

INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



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OF RACIAL DISCRIMINATION
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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Initial reports of States parties due in 1983

Addendum

SRI LANKA 1/

[16 January 1984]

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ANNEX

CONCEPTS AND POINTS IN THE SYLLABUS DEALING WITH HUMAN RIGHTS

PART I - GENERAL

1. Sri Lanka is a multiracial and multireligious nation and throughout many centuries the people of Sri Lanka of all races and religions have lived in peace and harmony with each other. According to the census carried out in March 1981, the total population of the island is 14,850,001. The composition of the population according to race is as follows:

Sinhalese	10,985,666	(73.98 per cent)
Sri Lanka Tamils	1,871,535	(12.60 per cent)
Sri Lanka Moors	1,056,972	(7.12 per cent)
Indian Tamils	825,233	(5.55 per cent)
Malays	43,378	(0.29 per cent)
Burghers	38,236	(0.26 per cent)
Others	<u>28,981</u>	(0.20 per cent)
	<u>14,850,001</u>	

2. The Sinhalese speak Sinhala, a language of Indo-Aryan origin. The Tamils speak Tamil which is the language (with some differences) of the Dravidians in South India. Some Moors speak Sinhala and others Tamil, generally depending on whether they have taken up residence among a Sinhala speaking community or a Tamil speaking community. The descendants of the European races generally speak English.

3. Though Sri Lanka constitutes a multiracial, multilingual society, in practice there is no racial or linguistic isolation or lack of communication because a large percentage of those residing in areas where the races are of about equal strength are almost completely bi-lingual. Most Tamils resident in the areas where the majority comprise Sinhala speaking people, speak fluent Sinhala and vice versa. A fair percentage of both Tamils and Sinhalese are conversant with English in ranging degrees of fluency and as such English is often used as a link language by people who are not bi-lingual in Sinhala and Tamil.

4. The people in Sri Lanka practice many religions, Buddhism, Hinduism, Christianity (both Roman Catholicism, as well as several other denominations) and Islam. Many Sinhalese, some Tamils and a few Europeans practice Buddhism. Christianity is practised by Sinhalese, Tamil and Burghers. Even during the monarchical times Buddhism and Hinduism co-existed and many Buddhist shrines have sections devoted to Hindu gods and statues of the Buddha are found in Hindu Shrines.

5. Days of significance to Buddhists, Hindus, Christians and followers of Islam have all been declared public holidays. In fact, even in the prisons in Sri Lanka provision has been made from the early 1930s for practice of all the major religions.

6. Being a multiracial and multireligious country, there have been periods of stress and strain which no multiracial and multireligious country in the modern world, particularly one that is experiencing rapid economic and social change, has been spared. Such episodes however, have only been an aberration from the long tradition of amity, cordiality and mutual co-operation that has characterized relationships between different ethnic groups over generations.

7. Sri Lanka has a long history of parliamentary democracy. While still under British colonial rule, universal adult franchise was introduced to Sri Lanka in 1931. Today the voting age is 18. In 1931 the voters of Sri Lanka freely elected 50 members to the State Legislature. All citizens irrespective of race, religion or caste or any other similar distinction, participate freely in the electoral process. The electoral laws provide for free and fair elections through secret ballot at periodic intervals. Since the attainment of independence in 1948, Sri Lanka has had eight general elections which resulted in six changes of government. The first presidential election under the 1978 Constitution was held in 1982 and candidates from all the recognized political parties representing different political views and ideologies contested the election. A referendum to seek a people's mandate to extend the period of office of the present parliament for a further period of six years was also held in 1982. In 1983 by-elections were held in respect of 18 electoral constituencies.

8. Political democracy in Sri Lanka has meant the existence of a multiplicity of political parties which have vied with one another with no restrictions, to have the support of the electorate. Nearly every political ideology can be found in Sri Lanka. There are no restrictions on the formation of political parties in the country. A political party must register itself with the Commissioner of Elections who is responsible for giving it recognition. The party can thereafter campaign and contest all political elections that are held. This has led to the emergence of a vibrant democracy which is borne out by the results of the voting at the election. The average voter participation for the period between the attainment of independence and 1977 was 73.37 per cent.

9. Access to public service is open to all citizens on the basis of open and fair competition. Even a random study of statistics relating to employment in public service shows that no particular ethnic or religious group enjoys special privileges. All ethnic groups are represented at all levels of the public service.

