Criminal Procedure Act to empower magistrates to exercise investigative jurisdiction in instances of serious violations of human rights (torture, extra-judicial executions, disappearances and arbitrary detention) if it can be established before a magistrate having territorial jurisdiction that the routine competent authorities to whom the complaint has been made has without valid reason refrained from conducting an impartial, prompt and comprehensive investigation.	Code of Criminal Procedure amended	+ 1 year	Ministry of Justice
							Number of cases where Magistrates exercise investigative jurisdiction	ongoing measure on an annual basis	Attorney General's Department
				4.1.d	Disproportionate amount of HRCSL time and resources currently spent on relatively minor complaints hampering a focus on more important issues.	Referral of selected cases to other appropriate mechanisms.	% reduction in time taken to complete cases by the HRCSL	Measured annually	Human Rights Commission of Sri Lanka
							Number of cases referred to other mechanisms	ongoing	
				4.1.e	Inadequate interaction between the HRCSL and civil society	Establish mechanism of cooperation with civil society	Mechanism established	+ 3 months	
				4.1.f	Inadequate coordination between the HRCSL and Government Agencies and other Commissions	Establish coordination mechanism between the HRCSL and Government Agencies and other Commissions	Coordination mechanism established	+ 3 months	
						Develop best practice guidelines to ensure speedy responses to the directives issued by the HRCSL in consultation with the HRCSL and other relevant stakeholders	Guidelines developed	+ 3 months	
						Conduct an independent review of the implementation of best practices periodically	Review completed	ongoing on an annual basis	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Establish a referral mechanism between the PSC and the HRCSL to ensure that HRCSL recommendations are taken into consideration prior to granting of promotions	Referral mechanism established	+ 3 months	
				4.1.g	Need for empowerment of the regional offices of the HRCSL to act on complaints	Establish regional advisory committees comprising of civil society members to assist the regional offices of the HRCSL	Regional advisory committees established	+ 1 year	
5.	Emergency regulations	5.1	Derogation from obligations under international law in times of public emergency should be only those strictly required by the exigencies of the situation and those that do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.	5.1.a	Need for review of certain provisions in the Prevention of Terrorism Act in the light of internationally recognized human rights norms and standards which are obligatory on Sri Lanka	Review the Prevention of Terrorism Act to identify possible inconsistencies with internationally recognized human rights norms and evaluate need for continued application of these regulations	Review conducted	+ 1 year	Ministry of Justice
						Amend the law accordingly	Laws amended	+ 1 year	
6.	Derogation protocols	6.1	International accountability when derogating from obligations emanating from the ICCPR during public emergencies	6.1.a	Possible failures on the part of the Ministry of Foreign Affairs to comply with Article 4.3 of the ICCPR	Amend the Public Security Ordinance to obligate the Secretary to the President to communicate the promulgation and amendments thereof of regulations under the PSO promptly to the Secretary to the Ministry of External Affairs to enable the Ministry to present formal communication as required by Article 4.3 to the UN Human Rights Committee	Public Security Ordinance amended	+ 1 year	Ministry of Defence



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
7.	Right to life	7.1	Ensuring and protecting the right to life	7.1.a	Safety of suspects in custody	Amend Chapter 30 of the Code of Criminal Procedure to provide for Magistrates to:	Chapter 30 amended	+ 1 year	Ministry of Justice
						1) Conduct inquests into all deaths alleged to have been committed by the Police or the Security Forces	Number of cases where magistrates conduct inquests into deaths alleged to have been committed by the Police or the Security Forces	ongoing	
						2) Direct and monitor the conduct of necessary criminal and forensic investigations	Number of cases where magistrates direct and monitor the conduct of necessary criminal and forensic investigations		
						3) Continue with the investigation into the death even after the ‘finding on the apparent cause of death’ (commonly referred to as the ‘verdict’) is pronounced.	Number of cases where investigations continue after the verdict is pronounced		
						Conduct training programmes for magistrates in the comprehensive and impartial conduct of judicial investigations/inquiry into the category of deaths referred to above.	Number of programmes conducted	ongoing	Judicial Service Commission and Judges Institute
							Number of Judicial officers targeted		
							Regional distribution of programmes		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Amend the Police Orders and Military Directives to provide for strict vicarious liability leading towards stern disciplinary action against officers-in charge of police stations and similar military organizational groupings with regards to deaths of persons in the custody of subordinate officers and personnel, other than in respect of deaths classified as 'justifiable homicides' by the Magistrate who conducted the relevant Inquest and the Attorney General.	Police orders and Military Directives amended	+ 1 year	Ministry of Defence
				7.1.b	Alleged violations of human rights which appear to be associated with the official location/assignment of certain officers attached to the Police/ security forces	Conduct contemporaneous and continuous research and analysis using tools such as spot surveys, tracking, mapping, etc., with a view to identifying whether such associations do exist and if so to take appropriate preventive, remedial, investigational and/or inquisitorial action	Research conducted	ongoing measured on an annual basis	Human Rights Commission of Sri Lanka
							Remedial action taken		
				7.1.c	Alleged disappearances	Amend the Code of Criminal Procedure and the Prevention of Terrorism Act to require the acknowledgement of the arrest of a person to an adult member of the nuclear family of the person arrested or in the absence of a nuclear family member, to his/her employer or to any other adult of significant importance to such arrested person. The duplicate of such acknowledgement shall be filed in the relevant Magistrates court record upon the initiation of criminal proceedings against such suspect.	Code of Criminal Procedure, and the Prevention of Terrorism Act amended	+ 1 year	Ministry of Justice
							Number of receipts issued as a percentage of all arrests	ongoing measured annually	
							Number of receipts filed in the Magistrates court as a percentage of criminal proceedings filed		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Amend the Penal Code to create a substantive criminal offence with regards to the causing of disappearances	Penal Code amended	+ 1 year	
						Number of cases instituted for the crime of disappearances	ongoing measured annually		
						Number of people prosecuted for the crime of disappearances			
						Amend the Police Orders and Military Directives to provide for vicarious liability of officers-in charge of police stations and similar military organizational groupings with regard to disappearances of persons involuntarily removed, abducted or in the unlawful custody of subordinate officers	Police orders and military directives amended	+ 6 months	Ministry of Defence
						Cases where senior officers were charged for offences of subordinate officers (vicarious liability)	ongoing measured on an annual basis		
			7.1d	Lack of an effective scheme of protection for witnesses and victims.	Expedite the enactment of the Witness and Victim Assistance and Protection Bill having incorporated amendments proposed by the Supreme Court, Inter-ministerial Committee and the Parliamentary Consultative Committee on Justice and Law Reforms.	Witness and Victim Assistance and Protection Act enacted.	+ 6 months	Ministry of Justice	



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
8.	Arrest and detention	8.1 Ensure that everyone has the right to liberty and security of person, to ensure that no one shall be subjected to arbitrary arrest or detention and that no one shall be deprived of liberty except on such grounds and in accordance with such procedure as are established by law	8.1.a Need to ensure strict adherence to rules requiring that all persons arrested are produced before a magistrate within 24 hours	Amend the existing rules to enhance administrative procedure to:	Rules amended	+ 6 months	Ministry of Justice
				1) Empower magistrates and other law enforcement agencies to undertake visits to places of detention	HRC Act amended	+ 6 months	
				2) Amend the HRC Act to give the Commission authority, under section 28(1), to include all arrests and also require the reporting of arrests to State Counsel of the area.			Judicial Service Commission
				Prepare and enforce a protocol in the form of a circular to be followed by magistrates conducting such examinations so as to ensure proper documentation and report on any unlawful or illegal activities which may take place at such detention facility	Circular issued	+ 6 months	
					Logs presented on a quarterly basis	ongoing on a quarterly basis	
					Number of reports to the Attorney General and to the Human Rights Commission of Sri Lanka by magistrates making unannounced visits	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
				8.1.b	Those arrested do not have a right to an attorney immediately after arrest	Amend the Code of Criminal Procedure Act, so as to provide for a right of all persons arrested to consult a Lawyer of his/her choice (using his/her own resources) or if he/she pleads inability to retain such a lawyer the services of an independent attorney whose services shall be provided for by a nationally implemented Duty Attorney Scheme, prior to being produced before a Magistrate. For purposes of clarity it is stated that such entitlement shall be exercised only after the recording of the statement of such suspect.	Code of Criminal Procedure Act amended	1 year	Ministry of Justice	
							Number and percentage of suspects who have access to a lawyer of choice	ongoing measured annually		
							Number and percentage of suspects who have access to a lawyer through a Duty Attorney Scheme			
				8.1.c	Inadequate safeguards during and following arrest and detention	Issue guidelines to provide for necessary protection during and following arrest and detention	Guidelines issued	+ 3 months	Human Rights Commission of Sri Lanka	
							Review all existing Police orders and circulars	+ 6 months	Police Department	
							Based on review, amend Police orders and circulars	Police orders and circulars amended		+ 1 year
								Revised orders and circulars gazetted		
								Revised orders and circulars published on Police Department website		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Conduct awareness programmes for Judicial officers, lawyers, and Human Rights Commission staff etc., on the regulations referred to above.	Number of programmes conducted Number of people targeted Profile of those targeted	ongoing	1)Judicial Service Commission 2)Attorney General's Department 3)Human Rights Commission of Sri Lanka 4)The Bar Association of Sri Lanka
9.	Conditions of detention	9.1	To ensure that those detained are treated with humanity and with respect for the inherent dignity of the human person	9.1.a	Lack of separation of accused persons and convicted persons in prison	Amend Prisons Regulations to ensure that accused persons and convicted persons are housed separately	Prisons regulations amended	+ 6 months	Ministry of Justice
							Instances where accused persons and convicted persons are housed together	ongoing measured annually	Department of Prisons
				9.1.b	Inadequate quality of detention facilities leading to overcrowding and the infringement of the rights of detainees	Conduct a review to ascertain necessary changes to upgrade prison facilities	Review conducted	+ 6 months	Ministry of Finance and Planning
						Based on review make necessary budgetary allocations	Budgetary allocations made	+1 year	
				9.1.c	Lack of a focus on reformation and rehabilitation in detention	Formulate and oversee the implementation of appropriate schemes for reformation and rehabilitation	Schemes formulated	+ 6 months	Ministry of Justice
							Number of detainees involved in schemes	ongoing	
							Profile of detainees involved in schemes		





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
10.	Right to privacy	10.1	Ensuring the right to privacy	10.1.a	No Constitutional/legal right to privacy	Submission of Draft Bills of Right which include right to privacy to Cabinet	Submission to the Cabinet	+ 1 year	Ministry of Justice
11.	Freedom of religion	11.1	Promoting religious harmony and freedom of choice	11.1.a	Restrictions on religious education in schools	Administrative action to ensure the realization of the freedom of religion	Regulations amended/circulars issued	+ 3 months	Ministry of Education
12.	Language rights	12.1	Need to enhanced the protection the right to culture and language rights	12.1.a	Need to enhance protection of language rights	Effective implementation of language rights	Effective implementation	+ 1 year	Ministry of National Languages and Social Integration
13.	Right to Information	13.1	Ensuring the right to information	13.1.a	Need to further enhance parameters which will enable access to information	Adopt legislation to ensure right to information	Legislations adopted	+ 1 year	Ministry of Justice
14.	Freedom of expression	14.1	Ensuring the freedom of expression	14.1.a	Review Official Secrets Act, circulars, Establishments Code for public access to information	Review the Official Secrets Act, Establishments Code and administrative circulars	Official Secrets Act, Establishments Code and administrative circulars reviewed	+ 6 months	
						Based on review make recommendations	Recommendations made	+ 6 months	
						Implement recommendations	Recommendations implemented	+ 1 year	
				14.1.b	Absence of laws governing internet access under Article 19	Appoint a multidisciplinary committee to ascertain need and if deemed necessary draft legislation governing the regulation of internet use and associated activity	Committee appointed	+ 1 month	Information Communication Technology Agency
						Draft legislation to govern the regulation of internet use and associated activity	Legislation drafted	+ 1 year	
						Enact legislation	Legislation enacted	+ 1 year	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
15.	Right to vote and take part in public affairs	15.1	Ensuring the right to vote and take part in public affairs	15.1.a	Loss of franchise of IDPs	Identify a mechanism to enable IDPs to exercise their franchise	Mechanism identified	+ 6 months	Commissioner of Elections
							Mechanism established	+ 6 months	
							Number of homeless people registered to vote	ongoing	
				15.1.b	Factors that may affect the due democratic process of holding election in adherence to procedures provided by law	Amend the Presidential, General, Provincial and Local Government Elections Acts with corresponding amendments to the Assets and Liabilities Declarations Law so as to stipulate the submission of an assets and liabilities declaration as a prerequisite to the submission of nominations and the resubmission at the end of the term as a precondition for re-election.	The Presidential, General, Provincial and Local Government Elections Acts and the Assets and Liabilities Declarations Law amended	+ 6 months	Ministry of Justice
						Amend regulations to require annual assets declarations with the application of criminal sanctions for violation	Regulations amended		
				15.1.c	Inadequate access for those with disabilities to vote	Through administrative action ensure access to voting locations, procedures and information for persons with disabilities	Measures in place	+ 6 months	Commissioner of Elections
							Number of persons with disabilities voting as a percentage of the total population of persons with disabilities	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				15.1.d	Disenfranchisement of Sri Lankan citizens temporarily domiciled overseas and retaining the interest to exercise franchise	Appoint a committee to make recommendations on an appropriate mechanism which would allow Sri Lankan migrants to vote.	Committee appointed	+ 6 months	
16.	Discrimination-general	16.1	Ensuring that all persons are equal before the law and are entitled without any discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status to the equal protection of the law.	16.1.a	Lack of protection, through the existence of a dedicated authority, against discrimination in the private sector	Appoint committee to determine the procedure to settle disputes arising out of discrimination in the workplace	Committee appointed	+ 6 months	Ministry of Justice



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
17.	Discrimination- Persons with Disabilities	17.1	Ensuring that all persons are equal before the law and are entitled without any discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status to the equal protection of the law.	17.1.a	Lack of attention to the situation of people with disabilities in the formulation of national strategies aimed at fulfilling the Millennium Development Goals	Review PRSPs to include persons with disabilities as a vulnerable group	Persons with disabilities included as a vulnerable group in PRSPs	+ 6 months	Ministry of Finance and Planning
				17.1.b	Non-ratification of the Convention on the Rights of Persons with Disabilities	Conduct review of the legislative reform and other changes necessary which will allow Sri Lanka to ratify the Convention	Review conducted	+ 1 year	Ministry of Disaster Management
				17.1.c	Sri Lanka not party to the Optional Protocol of the Convention on the Rights of Persons with Disabilities	Sign the Optional Protocol of the Convention on the Rights of Persons with Disabilities	Optional Protocol signed	+ 1 year	Ministry of External Affairs
				17.1.d	Inadequate national legislation to give effect to the Convention on the Rights of Persons with Disabilities	Appoint a group of experts to review existing legislation on disability rights for compliance with the Convention on the Rights of Persons with Disabilities	Experts group appointed	+ 3 months	Ministry of Social Services
							Legislation reviewed	+ 3 months	
						Based on review, amend existing legislation and/ or enact legislation to give effect to the Convention on the Rights of Persons with Disabilities; ensuring consultation with the private sector, Employers Federation and other stakeholders	Legislation amended/enacted	+ 6 months	
						Conduct sensitization programmes for persons with disabilities and the general public on the rights of persons with disabilities, the Convention on the Rights of Persons with Disabilities, and national legislation and national policy on disability.	Number of programmes conducted	ongoing	
							Number of people targeted		
							Profile of people targeted		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				17.1.e	Lack of an adequate mechanism to ensure, protect and promote the rights of persons with disabilities	In consultation with relevant stakeholders, conduct a study on the adequacy of existing mechanisms and make recommendations	Mechanism for consultation	+ 1 month	
							Those consulted		
							Study conducted	+ 6 months	
							Recommendations made		
				Based on study implement recommendations	Recommendations implemented	+ 2 years			
				17.1.f	Inadequate implementation of the National Policy on Disability	Prepare and implement sectoral action plans to implement the National Policy on Disability within each Government agency named in the National Policy	Sectoral action plans developed	+ 6 months	
Sectoral action plans implemented	ongoing								
18.	Access to justice	18.1	Ensure compliance with minimum standards of treatment of prisoners	18.1.a	Deficiencies in the conditions of prisons	Establish a Committee to identify gaps in protection and based on review take remedial action to bridge gap	Review conducted	Every 2 years	Ministry of Prison Reforms and Rehabilitation
							Recommendations implemented	+ 4 years	
						Establish an intra-prison networked electronic data base, including a monitoring mechanism, with information regarding each prisoner to ensure that each prisoner has access to justice	Networked data-base established	+ 2 years	
							Monitoring reports	annually	
						Training Programmes for Prison staff on the rights-based approach	Number of programmes conducted	ongoing	
						Prison after care program to reduce repeat offenders	Number of programmes conducted	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency			
							Number of repeat offenders					
						Vocational Training, Counseling and Legal Awareness Programmes and Legal Clinics for prisoners	Number of programmes	ongoing				
							Number of Prisoners participating					
						Monitoring and Evaluation of the above mentioned programmes	Evaluation report	ongoing				
				18.1.b	Overcrowding of Prisons	Construct new prisons	Number of Prisons constructed	5 years				
						Judiciary and Lawyers sensitized regarding alternative sentencing and Implementation of Community Based Correction Law	Number of alternate sentences imposed	ongoing				
				18.2	Speedy administration of Justice	18.2.a	Delay in administering justice	Identify reforms necessary to make admin of justice more efficient and effective		Reforms identified	ongoing	Ministry of Justice.
										Recommendations implemented		
								Provision of human resources, supplies and equipment to ensure speedy justice		Number courts with equipment and supplies	3 years	
				Number of courts with adequate staff								
	Training Programmes - Court staff, Police officers to improve capacity and create attitudinal changes	Number of programmes	ongoing									
		Profile of those targeted										
		Number of people targeted										



