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# **Sectoral Oversight Committee on National Security**

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**Report of the  
Proposals for Formulation and Implementation  
of relevant laws required to ensure National  
security that will eliminate New Terrorism and  
extremism by strengthening friendship among  
Races and Religions**

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**Wednesday 19<sup>th</sup> February 2020**

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## **Powers of the Committee**

The powers of the said Sectoral Oversight Committees are set out under the Standing Order No. 111 of Parliament and more details are included in the web site [www.parliament.lk](http://www.parliament.lk).

## **Publications**

Reports and evidences published by the Sectoral Oversight Committee could be obtained from Committee office of Parliament or web site [www.parliament.lk](http://www.parliament.lk).

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## **1. INTRODUCTION**

As a result of that human catastrophe that became known in our country as well as internationally as the Easter Sunday Attack, or as 4/21 Attack, an initial set of proposals signed by Hon. Members of Parliament representing this August Parliament was handed over to the Sectoral Oversight Committee on National Security on 14<sup>th</sup> May 2019. Especially, what had been stressed by the content of the proposals were the manner in which the Easter Sunday Attack had occurred and the fact that certain amendments and changes have to take place in the core legal framework that had thitherto existed as a remedy for the problematic and chaotic situation that built up before the country rendering the country's national security to jeopardy as a result.

Accordingly, the Sectoral Oversight Committee on National Security convened on 17<sup>th</sup> May 2019 on the basis of this set of proposals and even a large number of Parliamentarians who are not Members of the Committee attended it and presented their views and suggestions. The Committee also met on 24<sup>th</sup> May again and as was the case on the earlier occasion, a large number of Parliamentarians who do not hold membership in the Committee also attended it and presented their views and suggestions. The special thanks of Committee are accorded to them for the special contribution made by them. In this same way the Sectoral Oversight Committee on National Security met numerous times during the past few months and on several occasions conducted progress review meetings. At the same time, in instances most essential, the Chairman of the Committee personally went to the Ministries, Departments and other state and non-state institutions that bear direct responsibilities of this process and met relevant officers and members to discuss and find facts.

There are several major factors that come to surface when the manner in which the 4/21 Attack had been planned was put to analysis. Firstly, the attack called into question the national security of the country. Secondly, the feeling of insecurity and the confused mentality which built up in the minds of people were things which could be expected in view of the extent to which the attack undermined the country's national security. This incident once again brought home to us the fact that the national security of a country should prevail above all other priorities.

Both the essence of the initial set of proposals presented to the Sectoral Oversight Committee on National Security by Hon. Members and the opinion of the general public was that our Committee should operate based on the "One Country – One Law" Concept. However, for several reasons, the Committee finally decided that it is more appropriate to ground on the practical reality of "One Country – One Law" concept. Because, the Committee's objective was not to

target a particular ethnic or religious group and exert the dominance of the majority on that group after the 4/21 attack, but to produce recommendations on the approaches and methodologies which will be necessary to ensure national security within a Sri Lanka in which unity and coexistence is enshrined. In actual fact, the Committee's single objective is to create the background necessary to achieve national security while ensuring peace, amity and co-existence among all the ethnic and religious groups of the country at least for a few decades to come.

It is our responsibility to convey our heartfelt condolences to the Sri Lankan Christian community who became the victims of the Easter Sunday Attack and to the bereaved families of the tourists who came to enjoy the pristine beauty of Sri Lanka yet lost their lives and we believe that justice to all victims of the attack can be ensured only through ensuring that such catastrophes will not recur, as far as Sri Lanka is concerned.

Several words and expressions have entered the vocabulary of Sri Lankan people since the day on which the Easter Sunday Attack took place. Although these had been in existence before it, it was only after the April 21<sup>st</sup> incident that the words spread as far as the mouths of the ordinary masses of the country. These include: Muslim terrorism, Islamic terrorism, thawheed jamath, thablic jamath, mudrasa, Shariya Law, burka, hijab etc. One of the challenges that face our Committee is the alleviation of suspicion, fear and uncalled-for hatred which amassed in the minds of the majority community in Sri Lanka towards most of these words associated with the Muslim society and culture and their meanings, Muslim laws, rules and usages as a result of the Easter Attack.

Although our country had fought over three decades to defeat terrorism and achieved a great victory, the Easter Sunday Attack was one which took a different form from the traditional terrorism which we had hitherto faced. As such, the Chairman of the Committee proposed at the very first meeting of the Committee itself that the "use of terms such as Muslim terrorism or Islamic terrorism would not be suitable hereafter", and instead the Easter attack is "an attack grounding on neo-terrorism". The academics who conduct studies on terrorism have been using the term "neo-terrorism" in classifying terrorist activities that have emerged in the world from the early 1990s. Significantly, it is not a secret that it is the armed, suicidal extremist Muslim terrorist organizations that are responsible for most of the terrorist acts that came to light all over the world during that decade. However, what came to the attention of the Committee was minimizing the establishment of terms such as 'Islamic terrorism' and 'Muslim terrorism' in the society so as to hurt the feelings of ordinary Muslim civilians, who had hitherto been living in unity and coexistence with the Sinhalese and Tamil communities of this country for several centuries. In fact, such terms coming into use is a constraint to the ethnic reconciliation and religious

harmony, which essential for us as a nation. Upon close scrutiny of facts, our Committee noticed that it was as Private Member's Motions that most of the pieces of legislation which are unique to the Muslim community that has led to suspicion among the majority community had been presented to Parliament rather than as a result of a broad dialogue, strong need or persistent demand among the Muslim society.

Many countries that have faced neo-terrorism similar in form to Easter Sunday Attack can be identified even at present. At the same time, many such other countries are well prepared to counter a neo-terrorist attack.

Many differences could be identified between the previously existing terrorism and the one that started after the advent of the 1990s. To describe briefly, neo-terrorism does not have frontiers; neither are they guided by an ideology; nor do they have a clear organizational structure, leadership or clear grievances or demands that warrant resolution at the negotiation table diplomatically. However, individuals or small groups who are so motivated as even to sacrifice their own lives on religious fanaticism could be identified amongst them.

It should be noted here, at a time when the Sectoral Oversight Committee on National Security is presenting draft proposals on introducing new laws and incorporating amendments to certain existing laws after incessant work during the past several months, that attention has been given to new measures, laws and pieces of legislation resorted to internationally in various countries of the world to face the neo-terrorism referred to above. However, the Sectoral Oversight Committee on National Security presents this set of proposals to this august Assembly while giving broad focus to the root causes of all phenomena that undermined the unity, coexistence and amity among the three major communities of this country even before the Easter Sunday Attack. Particularly, this set of proposals has focused on a broad range of issues especially from the key factor called the national security, and from the need to control the emergence of regional centres of prayer which are not consistent with the thitherto existing religious orders thereby posing obstructions to the religious harmony that prevailed in the country since the latter part of the 1990s, to the assurance of the right they have to receive basic education for their children according to the free education policy of the state.

Finally, what need be reiterated is that the precise meaning of this report containing proposals, which is presented in fulfillment of the national responsibility assigned to the Sectoral Oversight Committee on National Security is: if our Sri Lanka is to emerge as a modern developed state in the third decade of the 21<sup>st</sup> Century, it should be grounded on ensuring first the national security of the country in a manner that fulfills the aspirations of all citizens living within the country; building the modern Sri Lankan nation that shall have united all

ethnic communities including the Sinhalese, Tamils and Muslims; rebuilding the mass of inter-religious and inter-ethnic attitudes which had persisted from the past within the minds of Muslim people embracing Islamic faith, who have faced many bitter experiences within the dark memories of the 4/21 attack; creating the background for building a people who think in terms of 'Sri Lankan Sinhalese–Sri Lankan Tamils–Sri Lankan Muslims' who consider 'Being Sri Lankan' as their foremost identity which embrace the culture, civility and national value system adapted to suit the Sri Lankan society.

Accordingly, basing on the set of proposals submitted by Hon. Members, the Report endeavors to support the formulation of a common legal framework to help combat ethnic dissension, extremism and neo-terrorism without causing prejudice to any ethnic or religious community.

This Report has been prepared following consultation with stakeholder institutions nationally and after conducting extensive studies on measures taken by various countries in the face of present-day challenges and the results achieved from such measures.

The Committee's serious concern was focused on the fact that despite the reality that the advancement of information technology has rendered a significant service towards the progress of societies, that same new technology has also become a major process misused for the expansion of extremism and neo-terrorism. The ability this technology has to transcend frontiers, especially its ability to interfere with the functioning of nation states from outside the national legal framework, came to the attention of the Committee.

This Report, which is presented by the Sectoral Oversight Committee on National Security, covers several sectors. It proposes the amendments to policies and pieces of legislation associated with national security, changes that should be effected within the legal system, and many roles and responsibilities that should be put into action by various layers of the society including institutions, Departments, civil society organizations and citizens assigned with different tasks. At the same time, recommendations have been put forth to cover various practices prevailing in the fields of defence, public security, media, telecommunications, education, and religious and social establishments. In this report, recommendations have been presented under a holistic approach comprising programmes aimed at strengthening national security set-ups, preventing the proliferation of extremism, countering terrorist-financing, enhancing the capacity to respond immediately to hazardous situations, promoting surveillance capacities, enhancing the capacity to use information communication technology and data science for forecasting and countering risks, undertaking studies to enhance knowledge and experience on challenges of national and international neo-terrorism, and combating challenges from



institutions and individuals who could be a catalyst to extremism, side by side with programmes aimed at elimination of inter-ethnic and inter-religious misunderstanding and suspicion.

When the experiences of national security are put together, putting the above-mentioned recommendations into action productively and quickly may seem challenging. Therefore, it is the hope of the Committee that the President, the Prime Minister, the Cabinet and the Government will manage the responsibility entrusted the right way in making these recommendations made by the Sectoral Oversight Committee on National Security a practical reality once they are tabled in Parliament.

## 2. Education

### Background

Living standards of Sri Lanka is comparatively high compared to the other countries in the region and the free education policy promoted and sustained by all the governments that came into office after independence had an immense contribution in this regard.

Sri Lanka acknowledges that providing a holistic, effective and balanced education is the sole responsibility of the state. The foremost responsibility of education is to equip children with knowledge, attitudes and skills required to engage them locally and globally in the twenty-first century to overcome the challenges and win the opportunities as proud citizens who value Sri Lankan identity. There are a number of laws passed from time to time by various governments to fulfil this responsibility. Policies related to education in Sri Lanka are formed following the Constitution, other related local laws and the international conventions ratified by Sri Lanka. Accordingly, laws, sections and regulations that have special reference to education are shown below.