10. It may be of interest to note that today the Acting Chief Justice is a member of the Tamil Community, the Attorney-General and the Inspector-General of Police are also from the Tamil Community. Several senior police officials also come from the Tamil Community. In the professions there are members of all the communities that live in Sri Lanka. Sri Lanka's Ambassadors abroad are also drawn from all the communities and for the past few years Tamil Ambassadors have been our representatives in London, Paris, Bonn, Peking, Singapore, Cairo and Djakarta.

11. The Government's aim is to keep open the doors to employment to all citizens regardless of considerations of race, religion or place of birth. The thrust of Government's employment policy is to eradicate any vestiges of past privilege and to replace it by adequate and expanding opportunity for all groups of citizens.

12. These factors would reveal the consistent policy followed in Sri Lanka of eliminating racial discrimination in all its forms. The policy of elimination of racial discrimination has received further sanctity in article 27 of the Constitution of Sri Lanka of 1978, which lays down the Directive Principles of State Policy, to

guide Parliament, the President and the Cabinet of Ministers in the enactment of laws and the governance of Sri Lanka. Sub-article (5) of this article lays down the principle that:

"The State shall strengthen national unity by promoting co-operation and mutual confidence among all sections of the people of Sri Lanka, including the racial, religious, linguistic and other groups, and shall take effective steps in the fields of teaching, education and information in order to eliminate discrimination and prejudice."

The Government of Sri Lanka maintains a dialogue relating to the rights of the minorities with political parties as well as other groups. An All-Party Conference is being held in January 1984, to discuss relevant issues and proposals concerning the rights of the minorities.

13. The fundamental human rights recognized in the International Bill of Human Rights have also been articulated in the Constitution of Sri Lanka. The fundamental rights protected under the Sri Lanka Law are enumerated under chapter III of the Constitution. These rights are also reflected in the provisions contained in statutory enactments applicable in different areas of the law. Article 12 of the Constitution incorporates the right to equality and guarantees the recognition, enjoyment and exercise, on an equal footing, of human rights and fundamental freedoms. This article stipulates that:

- (i) all persons are equal before the law and are entitled to equal protection of the law.
- (ii) no citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds.

14. Provisions of the Convention need to be either recognized by the common law or transformed into domestic legislation, before the jurisdiction of any court, other tribunal or administrative authority, could be invoked in respect of matters covered by the provisions of the Convention.

15. However, as already pointed out, the Constitution of Sri Lanka has a chapter dealing with fundamental rights. The Constitution, in article 17 provides for remedial relief in respect of the infringement of fundamental rights by executive or administrative action. Every person is entitled to apply to the Supreme Court in respect of the infringement or imminent infringement by executive or administrative action of a fundamental right to which such person is entitled to under the Constitution.

PART II - INFORMATION ON ARTICLES 2 TO 7

ARTICLES 2, 4 AND 5:

16. The 1978 Constitution made far reaching changes in the field of human rights in many of its aspects by embodying a chapter on fundamental rights, which were for the first time made justiciable before the Supreme Court.

17. Articles 10 to 16 of the Constitution set out the fundamental rights which the people and citizens of Sri Lanka enjoy under constitutional protection. The Constitution is structured to promote and preserve the best democratic features which have gained universal acceptance. Almost all the important rights enumerated in the International Bill of Human Rights have been incorporated in the Constitution in chapter III entitled "Fundamental Rights".

Article 10 :	Provides for freedom of thought, conscience and religion to every person in Sri Lanka.
Article 12 :	Provides that all persons are equal before the law and entitled to equal protection under the law.
Article 12(2) :	Provides that no citizen shall be discriminated against on grounds of race, religion, language, caste, sex, political opinion or place of birth.
Article 12(3) :	Provides that no person shall be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of worship of his own religion on grounds of race, religion, language, caste or sex.
Article 14 :	Provides for the right of freedom of speech and expression including right to publication, freedom of peaceful assembly, freedom of association, freedom to form and join trade unions, freedom to manifest a person's religion or belief by practice, teaching, worship or observance, whether in public or private, freedom to promote a person's culture and language, freedom to engage in professions, trades, occupation, business or enterprise, freedom of movement and residence within Sri Lanka and the right of return to Sri Lanka.

18. Apart from the fundamental rights specifically enunciated in chapter III, the Constitution makes specific provision in respect of language, citizenship, the duration of the term of Parliament and the term of the Office of President.

19. Prior to 1978 there were two forms of citizenship recognized in Sri Lanka, namely, citizenship by descent and by registration. The new Constitution abolished this distinction and there is only one status of citizenship known as "the status of a Citizen of Sri Lanka".