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		18.3	Appropriate provision of legal aid	18.3.a	Need to improve access to legal services for persons in need	Establish Legal Aid centers in every judicial District	Legal Aid centers established	ongoing	Ministry of Justice
		18.4	Implementation of Official Languages Policy		Please see Thematic Area Economic, Social and Cultural Rights, Goal 7.1				
		18.5	Ensuring proper attention and ethical response to those seeking access to justice/legal assistance	18.5.a	Exploitation of clients by some lawyers	Increase awareness of complaints mechanisms in case of unethical conduct by legal profession	Number of awareness programmes	+ 1 year	Ministry of Justice with Bar Association of Sri Lanka
						Appropriate action in case of complaints	Number of complaints against legal profession in which remedial action taken.	ongoing	







**Economic Social and  
Cultural Rights**



# Economic Social and Cultural Rights



Sri Lanka, being a signatory to the International Convention on Economic, Social and Cultural Rights (ICESCR) has given effect to and ensured the implementation of these rights through all its policy initiatives. Accordingly, Sri Lanka has achieved positive socio economic developments with the implementation of the government policy framework, based on Mahinda Chinthana - Vision for the Future.

With the conclusion of the thirty year prolonged conflict, the Government's obligations towards fulfillment of Economic, Social and Cultural rights emerged as the highest priority. The process commenced with the aim of creating a strong base to achieve high economic growth and minimizing disparities. The Mahinda Chinthana Goals (MCG's) envisaged implementing large scale infrastructure development initiatives, revitalizing agriculture and domestic enterprises, providing an effective and efficient public service, strengthening state owned enterprises, promoting private sector and small and medium enterprises and implementing rural development initiatives, enabling Sri Lanka to achieve a significant improvement in economic and social indicators. As a result, the country sustained an impressive economic growth of around 8% in 2010, raised per capita income from US\$ 1,241 in 2005 to US\$ 2,399 in 2010, reduced poverty from 15.2% in 2005 to 7.6% in 2010 and ranked in the overall Human Development Index at 91 among 169 countries of the world, in 2010. Free and compulsory education and free healthcare offered to all the citizens of Sri Lanka have contributed to achieve impressive health and social indicators, even comparable to some developed countries. Enhanced access to electricity from 75% to 90% and safe drinking water from 80% to 87% between 2005 to 2010, also indicates achieving the desired economic success of the country. This commendable progress further highlights the achievement of some targets of the Millennium Development Goals (MDG's) even before the target year of 2015.

The Economic, Social and Cultural rights identified in the National Action Plan focuses on strengthening and guaranteeing the relevant rights, by adopting appropriate policy and legislative measures.



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Education	1.1	Equal access to quality education for children with disabilities	1.1.a	Inequitable access to quality education for children with disabilities at the primary and secondary levels	Conduct study to determine causes of high levels of attrition among children with disabilities at primary and secondary levels	Report completed	1 year	Ministry of Education
						Based on study, take steps to reduce attrition	Recommendations implemented	2 years	
						Include module on inclusive teaching strategies with focus on children with disabilities in continuing teacher education	Module included in teacher education	2 years	
						Improve physical facilities, teaching materials and competent teachers in schools to provide accessibility and facilitate full participation for children with disabilities	Number of schools in each divisional secretariat area with improved facilities that promote full participation	ongoing on an annual basis	
						Include children with disabilities on the basis of equity in the development of child-friendly schools	Percentage of child-friendly schools which include children with disabilities	ongoing on an annual basis	
				1.1.b	Inequitable access to quality education at the tertiary level for students with disabilities	All universities provide necessary facilities to accommodate students with disabilities	Number of students with disabilities enrolled per university	ongoing on an annual basis	Ministry of Higher Education
				1.1.c	Inadequate access to non-formal educational opportunities for children with disabilities	Strengthen capacity of instructors and centres to include children with disabilities	Percentage of children registered in non-formal centres with disabilities	ongoing on an annual basis	Ministry of Education
		1.2	Quality education in all schools	1.2.a	Variance in quality of education	Implement existing norms specified by the Ministry of Education on the physical facilities and the teaching cadre.	Percentage of senior secondary schools equipped.	ongoing on an annual basis	



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Strengthen the scheme of equipping at least two secondary school in every Divisional Secretariat Division with A/L science labs, a computer centre, adequate library, workshop and a hostel.	Number of schools established or upgraded and equipped in each AGA division	+ 5 years	
				Establish a quality assurance unit at the National Education Commission to monitor compliance with norms set by the Ministry of Education	Quality Assurance Unit established.	+ 2 years	
					Evaluation and progress reports	ongoing on an annual basis	
				Strengthen capacity of educational personnel including principals at the zonal and divisional levels to ensure quality teaching	Percentage of professionally qualified (appraisal including ethics, aptitude, personality, student feedback etc) in schools at provincial, zonal and divisional levels	ongoing on an annual basis	
				Establish a monitoring mechanism at Provincial level to ensure quality education	Monitoring mechanism established	+ 1 year	Provincial Ministries of Education
				1.2.b Deficiencies in teacher training and curriculum development	Assess alternative forms of teacher training and developing of curricula.	2 years	
		1.3	Equal access to science education	1.3.a Inequitable access to science education at the secondary level and above	Equip all secondary schools with facilities and teachers for science education	Number of schools equip with facilities	ongoing on an annual basis



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		1.4	Equal access to quality tertiary education	1.4.a	Inequitable access to quality education at the tertiary level	Improve capacity in existing institutions.	Number of staff with adequate skills and training	+ 3 years	Tertiary and Vocational Education Commission
							Infrastructure facilities improved		
						Establish new institutions to award professional qualifications based on demand.	Institutions established	+ 3 years	Ministry of Education
						Establish/strengthen career guidance program at the Ministry of Education to assist school leavers	Programme established	+ 1 year	
		1.5	Equal access to quality vocational education	1.5.a	Inadequate provision and distribution of quality vocational education		Number of activities conducted by the Programme	ongoing	Ministry of Youth Affairs and Skills Development  Tertiary and Vocational Education Commission
						Strengthen the skills development and technical education programmes to meet the requirements of the National Vocational Qualification scheme.	Percentage of students qualifying in each NVQ level.	ongoing on an annual basis	
						Through awareness programmes reduce gender disparity in the enrollment of technical education	Percentage of women enrollment in technical courses.	ongoing on an annual basis	
						Reduce inter and intra district disparities in the provision of quality vocational and technical education.	Number of accredited institutions per district	ongoing on an annual basis	Tertiary and Vocational Education Commission



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
							Change in accreditation (grading system)		
		1.6	To facilitate access to education for out-of-school children	1.6.a	Inadequate access to non-formal educational opportunities	Strengthen non-formal education centres to enable out-of-school children to be equipped to enter or re-enter the formal education system.	Percentage of out-of-school children in non-formal centres.	ongoing on an annual basis	Ministry of Education
						Establish mechanisms for assessing performance to integrate out-of-school children into the formal system and to certify achievements	Percentage of those in non-formal centres admitted to schools	ongoing on an annual basis	
						Provide facilities to older out-of-school children to acquire functional literacy and vocational skills	Percentage of older out-of-school children acquiring National Vocational Qualifications at level 1 or 2	ongoing on an annual basis	
2.	Health	2.1	Reducing vulnerability to ill health	2.1.a	Inequitable access to quality healthcare	Conduct review of current human resource and infrastructure facilities of all hospitals	Review conducted	+ 6 months	Ministry of Health
						Based on established norms ensure human resources and infrastructure facilities, including equipment, are available to all public sector hospitals	Published standards met reviewed annually	ongoing on an annual basis	
						Conduct review of the availability of drugs in all hospitals	Review conducted Essential drugs available at each level of facility		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		2.2	More efficient utilization of budgetary allocation	2.2.a	Need for improved utilization of budgetary allocations	Collate existing studies to identify deficiencies in healthcare delivery system and effective utilization of budgetary allocations	Identification of gaps	+ 3 months	
							Access to quality healthcare		
						Appointment of Procurement Planning Committee on Pharmaceuticals	Committee established	ongoing	
		2.3	Universal coverage in immunization	2.3.a	Gaps in the coverage of immunization	Identify gaps in immunization and make recommendations	Report available	+ 6 months	
						Implement recommendations to eliminate disparities at the sub-national level	Coverage in all areas	ongoing on an annual basis	
		2.4	Elimination of avoidable maternal mortality	2.4.a	Existence of avoidable maternal mortality	Improve emergency obstetric care	Number of maternal deaths avoided due to emergency obstetric care	ongoing on an annual basis	
		2.5	Equal access to healthcare	2.5.a	Discrimination on grounds of HIV status limiting access to adequate healthcare	Conduct awareness programmes among healthcare workers	Number of programmes	ongoing	
							Profile of healthcare workers targeted		
							Number of healthcare workers targeted		
						Provide facilities for universal precautions (barrier nursing)	Availability of universal precautions	+ 1 year	
						Conduct attitudinal survey among health workers	Change in attitudes of healthcare workers	ongoing on an annual basis	





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		2.6	Awareness of rights with regard to healthcare	2.6.a	Lack of full awareness on facilities available and accountability mechanisms	Conduct a public awareness campaign on elements of basic healthcare, including remedies for medical malpractice	Number of programmes conducted	ongoing on an annual basis	
							Number of people targeted		
							Profile of people targeted		
						Provide information material at all healthcare facilities on elements of basic healthcare	Number of healthcare facilities with informational material		
							Change in access of healthcare system		
		2.7	Respect for patients rights	2.7.a	Lack of recognition of patient's rights	Develop a Charter for patients rights through a consultative process	Number of organizations and individuals consulted	+ 2 years	
							Number of consultations		
							Charter developed and adopted		
3.	Water	3.1	Ensuring a sustainable supply of water for all	3.1.a	Depletion of ground water resources	Conduct study to identify the reasons for the depletion of ground water and take remedial action.	Study conducted	1 year	Ministry of Water Supply and Drainage
						Follow international moves on water resources, specially on alternate sources of safe water	Recommendations implemented	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
4.	Employment – general	4.1	To provide equal opportunities for all in both Public and Public Sector	4.1.a	Need to ensure availability of equal opportunities	Conduct a baseline survey to ascertain instances/ areas of discrimination in employment	Survey report	+ 1 year	Relevant Line Ministries
						Based on survey implement activities.	Activities implemented	ongoing on an annual basis	
5.	Employment – persons with disabilities	5.1	Equal access to employment for persons with disabilities	5.1.a	Need to reduce the level of unemployment among persons with disabilities	Adapt adequate programme to include persons with disabilities	Percentage of persons with disabilities who have found employment through appropriate programme	ongoing	
						Strengthen capacity of Vocational Guidance Centres to facilitate work for persons with disabilities	Percentage of persons with disabilities who have registered with the Vocational Guidance Centres	ongoing	
						Strengthen capacity of institutions under Vocational Training Authority to mainstream more trainees with disabilities	Required infrastructure facilities available	+ 5 years	
							Staff trained with skills to meet the needs of persons with disabilities		
							Percentage of persons with disabilities received training		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
6.	Cultural rights	6.1	Overarching cultural policy and mechanism to ensure these rights	6.1.a	Need for greater appreciation of cultural pluralism in the context of the need for national integration.	Establish a multi-sectoral cultural taskforce comprised of expert, relevant stakeholders including civil society representation	Taskforce established	+ 6 months	Ministry of Culture and the Arts	
						Develop an overarching comprehensive strategy on culture with close coordination and cooperation between the Ministry of Education, Ministry of Mass Media and Information, Ministry of National Languages and Social Integration in consultation with civil society, relevant stakeholders, and experts in the field	Policy developed	+ 6 months		
							Ministries involved			
							Others consulted			
		6.2	Cultural enrichment, promoting inter-cultural harmony and developing socially relevant arts production and wellbeing of artists	6.2.a	Lack of public funds to support the arts and culture, and relevant infrastructure	Explore possibilities of mobilization of resources required	Design and conduct awareness programmes on the importance of arts and culture	Programme designed		+ 6 months
								Number of programmes conducted (including regional coverage)		ongoing
								Number of people targeted		
								Demographic profile of those targeted		
					Funds raised	+ 1 year				



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Develop guidelines for transparent disbursement of funds	Guidelines established and published	+ 6 months	
							Annual disbursement published	ongoing	
						Establishment of national multicultural dance and drama academies	Number of academies established	+ 3 years	
		6.3	Ensuring the socio-cultural rights of indigenous people	6.3.a	Need for greater attention to the autonomy and rights of indigenous people	Review existing laws, policies, and practices and amend or enact policies to protect the rights of indigenous people through a consultative process	Laws, policies and practices reviewed recommendations made	+ 6 months	
							Based on recommendations laws, policies, practices amended/ introduced	+ 1 year	
							Monitoring mechanism established	+ 6 months	
7.	Language Rights	7.1	Implementation of the Official Languages Policy	7.1.a	Inadequate implementation of the Official Language Policy	Ensure the delivery of services to the public on the language of their choice and the use of both official languages in official documents through awareness on the official language policy among public officers	Mechanism in place	1 year	Ministry of Languages and Social Integration
						Empower of people of their language rights by the establishment of peoples movements (Languages Committees)			



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		7.2	Implementation of the Master Plan for Trilingual Society, Sri Lanka	7.2.a	Need to create a Sri Lankan Identity	Preparation of a 10 year Master Plan	Plan in place	6 months	Presidential Secretariat
8.	Vulnerable groups – single parent households	8.1	Ensuring support systems for single parent households	8.1.a	Need for greater support for single parent households in need	Conduct study and collect data on single parent (male or female) households in all districts to identify vulnerable households	Study conducted and most vulnerable groups, profiles, characteristics, needs identified	+ 6 months	Department of Census and Statistics
						Based on study design and provide support to single parent households	Programmes implemented in 5 key Districts	+ 2 years	Ministry of Social Services <sup>1</sup>
							Programmes implemented in other districts	ongoing	
9.	Vulnerable groups – persons with disabilities	9.1	Built environment accessible to all on the principles of Universal Design to enable full participation	9.1.a	Restricted access for persons with disabilities to the physical environment is a barrier to participation in the life of the community and fulfilment of economic, cultural and social rights	Promote enforcement of Government regulations on accessibility to built environment	All new buildings used by the general public accessible in keeping with Government regulations	5 years	Urban Development Authority and Local Authorities

