

මගේ අංකය
எனது இல.
My No.

ඔබේ අංකය
உமது இல.
Your No.



දිනය
திகதி
Date. } 12.05.2026

ශ්‍රී ලංකා මානව හිමිකම් කොමිෂන් සභාව
இலங்கை மனித உரிமைகள் ஆணைக்குழு
Human Rights Commission of Sri Lanka

H.E. Anura Kumara Dissanayake
The President of the Republic of Sri Lanka
Presidential Secretariat,
Colombo 01

Your Excellency,

Implementation of the Recommendations of the GANHRI Sub-Committee on Accreditation

The Human Rights Commission of Sri Lanka (HRCSL) writes to you with respect to its continued maintenance of 'A' Status by the Global Alliance of National Human Rights Institutions (GANHRI).

On 29 September 2023, the HRCSL submitted a detailed application to the GANHRI Sub-Committee on Accreditation (SCA) for reaccreditation as an 'A' Status institution. It then attended a virtual interview by the SCA on 2 May 2024, and following its comprehensive review, the SCA informed the HRCSL on 9 May 2024 that the HRCSL will be reaccredited with 'A' status. This reaccreditation recognizes that the HRCSL's current mandate, appointment process, and work adequately meet the standards reflected in the Paris Principles on the Status of National Human Rights Institutions.

In its report, the SCA also made eight recommendations with respect to enhancing the effectiveness and independence of the HRCSL. In light of the fact that it is the responsibility of the HRCSL and the Government of Sri Lanka to fully implement these recommendations, we wish to provide the annexed updates and proposals with respect to implementing these recommendations.

We thank you for Your Excellency's continued support and cooperation with respect to the fulfilment of the HRCSL's mandate.

Justice L.T.B. Dehideniya
Chairperson,
Human Rights Commission of Sri Lanka

Justice L.T.B. Dehideniya
Judge of the Supreme Court (Retired)
Chairman
Human Rights Commission of Sri Lanka

ප්‍රධාන කාර්යාලය } 14, ආර්. ඒ. ද මෙල් මාවත, කොළඹ - 04.
தலைமைக் காரியாலயம் } 14, ஆர்.ஏ.த.மெல் மாவத்தை, கொழும்பு-04.
Head Office } 14, R.A.De Mel Mawatha, Colombo - 04.
දුරකථන } 94-11- 2505580/81/82
தொலைபேசி }
Telephone }

සහායක } 011-2505451
தவிசாளர் }
Chairperson } 1
ලේකම් } 011-2505521
செயலாளர் }
Secretary }

ෆැක්ස් } 011 2505541/74
தொலைநகல் }
Fax }
ක්ෂණික } 011-2505575
தூரித அழைப்பு }
Hotline } 1996

විද්‍යුත් තැපෑල } sechrsl@gmail.com
மின்னஞ்சல் }
E-mail }
වෙබ් } www.hrcsl.lk
இணையம் }
Web }

Annexure

Updates and Proposals on the Implementation of the Recommendations of the GANHRI Sub-Committee on Accreditation

The Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation (SCA) issued eight recommendations to the Human Rights Commission of Sri Lanka (HRCSL) with respect to maintaining its accreditation as an 'A' status national human rights institution. This document sets out the updates on the steps taken by the HRCSL to implement these recommendations, and the proposals to the Government of Sri Lanka (GoSL) with respect to necessary amendments to the HRCSL Act, No. 21 of 1996.

Recommendation 1: Visiting places of deprivation of liberty

The SCA observed and recommended:

Section 11(d) of the HRCSL Act empowers the HRCSL to visit all places of deprivation of liberty, however it is silent on whether these visits are announced or unannounced. The HRCSL notes that, in practice, it conducts unannounced visits to places of deprivation of liberty. The HRCSL also reports that it regularly monitors police stations, prisons, child detention centres and women's detention centres.

The SCA is of the view that an NHRI should be mandated to conduct 'unannounced' visits to all places of detention within its jurisdiction, as this limits opportunities for detaining authorities to hide or obscure human rights violations and facilitates greater scrutiny.

