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**SUBMISSION BY DISABILITY
ORGANISATIONS JOINT FRONT-
SRI LANKA FOR THE 19TH PRE-
SESSIONAL WORKING GROUP OF
THE COMMITTEE ON THE RIGHTS
OF PERSONS WITH DISABILITIES
IN 2024**



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I. About Disability Organisations Joint Front

The Disability Organization Joint Front (DOJF) is an umbrella body of organizations of Persons with Disabilities (PWD) and established in 2001. DOJF consists of 36-member organizations spread across the country, representing all categories of disabilities namely physical, hearing, visual and intellectual disabilities. The DOJF is registered as a Disabled People's Organization (DPO) at National Secretariat for Persons with Disabilities which is the national apex body on disability, which functions under the Ministry of Social Empowerment. The DOJF is mandated and aims to work jointly as a group advocating for the protection and promotion of the rights of PWD, ensuring them a barrier-free, independent life with equity & dignity.

International Disability Alliance (IDA) has provided the guidelines and technical support to develop this alternative report. International Disability Alliance also provided financial and logistics assistance to attend the 19th Pre-session workshop on CRPD at Geneva, Switzerland.

We acknowledge the support of the International Disability Alliance for the coordination with other relevant parties and technical inputs to develop this alternative report.

II. Methodology and consultation process

The report documents the discussions and incorporates findings and learnings from the consultation process with key disability partners and stakeholders including persons with disabilities and their families. District level consultation workshops conducted by the Disability Organisations Joint Front with Organisations of and for Persons with disability. Key informant interviews of members of National Council for Persons with Disabilities, Leaders of Organization for and of persons with disabilities, persons with disabilities living in the rural, urban and estate were conducted. A National level consultation workshop conducted in December 2023 to finalise the list of issues. The purpose of the report is to better understand the current situation of persons with disabilities and to support the UNCRPD Committee in drafting the list of issues.

- Key Informant interviews
- Group Discussions
- Consultation Meetings

III. Background

The current president His Excellency Mr. Ranil Wickremasinghe has formed a new cabinet and assigned the Ministry of Social Services and welfare under his leadership and assigned the state minister for the subject. Meanwhile, the Disability Organisations Joint Front initiated advocacy and lobbying on the Disability Rights Bill, since there is a Disability Rights Bill issued by the government in 1996, Act No 28. Protection of the rights of persons with disabilities was outdated.

Members of the National Council for the Persons with Disability also provide technical inputs and support to draft the Disability Rights Bill. The Draft Disability Rights Bill was

submitted to the Cabinet Ministers and the Cabinet Ministers approved this draft and submitted to the Ministry of Justice.

The Disability Rights Bill is not yet finalized by the ministry of Justice. Due to the advocacy initiatives of Disability Organisations Joint Front, the parliamentary caucus on inclusion of persons with disability was formed 8th September 2023.

Members of Disability Organisations Joint Front and the members of the National Council for Persons with Disability have raised the concern on the Disability Rights Bill at the Parliament Caucus Meeting. The Legal officer from the department of social services stated that the Ministry of Justice has concerns that providing the Monitoring, Implementation and Coordination mechanism recommended by the CRPD is not possible to make.

However, Disability Organisations Joint Front and the members of National Council for Persons with Disabilities highly recommend and request to include the monitoring, implementation and coordination mechanism as per the Article 33 of CRPD is essential to ensure the rights of persons with disabilities.

However, the Upgraded Disability Rights Bill with the monitoring, implementation and coordination mechanism is not yet passed by the government.

Similar to the Disability Rights Bill, Cabinet Ministers approved the Sign Language Bill and submitted to the Department of Legal Draftsmen. The bill is not yet submitted to the parliament for the approval.

IV. General provisions of the Convention

Articles 1 to 4: Purpose, Definitions, General Principles, General Obligations

Constitution of Sri Lanka, particularly from Chapter III on Fundamental Rights. The provisions you mentioned from Article 12 address the protection of individuals against discrimination on various grounds, such as race, religion, language, caste, and sex. It explicitly ensures that no person should face disability, liability, restriction, or condition in accessing certain public spaces based on these grounds.

Additionally, the Constitution acknowledges the importance of affirmative action for the advancement of specific groups. Section 4 of Article 12 explicitly states that the provisions of Article 12 do not prevent the enactment of laws, subordinate legislation, or executive actions that aim to provide special provisions for the advancement of women, children, or disabled persons. This indicates a recognition of the need for targeted measures to address historical disadvantages or to ensure equality for these groups.

The current “Protection of Rights of Persons with Disabilities Act 1996 No 28 addresses only on discrimination in employment, education and establishment of National Council for Persons with Disabilities (NCPD). The current Act does not comprehensively address all other rights envisaged in the CRPD. Therefore, there is an urgent need to develop a comprehensive law that is in line with CRPD. Members of the National Council for the Persons with Disabilities, especially the DOJF, advocate the needs and rights. The DOJF also represented the Disability Rights Bill draft committee. Government of Sri Lanka took

its initiatives to develop sign language bill in the parliament. However, years are passed and the sign language bill is not yet passed by the government.

In addition to the “Protection of Right of Persons with Disability Act 1996 No 28, Sri Lanka has sectoral disability regulations that cover health, education, employment, rehabilitation, transportation, poverty alleviation and welfare. However, these laws do not comprehensively cover the rights of persons with disability in all areas.

Sri Lanka ratified the UNCRPD on the 30th March 2008 of the CRPD. The ordinance of ratifying the CRPD paves the way to ensure the recognition of the rights of persons with disabilities are translated into laws, policies, programs and services promoting the inclusion and participation for all persons with disabilities.

The current government, led by the President, demonstrates a keen interest in advancing the rights of persons with disabilities. A parliamentary Caucus, inclusive of members from both government and opposition parties, has been appointed to champion the cause of disability inclusion. These members, aligned with the Convention on the Rights of Persons with Disabilities (CRPD), actively support the Disability Rights Bill through the advocacy efforts of the DOJF.

