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UN DECLARATIONS ON HUMAN RIGHTS PERTAINING TO THIS STUDY

1. Universal Declaration of Human Rights

2. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

3. Declaration on the Granting of Independence to Colonial Countries and Peoples

4. United Nations Declaration on the Elimination of All Forms of Racial Discrimination

5. Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief

6. Declaration on Fundamental Principles concerning the Contribution to the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War

7. Declaration on Race and Racial Prejudice

8. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

9. Declaration on the Elimination of All Forms of Discrimination against Women

10. Declaration on the Protection of Women and Children in Emergency and Armed Conflict

11. Declaration on the Elimination of Violence against Women

12. Declaration on the Rights of the Child

13. Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

14. Declaration on the Protection of All Persons from Enforced Disappearances

15. Declaration on the Right of Peoples to Peace

16. Declaration on Territorial Asylum

17. Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live
UN CONVENTIONS ON HUMAN RIGHTS PERTAINING TO THIS STUDY

1. International Covenant on Economic, Social and Cultural Rights
2. International Covenant on Civil and Political Rights
3. International Convention on the Elimination of All Forms of Racial Discrimination
5. Convention on the Rights of the Child
6. Discrimination (Employment and Occupation) Convention
7. Convention against Discrimination in Education
8. Convention on the Elimination of All Forms of Discrimination against Women
10. Forced Labour Convention
11. Abolition of Forced Labour Convention
12. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
13. Convention on the International Right of Correction
15. Right to Organise and Collective Bargaining Convention
16. Convention relating to the Status of Refugees
18. Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity
19. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field
20. Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea
21. Geneva Convention relative to the Treatment of Prisoners of War
22. Geneva Convention relative to the Protection of Civilian Persons in Time of War
APPENDIX - 3

RELEVANT PROTOCOLS PERTAINING TO THIS STUDY

1. Optional Protocol to the International Covenant on Civil and Political Rights.

2. Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

3. Protocol Instituting a Conciliation and Good Offices Commission to be responsible for seeking a settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education.


1. Standard Minimum Rules for the Treatment of Prisoners

2. Basic Principles for the Treatment of Prisoners

3. Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment


5. Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

6. Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

7. Code of Conduct for Law Enforcement Officials

8. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials

9. Basic Principles on the Role of Lawyers

10. Guidelines on the Role of Prosecutors


16. Principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity
AN ACT TO RESTRICT THE TAKING OF LEGAL PROCEEDINGS AGAINST CERTAIN PERSONS IN RESPECT OF CERTAIN ACTS AND MATTERS DONE OR PURPORTED TO BE DONE WITH A VIEW TO RESTORING LAW AND ORDER DURING THE PERIOD AUGUST 1, 1977, TO [THE RELEVANT DATE]* CONSEQUENT UPON THE EXISTENCE OF WIDESPREAD DISORDER AND LAWLESSNESS IN THE COUNTRY.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

1. This Act may be cited as the Indemnity Act, No. 20 of 1982.

2. No action or other legal proceeding whatsoever, whether civil or criminal, shall be instituted in any court of law for or on account of or in respect of any act, matter or thing, whether legal or otherwise, done or purported to be done with a view to restoring law and order during the period August 1, 1977 to [the relevant date], if done in good faith, by a Minister, Deputy Minister or person holding office under or employed in any capacity whether naval, military, air force, police or civil, or by any person acting in good faith under the authority of a direction of a Minister, Deputy Minister or person holding office or so employed and done or purported to be done in the execution of his duty or for the enforcement of law and order or for the public safety or otherwise in the public interest and if any such action or legal proceeding has been instituted in any court of law whether before or after the date of commencement of this Act every such action or legal proceeding shall be deemed to be discharged and made null and void.