While the SCA notes that the HRCSL carries out unannounced visits in practice, it recommends the HRCSL to advocate for amendments to the HRCSL Act to provide it with the express power to conduct such visits without providing prior notice to authorities. The SCA also encourages the HRCSL to continue to access all places of deprivation of liberty to effectively monitor, investigate and report on the human rights situation in a timely manner.

Steps taken by the HRCSL

The HRCSL has continued to conduct unannounced visits of places of deprivation of liberty. It has consistently interpreted section 11(d) of the HRCSL Act as well as section 28(2) of the Act, which provides that '[a]ny person authorized by the Commission in writing may, enter **at any time**, any place of detention, police station, prison or any other place in which any person is detained by a judicial order or otherwise, and make such examinations therein or make such inquiries from any person found therein, as may be necessary to ascertain the conditions of detention of the persons detained therein' (emphasis added), to clearly mean that it can enter any place of deprivation of liberty without prior notice.

Under the HRCSL's protection mandate, the Inquiries & Investigations Division of the HRCSL conducted 2,604 visits to places of deprivation of liberty in 2024, 2,296 visits in 2025, and 642 visits in 2026 thus far. All these visits have been without prior announcement and has been either on the HRCSL's own initiative or based on a complaint received.

Under the HRCSL's preventive mandate fulfilled through the National Preventive Mechanism (NPM) on torture, the HRCSL has conducted 146 visits to places of deprivation of liberty in 2024, 97 visits in 2025, and 20 visits in 2026 thus far. Additionally, the NPM has drafted and finalized a new set of Standard Operating Procedures (SOP). Clause 4.2 of the SOP specifies that standard visits to places of deprivation of liberty will be unannounced.

Recommendation 2: Interaction with the international human rights system

The SCA observed and recommended:

The HRCSL Act is silent on the institution's engagement with the international human rights system. The SCA acknowledges that the HRCSL has engaged with the international human rights system to a substantial degree and has established an international affairs division to coordinate interactions with international human rights mechanisms. The HRCSL further indicates that it is reviewing various treaties to assess the potential for the State to accede to additional instruments, considering that the State has ratified all core human rights treaties.

The SCA recognizes that monitoring and engaging with the international human rights system, in particular the Human Rights Council and its mechanisms (Special Procedures and Universal Periodic Review) and the United Nations Human Rights Treaty Bodies, can be an effective tool for NHRIs in the promotion and protection of human rights domestically.

The SCA highlights that effective engagement with the international human rights system may include monitoring and promoting the implementation of relevant recommendations originating from the human rights system. The SCA encourages the HRCSL to continue its engagement with the international human rights system and to advocate for amendments to the HRCSL Act to provide it with the explicit mandate to interact with the international human rights system.

Steps taken by the HRCSL

The HRCSL has continued to constructively engage the international human rights system including treaty bodies, special procedures mandate holders, and United Nations agencies. In February 2024, the HRCSL submitted a parallel report to the Committee on the Rights of Persons with Disabilities ahead of Sri Lanka's upcoming review under the International Convention on the Rights of Persons with Disabilities. In January 2025, it submitted a parallel report to the Committee on the Elimination of Discrimination against Women ahead of Sri Lanka's ninth periodic review under the Convention on the Elimination of All Forms of Discrimination against Women. In July 2025, it submitted a parallel report to the Committee on Enforced Disappearance ahead of Sri Lanka's review under the International Convention for the Protection of All Persons from Enforced Disappearance.

In March 2025, the HRCSL conducted a 'National Consultation on Advancing Child Rights' to evaluate progress on the implementation of the recommendations contained in the Concluding Observations issued by the United Nations Committee on the Rights of the Child in response to Sri Lanka's combined fifth and sixth periodic reports under the Convention on the Rights of the Child. The objectives of the consultation were to: (1) assess measures taken by institutions in response to the Concluding Observations; (2) identify gaps and successful strategies; and (3) propose mechanisms for regular monitoring and accountability to ensure sustained progress in implementing the Committee's recommendations.

In March 2026, the HRCSL wrote to the Hon. Minister of Foreign Affairs with a detailed recommendation that Sri Lanka considers ratifying Optional Protocol 3 to the Convention on the Rights of the Child (Optional Protocol on a Communications Procedure). The HRCSL also presented this recommendation to the Steering Committee on Child Rights.