<sup>1</sup> Key partner agencies: Samurghi, civil society orgs, PUBAD, Provincial Councils, Div. Secretaries and District Secretaries, NCPA, MCDWE, UNICEF and other relevant UN Agencies



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		9.2	Persons with disabilities have access to public transport so that they may travel and participate freely	9.2.a	Restriction of travel and freedom of movement of persons with disabilities limits participation in the life of the community and fulfilment of economic, cultural and social rights	Promote enforcement of Government regulations on accessibility on public transport	Public transport accessible in keeping with Government regulations	5 years	Ministry of Transport
		9.3	Children and adults who have intellectual and other developmental disabilities and those that have severe disabilities will have an improved quality of life	9.3.a	Quality services, interventions and support required by special groups such as children and adults who have intellectual and other developmental disabilities and those that have severe disabilities not available	In consultation with stakeholders, assess needs and strengthen home and community based strategies to improve interventions and increase opportunities for children and adults who have intellectual and other developmental disabilities and those that have severe disabilities	Needs assessed, programmes strengthened	3 years	Ministry of Social Services
		9.4	Ensure security of shelter for persons with disabilities who cannot live independently and needing continuing care	9.4.a	Persons with disabilities who cannot live independently and needing continuing care (parents/carers insecure about future shelter for the person after their death)	In consultation with stakeholders, assess needs, and design and test innovative strategies that will provide persons with disabilities who cannot live independently and needing continuing care with sheltered community housing	Strategies in place and being tested	4 years	Ministry of Social Services and Ministry of Health
		9.5	Develop a more holistic policy to look at all aspects of mental health	9.5.a	Issues faced by persons suffering from mental disabilities.	Review existing policies and to identify gaps and amend to address the gaps	Policy formulated and implemented	3 years	Ministry of Social Services
10.	Corruption	10.1	Strengthening mechanisms to curb corruption and enhance accountability	10.1.a	Need to strengthen existing mechanisms to deal with corruption	Submission of National Anti-Corruption Action Plan to the Cabinet of Ministers	Submission of the plan to Cabinet	3 months	Commission to Investigate Allegations of Bribery and Corruption



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Strengthen, enhance capacity and empower the Commission to Investigate Allegations of Bribery and Corruption	Constitutional appointment of Commissioners of the CIABC	ongoing measured annually	
					Number of prosecutions instituted as percentage of complaints		
					Number of successful prosecutions		
				Enact whistleblower and witness protection legislation	Legislation enacted	+ 1 year	





A stylized, light purple hand with a white outline, positioned as if reaching out or holding. The hand is centered horizontally and partially overlaps a dark purple horizontal band. The fingers are spread, and the palm is facing towards the left side of the frame.

**Prevention of Torture**



# Prevention of Torture



As a matter of State policy and practice the Government of Sri Lanka maintains a zero-tolerance policy on torture. This fact was acknowledged by Mr. Manfred Nowak the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in his Report submitted at the Seventh Session of the Human Rights Council held on the 26 February 2008, where he stated that the Government of Sri Lanka has taken a number of legal steps to prevent and combat torture as well as to hold perpetrators accountable.

Sri Lanka's commitment to eliminate all forms of cruel, inhuman and degrading treatment or punishment is constitutionally enshrined in Article 11 of the Constitution which specifically prohibits torture or cruel, inhuman and degrading treatment or punishment and the Constitution classifies the right not to be tortured as non-derogable and absolute, untrammelled by any restrictions or limitations. The enactment of the Torture Act, No. 22 of 1994 and the Corporal Punishment (Repeal) Act, No. 23 of 2005 as well as several provisions contained in the Code of Criminal Procedure Act, No. 15 of 1979 as amended from time to time, is a clear manifestation of the positive legal measures taken by the Government of Sri Lanka in its fight against torture.

The priority area on "Torture" in the National Action Plan, is the end result of broad-based consultations that took place among several members of the community and contains several focus areas that aim at achieving the final goal of fully implementing, both international and domestic commitments of Sri Lanka, with a view to strengthening mechanisms to prevent, investigate, and eliminate torture.



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Legal Framework	1.1	Ensuring that the rules relating to evidence do not inadvertently promote torture.	1.1.a	While torture is a non-derogable right under the Constitution, rules relating to the admissibility of evidence in judicial proceedings do not appear to necessarily exclude the admissibility of evidence obtained under various forms of torture (such as Section 27 recoveries under the Evidence Ordinance) thus inadvertently promoting or encouraging the infliction of torture.	Appoint a Committee to review current rules relating to the admissibility of evidence under certain circumstances	Committee appointed Profile of members of the committee Review conducted	+ 6 months	Ministry of Justice
2.	Detection and Post investigation	2.1	Improved standards of medico legal work in Sri Lanka	2.1.a	Lack of adequate specialist Judicial Medical Officers and lack of adequate facilities	Review available facilities and make recommendations for improvements	Review completed and recommendations made	+ 6 months	Ministry of Health
						Based on review upgrade facilities for medico legal work	facilities upgraded	+1 year	
				2.1.b	Lack of adequate professional training of non-specialist JMOs	Conduct review of and identify gaps in training programme of JMOs to include all form of torture both physical and mental	Review conducted Recommendations made	+ 6 months	Ministry of Higher Education through Post Graduate Institute of Medicine
						Develop modules on withstanding pressure, psychosocial support and include other areas identified in review of training programmes of JMOs.	Modules Developed	+ 6 months	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Integrate modules by way of training programmes	Training programme introduced	+ 6 months/ ongoing	Ministry of Higher Education through Post Graduate Institute of Medicine and Ministry of Health
		2.2	Ensure independence of specialist JMOs and medical officers working as JMOs	2.2.a	Enhancing the independent of JMOs	Provide security and protection on request		ongoing	Ministry of Defence Ministry of Justice
3.	Prevention	3.1	Implementation of the zero tolerance policy of the State on torture	3.1.a	Allegations of Torture in custody and places of detention	Capacity building of enforcement officials on human rights standards, proper procedure for arrest and detention modern interrogation techniques and provide them with the suitable facilities and technical capacity to conduct investigations in keeping with human rights standards	Number of competent officials	ongoing	Ministry of Defence
							Facilities provided	+ 1 year	
							Reduction in the number of cases of torture	ongoing	
						Conduct public awareness programmes on procedures of arrest and rights and remedies following arrest and detention.	Survey conducted on level of awareness	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Conduct awareness programmes for the general public on the rights of victims of torture including rights to reparation and community reintegration	Number of programmes conducted	ongoing	
							Number of people targeted		
							Demographic profile of people targeted		
							Regional distribution of programmes		
						Establish monitored (audio and video) interrogation rooms in places of detention to encourage interrogations which adhere to the rule of law and human rights standards.	Interrogation rooms with monitoring equipment established	+ 5 years	
						Maintain a central database on statistics on allegations of torture	Database on torture established	ongoing	Ministry of Defence and Human Rights Commission of Sri Lanka
		3.2	Ensure accurate examination/ identification of alleged torture victims by magistrates and doctors during pre-trial stages.	3.2.a	Production of persons other than suspect or the non-production of suspects before magistrates and medical officers.	Establish a mechanism to verify/confirm identity of suspect by placing thumb impression before the magistrate and medical officer/JMO	Mechanism established and implemented	+ 6 months	Ministry of Justice Ministry of Health



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		3.3	Protection of alleged victim from being further harassed/tortured	3.3.a	Need to ensure that where there is an allegation of torture the alleged victim is not sent back into the custody of the alleged perpetrators.	Administratively or legislatively prohibit such action	Administrative/ legislative amendment made	+ 1 year	Ministry of Justice
				Establish alternate procedure mandating that suspects are not returned to custody of alleged perpetrators.		Regulation on alternate procedure	+ 6 months	Ministry of Defence	
		3.4	Effective monitoring of treatment of detainees by the Police	3.4.a	Incidence of torture during the intervening period between a suspect being arrested and being produced before a Magistrate	Conduct a comprehensive study on methods of monitoring and preventing torture in custody during this period	Study conducted		+ 1 year
						Based on study make recommendations	Report prepared		
							Take action to implement recommendations	Remedial action taken	Phased over 2 years



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
4.	Institutional Mechanisms for Monitoring	4.1	To prevent, investigate and eliminate torture	4.1.a	Need for effective monitoring of torture investigations and preventive measures	Strengthen mandate and focus of HRCSL on torture to ensure it:	Torture a key focus of HRCSL activities	+ 3 months	Human Rights Commission of Sri Lanka
						1) has necessary resources to function effectively and independently			
				2) conducts constant monitoring of investigations into all allegations on torture and ill treatment committed by law enforcement officials	Resources mobilized	+ 1year			
				3) takes necessary action to prevent torture			Formulate procedural guidelines for quick and effective follow-up action	Call center established	
				4.1.b	Inadequate structure, resources and provisions for quick and effective follow-up action on torture complaints to the HRCSL			Guidelines developed	
4.1.c	Inadequate surprise visits to places of detention by the HRCSL	Introduce Surprise visits out of office hours	Surprise visits out of office hours in log entry	+ 3 months					
			Number of visits conducted	+ 3 months					





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
5.	Establishment of a database on torture	5.1	Authentic Record of the incidence of torture in Sri Lanka	5.1.a	Inadequate information on incidence of torture.	Establish a database; on (a) torture cases, victims and perpetrators, including sexual violence in custody/detention.	Database established	1 year and ongoing	Human Rights Commission of Sri Lanka
						(b) complaints of torture disaggregated by crime, gender, age and ethnicity;	Disaggregated data available		
						(c) information on torture investigations, prosecutions and penal ;or disciplinary actions taken;	Information available		
						(d) information on the number of complaints and decisions made to/by the HRCSL and Supreme Court			
6.	Addressing Impunity	6.1	Reduce space for impunity of public officers who commit acts of torture	6.1.a	Inadequate disciplinary actions and prosecutions of perpetrators of the crime of torture resulting in a culture of impunity.	Conduct training of prosecutors on effective prosecutions of perpetrators of torture	Increase in proportion of successful prosecutions	ongoing	Attorney General's Department
						Ensure internal disciplinary procedures are followed in respect of allegations of torture monitored by the HRCSL	Increased disciplinary actions	ongoing	Human Rights Commission of Sri Lanka
						Conduct training of judges including on forensic training.	Increase in efficient management of torture cases	ongoing	Judicial Services Commission



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Increase awareness of the consequences of the crime of torture	Survey on awareness of the consequences	ongoing on annual basis	Ministry of Defence
				Disciplinary action amongst public officers in cases of torture	Number of disciplinary actions taken against public officers	ongoing	Relevant Ministry National Police Commission
			6.1.b	Lack of mechanism to punish errant public officers through denial of promotions and other measures	Amend the HRCSL Act to provide for punitive measures to be taken by Government Agencies against Officers found by the HRCSL to be guilty of acts of torture	+ 1 year	Presidential Secretariat
			6.1.c	Lack of accountability of higher level officers for the crime of torture committed by themselves or their subordinates	Conduct a study by a group of experts to examine if command responsibility exists within the criminal jurisprudence at present and if not of what methods it would suggest to bring in command responsibility within Sri Lanka's criminal legal framework	Study conducted	Law Commission
						Based on study recommendations remedial action taken	Ministry of Justice



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
7.	Special protection for women and children	7.1	Ensure the protection of all persons in custody/detention especially women and children	7.1.a	Inadequate information and data on instances of sexual violence in custody/ detention	Conduct study of instances of sexual violence in custody/ detention during the last 5 years	Study conducted	+ 6 months	Ministry of Justice  Ministry of Child Development and Women's Empowerment
						Conduct programmes to increase awareness on the rights of detainees especially of women in detention.	Number of programmes conducted	ongoing	
							Number of officials targeted		
						Based on study ensure adequate number of female security officers in places of detention	Number of female officers in places of detention	ongoing	
						Enhance gender sensitivity among law enforcement officials and prison officials through training	Number of programmes conducted	ongoing	
							Number of officials targeted		
8.	Rehabilitation and Reparation	8.1	Comprehensive reparation programme for victims of torture.	8.1.a	Lack of proper rehabilitation measures for victims of torture.	Include module on psychosocial counselling for torture survivors in all training programmes for health and mental health professionals.	Number of training programmes with modules on torture	+ 6 months	Ministry of Health
						Establish a referral system so as to ensure that the JMO refers victims of torture for counselling in addition to medical treatment	Referral system established	+ 3 months	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
							Number of referrals to counsellors and medical doctors	ongoing	Ministry of Social Services
						Review curricula of counsellors training programmes offered by all national institutions and include modules on torture	Number of curricula reviewed	+ 1 year	
							Number of programmes with modules on torture	+ 6 months	
				8.1.b	Cumbersome process involved in claiming compensation for torture	Conduct study on the present compensation mechanism and make recommendations legislative or otherwise for improvement	Study conducted	+ 6 months	Attorney General's Department
				Based on study take remedial action		Compensation mechanism amended	+ 1 year	Ministry of Justice	
				Sensitization of Judiciary on the requirement to compensate torture victims adequately		Number of programmes conducted	ongoing	Judicial Service Commission	
						Number of judicial officers targeted			
9.	Convention Against Torture	9.1	Expanding coverage under Convention Against Torture	9.1.a	Need to make declaration under articles 21 and 22 of the convention	Conduct a study on the feasibility of making a declaration under articles 21 and 22 of the convention	Study conducted	+ 1 year	Ministry of External Affairs



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				9.1.b	Not party to the Optional Protocol of the Convention Against Torture	Examine the feasibility of becoming a party to the optional protocol	Study conducted	+ 1 year	Ministry of External Affairs
10.	Sri Lankan victims of torture abroad	10.1	Protection from torture of Sri Lankan nationals overseas	10.1.a	Torture of Sri Lankan nationals overseas	Ensure consular protection and legal representation for Sri Lankans tortured overseas.	Mechanism established	+ 1 year	
						If a country is signatory to the Convention Agent Torture, ensure the implementation of the law to protect Sri Lankans who are victims of torture in those countries	Appeals to the Convention Against Torture Committee or Special Rapporteur Against Torture	ongoing	



A stylized, light teal hand graphic with a white outline, positioned on the left side of the image. The hand is open, with fingers spread, and its wrist and forearm extend downwards and to the left. A thick, solid teal horizontal band crosses the middle of the image, passing behind the hand graphic. The text "Rights of Women" is written in white on this band.

**Rights of Women**





# Rights of Women



The Government of Sri Lanka was committed to ensuring gender equality many decades before it became a State Party to the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Women together with men received the right of franchise in 1931, along with the right to become members of Parliament. The present Constitution of Sri Lanka guarantees equal rights to all its citizens without discrimination on the ground of sex.

Sri Lanka has integrated Millennium Development Goals (MDG's) into the national development agenda and among its successes are the achievement of near universal gender parity in primary education, with the ratio of girls to boys in primary education reaching 99% in 2006. The literacy level of children and youth between the ages of 15-24 years has reached 95% across all sectors for both males and females and 113% of those attending Universities are women. In the employment sector, a staggering 69% of teachers are women. Access to health care has resulted in decreasing the maternal mortality at child birth to 11.3 per 1,000 births and child mortality to 39.3 per 100,000 births, which are almost at MDG level.

The Government of Sri Lanka in response to the CEDAW Working Committee's concluding comments, amended the Citizenship Act of 1948 to eliminate the gender discriminatory provisions contained in that law and further enacted the Prevention of Domestic Violence Act, No. 34 of 2005. In addition the Government took the initiatives to amend the Establishment Code, which regulates public sector employment, to extend maternity leave by the grant of an additional 84 days on half pay and a further 84 day on no pay.

The welfare of migrant women is another area which has been given priority. The Government of Sri Lanka has also taken several efforts to address the issue of unemployment among women, with special focus on victims of the conflict, widows due to the conflict and single mothers. In this context, the Government has taken positive steps to assist them in rebuilding livelihoods through self employment programs.

The priority area on women in this National Action Plan focuses on enhancing and strengthening the rights of women through appropriate measures.