- Section 2 (h) of Chapter VI of the Constitution, “the complete eradication of illiteracy and the assurance to all persons of the right to universal and equal access to education at all levels.”
- As ascertain in the Chapter IV of the Constitution the right to get education through one’s mother tongue.
- Fundamental right to get education ascertained by the Education Ordinance no. 31 of 1939 and amendments done later.
- Ordinance No. 27 of 1947, Education amendment Act no. 05 of 1951, Education Amendment Act no. 37 of 1958 and the Law No. 35 of 1973
- Assisted Schools and Training Colleges (Special Provisions) Act No. 5 of 1960
- Assisted Schools and Training Colleges (Supplementary Provisions) Act No. 8 of 1961
- Assisted Schools and Training Colleges (Supplementary Provisions and Special Provisions) Act no. 65 of 1981.
- Public Examinations Act no. 25 of 1968.
- Proven Education Act no. 64 of 1979.
- National Institute of Education Act no. 28 of 1985.
- School Development Society Act no. 8 of 1991.

- National Education Commission Act no. 19 of 1991.
- Free Education Right Draft 2014.

In addition to that, as per the international agreements ratified by Sri Lanka, the Committee focused its attention to the following conventions, documents and declarations.

- Declaration of Human Rights – 1948
- Treaty on Prevention of Discrimination in Education – 1960
- International Covenant of Economic, Social and Cultural rights. – 1966
- Convention on the rights of the child- 1989
- Sustainable Development Goals – 2015
- United Nations Declaration of gender in education and girl’s education.

It is obvious that, in the above context, the education system of Sri Lanka has evolved within an extensive policy framework. However, the sectoral oversight committee on national defence focused its special attention to ascertain whether there is an environment conducive to circulate or create ideas and opinion that tend to create uncertainty and disbelief between the communities or to disseminate extreme ideas within this extensive and complex education system. When we look at them from the viewpoint of national defence, the spread of extreme opinions among certain communities or groups imposes a direct threat to religious co-existence and ethnic reconciliation. At the same time if suspicion, distance and hatred are built between ethnic groups due to ideological inclinations or defects in the existing education system, propitiating such phenomenon or situations is a basic need in national security. Therefore, in a holistic approach to certify national security, it is important to provide holistic and balanced education to every child as shown in the United Nations Convention of Children’s rights, and it is the duty of the state to formulate provisions, resources and regulation methods to ascertain such an education system.

Accordingly, when the laws and regulations are proposed concerning education, the Committee evaluates the existing framework of laws, regulations and acts related to education from the viewpoint of national security.

The new national education policy that is being formulated with the participation of the Ministry of Education, National Education Commission and many other parties, received special attention of our Committee. The Committee is of the view that the most effective and productive proposals introduced in that policy will provide solutions to most of the problems rooted in the education system in this country. Accordingly, the Committee focused its attention to

present its proposals and recommendations concurrent to that new policy as much as possible.

The prime concern of the formal education given in the school system of Sri Lanka is to ascertain every child's ability to merge with the mainstream with a Sri Lankan identity and patriotism. To ascertain the existence of such an education system the government should possess a mechanism to ascertain that every child gets a quality education giving concerns to modernity.

### **General Education**

According to the international standard of education declared by the ISCED, general education has been defined as follows.

*Education that is designed to develop learners' general knowledge, skills and competencies and literacy and numeracy skills, often to prepare students for more advanced educational programmes at the same or higher ISCED levels and to lay the foundation for lifelong learning. General educational programmes are typically school – or college-based. General education includes educational programmes that are designed to prepare students for entry into vocational education, but that does not prepare for employment in a particular occupation or trade or class or occupations or trades, nor lead directly to a labour market-relevant qualification.*

*Source: UNESCO UIS 2011*

Study of the syllabuses taught in the institutions that provide full time education reveal that they can be divided into three main categories.

1. Government schools and Pirivena system that provide education based on the syllabuses formulated by the National Institute of Education. Concurrent to this, the same syllabus is taught in some private schools also.
2. International schools or private schools that are internationally accredited.
3. Non-government Islamic religious education institutions that teach unaccredited syllabuses. All these institutions are registered or unregistered madrasa institutions.

As far as the education provided by the above-mentioned 1 and 2 types are concerned they teach locally or internationally recognized/accredited syllabuses. Those syllabuses adhere to the worldly recognized education psychological methods and it is a continuous process in the school system that a child gets for about 18 years separated as primary and secondary education.

In this school education or general education, most of the countries have made it compulsory to retain a child within that system until he/she reaches the age of 16. The national education policy that has been implemented in Sri Lanka has recommended a full-time school education of 13 years and that education policy is confirmed by a child getting school education up to Advanced Level upon his / her completion of O/L examination.

As mentioned above no. 3 the major problem in providing every child with a general education with national values and skills needed for the twenty-first century is having a group of institutions that are not subjected to any form of proper regulation. In addition to that, as far as the international schools are concerned the ministry of education has made it compulsory to teach mother tongue and history. However, the reality is that though the above-mentioned schools teach internationally accredited syllabuses the teaching of mother tongue and history is at a very poor level. The reason for that situation is that international schools are registered under the Companies Ordinance and not under the laws related to education. Schools governed by the government of Sri Lanka are under the Assisted Schools Act of 1960 and 1961 but various types of international schools function under Companies Ordinance. This situation has created a major mismatch within the whole education system and the Ministry of Education has no right to regulate or monitor any of the education institutes that come under Companies Act. Accordingly, the international schools have gained the ability to function without being subject to the regulation and monitoring of the ministry of education and the government cannot ascertain that the national goals in education are achieved through such schools.

The most unsatisfactory situation with regard to the negligence of national virtues from the education system is the functioning of a group of schools that have been registered as international schools to which non-Islamic students are not admitted under any circumstances. Another observation made was the mushrooming of such schools in main cities with a high Muslim population. The recent developments related to those schools have shown a tendency that mislead Muslim children through lectures delivered in English through the internet by the orators like Jainul Abdheen, the leader of Thouheed Jammad in South India and Sakeer Naik, the founder of Peace TV channel of which the telecast is prohibited in Sri Lanka after the Easter Sunday attack and against whom allegations have been made for spreading Islamic extremism using Mumbai as the Centre. It seems that the possibility of developing a new young Muslim generation with a propensity against Sri Lankan national values and Islamic values can be a threat to the Sri Lankan nationality, inter-ethnic harmony and the national security.

The situation of Madrasa institutions is more problematic. The syllabuses taught in Madrasa institutions are not nationally accredited in any way. At the same time, they have no international or any other accreditation like the syllabuses taught in international schools. Neither a national institute for an international institute is there to check the quality of Madrasa institutions. Having a set of Islamic religious institutions that are not subjected to monitoring or regulation according to the national education policy is an obstacle to ascertain the development of skills needed for the twenty-first century or to develop nationalistic feelings as Sri Lankans.

Facts submitted before the committee about Madrasa institutions reveal that an in-depth study is needed. Further investigations conducted by the Committee revealed that Ministry of Muslim Affairs, Department of Muslim Affairs or any other government institution do not possess an acceptable report on the number of Madrasa institutions in Sri Lanka. Therefore there are complex problems concerning the number of children in Madrasa schools, the content and the quality of education given there, the number of teachers, qualifications of the teachers, basic facilities for children, whether teachers are foreign or local, the type of registration, what the financial sources are and how they manage finance. For example, Muslim scholars who made their representations before the committee showed that Madrasa institutions have become places that maintain children in disorganized families that are increased due to the informality in the implementation of the Muslim divorce law.

Madrasa issue was given meticulous attention by the Committee of national security. Many parties presented their ideas and solutions and one such solution is to manage Madrasa institutions in the manner the Pirivenas are managed under the Ministry of Education under a different section. However, the Pirivena section that is under the Ministry of Education exists as a historically evolved institute that provides education for "samanera bikkus." It is a system of education for the monks who entered into the life of a monk and in Pirivena the samanera monks learn mathematics, science, mother tongue and the general education recommended by the National Institute of Education. However, those who get an education in Madrasa schools are not children who were ordained as clergymen and they enter into normal life once they finish their education. Further, as far as the Christian clergymen's education is concerned it started upon the completion of their general education and after the completion of 16 or 18 years. The qualification required to enter into a seminary is passing GCE (A/L). Accordingly, Christian clergymen's education starts as a special education after general education. Therefore, the Committee excludes the proposal of bringing the existing Madrasa schools under one section of the Ministry of Education. The reason for that is, it does not provide special training for the clergymen. On the other hand, if the Ministry of Education takes the

responsibility of providing education to the students in Madrasa Institutes, those institutions should be dissolved and they should be absorbed into the general education system enabling the child to get a formal and evaluated education.

Special Education is something that is not general and it is not a full-time education. Special education is the education to develop special professions or skills. Education aimed at training religious clergymen is one aspect of special education and as per the proposals submitted to the sectoral oversight committee on national security, the committee focused on the situation of religious education. As the Committee focused its attention there are two types in special education of dhamma. One is the religious education given to laymen to lead a righteous life. The other type is the education given by the institutions to train the clergy that belongs to various religions. But the syllabuses teach in Pirivena that are regulated by the Pirivena section of the Ministry of Education have been prepared according to the general education principals and those principals are used when the syllabuses and textbooks are prepared.

Dhamma school system functions to provide religious education to the laymen. It is a system in major religions like Buddhism, Hinduism, Christianity and Islam to teach virtues and good values. Those schools were traditionally conducted on Sundays or weekdays after school. Mosque Madrasa and Ahaddiya dhamma schools are two examples of that. These institutions have evolved traditionally throughout a long period and most of the Muslim adults in our society got their religious education from those institutions. Though Mosque Madrasa is conducted inside the mosque, the teachers of those institutions are not qualified persons.

At present instead of Mosque Madrasas conducted in mosques, a system called Maktab that teaches Islamic rituals and Quran education by charging money has now become popular. However, some Muslim experts who made representations before the Committee stated that the previously mentioned practice spreads extremist ideas rapidly. Accordingly, it seems that the multi-religious and multi-ethnic reality that should be understood by the citizens of Sri Lanka have no place in this method of teaching. This situation can create extreme ideas in the minds of the Muslim youth and in general, it can be a reason to develop misunderstandings and the distance between the ethnic groups obstructing the inter-ethnic coexistence and reconciliation. The Committee presented the following recommendations after considering the above facts.