Proposal to the GoSL

To further strengthen and clarify that the HRCSL is mandated to engage the international human rights system, it is recommended that section 10 of the HRCSL Act be amended to include the following new clause:

10. The functions of the Commission shall be—

- g) to constructively engage international human rights institutions, including the United Nations Human Rights Council, international human rights treaty bodies, and United Nations special procedures mandate holders (emphasis added).**

Recommendation 3: Cooperation with other human rights bodies and civil society organizations

The SCA observed and recommended:

The HRCSL informed the SCA that it interacts and engages with civil society organizations using its mandate to receive complaints and petitions from individuals.

The SCA is of the view that regular and constructive engagement with all relevant stakeholders is essential for NHRIs to effectively fulfil their mandate. NHRIs should develop, formalize and maintain working relationships with human rights defenders, as well as a wide range of civil society organizations.

The SCA encourages the HRCSL to continue engaging with civil society organizations and human rights defenders. The SCA recommends that the HRCSL strengthen and formalize these relationships.

Steps taken by the HRCSL

The HRCSL has continued to formally engage civil society organizations (CSOs) and human rights defenders through its thematic sub-committees. In 2024, the HRCSL re-launched its thematic sub-committees, and eight new sub-committees were established to cover the following thematic areas: (1) Personal Liberty;¹ (2) Gender and SOGI (sexual orientation and gender identity); (3) Child Rights; (4) Freedom of Expression; (5) Socioeconomic Rights; (6) Persons with Disabilities; (7) The Malayaha Tamil Community; (8) Business and Human Rights.²

¹ This theme covers issues such as torture, custodial and encounter deaths, arbitrary arrest and detention, and enforced disappearance.

² This theme covers issues such as rights of workers, labour reform, rights violations ensuing from development projects, and environmental issues.

Each Sub-Committee comprises a chairperson, who is a commissioner of the HRCSL, a Rapporteur, who is a director or senior officer of the HRCSL, up to ten members who are representatives of CSOs working on the specific theme, up to two members who are thematic experts, and up to four staff members of the HRCSL. The sub-committees have provided an important opportunity for the Commission to constructively engage civil society representatives and human rights defenders (HRDs). For instance, the Sub-Committees on Business and Human Rights and Socioeconomic Rights are currently in the process of developing General Guidelines and Recommendations on Business & Human Rights. The sub-committees have also provided a forum for HRDs to raise important issues and assist the Commission in formulating its policy positions. The HRCSL benefited from the input of the Sub-committee on Freedom of Expression in formulating a statement on the Freedom of Expression and Online Safety, which called for the repeal of the Online Safety Act, No. 9 of 2024. Additionally, the HRCSL has conducted key fact-finding studies, such as the study on the status of ‘manpower’ workers and the study on human rights issues in the North and East in partnership with CSOs. It is also currently mediating a consultative law-making process with respect to the draft Mental Health Act, where it is constructively engaging the Ministry of Health and the drafting committee to negotiate the inclusion of feedback from relevant CSOs.

The HRCSL also engages CSOs through direct discussions and meetings led by commissioners, directors, and regional coordinators. For example, it has conducted consultations with CSOs in the North and East, including in Jaffna, Trincomalee, and Batticaloa, to ascertain challenges faced by CSOs and has held follow up discussions with relevant state officials on the same day to explore solutions.

Recommendation 4: Financial autonomy

The SCA observed and recommended:

Section 29(1) of the HRCSL Act provides that the ‘state shall provide the Commission with adequate funds to enable the Commission to discharge the functions assigned to it by this Act’. The HRCSL reports that it enjoys financial autonomy in practice, including through a separate budget line item within the State budget which it controls. However, the SCA considers that the current statutory arrangements do not provide the HRCSL with sufficient financial autonomy.

The SCA notes that NHRIs should have complete financial autonomy as a guarantee of its overall freedom to determine its priorities and activities. National law should indicate from where the budget of the NHRI is allocated and should ensure this is a separate budget line over which the NHRI has absolute management and control. The NHRI has the obligation to ensure the coordinated, transparent and accountable management of its funding through regular public financial reporting and a regular annual independent audit.

