Human Rights Commission of Sri Lanka:
Human Rights Education in Schools Mandate

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Sri Lanka has a long history of excellent education system dating back to 200 B.C. During the 1658–1796 period, the Dutch colonial government introduced a free and compulsory education system in Sri Lanka. During the 1796–1948 period, the British colonial government further developed the education system. In 1945, prior to the independence of Sri Lanka, the then Minister of Education, Dr. C.W.W. Kannangara, placed education on firm grounds with the introduction of free education for all the children from kindergarten to the University; the adoption of the national languages as the mediums of instruction; and the establishment of Central Schools which for the first time provided the poor children from rural areas the opportunity to obtain good education.¹

Since independence, the government has given priority to education. Section 12, Part I of the Secretary to the Ministry of Education’s Circular No. ED/1/12/2/6/1 dated 2004/05, states that every child must get a school education compulsorily. And most importantly, every parent of a child of not less than five years and not more than fourteen years of age shall cause such child to receive an education by regular attendance at a school unless she/he has otherwise made adequate and suitable provision for the education of such child.² Free textbooks, free school meals for the first year students³ and uniforms are provided to all the children.

The Education Ordinance No. 31 of 1939 (as amended) is the only law regarding the right to education in Sri Lanka. According to Part V, Article 37(1) of the Ordinance, the Minister of Education has the power to make regulations for the purpose of giving effect to the principles and provisions of the Ordinance. Apart from the regulations concerning administrative issues, there are circulars by the Secretary to the Education Ministry.

Child Protection Bodies in Sri Lanka

Sri Lanka has a separate mechanism to promote and protect the rights of children. The Ministry of Child Development and Women’s Empowerment is the line ministry concerning child rights. There is the National Child Protection Authority (NCPA) as well. There are legislations and special institutions that provide de jure protection for children from being employed as domestic servants and other exploit-
ative work. The Labour Ministry of Sri Lanka has a special unit that investigates child labor cases, including a hot line that receives information about children who are employed as domestic servants. The Department of Probation and Child Care Services provides protection to child victims of abuse and sexual exploitation. There are special desks established in police stations namely Children & Women’s Bureaus to look into offences related to children.

Further, the Sri Lankan Constitution has a provision for the advancement of children that requires the enactment of laws and subordinate legislations, as well as executive action.

Sri Lanka has ratified a great deal of international treaties, including the following that help protect child rights and support the education of children:

- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Covenant on Civil and Political Rights (ICCPR)
- Convention on the Rights of the Child (CRC)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

The Human Rights Commission of Sri Lanka

The Human Rights Commission of Sri Lanka (HRCSL) was established in 1996 under the HRCSL Act No. 21 of 1996 to protect and promote human rights in the country. The HRCSL has the vision of ensuring human rights for all, and promoting and protecting the rule of law in the country in law and policy and in practice.

The HRCSL has the mission of developing a better human rights culture in Sri Lanka by protecting and promoting the human rights of all based on the universally recognized human rights norms and principles, and with a special emphasis on the fundamental rights guaranteed under the Sri Lankan Constitution for the citizens of Sri Lanka. The HRCSL seeks to coordinate and cooperate with all stakeholders in protecting and promoting human rights for all.

The 1996 HRCSL Act spells out the powers and functions of the HRCSL, namely:

- To advise and assist the government in formulating legislations and administrative directives and procedures in furtherance of the promotion and protection of fundamental rights.
- To make recommendations to the government regarding measures which should be taken to ensure that national laws and administrative practices are in accordance with international human rights norms and standards.
- To make recommendations to the government on the need to subscribe or accede to treaties and other international instruments in the field of human rights.
- To promote awareness of, and provide education in relation to, human rights (Section 10(f)).
- To undertake research into, and disseminate the results of such research (Section...
11(f)) and promote awareness of human rights through educational seminars and workshops.

Though the HRCsL was set up with a wider mandate, its initial operations in 1997 focused only on inquiries and investigations into *fundamental rights* violations.