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Health	1.1	Improved Nutrition among Pregnant Women and Lactating mothers	1.1.a	Under nutrition among Pregnant Women and Lactating mothers	Strengthen and streamline of existing programmes pertaining to nutrition of pregnant and lactating mothers	Improved nutritional status	3 years	Ministry of Health and Provincial Councils
		1.2	Improved reproductive health and contraceptive services.	1.2.a	Disparities in the effective implementation of the National Health Policy relating in particular to reproductive health and contraceptive services.	Conduct research to identify disparities in reproductive health services and introduce appropriate programmes to eliminate disparities.	Report on research available	+ 1 year	
							Improved statistics in the field of reproductive health	+ 3 years	
		1.3	Decriminalize medical termination of pregnancies in the case of incest, rape and major congenital abnormalities.	1.3.a	Medical termination of pregnancies in the case of incest, rape or major congenital abnormalities is a criminal offence	Formulate necessary amendments to the Penal Code for presentation to parliament for enactment	Penal Code (Amendment) Bill formulated	+ 2 years	Ministry of Justice and Law Commission
						Mobilize support for the said changes by networking with different stake holders including policymakers	Discussions held with policymakers	+ 1 year	Ministry of Justice
						Obtain Cabinet approval and present Bill to Parliament	Bill presented to Parliament	+ 2 years	
		1.4	Improved awareness on use of contraceptives on with a view to reducing unwanted pregnancies	1.4.a	Prevalence of unsafe abortion	Conduct relevant programmes for relevant groups	Reduction of unsafe abortions	+ 3 years	Ministry of Education
							Increase in use of contraceptives		Ministry of Child Development and Women's Affairs Ministry of Health
2.	Economic empowerment	2.1	Improving earning capacity among women	2.1.a	Significant proportion of poor are women headed households	Evaluate the impact of current initiatives on economic empowerment of women poverty alleviation programmes on women in the rural and plantation sectors, female heads of households, single women, disabled and other disadvantaged groups.	Evaluation report available	+ 1 year	Ministry of Child Development and Women's Affairs Ministry of Education Ministry of Economic Development



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Based on the evaluation address issues of poor women in an appropriate manner.	Percentage of female headed households below poverty line in these sectors	2 years	Ministry of Child Development and Women's Affairs  Ministry of Economic Development
3.	Employment	3.1	Reduction of unemployment and improving working conditions of employed women.	3.1.a	High prevalence of unemployment among women compared to men	Promote opportunities and skills for unemployed women and conduct research on problems faced by working women	Reduced unemployment among women  Research conducted	2 years and ongoing	Ministry of Child Development and Women's Affairs
		3.2	Policy on protection of rights of women in the reproductive age group in the private sector	3.2.a	Protection of rights of women within the reproductive age group in the private sector	Formulate through a consultative process and enforce a policy for the private sector which adheres to the principle of non-discrimination	Policy formulated through a consultative process and adopted by the private sector	3 years	Ministry of Labour  Ministry of Child Development and Women's Affairs  Employers Federation  Chambers of Commerce  Board of Investment
4.	Violence against women	4.1	Reduction in violence against women	4.1.a	High prevalence of violence against women	Review existing legal regime and social issues to identify which causes contribute to violence and implementation gaps that are required to enhance the protection of women	Report on review available	+ 1 year	Ministry of Justice  Ministry of Defence  Ministry of Child Development and Women's Affairs
						Based on review introduce necessary changes to make implementation more efficient and effective	Changes introduced	+ 2 years	



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Include a module on laws dealing with violence against women in training programmes for all partners in the administration of justice process (law enforcement, medico-legal, judicial, social services and other relevant officials)	Modules included in training programmes for Police Officers Judicial Officers Medical and other Health Officers Social Workers in the public sector and other relevant officers	+ 1 year	
				Create awareness regarding existing penal provisions which can be availed of the prevention of transmission of Sexually Transmitted Diseases including HIV	Number of programmes conducted (with adequate regional programs) Number of people targeted Demographic profile of those targeted	ongoing basis	Ministry of Child Development and Women's Affairs
				Ensure collection of gender disaggregated data with regard to crimes and appropriate measures to address identified issues	Gender disaggregated data available and measures taken	+ 2 years	Police Department Ministry of Child Development and Women's Affairs
				Upgrade the stature of Women and Children's Desks to attract competent officers	Full cadre in W&C desks appointed	+ 1 year	Police Department



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Strengthen Women and Children's Desks of the Police Department, with adequate resources and trained staff to enhance performance.	Number of W&C desks with officers dedicated for full time W&C work Resources allocated	+ 3 years	
				Establish a coordination mechanism between MCDWA and WCDs, which includes outreach to community and focus on psychosocial support	Mechanism established	+ 1 year	Ministry of Child Development and Women's Affairs (MDDWA) and Police Department
				Implement the Plan of Action supporting the Prevention of Domestic Violence Act 2005 (PDVA).	Number of targets in PDVA Plan of Action reached	annually	
				Review and implement and an Anti-Sexual Harassment Policy in government sector institutions.	Instructions regarding implementation of Anti-Sexual Harassment Policy issued	+ 6 months	
				Formulate and implement an effective Anti-Sexual Harassment policy, including a grievance mechanism, in the private sector.	Anti Sexual Harassment Policy for the private sector adopted and in place	+ 1 year	Ministry of Child Development and Women's Affairs in collaboration with Employers Federation of Ceylon and Chambers of Commerce
				Monitor the implementation of the Anti-Sexual Harassment Policy in the private sector.	Monitoring mechanism in place	+ 1 year	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Establish an inter-agency mechanisms at national and sub-national levels to formulate plans and programmes to promote positive attitudes on the role and status of women, to empower women and as a means to combat violence against women	Inter-agency mechanisms in place	+ 1 year	Ministry of Child Development and Women's Affairs
							Plans available	+ 2 years	
						Engage the media to formulate a strategy to promote positive attitudes on the role and status of women as a means to combat violence against women	Media strategy in place	+ 2 years	Ministry of Mass Media and Information
5.	Political representation	5.1	Thirty percent (30%) minimum representation of women in Parliament, Provincial Councils and local authorities.	5.1.a	Under-representation of women in elected bodies at local, provincial and national levels	Introduce relevant statutory provisions to ensure representation	Percentage representation achieved	+ 2 years	Ministry of Justice
						Introduce capacity building programmes for women representatives to enhance capacity to discharge functions effectively	Number of women representatives included in programmes	ongoing	Ministry of Child Development and Women's Affairs
6.	Discrimination	6.1	Elimination of discriminatory laws/policies and practices	6.1.a	Discriminatory laws in general	Identify discriminatory laws using existing studies e.g. Human Rights Commission study	Discriminatory laws identified	1 year	Ministry of Justice
						Repeal any discriminatory legislation	Discriminatory laws identified amended/ repealed	3 years	Ministry of Child Development and Women's Affairs
				6.1.b	Discriminatory inheritance provisions in Third schedule of the Land Development Ordinance	Amend the Third Schedule of the Land Development Ordinance to provide for equal rights of succession for male and female relatives	Amendment enacted	6 months	Ministry of Lands and Land Development



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				6.1.c	Outdated provisions in the Vagrants Ordinance leading to harassment and detention of women	Explore the updating of Vagrancy Ordinance	Ordinance amended to address discriminatory provisions/treatment	6 months	Ministry of Justice
						Develop measures for social reintegration and upliftment of detained women	Measures developed and published	6 months	
				6.1.d	Report of Ministry of Justice Committee on Family Law Reforms	Expedite implementation of report	Implementation commenced	3 months	
7.	Women affected by conflict	7.1	Ensure the effective reintegration of women ex-combatants into society.	7.1.a	Need to reintegrated women ex-combatants into society.	Continue effective implementation (including adequate resources) of Government plans for the reintegration of ex-combatants to ensure effective reintegration of women ex-combatants	Implementation mechanism formulated and in operation	ongoing	Ministry of Prison Reforms and Rehabilitation
		7.2	Ensure the development of policy and programmes for war widows	7.2.a	Lack of a policy on war widows which focuses on economic issues, land and housing rights, and vulnerability to exploitation	Formulation of a policy on war widows in all parts of the country which includes,	Mapping exercise completed	+ 1 year	Ministry of Child Development and Women's Affairs
						1) identification/mapping on an area basis 2) needs assessment including employment needs and livelihood development options	Needs assessment completed		
							Based on assessments needs provided	ongoing	
8.	Internally Displaced Women	Please see section on Internally Displaced Persons							
9.	Women in the Informal sector	Please see section on Economic, Social and Cultural rights							
10.	Women Migrant Workers	Please see section on Migrant Workers							





A stylized, light brown hand with a white outline, positioned as if holding a horizontal brown bar. The hand has five fingers, with the thumb pointing downwards and the other four fingers pointing upwards and slightly to the right. The bar is a solid brown color and spans the width of the image.

**Labour Rights**



# Labour Rights



The beginning of a working class movement in Sri Lanka could be traced to the 1890s; the first collective action was reported in 1893. In the course of time, a strong tradition of trade unionism evolved in the country – a tradition which is inextricably linked with the significant role played by Trade Unions in the independence movement of Sri Lanka.

During the early 20th Century, the Ceylon Worker's Welfare League and the Ceylon National Congress adopted resolutions which demanded, inter-alia, the grant of the right of association to workers; the fixing and regulation of minimum of wages and hours of work; the abolition of child labour and the ensuring of good working and living conditions to workers. Some of the earliest trade unions were formed between 1923 and 1928.

The above developments culminated in the enactment of several important labour laws which included Trade Union Ordinance of 1935; Workmen's Compensation Ordinance of 1935; Employment of Women and Young Persons Act of 1956; Maternity Benefits Ordinance of 1939; Wages Board Ordinance of 1941; Shop and Office Employees (Regulation of Employment and Remuneration) Act of 1954 and the Factories Ordinance of 1942.

The Industrial Disputes Act of 1950 was a piece of landmark legislation which provided for the prevention, investigation and settlement of industrial disputes, and promotion of collective bargaining with a view to maintaining a better employee-employer relationship.

Sri Lanka has ratified 40 Conventions in accordance with ILO Constitution. Sri Lanka is the first country in the world which implemented the National Decent Work Action Plan in accordance with the ILO Principles.

The country has an extensive social security system to provide for payment of pension benefits to employees in the public sector and superannuation benefits for the private sector employees. Understanding the vulnerability of the informal sector workers, the Government has taken several initiatives to protect their rights. Two regulatory bodies have been put in place to provide retirement benefits to farmers, fishermen and self-employed workers in the informal sector.

The priority area on "Protection of Labour Rights" in the Nations Action Plan, seeks to address several important areas with a view to further strengthening the rights of employees.



No.	Goal	Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Occupational Safety and Health coverage for workers in all workplaces	1.a	Limitations in Occupational Safety and Health laws.	Enact legislation on Occupational Safety, Health and Welfare at Work	Legislation enacted	+ 1 year	Ministry of Labour and Labour Relations
				Conduct study to consider ratification of ILO Convention 155	Study conducted (ILO convention ratified)	in progress	
				Implementation and monitoring embodying all concerned institutions	Evidence of Implementation	+ 1 year	
2.	Strengthen the enforcement of ILO Convention 182 on prohibition of and protection from hazardous employment of 15 to 18 year old children	2.a	Inadequacy in enforcement of prohibition of hazardous employment for 15-18 year old children.	Monitoring effective enforcement and take corrective action	Follow-up action taken	+ 1 year and ongoing	
3.	Expedition settlement of Industrial disputes	3.a	Delays in settlement of Industrial Disputes : (a) by Commissioner of Labour (b) on Arbitration (c) in Labour Tribunals	Review Legislation, especially, Acts Nos. 11 , 12, & 13 of 2003	Report of the Labour Law Reforms Committee	+ 1 year	Ministry of Labour and Labour Relations  Ministry of Justice
				Examine the existing procedures of the dispute settlement mechanisms			
				Explore the possibility of using extensively different preventive measures			
				Provide adequate infrastructure facilities			Ministry of Labour and Labour Relations
				Labour Law Reforms Committee to conduct review activities above and make recommendations			
4.	Reports of the Compulsory Public Service Act No. 70 of 1971	4.a	Issue of the Compulsory Services Act No. 70 of 1961 being a filter to compliance with the ILO Convention on Forced Labour	Based on review amend laws as necessary	Laws amended (if necessary)	+ 1 year	Ministry of Public Administration and Home Affairs
				Review the Compulsory Services Act No. 70 of 1961	Act repealed, if necessary		
5.	Harmonization of minimum age of employment and the right to join trade unions having due regard to national policy on compulsory schooling.	5.a	Discrepancies in the law with regard to minimum age to join trade unions.	Review the relevant legislations to coincide with the compulsory age of schooling	Legislation reviewed	+ 1 year	Ministry of Labour and Labour Relations



No.	Goal	Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
6.	Effective protection for persons in the informal sector	6.a.	Lack of protection for persons in the informal sector	Conduct a study to identify areas in which protection is required	Report of study	+ 1 year	Ministry of Labour and Labour Relations
		6.b.	Inadequacy of social security coverage for persons who in the informal sector	Based on findings recommend and implement protections to be extended to those defined as being included in the informal sector	Recommendations implemented	+ 1 year	
7.	Ensure equal pay for work of equal value	7.a	Lack of an appropriate mechanism to ensure equal pay for work of equal value	Conduct a study on the introduction of a job evaluation system which identifies work of equal value	Study conducted	+ 1 year	
				Based on study establish a job evaluation system	Job evaluation system established	+ 1 year	
				Simplify Wages Board system	Wages board system simplified	+ 1 year	
8.	Ensure fair protection for both employers and workers in promoting collective bargaining	8.a	Industrial Dispute Act No. 56 of 1959 lists out only unfair labour practices by employers but not of unfair practices on the part of trade unions and workers.	Review of unfair labour practices and penalties by both employers and employees to be conducted by the Labour Reforms Sub-Committee of the National Labour Advisory Council	Review conducted	+ 3 months	



A stylized, light blue hand graphic with five fingers spread, positioned on the left side of the image. The hand is oriented towards the right, with its fingers pointing upwards and slightly outwards. It has a thick, rounded appearance with a white outline.

# **Rights of Migrant Workers**





# Rights of Migrant Workers



Sri Lankan labour migration currently stands at around 1.6 million with an annual outflow of about 200,000 persons and generates a substantial inflow of remittances, especially through women employment, relieving the country's unemployment pressure. The government has taken several initiatives to ensure decent work, dignity of labour and protection of human rights and freedom of migrant workers, considering their families as well. Increasing the migration of skilled workers and reducing the outflow of low skilled workers, issues of vulnerability of migrant workers who work under risky and unsafe conditions, less-paid and low skilled jobs given especially for women with heavy social cost involved, has been the focus of the Government. The Ministry of Foreign Employment Promotion and Welfare was set up in recognition of the importance of labour and migrant related activities. The establishment of a separate Ministry reflects high priority given by the Government for promoting the welfare of migrant workers. The Sri Lanka Bureau of Foreign Employment (SLBFE), which was established in 1985 is the key Government institution responsible for the administration of labour migration policies of the country. There is also an established mechanism to monitor the living conditions of migrant workers through Sri Lankan Missions abroad.

Sri Lanka has ratified two International Labour Organization (ILO) Conventions which help to protect the rights of all migrant workers and their families. In addition Sri Lanka acceded to the Convention on Elimination of all Forms of Discrimination Against Women (CEDAW). The National Labour Migration Policy - 2008 has been formulated on Labour Migration to articulate the state policy on Sri Lankan citizens engaged in employment in other countries and recognize the significant contribution of all Sri Lankan migrant workers to the national economy. It aims at promoting opportunities for citizens to migrate and engage in decent and skilled employment which ensures freedom, equity, security, and human dignity.

In order to provide the basic awareness to migrant workers who migrate for the first time, a compulsory in-house pre-departure training is conducted for both female and male workers. A pre-departure loan is also provided through state banks. A special awareness programme named 'Daru Diriya' is held to provide awareness and to empower the children of migrant workers. Various steps have been taken to ensure a sustainable living condition to returned migrants. In this regard, a housing loan scheme and a self-employment loan scheme is implemented for migrant workers and return migrants, with the Sri Lanka Bureau of Foreign Employment paying 60% of the interest payable on such loans. Migrants who return home with permanent disabilities due to work related injuries are provided free housing facilities.