## **Recommendations:**

### **General Education**

1. To ascertain that all the children in Sri Lanka get an education following the general education policy of the country, all the syllabuses taught in all educational institutions should be subjected to the approval of the National Institute of Education. This should be relevant to all the international schools and the schools in which the national syllabuses are not taught.
2. It is the compulsory responsibility of the government to provide every child in Sri Lanka with an education system, which covers 30 hours per week and 180 days per year according to a nationally accepted timetable prepared with a view to developing skills and attitudes needed to lead a contented life as a Sri Lanka citizen.
  - According to the government's education policy, each child upon the completion of 5 years should be sent to school.
  - It is recommended to provide comparative religion and cultural diversity to improve the children's attitudes in life to live in peace and reconciliation within Sri Lanka as a multi-religious and multi-ethnic country." The National Institute of Education must compile new syllabuses and subject contents and attention should be focused on teaching those subject matters by introducing tours, friendly meetings and diversity circles into the education system.
  - The beginning and the end of the school year and the school vacation of all schools under the Ministry of Education and the provincial councils should be brought in to the same calendar. The elite Muslim society is also of the opinion that it has been difficult to attract qualified Sinhala and Tamil teachers to the Muslim schools owing to the annual calendar effective for Muslim schools, which are under the government.
  - Changing the names of the schools with ethnic, religious or community identity(Sinhala vidyalaya, Hindu vidyalaya, Tamil vidyalaya or Muslim vidyalaya) in such a way as not to display any specific community identity(This should be done within a period of three years).
  - It is recommended to consider the criteria of enrolling children to schools in accordance with zonal, district or provincial ratio by reconsidering the ethnic quota system of enrolling children to schools which was implemented by the Ministry of Education in enrolling children to schools that provided the children with the opportunity of enjoying the cultural diversity a few decades ago and later abandoned.



- The Assisted schools Acts No.5 of 1960 and No.8 of 1961 should be amended so that the Ministry of Education would get the powers required to monitor and regulate International schools.
- All International schools that are registered and run under the Companies Act at present and new International schools to be opened in future should be registered under a new Act which will be implemented by the Ministry of Education and a few criteria that should be considered therein are as follows;
  - Providing an education that is compatible with the national aims of education.
  - Providing education on the Mother tongue, History and comparative religious and cultural education.
  - Encouraging children of all ethnicities and religions to be enrolled in schools and considering it illegal to enroll children of a particular ethnicity or religion only to be enrolled under any circumstance.
  - The International schools that have been named with a religious or ethnic identity at present should remove those names and rename afresh.

A considerable ratio of children with all ethnic identities should be enrolled within a period specified by the Ministry of Education by encouraging religious, ethnic and cultural identities in enrolling children to schools

- The Ministry of Education should formulate a methodology of monitoring the International schools in order to ensure that the recommendations given to achieve the National education Aims are implemented in registering International schools under the ministry by amending the Assisted Schools Act.
- The Ministry should make arrangements to provide a special training to a selected set of Educational administrators, Principals and Teachers on combatting extremism in the system of education.
- Arrangements should be made to conduct training workshops on curbing extremism around all schools (including International schools) which have been identified as having a risk of extremist feelings or propagations thriving.
- A system of grading the International schools should be established in order to ensure that the International Schools are properly regulated.
- The license given to the International schools should be updated annually and a proper system should be put in place to update them. Accordingly, in updating the license of each International school, the license of the

International schools, which do not implement the recommendations and guidelines provided by the ministry of education, should be suspended and it should be made public. Further, such institutes of education (International schools (International schools) should be made liable to a specific penalty.

- The division of monitoring International schools at the Ministry of education at present should be empowered as to carry out the task expected of it successfully.
- As accusations have been leveled against the contents of the text books relating to Islamic Education;
  - The methodology of preparing textbooks should be reviewed and space to include extremist or sectoral ideas should be scrapped.
  - A recognized expert committee should be appointed to prepare Islamic textbooks in future.(At present even the Muslim countries are grappling with the problem of the young Muslim community getting radicalized owing to the propagation of various Islamic extremist ideas)

### **Special Education**

- Madrasa Institutions should be considered as special educational institutions and they must be run as educational institutions that train Islamic Moulavis.
- A committee of regulating Madrasa institutions should be established under the Department of Muslim religious and cultural affairs. The proposal of establishing a Madrassa regulating committee has surfaced after the Easter Sunday attack and it is comprised of 11 members. It has been reported to our committee that there is already an agreement within the Muslim society that the said committee should comprise of officers of the Department of Muslim affairs, acclaimed experts in the Muslim society and non-Muslim moderate experts and that the committee should not be represented by the members of the Jamiatul Ulama council.
- In relation to the recommendation 2 above, all children in the country should receive at least 11 years of formal education (up to G.C.E (o/L)). Accordingly, a child should have completed 16 years of age to be admitted to a Madrasa institution. Therefore the above Madrasa institution should decide the age and minimum qualifications required to be admitted to a Madrasa after a child has completed 11 years of common education.
- As there is no proper data and information about the Madrasas at present, a formal study about them should be conducted soon. The study should be conducted under the supervision of the above committee and

recommendations in relation to the following problems should be obtained from it;

- Identification of the minimum requirements to run a Madrasa by considering the number of students, qualifications of teachers and facilities available at the Madrasas at present.

As reported at present, even though no relevant party has specific official details, the investigations by our committee found that 1679 Madrasas are functioning. Out of them only 317 are registered and another 175 institutions have sought registration. Other institutions have not sought registration. It is presumed that the total number of students studying in those Madrasa institutions is twenty seven thousand.

- In order to provide the facilities required for the students to pursue their education and run the Madrasas with a proper management, the maximum number of Madrasas in Sri Lanka should be limited to 75.
- A national programme should be developed to absorb all students studying in the Madrasas at present to the general education system by 2023. In that, as there is a need for a broad programme comprising of enrolling children to the existing school system and making donations to establish general educational institutions, it has to be implemented with the participation of the Ministry of Education, Provincial Ministries of Education and all relevant parties given the complexity of the task. Further, a competent authority should be appointed under the Ministry of Education to ensure that the programme is implemented more formally and expeditiously.
- The traditional Quran Madrasa system that was followed around the Mosques should be encouraged with a view to preventing the Dhamma education given to the children at early ages from being commercialized and preventing the spread of extremist ideas and the Maqthab teaching methodology, which charges fees and is getting popularized should be done away with. Further, the Department of Muslim Religious and Cultural Affairs should intervene to uphold the Sunday Ahadiya Dhamma School system.
- It is recommended that all special education systems must give way for Inter-religious and Inter-cultural education.

### **3. Banning face coverings, which hinders identification**

Amongst a host of problems that arose in the Sri Lankan society in the aftermath of Easter Sunday attacks, one of the most prominent was the clothing of Muslim women. Especially, the Burqa and the Abaya, two additions to the clothing of Muslim women during the last two decades which hitherto had not been a part of their conventional dress, stand out. These dresses commenced initially as a process of imitating the dresses of Muslim women of Middle East countries by local Muslim women who worked there and returned to the country gained currency fast as a subculture associated with the dress code of women of that society. There was also a rationale that got embedded in their society which claimed that a devoted Muslim woman would not show her face to men other than her husband.

However, despite there being some opposition from the majority society for such newly introduced Arabized clothing, it gelled into a dynamic social force only in the aftermath of 21/4 Easter Sunday attacks. Significantly, this was in the wake of the burqa bans imposed internationally in the immediately preceding period due to mounting protests in a number of countries.

France banned burqa and niqab in 2011 followed by the Netherlands, Denmark and the Muslim –majority Tunisia in August 2019. The most extraordinary news relating to this comes from the ISIS headquarters in Syria. It banned the burqa on 5<sup>th</sup> September 2019. Besides the countries which banned burqa and niqab nationally, there are countries which banned face veils regionally and in public places. Several other countries are in the process of drafting legislation or studying the possibility of banning the burqa. Interestingly, there are Muslim countries contemplating such measures.

Following Easter Sunday attacks, the burqa was banned by Extraordinary Gazette No. 2121/1 dated 30 April 2019 issued by the President under the emergency regulations. By that time, the opposition to face veils such as burqa and niqab was gathering momentum in the majority society and on the one hand, it exerted intense pressure on the Muslim community and on the other, such a ban had become prerequisite in maintaining law and order in the country.

Though the Minister of Justice & Prison Reforms, in the meantime, submitted the cabinet memorandum No. 19/2015/126/034-1 dated 17.07.2019 entitled 'Banning the wearing of face veils in public places', it appeared to have not received the assent of the cabinet of ministers in the face of opposition from the Muslim ministers in the cabinet.

The Sectoral Oversight Committee which from the beginning, focused close attention to the issue of face coverings of Muslim women given rise to by Easter Sunday carnage asserted that even though the President imposed a ban under

the provisions of the Emergency Regulations, legislation should be drafted to impose such a ban under the ordinary law of the country. Accordingly, our committee further deliberated about the legal provisions required to be adopted to tag the wearing of such face coverings as an offence under the Penal Code and it should also be noted that the submissions made by the law enforcement authorities before the committee were of assistance towards this end.

Another important viewpoint proposed to the Sectoral Oversight Committee which discussed this issue was that it would be more appropriate to use the phrase 'banning face veils and head coverings that hinder the facial identification of any individual' in the official documents in the proposed enactments instead of terms such as 'burqa' and 'niqab'. The reasoning was that since veils denoted by terms such as 'burqa' and 'niqab' are worn by Muslim women, using such terms could be alluding to the targeting of one particular community. But at the same time, it should be stated that all countries in the world which have banned face coverings have specifically mentioned such coverings by their names. (burqa, niqab)

In further considering the ban, the identification of facial expressions of an individual is a factor as equally important as establishing the identity. The traditional head covering of Muslim women known as 'Hijab' usually covers both ears. However, in posing for photographs required for the official government documents, there is a way of posing to show both ears. The committee was of the opinion that that system should remain unchanged. Accordingly, in posing for photographs to obtain the national identity card, passport or driving license, the head covering can be adjusted to show the two ears and this practice can be continued without any hindrance as before.