In 2002, the HRCsL established three main sections, namely, Inquiries & Investigations Division, Education & Special Programmes Division, and Monitoring & Review Division.

The members of the HRCsL are appointed in accordance with the 17th amendment of the 1978 Constitution of Sri Lanka as well as the HRCsL Act. At present the HRCsL has ten (10) Regional Offices with one Sub-Regional Office.

### Human Rights Education Mandate

The mandate of the HRCsL on human rights education is provided in Sections 10 (f) and 11(f) of the HRCsL Act. Interestingly, in a broader sense, the HRCsL has the power to do all such other things as are necessary or conducive to the discharge of its functions (Section 10 (h)). In a wider spectrum, human rights declared and recognized by the two major international human rights instruments, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil Political Rights (ICCPR), are covered by the work of Education & Special Programmes Division of the HRCsL.

### Our Goal

One goal of the HRCsL is to provide human rights education to the public aiming at building up the individual, directed towards national development, strengthening the universal culture of human rights, making people understand the value of respecting the cultural identity and values of the individual and communities by individuals and communities of different civilizations.

### Specific Objectives

The objectives of the human rights education program of HRCsL are:

- To increase knowledge and understanding of the concept of human rights.
- To increase knowledge and understanding of human rights law and increase the practice relating to human rights protection and promotion.
- To increase knowledge and understanding of contemporary human rights issues, both national and international.
- To increase the ability to participate effectively as citizens in the civil and political life of the nation.
- To promote and protect the fundamental rights of the vulnerable and disadvantaged groups in the society.

### Program Activities

#### a. Teaching - learning materials development

In 2001, the HRCsL received financial support from the Norwegian Agency for Development Cooperation (NORAD) on a project to develop a human rights education curriculum. Under this project a situation analysis was carried out to identify the human rights educators in the country, e.g., from NGOs, government and other institutions. This was followed by the preparation of an implementation plan relating to human rights education. Modules were prepared concerning identified twelve target groups. At the regional level, educational activities were held.

In 2003, the HRCsL with the UNICEF,
Save the Children Fund (Sri Lanka), and the Foundation for International Training jointly developed a training manual on child rights for grassroots level organizations specially those in the North and East of the country.

In developing the training manual, the HRCsL and other stakeholders first reviewed the training programs being implemented in the North & East and some areas that were thought important (Vavuniya, Jaffna, Trincomalee, Mannar, Batticaloa, Puttalam) for service providers. They reviewed the target groups, materials being used, and the difficulties in conducting training programs. The guidebook mainly focuses on the CRC, Sri Lankan legislations and training methodologies. UNICEF organized two training activities in Kalmunai and Kilinochchi, Eastern Province using the training manual to test how people would receive the same. After successfully testing it, the training manual was made available in all three languages to those who seek to use it for human rights training at the grassroots level.9

In 2005, the HRCsL produced a booklet, An Introduction to Child Rights, under the promoting and protecting rights of children project funded by the South Asia Regional Initiative Equity/Support (SARIQ). The European Union (EU) funded the HRCsL project, Human Rights for All - The Protection of Minority Rights. Normally, we tend to see the smaller ethnic or religious groups as minorities in a country. Under this EU project, a different approach was employed to identify the minority groups in the smallest administrative areas in Sri Lanka. The group, for example, may be that of children, persons with disabilities, women, or any other group that face problems caused by the inaction of the government or some other reasons that have not been addressed so far. The project intended to find out who these groups were and held consultations at three levels: Division level (smallest administrative entities) to find out the most affected groups; District level to identify whether the same groups are the most affected or there were any other groups with different types of problems; and at the national level to share the findings of the consultations at the Divisional and District levels. Selected groups from the respective areas were requested to identify the groups and the problems they face, and to propose effective solutions since they all live in those areas, rather than ask outsiders or the government to come out with solutions to their problems. The effort was meant to understand and identify the minority groups within the Divisional and District levels whose rights have been violated, and to table before the government solutions that they thought were best. Several publications were produced under this project. One publication produced was Minorities and the Rights of Women and Children. This booklet examined the interface of women’s and children’s rights and minority rights in the legal framework and in the development policies and programs.

b. Special Projects - Training & Education

The United Nations Development Programme (UNDP) funded the Law Review Project of the HRCsL where Sri Lankan legislations relating to children were reviewed to determine their compliance with the international human rights standards.