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	National Labour Migration Policy - 2008	1.1	Implementation of National Policy	1.1.a	Inadequate awareness and implementation of National Policy	Expedite implementation of National Labour Migration Policy - 2008	National Policy implemented	in progress	Ministry of Foreign Employment Promotion and Welfare (MFEP&W)
2.	Prevention of the exploitation of migrant workers	2.1	Protection of migrant workers from exploitation	2.1.a	Exploitation of migrant workers by some employment agencies and “sub-agents”	Conduct awareness campaign on the need for migrant workers to check with the Sri Lanka Bureau of Foreign Employment (SLBFE) on the credibility of employment agencies and the risks of using sub-agents.	Number of programmes conducted	ongoing	
							Number of people targeted		
							Demographic profile of people targeted		
						Review new section 55D of the SLBFE Act regarding the formulation and implementation of code of conduct by Association of Licenced Foreign Employment Agency	Section reviewed	3 months	
							Amended if necessary	6 months	
						Separate conceptually and operationally the functions of the MFEPW as recruitment agency and as regulator of labour migration within the MFEWP/SLBFE	Separation of functions clearly evident	6 months	
2.1.b	Passports issued on falsified documents.	Implement a security mechanism in immigration to prevent falsification of passports	Mechanism in place	+ 1 year	Ministry of Defence				



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				2.1.c	Falsification of documents by employment agency in Sri Lanka furnished to the SLBFE	Implement the Revised Act of the SLBFE, Act No. 56 of 2009, as revised	Number of prosecutions	ongoing on an annual basis	Ministry of Foreign Employment Promotion and Welfare
3.	General Awareness	3.1	Increase awareness on migrant worker exploitation and trafficking	3.1.a	Lack of awareness on human trafficking issues	Conduct national and provincial level programmes for, judges, lawyers, women's groups, labour, trade unions, children's groups, Police, Ministry of External Affairs, Ministry of Justice, Attorney General, Legal Draftsman's Department, Department of Immigration and Emigration, Department of Customs etc., and the general public	Number of programmes conducted	ongoing on an annual basis	Ministry of Defence
							Number of people targeted		
							Categories (job) of people targeted		
							Number of institutions targeted		
							Demographic profile of people targeted		
						Set up a core training group of officials who will in turn train other officials at provincial and district levels	Core training group identified	+ 6 months	MFEP&W
							Core training group trained	ongoing	
							Number of other officials trained by the core group		
						Develop curricula and training manual on human trafficking for use by trainers	Curricula developed	+ 6 months	
Manual developed									



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Train and attach existing cadre of officers of the SLBFE at DS offices to increase awareness of rights of migrant workers including avenues of redress in case of exploitation	Number of SLBFE officers trained Number of SLBFE officers at offices Number of Divisional Secretariat offices with SLBFE officers	ongoing	MFEP&W
4.	Awareness of migrant workers	4.1	Increasing awareness of migrant workers regarding exploitation, trafficking and forms of redress	4.1.a	Lack of awareness among migrant workers about the possibility of being exploited and becoming victims of human trafficking	Awareness material made available	Types of material available Number of material available	+ 6 months and ongoing	
						Conduct public awareness through the media on trafficking and exploitation of migrant workers and avenues for redress	Number of programmes conducted Number of people targeted	ongoing	
						Include a trafficking awareness module in the pre-departure training for migrant workers conducted by the SLBFE	Pre departure training modified	+ 6 months and ongoing	
						Conduct awareness on mandatory registration with the SLBFE prior to departure for employment overseas	Number of programmes conducted Number of people targeted Demographic profile of people targeted	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				4.1.b	Lack of awareness and information about receiving country, host culture, worker agreements, insurance schemes and other safeguards for migrant workers including awareness on avenues of redress	Review pre-departure training and identify gaps and make recommendations	Review conducted and recommendations made	+ 6 months	
						Based on review enhance pre-departure training: 1) expand pre-departure training to include men who are travelling overseas for employment 2) expand curricula to include information on local laws, customs and culture of receiving countries 3) enhance content of pre-departure training to include information on worker agreements, insurance schemes and other safeguards for migrant workers 4) include awareness on sexually transmitted diseases including HIV	Pre-departure training expanded	+ 6 months and ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						5) include training on role of SLBFE and Agents in addressing the issues of migrant workers prior to departure and once they have returned.			
5.	Migrant worker protection in receiving country	5.1	Ensure the protection of migrant labour overseas and prevention of violation of employment conditions	5.1.a	Inadequate protection for migrant labour abroad	Sign new and review existing bilateral agreements with countries with significant populations of Sri Lankan migrant workers.	Bilateral agreements signed	ongoing	Ministry of External Affairs
							Bilateral agreements reviewed		
						Provide legal assistance to migrant workers abroad, whose necessary.	Number of cases of free legal assistance provided	ongoing	
						Ensure appointment of officers with recognized qualifications to the labour divisions of Foreign Missions, and enhance their training on domestic laws including labour laws of receiving country, and relevant language skills	Number of programmes	ongoing	
							Number of people trained conducted		
Officers working in the labour section of the Embassy to be brought under command of the Head of the Mission	Circular Instructions issued	+ 3 months							



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Establish mechanism for regular contact of individual migrant workers with Sri Lankan missions in receiving country	Mechanism established	6 months	MFEP&W
				Monitor shelters/safe houses for migrant workers in receiving countries to ensure humane conditions and prevent further abuse or exploitation	Adequate standard for safe houses	1 year	
				Ensure workers repatriated as speedily as possible	Length of time taken to repatriated workers recorded	6 months	
					Time reduced	1 year	
			5.1.b Acting in breach of worker agreements where the sponsor hands over the worker to another employer through the General Services Office without the knowledge of the local agent or any other authority resulting in the worker having to work under less favorable and unregulated conditions	Negotiate bilateral agreements with labour receiving countries in keeping with international minimum standards to ensure the protection of the rights of migrant workers	Countries with which Sri Lanka has signed bilateral agreements	+ 1 year and ongoing	
				Establish a monitoring mechanism in host countries through Sri Lankan embassies abroad to monitor changes in employment	Monitoring mechanism established	+ 6 months	



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
			5.1.c	Acting in breach of worker agreements with regards to accommodation, food, communication and other basic facilities.	Establish a monitoring mechanism in receiving countries through Sri Lankan embassies abroad to monitor employment conditions	Monitoring mechanism established	+6 months
					Strengthen grievance addressing mechanism, through the provision of adequate human and financial resources, in Sri Lankan embassies abroad to ensure that the problems faced by migrant workers overseas are effectively addressed	Grievance addressing mechanism established	+ 6 months
						Number of staff and resources enhanced	+ 1 year
			5.1.d	Lack of appraisal of host location, community and facilities before recruitment to ensure that facilities are suitable for migrant labour.	Establish a mechanism where feasible, through each Sri Lankan embassy abroad where every prospective employer, especially of domestic workers, makes a declaration on his/her capacity to employ (including income, housing, etc.)	Mechanism established	+ 1 year





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				5.1.e	Lack of access to authenticated information, including contact information, of the employer/ sponsors of migrant labour increasing the vulnerability of migrant labour	Establish a mechanism whereby the embassy in relevant country checks the contact information of prospective employer to ensure communication with family members. Including follow-up if contact cannot be established; Establish database with updated contact details of migrant workers, their families, both local and foreign employment agencies, and employers	System and database established	+ 6 months and ongoing	
				Methods of communication in place					
				Number of migrant workers targeted					
				5.1.f	Lack of a registering mechanism in the receiving countries to register Sri Lankan migrant workers abroad	Arrangements with labour receiving countries to establish a registration mechanism in labour receiving countries to register Sri Lankan migrant workers on arrival and departure at the airport; implement registration requirement on departure from and arrival in Sri Lanka	Countries which has a Sri Lankan Mission to provide registration desks at the airports	+ 2 years and ongoing	
							Registration desk at Sri Lanka airport	+ 6 months	
							Number of migrant workers registered in airports of receiving countries and in Sri Lanka airport	ongoing basis	
						Evaluate mechanism and make recommendations	Evaluations conducted	ongoing on an annual	
					Recommendations implemented	+ 6 months from recommendations			



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		5.2	Form alliances with other labour supplying countries to collectively ensure the rights of migrant workers	5.2.a	Lack of Sri Lanka's bargaining power in ensuring proper treatment of migrant workers in labour receiving countries	Act in collaboration with receiving countries through the ILO, SAARC and Colombo process to sign ILO conventions	Labour receiving countries signing ILO conventions Issue included in SAARC agenda	ongoing	
6.	Migrant workers who as yet are not registered	6.1	Effective response in case of death or disablement	6.1.a	Lack of a proper system to deal with migrant workers who have not registered with the SLBFE in case of death and disablement	Establish a unit at the Ministry of External Affairs to address the issues faced by migrant workers who have as yet not registered with the SLBFE and other migrants	Unit established Number of workers who access the unit	+ 1 year ongoing	
7.	Trafficking – prosecution, compensation and international norms	7.1	To ensure accountability of those guilty of trafficking	7.1.a	Inadequate prosecutions for human trafficking	Establishment of Task Force on Human Trafficking	Task Force established Number of prosecutions	ongoing on an annual basis	Police Department
						Conduct sensitization programmes for the Attorney General's Department, SLBFE, Ministry of Labour, MCDWE, National Child Protection Authority and the Police on Human Trafficking and Smuggling	Number of programmes conducted Number of people targeted Number of institutions targeted Categories (job) of people targeted	ongoing on an annual basis	Ministry of Defence
		7.2	Enlarge the territorial jurisdiction of Sri Lankan criminal courts to deal with traffickers and smugglers	7.2.a	Restricted jurisdiction of Sri Lankan criminal courts to deal with international trafficking and smuggling	Conduct study on the possibility of enlarging jurisdiction Recommend Draft Legislations	Study conducted Proposed Recommendations	+ 1 year + 1 year	Ministry of Justice



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				7.2.b	Inadequate legal representation for victims of trafficking	Ensure that free legal aid is provide to victims of trafficking through the Legal Aid Commission.	Free legal aid system established	ongoing	
							Number of people accessing the system		
				7.2.c	Lack of a speedy and effective mechanism to compensate victims of trafficking, smuggling and exploited migrant workers	Conduct a feasibility study on establishing a specialised tribunal for exploited migrant workers and victims of trafficking and smuggling	Study conducted and recommendations made	+ 6 months	
				Based on study establish appropriate compensatory mechanism Under Witness and Victim Protection Bill include the case of exploited migrant workers and victims of trafficking.	Compensatory mechanism established	+ 2 years			
		7.3	Compliance with international norms on human trafficking	7.3.a	Non-conformity with international norms on human trafficking	Ratify the Protocol against the Smuggling of Migrants by Land, Sea and Air supplementing the UN convention against Transnational Organized Crime (Sri Lanka has already signed this protocol)	Protocol ratified	+ 1 year	Ministry of External Affairs
			Enter into bilateral agreements under the provisions of the Protocol	Number of bilateral agreements signed	+ 3 years				



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
8.	Rehabilitation and reintegration of returning migrant workers	8.1	Provide medical and psychological assistance to victims of trafficking and exploited migrant workers and also provide assistance to ensure their rights, rehabilitation, redress and compensation	8.1.a	Need for comprehensive programmes	Design and implement holistic reintegration programmes including economic, social, cultural and psychosocial aspects for returning migrants based on their needs	Programmes designed	6 months	MFEP&W
							8.1.b	Inadequate rehabilitation and psychosocial support for victims of trafficking and exploited migrant workers	
				Referral system set up					
				Number of victims of trafficking accessing the system	ongoing				
					8.1.c	Inadequate medical assistance for victims of trafficking and exploited migrant workers	Create awareness among health workers on trafficking and how to respond to the needs of victims of trafficking and exploited migrant workers	Number of programmes conducted	ongoing
				Profile of health workers targeted					
9.	Sri Lanka as transit location for illegal migration	9.1	Reduction of trafficking, smuggling and illegal migration through Sri Lanka	9.1.a	Issue of fraudulent visas	Strengthen facilities at the airport, port and at the SLBFE final approval section, to check for fraudulent visas. Enhance cooperation with immigration officials.	Officers trained	ongoing	Ministry of Defence and MFEP&W
							Facilities in place	+ 6 months	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
10.	Cross border and internal trafficking	10.1	Ensure avenues for redress for victims of trafficking	10.1.a	Lack of a complaints mechanism for victims of cross-border and internal trafficking	Set up a specialised anti-human trafficking unit within the SLBFE including a referral mechanism to ensure that the victim receives necessary, medical, psychological, legal and other assistance.	Unit set up	+ 1 year	MFEP&W
						Set up a specialised anti-human trafficking unit in the Police Department, with desks in relevant locations. (eg: Airport, SLBFE and at provincial locations)	Number of units set up Types of locations with anti-trafficking units	+ 2 years	Ministry of Defence and MFEP&W
11.	Right to Vote	11.1	Ensuring franchise of migrant workers	11.1.a	Loss of franchise of migrants workers due to refusal of registration by Grama Niladharis and inability to vote while working abroad	Conduct a study on the absentee balloting systems in other countries and make proposals on a suitable system for use by Sri Lanka	Study conducted	+ 6 months	Commissioner of Elections
							Recommendations made		
12.	Upgrading migrant worker skills	12.1	Skilled workforce to meet the demand of overseas labour markets	12.1.a	Lack of adequate training and skills of migrant workers	Conduct a study on the labour opportunities abroad and make recommendations for skills development to meet those demands and to ensure a skilled migrant labour force	Study conducted	+ 6 months	MFEP&W and Ministry of Youth Affairs and Skills Development
						Based on study expand the scope of the government institutions responsible for training to meet the demand of the overseas labour market	Based on recommendations scope expanded	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
13.	Participation	13.1	Ensure targeted programmes for migrant workers	13.1.a	Lack of migrant worker input/ perspective in programme development	Integrate consultation with migrant workers in designing pre-departure programmes and reintegration programmes upon their return.	Mechanism in place for obtaining migrant worker input feedback in programme design	+6 months	MFEP&W
14.	Research	14.1	Develop strong research base on migrant labour	14.1.a	Lack of specialized research and development facility that specializes on the issues of migration.	Study Pilipino model and based on study enhance the expertise and resources of SLBFE research unit	Study conducted and recommendations made	+ 6 months	
							Research and development facility established	+ 2 years	
15.	UN Convention on the Rights of All Migrant Workers and their Families	15.1	Give effect to the UN Convention on the Rights of All Migrant Workers and their Families at the national level	15.1.a	Lack of adequate national laws and policies to give direct effect to the UN Convention on the Rights of All Migrant Workers and their Families	Review existing laws and policies and identify necessary changes to bring them in line with the UN Convention on the Rights of All Migrant Workers and their Families	Review conducted and recommendations made	+ 6 months	MFEP&W and Ministry of Justice
						Based on review amend national level laws and policies	Laws amended	+ 1 year	
						Translate the UN Convention on the Rights of All Migrant Workers and their Families into the official languages of Sri Lanka and disseminate widely	UN Convention translated into Sinhala and Tamil	+ 3 months	
							Methods of dissemination	immediate and ongoing	

A stylized, light orange hand with a white outline, positioned as if reaching out or holding something. The hand is centered horizontally and partially overlaps a solid orange horizontal band. The fingers are spread, with the thumb pointing downwards and to the left, and the other four fingers pointing upwards and to the right.

**Rights of Children**





# Rights of Children



Mahinda Chinthana - Vision for the Future, envisages developing a safe and conducive environment for children where they can learn and develop physically, socially and cognitively in accordance with Sri Lankan cultural values, human rights and fundamental freedoms. Accordingly, the Government of Sri Lanka has taken several initiatives with regard to the protection, growth and development of children, with special emphasis on children in vulnerable circumstances, such as children with disabilities, children of migrant mothers, children affected by the conflict, street children and abused abandoned children.

The country has made vast improvement in many social indicators on children, through its free healthcare policy. Further the country has achieved a high literacy rate as a result of ensuring free access to primary and secondary education, for both male and female children.

The Government adopted the National Action Plan for children to address many issues with specific emphasize on the promotion of early childhood care and development, provision of institutional care in the absence of family care, improvement of services for children with special needs and promotion of access to quality healthcare and education, while identifying those responsible for its implementation and monitoring. A special Nutrition Policy has been formulated to address the persisting problem of under nutrition with special focus on the needy children and pregnant mothers. In addition to these welfare measures, the Government has also given priority to the protection of children from abuse by the establishment of a statutory authority with the specific mandate of ensuring their safety.