Nevertheless, subsequent to the enforcement of the amendment proposed by our committee to the Penal Code, the police should be vested with powers to request any person wearing a face covering in a public place to take off such face covering in order to establish the identity of such person. If such a request by a police officer is not complied with, the police should have the power to arrest the individual without a warrant. (It is mentioned in the relevant amendment)

In addition, several exceptions have been added thereto. That is, on service requirements and professional requirements, the members of the three armed forces, officers of the Sri Lanka Police, members of the Fire Brigade, doctors and other professionals of the medical field and welders have been provided with exceptions and the wearing of protective face masks covering the nose and the mouth on roads and in public places on health grounds too comes under this.

Accordingly, the amended draft formulated on the recommendation of our committee is as follows.

## 4. National Defence Policy

The Sri Lankan National Defence Mechanism has had a formidable set of defence policies and military firepower, which were capable of annihilating one of the most brutal terrorist organizations of the world and upholding sovereignty of the country. The validity of that formidable defence and military apparatus was called into question by the attacks on April 21. Experts on different aspects of security, who testified before the Sectoral Oversight Committee of Defence, opined that Sri Lanka too, like most other countries in the world, should update its defence apparatus in a systematized and flexible manner, to counter the new forms of terrorism. It means that the approach of Sri Lanka towards defence should be technologized.

With that, by now the subject of National Security is extended beyond traditional criteria and interpretations. Accordingly, Cyber protection is identified as a main feature of modern National Security. Attention of scholars who are interested on imminent cyber wars, in backdrop of cyber protection as a basic of National security has been drawn. Accordingly, more attention to be diverted on cyber protection, cyber wars and cybercrimes too, the cyber space and concepts related in working out future plans on national security in countries of ours in days to come.

Officials of the Ministry of Defence, the heads of other institutions under its purview and other defence experts who testified before the committee probing Easter Sunday attacks, pointed out that serious lapses were noticeable in every aspect including the forewarning and combatting of the attacks, the immediate response thereto, thwarting further risks of terrorist attacks and maintaining peace. Some of the factors highlighted by them are-

1. Lack of clarity in the definition with regard to the authority and responsibility of each layer of the hierarchy within the process of securing permission making decisions in order to act upon the intelligence received.
2. Deficiencies in the coordination with all relevant institutions, in immediately responding in the aftermath of the attack.
3. Shortcomings in analyzing data and information procured from new information sources such as social media and in projecting the potential risk.
4. Absence at the time of the attack of security related state of the art technological methods developed basing on the experiences of other countries which came under new terrorist attacks.

5. Deficiencies in the use of required technology and methods to uphold law and order in the society during the 'post-attack' period taking place subsequent to new terrorist attacks.
6. Complexities that prevailed in regard to strategic communication and the announcement of official government information during the post-attack period.

Having regard for all views and proposals submitted to the committee in this connection, the Committee decided to submit the following recommendations to be implemented under the patronage of the Ministry of Defence.

### **Recommendations**

1. Expediting the formulation of a national security policy paying due attention to the challenge of new terrorist attacks.
2. Formulating a National Intelligence Act paying due attention to the challenge of new terrorist attacks, as proposed before the committee.
3. Formulating a National Cyber Security Act paying attention to ingenious ways the Internet is used by extremist groups and the experiences of other countries of the world.
4. Amending the Cyber Crimes Act No. 24 of 2007 to overcome the identified loopholes in the Act as of now. (Especially, paying attention to problems in the collection and storage of data)
5. Establishing an immediate response Centre with the participation of all stakeholders in addition to the Ministry of Defence to promote the efficiency of facing an emergency and accuracy of communication.
6. Meticulous attention should be paid to how new terrorist challenges outside the boundaries of Sri Lanka could impact on the country and national security strategies should be formulated focusing attention on new terrorist activities carried out in the Middle East and South East Asian region.
7. Attention should be paid for enhancing academic and strategic knowledge existing nationally regarding new terrorism and extremism. Attention should be focused on the contribution that can be obtained from universities and other research entities and think tanks.
8. According to the expert view, the Committee has noted that about two percent of the total Muslim population of the country are bent towards extremist ideologies. Considering that this could constitute a dire threat to the national security, such groups should be made to undergo a DE radicalization process under the aegis of the Ministry of Defence and with

inputs from psychologists. Traditional as well as modern methods should be employed for the identification of radicalized personnel such as procuring community support, military and police intelligence sources and data science.

9. In countering the threats posed by cyber challenges linked to new terrorism, the success achieved by other countries by means of artificial intelligence and data science should be studied and a committee of experts should be appointed to devise effective methods enabling the replication of such successes for the use cyber and social media security process.
10. The appointment of a cyber-security officer to each police station is recommended. For this purpose, it is advisable to recruit persons with higher diplomas in Information Technology who have fulfilled the required qualifications to the Police Department as civil officers. Cyber-Security Officers so recruited should be networked with the relevant division of the Police headquarters. Especially, after implementing in the 43 police superintendent divisions of the island as a pilot project, it is recommended to appoint such an officer to every police station in the island.

### **Proposals relating to the field of Telecommunication for ensuring national security**

It is commonly accepted that the communication fields of electronic and social media are being innovated at an unprecedented pace in the present day society. This communication technology transgresses the boundaries of nation states. On the back of rapid transformation of overall communication modes and systems triggered by technological innovations in these fields, the rules and regulations enacted in respect of such fields becoming outdated fast is unpreventable. This process is challenging not only for Sri Lanka but also for developed countries with advanced technologies.

Sri Lanka's telecommunication legislations are obsolete. The Telecommunications Regulatory Act was passed in the year 1991 and has not been amended since 1996. However, during the last two decades, the innovations that have taken place in the field are astronomical. It has to be acknowledged that the existence of such outmoded policies and legal framework in this field has had some impact on the collapse of peace and harmony as well as national security. For example, challenging events such as clashes of communal nature were witnessed at Aluthgama in May 2015, at Digana in 2018 and April 2019. Further, a series of events occurred in Hettipola, Chilaw and Minuwangoda areas following 4/21 attacks.

High-tech communication systems and tools playing a leading role in the dissemination of extremist ideologies is a new challenge emerging globally.



Experiences of countries such as the United States, Great Britain, France, Sri Lanka and Myanmar where new terrorist attacks took place and countries such as Singapore, Australia and Japan where there is a looming threat of new terrorist attacks, confirm that this is phenomenon common to the developed as well as developing countries. Against this backdrop, many countries in the world, having regard for local situations and international trends, are devising methods to forewarn of possible attacks and respond immediately in an emergency. Further, the need for updating the existing legal system to curb the misuse of high-tech equipment and tools by new terrorism has been unequivocally identified and a strong emphasis has been laid on this aspect.

Especially, since it has been observed that individuals who disseminate well-orchestrated hate speeches and false news in the Internet, use mobile phone and internet services liberally, preventing the abuse of telecommunications services is of the essence.

Accordingly, based on the experiences of 21/4, it is essential to pursue action to further develop the timeliness of the telecommunication legal framework of Sri Lanka in the face of challenges that have emerged.

Accordingly, the committee recommends the submission of following proposals.

1. Having identified the new tendencies being built in the field of communication and information technology and fast changing high technology, the Telecommunications Act should be amended accordingly. Therein, the following has to be given due consideration:
  - Exchange of information and coordination between the Telecommunications Regulatory Commission and the institutions important for national security with the objective of guaranteeing national security.
  - Regularizing the process of issuing licenses relating to the field of Telecommunications to suit the modern requirements and challenges.
  - Updating the methods for the control of violations of rules and regulations by the licensees in the field of Telecommunications.
2. Measures should be taken to discourage the misuse of the telecommunication system by persons identified as a threat to the national security or involved in criminal activity or suspected of posting hate speeches or false news in the Internet and opportunities for obtaining telephone connections by submitting false information or forged identities.

For the attainment of the above objectives, the data of customers obtaining SIIM cards should be fed to a networked information system within 24 hours and on the same day, the Telecommunications Regulatory Commission should coordinate with the institutions which have the legal ownership of such data (Department of Registration of Persons and the Department of Immigration and Emigration) to establish a system for the corroboration of accuracy of the data.

Further, it shall be the responsibility of the Telecommunications Regulatory Commission to facilitate the coordination for the provision of details regarding telephone/internet connections to the law enforcement agencies to ensure national security.

In order to guarantee the safety and efficiency of these activities, a Central Data Centre should be established under the Telecommunications Regulatory Commission.

3. The registration of mobile phone services should be further regularized and a formal system should be developed for the collection and storage of consume data. As a method of guaranteeing national security, the proposed “Gazette notification for the registration of SIM cards of customers” should be amended by incorporating the following proposals.
  - a. The SIM application duly signed and filled by each customer obtaining a SIM and basic bio-data inclusive of his/her photograph should be stored in the data system within 24 hours.
  - b. Full details inclusive of data of the customer obtained at the time of issuing the new SIM should be entered into the database within 24 hours and kept securely.
  - c. The number of SIM cards that can be obtained by one individual in his name from one mobile service provider should be restricted to 5 and the maximum number of SIM cards that can be obtained by one individual in his name (from any service provider) should be restricted to 10. If a customer requires SIM cards exceeding this number on account of business or any other reason, facilities should be made available to obtain the required number of SIM cards on a special request and permission. Accordingly, such customer requests should be referred to the Telecommunications Regulatory Commission by the mobile service provider through a mobile phone and there should be automatic access for the process of granting permission. It is important to minimize the waiting time to grant such permission to customers who make such requests and if no problems are found in respect of the customer, the permission should

be granted automatically in less than 5 minutes. The TRC should acquire the technology required for duly carrying out this process.