The United Nations High Commissioner for Refugees and the Asia Foundation funded a special project to look into the issue of Internally Displaced People (IDPs), with special attention to the protection and promotion of child rights.

The Disaster Relief Monitoring Unit, established to look into issues relating to tsunami and its after effects, has produced numerous documents including the human rights impact of government and implementing agency post-tsunami relief and reconstruction policies and activities. These documents focussed especially on children and their right to education as well
as on the hindrances to the fulfilment of this right. The Tsunami Women’s Unit, established to look into issues relating to women, recommended that the government should ensure equal opportunity of the girls for the enjoyment of the right to education as the boys. In this context where girls are more likely to drop out of school for cultural and economic reasons, positive measures may be taken to guarantee the right to education for girls, in accordance with Article 10 of CEDAW.

The HRCSL initiated a national human rights education program to implement the United Nations Decade of Human Rights Education (and subsequently that of the United Nations World Programme for Human Rights Education from 2005). NORAD provided funding for this program.\textsuperscript{10} The goal of this program was to provide education to around ten target groups in each province of Sri Lanka. The target groups were the State agencies - the main duty bearers - and segments of the public - the rights holders. The State agencies included the police, public service at various levels, and the armed forces. The program also targeted the public and sought to enhance awareness of individual rights and the capacity to protect these rights and to seek redress for their violation. Under this program more prominence was given to economic, social and cultural rights which relate to a large number of children who were affected by various problems such as the 2004 tsunami, conflict situation, migration of parents for better prospect in life to Middle Eastern countries, certain practices by the government officials, etc.

UNICEF funded the HRCSL project on Protecting Children in Sri Lanka’s Children’s Homes and Detention Centres. The project objectives included; To identify the violation of international human rights norms and standards, abuses, weaknesses and other related problems in the children’s homes and detention centers and the domestic laws regulating them; To pressure the government to implement necessary amendments to the current laws and procedures; and to conduct training and awareness programs for the relevant authorities and for children residing in these State institutions. With partial funding from SARIQ, the HRCSL held twenty-seven awareness programs across the country to educate State officials including those who are engaged in child rights activities such as the Child Rights Promotion Officers, Probation Officers, Early Childhood Development Officers, Social Services Officers and officers at the Women’s & Children’s Desks in Police Stations and Staff Members of children’s homes. These workshops included lectures on International Standards on Child Rights, Domestic Measures in Sri Lanka for the Protection of Child Rights, and Medical Aspects of Child Rights.

During the 2006-2007 period, the American Centre for International Labour Solidarity Sri Lanka (the Centre) funded the HRCSL project on Prevention of Human Trafficking. The Centre funded to train the HRCSL staff as trainers, followed by training on prevention of human trafficking for the government officers in different parts of the country including the law enforcement officers such as the Police Officers of the Children & Women’s Bureau, officers of the Narcotics Bureau, Prison, Fraud Bureau, and Excise Department. Special emphasis was given to the protection of the rights of the children.

Knowing the gravity of the crime, the HRCSL conducted education programs whenever there were requests from the State officials as well as from the general public. In 2008, the Divisional Secretariats (established for the administration of small segments) in the country received funding from the Women’s Ministry to conduct programs relating to women empowerment. One topic covered was prevention of human trafficking where the HRCSL received requests to educate the grassroots level organizations.

In 2007, parallel to the training that was tak-
ing place in India, Pakistan and other migrant worker sending countries to the Middle Eastern countries, the Centre invited the HRCSL to conduct a training program to a select group of lawyers/people with a legal background to work as volunteers on migrant workers issues. The HRCSL in partnership with the Centre organized and conducted a training program in both Sinhala and Tamil languages. Child rights and their protection are part of the topics discussed.

