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INTRODUCTION

The island nation of Sri Lanka with its diverse population, Persons with Disabilities (PWD) is a considerable part. The World Health Organization estimates that approximately 15% of the world's population live with some form of disability. Although reliable statistics are not available, in the year 2014, Sri Lanka's Ministry of Health has estimated that 10% of Sri Lanka's population has some form of disability¹. The census of population carried out by the Department of Census and Statistics in 2011 records 8.7% of the total population as PWDs but significant concerns remain regarding the definition and criteria for identifying and capturing PWDs during the census. Prevalence of disability in Sri Lanka are attributed to disabilities at birth, childhood injuries and trauma, road and other accidents, industrial injuries, disabilities caused due to unmanaged non-communicable diseases, civil war as well as ageing population. Asian Development Bank in their report in 2019 stated that Sri Lanka is ahead of other South Asian countries in demographic transition as it is ageing relatively faster and it is said that by 2030, 22% of the total Sri Lankan population, or one in five persons, will be over 60 years of age and the proportion of older persons experiencing age-related disabilities is increasing at a rapid pace.

Disability being a crosscutting issue warrants multi-stakeholder consultative process in addressing development priorities. PWDs are the biggest single minority and majority of PWDs are below the poverty line. This is mainly due to the fact that their social and political participation is restricted to the systematic barriers which includes structural, social and legal and other policy barriers that are prominent within sphere in Sri Lanka.

One other factor that has a major bearing on the systematic social exclusion and discriminatory practices is the attitudinal barriers. It play a major role in stagnation of policies and regulations. They further frustrate the accessibility, communication, inclusivity and participation of PWDs in different spheres such as health, education, employment, transportation etc. Marginalization of the PWDs is multiplied where inter-sectional ties operate, namely gender, ethnicity, geographical location, social and economic status. For instance, PWDs residing in the estate sector in the central uplands, already amongst areas with the most entrenched poverty and exclusion, face extreme difficulties in accessing the services provided by the state due to low levels of literacy, economic and social disadvantages.

Persons with disabilities have been consistently marginalized in the Sri Lankan polity and society mainly due to the charity mindset fuelled by religious and cultural influences. The dominant approach remains premised on charity and welfare, contrary to the obligations in the United Nations Convention on the Right of Persons with Disabilities (UNCRPD). Attempts to introduce a rights-based approach through policy and legislative frameworks have remained largely rhetorical and not transformed into reality. The quality of services provided by the state for PWDs should be intensive, integrated and include progressive support mechanisms in order to uphold their inherent dignity and autonomy. PWDs have also been historically marginalized from decision making processes and continue to face serious challenges with regard to their participation and representation in such processes. Recent research indicates that in Sri Lanka, the difference in multi-dimensional poverty levels is higher in households with a PWDs when compared with other households. This indicates inequality and injustice. A strong disability rights framework based on sound philosophical interpretations and provisions for generating an inclusive policy and law reforms are essential.

1. SCOPE OF INTERNATIONAL OBLIGATIONS AND COOPERATION WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS AND BODIES

01. Convention on the Elimination of all forms of Discrimination against Women (CEDAW)², Convention on the Rights of the Child (CRC)³ and United Nations Convention of the Rights of Persons with Disabilities (UNCRPD)⁴ are three conventions that specifically address and elaborate the rights related to Women, Children and PWDs. Besides, the UNCRPD is unique⁵ and different from the other two conventions as it's a combination of International Bill of Rights and UN Standard Rules⁶ that specifies minimum expected standards.
02. Sri Lanka is yet to accede to the Optional Protocol which provides any individual or group of individuals to communicate with Committee on Rights of Persons with Disabilities (CRPD) when the redress is denied or exhausted in the domestic jurisdiction for any grave violation of their rights.⁷

Recommendation: *Take necessary steps for accession of the Optional Protocol to UNCRPD.*

03. The obligations of the state under Articles 04 & Article 33 of the UNCRPD remain unmet despite becoming a state party and yet to comply with its commitment towards meaningful implementation measures including the legislative enactment of Disability Rights Bill.
04. Under the current legislation framework on disability rights, National Council for Persons with Disabilities (NCPD) is vested with powers and functions as the national apex body on Disability that is tasked for the protection and promotion of disability rights where the members are appointed by the Head of the State in consultation with the subject Ministry on disability. Due to the prevalence of the charitable mindset and the medical approach has meant that disability has been housed initially under the Ministry of Social Welfare and later with the Ministry Social Empowerment. Initially, the NCPD has been well represented and recognized as a mechanism which initiated many good deeds such as formulating the National Policy on Disability (NPD)⁸ in 2003 and the Disability Rights Bill (DRB) in 2006.
05. However, since 2009 the NCPD is struggling to complete the DRB drafting process in consultation with relevant stakeholders due to the lack of political commitment fueled by the perception of the state officials and their influence on political leaders. Drafting the DRB has been subjected for more than ten revisions for the last 14 years, significantly frustrating the disability rights activists who are calling for an independent mechanism for implementation monitoring and evaluation as per Article 33 of the UNCRPD.⁹
06. Existing legislation, namely, Protection of the Rights of Persons with Disabilities Act No. 28 of 1996 does not have sufficient legal and financial provisions¹⁰ to create an environment conducive for PWDs to enjoy their rights equally with the rest of the society.
07. Disability Organizations Joint Front (DOJF) is instrumental in continuous engagement with the respective stakeholders for the full and meaningful implementation of the UNCRPD through an enabling legislation.¹¹ Legal draftsman has received another draft DRB 2016 which was subjected to criticism by the disabled community due to non-inclusion of their proposals such

as a strong state coordination mechanism with high level political leadership and an independent monitoring mechanism.¹²

08. Since the submission the of Contextual Report on Disability for review during 37th Session of UPR 3rd Cycle of Sri Lanka in 2017, DOJF managed to maintain a very strong working relationship with responsible state officials on policy dialogue on disability.¹³ As a result, a very comprehensive Disability Rights Bill was drafted following a due process¹⁴ and submitted for NCPD approval. However, NCPD had delayed the approval and submission.¹⁵ Later, the change of Government in 2019/2020¹⁶ further delayed the submission.
09. Sri Lanka accedes to the Marrakesh Treaty to increase access to books, magazines and other printed materials for PWD' in 2016.¹⁷ Accordingly, the intellectual property Act¹⁸ of Sri Lanka has been amended¹⁹ to facilitate the conversion of books and other material used by disable people into accessible formats. This is a civic significant step towards ensuring full and effective ratification of Marrakesh treaty and adapting the principles into domestic law in Sri Lanka.