The SCA therefore recommends that the HRCSL advocates for appropriate modifications to applicable administrative procedures to ensure that its functional independence and financial autonomy are guaranteed.

Steps taken by the HRCSL

The HRCSL continues to exercise functional autonomy over its budget, subject to public accountability through both internal and external audits. It confirms that it has not encountered interference from any government authority with respect to such autonomy and

has maintained absolute management and control with respect to the utilization of its funds for programmatic purposes as well as for acquiring physical resources. It also has the discretion to receive independent funding and currently receives such funding including from United Nations agencies.

The HRCSL encounters certain limitations with respect to the hiring and remuneration of staff. All financial allocations with respect to staffing is subject to the approval of the Department of Management Services under the Ministry of Finance.

Proposal to the GoSL

To further strengthen and clarify the HRCSL's financial autonomy, it is recommended that section 29(1) of the HRCSL Act be amended to include the following provisions:

29(1). The state shall provide the Commission with adequate funds **through a separate item in the Consolidated Budget** to enable the Commission to discharge the functions assigned to it by this Act. **Subject to subsections (2), (3), and (4), the Commission shall exercise absolute management and control with respect to the utilization of such funds for its programmes and for acquiring necessary human and physical resources** (emphasis added).

Recommendation 5: Pluralism and diversity of staff

The SCA observed and recommended:

The HRCSL informed the SCA of the gender balance within its staff complement, with 48% of the staff being women. The SCA notes that 77% of the HRCSL staff are from the Sinhala ethnic group. The HRCSL reported that it is formulating a comprehensive gender inclusion policy to guide pluralism and diversity within its staff.

The SCA notes that the HRCSL Act is silent on the requirement for a pluralistic and diverse composition of the HRCSL staff, including linguistic and ethnic representation.

The SCA emphasizes that a diverse decision-making and staff body facilitates an NHRI's appreciation of, and capacity to engage on, all human rights issues affecting the society in which it operates and promotes the accessibility of the NHRI for all citizens. The SCA encourages the HRCSL to continue to establish measures to support pluralism and diversity.

Steps taken by the HRCSL

The HRCSL staff composition continues to approximately reflect the gender and ethnic composition of Sri Lanka. 52.08% of its staff are women. 75% of its staff are from the Sinhalese community, while 17.71% of its staff are from the Tamil community and 7.29% are from the Muslim community.

In 2025, the HRCSL, with the support of the Asia Pacific Forum, conducted an independent Gender Audit following which several recommendations were framed in a detailed report. Key measures to implement these recommendations include the inclusion of gender responsive provisions in the HRCSL's Code of Conduct and the introduction of a complaints mechanism on sexual harassment. Furthermore, the HRCSL has formulated and approved a

three-year Gender Strategic Plan (2026-2028) based on one of the recommendations in the Gender Audit report.

Proposal to the GoSL

To further strengthen and clarify the pluralism and diversity of HRCSL staff, it is recommended that section 22(2) of the HRCSL Act be amended to include the following provision:

22(2). There may be appointed such officers and servants as may be necessary to assist the Commission in the discharge of its functions under this Act. **The Commission shall endeavour to ensure that such appointments reflect the pluralistic character of Sri Lankan society, including gender** (emphasis added).

Recommendation 6: Term of office

The SCA observed and recommended:

Section 5 of the HRCSL Act provides that '[a]ny member who vacates his office, otherwise than by removal under Section 4, shall be eligible for re-appointment', although it is silent on the number of times a member can be reappointed, which leaves open the possibility of unlimited tenure. The SCA acknowledges information from the HRCSL that in practice the members serve a maximum of two terms.

An appropriate minimum term of appointment is crucial in promoting the independence of the membership of the NHRI, and to ensure the continuity of its programs and services. As a proven practice, the SCA encourages that a term of between 3 and 7 years with an option to renew once be provided for in the NHRI's enabling legislation.

The SCA recommends that the HRCSL advocates for amendments to its enabling legislation to provide for the term of office of its members to be limited to one re-appointment.

