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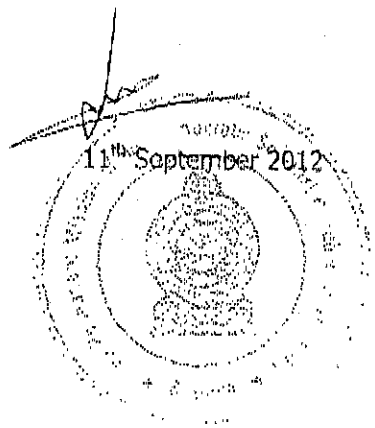
Ref. HR/7

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights (OHCHR), and has the honour to refer to its communication dated 23<sup>rd</sup> April 2012, requesting member states to submit relevant information for the study on the human rights of persons with disabilities.

The Permanent Mission of Sri Lanka has the honour to forward herewith a submission made in response to the above communication by the Ministry of Social Services of the Government of Sri Lanka.

The Permanent Mission of Sri Lanka would appreciate if receipt of the annexed information could be acknowledged.

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Office of the High Commissioner for Human Rights  
Geneva

**OHCHR REGISTRY**

12 SEP 2012

Recipients : *Sensi. (RRD)*

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## Human Rights of Persons with Disabilities -- HRC Resolution 19/11

### Ministry of Social Services

Employment is considered one of the most important goals for persons with disabilities. In fact employment is instrumental for self esteem, economic and social integration within the family, the community and the society. Right to work and employment is strictly related to other factors such as access to education, to vocational training, but also to accessible transportation, accessible ICT and reasonable accommodation of the work place and attitude of employers. This requires the removal of physical, legal and attitudinal barriers.

- After, Sri Lanka being a signatory to the United Nations Convention on the rights of persons with Disabilities in 2007, programmes are being implemented by the Ministry of Social Services for persons with disabilities have been designed in line with the UN Convention. The existing Act No 28 of 1996 " Protection of the Rights of Persons with Disabilities" has been amended incorporating the provisions in the UN Convention and the Draft Bill has been forwarded to the Attorney General's approval.
- The National Policy on Disability have formulated and the Policy itself consists of 26 separate (Sectoral) policy areas. One of the most relevant areas are Employment, Vocational Training and Skills Development, Poverty Alleviation, School Education, Non-Formal Education and Higher Education. For each sectoral area, policy statements have been formulated and broad strategies listed.
- For the removal of physical barriers, Regulations cited as the Disabled Persons "Accessibility " Regulations No 1 of 2006 was gazzeted incorporating more facilities to persons with disabilities. All the line Ministries and local Authorities have been made aware of the necessity of implementing the provisions in the regulations and creating a barrier-free disabled friendly environment.
- A Cabinet memorandum was approved by the Cabinet on "Recognizing Sign Language as an accepted Language " on 26<sup>th</sup> Aug 2010. Now the Ministry in collaboration with the Ministry of National Language and Social Integration is taking necessary action to promote Sign Language in Sri Lanka. A Parliamentary Act is being formulated by a Committee in this regard.

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- Under the Community Based Rehabilitation National Programme special programmes are conducted for the children and adults who have Intellectual and other development disability. Recently, HE the President has appointed a Ministerial Committee including the Minister of Social Services, Health, Child Development and Women Affairs and Education to prepare a plan for the advancement of autistic children and this committee prepared the plan and submitted to the Cabinet for the approval. The Cabinet approved the Memorandum and now the action Plan has been submitted to the Director General, NPD.
- Department of Social Services has five Vocational Training Centres for Persons with Disabilities in three districts. NGOs also conducting the Vocational Training Programmes in several districts. Two years residential training programmes have been conducted to the PWDs. The trainees who have successfully completed have been issued certificates with set of tools worth of Rs.10,000/=
- The Government, according to Public Administration Circular No.27/88 dated 18 August 1988, instructed all ministries, departments and corporations to allocate 3 per cent of the job opportunities in the public sector to persons with disabilities who have the requisite qualifications and, "whose disabilities would not be a hindrance to the performance of his duties". It was re-issued in August 1998.
- Besides the law and enforcement programmes and advancement for the PWDs the following programmes are carried out by the NSPD.
  - Rs 3,000/= Monthly livelihood allowance for PWDs - 11,216 Families are being benefitted from this programme.
  - Housing Assistance - NSPD is providing Rs 250,000/= financial assistance for Persons with Disabilities to construct a new house or to improve the existing house.
  - Self employment assistance - Rs 25,000/= financial assistance is providing for the PWDs who are willing to engage in self employment.
  - Accessibility facility, Medical Assistance, Educational assistance and Awareness Programmes are among them.