Recommendation: *The Disability Rights bill (DRB) should have the provisions to establish two strong institutions namely for state coordination and independent monitoring. The DRB should be prepared in compliance with UNCRPD.*²⁰

10. Sri Lanka is a state party to the CEDAW, CRC & UNCRPD and obliged to report periodically for the treaty bodies. Initial Report as per Article 35 of the UNCRPD has been submitted by Sri Lanka on 18 October 2019²¹ after a lapse of 19 months.²² It states that Sri Lanka “considers the preparation of the report as an opportunity to take stock of its policies, and plan more effective measures to implement the UNCRPD in collaboration with the relevant stakeholders” and by ratifying the UNCRPD, Sri Lanka has “demonstrated its deep commitment to building an inclusive and empathetic society founded on equality and justice”.
11. GoSL has participated in Conference of States Parties (CoS) to the CRPD since its ratification and made statements during [plenary sessions. However, Sri Lanka hadn't taken any initiative to include a PWD in its delegation from Capital, Colombo as indicated in Rules and Procedures of the CoS. The DOJF has sent DPO delegates for CoS in 2017, 2018, 2019 and in 2022.

Recommendation: *Sri Lanka should review its Initial report against the ground realities in order to reassess and understand the gaps, challenges, available resources & capacities and the state obligations. Calling a stakeholder mobilization and initiate partnerships with national and international organization to address implementation support for high priority issues.*

2. NATIONAL HUMAN RIGHTS FRAMEWORK

12. The DOJF has requested assistance from Human Rights Commission of Sri Lanka (HRCSL) for the inclusion of Article 33 in to the DRB in 2014 but didn't receive the expected technical support. Since the 19th Constitutional Amendment where HRCSL became an independent commission has established a subcommittee on disability where DOJF is also a sitting member.²³ HRCSL enforcement mechanisms are limited and the submissions made for infringements of disability rights are limited only for recommendations and limited mostly for administrative infringements. The HRCSL does not have sufficient technical capacities and expertise for monitoring implementation programs and investigating disability rights violations as well as

enforcement mechanisms.²⁴ Accreditation status of the HRCSL is partially complaint (Status 'B') with Paris principles as of as of 26 May 2017.²⁵

3. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW

A. CROSS-CUTTING ISSUES

Equality and Non-Discrimination

Equal Recognition before the Law

13. PWDs experience multiple discrimination within the courts system when seek redress due to lack of alternate communication methods and mediums and physical access to court premises.²⁶ This difficulty is severe among the deaf or persons with hearing impairments as well as for persons with intellectual disabilities.²⁷

Recommendation: *Take immediate action to amend the penal code, evidence ordinance, etc. and make special provisions for accommodate alternative communication mediums and speed up the process. Should educate all sections in the judicial system as well as the general public. Take appropriate measures to continuously monitor and make sure the laws that exist for equality are efficiently implemented and witness protection is guaranteed.*²⁸

Access to justice

14. The access to justice is one of the key elements that has been often overlooked in disability mainstreaming. Article 12 of the Sri Lanka Constitution and the UNCRPD guarantees the right for access to justice. However there has been very little emphasis was given in to materialize those rights in Sri Lanka for PWDs.²⁹

Discrimination and infringement of equal opportunities

15. When rights of persons with disabilities are violated, they are constantly subjected to discrimination. The government has not implemented any mechanisms to prevent this situation and it is a violation of human rights. Examples are Public Circular 27/88,³⁰ Gazette Notifications on Employment,³¹ Employment in Private Sector,³² University admissions,³³ Article 12 92) of the constitution.³⁴

Recommendation: *Elimination of discrimination and provision of equal opportunities should be developed through the designation of focal points in all government institutions as per Article 33 of the UNCRPD. Include, revise or repeal existing laws and regulations which discriminate the inclusion and equality of PWDs as per Article 04 of the UNCRPD.*³⁵

Freedom of Expression, Opinion and Access to Information & Communication

16. Since the opportunities for persons with disabilities for access information and communication are hardly available, their freedom of expression and right to information are violated.³⁶ Although the government is duty bound to provide information using alternate communication means³⁷ used by PWDs, required provisions are not available, causing the issue to be even more severe.³⁸ Some existing legal provisions may even prevent PWDs right for access to information.³⁹

Communication constraints faced by the deaf community

17. Due to the lack of disability sensitization within the justice sector and the penal chain disabled people are often discriminated and are subjected to cruel and degrading treatment due to the misunderstandings and lack of awareness on disability issues pertaining to communication within the deaf community, which resulted in them being subjected to violent treatment. This is a very critical situation and a violation of the civil & political rights.⁴⁰
18. Rights of the deaf community to express their views and opinions are severely violated because of severe communication constraints faced by them. They are denied the opportunities to receive various public service announcements including early warning during disasters, healthcare and education etc. Although sign language has been recognized and accepted as a language at policy level since 2010,⁴¹ it is yet to be given any legal validity. There is a dire shortage of sign language interpreters in Sri Lanka. At the moment only five sign language interpreters are available, and they are not at all sufficient to provide services to the deaf community of Sri Lanka.⁴²
19. It is commendable that the Parliament of Sri Lanka has initiated a pilot project to give live sign language coverage during Annual Budget Proposal in 2021, with the technical support from United Nations Development Programme (UNDP) Sri Lanka office.⁴³ Since then, the live sign language interpretations are extended for Parliamentary Sessions.

Recommendation: Action must be taken by the government to provide information through alternative communication media.⁴⁴ Furthermore, focal points should be designated in every state insituitin as per Article 33 of tye UNCRPD.⁴⁵ Police code of conduct and existing ethics code should be reviwed and amend as applicable. Important information and documents should be submitted in easy-to-read and alternative formats.

Development, the Environment, and Business and Human Rights

Banking, Finance and Insurance for PWDs

20. Banking services are excluded for Blind persons and Persons with development disabilities. Insurance companies load higher premiums for PWDs claiming as a high risk group.⁴⁶ The blind persons find it difficult to identify legal tender either in coins or notes. Some initiatives introduced in the past by the Central bank o Sri Lanka haven't been sustained.
21. Accessibility tourism is a concept where large number of foreign and local tourists could attract.⁴⁷

Recommendation: Review the Insurance Board Act and Banking Act and take steps to amend or repeal any provision which exclude PWDs receiving services. Introduction of tactile notation techniques for the visually impaired in currency recognition.

B. CIVIL AND POLITICAL RIGHT

Right to Life, Liberty and Security of Persons

Risks and Humanitarian Emergencies

22. PWDs are the most vulnerable during an emergency such as risk of natural disaster or man-made disasters. Sri Lanka has a very comprehensive Disaster Management Act and National Policy on Disaster Management⁴⁸ with special provisions for vulnerable populations including PWDs. However, it is not visible at community level as the early warning systems are not inclusive of formats supporting deaf community and the community mapping data excluded the presence of PWDs.

Recommendation: Persons with disabilities too should be included in the Sri Lanka National Disaster Management Program. Relevant legal provisions should be made available and necessary training should be provided to all stakeholders to deal with PWDs in times of risks and disasters. Drills should be conducted in which dangerous situations are declared for persons with disabilities.