20. The fundamental rights as to freedom of thought, conscience and religion, and freedom from torture, cruel, degrading or inhuman treatment or punishment cannot be altered except by a two third majority of Parliament and approved at a referendum.

21. Certain restrictions of other fundamental rights, however, are permitted by law within strictly defined limits. These restrictions are permitted even in the International Covenants on Human Rights.

22. In addition to the positive rights enumerated in the Constitution and other legislation, the Government is constitutionally required to be guided by principles of State Policy and fundamental duties which are embodied in chapter VI of the Constitution. These principles are to guide Parliament, the President and the Cabinet of Ministers in the enactment of laws and the governance of Sri Lanka. The principles enshrined in this chapter cover a very wide and broad spectrum of social, economic, cultural and political rights which are necessary for the enrichment of the quality of life both at the micro-level of the family unit and at the macro-level of the community or nation. The rights, privileges and duties articulated in this chapter are designed to promote the full participation of the people in the development process.

23. In recognition of the fact that Sinhala and Tamil are the principal languages spoken in Sri Lanka, articles 18 to 25 of the Constitution make provision for the use of either language in proceedings in Parliament, as the medium of administration, the proceedings in a court of law and as the medium of instruction in schools and universities. With the transition from English to the national languages, officers who were earlier required to possess a sound knowledge of English (which was the medium of administration) are now required to obtain proficiency in Sinhala. However, the level of knowledge required is not very high and a large number of Tamils have acquired the required level of proficiency. Sinhala qualified persons in the Administrative Service, Police and Medical Departments are required to acquire proficiency in the Tamil language.

24. A member speaking in Parliament may use either Sinhala, Tamil or English and simultaneous translation is provided into the other two languages. Persons can be educated in either of the national languages. In areas where there is a large percentage of Tamil speaking people, Tamil is also a language of Administration and of the Courts. A member of the public can transact business in either language, all enactments, proclamations, rules and regulations are required to be published in both national languages. A person sitting a public examination can be examined in either national language. Thus, the Constitution of 1978, has provided the framework for a complete settlement of the language issue.

25. In 1981, a decentralization of the administration of Sri Lanka was effected by the setting-up of District Development Councils. Under this system, the people of each District elect their own representatives to the Council, participate more meaningfully in the administration of the District and can even determine the priority of development that is relevant to the special characteristics of the District. It also enables them to give expression to the particular social or cultural needs of the area. In 1981, elections were held in respect of the District Development Councils.

26. Although the crime of apartheid is not specifically designated as a crime since distinction on the basis of colour is not prevalent in our jurisdiction, many of the acts which constitute "the crime of Apartheid" - i.e. murder, serious bodily and mental injury, arbitrary arrest, illegal imprisonment - are made punishable either under the Penal Code or other enactments. Even with regard to the other acts which come within the category of "the crime of Apartheid" and which involves a violation of basic human rights and fundamental freedoms, although such acts are not penal offence under our law, persons aggrieved by such acts have recourse to the Supreme Court under the provisions of section 126 of the Constitution. Thus, a remedy exists under our law even in regard to such acts.

27. Furthermore, the review of legislation already in force and the consideration of amendment or enactment of new legislation in order to bring the legal system in accord with international standards of human rights is undertaken by the Sri Lanka Law Commission. The Commission is charged with the general duty of keeping under review the law both substantive and procedural with a view to its systematic development and reform, the codification of the law, the elimination of anomalies; the repeal of obsolete and unnecessary enactments and generally the simplification and modernization of the law. It is also the duty of the Commission to keep under constant review, the exercise by bodies other than Parliament of the power to legislate by subsidiary legislation with a view to ensuring that they conform to well established principles and to the rule of law. The current programme of work of the Commission includes the enforcement of fundamental rights. The question of supplementing the existing legislation in the light of Sri Lanka's accession to international instruments relating to human rights, will be considered by the Commission under this item.

ARTICLE 3:

28. Politically, Sri Lanka has taken an uncompromising stand against Apartheid and has steadfastly condemned it both at the United Nations and in other international fora. Sri Lanka has consistently supported and voted for all resolutions in the United Nations aimed at combating and eradicating apartheid in South Africa. In a message to the World Conference for Action against Apartheid held in Lagos, Nigeria, 22 to 26 August 1977, the President of Sri Lanka stated as follows:

"Sri Lanka has associated herself fully with the international community in the campaign to eradicate apartheid which we consider to be a threat to peace and security and a gross violation of Human Rights".