In May 2023, the Cabinet Ministers approved a draft Disability Rights Bill, which was subsequently submitted to the Ministry of Justice. Regrettably, the Ministry did not align the bill with recommendations from the National Council of Persons with Disabilities. The version presented to the Council falls short and inadequately addresses the rights outlined in the 'Protection of Persons with Disabilities Act 1996 No 28.' This discrepancy signals a lack of government commitment to establishing an independent commission for the effective implementation, coordination, and monitoring of the Disability Rights Bill.

It's crucial to interpret and implement these constitutional provisions in a manner consistent with the principles of justice, equality, and non-discrimination. The mention of the Disability Rights Bill aligns with the global trend of recognizing and promoting the rights of persons with disabilities, ensuring their equal participation in society.

Proposed Questions

1. What are the steps taken by the government of Sri Lanka to implement the CRPD and according to section 4 of Article 12 in the constitution?
2. The government's consultation process for the new Disability Rights Bill needs clarification explained?

V. Specific rights

Article 5

Equality and non-discrimination

Article 12(2) of the Constitution of Sri Lanka provides that “no citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds.” As a non-exhaustive list, this Article can be read to include guarantees on the grounds of disability.

In addition, Article 12(4) also provides that “Nothing in this Article shall prevent special provision being made, by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons.”

Despite the government's assertion that the constitution includes provisions against discrimination based on disability, individuals with disabilities in Sri Lanka encounter discrimination across various sectors such as education, health services, employment, recreation, and political participation. The government's initiative, the "Langama Pasala Hondhama Pasala – Nearest school is the best school project," aimed at improving accessibility to schools and classrooms, has not yielded significant improvements. Issues persist, including inadequate teacher training and a lack of specialised educators in schools catering to persons with disabilities.

Furthermore, the government launched the "One million employment opportunities" program for Sri Lankans; however, individuals with disabilities continue to face neglect and discrimination in their pursuit of employment opportunities. The gap in inclusivity and accessibility remains a pressing concern, undermining the effectiveness of these initiatives for persons with disabilities.

People with disabilities are excluded from the government's 'Aswesuma' program aimed at supporting those living in poverty. Individuals advocating for their rights have faced brutal attacks by the police, despite the Prime Minister's assurance that no person with a disability would be left behind in the program. Unfortunately, many individuals with disabilities living in poverty remain unaccounted for. Additionally, the government introduced an online complaint mechanism that is inaccessible to persons with disabilities.¹ Failure to provide government announcements, laws, and orders in accessible formats such as Braille, large print, or sign language discriminates against individuals with disabilities. The recently introduced Taxpayer registration system for citizens above 18 lacks accessibility for persons with disabilities. Additionally, the ongoing discussions on the Online Safety Bill, New NGO bill, and the proposed replacement of the Prevention Terrorism Act are not made accessible, further perpetuating discrimination against persons with disabilities.

¹ [New laws to regulate NGOs and social service orgs: Cabinet moves to draft new legislation | The Morning](#)

Proposed Questions.

1. What strategy is in place to ensure equality and address non-discrimination in government programs and implementation?
2. What initiatives are being implemented to ensure circulars, orders, and laws are produced in accessible formats and made accessible for persons with disabilities?

Article 6

Women with disabilities

In 2012, Sri Lanka recorded 1,617,924 individuals with disabilities, with a significant 57% being women and girls. Shockingly, 71% of this population faced economic inactivity². This persistent issue reflects the systematic exclusion of individuals with disabilities, particularly women and children, from society due to inadequate monitoring of their disability status. Barriers in healthcare, education, and public services have further marginalised them.

Access to education, health, rehabilitation, skill development, sport and employment are denied for persons with disability due to inaccessibility of transport. There are very few girls with disabilities who attend primary education and most of them are dropping out due to the economic situation of household and other health issues.

Sexual and Reproductive Health is a subject at general schools at secondary level. However, the majority of the girls with disability are not having access to these health education and family members feel that the subject is not necessary for women with disability. Since, they did not have access to education, they may not have access to employment too. Therefore, they are always dependent on the sanitary and hygiene requirements. Also, women with hearing and visual impairment did not have any access to the health, hygiene, sanitary and reproductive health education and materials. There are no materials in Braille and Sign language.

Young women with disabilities are facing harassment, marginalisation and many domestic violences apart from sexual abuses, exploitations and violations by third parties. Most of the cases are not reported due to communication gaps and social dignity of the family. In Particular, they were not able to communicate directly with Police and legal officers. Also, visually impaired persons have facing difficulties in identifying the criminal. Also, many children, especially girls with disabilities, are not aware about “Good Touch and Bad Touch”.

In response to this situation, the "Nation Forum of Women with Disabilities" was established with the vision of creating an integrated society that guarantees equal rights and promotes the empowerment of women with disabilities in Sri Lanka.

Women with disabilities in the country face low political literacy and participation, attributed to challenges such as inaccessible information, a male-dominated culture,

² [PowerPoint Presentation \(un.org\)](#)

negative attitudes towards women with disabilities, and a lack of accessible spaces or reservations to provide opportunities for them.

A significant number of reports on abuses and violence against women in the country highlight a lack of effective remedies or actions to minimise these issues. Adequate steps to protect the rights of women with disabilities have not been taken³.

Proposed Questions.

1. What programs have been implemented to enhance knowledge on Sexual Reproduction Health for women with disabilities?
2. What steps have been taken to integrate women with disabilities into the economic development process?
3. Why are women with disabilities not economically active? Do you have the statistics to show the factors?
4. What is the level of political participation of women with disabilities in Sri Lanka?

Article 7

Children with disabilities

The National Policy on Disabilities of 2003 endorsed compulsory education to all disabled children aged between 5–14 years.

State parties have failed to undertake any meaningful initiatives to safeguard the rights of children with disabilities, particularly in terms of their access to education, rehabilitation, and sports. The absence of qualified teachers in the special education field, coupled with insufficient access to schools, classrooms, and washrooms, contributes to the marginalization and discrimination faced by these children. The concentration of rehabilitation facilities in teaching hospitals (Grade A hospitals) further exacerbates the challenge.