[3. For the purposes of this Act "relevant date" means the day preceding the date on which the provisions of this section comes into force.**]


**16 December 1988.
BY HIS EXCELLENCY THE PRESIDENT J. R. JAYEWARDENE

A PROCLAMATION
WHEREAS I am of the opinion that by reason of a state of public emergency in Sri Lanka, it is expedient so to do in the interests of public security, the preservation of public order and the maintenance of supplies and services essential to the life of the community:

Know Ye that, I, Junius Richard Jayewardene, President, by virtue of the powers vested in me by section 2 of the Public Security Ordinance (Chapter 40), as amended by Act No. 8 of 1959, and Law No. 6 of 1978, do by this Proclamation declare that the provisions of Part II of that Ordinance shall come into operation throughout Sri Lanka, on the Eighteenth day of May, One Thousand Nine Hundred and Eighty-three.

Given at Colombo at 5.00 p.m. on the Eighteenth day of May, One Thousand Nine Hundred and Eighty-three.

By His Excellency's command,

W. M. P. B. Menikdiwela,
Secretary to the President

The Gazette of the Democratic Socialist Republic of Sri Lanka
Extraordinary
Part I: Section (I) - General
Proclamations, &c., by the President

BY HIS EXCELLENCY THE PRESIDENT - R. PREMADASA

A PROCLAMATION
WHEREAS I am of opinion [sic] that by reason of a state of public emergency in Sri Lanka, it is expedient so to do in the interests of public security, the preservation of public order and the maintenance of supplies and services essential to the life of the community:

Know ye that, I, Ranasinghe Premadasa, President, by virtue of the powers vested in me by section 2 of the Public Security Ordinance (Chapter 40), as amended by Act No. 8 of 1959, Law No. 6 of 1978 and Act No. 28 of 1988, do by this Proclamation declare that the provisions of Part II of that Ordinance, shall come into operation throughout Sri Lanka, on the twentieth day of June, One Thousand Nine Hundred and Eighty-nine.

Given at Colombo on the Twentieth day of June, One Thousand Nine Hundred and Eighty-nine.

By His Excellency's command,

K.H.J. Wijayadasa
Secretary to the President
APPENDIX - 7

REGULATIONS CONCERNING NON-GOVERNMENTAL ORGANISATIONS

Gazette Extraordinary of
the Democratic Socialist Republic of Sri Lanka,
Part I: Section (I),
22 December 1993

Government Notifications

C.F. 1/64

PUBLIC SECURITY ORDINANCE (CHAPTER 40)

REGULATIONS made by the President under Section 5 of the Public Security Ordinance (Chapter 40).

D.B. WIJETUNGA,
President.
Colombo,

REGULATION

1. These regulations may be cited as the Monitoring of Receipts and Disbursements of Non Governmental Organisations Regulations No. 1 of 1993.

2. Every Non Governmental Organisation in receipt of money, goods or services, from foreign or local sources or from both foreign and local sources, in excess of Rs. 50,000 per year shall be registered with the Director of Social Services (hereinafter referred to as "the Director").

3. Every Non Governmental Organisation in receipt of a total sum of money, or the equivalent of a sum of money, in excess of Rupees One Hundred Thousand in any year, whether as donation, gift, contribution, income, or otherwise, shall submit, to the Director, on or before the thirty-first day of March of the succeeding year, a statement of accounts, certified by a qualified auditor, for the period commencing on 1st January and ending on the 31st December of the previous year setting out -

(a) all receipts whether of money, goods or services, received by such Organisation during the course of that year;

(b) the sources from which such monies, goods or services were received by such Organisation;

(c) all disbursements made, whether of money or goods and services rendered by such Organisation during the course of that year;

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(d) the names, addresses and such other particulars as may be necessary to identify the persons to whom such monies or goods were disbursed or such services were rendered, during the course of that year;

(e) the assets and liabilities of such Organisation as at the thirty-first day of December of that year.

4. Any person shall have the right to inspect any statement of accounts submitted to the Director under regulation 3, at the office of the Director at reasonable hours and on payment of the fee prescribed in that behalf by the Director and shall be entitled to obtain a certified copy of such statement or any portion thereof, on payment of the fee prescribed in that behalf by the Director.