29. Recently, the Government of Sri Lanka imposed deterrent punishment on a private group of Sri Lankan cricketers for touring South Africa. They were banned from participating in cricket tournaments in Sri Lanka for 25 years.

30. Sri Lanka does not have diplomatic relations with South Africa. The Government does not have any trade or economic relations with South Africa.

31. As already stated, the Constitution of Sri Lanka enshrines the fundamental right to equality and non-discrimination on the grounds of race, etc. and this right is made enforceable by application to the Supreme Court under article 17 of the Constitution. Further, as referred to earlier, many of the acts which constitute "the Crime of Apartheid" are common crimes in Sri Lanka and are punishable either under the Penal Code or other enactments in Sri Lanka.

ARTICLE 6:

32. The law of the ancient kings were tempered by the tenets of Buddhism which for the past 2,500 years was the religion with the largest number of adherents. Buddhism accords a prominent place to the freedom and dignity of human beings.

33. Instances of the entrenchment of various principles which in the course of time came to be elevated to the status of human rights to be universally recognized are to be found in many enactments dating back to the last century. The Charter of 1833 recognized the Writ of Habeas Corpus as an effective weapon to check excesses on the restriction of the liberty of the individual. The Penal Code currently in force in Sri Lanka was enacted in 1883. In that enactment "offences relating to Religion" were made criminal offences punishable with imprisonment. The definition of defamation in the Penal Code would be wide enough to cover any aspersions cast on a person on account of race, caste or creed.

34. In 1957 a law titled "The Prevention of Social Disabilities Act" was enacted to prevent persons being discriminated on account of caste. This was occasioned by members of the so called low caste being denied the right to worship at certain Hindu Shrines and to guarantee to them equal treatment in society. The law was further extended by an amendment of 1971.

35. Fundamental rights enshrined in the Constitution which seek to ensure that no person would be subjected to discrimination on grounds of race, religion, language, caste, sex, political opinion or place of birth are made justiciable before the Supreme Court. Relief can be claimed both against actual infringement as well as against imminent infringements of fundamental rights by executive or administrative action.

36. Under the Constitution of Sri Lanka the Supreme Court has the sole and exclusive jurisdiction to hear and determine any question relating to the infringement, or imminent infringement by executive or administrative action of any fundamental rights declared and recognized by the Constitution.

37. Under article 126 of the Constitution where any person alleges that any fundamental right has been infringed or is about to be infringed by executive or administrative action, he may himself or by an attorney-at-law on his behalf, within one month, apply to the Supreme Court by way of a petition addressed to such Court praying for relief or redress in respect of such infringement.

38. The Supreme Court is required to hear and finally dispose of any such petition within a period of two months upon the filing of such petition and is vested with the power to grant such relief or make such directions as it may deem just and equitable in the circumstances. The Court has held that its jurisdiction to grant relief is very wide and extensive.

39. Furthermore, in the course of hearing if the Court of Appeal, which is next to the Supreme Court in the hierarchy of Courts, feels that fundamental rights have been violated, then such Court is required to forthwith refer such matter for determination by the Supreme Court.

40. The Supreme Court is also vested with special exercise of Constitutional jurisdiction in respect of Bills. The Supreme Court is empowered to make a determination as to whether a Bill or any provision thereof is inconsistent with the provisions of the Constitution.

