

- provide an update in the next report on its plans to award citizenship to the 85,000 stateless Tamils living on Sri Lankan territory;
- enforce the minimum legal age for marriage of 18 years, as well as inheritance laws affecting women, and repeal all laws that discriminate against children born out of wedlock;
- adopt policies and implement relevant measures to combat discrimination in employment against women and minority groups in both the private and public sectors; pay particular attention to the enjoyment by women and men of the right to equal pay for work of equal value;
- vigorously enforce child labour laws and establish immediately a legal minimum age for work in all industries that is in accordance with international standards;
- renew efforts to seek out those who are responsible for the sexual exploitation of children and prosecute them to the full extent of the law; seek the cooperation of other governments in bringing to justice all those who engage in the sexual exploitation of children;
- undertake an assessment of the impact on children of the prolonged absence of their mothers working abroad with a view to educating women in this regard, and to discourage women from leaving the country for employment abroad as domestic helpers, the conditions of which are often deplorable;
- provide an updated report on the progress achieved in addressing the problems of poverty, malnutrition and lack of adequate housing; and
- include with its next report a copy of the report of the presidential task force that has been investigating the problem of suicide among youth, as well as the recommendations made by the task force, and actions taken in response to those recommendations.

Committee against Torture

Sri Lanka's initial report (CAT/C/28/Add.3, November 1997) was considered by the Committee at its May 1998 session. The report prepared by the government covers the period from 3 January 1994 to 21 November 1997 and contains information on, *inter alia*: the general legal framework within which torture is prohibited; proposals of the Parliamentary Select Committee responsible for drafting a new constitution; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Act No. 22 of 1994 (CAT Act); the Human Rights Task Force (1991-1997); the Human Rights Commission of Sri Lanka, established in March 1997; cooperation with the International Committee of the Red Cross; practical difficulties in implementing the Convention; the fundamental rights jurisdiction of the Supreme Court; arrest and detention — the Criminal Procedure Code, the Prevention of Terrorism Act 1979, the Public Security

Ordinance 1994 and the Emergency Regulations; the work of the Committee to Process, Clarify and Recommend Rehabilitation and Release of Suspects; human rights education and training for police and military personnel; the activities of the Centre for the Study of Human Rights (CSHR); mechanisms to review rules with a view to preventing torture; complaints against police officers; and compensation and rehabilitation.

The Committee's concluding observations and comments (CAT/C/SRI) welcomed: Sri Lanka's accession to the Convention during extremely difficult times for the country; the adoption of the CAT Act No.22 of 1994 to give effect to the Convention; the establishment of the Human Rights Commission with several regional offices, including one in Jaffna; the unequivocal position taken by the Supreme Court, as well as other courts, on the question of torture and the awards of compensation to victims of torture under the fundamental rights jurisdiction of the Supreme Court; the seminars and other work carried out by the International Committee on the Red Cross and the participation of the medical profession in such seminars; Sri Lanka's accession to the First Optional Protocol to the International Covenant on Civil and Political Rights; and the support to victims of torture as expressed by both donations to the UN Voluntary Fund for the Victims of Torture and support to the Centre for Rehabilitation.

In terms of factors and difficulties hindering application of the provisions of the Convention, the Committee noted: a serious internal situation, nonetheless noting that it in no way justifies any violation of the Convention; a very low per capita income; and the fact that, for years in the past, police officers appeared to be immune from prosecution.

The subjects of concern identified by the Committee included: information on serious violations of the Convention, particularly regarding torture linked with disappearances; the fact that few if any prosecutions or disciplinary proceedings were taken, despite continuous Supreme Court warnings and awards of damages to torture victims; the absence, until recently, of independent and effective investigation of scores of allegations of disappearances linked with torture; significant omissions in the CAT Act 22/94 in terms of some of the provisions of the Convention; the admissibility under the Emergency Regulations of confessions; and the absence of strict legislation governing detention consistent with international norms.

The Committee recommended that the government, *inter alia*:

- review the CAT Act 22/94 and other laws in order to ensure complete compliance with the Convention, in particular in respect of the definition of torture, acts that amount to torture, and extradition, return and expulsion;
- review the Emergency Regulations and the Prevention of Terrorism Act as well as rules of practice pre-