The HRCSL has also been invited to participate in the human rights initiatives of other institutions. For the annual Career Fair - Orientation Program of the Faculty of Law of the University of Colombo for the incoming law students, the HRCSL provided information on the opportunities it could offer the law students such as gaining working experience as interns and the requirements needed to join its permanent work force.

The government of Sri Lanka invited the HRCSL to participate at the nine-day Dayata Kirula National Development Exhibition for 2008 and 2009 and educate the general public on human rights and its work.

Human Right to Education of the Indigenous Communities

This writer wrote her LL.M. thesis entitled The Human Right to Education of the Vanniya-la-etty Community (The Forest-dwellers) in Sri Lanka as an Empowerment Right and provided recommendations to the government as well as to the HRCSL on how to realize this right of the indigenous community. The thesis was published in June 2008 by the Law & Society Trust as an article in a special edition of LST Review on the theme The Right to Education in Sri Lanka and Reforms Thereto.

Apart from the above, to date the HRCSL has conducted different types of human rights education programs for different segments of the society: for the plantation and other youth leaders, university students, students of the Sri Lanka Bible College in Kandy (Central Province), school teachers, judicial medical officers, students, members of different societies including the disabled. A discussion was held on the Torture and Anti Ragging Bill with the university students at the University of Colombo in 2005.

Human Rights Education in Schools

Though the HRCSL does not focus on children per se, it has recognized children as an important segment of the society who needs special attention as well as a vulnerable group. These justify the special attention to their rights in all activities of the HRCSL including human rights education activities.

For human rights education in schools, the HRCSL focuses on different groups including the pre-school children, school children (junior and upper secondary schools that include the age limits of 13 to 18 years) as well as the educators (school principals, teachers, and others).

The HRCSL has defined the vision, mission and goals regarding the education of children and the educators on human rights in the following manner:

Our vision for the school children (between 13-18 years old) is to see the dawn of an era when children live in total peace and security; when they are provided all opportunities to gain the maximum fulfilment of their aspirations; when they are treated with great compassion and protective care so that they can take on the future with great confidence, physically and emotionally unharmed, toward enhancing the human condition for coming generations.

Our mission in achieving this mandate is to ensure that all members of the society respect the fact that the human rights of children are vital to their future health and prosperity; provide
them all their basic needs – food, shelter, health services, educational opportunities, and a clean environment – and that they may enjoy these benefits without any discrimination; infuse in adults the spirit of respect for each child, protecting them from all physical and mental abuse since they are the most vulnerable and [weakest] in society and build a certain degree of awareness of their rights so that they may raise their voices against any injustice or harm caused to them and to others while performing their responsibilities to society.

Relating to the educators, we envision a State where the educators will once again regain their dignity and respect as in the past, enjoying to full capacity all their human and fundamental rights without any discrimination, so that they would be able to engage in the edifying task of empowering and enabling all citizens in achieving full enjoyment of human rights in an atmosphere of peace and progress.

Our mission is to enable the crème of society to be trained as teachers to propagate the envisioned culture of human rights, provide all enabling facilities so that they will be compensated adequately for their contribution to society. To enlist them in the task of changing the society from one of corruption, crime and conflict to one of peace, parity and plurality, conducive to the growth of the future generation into useful and virtuous citizens, as living embodiments of a human rights culture.

In addition, when conducting human rights education programs for other segments of the society (be they the officials of the government or the private sector), the importance of protecting and promoting the rights of children is emphasized.

School Activities

Public awareness on fundamental and other human rights and a willingness and capacity to enforce them are some of the goals set out in the HRCSL Strategic Plan. Making students become aware of human rights is an investment for the future, in building the future society that respects human rights. This gives the opportunity to have an island-wide network of activities and has justified the possibility of promoting human rights at the school level.