The priority area on “Children” in the National Action Plan also contains several focus areas with a view to protecting children’s rights.



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Health and Nutrition	1.1	Ensure access to quality maternal, child and adolescent health care services and facilities with emphasis on children of vulnerable groups	1.1.a	Disparity in access to quality maternal and child health services and facilities.	1) formulation of a national nutrition policy and appointment of National Nutritional Council	National nutrition adopted	ongoing	Ministry of Health  National Nutrition Council
						2) Conduct periodic comprehensive Maternal and Child Health and Welfare Survey	Survey commissioned	Within 3 months	
						3) Implementation of action plans based on findings of survey	Survey Completed	+ 1 year	
						4) Implementation of action plans based on Maternal and Child Health and Welfare Survey and existing plans	Survey findings disseminated to relevant authorities and the public	+ 3 months	
						5) Monitoring of action plans	Stakeholders consulted	+ 3 months	
		1.2	Prevent malnutrition among all infants and pre-school children and maternal malnutrition	1.2.a	Low birth weight babies, under-nourished and underweight pregnant mothers and infants among certain groups	Plans formulated	+ 6 months		
						tasks entrusted to implementing agencies	+ 6 months		
				1.2.b	Poor feeding practices of infants and children among certain vulnerable groups.	Monitoring and reporting mechanism in place	ongoing		
								1.2.c	
				1.2.d	Nutrition problems in adolescents, with special attention to adolescent girls				



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		1.3	Ensure equitable access to safe drinking water and sanitation services in homes, schools and other educational institutions in certain areas.	1.3.a	Inadequate and inequitable access to safe drinking water and sanitation services in certain areas.				
		1.4	Ensure that school health services have an outreach to all children and the capacity and resources to particularly detect disabilities and other health issues such as anemia and micronutrient deficiencies in certain groups	1.4.a	Deficiencies in outreach services in identified schools	Conduct study to identify schools with inadequate outreach services	Report available	+ 6 months	Ministry of Health
						Based on study provide required resources and take remedial action	Resources allocated	+ 1 year	
							Remedial action taken	+ 3 years	
						Conduct monitoring and evaluation of outreach on an annual basis	Mechanism in place	+ 1 year	
							Statistics available	annually	
2.	Children in need of protection and care	2.1	Preventing and responding effectively to all children who have experienced neglect, abuse and exploitation	2.1.a	Incidence and prevalence of child abuse in homes, schools, religious institutions, alternative care institutions and communities	Conduct study to determine existing coverage of protective education of children	Study conducted	+6 months	National Child Protection Authority



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
						Expand coverage of protective education of children and create awareness among children on how to prevent and report abuse and exploitation	Coverage expanded	+ 2 years		
						Creating public awareness on the laws, reporting mechanisms, services available and community responsibility to report incidents of abuse and engage in preventive activities	Number of programmes conducted	ongoing		
							Population covered			
							Trends in reporting			
						Strengthen and expand Child Protection Committees to cover all schools	Number of committees established and functioning effectively	ongoing		
							Regional coverage			
						Establish quality counselling services in all schools on a phased basis	Number counselling services established and functioning effectively			
							Regional coverage			
						Conduct study to determine the quality of counselling services that is provided in schools	Study conducted	+ 2 years		National Child Protection Authority
						Establish vigilance committees at the community level covering all districts	Number of committees established and functioning effectively	ongoing		Ministry of Education
							Regional coverage			
						Strengthen the response to existing hotline service 1929 to ensure speedy and effective action/referral in all complaints.	Service strengthened	+ 6 months		National Child Protection Authority
						Establish a national counselling centre for children	Counseling centre established	+ 2 years		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Make provision in the law for periodic inspection of all institutions having care and custody of children including religious institutions	Legislative provision made	+ 1 year	Ministry of Child Development and Women's Affairs
						Inspection team appointed			
						Inspections conducted			
						Follow-up action taken			
						Provide state support for awareness campaign by the media	Awareness campaign developed and implemented	ongoing	National Child Protection Authority
		2.2	Effective implementation of existing laws in relation to all forms of child abuse and exploitation	2.2.a	Ineffective implementation of laws relating to sexual abuse and cruelty of/to children	Design a comprehensive skills development plan for law enforcement personnel at all levels, including Police and Prosecutors, taking into account/ incorporating existing training programmes	Plan developed	ongoing	Ministry of Justice
						Implement Skills Development Plan	Plan implemented	ongoing	
						Design a comprehensive sensitization plan for the Judiciary and implement the plan	Plan developed and implemented	ongoing	
						Provision of sufficient resources for effective implementation	Human and financial resources provided	ongoing	
						Ensure accountability for inaction on the part of law enforcement personnel	Number of complaints inquired into and action taken	ongoing	Police Department
				2.2.b	Soliciting and advertising children through the internet and other means for sexual abuse	Reactivate the cyber surveillance unit at the NCPA	Cyber surveillance unit activated	+ 6 months	National Child Protection Authority



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				2.2.c	Increased vulnerability of children in areas which are reputed to be centres for commercial child sex	Increase surveillance by law enforcement officials in high risk areas	Increased reporting, investigation, prosecution and convictions	ongoing	National Child Protection Authority
		2.3	Improve the identification of all child sex offenders	2.3.a	Sexual offences not finger printable	Amend the Prevention of Crimes Ordinance	Prevention of Crimes Ordinance amended	+ 1 year	Ministry of Justice
		2.4	Protecting all children from pornography, harmful depictions and all forms of violence	2.4.a	Exploitation of children as well as their exposure to pornography	Enact Draft Obscene Publications Act	Act enacted	+ 1 year	
		2.5	Prevention of trafficking of children	2.5.a	Ineffective implementation of anti-trafficking laws, identification of traffickers, delays in prosecutions and lack of prosecutions	Conduct study to ascertain reasons for ineffective implementation of anti-trafficking laws	Study conducted	+ 6 months	National Child Protection Authority
						Based on study take remedial action	Action plan developed for purposes of remedial action	+ 1 year	Ministry of Child Development and Women's Affairs
						Conduct public awareness on the law relating to child trafficking and the harmful effects thereof	Number of programmes conducted	ongoing	National Child Protection Authority
							Number who participated		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
3.	Juvenile Justice	3.1	Comprehensive legal framework for child protection founded on “best interests of the child” principle	3.1.a	Delay in enacting Child Protection Bill/amendments to the Children and Young Persons Ordinance	Expedite enactment	Act passed in Parliament	+6 months	Ministry of Justice  Ministry of Child Development and Women’s Affairs
		3.2	Establishment of a child friendly juvenile justice system to ensure the child’s best interest through the promotion and protection of the rights of children in conflict/contact with the law including child victims and witnesses	3.2.a	Inadequate child friendly legal processes	Study on reasons for breaches of the law  Identify laws and administrative practices which negate the best interest principle	Study conducted	+ 6 months	Ministry of Justice
				3.2.b	Lack of manual/s covering all aspects of child friendly juvenile justice procedures for judges, police officers, probation officers and staff of children’s homes	Compile manual in consultation with all stakeholders	Manual compiled	+ 1 year	
						Distribute manual	Manual distributed		
				3.2.c	Non-enforcement of existing child friendly procedures	Conduct study and make recommendations on required child friendly measures in keeping with international norms	Recommendations	+ 1 year	Ministry of Child Development and Women’s Affairs
						Sensitization of Police Officers, Probation Officers, Judges, and legal practitioners on treatment of children in conflict with the law and evaluate sensitivity through a survey	Sensitivity evaluated through survey conducted	ongoing	
						Allocate adequate financial and human resources for implementation of child friendly services	Percentage increased in resource allocation	ongoing	
Based on existing studies reform laws as required	Laws reformed	5 years	Ministry of Justice						



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency	
			3.2.d	Need to strengthen Women and Children's Desks  Strengthen Women and Children's Desks by better coordination between Desks and MCDWA with view to - increasing outreach with the community and - linking WCDs with psychosocial support facilities	Desks strengthened with regard to these factors	+ 1 year	Ministry of Child Development and Women's Affairs  Police Women and Children's Directorate	
			3.2.e	Lack of proportionality in sentencing practices	Examine reasons for non-implementation of the use of video evidence law in courts  Based on reasons identified take remedial action	Reasons identified  Remedial action taken	+1 year  + 5 years	Ministry of Justice
			3.2.f	Non-diversion of children from the criminal justice system	Amend the law to expand range of sentencing options to include community based options	Laws amended	+ 1 year	Ministry of Child Development and Women's Affairs
			3.2.g	Delays in producing probation officer's report	Identify diversion options  Introduce legislation accordingly	Options identified  Legislation introduced	+ 1 year  + 1 year	Ministry of Justice
			3.2.h	Insufficient allocation of financial and human resources for law enforcement personnel and probation officers to be effective	Examine reasons for delays  Based on study undertake remedial action	Reasons identified  Remedial action taken	+ 1 year  + 2 years	Ministry of Child Development and Women's Affairs
			3.2.i	Age of criminal responsibility too low	Determine appropriate age through a consultative process  Based on consultations amend law	Study conducted and age determined  Law amended	+ 6 months  + 2 years	Ministry of Justice





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
				3.2.j	Inadequate monitoring of quality of probation services at provincial and national levels	Determine the required financial and human resources	Requirements determined	+ 6 months		
						Based on findings mobilize resources	Resources mobilized	ongoing		
				3.2.k	Placement of child victims and those in need of care and protection, along with children in conflict with the law, and contact with adult offenders	Determine reasons for such placement/contact	Reasons determined	+ 6 months		
						Based on study take remedial action	Remedial action taken	+ 3 years		
						Develop monitoring indicators	Indicators developed	+ 6 months		
						Establish effective monitoring mechanism	Monitoring mechanism	+ 1 year		
				3.2.l	Transport of child victims with children in conflict with the law and with adult offenders	Provide adequate transport facilities	Transport facilities provided	+ 3 years		Police Department
				3.2.m	Inadequate safe houses and rehabilitation centres/proximity of placement institutions to the trial court	Identification of required institutions in each district	Requirements identified	+ 6 months		Ministry of Child Development and Women's Affairs
						Establish institutions as required	Institutions established	+ 5 years		
						Identify and upgrade rehabilitation/reintegration programmes	Programmes identified and upgraded	+ 3 years		
						Establish institutions on an equitable basis in all districts to facilitate access to court	Institutions established	+ 5 years	Ministry of Justice	
				3.2.n	Lack of contact with family during the court process and detention	Examine reasons for lack of contact with family during the court process and detention	Reasons examined	+ 1 year		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Identify support services to facilitate contact with family during the court process and detention	Support services identified	+ 1 year	
						Provide support services	Support services provided	+ 5 years	
				3.2.o	Suspended sentences for statutory rape	Review law and judicial practice in this area	Review conducted	3 months	Ministry of Child Development and Women's Affairs
4.	Children affected by armed conflict	4.1	Reintegration of former child combatants who have "surrendered" and been released to their families and communities	4.1.a	Need for greater support with reintegrating children into their families and communities on release	Provide necessary support including monitoring and follow up services	Support provided	ongoing	National Child Protection Authority
		4.2	Responding effectively to the needs of children who have been displaced due to armed conflict with special reference to orphans, unaccompanied children and children of single or disabled parents, this also includes missing children and strengthening the tracing of such children	4.2.a	Inadequacy of access to health, nutrition and education services and protection of such children including quality of care in institutions and within families	Identify required services	Required facilities identified	+ 3 months	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Provide required facilities within the centre as well as within the vicinity and once they are resettled	Facilities provided	ongoing	
		4.3	Coordinated mechanism to provide psychosocial support for all children affected by armed conflict	4.3.a	Inadequate access and quality of current programmes	Conduct needs assessment in relation to gaps in current provision	Needs assessment completed	3 months	Commissioner General of Rehabilitation
						Develop a policy framework with clear guidelines on responsibilities, strategies and monitoring mechanisms to ensure effective implementation and impact	Policy framework developed	+ 6 months	
							Programmes implemented	ongoing	
		4.4	Access to services and rehabilitation for all children who are affected due to the conflict	4.4.a	Inadequacy of services	Identification of services required and mobilizing assistance of service providers	Services required identified	+ 6 months	Ministry of Social Services
							Service providers mobilized	ongoing	
5.	Adolescent Health and Wellbeing	5.1	Improving the psychological wellbeing of adolescents with special emphasis on children in schools	5.1.a	Prevalence of psychological stress disorders in adolescents which could be precursors to suicide	Conduct a study to identify existing psychological support services in schools in terms of quality and access	Support services identified	+ 1 year	Ministry of Education
						Based on study set up quality psychological support services in schools	Support services set up in 20% of secondary schools	+ 5 years	
				5.1.b	Lack of trained counsellors who have technical capacity to respond to the needs of adolescents	Identify shortfall in training needs	Training needs identified	+ 6 months	Ministry of Higher Education
						Based on identification expand existing training programmes both in the public and private sectors	Percentage expansion of training programmes	+ 5 years	
		5.2	Prevention of adolescent suicide	5.2.a	Prevalence of adolescent suicide	Formulation of a National Strategy and Action Plan	Reduction in adolescents suicide	+ 1 year	
						Monitoring and reporting on the implementation of Action Plan	Monitoring and reporting mechanism in place	ongoing	



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
				Conduct research on causes of adolescent suicide	Study Commissioned	+ 3 months	
					Study completed	+ 6 months	
				Expansion of Adolescent Friendly Health Services Centres (AFHSC) to cover all districts	One Centre established in each district	+ 3 years	
					Number of adolescents accessing services	ongoing	
			5.2.c Sensationalization of suicide in the media which 'promotes' suicidal tendencies among adolescents	Sensitizing of journalist of all electronic and media personal of the need for responsible reporting on all matters relating to suicide	Workshops conducted	ongoing	Ministry of Mass Media and Information
					Number of media personnel participating		
				Establish a multi-sectoral monitoring committee and complaints mechanism through existing media institutions	Mechanism established	+ 6 months	
				Monitoring of the portrayal of suicide in the media	Number of violations	ongoing	
		5.3 Create greater parental, teacher, principal and community support to prevent adolescent suicide	5.3.a Lack of awareness and sensitivity among parents, teachers, principals and communities on handling issues which are likely to lead to suicide	Educational and awareness programmes	Number of programmes conducted	ongoing	Ministry of Education
					Increase in awareness		Ministry of Child Development and Women's Affairs



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		5.4	Prevention and control of alcohol, tobacco and drug use among adolescents through the effective implementation of the National Authority on Tobacco and Alcohol Act (2006)	5.4.a	Prevalence of alcohol, tobacco and drug use.	Conduct nationwide study on alcohol, tobacco and drug use among adolescents	Study conducted	+ 1 year	National Authority on Tobacco and Alcohol
						Follow-up action on findings of study	Responsibilities in terms of study findings assigned to relevant agencies	+ 5 years	
						Review implementation of the National Authority on Tobacco and Alcohol Act (2006)	Percentage of prosecutions for violation of provisions of the Act.	ongoing	
						Based on review take remedial measures as necessary	Remedial action taken	+ 1 year	
				5.4.b	Lack of media responsibility in preventive action particular in relation to indirect advertisements	Monitor advertising particularly indirect advertising	Violations identified	+ ongoing	Ministry of Mass Media and Information
						Violations identified and relevant action taken	Action taken including number of prosecutions		
		5.5	Ensure better reproductive and sexual health services for adolescents	5.5.a	Lack awareness on reproductive and sexual health services	Conducting knowledge, attitude and practice (KAP) survey	Survey conducted	+ 1 year	Ministry of Health
						Based on KAP survey conduct appropriate awareness programmes on reproductive and sexual health in schools, educational institutions and within the community	Awareness programmes conducted in all districts	ongoing	
				5.5.b	Inadequate support services for adolescents	Identify coverage of services required and provide the required services	Services identified and provided	+ 1 year	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
6.	Early childhood care and development (ECCD)	6.1	Provide access to ECCD through home based initiatives/parent education focused on children between the ages of 3 and 5 years which must include children with disabilities	6.1.a	Lack of awareness among parents and extended family of the importance of ECCD and relevant and appropriate methods which promote ECCD	Conduct awareness programmes for parents and extended family members on EECD	Number of programmes conducted	ongoing	Ministry of Child Development and Women's Affairs (Children's Secretariat)  Ministry of Health (Family Healthy Bureau)	
							Districts/geographic areas covered	ongoing		
		6.2	Ensure access to ECCD centres for all children between the ages of 3 and 5 (including children with disabilities)	6.2.a	Inadequate availability and access to ECCD	Enact legislation when infrastructure facilities are in place.	Plan developed for infrastructure facilities and enactment of legislation	+ 1 year		Ministry of Child Development and Women's Affairs  Provincial Councils (Under the guidance of the ECCD National Committee)
							Percentage of ECCD centres	ongoing		
						Provide incentives to the private sector to establish ECCD centres	Incentives provided	+ 1 year		
							6.2.b	Although there is no requirement of compulsory attendance lack of opportunities for parents to send their children to ECCD centres/pre schools	Develop a plan for the enactment of legislation for implementation when infrastructure facilities are in place	
				Conduct awareness among parents of the importance of ECCD (both home and centre based) and its true content at district level	Awareness programmes conducted at district level	ongoing				