5. Where any Non Governmental Organisation functions without the registration referred to in regulation 2 or being required under regulation 3 to submit a statement of accounts fails to submit such statement of accounts or submits a statement of accounts in compliance with the requirement imposed by Section 3 containing false declaration on any material particular, every person who functioned as an office bearer, Manager, Trustee or Chief Executive of such Organisation at any time during the course of the year in respect of which such Organisation functioned without registration or the statement of accounts was not submitted or the statement of accounts submitted contains a false declaration, as the case may be, shall be guilty of an offence under these regulations and shall upon conviction by the High Court be liable to imprisonment for a term not exceeding five years and to a fine not exceeding fifty thousand rupees.

6. Where any person is convicted of an offence under these regulations, the court shall in addition to the punishment prescribed by regulation 5, make order cancelling the registration of the Organisation in respect of which the offence was committed, and such Organisation shall thereafter not be entitled to be registered under these regulations for a period of one year from the date of such conviction, or if an appeal has been preferred against such conviction, from the date on which the appeal is dismissed.

7. In these regulations, "Non Governmental Organisation" means any organisation formed by a group of persons on a voluntary basis and which-

(a) is of a non governmental nature;

(b) is dependant on public contributions, grants from the Government or donations, local or foreign, in carrying out its objects;

(c) has as its main objects, the relief of suffering, assistance to orphans, the sick, the unwanted, the disabled, the deprived, the disadvantaged or the poor, the development and upliftment of the community, research and training or the protection of the environment, but does not include a co-operative society registered under the Co-operative Societies Law, No. 5 of 1972 or an organisation formed exclusively for the provision of funeral
expenses and relief on the death of a member of such organisation or a relative of such member; "qualified auditor" means:

(i) an individual who, being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other Institute established by law, possesses a certificate to practise as an Accountant issued by the Council of such Institute; or

(ii) a firm of Accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of Sri Lanka or of any other Institute established by law, possesses a certificate to practice as an Advocate issued by the Council of such Institute.
<table>
<thead>
<tr>
<th>Art No.</th>
<th>Provisions</th>
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<tr>
<td>10.</td>
<td>Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice.</td>
</tr>
<tr>
<td>11.</td>
<td>No person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</td>
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| 12.    | (1) All persons are equal before the law and are entitled to the equal protection of the law.  

(2) No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds:  

Provided that it shall be lawful to require a person to acquire within a reasonable time sufficient knowledge of any language as a qualification for any employment or office in the Public, Judicial or Local Government Service or in the service of any public corporation, where such knowledge is reasonably necessary for the discharge of the duties of such employment or office:  

Provided further that it shall be lawful to require a person to have a sufficient knowledge of any language as a qualification for employment or office where no function of that employment or office can be discharged otherwise than with a knowledge of that language.  

(3) No person shall, on the grounds of race, religion, language, caste, sex or any one of 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.  

(4) 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. |
| 13.    | (1) No person shall be arrested except according to procedure established by law. Any person arrested shall be informed of the reason for his arrest.  

(2) Every person held in custody, detained or otherwise deprived of personal liberty shall be brought before the judge of the nearest competent court according to procedure established by law, and shall |
not be further held in custody, detained or deprived of personal liberty except upon and in terms of the order of such judge made in accordance with procedure established by law.

(3) Any person charged with an offence shall be entitled to be heard, in person or by an attorney-at-law, at a fair trial by a competent court.

(4) No person shall be punished with death or imprisonment except by order of a competent court, made in accordance with procedure established by law. The arrest, holding in custody, detention, or other deprivation of personal liberty of a person, pending investigation or trial, shall not constitute punishment.

(5) Every person shall be presumed innocent until he is proved guilty:

Provided that the burden of proving particular facts may, by law, be placed on an accused person.

(6) No person shall be held guilty of an offence on account of any actor omission, which did not, at the time of such act or omission, constitute such an offence, and no penalty shall be imposed for any offence more severe than the penalty in force at the time such offence was committed.

Nothing in this Article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

It shall be a contravention of this Article to require the imposition of a minimum penalty for an offence provided that such penalty does not exceed the maximum penalty prescribed for such offence at the time such offence was committed.