Proposal to the GoSL

In view of fully implementing the SCA's recommendation, it is recommended that section 5 of the HRCSL Act be amended to include the following provision:

5. Any member who vacates his office, otherwise than by removal under section 4, shall be eligible for re-appointment **for no more than one further term** (emphasis added).

Recommendation 7: Selection and appointment

The SCA observed and recommended:

The SCA acknowledges the passage of the 21st Amendment to the Constitution of Sri Lanka, which re-established the Constitutional Council as the body that oversees the appointment of members of the HRCSL, as well as other independent state institutions.

The members of the HRCSL are appointed by the President based on the recommendations of the Constitutional Council. The Constitutional Council comprises the Prime Minister, the Speaker of the Parliament, the Leader of Opposition in Parliament, four members of Parliament and three persons nominated by the Speaker in agreement with the Prime Minister and Leader of the Opposition.

The HRCSL reports that, in practice, the three members of the Constitutional Council who are not members of Parliament are essentially representatives of civil society.

However, the SCA is of the view that the current process is not sufficiently broad and transparent and does not formalise the participation of civil society. In particular, it does not formally:

- require the advertisement of vacancies; and
- promote broad consultation and/or participation of civil society in the application, screening, selection and appointment process.

The SCA is of the view that it is critically important to ensure the formalization of a clear, transparent, and participatory selection and appointment process of the NHRI's decision-making body in relevant legislation, regulations or binding administrative guidelines, as appropriate. A process that promotes merit-based selection and ensures pluralism is necessary to ensure the independence of, and public confidence in, the senior leadership of an NHRI.

The SCA recommends that the HRCSL advocates for the formalization of the selection process to include requirements to:

- a) Publicize vacancies broadly;
- b) Maximize the number of potential candidates from a wide range of societal groups;
- c) Promote broad consultation and/or participation, including of civil society, in the application, screening, selection and appointment process; and
- d) Assess applicants on the basis of pre-determined, objective and publicly available criteria.

Observations of the HRCSL

The members of the HRCSL are selected and appointed by the Constitutional Council in terms of article 41B of the Sri Lankan Constitution read with section 3 of the HRCSL Act. It is observed that the Constitutional Council Rules No. 1 of 2023 stipulate further requirements in the selection and appointment process.

According to these Rules, the Constitutional Council is required to, by notice published in the Gazette and at least in three daily Newspapers in Sinhala, Tamil and English languages widely circulating in Sri Lanka, call for expressions of interest from fit and proper persons to be recommended to be appointed to the HRCSL. Additionally, in determining whether a person is a fit and proper person to be recommended to be appointed to the HRCSL, the Constitutional Council is required to take into consideration—

- a) the integrity and reputation of such persons;
- b) the ethical conduct of such persons;
- c) the experience, qualifications and competency of such persons pertaining to the nature of work carried out by [the Human Rights Commission of Sri Lanka]; and
- d) the conflicting interests of such persons which may affect the discharge by such persons of any duty or function as the Chairman or any member of [the] Commission.

Moreover, the Constitutional Council may, in evaluating these criteria, consult any relevant person, professional body or other authority to obtain information as may be required by the Council in respect of persons to be recommended for appointment to the HRCSL. After evaluating the suitability of the persons to be recommended, the Constitutional Council is required to prepare a shortlist of the persons and interview them to ascertain their suitability.

The above Rules are publicly available and ensure that the selection and appointment process partly comply with the SCA's recommendations. They ensure that vacancies are broadly publicized, and applicants are assessed based on pre-determined, objective and publicly available criteria. The process also enables public consultation, although such consultation does not appear to be mandatory and is at the discretion of the Constitutional Council. Therefore, the Rules do not necessarily 'maximize number of potential candidates from a wide range of societal groups', nor does it mandatorily 'promote broad consultation and/or participation, including of civil society, in the application, screening, selection and appointment process'.

The HRCSL meanwhile notes that more comprehensive rules titled '*Rules relating to the Performance and Discharge of Duties and Functions of the Constitutional Council made in keeping with the provisions of Article 41G (3) of the Constitution of the Democratic Socialist Republic of Sri Lanka*' were proposed and such proposals can be found on the official website of the Parliament of Sri Lanka.³ It is noted that these proposals clearly provide for the nomination of candidates by public or professional bodies, and nomination of candidates by a member of the Constitutional Council. The HRCSL understands that a revised version of these proposals is currently under consideration.