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		6.3	Ensure access to quality ECCD either through home/ parent education and/or ECCD Centres	6.3.a	Lack of compliance with national guidelines by existing ECCD centres	Identify areas of non-compliance by ECCD Centres/ Pre schools based on the survey conducted by the Children’s Secretariat and report to National Committee on ECCD for follow up action	Areas identified	+ 3 months	
						National Committee on ECCD to make recommendations on how to ensure compliance of ECCD in the absence of legal framework.	Recommendations made and given effect to	+ 3 months	
				6.3.b	Need for legislation to regulate ECCD centres/ pre schools	Formulate legislation	Legislation enacted	+ 1 year	Ministry of Child Development and Women’s Affairs (Children’s Secretariat)
						Once enacted conduct awareness on the contents of the law	Awareness programmes conducted	+ 3 months	
						Monitor compliance with the law	Monitoring reports submitted	ongoing on a quarterly basis	
				6.3.c	Need for periodic updating of existing national database of ECCD centres	Update database	Database updated monthly	ongoing	Provincial Councils
				6.3.d	Lack of State resources for unified ECCD teacher training	Identification and mobilization of required resources	Resources identified and mobilized	+ 1 year	
						Conduct teacher training	Training conducted	ongoing	
7.	Education–Primary and Secondary	7.1	Ensure quality and accessible education for all	7.1.a	Disparities in the quality and access to primary and secondary education	Conduct periodic surveys and evaluations on disadvantaged communities where children are not going to school or have higher number of school dropouts and identify resources needed.	Report available	+ 6 months and ongoing	Ministry of Education
						Based on findings take remedial action	Resources allocated	ongoing	
							Action taken		
						Effective implementation of the Education Sector Development Framework and Programme	% Framework indicators achieved	2010	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
						Periodic monitoring and evaluation of the Education Sector Development Framework and Programme	Monitoring and evaluation report	2010		
				7.1.b	Regional disparities in teacher education	Evaluation to explore reasons for disparities, explore alternative methods of delivery to promote access to quality education, including teacher training by the private sector on certification by the State	Evaluation conducted	6 months		
							Remedial action taken	1 year		
				7.1.c	Lack of interactive learning process	Sensitize teachers on the benefits of the interactive learning process	% of teachers sensitized according to rural urban and estate	ongoing		
							Monitor and evaluate to assess whether the interactive learning process is being implemented	Evaluation conducted		annually
				7.1.d	Lack of special attention to children in special circumstances such as children of migrant workers, single parent households, etc.	Identify the weaknesses in the existing system to identify such children and make recommendations	Weaknesses identified	+ 6 months		
							Based on recommendations strengthen mechanism to identify such children and address their issues	Mechanism strengthened		+ 1 year
							Issues addressed	ongoing		
		7.2	Appropriate response to children with disabilities	7.2.a	Inadequate identification of children with disabilities in schools	Develop better systems for identification of children with disabilities and appropriate remedial action and monitor progress	Classifications identified	+ 6 months		
						Better training for teachers to identify children with disabilities and teach them	Better systems and training developed	+ 8 months		
		7.3	Integration of value education in curriculum	7.3.a	Inadequate attention to value education	Evaluate the impact of introducing value education into the curriculum and identify new strategies where necessary	Evaluation conducted	+ 1 year		
							New strategies identified			





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		7.4	Inclusion of Human Rights education	7.4.a	Lack of human rights education for children	Include human rights education in school curriculum	Human rights included in school curriculum	+ 1 year	Ministry of Education
		7.5	Elimination of corporal punishment in schools	7.5.a	Continuing practice of corporal punishment in schools	Implement effectively existing legislation/policy/ circulars prohibiting corporal punishment and establish a reporting procedure so that instances of corporal punishment can be reported effectively	Number of cases of corporal punishment reported	ongoing	
						Cases dealt with according to the law	ongoing		
						Enact and enforce legislation to prohibit corporal punishment in schools and educational institutions	Legislation enacted	+ 2 years	
						Create awareness among parents, teachers and principals on the law and on alternate forms of discipline consistent with the dignity of the child	% of teachers, parents, principals targeted	ongoing	
							Alternate forms of discipline identified		
						Establish a grievance mechanism to report corporal punishment	Grievance mechanism established	+ 1 year	
						Conduct periodic survey on the incidence of corporal punishment to ascertain statistics on corporal punishment	Survey conducted	On an annual basis	
							Statistics available		
		7.6	Enrollment of children in schools during the compulsory schooling age	7.6.a	Children not enrolled in school	Identify areas where children are not enrolled in Grade 1	Areas identified	+ 6 months	
						Determine reasons and make appropriate recommendations	Causative factors identified	+ 3 months	
							Recommendations made		
						Based on recommendations take remedial action	Remedial action based on recommendations made	+ 3 years	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
8.		7.7	Reducing absenteeism	7.7.a	High rate of absenteeism in certain areas	Identify reasons for absenteeism and make recommendations	Reasons identified	+ 6 months	
							Recommendations made		
						Based on recommendations take remedial action	Remedial action taken based on recommendations	ongoing	
		7.8	Reducing school dropouts	7.8.a	Children dropout of school before the age of 14 (compulsory schooling)	Identify reasons, vulnerable groups and areas	Reasons, Groups and areas identified	+ 6 months	
						Develop and implement an effective mechanism to prevent dropouts	Mechanism developed	+ 1 year	
							Mechanism implemented	ongoing	
		7.9	Improve quality and coverage of non-formal and vocational education	7.9.a	Inadequate access to non-formal and vocational education	Conduct needs assessment of non-formal and vocational education	Needs assessment conducted	+ 6 months	Ministry of Education
						Identify available facilities for non-formal and vocational education	Facilities identified	+ 6 months	Ministry of Youth Affairs and Skills Development
						Based on identification improve quality and coverage	Quality and coverage improved	ongoing	
	Child Labour	8.1	Elimination of child labour	8.1.a	Hazardous forms of child labour not identified	Identification of hazardous forms of child labour	Gazette notification	completed	Ministry of Labour and Labour Relations
						Conduct awareness for employers and the public on hazardous forms of child labour	Number of programmes conducted	ongoing	Department of Labour
				8.1.b	Labour officers not sufficiently empowered to remove victims of child labour	Ensure better cooperation between labour officers and the Police to ensure effective response to instances of child labour	Cases of child labour	ongoing	Ministry of Labour and Labour Relations



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				8.1.c	Inadequate coordination between Department of Labour, Department of Police, Department of Probation and Childcare Services	Police Department to expand Women and Children's Desk	Number of new Desks with relevant expertise	+ 3 years	Police Department
						Integrate training on Children's issues into the basic training of Police Officers	Curriculum expanded	+ 3 months	
						Sensitize medical personnel of the Health Ministry on child labour issues, especially in cases where the age of the child is unknown and a doctor needs to certify probable age of child.	More referrals to health sector	ongoing	Ministry of Labour and Labour Relations
						Issue of Circular to officials and doctors of the Ministry on the procedure of informing the Department of Labour and the Department of Police if they come across cases of child labour or child abuse where child victim is referred for medical treatment	Circular issued	+ 3 months	
				8.1.d	Lack of adequate follow-up on all complaints made through the hotline and other methods	Strengthen facilities for follow-up on complaints	% of investigations based on complaints	ongoing	Ministry of Labour and Labour Relations
							% of cases instituted based on genuine complaints		
						Establish a database on child labour	Database established	+ 3 months	
				8.1.e	Inadequate follow-up to ensure the wellbeing of victims of child labour	Strengthen the capacity of Probation Officers to undertake follow-up on the wellbeing of victims of child labour	% of number of cases efficiently followed up by Probation Officers	ongoing	Department of Probation and Childcare Services



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				8.1.f	Inadequate public awareness on issues of child labour, both issues regarding prevention and issues regarding employment	Development and implementation of a media campaign with specific messages focused on the demand for child labour	Media campaign	ongoing	Ministry of Labour and Labour Relations
						Promotion of awareness through field officers	Number of state institutions which have field officers	+ 6 months and ongoing	
9.	Alternative Care	9.1	Ensure adherence to best practice guidelines when placing children in alternative care	9.1.a	Need to support biological parents/ single mother	Provide assistance to biological parents/single parent to enable to care for children within the home environment	Forms of assistance identified	+ 3 months	Department of Probation and Childcare Services
							Criteria for assistance determined	+ 3 months	
				9.1.b	Lack of support from extended family to care for orphaned or abandoned children	Provide assistance to extended family to care for children within the extended family environment	Forms of assistance identified	+ 3 months	Provincial Departments of Probation and Childcare Services
							Criteria for assistance determined	+ 3 months	
				9.1.c	Lack of foster care system	Introduce a formal foster care system	Foster care systems in other countries examined	+ 6 months	
							Recommendations for proposed foster care system made	+ 1 year	
							Recommendations implemented	+ 2 years	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
		9.2	Ensure child-centred institutional care recognizing the special needs of children with disabilities	9.2.a	Inadequacies in the quality of facilities in children's homes	Identify required facilities and improvements to children's homes	Required facilities identified	+ 3 months	
						Facilities provided	+ 3 years		
						Ensure adherence to existing infrastructure and psychosocial minimum standards	Survey on adherence conducted	+ 6 months	
						Reasons for non-adherence identified	+ 3 months		
						Action taken to rectify shortcomings	+ 3 years		
				9.2.b	Lack of suitably trained staff in children's homes	Identify required skills	Skills required identified	+ 3 months	
						Skills development of staff	Staff trained	ongoing	
						Staff performance evaluated	Annually		
				9.2.c	Need to maintain minimum standards in children's homes	Ensure registration of all children's homes in each Province	Number of homes registered in each Province	+ 8 months	
						Require renewal of registration every 3 years, based on an appraisal including measurable indicators on wellbeing of children, condition of facilities etc.	Law amended to require re-registration	1 year	
						Establish monitoring units consisting of independent experts (paediatricians etc.) linked to national DPCCS to conduct periodic spot/ surprise visits to children's homes in all Provinces	Monitoring units established	+ 6 months	
						Ensure regular periodic monitoring of all homes by monitoring units, with penalty of cancelling registration where any home falls below the required standards	Number of visits made each year to each home	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
				9.2.d	Need to strengthen the Orphanages Ordinance	Expedite the proposed amendments to the Orphanages Ordinance	Amendments made	+ 1 year	
		9.3	Ensure the best interest of the child in determining placement of children	9.3.a	Lack of regular Placement Committee meetings and periodic review of individual Care Plans in some children's homes	Ensure regular meetings of Placement Committees and periodic review of individual Care Plans in all children's homes	Placement Committee meetings held	ongoing on a quarterly basis	
				9.3.b	Placements not always in the child's best interest	Ensure best placement of children in children's homes	Best placement recommendations made	ongoing on a quarterly basis	
		9.4		Ensure best interest of the child in adoption process	9.4.a	Continuing practice of Illegal adoptions	Conduct research on reasons for illegal adoptions	Research conducted	
			9.4.b		Cumbersome adoption process	Examine the current legal and administrative process to identify ways of streamlining the process of both foreign and local adoptions.	Gaps identified	+ 6 months	
							Recommendations submitted to relevant authorities for necessary action	+ 1 month	
				Recommendations implemented			+ 1 year		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
							Implementation of recommendations reviewed	+ 6 months		
				9.4.c	Lack of accurate data on children eligible for adoption	Compile a database on children eligible for adoption and conduct periodic updates	Database compiled	+ 6 months	Department of Probation and Childcare Services	
							Database updated on quarterly	Quarterly		
						Develop a national database on children eligible for adoptions	Database established	+ 6 months	Provincial Departments of Probation and Childcare Services	
							Database updated	ongoing		
							Develop a national database on parents seeking adoption	Database established		+ 6 months
								Database updated		ongoing
			9.4.d	Inadequate post adoption monitoring as required by law	Identify reasons for inadequate post adoption monitoring	Reasons identified	+ 6 months	National and Provincial Departments of Probation and Childcare Services		
						Strengthen monitoring mechanism	Percentage of reports submitted to court out of total adoptions per year		Annually	
10.	Non-discrimination	10.1	Ensure equal rights for non-marital children	10.1.a	Denial of rights of non-marital children as compared with marital children	Based on an identification of the areas of discrimination against the non marital child in the paper by the Law Commission titled Review of the status of the Non Marital Child In Sri Lanka from the Perspective of the Best Interests of the Child amend laws to ensure equality	Areas identified	+ 1 month	Ministry of Child Development and Women's Affairs	
							Laws amended	+ 1 year		



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
11.	Right to Leisure	11.1	Sufficient leisure for children through awareness raising and advocacy	11.1.a	Inadequate leisure affecting the holistic development of a child due to the overload of on educational activities/tuition and extra-curricular activities	Conduct awareness programmes on the importance of leisure to ensure that children, outside school hours, have sufficient leisure time	Number of awareness programmes conducted	ongoing	Ministry of Child Development and Women's Affairs
							Number of people targeted		
							Extent of coverage by district		
12.	Coordination and Monitoring	12.1	Effective coordination among institutions dealing with children and Monitoring of programmes and activities so that effective action is taken leading to an impact on children	12.1.a	Lack of coordination between the various institutions dealing with child rights	Activate and strengthen the capacity of the National Monitoring Committee on Child Rights set up under the Children's Charter of Sri Lanka to take action on child rights issues	Number of meetings held	+ 3 months	
							Child rights issues identified and reported on	ongoing	
							Follow-up action monitored	ongoing	
						Establish a secretariat for coordination and follow-up	Mechanism established and implemented	+ 6 months	
13.	Constitutional recognition for child rights	13.1	Constitutional entrenchment of rights of children	13.1.a	Need for entrenchment of rights for children in the Constitution	Building consensus amongst political parties on the need for entrenched constitutional rights of children.	Wide agreement amongst political parties for constitutional rights of children	+ 6 months	Presidential Secretariat
						Parliament to consider necessary constitutional reforms for entrenchment of constitutional rights of children	Incorporation of children's rights in the Constitution	+ 5 year	



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## **Rights of Internally Displaced Persons (IDPs)**



# Rights of Internally Displaced Persons (IDPs)



Internal displacement in Sri Lanka predominately stems from man-made conflicts as well as natural disasters. With the end of the long term internal conflict the Government's commitment towards the protection of rights of the displaced civilians has been granted the high priority.

Considering the magnitude of the volume of displaced persons, a separate entity, namely the Resettlement Authority was established in 2007, to formulate and implement sustainable programmes in order to protect their rights. The highest priority was given in providing relief assistance, welfare facilities and basic amenities to displaced civilians residing in welfare villages, adopting acclaimed best practices.