(7) The arrest, holding in custody, detention or other deprivation of personal liberty of a person, by reason of a removal order or a deportation order made under the provisions of the Immigrants and Emigrants Act or the Indo-Ceylon Agreement (Implementation) Act, No. 14 of 1967, or such other law as may be enacted in substitution therefore, shall not be a contravention of this Article.

14. (1) Every citizen is entitled to-

(a) the freedom of speech and expression including publication;

(b) the freedom of peaceful assembly;

(c) the freedom of association;
(d) the freedom to form and join a trade union;

(e) the freedom, either by himself or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice and teaching;

(f) the freedom by himself or in association with others to enjoy and promote his own culture and to use his own language;

(g) the freedom to engage by himself or in association with others in any lawful occupation, profession, trade, business or enterprise;

(h) the freedom of movement and of choosing his residence within Sri Lanka; and

(i) the freedom to return to Sri Lanka.

(2) A person who, not being a citizen of any other country, has been permanently and legally resident in Sri Lanka immediately prior to the commencement of the Constitution and continues to be so resident shall be entitled, for a period of ten years from the commencement of the Constitution, to the rights declared and recognized by paragraph (1) of this Article.

15. (1) The exercise and operation of the fundamental rights declared and recognized by Article 13 (5) and 13 (6) shall be subject only to such restrictions as may be prescribed by law in the interests of national security. For the purposes of this paragraph "law" includes regulations made under the law for the time being relating to public security.

(2) The exercise and operation of the fundamental rights declared and recognized by Article 14 (1) (a) shall be subject to such restrictions as may be prescribed by law in the interests of racial and religious harmony or in relation to parliamentary privilege, contempt of court, defamation or incitement to an offence.

(3) The exercise and operation of the fundamental right declared and recognized by Article 14 (1) (b) shall be subject to such restrictions as may be prescribed by law in the interests of racial and religious harmony.

(4) The exercise and operation of the fundamental right declared and recognized by Article 14 (1) (c) shall be subject to such restrictions as may be prescribed by law in the interests of racial and religious harmony or national economy.

(5) The exercise and operation of the fundamental right declared and recognized by Article 14 (1) (g) shall be subject to such restrictions as may be prescribed by law in the interests of national economy or in relation to-

(a) the professional technical, academic, financial and other
qualifications necessary for practicing any profession or carrying on any occupation, trade, business or enterprise, and the licensing and disciplinary control of the person entitled to such fundamental right, and

(b) the carrying on by the State, a State agency or a public corporation of any trade, business, industry, service or enterprise whether to the exclusion, complete or partial, of citizens or otherwise.

(6) The exercise and operation of the fundamental right declared and recognized by Article 14 (1) (h) shall be subject to such restrictions as may be prescribed by law in the interests of national economy.

(7) The exercise and operation of all the fundamental rights declared and recognized by Articles 12, 13 (1), 13 (2) and 14 shall be subject to such restrictions as may be prescribed by law in the interests of national security, public order and the protection of public health or morality, or for the purpose of securing due recognition and respect for the rights and freedoms of others, or of meeting the just requirements of the general welfare of a democratic society. For the purposes of this paragraph "law" includes regulations made under the law for the time being relating to public security.

(8) The exercise and operation of the fundamental rights declared and recognized by Articles 12 (1), 13 and 14 shall, in their application to the members of the Armed Forces, Police Force and other Forces charged with the maintenance of public order, be subject to such restrictions as may be prescribed by law in the interests of the proper discharge of their duties and the maintenance of discipline among them.

16. (1) All existing law and unwritten law shall be valid and operative notwithstanding any inconsistency with the preceding provisions of this Chapter.

(2) The subjection of any person on the order of a competent court to any form of punishment recognized by any existing written law shall not be a contravention of the provisions of this Chapter.

17. Every person shall be entitled to apply to the Supreme Court, as provided by Article 126, in respect of the infringement or imminent infringement, by executive or administrative action, of a fundamental right to which such person is entered under the provisions of this Chapter.