Proposal to the GoSL

In view of fully implementing the SCA's recommendation, it is recommended that section 3(3) of the HRCSL Act be amended as follows:

3(3). In making recommendations, under subsection (2), the Constitutional Council and the Prime Minister shall:

- a) **publish vacancies to the Commission in the Gazette and at least in three daily Newspapers in Sinhala, Tamil and English languages widely circulating in Sri Lanka, and shall call for applications from interested persons;**
- b) **have regard to the integrity and reputation, ethical conduct, the experience, qualifications and competency, and the conflicting interests of such interested persons which may affect the discharge by such persons of any duty or function as the Chairman or any member of the Commission;**
- c) **have regard to the necessity for the pluralistic character of Sri Lankan society, including ethnic and linguistic minorities and gender being represented on the Commission; and**
- d) **consider nominations from, and adequately consult, public and professional institutions and civil society organisations working in the field of human rights in the application, screening, selection, and appointment process (emphasis added).**

Recommendation 8: Addressing human rights violations

The SCA observed and recommended:

³ See <https://www.parliament.lk/uploads/documents/papersbyspeaker/1700540756051657.pdf>.

The HRCSL reports it has undertaken various activities to address human rights concerns around civil and political rights particularly regarding enforced disappearances, torture, arbitrary detention, harassment, and disproportionate use of force by the Police and other security personnel.

The SCA acknowledges these efforts and recommends that the HRCSL continue to strengthen its work to address all human rights violations including violence and discrimination, custodial deaths, torture and enforced disappearance. The HRCSL is also encouraged to develop and strengthen mechanisms for the protection of victims and witnesses.

The SCA also recommends that the HRCSL takes proactive steps to ensure it is accessible to the wider community, including regions in the North and East of the country. The SCA highlights that to promote independence and accessibility, an NHRI should establish a permanent regional presence, where possible.

NHRIs are required to promote and ensure respect for all human rights, democratic principles, and the strengthening of the rule of law in all circumstances, and without exception. Where serious violations of human rights are imminent, NHRIs are expected to conduct themselves with vigilance and independence. In fulfilling its protection mandate, an NHRI must not only monitor, investigate, and report on the human rights situation in the country, it should also undertake rigorous and systematic follow-up activities to promote and advocate for the implementation of its recommendations and findings, and the protection of those whose rights were found to be violated.

Steps taken by the HRCSL

The HRCSL has continued to intervene on matters concerning violence, discrimination, custodial deaths, torture, and enforced disappearance.

With respect to violence, in September 2025, the HRCSL updated and published its report on anti-Muslim violence that took place in 2018 in the Central Province. The report included a range of recommendations including the establishment of a permanent 'Office for the Investigation and Prosecution of Serious Crimes by State Officials' that is independent of regular law enforcement authorities with a mandate to carry out independent and impartial investigations and prosecutions of law enforcement officials accused of serious crimes with a human rights dimension.

With respect to discrimination, in July 2024, it intervened in a case concerning the Department of Examination withholding Advance-Level examination results of around 70 Muslim girls in Trincomalee owing to their head attire allegedly violating examination rules. The HRCSL's intervention led to the release of the said examination results. It has also engaged and advised government on reforming discriminatory legislation including section 365 and 365A of the Penal Code (Chapter 19), which criminalizes same-sex sexual conduct, and the Muslim Marriage and Divorce Act, No. 13 of 1951, which contains provisions that discriminate against Muslim women and girls. Moreover, in late 2025 and early 2026, the HRCSL conducted a fact-finding mission into the state's response to Cyclone Ditwah. It is presently in the process of preparing its report on its key findings, including on the specific impact of the natural disaster on vulnerable communities, such as the Malaiyaha Tamil community.

The HRCSL has also intervened to promote the rights of persons with disabilities. In December 2024, it issued a draft set of General Guidelines and Recommendations on Providing Employment for Persons with Disabilities and Disability Friendly Work Environment to promote the inclusion of persons with disabilities in the public sector. It has also established Accessibility Audit Teams, which conduct accessibility audits across the island. Based on the findings of these audits, a national consultation was held in August 2025.