- d. It shall be the responsibility of the service providing companies to store information of all customers.
4. Information and data that should be maintained by each mobile and fixed line telephone services for the use of the public sector institutions conducting investigations relating to national security should be as follows.
    - a. Voice calls related technical details should be maintained for a period of one year. It should also include details of customers using inbound roaming facility, i.e. phone connections registered in foreign countries using phone networks of Sri Lanka. The TRC should define the details and fields of data that has to be so maintained.
    - b. NAT log details pertaining to the Internet use of customers should be maintained securely by every Internet service provider for a period of one year. The TRC should recommend the details and fields of data that has to be so maintained.
    - c. Every mobile communication service provider should maintain up-to-date Engineering Parameter Table (EPT) as per essential fields determined by the TRC.
  5. Any mobile or fixed line telephone service provider, having allocated and subsequently withdrawn a MSISDN/PSTN number, should not reallocate that number until the expiry of two years. Appropriate solutions for the confirmation of success of this proposed course of action should be submitted by the TRC. Data of customers to whom telephone numbers are thus reissued should be maintained by the service provider.
  6. Telephone number used for any fraudulent, criminal or terrorist activities should be blacklisted and such numbers should not be reallocated. The numbers to be so blacklisted should be provided to the relevant telephone or internet service provider through the TRC by the Sri Lanka Police, the Ministry in charge of Police and the Ministry of defence.
  7. An audit on the existing mobile and fixed line telephone connections should be introduced by the TRC in collaboration with the phone and internet service providers and action should be taken where through to establish the present situation of the field of telecommunication.
  8. The TRC should initiate action to create public awareness through media on responsibilities and rules and regulations pertaining to the ownership of telephone/internet connections and SIM cards as well as the penalties for the breach of such rules and regulations.

## **5. Amending the Immigration and Emigration law in line with the national and international new developments**

As it was reported in mass media according to the observations and checks carried out in the country following the Easter Sunday attack that a large number of extremist and Muslim fundamentalist preachers were in the country in violation of immigration and emigration laws of Sri Lanka delivering extremist lectures at Madrasas, a new dialogue in this regard emerged in the society. At the same time, it was reported that around 1600 Pakistanis seeking political asylum had come to Sri Lanka and were in camps at several locations of the country and that they were taken care of by the United Nations High Commissioner for Refugees. However, it has been revealed that the primary intention of the people who had come to Sri Lanka in that manner was not to settle in Sri Lanka but to migrate to Europe or North America on the basis of political asylum and as refugees. Still, with the social opinion formed based on the information that had come to light with the series of Easter Sunday attacks that individuals who could be a threat to national security had entered the country illegally, the Sectoral Oversight Committee on Defence paid attention to this matter. In the meantime, the issue of skilled, semi-skilled and unskilled labourers coming to Sri Lanka from countries like India, China and Bangladesh that has become a topic on the political stage in the recent times was also paid attention.

Specially after the 4/21 attack it was reported that extremist preachers from some countries including Egypt were teaching in local madrasas and that P.Jeyinool Abdeen, an extremist Muslim leader of Tamil Nadu as well as extremist leaders like Zakir Naik who spreads extremist Muslim views to the world based in Mumbai had freely visited this country on several occasions. Not only information about such persons arriving from foreign countries but also incidents of Sri Lankans involved in certain crimes or illegal actions leaving the country evading the law had been constantly reported throughout the last few years. The importance of extradition law was thus emphasized.

Paying attention to this situation, the Sectoral Oversight Committee on Defence comprehensively discussed with the Department of Immigration and Emigration the new challenges emerging in the immigration and emigration field regionally and internationally. One key matter that became evident when the views and observations of the Ministry of Defence and the relevant divisions of Sri Lanka Police were consolidated in that was the absolute necessity of obtaining cutting edge technology in this field.

At the same time, a consensus was reached about a practical approach to an efficient process through the creation of a network connecting the Ministry of Defence with the Department of Immigration and Emigration, Criminal

Investigation Division of Sri Lanka Police, Department for the Registration of Persons and several other institutions using modern technology.

Specially, our Committee observed that the subject Minister is fully empowered to take decisions and action in relation to non Sri Lankans arriving in this country, through the legal provisions of the Constitution of the Democratic Socialist Republic of Sri Lanka and Immigration and Emigration Act No. 20 of 1948.

A policy decision has been taken by the government of Sri Lanka from 2012 to provide electronic travel authorization for a period of one month for non Sri Lankans arriving in this country. But provision of this electronic travel authorization on a transit system is not done for persons from Afghanistan, Egypt, Nigeria, Cameroon, Ghana, Ivory Coast, Syria and North Korea, taking national security into consideration.

At the same time, a Cabinet Paper dated 10.11.2016 was submitted by the President for the purpose of establishing National Border Management Committee to strengthen the management of borders and Cabinet approval has been granted for that on 22.11.2016. At present that Committee is taking action coordinating with Department of Immigration and Emigration, Sri Lanka Customs, Criminal Investigations Department, State Intelligence, Ministry of Health, Animal Quarantine Service, Police Narcotic Bureau, Terrorism Investigations Division, Civil Aviation Authority and Air Port and Aviation Services (Sri Lanka) Limited, Sri Lanka Navy and Sri Lanka Coast Guard to implement the Integrated Border Control System.

Similarly, as per Cabinet decision No. CP/17/2628/749/023 dated 07 March 2018, Department of Immigration and Emigration entering into an agreement with Information and Communication Technology Agency of Sri Lanka and SITA on 30.07.2019 to establish Air Passenger Information Processing ( APIP) and Passenger Name Records system is another forward step in that regard.

Further, the Committee pointed out that it was essential to share Air Passenger Information Processing (APIP) and Passenger Name Records information with the Integrated Border Control System and that the possibility of joint action by the Department of Immigration and Emigration, Sri Lanka Customs, Criminal Investigations Department, State Intelligence, Ministry of Health , Animal Quarantine Service, Police Narcotic Bureau, Terrorism Investigations Division, Civil Aviation Authority and Air Port and Aviation Services (Sri Lanka) Limited, Sri Lanka Navy and Sri Lanka Coast Guard through that had to be further developed.

The Criminal Investigations Department ( Interpol) is working connected to the Border Control Information System of the Department of Immigration and

Emigration by now and action is being taken through that as well in relation to individuals who could pose a threat to the security of Sri Lanka. In addition to this, a report had been prepared in 2016 by studying the existing legal provisions for drafting a new Immigration and Emigration Bill after looking into the shortcomings in the Immigration and Emigration law. Accordingly, the new Immigration and Emigration Bill was drafted in 2018 after considering the content of the said report and it was referred to the Legal Draftsman's Department on 24.05.2018 through the letter bearing No. DIE/PD/01/18 for drafting.

However, the recommendation given by the Sectoral Oversight Committee on Defence regarding this proposed draft was to introduce the new Immigration and Emigration Bill to the relevant institutions under the purview of the Ministry of Defence and to get their proposals as well. As a result of that, proposals were provided by Sri Lanka Air Force, Sri Lanka Navy, Sri Lanka Army, Sri Lanka Police and Institute of National Security Studies and those proposals too have been referred to Legal Draftsman's Department .

Accordingly, officials of the Department of Immigration and Emigration and Legal Draftsman's Department are holding meetings by now to prepare observations on the new Immigration and Emigration Bill and to discuss them. However, it appears that reaching the final stage would be further delayed as a result of issues prevailing in the institutional structures and procedures.

### **Recommendations**

1. Future steps required for introducing the new Immigration and Emigration Bill should be expedited.
2. Government should pay attention to equip the Department of Immigration and Emigration with modern technology.
3. As recommended by the Sectoral Oversight Committee on Defence, the Department of Immigration and Emigration should develop the legal framework with new technology to work in collaboration and network with all public institutions required to keep its efficiency at a high level.
4. The Department of Immigration and Emigration should take action to obtain information about air passengers expecting to arrive in Sri Lanka prior to their arrivals, analyze that data and identify the air passengers who could be a threat to Sri Lanka.
5. The impact of the functioning of the Department of Immigration and Emigration on national security of the country should be analyzed by that department from a new perspective and awareness workshops in that regard for all officers and employees of the department should be held from time to time.

## **6. Electronic, Print and Social Media**

### **Introduction**

Electronic, print and social media greatly support the progress of a democratic society and safeguarding freedom of speech and dignity is important for the well-being of such a society. At the same time, from a defence perspective, it is important to prevent the circulation of information and news against the state and it is essential to prevent prejudice against an individual, group of individuals or a community in reporting information and news in electronic, print or social media for defence and ensuring the safety of citizens. Through that, it is possible to create a society that is strong enough to face external as well as internal threats to the country.

Within such a context, as enshrined in the Constitution of Sri Lanka, to ensure defence and freedom of speech, it is proposed here to introduce three types of regulating methods for electronic, print and social media in general. That is, simultaneous to the legal regulation that is paid more attention at present, self-regulation and co-regulation, the three types of methods. However, when we consider the speed and volume of the information that flows through mass media, it is obvious that no regulation or control can give us comprehensive results. On the other hand, when it is not possible to identify more credible and true information out of the huge volume of information that flows to a certain individual constantly, regulation of media serves an important purpose. The Committee admits that developing the media literacy of the reader or receiver is a more sustainable solution than regulation of media carried out by the government or media institutions. Therefore, the Committee further believes that if any type of regulation is implemented, taking action to promote media literacy at state, civil society, media institution and individual level simultaneously and with greater intensity would be more productive.

### **New trends and media literacy**

With the arrival of digital and hyper-technological media, the media through which people receive information and the volume of information received have increased in an unprecedented manner. There are two trends that have emerged in this context. The first is mixing of all fields of media with one another in an unprecedented manner. Various media mixing with one another and becoming a single network has been conceptualized as media convergence. The second is gradual loss of trust in media. This trend has emerged as a result of disinformation and fake news, algorithmic separation of receivers into ideological echo chambers, hate speech, clickbait journalism etc. Owing to these new trends, people's trust in social media as well as traditional media of the main stream has collapsed as a whole and people's faith in the professionalism of

journalists is also being eroded. Within such a media environment, responsibilities and accountabilities in regulation of media have to be defined clearly and the role of such regulation for promotion of media literacy has to be identified. Media literacy is especially important for building of long-term social security and it has to be recognized as an essential competency for the 21<sup>st</sup> century.

## **Print and Electronic Media**

### **Professionalism in journalism**

When the situation of reporting in electronic and print media operative in Sri Lanka is considered, it becomes evident that there are many further measures that can be taken to prevent provoking violence, hate speech and dissemination of false news and quasi truth. We do not see a satisfactory situation in relation to respect for standard media ethics and practices in the current media institutions of the country. It was pointed out by many before the Committee that as in other occasions, after the Easter Sunday attacks as well, there was an undue impact on dissemination of extremist views in society and increasing the gap between communities with the actions of the media institutions in general. It was also pointed out that following standard ethics and practices related to the profession of journalism needs improvement in the field of journalism in our country. Even with the complex context that has emerged globally in relation to news reporting, keeping in one's possession specific information or evidence to establish the accuracy of the news one is reporting is considered an inviolable rule. But it must be mentioned here that that is not the case in Sri Lanka.