## Human Rights of Persons with Disabilities

### The role of Ministry of Labour and Labour Relations and activities in place

#### Legislation and Policies in place for employment of PWDs

The government of Sri Lanka recognizing the rights of Persons with Disabilities to work on an equal basis, has taken many steps to improve education, social development, social justice and equality since Independence in 1948. According to Article 12 of the Sri Lankan Constitution "All persons are equal before the law and entitled to equal protection of the law".

The act of "The Protection of the Rights of Persons with Disabilities Act, No. 28/1996" was enacted in October 1996. This Act set up the National Council for Persons with Disabilities and provided for the establishment of a National Secretariat to facilitate the discharge of the functions of the Council.

Subsequently, to promote the right to work the Government has taken appropriate steps through issuing a circular by the Ministry of Public Administration allocating 3% of employment opportunities for Persons with Disabilities. (PA Circular No.27/88, dated 18<sup>th</sup> August 1988).

Another development with regard to PWDs is the National Policy on disability for Sri Lanka, approved in July 2003 and encourage the participation of the private sector and all other stakeholders.

#### Education, Vocational Training and Employment for People with Disabilities

According to the Compulsory Education Ordinance No.1003/50f 1997 of the Parliament of Sri Lanka, education is compulsory for all children of 5-14 years

General Education Reforms were introduced at grade one in 1999 and these reforms have enabled changes in classroom teaching to be learner-centered, reforms a variety of other activities including the strengthening of English language, developing of practical and technical skills of students, co-curricular activities, counseling and career guidance, school based management and teacher education. In addition these reforms particularly state the importance of meeting the special needs of Children with disabilities in the school system.

The Tertiary and Vocational Education Commission of the Ministry of Youth Affairs and Skills Development recognizing that investing in education and vocational training benefits vulnerable people to move out of poverty and make a valuable contribution to the society, has drawn-up a National Strategy on Technical and Vocational Education and Training (TVET) Provision for Vulnerable People in Sri Lanka, in December 2010, factoring strategies and action plans for implementation. The Vulnerable Group considered in this document includes People with Disabilities (Mental and Physical).

## Employment

People with Disabilities have right to decent work. Most of them have the ability to work in any sector and for a range of employers. This is a need to provide employment opportunities for PWDs equally in the formal economic sector, public private and formal economic sectors as well as in the informal economic sector.

Ministry of Labour & Labour Relations always recognize right based approach and ensure the right of PWDs to engage in fruitful and decent employment.

Therefore Ministry has taken several initiatives to ensure the right of PWDs to participate in employment opportunities available within the government, semi-government and private sector.

1. Ministry of Labour & Labour Relations submitted a Cabinet Memorandum in 2004 recognizing the importance of the human resource segment of PWDs and approval was sought to make it mandatory for public, private and cooperation sector to reserve at least 3% of employment opportunities to Persons with Disabilities, and approval was granted to reserve 3% of employment opportunities for Persons with Disabilities.
2. Ministry of Labour & Labour Relations constituted a steering committee of all stakeholders including representatives of Persons with Disabilities and international organizations to develop a programme to expedite the implementation of the above mentioned Cabinet Decision.

This tripartite steering Committee has developed several initiatives, short term and long term basis.

- \* Organized job fairs for Persons with Disabilities (PWD) with the state and private sector with the Coordination of Employers Federation of Ceylon and Ministry of Social Services.
- \* Establishment of a center for disseminates information and registration for employment.
- \* Conduct a survey on employability of Persons with Disabilities Island wide on sample basis in 2008
- \* With technical assistance of the ILO the Ministry of Labour and Labour Relations has initiated a programme with the Republic of South Korea -- (Sister School Vocational Training Assistance Programme) to develop vocational training facilities for persons with disabilities. As a result of that Ministry of Social Services and a Vocational Training Center in South Korea (Jeonnam Center) has signed a MOU to develop Seeduwa Vocational Training Center as a resource center with new technology.

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- \* *In order to promote employment, Ministry of Labour and Labour Relations is planning to develop a medium term plan and a mechanism to follow it up closely to achieve tangible results. The draft plan has prepared and submitted the Steering Committee and the ILO for their comments.*
- \* *This medium term strategic plan will look at the following activities*
  - *Assess and support PWDs seeking employment*
  - *Labour market survey*
  - *Provide links to referral and support services*
  - *Assisting to match the person to the job*
  - *Assess the potential assistance required*
  - *Provide training to develop job seeking skills*
- \* *Technical Assistance to prepare the plan implementation has been assured by international organizations as the ILO, USAID and the NGOs its sight savers Leonard Cheshire Disability International.*
- \* *To oversee all such activities it is proposed by the Steering Committee to establish Project Secretariat at the Ministry of Labour and Labour Relations and arranging initial steps for that at present.*
- \* *Second survey of employability of PWDs are also planned by the Steering Committee and prepared a questionnaire and sent for comments of the stakeholders and the ILO. The purpose of this survey is to establish a data base at the Project Secretariat to assess the needs of the PWDs.*