The rehabilitation and reconstruction of devastated economic and social infrastructures in conflict affected areas, was given high priority. With the aim of speeding up the development efforts in those areas, a special 180 day Accelerated Development Programmes namely "Negenahira Navodaya" and "Uthuru Wasanthaya" were implemented. As a result of strong effort with the help of donor communities and other local and international stakeholders, 70% of the de-mining process has been completed. Following the de-mining and the rehabilitation process, resettlement of IDPs in their original places has been completed and at present 2,187 families alone are left to be resettled. Majority of the resettled families were provided with permanent housing with basic amenities and the rest with shelter and assistance in cash and kind. The government has ensured the livelihood rights of displaced persons including micro credit, marketing and other supportive facilities to recommence their livelihood opportunities.

With the aim of ensuring the protection of those liable to be affected by natural disasters, the Disaster Management Act was enacted in 2005. Further the Government through regulations adopted, allocated responsibilities to the different stakeholders with a view to ensuring that relief measures are provided to those affected by such disasters.

The government strategy to improve the living standards of IDPs has been further strengthened by the activities contained in the priority areas on Internally Displaced Persons in the National Action Plan.



No.	Focus area	Goal	Issue	Activity	Key performance indicator	Timeframe	Key responsible agency
1.	Policy, institutional arrangement and coordination	1.1 A comprehensive protective framework and mechanism for displaced persons through the adoption of a National Policy on Displacement	1.1.a Definition of "displacement" to include displacement due to various causes	Adopt a broad National Policy on Displacement which takes into account all forms of displacement (conflict, natural disasters, economic development, etc.) drawing from the Guiding Principles on Internal Displacement Framework with specific attention to vulnerable groups	Standard definition of displacement adopted	+ 3 months	Ministry of Resettlement
					National policy adopted	+ 6 months	Ministry of Disaster Management
				Identify and create awareness among all agencies dealing with displaced persons on the standard definition and policy adopted	Agencies identified and awareness created on policy and definition	+ 3 months	
				Ensure that all agencies including those at the District/Divisional level have access and working knowledge of the concepts and policy on displacement	National policy disseminated to the Divisional Secretary level	+ 3 months	
			1.1.b Institutional coordination of sectoral policies including health, water, sanitation, shelter, land, education, restitution, livelihoods etc.	Strengthen existing institutional Framework and coordinate and consolidate efforts in the event of large scale displacement. Ensure that all relevant agencies and institutions have powers of horizontal coordination (at the national level) as well as vertical coordination with Provincial, District and Divisional authorities as well as monitoring and liaison functions	Experts, relevant stakeholders, and others consulted	+ 6 months	
					Sector-based coordination issues identified		
					Principles and policies for coordination included in National Policy on Displacement		
			1.1.c Need to enhance current legal, procedural and policy framework to better protect the rights of internally displaced persons including the right to housing restitution	Develop a legislative framework of IDPs' rights, and the right to non-discrimination between: 1) classes/categories of IDPs and 2) IDPs and other citizens/persons, and 3) the right to housing and restitution.	Rights of IDPs included in national policy framework and/or law	+ 6 months	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
						Conduct a review of existing legal, procedural and policy frameworks relating to IDPs and make recommendations	Review of legal framework completed	+ 1 year		
							Review of procedures completed			
							Review of policy completed			
						Based on review amend laws, policy and procedures	Laws amended	+ 3 years		
							Policy amended	+ 3 years		
							Procedures amended	+ 1 year		
						Review existing mechanisms involved in the protection of IDPs	Review of mechanisms completed	+ 6 months		
		Based on review take necessary remedial action	Remedial action taken	+ 1 year						
		1.2	Ensuring and protecting the right to vote	1.2.a	Factors preventing displaced persons from exercising their franchise	Expand the list of documents of identification to enable displaced persons to registered and cast their vote	List expanded and mechanism for registration in place	ongoing		Commissioner of Elections
		2.	Access to justice	2.1	Ensuring access to legal documentation for all displaced persons	2.1.a	Lack of legal documents	Continue with mobile services to issue birth, death and marriage certificates, and national identification cards and other identification for especially vulnerable groups		Mobile units set up
						Documents issued as percentage of applications received	ongoing			
						Enhance the capacity of the District Registrar to expedite the issuance of birth, death and marriage certificates, and identification cards	Documents issued as percentage of applications received	ongoing		
						Set up mobile secretariats of the Ministry of Lands	Mobile units set up	+ 3 months	Ministry of Lands	
							% of deeds issued as against applications made	ongoing		
						Set up mobile secretariats of the Land Registry	Mobile units set up	+ 3 months	Ministry of Public Administration	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
							Percentage of deeds/ land entitlement documentation issued as against applications made	ongoing	
		2.2.	Ensuring access to justice for displaced persons	2.2.a	Lack of access to legal assistance during and after displacement	Expand existing mechanism to provide free legal assistance to displaced persons	Mechanism established Number cases handled	+ 6 months ongoing	Ministry of Justice
3.	Return and Resettlement	3.1	Land free of mines to ensure safe return	3.1.a	Inability to return due to land mines	Accelerate de-mining after base line study.	% change in de-mining activities	+ 1 year	National Mine Action Centre (NMAC)
						Enhance existing awareness programmes for all persons living in mined areas on the dangers of mined lands and consequent action to be taken	Number of persons targeted Number of programmes conducted	ongoing	
						Establish a monitoring mechanism to account for the disposal of mines	Monitoring mechanism in place	ongoing	Ministry of Defence and NMAC
		3.2	Ensure the right to land and housing for all displaced persons	3.2.a	Displacement due to setting up of economic and development zones	Provide interim housing and land for those dispossessed of land	Interim Housing provided	immediate	Ministry of Construction, Engineering Services, Housing & Common Amenities  Ministry of Lands and Land Development  Ministry of Re-settlement
						In cases where original land cannot be returned the provision of alternate land of equal worth and value and/or compensation	Alternate land and/or compensation provided	+ 3 months	Ministry of Lands



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency	
				3.2.b	Resolution of issues due to squatting on IDPs' vacated lands or encroachment by IDPs on land owned by others	Mechanisms to establish legal ownership resolve disputes	Disputes resolved and legal ownership established	ongoing	Ministry of Justice	
							Land handed over to legal owner			
							In cases where the squatter is to be evicted provide temporary housing/land to the squatter	Alternate housing/land provided	ongoing	Ministry of Land
		3.3	Facilitate IDPs' access to land and possession	3.3.a	Inability to identify land and land boundaries	Conduct a land survey and update District level Land Registries and Divisional/District Secretariats as necessary	Land survey conducted	+ 1 year		
							Based on survey registries updated	1 year		
							Expand Assistant Land Commissioners cadre on a temporary or supernumerary basis	Increase in number of ALC	+ 6 months	Ministry of Public Administration and Home Affairs
										Ministry of Lands
		3.4	Non-discriminatory land allocation	3.4.a	Application of head of household concept discriminating against women in land allocation in displacement	Allocate land under joint ownership except in cases where original sole ownership can be established.	Number of lands allocated under joint ownership	ongoing	Ministry of Lands	
						Establish a monitoring mechanism to ensure non-discriminatory land allocation	Monitoring mechanism established	+ 6 months	Ministry of Child Development and Women's Empowerment	
		3.5	Ensuring the right to restitution for damage to property caused by disasters	3.5.a	Restoration of Damaged Property including personal and business	Review existing mechanisms for restitution for damaged and lost property	Review conducted	+ 3 months	Ministry of Resettlement	
Based on review establish a mechanism to deal with restitution of claims from all causes of displacement	Mechanism identified					+ 6 months				
						Claims processed	ongoing			



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
4.	Water, Sanitation and Environment	4.1	Ensuring access to clean water	4.1.a	Inadequate of access to clean water	Conduct a mapping exercise to identify potential sites for displaced persons giving due consideration to the availability of clean water	Mapping exercise conducted	+ 6 months	Ministry of Water Supply and Drainage
							Suitable sites identified		
							Water sources identified		
						Treat water to ensure that it is suitable for use	Number of water sources treated	ongoing	Ministry of Irrigation and Water Resources Management
						Establish a suitable distribution system to ensure easy access to water giving due consideration to issues of vulnerability, including disability.	Distribution system established	ongoing	Ministry of Local Government
						Conduct awareness on water, including hygiene, water usage, water safety and how to prevent water pollution and contamination	Number of programmes conducted	ongoing	Ministry of Irrigation and Water Resources Management
							Number of people targeted		
							Demographic profile of people targeted		
		4.2	Ensure the right to sanitation in a gender sensitive manner giving due consideration to vulnerability including disability	4.2.a	Lack of adequate sanitation facilities during and after displacement	Establish national guidelines on sanitation standards in line with international norms giving due consideration to issues of vulnerability, cultural norms and practices	Guidelines established	+ 3 months	Ministry of Health Ministry of Disaster Management
						Based on guidelines:  1) Ensure a mechanism to set up adequate sanitation facilities within 24 hours of displacement  2) Ensure guidelines are followed in setting up sanitation facilities during transition, return and resettlement	Plan developed	+ 1 year and ongoing	
							Equipment in place		
							Number of facilities as a percentage of population concerned		
							Quality guidelines adhered to		





No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
5.	Rehabilitation	5.1	Comprehensive rehabilitation plan which takes into account the various forms of displacement and geographic conditions	5.1.a	Formulation of policy on rehabilitation of displaced persons	Publish policy and guiding principles for rehabilitation within National Policy framework and ongoing review	Policy and guiding principles published	+ 3 months and ongoing	Ministry of Resettlement
						Based on policy and guiding principles prepare contingency plans for various forms of displacement and geographic conditions	Plans for various forms of displacement and geographic conditions developed	+ 6 months	
6.	Mental Health	6.1	Improved psychosocial care for displaced persons and communities	6.1.a	Need to enhance psychosocial support for displaced persons and communities including host families	Conduct psychosocial counselling programmes for IDPs and communities	Number of people targeted	ongoing	Ministry of Health  Ministry of Social Services
							Demographic profile of people targeted		
							Number of programmes conducted		
7.	Economic Rights	7.1	Ensuring access to credit facilities for displaced persons	7.1.a	Enhance access to credit	Making credit available for self-employment and SMEs	Number of loan granted	ongoing	Ministry of Finance and Planning
						Opening of Bank branches	Number of Bank branches opened	ongoing	
		7.2	Ensuring adequate livelihood options for displaced persons	7.2.a	Need to ensure better access to livelihood options	Conduct assessment and review on access to livelihoods, livelihood options and assess impact of existing livelihood programmes for displaced persons  Including training and education	Assessment completed	+ 1 year	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
8.	Protection for especially vulnerable groups – the elderly	8.1	Enhance living standards of elders	8.1.a	Lack of adequate care, protection and access to facilities for elders (60 and above)	Establish adequate number of homes for elders in the North and rehabilitation existing homes	Number of inmates at elders home.	+ 1 year	Ministry of Social Services
						Establish village level Elders Committees	Number of committees established.	+ 6 months	
9.	Protection for especially vulnerable groups – persons with disabilities	9.1	Determine needs of persons with disabilities	9.1.a	Persons with disabilities not included in needs assessments	Include assessments related to persons with disabilities in surveys and other studies	Number of surveys/studies conducted that include persons with disabilities	ongoing	
				9.1.b	Inadequate facilities in houses to cater to the needs of disabled persons	Provide financial assistance for the improvement of housing to cater to the needs of disabled persons	Number of disabled persons assisted	ongoing	
							Number of houses with facilities in place		
				9.1.c	Lack of access to essential services including physical access to buildings	Make all public buildings accessible to people with disabilities	Number of public buildings provided with accessibility	+ 3 years	
		9.2	Rehabilitation and social reintegration of the disabled	9.2.a	Lack of adequate access to assistive devices for people with disabilities	Supply of assistive devices for people with disabilities.	Number of persons who have received assistive devices	+ 1 year	
						Conduct a feasibility study on increasing the supply of assistive devices for people with disabilities to ensure that people with disabilities have greater access to such devices	Study conducted and recommendations made	+ 3 months	
				9.2.b	Inadequate community based rehabilitation programmes for people with disabilities	Enhance community based rehabilitation programmes for people with disabilities.	Number of people with disabilities who have received training	ongoing	



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
10.	Prevention of displacement due to natural disasters	10.1	Prevention of displacement through environmental protection - displacement due to natural disasters including drought, coastal erosion, land slides etc.	10.1.a	Contamination, pollution and degradation of the environment including land, air and water causing displacement	Conduct awareness programmes on maintaining a clean environment	Number of people targeted	ongoing	Ministry of Disaster Management
							Number of programmes conducted		
						Conduct awareness programmes on eco-friendly practices	Number of people targeted	ongoing	Ministry of Environment  Provincial Councils
							Number of programmes conducted		
						Conduct environmental audits to prevent displacement due to environmental degradation	Environmental audits conducted	+ 2 years	Ministry of Disaster Management  Ministry of Environment
							Recommendations made		
							Recommendations implemented	ongoing	
						Establish the necessary infrastructure and services to deal with all environmental issues, including solid waste management, well cleaning etc.	Infrastructure established	immediate	Provincial Councils
						Establish community level committees to monitor and ensure environmental practices	Mechanism for service provision in place	+ 6 months	
							Committees established		
Conduct a study on the various types of contamination that causes displacement and make recommendations for disaster mitigation and risk reduction	Study conducted	ongoing on an annual basis	Ministry of Disaster Management						
	Recommendations disseminated								
Based on study take remedial action	Key responsible agencies identified and informed	ongoing							
	Recommendations implemented								
Establish a monitoring mechanism	Monitoring mechanism established	+ 6 months							



No.	Focus area	Goal		Issue		Activity	Key performance indicator	Timeframe	Key responsible agency
						Conduct a study on the various types of natural disasters which cause displacement and make recommendations for preparedness, disaster mitigation and risk reduction	Study conducted	ongoing on an annual basis	Ministry of Disaster Management
						Recommendations disseminated			
						Based on study take remedial action	Key responsible agencies identified and informed	ongoing	
							Recommendations implemented		
						Establish a monitoring mechanism	Monitoring mechanism established	+ 6 months	

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## **Membership of Committees**



# Membership of Committees



## Membership of the Steering Committee

1. Hon. Mohan Peiris - Chairman
2. Professor Rajiva Wijesinha
3. Mr. Upali Athukorala (for Mr. Mahinda Madihahewa) (upto 31 December 2010)
4. Mr. Sunil Sirisena
5. Ms. Malkanthi Wickremesinghe
6. Dr. Rohan Perera
7. Mr. C.A.H.M. Wijeratne (for Mr. Romesh Jayasinghe)
8. Ms. Dilhara Amerasinghe (for Mr. Suhada Gamlath)
9. Dr. Hiranthi Wijemanne
10. Ms. Dhara Wijayatilake
11. Ms. Chandra Ellawala (from January 2011)



## Membership of the Coordinating Committee

The Coordinating Committee is comprised of members of the Inter-Ministerial Committee on Human Rights (IMCHR) and the Advisory Committee to the Minister of Disaster Management and Human Rights representing key Government stakeholders and civil society respectively.

### Government Representatives:

- |    |                         |  |
|----|-------------------------|--|
| a. | Ms. Aruni Wijewardane   | — DG/UN – Ministry of Foreign Affairs                                    |
| b. | Ms. Chandra Ellawala    | — Secretary, National Human Rights Commission                            |
| c. | Ms. Dilhara Amerasinghe | — Additional Secretary, Ministry of Justice                              |
| d. | Mr. Yasantha Kodagoda   | — Deputy Solicitor General, Attorney General's Department                |
| e. | Mr. H.A.A. Chaminda     | — Assistant Secretary, Ministry of Defence                               |
| f. | Ms. M.S. Wickremesinghe | — Secretary, Ministry of Constitutional Affairs and National Integration |
| g. | Mr. N. Abeygunawardane  | — Director General, Department of National Planning                      |

### Civil Society Representatives:

- |    |                                   |  |
|----|-----------------------------------|--|
| a) | Professor Ravindra Fernando       | — Director, Centre for the Study of Human Rights                                   |
| b) | Mr. Javid Yusuf                   | — Attorney-at-Law, COI to Investigate and inquire into alleged serious violations. |
| c) | Ms. Jezima Ismail                 | — Executive Director, Muslim Women's Research and Action Forum                     |
| d) | Dr. Darini Rajasingham Senanayake | — Senior Fellow, Social Scientists Association                                     |
| e) | Ms. Saroja Sivachandran           | — Director, Centre for Women and Development                                       |
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