It was pointed out by many who made submissions before the Committee that the manner in which information related to the Easter Sunday attacks was reported in newspapers and by electronic media subsequent to those attacks was mostly against the accepted ethics. It was further pointed out that it was a serious problem in relation to professionalism in journalism as a whole and that it was evident in all aspects such as media institution ownership, management and reporting. At the same time, it was evident that there were unjustifiable discrepancies among the Sinhala, Tamil and English publications of the same media institution. Specially, it was observed that Sinhala and Tamil media acted in a manner that increased the distance between reader and receiver communities. It was revealed before the Committee that national security was made highly vulnerable through addressing communalism and reporting that provoked hatred. Within such a context, it should be pointed out that further measures are needed to make the practices of media institutions optimum as much as possible and to professionally strengthen the media personal currently in the profession and those entering journalism afresh. Accordingly, attention



should be paid to develop professionalism of journalists and to strengthen the professional bodies/ institutions of journalists.

- **Methods and Rules and Regulations for Regulating Print Media**

Regulation in relation to news published in newspapers is done at several levels. First, there is self-regulation through editors, media forums and professional bodies. When this self-regulation is not successful, it is possible to file defamation cases under the current civil law. But, there is limited room for action under the existing legal system to control hate speech, instigation of violence and dissemination of fake news which can be considered as crimes against social harmony. Therefore, it was pointed out by many parties who made submissions before the Committee that those laws needed to be further expanded. Specially, it became evident that Section 2.1 (f) of the Prevention of Terrorism Act has been used on occasions when action had to be taken in relation to such crimes. Prevention of Terrorism Act that had been in effect from 1979 has been used to quell internal crises that occurred in the country for 40 years by now and it has been criticized by many as an oppressive Act. A dissatisfied opinion prevails in general among the law enforcement bodies, civil society and the general public regarding the use of Prevention of Terrorism Act. Therefore, the importance of increasing the capacity for taking legal action as far as possible without using the said Act was stated before the Committee. Therefore, the common opinion was that it was better to act in compliance with the provisions of the Penal Code when it was not essential to use the Prevention of Terrorism Act that had been enforced as a special law. However, it was also stated in the Committee that amending the laws without causing contradictions was important and that requirement was informed to the Ministry of Justice.

- **Regulation of Electronic Media**

Electronic media can be considered as the news medium that has the biggest impact on society. But one characteristic of this sector is the absence of professional alliances among those institutions or their news directors in contrast to newspaper editors and the lack of a system for collective decisions to regulate news in that sector as a result. Even though radio and television are the main media used by the people, it is obvious that no independent or acceptable arrangement for regulation of news broadcast by those media has been established up to now. That is, even though self-regulation at the level of media institutions or media professionals serving at them takes place to a certain extent, it was observed that no other acceptable method was followed for regulation. The most regrettable situation is, the political authority showing reluctance to take legal action against media institutions. In case of a disagreement between politician and media institutions, what happens very often is not taking action within the existing legal framework but trying to reach

some kind of consensus through discussions. Actually, due to lack of proper regulation, the more comprehensive service required from electronic media for social progress does not take place. Accordingly, the Committee paid its attention to improving professionalism in journalists, strengthening the self and collective regulation methods and managing legal regulation in general.

- **Social Media Trends and the legal status**

Hate speech and instigation of violence via the internet was proved to be a rapidly spreading social phenomenon with the attack in March 2018 at Digana and the Easter Sunday attack in April 2019. At the same time, in the international context, crimes committed using the internet has been increasing in general. Recently, that was on 14<sup>th</sup> August 2019, a video about the police arriving within 24 hours to arrest a fifteen year old school child in Florida, U.S.A because he threatened via social media to kill another school child, circulated in the internet. The message given through this incident in relation to crimes committed using the internet is that instant response to suppress crimes committed using the internet is possible if a system equipped with modern technology, constant vigilance and proper co-ordination is established.

Due to the creation of social media and fast spread of the same throughout the world, structures of mass media that had existed up to then have undergone several changes. The impact of social media on traditional media has become a new challenge not only for Sri Lanka but for the entire world. Therefore, steps are being taken in many countries even by now to provide new legislation to limit and prevent the dissemination of hate speech, instigation of violence and fake news. However, when the situation of print media is considered, as a result of the efforts taken for a long time by mass media policy makers, editors' guilds, civil organizations and legal activists relevant to this subject, a proper system for responsibility and accountability has developed by now. However, it was disclosed before the Committee that the existing legal framework was not sufficient to ensure the accountability of social media. There are several factors that contribute to the insufficiency of the existing legal framework. The key factors out of them are as follows.

First, social media do not operate only within the territory of Sri Lanka. Many social media use state-of-the-art information technology and operate from centers distributed over the globe. Therefore, methods such as filing cases, imposing fines or imposing limits have limited validity in that context.

Secondly, editorial responsibility apply to traditional media and social media in two different ways. Prior to the publishing of any content in a newspaper or on electronic media, editor of the newspaper or programme producer or news director of the television or radio channel would read the news item or the

matter to be published and take an intentional decision. But due to the completely different method of posting on social media, there is limited room for administrators/regulators or managers of the social media platform to take an intentional decision about the content at the time when a user posts some content on social media. Therefore, a social media platform only plays an intermediary role for the release of some content to the public space. Within this new context, accountability for the content posted should be dual in nature. That is, possibility for separate regulation or legal action in relation to the intermediary responsibility held by the social media platform and the direct responsibility of the user who releases a certain statement/content on the social media should be ensured. The Committee paid its attention to identifying and enforcing the legal provisions required for this.

“Christchurch Call to Action” summit held in Paris on last 15<sup>th</sup> of May can be cited as a clear reflection of the gravity of the situation that has arisen in relation to social media and the way countries around the globe respond to that. After the terrorist attack launched in March 2019 in Christchurch, New Zealand, great attention was paid to radicalization of individuals via the internet and the manner in which states and global technology companies (Internet Service Providers) should act to remedy the situation was emphasized at that summit. Specially, a non-binding agreement was signed and that agreement consists of three parts. They are tasks to be carried out by the state, tasks to be performed by the technology companies and tasks to be performed jointly by those parties. It was appreciated as a very progressive step and the said summit can also be considered as an opening for a shared way forward instead of the hostilities that existed between states and technology companies for a long time. Accordingly, instead of imposing strict rules and regulations on prominent social media and technology companies like Facebook, Google, You Tube, Twitter, WhatsApp, Viber and Imo, the importance of working in collaboration with them and being vigilant about those companies has been affirmed through that. The report of our Committee also recognizes the importance of respecting the principle of “Christchurch Call to Action” summit.

**In this context the Sectoral Oversight Committee on National Security has made the following recommendations.**

1. Adding a new chapter to the penal code, which defines the crimes against social reconciliation. Accordingly sections 120 and 291 of the penal code should be amended as has been proposed by the Ministry of Justice in order to define incitement to violence, making hateful statements and propagating harmful and false information, as criminal offences .
2. Establishing an independent Commission to regulate the mass media with the view of safeguarding peace and security of the country and safeguarding the

right to information and the dignity of people. This Commission should be vested with power to completely and duly regulate the print, electronic and social media along with the power to take action to promote the media literacy of the audiences.

3. Currently the powers required dealing with print and electronic media are enshrined in the Media Commission Bill which has been drafted by the Ministry of Mass Media. However the powers required to deal with social media have not been proposed in that Bill. Hence, the proposed Commission should be vested with power to deal with social media as well by introducing amendments to the aforesaid draft Bill. The Committee proposes that aforesaid Commission, through the amendments mentioned above, should be vested with power to deal with statements, citation or creation or sharing information made with the use of the internet. In that context a system should be identified to obtain the direct contribution of the Ministry of Defence, the Telecommunication Regulatory Commission, the Child Protection Authority and other relevant institutions.
4. The poor coordination existing at present among the most important stakeholder institutions such as the Ministry of Mass Media, Ministry of Defence and the Telecommunication Regulatory Commission seems to pose a challenge to the establishment of the proposed Commission and to its productive performance. It was observed that this situation caused some misunderstanding and competition among these institutions. It was evident to the Committee this situation may make some adverse effect on the establishment and the future performance of the Commission. Given these facts it is proposed that an interim committee with the representation of all stakeholders should be established as a methodology in which the aforesaid group of institutions work collectively, due to the fact that it might take a reasonable period of time for the establishment of the Commission. The aforesaid interim committee will function as an interim structure to make responses to the situations that arise until a Commission is established
5. A consolidated mechanism should be established under the interim structure mentioned under 4 above in order to observe the flow of news and information and, the statements which pose a threat to national security and put peace and reconciliation in jeopardy. Accordingly when news or statements which are harmful to national security and social reconciliation are identified, the aforesaid mechanism should develop the capability to work directly and in incorporation with the institutions and the social media platforms which published each statement mentioned above. The Committee expects print media, electronic media, news websites and social media platforms to reach an institutional agreement to follow a voluntary code of

ethics in this regard. The aforesaid code of conduct should be based on the following facts.