41. Besides the special jurisdiction of the Supreme Court to hear and determine specific allegations relating to the infringement or imminent infringement of fundamental rights by executive or administrative action, other civil and criminal courts of Sri Lanka are competent to entertain pecuniary claims and prosecutions arising from acts involving infringement of fundamental rights by executive or administrative action or otherwise.
42. The Constitution of Sri Lanka also provides that the Parliament shall by law provide for the establishment of the office of the Parliamentary Commissioner for Administration, Ombudsman, charged with the duty of investigating and reporting upon complaints or allegations of the infringement of fundamental rights and other injustices by public officers and officers of public corporations, local authorities and other like institutions, in accordance with and subject to the provisions of such law.
43. The Parliamentary Commissioner for Administration Act No. 17 of 1981 established the office of the Parliamentary Commissioner for Administration. Under the provisions of this Act, if the Committee of Parliament set up to consider petitions presented by Members of Parliament is of the view that any petition presented to it by a Member of Parliament discloses an infringement of a fundamental right or other injustice by a public officer or officer of a public corporation, Local Authority or other like institution, it may refer such petition to the Commissioner for investigation and report.
44. Under the Parliamentary Commissioner for Administration Act No. 17 of 1981, where a petition is presented by the Public Petitions Committee of Parliament, the Parliamentary Commissioner will investigate into the matter and upon the conclusion of investigation, he will determine whether there has been or there is likely to be an infringement of a fundamental right or other injustice. The Commissioner will then report his determination together with his reasons to the Public Petitions Committee with a recommendation for appropriate relief.
45. The Public Petitions Committee may, after consideration of a report made to it by the Commissioner, report to Parliament its opinion on the action to be taken on the Commissioner's report.
46. The constitutional provisions making discrimination on racial grounds justiciable, would be meaningless in the absence of a virile and independent judiciary. Articles 107 and 110(2) make elaborate provision to ensure the independence of the judiciary by security of tenure of office, salaries and disciplinary control of judges.
47. Sri Lanka has an impressive record of an independent and a competent Bar. It has been a feature of the political scene in Sri Lanka that a large number of Members of Parliament and of the Cabinet of Ministers consist of lawyers. This has been a common phenomenon during the periods of office of successive governments in Sri Lanka.
48. A necessary concomitant of the fact that large numbers of members of the legal profession take to politics representing not merely different shades of political opinion but also from all races would be that a large number of highly trained competent lawyers who owe no allegiance to the government in power are available to espouse the cause of an alleged victim of discrimination.

49. There is in addition a free Legal Aid Scheme available for any person who would be unable to afford the services of a lawyer. The Legal Aid Law No. 27 of 1978 provides for the grant of legal assistance to deserving persons and for that purpose has established the Legal Aid Commission and the Legal Aid Fund. Furthermore, every alleged act of racial discrimination is usually treated as a common cause and espoused as such.

50. The Constitutional remedies referred to above are in addition to the remedy available to every citizen to obtain relief by way of Writ in respect of every violation of a fundamental right regardless of whether such violation has occurred or is only imminent.

51. When allegations of racial discrimination or violence have been alleged there have been Commissions of Inquiry established under a Presidential Warrant. There was established in 1979 a Commission chaired by a retired Chief Justice to inquire into a report on allegations of communal violence in the aftermath of the General Election. More recently a Commission was set up to examine damage caused to the property of an opposition Member of Parliament who belonged to the Tamil community.

52. There has been litigation on behalf of a group of persons in the case of A.G. Vs. Suntheralingam where a group of worshippers who were denied access to a Hindu Shrine successfully invoked the provisions of the Social Disabilities Act.

53. There have been no occasions where a group or class of persons have sought relief on grounds of racial discrimination.

54. A measure of protection and remedial relief in respect of alleged violations of the provisions of the Convention would also arise from the rules of judicial interpretation adopted in Sri Lanka.

55. Over a period of years, the Courts have sought to interpret statutes on the presumption that the legislature intended to make law in accord with the principles set out in the international instruments ratified or acceded to by Sri Lanka. Whilst this rule of interpretation did not go as far as ruling that legislation in conflict with the Declaration of Human Rights was therefore invalid, whenever the intention of the legislature was ambiguous the Court would interpret it to be in accord with and not in conflict with the relevant international instruments.

ARTICLE 7:

56. Sri Lanka has ratified the major international instruments in the field of human rights, including:

- (i) The International Covenant on Civil and Political Rights.
- (ii) The International Covenant on Economic, Social and Cultural Rights.
- (iii) The International Convention on the Elimination of All Forms of Racial Discrimination.

- (iv) The International Convention on the Suppression and Punishment of the Crime of Apartheid.
- (v) The Convention on the Elimination of All Forms of Discrimination against Women.
- (vi) The Convention on the Prevention and Punishment of the Crime of Genocide.
- (vii) The Slavery Convention and the Protocol amending the Slavery Convention signed at Geneva on 25 September 1926.
- (viii) The Convention on the Nationality of Married Women.
- (ix) The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.
- (x) The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

57. The policy adopted by Sri Lanka in becoming a party to these Conventions was in line with Sri Lanka's commitment to both the observance of human rights and the promotion of the same at an international level.

I. EDUCATION AND TEACHING:

Introduction

58. Sri Lanka follows a policy of ensuring equal rights to all citizens and makes no distinction on the grounds of race, colour or ethnic origin in the provision of education. It has a system of free education which came into effect even before the country attained independence in 1948. This system provides free and open access to education, irrespective of any distinction, to children of all races, castes and religions, and a continuous education free of cost up to the completion of a degree course at university level. In addition to free tuition at all education institutions, the State also provides free school textbooks to all school children. The provision of equal opportunities in education for all, is further reinforced by a generous system of scholarships for students at the secondary level in schools and at universities to cover costs of subsistence.