The current system lacks a proper mechanism for early identification, interventions, and rehabilitation for children with disabilities, as well as the provision of appropriate assistive devices. Additionally, the unaffordability of tailor-made assistive devices due to their inaccessibility further compounds the difficulties faced by children with disabilities. This lack of comprehensive support infringes upon the fundamental rights of these children and demands urgent attention and rectification by the concerned state parties.

Due to the unavailability of suitable assistive devices in the country, non-governmental organizations advocate for their provision to enhance access to education. However, the provided devices are inappropriate and may lead to secondary disabilities⁴.

Children with disabilities face increased risks of abuse, violence, and exploitation during the current economic crisis. Parents, compelled to work, leave children with disabilities at home unattended. Moreover, some parents exploit their children with disabilities,

³ [Guarantee rights of the disabled - DOJF | Sunday Observer](#)

⁴ [Education for every child, especially the most disadvantaged | UNICEF Sri Lanka](#)

capitalising on societal pity to raise income. Children with disabilities bear a significant impact from the economic crisis, resulting in a heightened prevalence of malnutrition⁵.

Children's⁶ deaths⁷ are attributed to the absence of medicines, substandard vaccines, and the importation of vaccines lacking proper standards. Additionally, the unavailability of vaccines for children poses a risk of increased disability prevalence⁸

Proposed Questions.

1. What is the reporting mechanism for rights violations, abuse, discrimination, and exploitation concerning children with disabilities?
2. What measures have been implemented to increase access to schools for children with disabilities?
3. What reasonable accommodations have been introduced to enhance access for children with disabilities?
4. What initiatives has the government taken to eliminate malnutrition and enhance nutritional standards?

Article 8

Awareness-raising

Despite the government's claims of conducting awareness-raising programs through various ministries and departments, there is a significant gap in the participation of representatives from Organizations of Persons with Disabilities (OPDs). These OPD members remain uninformed about the facilities and services offered by these departments and ministries. Particularly noteworthy is the absence of social service officers in select districts of the Northern Province, hindering the dissemination of information about government services provided by the Ministry of Social Services at the central level.

Moreover, critical information, including details about services and programs, is not adequately prepared in sign language and braille, creating barriers for individuals with hearing and visual impairments. This lack of accessibility extends to awareness programs on sexual and reproductive health, specifically impacting women with hearing impairments. The failure to translate such awareness initiatives into sign language and provide subscription-based videos further limits the reach and effectiveness of these programs for persons with hearing impairments. Addressing these gaps is essential to ensure inclusive awareness and accessibility for all individuals, irrespective of their abilities

⁵ [Every childhood is worth fighting for | The Morning](#)

⁶ [Infant dies after administration of vaccine; investigation underway – The Island](#)

⁷ [Medical negligence behind amputation of girl's hand at Jaffna Hospital? - Breaking News | Daily Mirror](#)

⁸ [Rubella tragedy: Time to take stock sans emotion \(sundaytimes.lk\)](#)

Proposed Questions

1. What awareness-raising programs have been conducted, and what is the status and mechanism for creating awareness about services, projects, and updates on the Disability Rights Bill?
2. Are there inclusive awareness-raising methods, especially for persons with hearing impairment, to inform them about the country's situation?

Article 9

Accessibility

Article 12(3) of the Constitution of Sri Lanka which deals with non-discrimination with regard to access, provides as follows:

“No person shall, on the grounds of race, religion, language, caste, sex or any one such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of public worship of his own religion.”

To strengthen this Constitutional provision, this right is captured in the Protection of the Rights of Persons with Disabilities Act no. 28 of 1996 in Article 23(2) states that:

“No person with a disability, shall on the ground of such disability, be subject to any liability, restriction or condition with regard to access to, or use of, any building or place which any other member of the public has access to or is entitled to use, whether on the payment of any fee or not”.

This provision has been strengthened by Disabled Persons (Accessibility) Regulations, No. 1 of 2006 published in the Government Gazette Extraordinary No 1467/15, where “access” has been defined as:

“The ability of a person to enter into, approach, pass to and from and have use of any public building or public place, and the facilities and services provided therein, or any place where common services are available, without the assistance of any other person”.

Despite the issuance of the Accessibility Gazette notification in 2006 by State parties, which allowed an 8-year period for enhancing accessibility in public places, Sri Lanka continues to face significant challenges in this regard. Government offices, in particular, remain largely inaccessible to persons with disabilities, with inadequate facilities such as inaccessible washrooms. The Grama Niladhari (Village Officer) Office and the Divisional Secretariat, essential entry points for persons with disabilities seeking services, are also non-accessible, further compounded by the absence of sign language interpreters to facilitate access to government information.

Additionally, vital government documents, including circulars, policies, laws, and orders, lack accessibility features such as Braille or audible versions, rendering them inaccessible to persons with visual impairments. Public transport, including buses and trains, poses obstacles for individuals using wheelchairs or prosthetic limbs, exacerbated by the

construction of bus halts and stands that fail to adhere to accessibility guidelines established after the issuance of accessibility regulations.

The pervasive lack of accessibility extends to various essential institutions, including schools, post offices, banks, supermarkets, libraries, and hotels, thereby limiting the active participation of persons with disabilities. It is imperative that urgent measures be taken to address these ongoing accessibility challenges and ensure the full inclusion and participation of individuals with disabilities in all aspects of society

Proposed questions

1. Have there been any improvements or projects to increase accessibility in education, health, transport, information, employment, and other sectors mentioned in the articles?
2. What are the actions taken for the public buildings constructed without proper accessibility and how many accessibility audits are conducted by the government?

Article 10

Right to life

The denial of access to health, education, and employment effectively deprives persons with disabilities of their fundamental right to life.

Individuals with disabilities are at a heightened risk of escaping torture or facing the threat of death due to limitations in mobility, expression, access to legal aid, and self-protection, leading to increased vulnerability⁹.

Proposed Questions

1. What principles and standards have been developed to safeguard the right to life of persons with disabilities?
2. How can remedies and compensation for violations of the right to life be ensured?