Covid 19 Pandemic Impact

23. UN Advisory Paper in 2020, issued during the initial stages of Covid-19 Pandemic identified the grave situation expanded by PWDs.⁴⁹ PWDs were systematically excluded by the bureaucrat and political leadership.⁵⁰ The government continue to ignore the request and has systematically excluded PWDs is in minimum standards and guidelines that were adapted to combat the pandemic.⁵¹

Recommendation: Consultative approach is being followed in developing disability sensitive and disability inclusive strategy on disaster risk reduction and disaster management with the involvement of all stakeholders that has an active role in disability inclusion that could be take down to the community level.

2022 Economic Crisis impact

24. At present, Sri Lanka is experiencing its worst economic crisis since independence.⁵² The economic downturn further escalated and worsen the wellbeing of PWDs.⁵³ World Bank has reiterated the importance of reaching out to the most vulnerable in keeping with "Leaving No One Behind".⁵⁴

Recommendation: *Development of a comprehensive, effective and sustainable Disability Social Protection System to support PWDs.*

Administration of Justice, including Impunity and the Rule of Law

25. Sexual and Gender Based Violence (SGBV) is reported extensively in the Sri Lanka Society. DOJF study conducted in 2021/22 among 49 organizations across the country revealed that SGBV is a subject that does not discuss at organizational level and mostly incidents do not followed the due process.⁵⁵ DOJF has initiated an awareness program among the membership in 2021/22⁵⁶ and monitoring the SGBV incidents though it's monitoring network.⁵⁷

Fundamental Freedoms and the Right to Participate in Public and Political Life

Political Rights, Social Participation and Participation in the Decision-Making Process

26. DOJF has approached main leading political parties and leaders for disability inclusion in their pre-election political mandates successfully though in an unconventional manner.⁵⁸ Three major political parties contested have recognized all the factors⁵⁹ that have a positive impact on overall development process and acknowledged the establishment of Independent Commission for Disability Related Affairs.⁶⁰

27. Regime Change in late 2019 and the Covid 19 Pandemic has jeopardized all the good work strategically carried out by the DOJF as during the pandemic and ongoing economic crisis PWDs are the earliest vulnerable or marginalized group subjected for exclusion by the state and most of the non-state stakeholders in all aspects and ways of life.⁶¹

28. Election Commission of Sri Lanka has taken initiatives to conduct all Inclusive Elections in Sri Lanka in a progressive manner.⁶²

Recommendation: *To ensure voting rights of PWDs, the Election Commission should introduce alternative voting system or initiatives.⁶³ Legal provision should be made to represent PWDs democratically at local authorities, provincial councils and Parliament.⁶⁴*

C. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Right to Work and to Just and Favorable Conditions of Work

Vocational Training

29. The recommendations made after the 03rd Cycle of UPR in 2017 were not satisfactorily addressed up to expected standards during the last four years. It is evident that the report submitted by GoSL⁶⁵ and the ground situation is contradictory and far from reality. There are various difficulties.⁶⁶ There are serious concerns to be addressed revive the Vocational Training of PWD's.⁶⁷ At least 5% of the island-wide network of over 400 mainstream vocational training centers are not accessible to PWDs.

Recommendation: *Programs should be launched to update the capacity development and training of professional counselors. The infrastructure and accessibility facilities of the network of 404⁶⁸ mainstream vocational training centers operationalized by the Government should be improved where apprentices with disabilities could be included in the general study stream. State intervention is simply inadequate and the contextual report on ground realities should be submitted by the Government. Prior life skills and induction training and alternatively providing support services such as helpers and caretakers.*

Work and employment:

30. We have observed that the recommendations given during the UPR 03rd Cycle⁶⁹ did not meet necessary changes in the system. Still a considerable number of PWDs whom with necessary qualifications basically are deprived of the employment opportunities.⁷⁰ However, Finance Ministry allocated subsidy from 2019 national budget⁷¹ for PWDs employment in the private sector is commendable.

31. Quota system introduced for Public Sector employment (3% quota)⁷² in 1988 is ineffective.⁷³ During 2020, under the Multi-Purpose Development Task Force⁷⁴ Government introduced a 100,000 jobs program for low income-under educated persons but very few PWDs had the opportunity to get employment.⁷⁵

32. PWDs who unemployed graduates are or professionals are less compared to PWDs without necessary qualifications. Non availability of disability friendly, adoptive work environments is also another main reason. Public Circular allocating 03% quota when filling vacancies in the

public sector is interpreted vaguely by the Heads of Departments for their advantage. Competitive examination system when selecting public servants prejudices and causes disadvantages for PWDs.

33. Employment growth of PWDs in the private sector is insufficient. Incentives to expand and encourage private sector employment are minimal. During the Covid Pandemic, a considerable number of PWDs lost their livelihoods in self-employment as well as work and wage employment. Government has not taken any notice of this situation for remedial actions

Recommendation: *Expand employment opportunities for PWDs in the public and private sectors and prepare them for employment, employment counseling, and adaptive training and create a suitable work environment.*

Right to Adequate Standard of Living

34. Persons with slow mental development as well as persons affected by multiple disabilities face severe legal crises in the lives they lead after losing the protection of their parents. This situation is similarly applicable for elderly persons with disabilities as well as senior citizens when they become restricted with their movements.

Recommendation: *Action must be taken by the government to establish a formal system to provide special social security and special social insurance programs should be introduced and implemented for the benefit of those groups. Stringent legal provisions should be made available when parent ship changes to guardianship.*

Right to Health

Accessible & Quality Health Care Services

35. Access to health services⁷⁶ has become a major challenge for persons with disabilities due to lack of audio-visual communication, signage, boards, physical accessibility and sign language interpretations on availability of services in major public health facilities/hospitals. Hospitals do not have formal and adequate facilities to provide equitable services to people with disabilities, which is a fact that the ministry of health services has identified in 2016.⁷⁷

Recommendation: *In order to minimize the inconvenience experienced by PWDs in health faculties and provide them with the services they need without delay, it is essential to establish a central point and/or support window. Effective implementation of the actions identified for persons with disabilities in the National Strategic Framework for Development of Health Services 2016 – 2025.*

Rehabilitation:

36. Although guidelines were prepared in 2014 for the rehabilitation services of persons with disabilities, they have not been implemented. Due to the increase in the number of hospitals available for rehabilitation and the insufficient capacity of the existing hospitals for that purpose, patients have to travel from far away areas at a high cost. Because of this, there is no quality rehabilitation service for people with disabilities who need rehabilitation services in

difficult rural and remote areas.

Recommendation: *Effective implementation of the 2014 Guidelines for Rehabilitation Services for persons with and without disabilities. Quality rehabilitation service programs should be implemented by increasing the number of hospitals available for rehabilitation and increasing the facility capacity of existing hospitals and implementing rehabilitation hospitals, centers and mobile programs in remote areas. Necessary arrangements should be made to provide free or subsidized quality equipment of all types required for the rehabilitation process*

Right to Education

Barriers faced by children with disabilities in accessing primary education

37. It is not possible to inherit a full human life without the right to receive education. Though the right to education has been guaranteed in Article 24 of the UNCRPD, the Government has failed to achieve the equality of education even though it has been five years since its ratification.⁷⁸ The Individualized Education Program (IEP) system is not used. Shortcomings are immense in the Inclusive Education System.⁷⁹
38. Distance education programs and online teaching methods do not provide adaptations for children with disabilities. E.g. - Non-broadcasting of television educational programs conducted by the Ministry of Education with sign language interpretations during the Covid19 lockdown.

