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 HUMAN RIGHTS COMMISSION OF SRI LANKA

The **H**uman **R**ights
Commission of **S**ri **L**anka
 is an **I**ndependent
Commission, which was
 Setup to **P**rotect and
Promote **H**uman **R**ights of
Everyone in **S**ri Lanka,
 in **L**aw, **P**olicy and in
Practice.

All services provided by the Human
 Rights Commission of Sri Lanka are
 free

Establishment

The Human Rights Commission of Sri Lanka is an independent Commission, which was set up to promote and protect human rights in the country. HRCSL Act No. 21 of 1996 spells out its powers and functions. 10 Regional Offices are established to carry out the work of the Commission.

Vision

Our vision is to ensure human rights for all, and promote and protect the rule of law

Mission

Our mission is to develop a better human rights culture in Sri Lanka through protecting and promoting human rights for all in law, policy and in practice, adhering to universally recognized human rights norms and principles with a special emphasis on the fundamental rights guaranteed under the Sri Lankan Constitution for the citizens of Sri Lanka, with the coordination and corporation of all stakeholders that work towards protecting and promoting human rights for all.

Powers

To discharge its functions, the HRCSL has been conferred with broad powers including the following:

- I. To investigate into violations of fundamental rights;
- II. To intervene in any court proceedings relating to violations of fundamental rights, pending before any court, with the permission of such court;
- III. To monitor the welfare of detainees, by regular inspections of places of detention;
- IV. To undertake research on human rights issues, and to conduct public education programmes to disseminate and distribute the results of such research;
- V. To take steps as, may be directed by the Supreme court, in respect of any matter referred to the Commission by the Supreme Court;
- VI. To do all such other things as are necessary or conducive to the discharge of the HRCSL's functions.

(Article 11 of the HRCSL Act No.21 of 1996)

Functions

The Commission has many functions in addition to inquiring and investigating into fundamental rights violations;

- I. To ensure that all State procedures comply with fundamental rights guaranteed by the Constitution of Sri Lanka;
- II. To advice and assist the government in drawing up legislations, administrative directives, and procedures in compliance with fundamental rights;
- III. To make recommendations to the government regarding how national laws and administrative practices can be brought in line with international human rights obligations of Sri Lanka;
- IV. To advise the government on acceding to international human rights treaties and other international instruments in the field of human rights;
- V. To promote human rights awareness in the country.

(Article 10 of the HRCSL Act No.21 of 1996)

Note : Every offence of contempt committed against, or in disrespect of, the authority of the Commission shall be punishable by the Supreme Court of Sri Lanka.

(Article 21 of the HRCSL Act)

Complaints Procedure

(a) What Type of a Complaint Can a Person forward to the Commission?

Violations or imminent violations of fundamental rights guaranteed by Chapter III of the Constitution (1978)

(b) What Information should be included in a Complaint?

- What rights have been violated ;
- Whose rights have been violated ;
- Who is responsible for the violation/s ;
- In what manner were the rights violated
- Where and when did the violation took place ;
- Remedies you seek for.

(c) Timeframe to submit a complaint

Complaints should be submitted within **three months** of the alleged violation.

(d) Who can make a Complaint to the Commission?

- An aggrieved person / group of persons or
- A person / group of persons acting on behalf of an aggrieved person or a group of persons

(e) Can the Commission Investigate into Matters Without Receiving any Complaints?

Yes. The Commission can investigate and inquire into fundamental rights violations on its own motion.

(f) Can the Supreme Court Direct Complaints to the Commission to Investigate and Report?

Yes. Sometimes the Supreme Court directs complaints to the HRCSL to inquire into and report.

How are Complaints Resolved?

If the complaint **does not** fall within the Commission's mandate it will be **rejected**.

If it falls **within** the Commission's mandate;

A **preliminary investigation is conducted** to determine whether there are enough grounds to proceed with the case or not.

The case will be examined by,

- Calling the Petitioner
- Calling for a report from the Respondent /s

If there is a *prima facie* case;

Inquire into the matter and attempt to resolve through conciliation / mediation, or,

If conciliation / or mediation fails a recommendation can be made to relevant authorities.

HRCSL REGIONAL OFFICES

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To prevent arbitrary arrest or
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