Article 11

Situations of risk and humanitarian emergencies

As per the Act of 2005 and the National Policy on Disaster Management, the Disaster Management Centre (DMC) is carrying out Disaster Risk Reduction (DRR) activities at all levels in all sectors, in line with the National Disaster Management Plan (NDMP) and the National Emergency Operation Plan (NEOP).

Persons with disabilities faced significant challenges due to the lack of accessible information during the aftermath of the Easter Sunday terrorist attack and the COVID-19 pandemic. The broadcasting of news in sign language was inadequate, compounded by the issue of small and unclear images of sign language interpreters. This posed difficulties for individuals with hearing and visual impairments in accessing crucial information,

⁹ [Murder of disabled woman a disturbing sign of times | Print Edition - The Sunday Times, Sri Lanka](#)

including details about curfews, restrictions, relief distribution, vaccination details, and venues.

Information related to natural disasters such as landslides, cyclones, and floods was not accessible for individuals with hearing impairments. Early warning systems lacked accessibility features, and emergency evacuation procedures did not consider the specific needs of persons with disabilities, including the provision of assistive devices. Moreover, temporary stations and safe shelters lacked accessible washrooms and bathing facilities for persons with disabilities.

During temporary stays, the hygiene and health measures for women with disabilities were insufficiently addressed, with particular challenges faced by women with hearing and speaking disabilities in accessing sanitary items and addressing hygiene-related issues.

While mock drills were a traditional practice conducted by the Disaster Management Center, the specific needs of persons with disabilities were not adequately considered. Locations of persons with disabilities were not marked, emergency evacuation paths were inaccessible, and safe shelters were not designed to be accessible, highlighting a critical gap in the emergency preparedness and response framework. It is crucial to address these issues to ensure the inclusion and safety of persons with disabilities in times of crisis.

As a Disability Organisations Joint Front provide technical inputs to the strategic plan of Disaster Management centre on inclusion of persons with disability in Disaster Risk Reduction Process and Food Security.

Proposed Questions

1. What initiatives have been taken to include persons with disabilities in disasters and humanitarian emergencies?
2. Have there been any training or capacity-building programs by the government to increase knowledge on the inclusion of persons with disabilities in disaster risk reduction activities?
3. Please provide the list of buffers stock tools, equipment and materials given for District and divisional level task forces before a disaster?

Article 12

Equal recognition before the law

The Constitution of Sri Lanka guarantees equality for all before the law and with respect to the enjoyment of their civic rights in all aspects of the law, via multiple provisions within it. According to Article 12(1), it is held that, “All persons are equal before the law and are entitled to the equal protection of the law”.

Despite the government's assertion of providing equal recognition before the law, there are significant challenges on exercise of legal capacity for persons with disabilities in Sri Lanka. While all citizens, including those with physical disabilities and visual

impairments, are permitted to vote with assistance, individuals with intellectual and psychosocial disabilities are currently restricted from participating in the voting process¹⁰.

The constitution, policies, and laws, while professing equality, remain inaccessible to individuals with visual and hearing impairments as they are not available in Audio, Braille and sign language.

Similarly, persons with hearing impairments encounter barriers in accessing news and updates, as there is a lack of provisions for information dissemination in accessible formats such as sign language or subtitles. This limitation denies them timely access to important information and updates.

Moreover, physical infrastructure, including roads and buildings, poses significant challenges for persons with physical disabilities as they are often not designed with accessibility in mind. The lack of ramps, elevators, and other accommodations hinders the mobility and independence of individuals with physical disabilities.

Addressing these accessibility gaps is crucial to ensure the effective implementation of equal recognition before the law and to uphold the rights and inclusion of persons with disabilities in all aspects of society.

Proposed Questions

1. What measures have been taken to ensure equal recognition before the law for persons with disabilities?
2. Any actions taken to make the constitution of Sri Lanka to be accessible for persons with visual impaired?
3. What measures have been implemented to enable individuals with Intellectual disabilities to vote with the assistance they require?

Article 13

Access to justice

Until the passage of the Disability Rights Bill by the government, persons with disabilities find themselves compelled to file complaints at the High Court or the Supreme Court in cases of rights violations. Unfortunately, this avenue is often inaccessible for many individuals with disabilities due to their limited financial means, residing at a very low-income level, making it challenging to access the High Court or Supreme Court.

Compounding this issue is the absence of a well-established mechanism for filing complaints and reporting rights violations, service interruptions, partiality, discrimination, and marginalization. The lack of a systematic and accessible reporting framework further impedes the ability of persons with disabilities to seek redress and reinforces barriers to justice. It is imperative that the government takes swift action to address these deficiencies

¹⁰ [Cover \(stateminsamurdhi.gov.lk\)](http://stateminsamurdhi.gov.lk)

and ensures the establishment of an effective and accessible mechanism for reporting and addressing rights violations for persons with disabilities.

Proposed questions

1. How many sign language interpreters have been assigned or hired by the Ministry of Justice to increase access to justice for persons with hearing impairment?
2. Why is there a delay in passing the Sign Language Bill in Parliament, and what is causing the delay?
3. What initiatives have been taken to improve access to justice regarding rights violations, especially cases heard at the High Court?
4. Is there any initiatives taken by the government to teach sign language for lawyers, judges and staff of courts?

Article 14

Liberty and security of the person

Persons with disabilities face heightened insecurity as a result of inadequate access to information. During the COVID pandemic and economic crisis, when limitations and curfews were imposed, crucial information was not made accessible for persons with disabilities, leading to their unjust arrests by the police¹¹. Upon arrest, individuals with disabilities were often sent to quarantine centres, significantly impacting the liberty and well-being of those with hearing impairments who faced particular challenges in such environments. This lack of accessible information not only compromises the rights of persons with disabilities but also exacerbates their vulnerability during critical situations. It is essential to address these issues to ensure the equitable treatment and protection of the rights of persons with disabilities, especially in times of crisis.

Proposed questions

1. What programs have been implemented to enable persons with disabilities to live in liberty?
2. Any program initiated by the government to build the capacity and self-confidence of persons with disability?

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

Emergency law and Prevention Terrorism Act is enforced in Sri Lanka and which also creates guilt among persons with disability. Individuals with intellectual disabilities and those who are deaf face heightened vulnerability during police round-ups and checkpoints.