Recommendation: *Necessary government intervention and legislation should be made to establish the concept of inclusive education by making the necessary intervention for the effective implementation of integrated education programs and formal implementation of the special residential-based institutional-based school system.*

Barriers children with disabilities face in accessing higher education

39. Students with disabilities have denied their higher education rights due to the lack of reasonable access facilities while pursuing higher education. Few Universities have established units with limited facilities such as Information technology etc. to facilitate the study process of students with disabilities. The entire university system has failed in establishing support service centers for students with disabilities to provide all the necessary facilities and guidance for their studies.

Recommendation: *Implementation of the approval given by the University Grants Commission in 2020⁸⁰ to establish support service centers for students with disabilities. Setting up physical access facilities and allocating adequate financial allocations in the public university system. Expanding opportunities for students with disabilities to pursue courses of their choice.*

D. RIGHTS OF SPECIFIC PERSONS OR GROUPS

Women (Women with Disabilities)

40. The recommendations made after the 03rd Cycle of UPR in 2017 were considered during interventions made by the DOJF with stakeholders and UN agencies progressively during 2018 & 2019 but did not sustain.
41. Violence against women who have disability and face sexual harassment and sexual exploitation in the home, community, work places and in society at large is at a serious level, with hidden or undiscovered incidents.⁸¹ Under the post war context, the trend is such that women with disabilities living in the North and East are subjected to greater levels of abuse.
42. Women and girls with disabilities living in not only rural areas but in urban cities face severe hardships due to lack of awareness to maintain hygiene and sanitation due to shortage of sanitary materials, high cost and lack of sanitation facilities in the hospital system as well as lack of accessibility. Women with disabilities find severe difficulties in properly maintaining routine sanitation activities due to lack of sufficient water required for daily sanitation activities due to non-availability of utility services due to lack of infrastructure development by responsible state agencies. Women with disabilities are conveniently excluded from awareness on sexual and reproductive health and healthy lifestyle programs and services due to communication barriers and accessible needs.

Recommendation: *Implementation of the recommendations made in the UPR report in 2017 for Women with disabilities. Legal protection should be guaranteed for women who are subjected to abuse. Take action to conduct inclusive awareness programs by providing accessible media. Have a system to support maintain the hygiene and sanitation through stakeholders partnerships.⁸² Raise awareness on sexual and reproductive health and a healthy lifestyle and taking necessary steps to make all services accessible to women with disabilities*

Children (Children with Disabilities)

43. The children with disabilities have not been given due consideration and they are deprived of rights and privileges enjoyed by other children. The recommendations of the 3rd Cycle report of 2017 were unable to be implemented by the government. The sign language interpretation is not available in the help hotline numbers introduced by the Child Protection Authority. The space given in the media to sensitize the issues of children with disabilities are inadequate. Girls with disabilities required special attention and care by the required authorities.

Recommendation: Allocate sufficient resources from national level to the local level to provide required facilities to the children with disabilities and support the parents of low income families to ensure their childhood is protected with a systematic follow up system.

Persons with Disabilities (Specific Issues)

Public transportation

Public transport is a very important aspect of social participation and access to public services for PWDs. Sri Lanka's public transport system does not have the minimum expected accessibility standards. Railway stations, train carriages, bus stops, buses, sidewalks, footpaths, and accessible public toilet facilities are not found. Subway pedestrian crossing systems (Borella, Kurunegala, Kandy, Badulla, etc.) do not even have a minimum level of accessibility for PWDs.

Passengers using wheelchairs and all assistive/mobility devices cannot be used on any public transport vehicles in Sri Lanka. Blind/Visually impaired passengers find enormous difficulties to navigate their destinations due to lack of voice information/tactile access. Deaf /Hearing impaired persons do not have the visual media (digital sign boards, convention signage) and digital access in buses/trains and bus stands/railway stations. Although complaints are made by PWD passengers with disabilities to institutions such as the National Transport Commission, there are no progressive interventions.

Recommendation: *The government should ensure and make mandatory when importing buses and railway carriages that necessary accessibility facilities are available for the passengers who are disabled. During the design stage when a construction of sidewalks, paths, public toilets, etc. is used by pedestrians, they must ensure and comply with the Access Regulations No. 01 of 2006, and the flyovers and subways where pedestrians pass must be prepared in accordance with international standards and universal design.*

Necessary communications mediums facilities must be made mandatory in buses and train carriages so that information about the destination, whereabouts, estimated arrival time etc. could be relayed for passengers who need specific communication and information through audio-visual media and the public transport service system should be prepared for this transition to provide access for disabled passengers.

Accessibility - Infrastructure

44. As per the GoSL Initial State Party Report,⁸³ Sri Lanka admits that the Accessibility Regulation No. 01 of 2006 has not been implemented even to the required minimum levels. Even though the 2018 Supreme Court determination named responsible institutions, there has been no positive progression on physical accessibility (built environment). The lack of minimum accessibility in all public places, including the healthcare system, the school system, vocational training, university, work place, and all other places where PWDs move around for various needs and services is a major obstacle that prevents people with disabilities from living with dignity and independently in the society.
45. The 13th Amendment of the Constitution of Sri Lanka designates and decentralizes the subject Social Service & Welfare to the Provincial Councils and Local Government bodies (PC & LG). Approval of designs and plans in all private and public buildings, constructions of infrastructure and public utilities and subsequently issuing compliance certificates is a prime responsibility assigned to the PC & LG's. However, it has been observed that there is no minimum standard related to access facilities even in the PC & LG's.
46. The pilot project started in the city/town of Wellawaya in Monaragala district in 2012 under the concept of Asia's first "Elderly and Disabled Friendly City"⁸⁴ facilitated by World health organization & implemented by the Uva Provincial Council⁸⁵ was supposed to be completed in Monaragala district by 2018. It was revealed that the work had not been carried out as per the Accessibility Regulations standards even in Wellawaya Model Town/City as it was planned.⁸⁶
47. Vehicle parking slots designated for disabled drivers are irresponsibly used by non-disabled drivers as there is no regulatory system though it's specifically mentioned in the Accessibility Regulation No 01 of 2006 subsequent amendments in the Motor Traffic Act have not been done. Most places the most suitable and accessible parking slot is reserved for the owner or Head of the Organization besides used by non-disabled drivers.

Recommendation: Designate a Focal Point (a person, section, unit etc. depend on the type of service) each State institution to implement the Accessible Regulation No 01 of 2006 and make necessary amendments to the relevant legislative enactments. Allocate budgets provision for capital vote (investments) and recurrent vote (maintenance or physical accessibility) through Annual Budget Allocations.