59. Students in a majority of the schools receive free midday meals. All these facilities are provided without any distinction whatsoever. Only the provision of scholarships is limited to children of parents with low incomes.

60. There is only a single national scheme of education throughout the country and all children sit the same national examinations at the end of the junior secondary and senior secondary levels. Admission to universities is on a competitive basis with some weightage given to children from disadvantaged areas.

Human Rights Teaching in the Past

61. The principles of equality of all human beings in respect of basic human rights has been emphasized in the study of different subjects in the teaching institutions of Sri Lanka. An examination of the teaching programmes in subjects like History, Civics, Government, Political Science, Ethics, Religion reveals that this objective was incorporated in their study during the last several decades. In recent years however a special effort has been made to organize the systematic achievement of this objective through education and teaching. The high enrolment rates as well as the uniformity of the school curriculum throughout the country are factors which are favourable to the implementation of national goals and plans in this sphere.

Recent Innovations in Schools

62. In pursuance of the request made by the General Assembly of the United Nations, action was initiated by the Human Rights Centre and the Sri Lanka Foundation to introduce the teaching of Human Rights in schools and universities.

63. At the request of the Chairman, Sri Lanka Foundation and Human Rights Centre, the President of Sri Lanka directed the Ministries concerned to introduce the teaching of Human Rights into the curricula of schools and universities. This was in recognition of the fact that one of the main steps in the elimination of racial discrimination is the demolition of the myth of racial superiority and the need to emphasize the fact that all races form part of a common unit of human beings.

64. A joint committee representing the Sri Lanka Foundation and the Ministry of Education was set up to formulate a project for the teaching of human rights in all schools in Sri Lanka. A project was formulated to implement the teaching programme beginning in 1983. It was decided that human rights material should be incorporated in the social studies in the junior secondary grades (6 to 10) and in appropriate subjects in the senior secondary grades (11 to 12). Although the total aid requested for the project was not received it was launched with a grant of \$20,000 from UNESCO. The Ministry of Education in co-operation with the Sri Lanka Foundation has successfully launched the first phase of the programme which has been planned as follows:

Phase I	-	Grades 6, 7 and 8	:	1983
Phase II	-	Grades 9 and 10	:	1984/85
Phase III	-	Grades 11 and 12	:	1986/87

65. In Phase I of the programme the following activities have been concluded:

1. Preparation and distribution of curriculum material.
2. Training of in-service advisers.

3. Training of social studies teachers in Grades 6, 7 and 8.
4. Preparation of reading material for students.

66. The study in Phases I and II of the programme include the following elements which are relevant to combating racial prejudice and the promotion of human rights issues:

1. Rights and duties in the home and school.
2. Rights and duties of people living in the village/town.
3. Social differences and equal rights.
4. National Flag and National Anthem as symbols of equality and unity.
5. People who inhabit the earth.
6. Culture and Religion - differences and common features.
7. Equality in diversity.
8. Human Rights in the past.
9. The struggle for Human Rights.
10. The United Nations involvement in Human Rights.
11. The Universal Declaration of Human Rights.
12. The International Bill of Human Rights.
13. Human Rights in Sri Lanka's Constitution and Law.
(See also Annex I).

Teaching in the Universities:

67. The introduction of human rights elements into the various disciplines at the universities was discussed at several conferences with university teachers. A joint committee of representatives of all the universities was appointed. The President of Sri Lanka himself attended a meeting of this committee and emphasized the need for a teaching programme. He said:

"Recognition of fundamental rights is part and parcel of our policy ... Just as we teach religion, Human Rights should be taught in the schools and Universities ... Human Rights should be the basis of our life style."

68. The programme of human rights teaching at the universities is now in the process of implementation. The Master of Laws Course of the University of Sri Lanka provides for Human Rights as a specialized field of study.

ANCILLARY PROGRAMMES:

1. Students Competitions:

69. An island-wide schools' Poster Competition on Human Rights was organized in December 1978 to commemorate the Universal Declaration of Human Rights.

70. The competitors were divided into two categories according to age and had to send pictorial presentations of their interpretation of anyone of the articles of the Universal Declaration of Human Rights. The competitions attracted approximately 30,000 competitors.