¹¹ [Sri Lankan officials investigate police assault against autistic teenager | Tamil Guardian](#)

Participants with disabilities, including those with deafness, in the campaign against the previous government were subjected to brutal police attacks.¹² Persons with disabilities are often treated as suspects and subjected to police punishment, facing heightened vulnerability and barriers to accessing justice and the legal system. Unjust arrests and punishments¹³ without proper evidence or reasons have been reported¹⁴

Proposed Question

1. What initiatives have been taken to identify persons with disabilities at police stations, ensure effective communication (including sign language), and provide legal support?

Article 16

Freedom from exploitation, violence and abuse

Children with disabilities and persons with disabilities face heightened vulnerability during the COVID pandemic and the subsequent economic crisis¹⁵. There has been a concerning increase in child abuse cases, with only a limited number being reported by parents of children with disabilities. The dependence of these families on others for managing their household adds a layer of complexity, as victims often feel guilty¹⁶ and anxious about making complaints. This situation underscores the urgent need for protective measures and support systems to address the vulnerabilities faced by children and persons with disabilities, ensuring their safety and well-being during these challenging times.

Children and women with disabilities face heightened vulnerability, experiencing exploitation and abuse. There is an increased demand¹⁷ for safe shelters to accommodate victims, particularly women with disabilities.

Proposed Questions

1. What actions have been taken to address exploitation, violence, and abuse of children with intellectual disabilities?
2. Have there been any adaptations made in the law to protect persons with disabilities, particularly children and women, from exploitation, violence, and abuse?

¹² [Sri Lanka: Shameful, brutal assault on peaceful protestors must immediately stop - Amnesty International](#)

¹³ [SRI LANKA: Mentally retarded person tortured by Thalawakele Police - Asian Human Rights Commission](#)

¹⁴ [Falsely arrested and tortured disabled Tamil man submits complaint at Human Rights Commission | Tamil Guardian](#)

¹⁵ [Child abuse in 2022 in Sri Lanka | The Morning](#)

¹⁶ [SRI LANKA: OIC forced disabled rape victim to accept Rs. 10,000 in settlement - Asian Human Rights Commission](#)

¹⁷ [From where I stand: "Our goal is to provide a home that offers love, care and protection for women with disabilities". | United Nations in Sri Lanka](#)

Article 17

Protecting the integrity of the person

The rights guaranteed to every citizen of Sri Lanka, whether through the Fundamental Rights articulated in Chapter III of the Constitution, or the protection of their person through the Penal Code of Sri Lanka, also extend to all Persons with Disabilities.

Parents of persons with disabilities often compel marriages and reproductive activities, perpetuating misconceptions about disabilities. These misconceptions can lead to forced birth control and compromise the integrity of individuals with disabilities.

Proposed Questions

1. Are there any legal frameworks or laws in place to protect the integrity of persons with disabilities?
2. What awards or measures are in place to uphold their integrity?

Article 18

Liberty of movement and nationality

Article 14(1)(h) of the Fundamental Rights Chapter of the Constitution guarantees “the freedom of movement and of choosing his residence within Sri Lanka”; and 14(i) “the freedom to return to Sri Lanka”. However, there are many restricted areas due to militarization and many persons with disabilities are forced to settle unsafe areas in the Northern Province. Many persons with disabilities cannot return their own land and construct houses. Barriers to independent movement arise from the inaccessibility of public transport, public places, and information.

Proposed question

1. What facilities or subsidy programs have been implemented for persons with disabilities to enhance their liberty of movement?

Article 19

Living Independently and Being Included in the Community

The Community-Based Rehabilitation (CBR) program, introduced by the government, remains inactive, even though it was initiated over 30 years ago. Notably, the program has not been implemented in the Northern Province, which has been in post-civil war recovery

since 2009. The government has not taken any discernible initiatives to launch the CBR program in this region, reflecting a lack of priority in fostering community inclusion.

Compounding this issue is the absence of training sessions for Social Services Officers and volunteers on CBR, a neglect that has persisted over an extended period. The failure to conduct these essential training programs further exacerbates the challenges faced by persons with disabilities in accessing comprehensive community-based rehabilitation services. Urgent attention and action are required from the government to prioritize and activate the CBR program, ensuring its effective implementation, especially in regions like the Northern Province, and to provide necessary training for personnel involved in its execution.

Proposed Questions.

1. What programs has the government implemented to enhance the inclusion of persons with disabilities in the community, specifying geographical locations and reach?
2. When was last batch of social services officers and community-based rehabilitation volunteers trained?
3. What is the total allocation for the community-based rehabilitation programs?
4. Is there any practice of development of individual rehabilitation plan and follow up at community level and who did this rehabilitation plans?

Article 20.

Personal Mobility

Government of Sri Lanka took initiatives to deliver the driving licences for persons with disability including persons with hearing impaired as a positive step. But, the process to obtaining the driving license is too complicated and persons with disability has to modify the vehicles according to their needs and which is expensive in Sri Lanka. The lack of accessibility to public places, transportation, information, and devices imposes significant constraints on the mobility of persons with disabilities. Interior roads marked by damage and inaccessibility, open channels, uneven pathways, incomplete bridges, the unavailability of tactile, and inadequate or absent drainage management further restrict the mobility of persons with disabilities. These physical barriers pose challenges that impede their movement and navigation within their communities.

Additionally, the increase in fees for both public and private transportation exacerbates these limitations, imposing additional financial burdens on persons with disabilities. This compounded effect of physical and financial barriers underscores the urgent need for comprehensive measures to enhance accessibility, address infrastructure issues, and ensure that transportation remains affordable for persons with disabilities, thus fostering greater inclusivity and independence. Government has limited the import of vehicles and increased the tax for the vehicles. Which severely affected to persons with disabilities. Since majority of the persons with disabilities used Three-wheel for their mobility and the import limitation restrict the mobility of persons with disabilities

Proposed Questions.