- a. As a whole all media institutions and social media platforms shall not publish any content which may be helpful to terrorist groups, ideologies and activities of any scale for whatever reason
  - b. Refraining from publishing news or publications which develop mist trust, abet hatred or incite violence among religious, racial or other groups of people
  - c. If the aforesaid media institutions or social media platforms are not able to reach an agreement in regard to some contents in the proposed voluntary code of ethics, when it is implemented, they should agree to discuss it with the media regulatory institutions .(Ministry of Media, The Telecommunication Regulatory Commission)
6. There should be persuasion to update the existing Code of Ethics for Journalists- 1981 and to obtain the commitment and agreement of every journalist for it. It is important that this Code of Ethics shall be updated with the maximum concurrence of the Sri Lanka Press Council ,Ministry of Media, the Press Complaints Commission, press institutions such as free media movement and senior journalists.
7. The following recommendations are submitted in regard to electronic media
- a. A code of ethics should be formulated for the media personnel serving in electronic media and every electronic media person should be encouraged to follow and abide by the aforesaid Code of Ethics
  - b. The Committee recommends that a professionals' Guild shall be established to regulate the news published in electronic media. It shall be an institutional structure such as the Newspaper Editors' Guild which is existing now and the Ministry of Mass Media shall extend the initial support for it.
  - c. The Ministry of Mass Media shall constantly monitor the programs and news telecast or broadcast in electronic media. The Committee recommends that it is suitable to establish one single central mechanism having aggregated the resources and observation facilities existing under different institutions with the guidance of the Ministry of Mass Media . A broad observation mechanism which can cover all the visual ,verbal and nonverbal communications such as some sceneries ,videos ,dialogues, news and gestures of announcers ,which may harm racial and religious reconciliation , in order to make this task of observation effective.
  - d. If any communication which may harm the racial and religious reconciliation occurs after the establishment of such an efficient mechanism,

such communications should be categorized as per the nature and the harm caused by them and a methodology should be formulated to inform those institutions about such harmful communications and have a direct dialogue with them in that regard .

e. An annual report should be prepared in regard to the performance of each electronic media channel using the aforesaid observation methodology. A wide range of information of the harmful reporting in the programmes telecast or broadcast by the relevant channels, the nature of the accusations leveled by the parties affected by such reporting and the number of times the accusations were made, the notices given to the relevant channels in regard to those accusations and the number of times such notices were given and the responses made by the aforesaid media institutions to those notices should be included in the contents of the aforesaid report. The aforesaid report should be provided to the Secretary to the President, the Defence Secretary and Secretary to the Ministry of Reconciliation and the Director General of the Telecommunication Regulatory Commission by the Secretary to the Ministry of Mass Media. It is the recommendation of the Committee that the Telecommunication Regulatory Commission should consider the aforesaid report when they renew the licenses of television and radio channels and introduce a process to grant licenses accordingly. It is the feeling of the Committee that a higher responsibility should be vested with the Telecommunication Regulatory Commission to implement a regulatory methodology based on the aforesaid evaluation report due to the fact that the Ministry of Mass Media does not have sufficient legal power to deal with electronic media channels.

f. The overarching responsibility of putting the aforesaid whole process into action should be performed by the proposed Media Regulatory Commission.

## 8. Online News Websites

a. The methodology of registering news websites should be amended in a productive manner within a legal framework

b. A Code of Ethics should be established in order to encourage news reporting by media personnel with a proper understanding of their responsibility as media personnel . The aforesaid Code of Ethics should be established with the cooperation and concurrence of all the stakeholders including journalists, web editors and managers.

c. It is the recommendation of the Committee that the proposed media Commission should decide the suitable steps to provide a professional recognition to the web journalists, editors and managers.

## 9. Social Media Platforms

- a. Every media platform should be invited to contribute to the establishment of a voluntary Code of Ethics which includes a co-regulating methodology. Especially, special attention should be paid to the platforms of Facebook, Google, YouTube, Twitter, Whatsapp, Viber, Imo which are used by more than five hundred thousand users in Sri Lanka.
- b. It is appropriate to implement this co-regulating methodology as a pilot project for a period of 6 months in the form of an agreement between social media platforms and the Ministry of Mass media
- c. The aforesaid process should be established under the Ministry of Mass Media under a moderate non- political management with the coordination of the Ministry of Defence , Telecommunication Regulatory Commission and Sri Lanka Police until it is brought under the proposed Independent Interim Committee
- d. A methodology should be formulated to inform the relevant social media platforms in case problematic content is identified or reported.
- e. All the companies should reach a consensus under the aforesaid co-regulatory agreement to respond and take action in regard to any notice within a period of 24 hours of such notice.
- f. If any company does not agree to remove from its platform any content that been observed and notified to be harmful to the national security, religious or racial reconciliation that company should inform it within a period of 24 hours.
- g. The proposed committee and social media platforms should meet every fortnight and discuss about the relevant notices problematic situations and tendencies.
- h. The Secretary to the Ministry of Mass Media should be vested with the discretion to remove any content from a social media platform and the Ministry should issue a report of the contents ,which have been removed, every month in order to secure transparency once a month.

10. Every print, electronic and web media person should be encouraged to develop his/her professional qualifications in order to promote the professionalism of media personnel. The educational aiding program which had been implemented under the Ministry of Mass Media should be recommenced in a broad and formidable manner.

11. The capacity of the media users should be enhanced to enable them to identify which news and publications are true and false and also to identify the abetment made to violent behaviours, in order to promote their media literacy. The process of developing those capacities should be carried out at all levels such as school education, youth policy and adult education. The Committee recommends that two textbooks which include subject matter in regard to secure usage of the internet, cyber security and media literacy should be introduced to the school education process. The aforesaid two text books should be compiled targeting grades 8-11 and 12- 13 and the general readers. The responsibility of compiling those books should be performed by the Telecommunication Regulatory Commission, Ministry of Mass Media and the Ministry of Education collectively.



## **7. The Manner of Amending the Muslim Marriage and Divorce Law**

Muslim marriage and divorce law can be mentioned as another important issue that was brought to the attention of the Sectoral Oversight Committee on National Security. This can be viewed as a very important problem when considered upon the theme of "One country -One law" and our Committee has paid its attention to the fact that this has remained as a burning issue in the Muslim Society for a long period of time even though the media has not reported the facts related to this issue in a proper manner.

It has become a prime responsibility of the state to protect the rights of all the women and children who are citizens of the country in accordance with the Articles of fundamental human rights enshrined in the Constitution of 1978 and the international agreements that Sri Lanka has entered into as per the United Nation's Charter and the women and children right organizations. Women and children have been defined as a social group which is susceptible to hazards according to the United Nation's Charter.

In this manner in accordance with the aforesaid topic the fundamental rights of the woman are contravened by the Muslim marriage and divorce law in most of the countries including Sri Lanka and the lives and the future of the children who get caught up in such problems are affected. In the face of the severe shock made to the inner side of the Muslim community by the April 21st attack, facts began to emerge from within the Muslim community itself to the effect that Muslim girls and women undergo bias in marriage and divorce and this situation had remained a secret by that time. Accordingly each of the aforesaid incidents emphasized the fact that structural changes should be made in Muslim marriage and divorce law existing in Sri Lanka. Furthermore the quazi of the area plays a major role in the divorce of Muslim marriages. Any criteria or qualifications that are traditionally required to become a quazi are not mentioned. A quazi should essentially be a male.

The Muslim marriage and divorce law and also the system of quazi courts existing in Sri Lanka at present are basically very much similar to the system existing in Indonesia. The reason for it is the fact that the Dutch ,during their times , introduced the marriage and divorce law based on the Mohammadan Code that was existing in Indonesia when the necessity of a marriage and divorce law was required for the Muslim people living in Sri Lanka. Especially the strategy of the Dutch rule seems to rule the various races living in their colonies without any crisis . However this system had prevailed in the country for a long period of time and when the general marriage law was established in the country

the view of the Muslim community in that regard was that they should continue the existing system as it was .

Especially in a country where the majority are Muslim people and a Muslim legal system exists , a Muslim marriage and divorce law and a quazi Court system related to it can be justified as any other optional judicial system for it is not prevalent in that country. However in a country where the majority are not Muslim people, Muslim marriage and divorce law becomes a special law. At present there are two such special legal systems existing in Sri Lanka. They are Kandyan marriage law and Thesawalamei law. However the specialty existing in this perspective is the fact that though these two legal systems are recognized legally there is not a separate judicial system to execute those laws. In other words even those two special laws are executed through the ordinary judicial system existing in Sri Lanka itself.

The quazi court system that has operated in Sri Lanka so far is not a judicial system which was functioned before judges and lawyers maintaining respect in a building located in a specific land . Most often a part of house or the business premises of the local quazi becomes the place where the matrimonial problem of the man and the woman concerned is inquired into and a judgment is given. It was reported to the Committee that in some places at least a chair was not available for the parties concerned to sit .A majority of the Muslim community indisputably accept the fact that most of the quazis do not have such knowledge which is sufficient enough to analyze and explain factors like the mental level and the social responsibilities of the man and the woman whose marriage is imminent to collapse and the manner in which their properties are divided and the future of the children is decided upon the dissolution of their marriage . At the same time even though a couple whose marriage is imminent to collapse goes before a quazi as is mentioned above in accordance with a tradition and a law , they are aware of the fact that the aforesaid was quazi has no such legal power for it. Especially in countries where the majority are Muslim people quazi courts are a system which is similar to the mediation board system existing in Sri Lanka

It seems that the quazi conducts with partiality on various matters when deciding a divorce and most often the woman is biased due to that fact . In a perspective in which the judgment of the divorce is given in a manner the woman is biased, the children become a direct victim of it. It is reported that most of the children who are admitted to Madrasa are the children who become helpless due to the dissolution of families in that manner.

When we look at the manner how the laws related to Muslim marriages are executed in other countries, we see that in India ,where the second largest Muslim population in the world live, the system of Thaluk divorce ( Triple Thaluk) that was executed in that country was abolished in August 2019. The

ordinary age for contracting marriage in Saudi Arabia is 18 years. According to the submissions made before our Committee, it was evident that new reforms have been made even in some Middle East countries going beyond the manner in which Muslim marriage and divorce law is executed in Sri Lanka at present.

However there are 3 Acts which are related to the marriage law in Sri Lanka at present.

- I. Marriage Registration ( General ) Ordinance No. 19 of 1907
- II. Kandyan Marriage and Divorce Act No. 44 of 1952
- III. Muslim Marriage and Divorce Act No. 13 of 1951

It is set out in Section 15 of the Marriage Registration (General) Ordinance No. 19 of 1907 that a marriage cannot be registered when the age of the male party is less than 16 years and the age of the female party is less than 12 years . This section was amended by the Act No.18 of 1995 to the effect that the minimum age for marriage for both parties should be 18 years.

Section 41 and Interpretation Section number 66 of the Kandyan Marriage and Divorce Act No. 44 of 1952 set out that the minimum age for marriage is 16 years and 12 years for the male party and female party respectively. This Act was amended by the Kandyan Marriage and Divorce( Amendment ) No. 19 of 1995 to the effect that minimum age for marriage for both parties should be 18 years .

