



Rights of Persons with Disabilities

SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES

During its second review in 2012, Sri Lanka was recommended to consider ratifying the Convention on the Rights of Persons with Disabilities and to continue its efforts to promote access by persons with disabilities to the labour market by strengthening the system of job reserve for persons with disabilities. While these were accepted, Spain's recommendation to Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and the Statute of the International Criminal Court was noted.

NATIONAL FRAMEWORK

The Government has ratified the UN Convention on the Rights of Persons with Disabilities in 2016, but has yet to ratify its optional protocol. There is no domestic legislation that fully gives effect to the international obligations enshrined in the convention. The Rights Of Persons With Disabilities Act (No. 28 of 1996) guarantees only 3 basic rights (equality in recruitment for employment ,admission to educational institutes and physical accessibility to public places) for persons with disabilities. A more comprehensive Disability Rights Bill was submitted to parliament in 2006 but has not been passed.

Article 12(2) of the Constitution guarantees equality before the law, but it does not make a specific mentioning of persons with disabilities.

The Public Administration Circular 27/1988 states that three percent (3%) of vacancies should be filled by disabled persons possessing the requisite

qualifications and whose disability would not be a hindrance to the performance of their duties.

Children/youth with disabilities suffer discrimination in accessing education and vocational training. The government circular allocating 3% of the job opportunities in the public sector to persons with disabilities is not implemented and there are difficulties in accessing public institutions and transport. Although sign language has been recognized as a language at policy level since 2010, it is yet to be given any legal validity. and insufficient means to access information remains a barrier.

According to statistics from the 2011 census, 34% of children with disabilities that were in school attending age did not receive any education whatsoever. 20.3% of children with disabilities that should have been attending primary school levels did not receive such education.

CHALLENGES

Equality before the law

IMPACT

Persons with disabilities experience discrimination as and when they need to communicate within the court system, due to lack of alternative communication methods and mediums in court houses. The lack of sign language interpreters further exacerbates the situation. These difficulties arise when they seek legal redress as well as when required to give evidence before the law.



CHALLENGES	IMPACT
Equal employment opportunities	According to the census and statistics report of 2012, 70.9% of the persons with disabilities in the employment age do not engage in any economic activity. The prescribed 3% quota for persons with disabilities in public sector is often not honoured.
Equal education opportunities	The hand book for the Admission for Undergraduate Courses in the Universities of Sri Lanka (Academic Years 2015/2016), states that the differently abled applicants are eligible to apply only for courses of study in arts, commerce, physical science and biological science.
Access to health facilities	Lack of physical accessibility, compounded by difficulties in accessing information as a result of absence of audio visual communication boards and staff trained in sign language, has made access to health services difficult for persons with disabilities.
Vocational training	The training modules that are offered by the Special Vocational Training Centers are not in line with the demands of the current labor markets. The centers do not have adequate facilities to meet the demand for their services.
Access to public institutions	A gazette notification issued in 2006 recommended all government institutions to ensure that public institutions are accessible for persons with disabilities . These provisions are not fully complied with.

RECOMMENDATIONS	
1.	Ensure that all courts of the country have the necessary equipment required for persons with disability to actively participate in all proceedings.
2.	Initiate a programme for sign language training courses.
3.	Revise existing Public Administration Circular No. 27/88 to ensure equal employment opportunities in public sector for disabled persons.
4.	Ensure equal access to higher education for disabled persons.
5.	Ensure availability of specialised learning devices in all levels of education which will facilitate the learning process for students with disabilities
6.	Provide alternative means of communication in mainstream vocational training institutes in order to accommodate persons with disabilities.
7.	Ensure that all government offices are made accessible for persons with disabilities.