The HRCSL has adopted different methodologies to educate students in a sustainable manner. One method is the introduction of human rights units in schools. Being a useful way to educate the students, school principals supported this initiative. The students in higher grades were chosen to form human rights units. The intention was for them to obtain better knowledge on human rights, and through them carry out educational activities in schools relating to human rights to educate the younger students as well as to equip them with the knowledge concerning human rights before they leave school. For example, on 17 March 2009 the HRCSL conducted an awareness program for the Advance Level school students in a school in the Western Province. The HRCSL encouraged the students to establish a human rights unit by informing them of its importance in the school as well as by donating books relating to human rights as a token of encouragement to start such unit.

In 2004, a special concert on the Indivisibility of Human Rights was staged in Badulla (South-Eastern part of Sri Lanka). This concert was organized with the participation of students who belonged to multi-ethnic groups. This program included dramas and cultural activities. Students expressed social, economic and cultural problems. The students of a special school for children with disabilities performed in this concert.

An art competition entitled Equality and Peace for students in the North & East was conducted in 2005. There were about five hundred paintings that expressed valuable and meaningful messages about what the students think about peace and equal treatment. To share
the views of the students, an exhibition and an open dialogue was organized in Colombo. To make the students from other parts of the country understand the expectations and views of the Northern and Eastern students and for a better understanding of what equality and peace means, ten selected students from schools in Colombo were requested to look at the pictures and to engage in an open dialogue. Different experts, lecturers, peace activists, human rights activists, journalists, psychologists, legal professionals were invited to the open dialogue to share their opinions and views with the students who attended the exhibition.

Every year, HRCSL hold activities to educate the different government and other stakeholders in the society relating to child rights. In 2006, HRCSL held a number of activities in schools. In the table below are some of the schools where these activities were held.

Curriculum Development

The HRCSL has held discussions in 2005 and 2007 with the National Institute of Education (NIE) on the integration of human rights education into the general school curriculum and the subscription of the human rights components with the international norms and standards of human rights education.

In 2009, the Secretary to the Ministry of Disaster Management & Human Rights facilitated a meeting with the Ministry of Education, the NIE, the HRCSL and other involved institutions concerning education. The plan was to prepare and work jointly on a human rights education program for the teachers, university students and school students. This is an ongoing project with some of the activities having been commenced already. The HRCSL undertook the formulation of guidelines/handbooks for the teachers, university students and school students as supplementary materials for the curriculum-based human rights education, which allocated only a limited number of hours for human rights education.

Commemorating International Days

The HRCSL has used the commemoration of international days as occasion to promote human rights in the schools. The celebration of the Universal Children’s Day has been used for several years now as an opportunity to promote human rights, as in the following events:

a. St. Vincent Secondary School – since finding out that except for three all the other children that attend St. Vincent Secondary School in Maggona (in the Western Province of Sri Lanka) are from childre’s homes in the Kalutara District, the HRCSL support the celebration of the Universal Children’s Day in 2005 by holding a art competition in the school. This event helped the school identify the talents of the students, who were given…

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<th>Some of the schools involved in HRCSL activities on the topic “Protecting and Promoting Child Rights”</th>
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freedom to choose any topic under the theme “My Bliss.” Most of the students drew paintings about the family and household environment. This correctly showed the mindset of the students who were deprived of their normal family life and living in children’s homes without receiving the love and care of their parents and siblings.

b. Colombo Educational Zone - the HRCSL celebrated the 2006 Universal Children’s Day by organizing an art and essay competition for students from thirteen schools (Tamil- and Sinhala-speaking students) in the Colombo Educational Zone.

c. Homagama Educational Zone - in celebrating the 2007 Universal Children’s Day, the HRCSL held a workshop on fundamental and human rights of the children for the principals and heads of Disciplinary Committees of schools in the Homagama Educational Zone.

d. Badulla and Ampara regions – the HRCSL actively participated in a series of activities to celebrate the 2008 Universal Children’s Day upon the invitation of the Ministry of Child Development and the Women’s Empowerment and the NCPA. The series of activities was held under the theme “Let’s Make the Children’s World More Beautiful, by Listening to Them.” The officers of the Badulla and Ampara Regional Offices took part in the program. The HRCSL received financial support from the Save the Children Sri Lanka for its exhibition activity.