With respect to custodial deaths and torture, the HRCSL continues to receive and inquire into complaints on custodial deaths and torture. In 2024, the HRCSL received twelve complaints on custodial deaths and 832 complaints on torture or cruel, inhuman, or degrading treatment. In 2025, it received eighteen complaints on custodial deaths and 610 complaints on torture or cruel, inhuman, or degrading treatment, and in 2026 it has thus far received three complaints on custodial deaths and 138 complaints on torture or cruel, inhuman, or degrading treatment.

In January 2025, the HRCSL adopted its Standard Operating Procedure on Complaints, which requires HRCSL inquiring officers to give complaints relating to custodial deaths, and torture, cruel or inhuman, or degrading treatment the highest priority. In May 2025, the HRCSL finalised and launched its General Guidelines and Recommendations No. 1 of 2025 to Sri Lanka Police on Preventing Custodial and Encounter Deaths. The Guidelines and Recommendations offer key guidance on the procedure to be followed when Sri Lanka Police take persons into custody. Notably, the Inspector General of Police (IGP) circulated these Guidelines and Recommendations among all divisions of Sri Lanka Police via Circular RTM-567/CRTM-446 directing the relevant officers to implement the Guidelines and Recommendations. The HRCSL has also conducted multiple training programmes for law enforcement officials on the implementation of these Guidelines and Recommendations.

With respect to enforced disappearance, the HRCSL submitted its parallel report to the United Nations Committee on Enforced Disappearance in July 2025. The report details the HRCSL's observations and recommendations with respect to Sri Lanka's implementation of the International Convention for the Protection of All Persons from Enforced Disappearance. Meanwhile, the HRCSL has inquired into specific incidents of enforced disappearance and has engaged the Attorney-General's Department on the potential prosecution of offenders under the International Convention for the Protection of All Persons from Enforced Disappearance Act, No. 5 of 2018. For example, in May 2024, the HRCSL completed an inquiry with respect to the abduction and secret detention of a resident from Anuradhapura, allegedly by certain personnel attached to the Special Task Force of Sri Lanka Police. The HRCSL thereafter wrote to the Attorney-General stating that there were reasonable grounds to believe that the elements of the offence of 'enforced disappearance' under section 3(1) of the Act had been satisfied in this case, warranting an independent and impartial criminal investigation into the incident. The Attorney-General thereafter wrote to the IGP in May 2024 and later in December 2024 directing the Special Investigation Unit (SIU) of Sri Lanka Police to conduct an investigation into the victim's alleged enforced disappearance and to forward a dossier to the Attorney-General's Department within one month. The HRCSL is informed that no such dossier has been submitted to the Attorney-General to date.

The HRCSL has also separately engaged law enforcement officials on the subject of reprisals against HRDs, including those who advocate for the rights of victims of enforced disappearance. In December 2024, it launched its General Guidelines and Recommendations No. 1 of 2024 on the Protection of Human Rights Defenders, which specifically recognizes the right of HRDs to 'be free from extrajudicial killing, torture or cruel, inhuman, or

degrading treatment, enforced disappearance, and arbitrary arrest and detention on account of their legitimate activities'. Notably, in May 2025, the IGP issued Circular RTM-568/CRTM-447 to all divisions of Sri Lanka Police directing the relevant officers to implement the HRCSL's General Guidelines and Recommendations on HRDs. The HRCSL has also conducted multiple training programmes for law enforcement officials on the implementation of these Guidelines and Recommendations.

The HRCSL continues to contribute towards mechanisms for the protection of victims and witnesses. One of its commissioners currently serves *ex officio* on the board of the National Authority for the Protection of Victims of Crimes and Witnesses and actively contributes towards the policy formulation of the Authority.

The HRCSL endeavours to take proactive steps to ensure it is accessible to the wider community, including the plantation sector and regions in the North and East of the country. To strengthen its outreach with respect to the Malaiyaha Tamil community, the HRCSL established new sub-offices in Hatton and Ratnapura, and regularly conducts public hearings and mobile service programmes across the plantation sector. For example, it conducted mobile service programmes to help members of the Malaiyaha Tamil community to obtain national identification documentation. The HRCSL also continues to operate permanent regional offices in Ampara, Batticaloa, Jaffna, Kalmunai and Trincomalee, and sub-offices in Kilinochchi and Mannar.