71. A quiz competition on human rights open to all school children was conducted by the Sri Lanka Foundation in 1981. The competition was intended to promote wider awareness of human rights and better appreciation of peoples responsibility for their protection and promotion. It was based on material relevant to various aspects of human rights.

2. Students Exchange Programme:

72. A programme of the Ministry of Education through which facilities were provided for a group of school children from one race to visit and live with school children of another race for a short period in order to develop inter-racial understanding.

3. Associated School Project:

73. Another project of the Ministry of Education whereby schools in different regions usually of different racial groups and media were twinned and corresponded with each other.

4. Adult Education:

74. The Sri Lanka Foundation Institute has also conducted an adult education programme by a series of discussions and seminars. Subjects included problems of youth, labour and community development. When human rights problems are surfaced here they are discussed in detail. Participants are usually residents in the Institute and they consist of all communities.

75. During the year 1982, 30 seminars were organized by the Sri Lanka Foundation Institute, the main focus of which was to assist the participants to improve their organizations and leadership skills and build a greater awareness about their relation to each other and to socio-economic issues and the national development process.

5. Further Programmes:

76. A revised school structure and with it new curricular programmes are due to come into operation commencing in 1985. It is proposed to make use of this opportunity to further strengthen racial integration and goodwill and understanding among ethnic groups.

77. Initial work is already in progress to organize a programme of national integration in schools. A Committee of School Principals has been appointed to draw up a pilot programme for implementing this scheme.

78. Meanwhile in the revised curriculum it is proposed to strengthen the areas which promote national integration. The Human Rights Programme which commenced in 1983 will be reinforced and it will become an integral part of the social studies. New areas will also be introduced into the social studies syllabus as well as other syllabuses which will help in developing correct attitudes towards racial and ethnic problems and national integration.

II. CULTURE:

79. Two important statutes which has as its objective, the development of national culture and the promotion of intra-cultural understanding among the ethnic groups in Sri Lanka are: (a) The Central Cultural Fund Act No. 17 of 1980; and (b) Arts Council of Ceylon Acts No. 18 of 1952.

(a) The Central Cultural Fund (CCF):

80. Several important initiatives have been taken in the cultural field which would combat racial prejudice and promote racial harmony.

81. The Central Cultural Fund Act makes provision for the development of culture and religious monuments in Sri Lanka and to provide for the restoration and preservation of cultural monuments, the development of religious and cultural activities in Sri Lanka and abroad. Its objectives are set out in section 8 of the Act. Although, at present the main thrust of the activities of the CCF is in the Cultural Triangle Area in the North Central Province, the objectives are by no means limited to this alone. For instance, it can make awards to persons who have served the nation in cultural and religious fields, provide financial assistance to artists, writers and musicians, sculptors and others engaged in promoting cultural activities. Such an objective is clearly not limited to any one ethnic or racial group.

82. A further objective of the Act is that any other religious or cultural purpose which is in the opinion of the Board of benefit or interest to the public could be provided for.

83. In furtherance of these objectives the CCF has in its programme of work the restoration of the ancient Kovils which are places of Hindu worship in the Polonnaruwa area. Already public contributions have been forthcoming for this purpose and the restoration of these Kovils will be undertaken in due course.

(b) The Arts Council:

84. The Arts Council of Ceylon has now been re-activated by a Cabinet decision of July 1983. The general objectives of the Council as set out in section 2 of the Act (chapter 278) are by no means confined to any particular ethnic or racial group.

85. Its objectives are inter alia, to develop greater knowledge understanding and practice of the fine arts, to increase accessibility of works of art to the public to improve the standard, execution in the fine arts, to preserve promote and encourage the indigenous arts and crafts and to advise the government on any matter concerned directly or indirectly with the above matters.

86. One of the panels to be appointed under section 12 of the Act is for Tamil Drama. The Ministry of Regional Development, which is the Ministry in charge of Tamil Culture has been requested to make nominations to constitute this panel.

(c) Research:

87. The Ministry of Cultural Affairs intends supporting research to be done by University academics in certain areas which are of particular relevance to promoting religious and ethnic harmony. For instance, one of the suggestions made is to promote research in preparing a book entitled "Religious Cultures in Sri Lanka" dealing with Buddhism, Hinduism, Islam and Christianity.

88. In the international sphere a proposal has been accepted to set up an International Cultural Centre. The objective of setting up this Centre is to promote understanding tolerance and friendship among nations and racial and ethnic groups. Several preliminary proposals have been made in this respect by the Secretariat of the Groupe-des-Amis de Sri Lanka.