Digital Accessibility

48. Sri Lanka has a handful of digitally accessible websites in compliance with W3CAG criteria. Government should encourage the private sector and make it mandatory for state web portals and institutions to adjust accordingly. Visually impaired people find it difficult to use the non-compatible fonts (UNICODE) used by state institutions.

Cultural activities, entertainment, leisure and sports

49. Physical accessibility for cultural sites are mostly restricted.⁸⁷ Some places do not have facilities for entertainment and recreational opportunities for PWDs and state funding has never exhausted.⁸⁸
50. Sri Lanka Tourism Development Board (SLTDT) has included Physical Accessibility standards into the "Design Guidelines- Tourist Accommodation Facilities".⁸⁹ Service provides and facilities

sometimes deny or restrict the entry for PWDs.⁹⁰

51. The National Paralympic Committee organizes competitions at the national level with Para Sport clubs. The Department of Social Services also conduct sports festivals annually at district and national level.⁹¹ Para sportsmen have brought glory for the country by winning many medals at regional and international completions in recent times. Facilities required to improve.

⁹²

52. Opportunities for Para sportsmen to engage in para sport events are limited as the available events are lesser compared to other countries. This resulted in Para-athletes losing their opportunities in participating regional and international Paralympic competitions.

Recommendation: The state institutions at National, Provincial Councils & Local Government bodies responsible for cultural affairs and entertainment industry should explore the ways to increase the opportunities for PWDs to participate in cultural, entertainment, leisure and sports activities equally with the rest of the society. This is possible by removing physical barriers and facilitating alternative communication mediums and developing inclusive attitudes.

The concept of “SPORTS FOR LEISURE AND SOCIAL PARTICIPATION” should be promoted progressively for the social inclusion of PWDs through cultural, entertainment, leisure and sports activities. A comprehensive system should be established to promote sports for leisure among children with disabilities and groom and coach potential players with disabilities of all levels in competitive sports events and facilities them with reasonable accommodations.

¹ <https://www.newsfirst.lk/2014/02/24/disabled-persons-sri-lanka-will-increase-upto-24-2-2040/21877/>

² CEDAW adopted in 1979, entered into force in 1981. Sri Lanka signed on 07 July 1980 and became a state party by ratification on 05 Oct 1981.

³ CRC adopted in 1989, entered into force in 199. Sri Lanka signed on 26 Jan 1990 and became a state party by ratification on 12 Jul 1991.

⁴ CRPD adopted in 2006, entered into force in 2008. Sri Lanka signed on 30 March 2002 and became a state party by ratification on 08 Feb 2016.

⁵ CRPD is unique as it's a both a development and a human rights instrument, a policy instrument which is cross-disability and cross-sectorial, legally binding and provides an overarching mechanism, which includes all laws and policies/provisions related to persons with disabilities

⁶ United Nations Standard Rule on Equalization of Opportunities for Persons with Disabilities adopted in 1993 soon after completion of UN Decade on Disability 1983-1992. Awareness Raising, Medical Care, Rehabilitation & Support Services

⁷ Recommendation for Accession by OHCHR communique to the Minister of Foreign Affairs, 13 April 2018, Page 03. <https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session28/LK/SriLankaHCLetter.pdf>

⁸ National Policy on Disability (NPD 2003) developed in 2003 was approved by the Cabinet of Ministers. Since it does not have sufficient legal provisions for implementation, the Disability Rights Bill was drafted by following a due process.

⁹ The Disability Rights Bill (DRB 2006) approved by the cabinet of ministers in February 2006 was submitted to the legal draftsmen by the Ministry of Social Services & Welfare. The draft was subjected to a few amendments (DRB 2008) to include UNCRPD Article 33 provisions and subsequently agreed and approved by the Attorney General & Legal Draftsmen on 10th September 2008. However, the Ministry of Social Welfare had submitted a draft (DRB 2009) with amendments which were largely diluted the rights of PWD's and politicizing the monitoring mechanism for approval by the NCPD in 2009 but rejected by the Council Members who are PWD as the draft was amended without following the due consultation process and was not in compliance with Article 33 of UNCRPD. Similarly, the draft bill was amended in 2011, 2012 & 2013 and presented for NCPD approval but it was vehemently rejected by the disabled community due to the noncompliance of Article 33 norms.

¹⁰ Under Article 23 (1) of the Protection of the Rights of Persons with Disabilities Act No 28 of 1996, Sri Lanka has

guaranteed only non-discrimination in recruitment for any employment or office and admission to any educational institution and Article 23 (2) has provisions for physical accessibility for public places for persons with disabilities but does not have provisions to safeguard rights of persons with disabilities.

http://socialemwelfare.gov.lk/web/images/content_image/pdf/legislation/act1996.pdf

- ¹¹ In 2014, Disability Organizations Joint Front (DOJF) intervened and raised the matter to the NCPD and initiated a redrafting process taking DRB 2008 as the base document in order to incorporate UNCRPD Article 33. The NCPD appointed a Drafting Committee and a Consultative Committee comprising PWD's and few experts in the disability sector for scrutinize and make recommendations. The Redrafted DRB 2015 was submitted to the NCPD in 2015. However, the amended draft never reached the Legal Draftsman's office.
- ¹² Secretary to the Ministry of Social Empowerment and Welfare denied the allegations and added that the ministry is doing its maximum to ensure the rights of PWDs. He states that there are a few issues and even an independent commission must face the same issues. Activists had pointed out continuously that a single ministry cannot cater to every need and concern of PWD's. This shows the lackadaisical approach by the government of Sri Lanka especially in safeguarding and enhancing disability rights and fulfilling the treaty obligations under the UNCRPD. Accessible at <http://www.dailynews.lk/2016/12/19/features/102276>
- ¹³ DOJF submission for UPR of Sri Lanka in 2017. Accessible at <https://www.ohchr.org/sites/default/files/Documents/Issues/Disability/RightAccessJusticeArticle13/CSO/DisabilityOrganizationsJointFrontSrilanka.pdf>
- ¹⁴ The Ministry of Foreign Affairs initiated a process to review the bill and incorporate UNCRPD Article 33 more meaningfully with the support of AG's department. The NCPD appointed a new Consultative Committee comprising NCPD members and representatives from the DOJF. Draft bill DRB 2019 was completed in July 2019.
- ¹⁵ The State bureaucracy used various thermos such as shifting of the state authority and power out of the line ministry etc. and misled the political leadership against the establishment of an independent mechanism for implementation monitoring as per UNCRPD Article 33.
- ¹⁶ Change of Regime under Sri Lanka Podujana Peramuna (SLPP), a new political party controlled by the infamous Rajapaksha Regime, where the whole DRB process was politicized and curtailed during their tenure in office during 2009-2014. Presidential Election 2019 and subsequent 2020 Parliamentary General Elections 2020 which was held during Covid19 Pandemic, regained the control of 2/3 majority in the Parliament.
- ¹⁷ <https://mfa.gov.lk/sri-lanka-accedes-to-the-marrakesh-treaty-to-increase-access-to-books-magazines-and-other-printed-materials-for-persons-with-print-disabilities/>
- ¹⁸ https://www.nipo.gov.lk/web/images/pdf_downloads/Intellectual_Property_Act_No_36_of_2003.pdf
- ¹⁹ Amendments to the Intellectual Property (Amendment) Act 8 of 2021 to facilitate Accessible Formats: https://www.nipo.gov.lk/web/images/08-2021_E.pdf
- ²⁰ The bill should have provisions to separate functions of the state implementation coordination mechanisms and independent implementation monitoring mechanism as per Article 33. Speedy arrangement should be made by the GoSL to enact the DRB in the Parliament without any further delay. It is suggested that an independent Disability Rights Commission to be established with required financial and human resources, where members are appointed with approval of the Constitutional Council.
- ²¹ GoSL Initial Report as per Article 35 of the UNCRPD. Accessible at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FLKA%2F1&Lang=en
- ²² Sri Lanka signed the UNCRPD on 30 March 2007 and ratified on 08 February 2016, after a lapse of almost 10 years.
- ²³ HRCSL Sub Committee on the Rights of persons with Disabilities has not convened a meeting for the last 04 years. The Web site has not been updated since 2020. Accessible at: https://www.hrsl.lk/?thematic_sub_com=rights-of-persons-with-disabilities
- ²⁴ Need reference for a case
- ²⁵ https://www.ohchr.org/sites/default/files/Documents/Countries/NHRI/Chart_Status_NIs.pdf
- ²⁶ A deaf girl was raped by a politician in Kurunegala/Wariyapola. Accessible at <http://srilankabrief.org/2014/05/sri-lanka-attorney-general-orders-suspects-who-raped-deaf-and-dumb-girl-to-be-freed/>
- ²⁷ DOJF maintains a Disability Related Incident Management System (DRIMS) to monitor disability related incidents. Accordingly, Persons with intellectual disabilities, mental disorders and deaf person are proves to be most vulnerable. <https://www.dojf.org/wp-content/uploads/2022/07/papaer-article-insident-summary-dojf.pdf>