1. What programs have been initiated to provide appropriate assistive devices for persons with disabilities, and how much government allocation has been made for these devices? Can you provide the number of devices distributed?
2. What are the initiatives taken to improve the mobility of persons with disability?
3. Are there any tax exemptions available for the special vehicles with adaptations of persons with disabilities to import?
4. How to obtain the driving license for persons with disabilities living far away from Colombo and other districts?

Article 21

Freedom of expression and opinion, and access to information

Moreover, the government has resorted to brutal attacks to suppress campaigns and rallies involving individuals with disabilities, undermining their right to peaceful assembly and expression.

Establishment of Focal Point to provide services for Persons with Disabilities in every state institution is an obligation under Article 33 of the United Nations Convention on Rights of Persons with Disabilities. Coinciding with the International Sign Language Day on 23rd September, “Media Service Center for the Disabled” was established in the State Information Department which functions under the Ministry of Mass Media and Information and main news broadcast of the Independent Television Network (ITN News) with sign language interpretations was started to ensure the right to information of the deaf community in Sri Lanka.

This Media Service Center and sign language interpretation broadcast service was established under the leadership of the Hon. Dullas Alahapperuma, Minister of Mass Media and Information in collaboration with the Disability Organization Joint Front (DOJF).

The above-mentioned Disability Focal Point at the Government Information Centre was shuttered after the new minister was appointed for the Ministry of Mass Media. Unfortunately, there is currently no mechanism or hotline system in place for persons with disabilities to access crucial information. Of particular concern is the lack of awareness among persons with disabilities about the establishment and subsequent closure of the Focal Point in 2021.

The absence of accessible information further compounds the challenges faced by individuals with hearing and visual impairments. Critical details related to COVID vaccination, travel restrictions, curfews, relief distribution, and vaccination specifics have not been made accessible to this community. Additionally, information pertaining to road blocks, landslides, and floods is not readily available to persons with hearing and visual impairments, further exacerbating their vulnerability during such situations.

Addressing these gaps in information accessibility is imperative to ensure that persons with disabilities are well-informed and can actively participate in decisions affecting their

lives. The establishment of reliable mechanisms and the provision of accessible information are essential steps towards creating an inclusive and informed society

Proposed question

1. What is the current status of the Disability Information Focal Point at the Government Information Centre, and has any hotline portal been developed for persons with disabilities to access information?
2. Any provision to recruit sign language interpreters to the government information centre and continue the services?

Article 22

Respect for privacy

Persons with hearing impaired are often affected for their privacy due to lack of knowledge on sign language among officials. Specially, women with disabilities and persons with disabilities need a third-party sign language interpreter to express their personal and confidential information to doctors, lawyers and other government officials.

Persons with disabilities, especially women with disabilities, need a third party to interpret their sexual and reproductive issues and personal matters which are treated as highly confidential in the country.

Proposed Questions

1. What measures have been put in place by the Government to ensure the protection of the right to privacy of all persons with disabilities, including women, children, older persons, persons with psychosocial and intellectual disabilities in all areas of life.
2. Specially in a case of abuse, violation and exploitation, how does the government ensure the privacy of persons with disabilities including women and children in the news and media?

Article 23

Respect for Home and the family

There are persons with disabilities experiencing discrimination and negative attitudes in relation to their rights to marry, choice of relationships, found a family and parenting. Medical certificates from the board of Medical Council required for the marriages of persons with intellectual disabilities.

Proposed Questions

1. What measures are in place to protect persons with psychosocial and intellectual disabilities from discrimination against their rights to marriage, relationships, and having their own family and parenting?
2. Any parental training program initiated by the government for persons with intellectual disabilities?

Article 24 Education.

As of 2021, there are a total of 10,146 government schools in Sri Lanka, consisting of 373 national schools and 9,782 provincial schools. Unfortunately, accessibility remains a significant challenge in these educational institutions, with all classrooms lacking the necessary accommodations. Moreover, there is a shortage of teachers specialising in inclusive education, leading to inadequate support for students with disabilities.

In the context of early childhood education, pre-schools are not inclusive and accessible for children with disabilities. Consequently, children with disabilities often transition to primary schools without the necessary pre-school preparedness, creating potential challenges in their academic journey¹⁸.

After the COVID pandemic, the government has taken initiatives to continue the syllabus via virtual platforms and online classes to cover the curriculum. Children with hearing impaired face difficulties to follow the sessions and due to poverty and in access to the technology.

Two case studies exemplify the difficulties faced by students with disabilities:

Case Study No. 01: Child with physical disability passed for the Grade G. C. E A/L and he was asked by the principle to attend classroom at up stair. Since the child having disability and classroom was made with reasonable accommodation.

Case Study No. 02: Child with visual impairment passed G. C. E O/L¹⁹ and found difficulties to attend his higher studies²⁰ in science stream. However, with the support of Hon Member of Parliament Mr. Dullas Alagaperuma, child with disability received admission in a school.

Furthermore, the higher education landscape presents obstacles for children with hearing impairments in general schools. Access to G.C.E. A/L (Advanced Level) studies is limited, with a notable absence of teachers proficient in teaching A/L subjects in Braille and sign language. This lack of accessibility hinders the academic progression of students with hearing impairments, highlighting a critical gap in inclusive education practices that necessitates urgent attention and rectification.

Proposed question

1. How many teachers have been trained and recruited for inclusive education in the last three years?
2. What is the allocation for reasonable accommodations for children with disabilities in inclusive schools?
3. How many inclusive pre-schools run by government with trained teachers?

¹⁸ [SRI LANKA: A leading girl's school in Colombo refuses to assist a Grade 8 student, with special needs - Asian Human Rights Commission](#)

¹⁹ [Visually impaired student overcomes hurdles, achieves academic excellence - NewsWire](#)

²⁰ [Brian Kingston who saw the world through education | Sunday Observer](#)

4. How many secondary schools (for G.C.E A/L) are available for children with hearing impaired, and which subjects are offered?
5. What are the programs implemented by the government to create disability inclusive schools?
6. How much fund allocated for the inclusive education for the year 2024?