Whatever children see in the classroom becomes a part of their experience and a part of the growing process.

**Impact of the Program**

So far, the human rights education program of HRCSL has positive impact. The general public as well as all other stakeholders have began to expect the HRCSL to be more involved in the human rights protection and promotional activities relating to children. The HRCSL therefore takes the initiative of promoting human rights at every possible opportunity. In one case, upon the information supplied in 2008 by its Ampara Regional Coordinator about children of the Ampara District who have been most affected by sexually transmitted diseases, the HRCSL decided to educate children on this issue and forwarded proposals to donor agencies to conduct awareness programs to school children in the district.

The HRCSL introduces programs creatively to influence the beneficiaries to think differently. While protecting the vulnerable and the disadvantaged, the HRCSL make the efforts to make the people understand the need for, and their ability to participate effectively in, the protection and promotion of human rights of everyone.

The participants in HRCSL activities give positive response. They see human rights education programs (especially on prevention of crimes such as human trafficking) for all in the society as a must. They see such education activities as opportunities to better equip themselves against perpetrators.

Government officers, NGO workers and the general public alike have identified the lack of coordination and cooperation between different stakeholders, be they government agencies or the NGOs, on human rights work. HRCSL tries to coordinate the work of the different stakeholders for more effective human rights protection and promotion.

While human rights are universal, they have to be understood within the context of the cultural values of everyone. The HRCSL therefore uses different strategies in promoting human rights. What the society requests is to make the law enforcement officers do a better job in implementing laws. The HRCSL promotes human rights towards this end.

One has to blend cultural and social expecta-
tions with human rights education. Majority of the students are aware of the HRCSL and its functions. Some students commented that what were taught by HRCSL about drug addiction made them realize that they have a responsibility to keep away from such circumstances. They requested more educational programs relating to human rights education since they saw its great influence on shaping their (and especially of children’s) lives in a positive manner.

Though the efforts are slowed down due to numerous reasons, such as financial constraints, lack of resources, and lack of government assistance and understanding of the importance of the HRCSL, the results have been positive and progressive.

Conclusion

In 1996, the HRCSL adopted a wider mandate to protect and promote the rights of everyone in the country. Since its establishment, the HRCSL has fulfilled its obligations, and set goals on human rights education for children and the educators as well. Looking back at the past nearly seven years since it gained full power to fulfil its mandate, the HRCSL has done what it was mandated to do.

The HRCSL has undertaken various educational activities on human rights education, and carried out research on various human rights issues amidst restricted financial and human resources. The HRSL aims to make human rights education take root in Sri Lankan society, though in a slow pace, to make sure that it does not reject the idea of human rights.

Though human rights education is integrated into the school curriculum only to a limited extent, it has a great influence on the students. The HRCSL aims to ensure that the knowledge of students on human rights is complete, with no misunderstanding. This is why the HRCSL has a greater role to play in making the decision-makers understand the importance of human rights education for all segments of the society, and to protect and promote the human rights of all in a pluralistic manner. In this effort, the HRCSL hopes that everyone will join hands with it in making the world a better and peaceful place for all children.

Endnotes

4 Articles 10 and 11 of the HRCSL Act.
5 Chapter III of the Sri Lankan Constitution.
6 Under the 17th amendment of the Constitution, the President appoints the Chairperson and Members of the HRCSL based on the nomination of the Constitutional Council.
7 Article 3 of the HRCSL Act No. 21 of 1996.
8 Regional Offices in Anuradhapura, Ampara, Badulla, Batticaloa, Jaffna, Kandy, Matale, Kalmunai, Trincomalee and Vavuniya. Sub-Regional Office in Nuwara Eliya. See also www.hrcsl.lk for the map of the HRCSL offices in various parts of the country.
9 Sinhalese, Tamil and English.
11 LL.M. in International & Human Rights Law, Faculty of Law, Lund University, Sweden (2004-06)