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- ²⁸ Witness Protection Act. Accessible at http://www.srilankalaw.lk/gazette/2015_pdf/4%20of%202015.pdf
- ²⁹ Disable people are considered one of the most vulnerable categories of people. UNDP has initiated a Justice Reforms Program with Ministry of Justice. UNDP and DOJF under existing project on Access to Justice included disability inclusion after identifying the gaps and consider as one of the priorities. DOJF was consulted by UNDP Sri Lanka in developing the new Access to Justice Project of which there was a separate component on enhancing capacity and disability inclusive practices within the justice sector and working on ensuring equal rights in accessing justice for PWD.
- ³⁰ The Public Administration Circular 27/1988 issued to provide government employment to persons with disabilities stated that the disability would not be a hindrance to the performance of their duties. On one hand, if the government fails to provide required accessible facilities or modification to the workplace, prospective persons may not have the possibilities to perform their duties. On the other hand, this is indicating that required physical fitness for public sector employment would be a barrier for applying for government employment as well as for the selection process
- ³¹ When vacancies in the public sector are announced by the Public Services Commission should promulgate the vacancies in the government gazette. For example, Government gazette 2016/12/09 page no. 2945 it states that the candidate should comply with medical standards as well as physical medical requirements which would prevent the Persons with Physical disabilities applying for the post even though the announced post does not require the stated physical standards. It has become a standard in the vacancy announcement by the Public Services Commission.
- ³² No legal provisions are available to provide employment for PWD's in the private sector.
- ³³ Opportunities to choose subjects stream for the university admission - In the application form (page No. 213) of blind and differently abled candidates of the hand book for the Admission Undergraduate Courses in the Universities of Sri Lanka (Academic Years 2015/2016), clearly stated that the differently abled applicants are eligible to apply only for courses of study in arts, commerce, physical science and biological science
- ³⁴ Since, the term 'disabled' is not mentioned in Article 12(2) of the Constitution, persons with disabilities are more prone to various types of discriminations.
- ³⁵ Public Administration Circular No. 27/88, University Admission Guidelines and other related policies, regulations, circulars etc. Are some of the laws, regulations, circulars and guidelines preventing equal opportunities to persons with disabilities and prevent further discrimination.
- ³⁶ Right to information has been recognized under Article 14 A of the Constitution of Sri Lanka through the 19th Amendment. However persons with disabilities who need alternative formats are being denied their rights as the Right to information act does not include the use of alternative formats. Accessible at http://www.media.gov.lk/images/pdf_word/2016/12-2016_E.pdf
- ³⁷ Definition of communication under Article 2 of the UNCPRD include languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology.
- ³⁸ Right to Information Act No 12 of 2016 passed by the Parliament of Sri Lanka. However it does not have provisions as per Article 21 of UNCPRD. Accessible at http://www.media.gov.lk/images/pdf_word/2016/12-2016_E.pdf
- ³⁹ Sri Lanka has ratified the Marrakesh Treaty that facilitates access to published works for persons who are blind, visually impaired, or otherwise print disabled. Accessible at https://www.wto.org/english/docs_e/legal_e/04-wto.pdf However, the Intellectual Properties Act No 36 of 2003. Accessible at <https://www.gov.lk/elaws/wordpress/wp-content/uploads/2015/03/IntellectualPropertyActNo.36of2003Sectionsr.pdf> has provisions for copyrights and preventing reproduction which has to be amended to made provisions in compliance with Marrakesh Treaty.
- ⁴⁰ Need to create sensitization and disability awareness within the justice sector and the penal chain and give specific training sessions to mitigate the risk of deaf persons being subjected to ill and inhuman treatment, which also applicable to non-visible disabilities like intellectual or psychosocial disabilities.
- ⁴¹ The Cabinet of Ministers has accepted Sign language as a recognized language in Sri Lanka in response to a cabinet paper submitted by the Minister of Social Services on 23 September 2010. Accessible at <http://www.ceylontoday.lk/print20160701CT20161030.php?id=4776>
- ⁴² The dire shortage of sign language interpreters in Sri Lanka. Accessible at http://www.colombopage.com/archive_16B/Jul03_1467529399CH.php
- ⁴³ Continue advocacy by DOJF and Sri Lanka Central Federation of the Deaf (SLCFD), UNDP has initiated a pilot project to provide technical support to the Parliament of Sri Lanka during the 2021 budget speech. This simultaneous sign

language translation during its sessions for the deaf community benefit and there have been a concerted effort on the part of the Media Ministry on disability inclusive communication. Ministry of Mass Media followed and initiated and established a Disability Focal Point at the Media Ministry. However, due attitudinal and structural barriers within the existing administrative system this effort has become futile which is a worrying situation for disability mainstreaming within the government structure.