Article 25

Health

In Sri Lanka, the accessibility of healthcare facilities for persons with hearing impairments remains a critical concern. A significant issue is the lack of proficiency in sign language among doctors in Outpatient Departments (OPD) hospitals and specialists/consultants. This communication barrier hinders patients with hearing impairments from fully understanding accurate information about their illnesses, diseases, and treatment plans.

The accessibility of sexual and reproductive health education for women with disabilities is limited. Although the government conducts reproductive health education at the secondary level, many children with disabilities encounter barriers in accessing secondary classes. Moreover, essential materials and resources are not available in accessible formats such as Braille, audible formats, sign language, or large print. Importantly, there is an absence of information on maternal health in Braille, large print, or sign language videos.

The high cost of hearing aids, coupled with their exclusive availability in the private sector, imposes a substantial financial burden on individuals with hearing impairments. Additionally, there is a noteworthy absence of a government center dedicated to manufacturing essential assistive devices such as wheelchairs, supportive seats, crutches, and walking frames. Addressing these gaps is essential to ensure equitable access to healthcare and assistive technologies for persons with disabilities in Sri Lanka.

Furthermore, the lack of government plans to improve the quality and quantity of assistive devices is a pressing concern. The absence of disability categorization has led to persons with chronic illnesses being counted as persons with disabilities, causing disputes among individuals seeking access to services. The lack of a clear categorization system has left government officials confused, prompting the request for medical certificates to ascertain disability status. Moreover, the government has not issued disability diagnosis cards, further contributing to the challenges faced by persons with disabilities in accessing essential services. Urgent measures are needed to address these issues and enhance the overall support system for persons with disabilities in Sri Lanka.

Proposed Questions

1. What mechanisms are in place for early detection to identify children with disabilities?
2. What health measures have been implemented to create awareness of ongoing health issues for persons with disabilities, especially those with hearing and visual impairments?

3. What is the total allocation for health regarding disability prevention and healthcare?
4. What are the initiatives taken to provide medical certificates and identification of disability and which tool will be used to define disability?

Article 26

Habilitation and rehabilitation

The government has encountered challenges in establishing rehabilitation centres at hospitals in accordance with the National Health and Rehabilitation Action Plan. Additionally, there have been difficulties in recruiting and appointing rehabilitation professionals to serve in government hospitals. These issues pose obstacles to the effective implementation of rehabilitation services and hinder the provision of comprehensive care for individuals in need of rehabilitation support. Addressing these challenges is essential to ensure the realisation of the National Health and Rehabilitation Action Plan and enhance the accessibility and quality of rehabilitation services in the country.

Since, the government stopped the imports of the materials such as polyproline and materials used for the prosthetic and orthotic limbs, wheelchairs and other assistive devices. Persons with disabilities suffer a lot to repair their devices.

Halfway homes for persons with spinal cord injuries planned and the construction of rehabilitation at Mankulam (Northern Province) was stopped²¹ at present.²²

Proposed Questions

1. How many rehabilitation centres function at Base Hospitals in Sri Lanka?
2. Can you provide information on the number of rehabilitation professionals at each hospital?
3. How many rehabilitation units are functioning to provide assistive devices, and what is the technology and quality of the products?

Article 27

Work and employment

The government vocational training institutes offer conventional and traditional vocational training programs for youth with disabilities, and regrettably, these courses are not aligned with market demands. The selection criteria and evaluation methods employed in these institutes follow traditional norms, limiting the admission opportunities for individuals with disabilities. Moreover, the duration of the courses is excessively lengthy, and accessibility challenges further impede the participation of youth with disabilities in vocational training centres.

²¹ [Human remains detected in Mankulam Hospital premises- Judge orders for excavation | Tamil Diplomat](#)

²² [Rehabilitation hospital to be constructed at Mankulam | Page 2 | Daily News](#)

According to the International Finance Corporation²³, a staggering 84% of persons with disabilities are economically inactive. This alarming increase from 71% in 2019, as reported by the Open Government Partnership Program²⁴, is attributed to various factors such as inaccessibility, the lack of reasonable adaptations, skill gaps, and barriers related to transport and communication. Addressing these issues is imperative to enhance the economic participation of persons with disabilities and ensure their inclusion in vocational training programs that align with market needs.

Proposed questions

1. How many persons with disabilities have benefited from the One Million Employment Project, and what areas have been identified to provide employment for persons with disabilities?
2. What job-oriented skill training programs have been provided, and how many individuals have received training?
3. What is the total number of job opportunities provided for persons with disabilities last three years in the government sector?
4. Is there any regulations, policies and law developed to promote employment opportunities at private sector?

Article 28

Adequate standard of living and social protection

A significant portion of the population faces economic constraints that hinder their ability to own a house, thereby limiting their self-reliance and security. Homelessness among persons with disabilities is exacerbated by various factors, including restricted access to housing loan schemes offered by both public and private sector financial organizations. Additionally, the absence of government allocations specifically earmarked for housing for Persons with Disabilities families contributes to the housing crisis. Furthermore, government housing programs lack disability-inclusive facilities, and the inability of individuals with disabilities to contribute labour, as expected by the government, due to disability and poverty, adds to the challenges faced by this vulnerable group. Addressing these multifaceted issues is crucial to ensuring equitable access to housing and promoting the self-reliance and security of persons with disabilities

The recent introduction of a new poverty eradication program by the government has unfortunately led to the exclusion of a significant number of persons with disabilities. This exclusion is attributed to inadequate assessment and evaluation processes. In particular, the assessment criteria have proven to be insufficiently accommodating to the unique challenges faced by individuals with disabilities, perpetuating their marginalization.

The government's allocation for the housing grant for persons with disabilities remains stagnant at LKR 500,000.00, a figure that falls far short of meeting the basic shelter requirements considering the current cost of materials. Adequate housing is a fundamental

²³ [togetherwecanplus-twc-final.pdf \(ifc.org\)](#)

²⁴ [Open Government Partnership Sri Lanka National Action Plan 2018-2020 \(tisrilanka.org\)](#)

protection for persons with disabilities, and it is imperative that the government revisits and revises this grant to align with the current economic realities.