In February 2025, the HRCSL held a dialogue with the IGP, raising concerns with respect to issues in the North and East including surveillance of HRDs and impunity with respect to past cases of enforced disappearance. In a statement issued following the dialogue, the HRCSL drew attention to the SIU of Sri Lanka Police, particularly in terms of its role in investigating law enforcement officers allegedly involved in torture and enforced disappearance. The HRCSL raised concerns with respect to the low levels of prosecution and convictions in this regard. It also raised concerns with respect to the rights of HRDs to engage in the advocacy of human rights, including the right to stage peaceful protests against government policies. In April 2026, the HRCSL wrote to the Secretary to the Ministry of Public Security and the IGP on the continuous harassment and rights violations of women HRDs (WHRDs) in the North and East. The letters called for law enforcement authorities to cease all unnecessary surveillance and summoning of WHRDs for police inquiries, and the recruitment of more women personnel to promote gender-responsive policing.

The HRCSL has conducted several special fact-finding missions in the North and East, including on the ongoing investigation into the mass grave site in Chemmani, Jaffna, the human rights violations associated with sugarcane cultivation in the Ampara district, and the status of human rights in the Northern and Eastern Provinces. Its report on the status of human rights in the Northern and Eastern Provinces is expected to be released in June 2026. It has also monitored, and intervened in, specific human rights issues. For example, in May 2025, it wrote to the IGP on the misapplication of section 3 of the International Covenant on Civil and Political Rights Act, No. 56 of 2007 and other legal provisions in relation to commemoration events held in the Northern and Eastern Provinces. The HRCSL believes that sustained interventions of this nature can potentially have a positive impact on the institutional response to such issues.

The HRCSL has paid specific attention to the application of the Prevention of Terrorism Act, No. 48 of 1979 (PTA), which has had a disparate impact on communities in the North and

East and members of minority communities residing elsewhere in the country. In terms of section 28(1) of the HRCSL Act, it regularly monitors the welfare of persons detained under the PTA. It has also constructively engaged the Counter-Terrorism Investigation Division (CTID) in a number of instances through its inquiries and investigations, prompting incremental changes in the policies and approaches of CTID personnel. Following a key recommendation issued in June 2025 with respect to a young Muslim person's unlawful arrest and detention under the PTA, the HRCSL wrote to the Hon. Minister of Justice highlighting the key learning from the case and recommending the repeal of the PTA. It specifically recommended that the arrest and detention of persons with respect to any future offence of 'terrorism' be subject to meaningful judicial oversight. It also recommended that CTID officers undergo special training on the human rights impact of their work. Following this intervention, the Director of the CTID requested the HRCSL to conduct a high-level dialogue with its investigating officers on the human rights impact of their work and to explore institutional reform. This intervention is an example of how the HRCSL undertakes follow-up activities to promote and advocate for the implementation of its recommendations and findings. However, it notes that the overall percentage of HRCSL recommendations that are fully implemented by the relevant state authorities remains low, and currently stands at approximately 35%. In July 2025, the HRCSL wrote to the secretaries of all ministries emphasizing the legal obligation to fully implement its recommendations.

Proposal to the GoSL

In view of fully implementing the SCA's recommendation, it is recommended that section 21(3) of the HRCSL Act be further strengthened to ensure that the recommendations of the HRCSL are fully implemented and failure to comply with such recommendations constitutes a punishable offence of contempt against, or in disrespect of, the authority of the HRCSL. It is, therefore, recommended that section 21(3) of the Act be amended to include the following provision within the scope of the offence of contempt:

21(3). If any person—
[...]

e) fails to comply with a recommendation or decision of the Commission,

Such person shall be guilty of the offence of contempt against, or in disrespect of, the authority of the Commission (emphasis added).

It is noted that the above proposal is identical to the equivalent provisions in section 30(3)(e) of the Women Empowerment Act, No. 37 of 2024, and has, therefore, already been subject to constitutional scrutiny.