

The Role of the Public Service as an Essential Component of Good Governance in the Promotion and Protection of Human Rights

1. Good practices and your views regarding the organization, training and education of the public service;

All public sector transactions are carried out impartially and in a transparent manner based on established guidelines and regulations. Public sector organizations are bound by respective rules and regulations, such as Financial Regulations and Establishment Code. Apart from this, there are set guidelines for recruitments, transfers, promotions, retirements, disciplinary control in Human Resources aspects. All recruitments are done through competitive examinations considering educational qualifications of the candidates. After recruitment, training needs are met considering the skills gaps and officers' demands for the training and development. Selection for foreign training and programmes are done in a competitive manner upon merit and the required educational background.

2. Activities developed to assist and support the public service at the national, regional and international levels, in particular where human rights aspects were taken into consideration and improved the public service;

Citizen Charter initiatives have been introduced under specific guidelines directed by the Cabinet of Ministers to ensure standardized public service deliveries at regional, district, divisional, village and national level.

Circular guidelines are in place to provide required accessibility for the needy people in all public sector organizations.

(Special provision has been given for the differently-abled people to enter the public service. (3% of the available vacancies to be given for such persons).

- 3. Which categories of services you consider as public services and the rationale for providing human rights relevant services directly or indirectly through delegation to non-State actors or in mixed systems, in particular where human rights considerations were taken into account;**

Trade Union participation in decision making, in policy formulation and at implementing level has been assured in respective public service sectors.

Public sector organizations which are working in the development administration are working closely with supportive domestic and International Non-Government Organizations especially in the areas of rural development, community development, community capacity development and empowerment.

Recognition has been given for community based organizations to ensure their effective enrolment in regional development through community participatory strategies in public administration.

- 4. Any recent privatization in sectors where there is an obligation to ensure access to human rights relevant services, and concomitant regulatory or other measures which helped to ensure human rights complaint service deliver;**

Measures have been taken to ensure more private sector participation in vital public services such as health, education, transport etc in order to ensure efficient and healthy service competitiveness. The scope of the public services has been opened to the private sector to provide better services to ensure delivery qualities of public service.

- 5. Good practices in the area of liberalization of trade in services which ensured improved delivery of human rights relevant services;**

Some vital areas of public services have been liberalized to enroll private sector participation, opening more avenues for the citizens to access such services based on their choices. For example education facilities are provided not only by the public sector but also by the private sector and international educational service providers.

6. Good practices of public service reform in a post-conflict context or after major transitions which ensured improved delivery of human rights relevant services;

Better accessibility of public services has been ensured in former the conflict- affected areas restoring civil administration as a priority requirement under specially designed development programmes. Facilities have been provided to empower community based organizations in the former conflict-affected areas by providing required physical infrastructure requirements as well as capacity development support for early recovery.

Required human resources were provided for the public sector organizations through regular schemes to strengthen the civil administration in the areas are concerned.

A language policy framework has been introduced in public service delivery points to minimize communication gaps experienced during the past. This is in line with the government's overall policy of promoting trilingual (Sinhala, Tamil, English) competency among public officers and in furtherance of its Official Languages Policy.

In the context of improving the delivery of human rights relevant services, the total number of Tamil speaking police officers at present is 2,582 (of whom 2,181 are deployed in the former conflict-affected areas of the North and the East). Training in the Tamil and English languages is also being provided to police officials.

7. The conditions for access to public service positions, any restrictions which apply and the processes for appointment, promotion, suspension and dismissal or removal from office as well as the judicial or other review mechanism which apply to these processes;

Established appealing and grievances handling mechanisms are in place to deal with and protect the affected parties in relation to the respective Human Resources practices. The following institutional and legislative arrangements are in place to protect the rights of public officers and eliminate any discriminative human resources practice or application:

- Public Service Commission
- Administrative Appeal Tribunal
- Public Petition Committee of the Parliament
- Ombudsman Parliamentary Commissioner for Administrative Affairs
- Human Rights Commission
- Police Commission
- Established Judicial review practices relating to above processes by way of fundamental and Writ Applications.

8. How the requirement for equal access to public service positions is met, and whether affirmative measures have been introduced and, if so, to what extent;

Equal access to public service positions have been guaranteed by Article 12 of the Constitution of Sri Lanka. Also Effective public administration guidelines have been introduced to ensure equal access to the public services base on merit and competency.

There are no practices to prevent equal access to the public access.

9. Any other issues relevant to the scope of this study

None.