- 44 Alternative media such as Sign Language, Braille, larger prints etc. Making necessary arrangements to provide public information through alternative formats.
- 45 Sign language should be available in every public and private sector institution which provides services for persons with disabilities. Government intervention is required to start sign language training courses, maintaining and registering a pool of professional sign language interpreters. It is the responsibility of the state to introduce new assistive technologies which are available for the benefit of persons with disabilities and generate interest among the researchers to seek innovations and technology
- 46 Though authority's state, Insurance Board Act or Banking Act not state or exclude PWDs.
- 47 Promote accessible tourism by implementing National Policy on Disability 2003 and Accessibility Regulation no 01 of 2006.
- 48 Disability is included in the Community Based Disaster Risk Management component under Sri Lanka Comprehensive Disaster Management Programme but does not have inclusive early warning methods to support PWDs having communication issues as a risk reduction method.
- 49 UN Stated that "persons with disabilities face challenges receiving public health and safety information; and difficulties accessing basic services, essentials, and care (from paid care workers or family members) during curfews". Page 06. Accessible at: <https://unsdg.un.org/resources/un-advisory-paper-immediate-socio-economic-response-covid-19-sri-lanka>
- 50 The lackadaisical approach in following a consultative process meant that PWD's were systematically excluded from mainstream approaches in terms of combating pandemic despite continuous requests made to the government to include PWD's in the decision-making spear with regard to the pandemic mitigation measures by DOJF.
- 51 Since this is a humanitarian emergency this is a prime example as to systematic exclusion in the disaster risk reduction and disaster management system. Authorities lack both the knowledge and capacity when it comes to disability inclusive disaster management and disaster risk reduction and disability friendly contingency measure. That has resulted making PWD far more vulnerable during humanitarian emergencies.
- 52 Misappropriation of state funds, mismanagement of economy, lack of economic vision and political vandalism has resulted the worst economic crisis in Sri Lanka.
- 53 PWD's often represent most marginalized/vulnerable communities living a life with economic status of below the poverty line.
- 54 WB reiterate the principle Social Welfare package for the most vulnerable communities including the PWD to make sure economic stability through a social empowerment approach towards social protection.
- 55 Brief findings of the DOJF Study Report. Accessible at: <https://www.dojf.org/wp-content/uploads/2022/07/sgbv-mapping-report-summery.pdf>
- 56 The DOJF initiated provincial level training for Northern, Eastern, Central & Uva, and Southern & Western in order to impart Knowledge and build capacity of 100 PWDs on Sexual & Gender-based violence, SGBV mitigation strategies, Sexual and Reproductive Health and on UNCRPD. Based on the questioned asked by participants it was apparent that PWDs had plethora of myths and was full of traditional ideas regarding gender roles, sexual and reproductive health etc. In some instances girls asked their personal SRH issues (Eg: Period related) out loud in front of others which was educative to the whole audience. Some participants took an introspective turn and was critical about their own societies and cultures (Eg : Eastern Province participant stated that if there is a SGBV victim, organizations are reluctant to offer positions in their boards/committees to them since society looks down upon them).
- 57 The DOJF is monitoring the media reports on Disability Right Violations. Analysis based on the newspaper articles published during 2019-2021 is accessible at: <https://www.dojf.org/wp-content/uploads/2022/07/papaer-article-insident-summary-dojf.pdf>
- 58 (a). Sri Lanka Podujana Peramuna (SLPP) agreed to fully implement Article 33 including establishment of the Independent Disability Rights Commission and make the DOJF an equal partner in all Government programs. (b). New Democratic Front candidate gave a written commitment through a Social Contract signed with OPD's stating the full implementation of the UNCRPD including the establishment of Independent Disability Rights Commission and Presidential Task Force on Disability headed by a Persons with a Disability. (c) National People's Power (Samagi Jana Balawegaya) has principally agreed for the establishment of the Independent Disability Rights Commission and included most of the Disability Inclusive measures in their Political Mandate as a result of continuous dialogue with

the DOJF.

- ⁵⁹ Positive Impact of establishing an Independent Commission for Disability Related Affairs 's on the Overall Development of the Country (a). Sri Lanka has committed to a rights-based approach by ratifying the UNCRPD on the 08th February 2016. This represents a historic moment for persons with disabilities in Sri Lanka. (b). A mainstreaming approach with multi-ministerial engagement for coordination and disability inclusive development are identified as cross cutting issues that have a relationship with a positive development. Development is identified as a crosscutting issue that has a relationship with a positive development trajectory for the country. (c). This has been further strengthened by the SDG2030 Agenda which calls for "leaving no one behind". In order to achieve this, it is important to follow a meaningful participatory and consultative approach in identifying development priorities important for the PWD's. (d). The government should work to mainstream disability in their programmatic interventions in the national development planning processes in order to make them more inclusive. (e) This will also help us to demonstrate our commitment towards upholding international human rights standards "without leaving anyone behind" in accordance with the international human rights standards and international sustainable development obligations. (f). Sri Lanka has taken obligations in the form of a voluntary pledge during the third cycle of the Universal Periodic Review 2017 to recognize and uphold disability rights as one of the key components of ensuring that the vulnerable community's rights are protected as Sri Lanka has 1.6 million persons with disabilities and are also the largest minority in the country. (g). this will improve not only the development trajectory but also the overall human rights status of the country and will act as one of the groundbreaking human rights initiatives in recent times. (h). This will help us to improve our human rights track record and get positive attention from the international community.
- ⁶⁰ Why do we need an Independent Disability Rights Commission? (a). General Obligation of the State is specified in Article 04 of the UNCRPD. The state is obliged and responsible to take measures for necessary legal and other remedies, where the state has become a service provider, especially in developing countries. (b). Article 33 of the UNCRPD calls for an independent and transparent mechanism to be established by the state in order to facilitate a rights-based approach to disability inclusion. The UNCRPD has placed a nonnegotiable and unwavering obligation on the state to establish an independent mechanism to monitor the implementation of the convention norms and to protect, fulfil and promote disability rights. (c). All state parties have a duty under the Convention to continue involving disabled people and their representative organizations in how they will implement and monitor Articles 4.3 & 33. (d). Since this monitoring component would typically include investigation and reporting of disability rights violations, it has to also have adequate powers to investigate and receive complaints on disability rights violations particularly against the state. Therefore, this mechanism needs to have certain duties and powers to function independently as other similar mechanisms that investigate rights related matters. (e) Disability rights is unique due to disability having a diverse spectrum of unique challenges that need to be addressed in a unique and specific manner, using specific interventions that are unique in nature because of the characteristic of disability. (f). Disability - rights related matters therefore warrant the establishment of a completely independent and unique mechanism.
- ⁶¹ DOJF has initiated dialogues with many Government Ministries and institution for policy dialogue and lobbied for Government- Civil Society partnership to work toward creating a society where PWD's could enjoy their rights similar to other in the society. Similarly partnered with many national and international non- state organizations and agencies to promote disability inclusion and raise awareness on disability sensitization.
- ⁶² There are provisions to safeguard the voting rights of Persons with Disabilities. However, these provisions may violate the fundamentals of universal franchise and democratic rights, especially secrecy when casting the vote and obstacles in accessing polling stations. Since PWD's are not properly represented in the decision-making process, their concerns related to fundamental rights, social security needs are not properly and systematically addressed when formulating laws and policies. There are hardly any representatives at local authorities, provincial councils or in Parliament mandated to represent disabled community.
- ⁶³ Take initiatives to use braille stencils(ballot papers) as a medium for voting, making polling stations physically accessible, granting the severely disabled the right to vote from place of residence, and ensure the voting rights of persons with intellectual disabilities who can make decisions on their own.
- ⁶⁴ System should be introduced to make representation for PWD at various levels in the state decision making mechanism. Legal provisions must be made available to ensure that PWD's are elected to local authorities, provincial councils and Parliament to represent the disabled community and their rights.
- ⁶⁵ GoSL initial report as per Article 35 of the UNCRPD. See Footnote 07 for the link.
- ⁶⁶ DPO Programme Strategy for Sri Lanka 2008-2018 – page 32
- ⁶⁷ The VT study streams designed for PWD's are not based on the current job market demands. The existing professional courses, learning and teaching methods are not up-to-date. Lack of adoptive measures in relations to course duration/delivery is problematic. Fixing an age limit and lack of motivation and referrals of PWDs for VT