(d)

89. The Sri Lanka Foundation Institute in association with the Sri Lanka Broadcasting Corporation and the Sri Lanka Rupavahini Corporation are holding "Promenade Concerts" at the Sri Lanka Foundation Institute to give an opportunity to talented musicians to perform to the public. Sinhala, Tamil and English musical performances have been organized.

(e)

90. A Sri Lanka Television Training Centre has been started and an education programme has just been arranged. This is to introduce awareness of socio-behaviour of people to each other and the importance of living in peace and harmony.

III. INFORMATION:

(a) Publications:

91. The Human Rights Centre has in the past years translated the United Nations Publications on Human Rights into national languages and freely distributed them throughout the island.

92. Seminar courses and reports were also publicized. The following publications are available to the public and were distributed free to all participants, namely: International Law and Development - Some Asian Perspectives, Media and Development, Religion and Culture in the Development of Human Rights in Sri Lanka and Labour Issues in Development.

(b) Library:

93. In addition to the very good library at the Sri Lanka Foundation Institute, there is a specialized library at the Human Rights Centre which concentrates on Human Rights Publications Research. Scholars and students do their studies in this library and books are also lent.

(c) T.V. Programme:

94. In 1982 a T.V. programme was arranged entitled 'Unity in Diversity'. This emphasized the oneness of all the different communities in the country and that

basically each person had many factors in common and was similar to each other. The programme explained various religious and cultural traditions and pointed out how basic these were to all people whatever ethnic groups they may belong to.

IV. GENERAL:

Special National and International Seminars:

95. There was a series of seminars during the year 1982 to promote communal amity amongst the people in Sri Lanka:

(a) United Nations Regional Seminar on "National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region" was held in June 1982, the aim of which was to examine the feasibility of forming a regional organization for the protection and promotion of human rights in the ESCAP region.

(b) United Nations Seminar on "Refugee Law in South Asia" was held in June 1983. This seminar was conducted in association with the United Nations High Commissioner for Refugees.

(c) Seminar on "The Religious and Cultural Traditions in the Development of Human Rights in Sri Lanka" - December 1980.

In Sri Lanka the religious groups are mostly ethnic groups. The purpose of this was to examine the traditions and customs of each religion in relation to human rights and to examine a common programme of action.

(d) The posters depicting the articles of the Universal Declaration were displayed at the United Nations Human Rights Centre in Geneva at the twentieth session of the Human Rights Committee.

(e) A Seminar on Human Rights for Prison Officials was also organized by the Sri Lanka Foundation. An International Seminar on Human Rights in the field of law enforcement is proposed to be held in February 1984, by the Foundation, in association with the International Centre of Sociological, Penal and Penitentiary Research and Studies of Messina, Italy.

Annex

CONCEPTS AND POINTS IN THE SYLLABUS DEALING WITH HUMAN RIGHTS

Following are the concepts and the points in the syllabus at which the subject of human rights was introduced:

	<u>Concepts</u>	<u>Entry point</u>
01.	Each member of a family has certain rights as well as duties	Gr.6 2.20
02.	Each person in a village/town has certain rights as well as duties	2.20
03.	Every person living in society has certain rights and duties	2.30
04.	Rights and duties are interdependent	3.00
05.	When rights are accepted and duties are performed there is peace and justice in society and it becomes a better place to live in	3.00
06.	People of Sri Lanka belonging to different races and religions and speaking different languages are all entitled to the same basic human rights	3.00
07.	Our National Flag and National Anthem are symbols of that equality and unity	3.30
08.	People differ in colour, physical features and size, mainly due to the effects of physical environment, but as human beings they are all entitled to the same human rights	Gr.7 1.50
09.	When we study about ancient civilizations, we see that all people did not have equal rights	2.00
10.	In ancient Sri Lanka too, all the people did not have equal rights	2.00
11.	The great religions of the world, Buddhism, Hinduism, Christianity and Islam taught that all men are equal but the idea of equal rights was not accepted in most societies	3.00

12.	People had to wage a long struggle in different parts of the world to obtain human rights	Gr.8 3.00
13.	As a result of this struggle basic human rights have been recognized in some countries but all the people in all the countries do not have these rights	3.00
14.	The United Nations is dedicated to the task of obtaining human rights for all people in all countries	3.00
15.	The United Nations has proclaimed the Declaration of Human Rights and several other related documents as a step towards the achievement of basic human rights for all people in all the countries of the world	3.00