Furthermore, the government's provisions for initiating livelihoods among persons with disabilities are notably inadequate. An urgent review of the support provided for starting livelihoods is necessary to ensure that individuals with disabilities can access the resources needed for sustainable economic empowerment. Addressing these critical issues is essential for upholding the rights and well-being of persons with disabilities in our society

Persons with disabilities in Sri Lanka face a lack of available insurance policies and coverage, despite constitutional emphasis on non-discrimination. Access to insurance and financial facilities remains a challenge for us

Proposed questions

1. Have any social protection schemes been introduced by the government, particularly for taxpayers with disabilities?
2. Are there any tax exemptions for grants and donations for persons with disabilities for their welfare?
3. What social security measures are assured for persons with disabilities in Sri Lanka?
4. Considering the increased TAX rate affecting persons with disabilities and any Tax exemptions for persons with disabilities?

Article 29

Participation in political and public life

The Election Commission has undertaken commendable initiatives to enhance accessibility for persons with disabilities during electoral processes. These include providing basic sign language training for staff and election commissioners, improving accessibility at selected polling booths, issuing identity cards for persons with disabilities in specific districts (with plans for nationwide expansion), and envisaging the development of tactile ballot papers tailored for persons with disabilities.

However, certain constitutional provisions pose challenges for the appointment of persons with disabilities to significant positions. Notably, Article 65, Section (5) Subsection d (Auditor General), Article 104, Section (7) Subsection d (Election Commissioner), Chapter XI Article 156 Subsection d (The Parliamentary Commissioner for Administration), and Chapter VII Article 38 Section 2 Subsection (a) (The Executive President) stipulate conditions of removal based on ill health or physical and mental infirmity.

Unfortunately, there is a lack of government initiatives to enhance the political literacy of persons with disabilities and promote their active participation. Despite the readiness of political parties to allocate portions or reservations for persons with disabilities to contest elections, concrete steps to improve awareness and accessibility for political rights have

not been taken. Addressing these issues is crucial for fostering an inclusive political environment and ensuring the active engagement of persons with disabilities in the democratic process.

Proposed Questions

1. What steps have been taken to include persons with disabilities in political parties and increase access to information on electoral systems and manifestos, especially for persons with hearing and visual impairment?
2. What are the steps taken to amend discriminatory electoral laws and policies including Chapter XI Article 156 Subsection d (The Parliamentary Commissioner for Administration), and Chapter VII Article 38 Section 2 Subsection (a) (The Executive President)

Article 30

Participation in cultural life, recreation, leisure and sport

Social stigma is the major barrier for persons with disability to participate in the community. At the same time the cultural events and games are criticizing the persons with disability. There are some cultural games played during the New year (Sinhala and Tamil) called “Kana Muttiya” (Blind fold to destroy a pot). “Andhaya Aliyata As Thabeema” (Blind fold draws eye for an elephant). Which creates bad impressions of persons with disability and insult us.

Proposed questions

1. What steps have been taken to promote sports for persons with disabilities at the district, provincial, and national levels?
2. How many sports and leisure areas are accessible for persons with disabilities?
3. What is the total fund allocation for promoting inclusive sports, sports activities for persons with disabilities, and planned international competitions for upcoming years?
4. How many sports trainers have been recruited to provide training for youth with disabilities at the school, district, and provincial levels?

Article 31

Statistics and data collection

Government expected to conduct the National Census in 2024 and expected to include persons with disabilities. Disability Organizations welcome the initiatives of the Department of the Census and Statistics.

Disability Organisations Joint Front facilitate the Disability Data Ambassador Program to create awareness for persons with disability on the importance of the national census.

Proposed Questions

1. Has any financial allocation been made for data collection and updating the system of statistical data expected to be collected in the national census in 2024?
2. Have you consult any representatives of persons with disability to prepare the questionnaire for the national census?

Article 32

International cooperation

Article 27(15) of the Constitution of Sri Lanka states that: “The State shall promote international peace, security and co-operation, and the establishment of a just and equitable international economic and social order and shall endeavour to foster respect for international law and treaty obligations in dealings among nations”.

Government of Sri Lanka is maintaining a good relationship with SARC countries and developed countries. However, there is no consultation took place to develop the disability rights bill with the countries which were pass their bills.

Proposed Question

1. Has there been any consultation with other countries to develop the Disability Rights Bill?
2. Any efforts to include persons with disabilities in the implementation of the SDGs?
3. Any government agreement on implementation of programmes targeting persons with disabilities?

Article 33

National implementation and monitoring

The current government shows the interest to pass the Disability Rights Bill without implementation, monitoring and coordination mechanism mentioned in the CRPD. Which will not benefit for persons with disability to enjoy their rights. Hence, the highly recommendations from the CRPD committee is necessary in this section

Persons with disabilities have proposed a Disability Rights Bill that emphasises a robust framework for monitoring, coordination, and implementation, aligning with the principles outlined in Article 33 of the Convention on the Rights of Persons with Disabilities (CRPD). Regrettably, the government's drafted Disability Rights Bill falls short of

incorporating a strong mechanism for monitoring, implementation, and coordination in accordance with the CRPD.

This disparity raises concerns about the effectiveness and enforceability of the proposed legislation in safeguarding the rights and well-being of persons with disabilities. A comprehensive and robust monitoring, implementation, and coordination mechanism are crucial for ensuring the meaningful realization of the rights enshrined in the CRPD. It is imperative that the government revisits the drafted bill to align it with the international standards set forth in the CRPD, reinforcing its commitment to promoting and protecting the rights of persons with disabilities

Proposed Questions

1. What is the current status of the Disability Rights Bill?
2. What are the obstacles preventing the establishment of an independent commission for monitoring the implementation of the Disability Rights Bill?

VI. Conclusion

In conclusion, Disability Organisations Joint Front recognizes the Government of Sri Lanka's commitment to promote and protect the rights of persons with disabilities by ratifying the UNCRPD. However, there are still gaps and challenges in the country's domestic legislations, some of which contravene the CRPD. The Government of Sri Lanka will have to execute their commitment towards the rights of persons with disabilities and work toward an inclusive society. Specially, need to adapt the recommendations given by the CRPD committee to develop the Disability Rights Bill.