resulted in a decrease in new admissions. The number of professional counselors and their capacities have not been developed. Further, non-availability post training systematic follow-up of successfully completed trainees resulted in measuring the post training progress and impact. PWD who have difficulties in carrying out day to day activities and routine self-care are prone to be overlooked in admissions.

- ⁶⁸ https://unevoc.unesco.org/wtdb/worldvetdatabase_lka_en.pdf (Page 04)
- ⁶⁹ DOJF submission for UPR of Sri Lanka in 2017. See footnote 15 for the link.
- ⁷⁰ “Disability in the Workplace: Legal Barriers Affecting Human Resources Management Practices and Workplace Accommodation for the Persons with Disabilities in Sri Lanka - A Review of Literature1 – page 183]. <https://vjm.sljol.info/articles/78/galley/72/download/>
- ⁷¹ PWD recruitment promotional subsidy of 50% salary or Maximum LKR 15,000 per person for private sector recruitment for two years (2020/21), especially during the Covid 19 Pandemic.
- ⁷² Public Administrative Circular 27/88 dated 18 August 1988 allocating 03% quota for PWD in public recruitments.
- ⁷³ In Dec, 2021 public sector employees in Sri Lanka 1.2 million. If applied 03% quota, there should be approximately 36.000. <https://www.cbsl.gov.lk/en/statistics/statistical-tables/real-sector/prices-wages-employment>.
- ⁷⁴ <https://www.onlanka.com/news/government-to-recruit-100000-workers-from-low-income-category.html>
- ⁷⁵ Applicants were interviewed before 2020 Parliamentary General Election by a neutral panel assigned by Sri Lanka Army and suitable persons were selected. After the Elections, selected applicants were overlooked and some well to do persons who are politically supportive for the regime were given with appointments. A scheme which would have been a very effective to eradicate poverty was misused to due to the nonsystematic politically influenced recruitment process initiated by the highest political authorities.
- ⁷⁶ Lack of attention in hospitals. Accessible at <http://www.healthcpc.org/our-services/special-services.html>
- ⁷⁷ National Strategic Framework For Development of Health Services 2016 - 2025 (p.55). https://extranet.who.int/countryplanningcycles/sites/default/files/planning_cycle_repository/sri_lanka/national_strategic_framework_.pdf
- ⁷⁸ There is a systematic program to identify children who are disabled from birth or later and to direct them for suitable education streams. The physical and technical structures necessary to reduce the obstacles caused by the disability are not prepared in the school system.
- ⁷⁹ Textbooks essential to the learning and teaching process are not provided in Braille medium and textbooks with large-text are not provided at all. Appropriate learning and teaching methods (sign language, simple reading) for deaf children and children with communication difficulties are not included. There are cases of prejudice based on disability in the examination process. Question papers are given part by part in Braille medium during G. C. E (O/L) & (A/L) examinations where other students are given a whole paper at once. No steps have been taken to eliminate the prejudices of visually impaired children in questions presented through pictures. Training courses for special education teachers and teachers dealing with children with disabilities lack regular updating and sensitization programs. No Braille media teacher's manuals have been provided for visually impaired teachers.
- ⁸⁰ Letter addressed to all vice chancellors of universities by the chairman of University Grant Commission of Sri Lanka dated 20 January 2021. Accessible at:
- ⁸¹ The gravity of the situation is higher when it comes to women who have intellectual disability and/or are deaf and hard of hearing. Legal constraints can be witnessed in terms of giving statements to police, appealing in courts in relation to violence and harassment. The legal situation is not conducive to ensure justice for women who have disabilities, with present laws and their enforcement mechanisms. There is still no legal provision for abortions, in the case of sexual harassments-related pregnancies which ultimately worsen the life status for women who have disability, without any help or expectation. This situation seriously affects women who have intellectual disability, deaf and hard of hearing.
- ⁸² Launch programs to provide sanitary materials. Taking necessary steps to develop access facilities and sanitation facilities in the healthcare system. Take necessary steps to provide access to sanitary materials for daily use and utility services for maintenance of sanitary care by women with disabilities through infrastructural development programs implemented at rural and urban levels by government and non-government organizations.
- ⁸³ GoSL Initial Report as per Article 35 of the UNCRPD. See endnote 07.
- ⁸⁴ <https://extranet.who.int/agefriendlyworld/network/wellawaya/>
- ⁸⁵ <https://extranet.who.int/agefriendlyworld/wp-content/uploads/2014/05/WELLAWAYA-MONERAGALA.pdf>
- ⁸⁶ <https://www.dailymirror.lk/print/news-features/A-city-that-befriends-the-ageing-and-disabled/131-134351>
- ⁸⁷ Places of worship or places of spiritual healing is mostly restricted or denied for PWD's, especially for physically disabled.

⁸⁸ Although 15 Million LKR have been allocated in the 2018 from the national budget for providing recreational facilities for PWD's however, there are no records to show how the colossal sum is being spent. Refer: GoSL Initial Report as per Article 35 of the UNCRPD. See endnote 07.

⁸⁹ Sri Lanka Tourism Development Board named as a respondent in the 2018 Supreme Court Judgment.

⁹⁰ Lack of access and necessary technical facilities to major five-star hotels, lounges, cinema halls, government/private institutions engaged in entertainment, national heritage sites, monuments, places of cultural importance and sacred religious places should be made accessible.

⁹¹ The necessary equipment and facilities such as sports gear, equipment are insufficient and considerably expensive. The Coaches or facilities required for training are very minimal. Sri Lanka doesn't not have a single accessible outdoor or indoor stadium.

⁹² Without adequate infrastructure and facilities, winning regional and international competitions should be appreciated. The DOJF in 2018 recommended the Ministry of Sports to commemorate and compensate financially similar to the able bodied sportsman. Now the scheme is available and it will attract many more para players to get into competitive sports. .