Even though the minimum age for marriage set out in the Marriage Registration (General) Ordinance and Kandyan Marriage and Divorce Act was amended as 18 years in the year 1995 this amendment was not introduced into the Muslim Marriage and Divorce Act. It is set out in Section 23 of the Muslim Marriage and Divorce Act of 1951 that the consent of the Registrar of Muslim Marriages, residing in the area in which a Muslim girl who is under 12 years of age resides, should be obtained if that girl is to be given in marriage . That section provides the meaning to the effect that even a girl who is under 12 years of age can be given in marriage with the consent of the registrar. Furthermore it is observed that a minimum age for marriage is not set out in Muslim marriage and divorce law.

However even though attempts were made by Dr. H.N.Z Farooqi and Dr A. M .M Shahabdeen in 1971 and 1991 respectively to introduce some amendments to Muslim marriage and divorce law subsequent to the legalization of that law by an Act in the year 1951 , those attempts were not successful . Even though Dr. Sahabdeen submitted his committee report within a period of 2 years , some obstacles arose against its implementation. At the same time a committee headed by several legal luminaries made an attempt for it in the same manner in the year 1994 but a number of groups including Jamiyathul Ulama Council opposed the

implementation of the recommendations made by that committee. Due to that reason Muslim marriage and divorce law remained unchanged even though the General marriage law and the Kandyan marriage law was amended in the year 1995 . Another attempt was made to amend this law in the year 2005 , but even that attempt was proved a failure. Later an 18 member committee headed by Saleem Marsoof appointed by Mr. Milinda Moragoda made a big effort for it again amidst a lot of divisions and the report of the committee was released in the year 2019.

Even though the committee headed by justice Saleem Marsoof , which was appointed in regard to Muslim marriage and divorce law in the year 2009, had made recommendations concerning the manner how positive changes should be made, Jamiyathul Ulama Council and other extremist groups rose against the implementation of those recommendations. Especially the members of that committee divided into two groups upon ideological divisions and ultimately those two groups submitted two reports which were later combined together and one single report was made . Subsequent to the Easter day attack a social dialogue was made in this regard and at present the moderate opinionists in the Muslim society consider the recommendations of this report as the basis of the reforms related to task of amending the Muslim marriage and divorce law.

Another problem that arises in a Muslim marriage is the fact that the bride is not a direct party of the marriage contract . Father or a brother of the father of the bride signs in the marriage contract on behalf of the bride . In the present context it is similar to the contravention of the fundamental rights of the bride as the bride is a direct party of the marriage contract in most of the societies in the world.

It is justifiable to grant the bride the right to sign the marriage contract by sitting together with the bridegroom in a similar position in order to provide her with the opportunity to obtain a comprehensive right in regard to the duties and responsibilities to be performed in the marriage life and also to have a feeling to work with dignity within the marriage life . It should be mentioned that various views can be seen in the Muslim society in regard to the introduction and maintenance of this custom. Some people say that the male party signs in the marriage contract traditionally on behalf of the female party as the Muslim woman has deficient literacy .

As far as the quazi courts related to Muslim divorce are concerned, it should be mentioned that a proposal has been submitted in relation to upgrading quazi courts together with the academics and intellectuals of the Muslim society and the Ministry of Muslim Affairs based on the recommendations of the Saleem Marsoof committee which were not allowed to be implemented due to the protest of some extremist Muslim groups and the Ulama council and also the

pressure that was caused by the views expressed to the media by the women who had undergone bias in the Muslim society , after the April 21<sup>st</sup> attack;

Basic changes such as introducing basic qualifications and criteria that are required to become a quazi, appointing females to the position of quazi, appointing attorneys -at -law to the position of quazi and proper maintenance of the places where the quazi courts are held have been proposed along with the proposal to make the minimum age for Muslim marriages 18 years. However it was the stand of the Muslim women's organizations which made submissions before our Committee that this quazi court system which has shown defects and has given biased decisions right from the beginning cannot be expected to deliver justice to the Muslim women and children.

Especially the struggle launched by very few Muslim women organizations and the activists against the Muslim marriage and divorce law for a number of years in the Muslim society , though not having such a huge organizational capacity, was given consideration by the common society after the April 21<sup>st</sup> attack. It is an ordinary matter for the people living in the 21st century in which the usage of mass media and information technology is at a higher level to ask for civil rights without human rights and gender differences. We have to admit the fact that it is equally relevant to the Muslim women living in Sri Lanka. It is through the social reforms that occur with time that any society moves from traditionalism to the modernism.

The problem of the future children of the women who have to accept the divorce though unwillingly can be indicated as a problem which draws the attention of women activists that expect a comprehensive reform in Muslim marriage and divorce law . Especially children and women have been identified as a social group which is susceptible to hazards in every place in the world according to the definition of the United Nations Organization.

The aforesaid social activists further mention that some obstacles are made in getting confirmed their fundamental rights which have been enshrined in Article 16-1 of the Constitution of 1978. Even though the Article 12- 1 of the Constitution states about the fundamental rights to which all citizens in the country are entitled to ,it is their view that Article 16-1 contravenes them. Article 16 -1 states that all the written and unwritten laws prevailing in Sri Lanka (including the special laws ) are valid. Accordingly Muslim marriage and divorce law becomes a valid law in the country and due to that reason a person who feels that he has not been meted out justice cannot sue in the supreme court under article 12 -1.

Having considered all the above mentioned circumstances, the Sectoral Oversight Committee on National Security has made the following recommendations in this regard.

1. Every person who is below 18 years of age should be considered as a child as per the Children's Charter of the United Nations and all the children in Sri Lanka are equally entitled to all the rights mentioned in that Charter.
2. Providing the legal right to a bride in a Muslim marriage to sign in the marriage contract
3. Making the registration of marriages in Muslim society compulsory
4. Both the bride and the bridegroom of a Muslim marriage should have attained 18 years of age as at the date when the marriage is contracted
5. Formulating laws which allow husband or wife to get divorced on his or her consent ,if required ,as the case in Kandyan law
6. Formulating a methodology to recruit Muslim marriage registrars , male or female quazis based on some criteria or qualifications following a method which is similar to that of appointing marriage and death registrars under the general law in Sri Lanka
7. It is the conclusion of the Committee that especially Muslim females have lost trust in the quazi courts related to Muslim divorce law given the inefficiency shown by them continuously , biased decisions given by them and the fact that persons who are not qualified enough to provide decisions and judgments function as quazis

The Committee provides approval for the Muslim Marriage and Divorce Act No. 13 of 1951 to be executed considering it as a special law in the same manner in which two special laws of Thesawalamei law, which is related to land matters in the Northern Province , and the Kandyan Marriage and Divorce Act , are executed under the general law in Sri Lanka.

Accordingly it is the view of the Committee that it is practical to execute the Muslim marriage and divorce law within the general judicial system prevailing in the country in the same manner in which the Kandyan law and Thesalamei law is executed within that system as two special laws .The Committee recommends that Muslim marriage and divorce law should be brought under the purview of the district court in which divorce matters are handled under general law due to the fact that especially the lawyers and judges in Sri Lanka have obtained an awareness about special laws existing in Sri Lanka.

## **8. Empowering the Muslim Civil Society**

The civil society activism of the Muslim community seems weaker when compared with the other communities. This situation is common not only to Sri Lanka but also to the Muslims societies in other countries too. This has been resulted by the fact that most of the concepts of the modern civil society have been formed based on the western traditions and that the Muslim society always possesses an anti-western sentiment. However, we should not forget the fact that Turkey is an example for a country with a society where the Muslim ideology and the western ideology have been successfully blended. The requirement for civil society activism within the Sri Lankan Muslim society was quite evident through the discussions on National security which were conducted by the Sectoral oversight Committee with the Muslim scholars during the period after the Easter attacks and further a small group of people from the Muslim community who continuously demanded on behalf of this requirement could be identified .

Particularly, at present the society beholds the opinion that as per the criteria pertaining to the social and political development indices connected to all the international organizations of the world including the United Nations Organization, that all the phenomena including the human rights, fundamental rights, democracy and freedom of speech are inseparably linked with the civil society activism. In other words, a society without civil society activism is a society where the above internationally accepted social phenomena are at an extremely weak level.

By now, several organizations functioning within the Muslim society can be recognized and most of these are dependent on the financial aid and other support extended by the Middle Eastern countries. Further, these kind of Muslim organizations have a completely religious air and cannot be interpreted as genuine civil society organizations.

The Muslim religion which is based around the Islamic mosques plays a prominent role within the lives of the majority Sri Lankan Muslims, and in addition they are extremely focused on business activities. A significant part of their social and cultural life is connected with the mosques and also the Jamiyyathul Ulama Council has a significant interference over them. At present, if any social organization functions within the Muslim society, such should function in conformity with the Jamiyyathul Ulama Council ( Council of the Muslim Theologians). The organizations like the Shariah Council,, Jamathe Islam Thauhid Jamath, Mosque Federation, and Media Forum are examples for such organizations functioning in conformity with the Ulama Council. All these organizations function in the form of religious organizations. In addition, several organizations formed by certain educated Muslim females seem to function with

a feeble organizing capacity amidst serious difficulties. Also, the politicians representing the Muslim political parties always address the issues which are limited to the Muslim community. They seem to be reluctant to discuss the issues which are applicable to the entire country. Although Muslim organizations which engage in minor social work like setting up tube wells, conducting health clinics function here and there from time to time, it is difficult to find organizations which address or which are responsible over the issues like the integration of Muslim students to the general education which has become a serious issue for the Muslim community in the long run. The Muslim organizations which are funded by the Middle East countries, take the lead in constructing Mosques and establishing Madrasa centers but do not prioritize the construction of schools required.

Accordingly, in a circumstance where the issues which have led to weakening the civil society activism in the Muslim society can be elaborated one by one, the Sectoral oversight committee on National security which paid its consideration towards this situation, puts the following recommendations forward with a view to establishing Muslim civil society organizations in Sri Lanka , implementing an empowerment process , and facilitating them to function strongly.

**Recommendations:**

1. Some kind of state intervention should be initially made as and when required with a view to uplifting the civil society activism which is currently weak in the Muslim society. This state intervention can be done through a structure consisting of officers led by the divisional secretary at the regional level and certain responsibilities should be taken up by the NGO secretariat and the Department of Social Services for a particular period, at the national level.
2. Identifying and empowering the small number of voluntary organizations and civil society organizations which already function amidst greatest difficulties in the Muslim society. ( example- Muslim women organizations)
3. Taking action to build up a national level dialogue on the above subject with the leaders of Muslim political parties and the Muslim leaders in the national political parties with the leadership of the NGO secretariat and the Department of Social Services.
4. Similarly, to conduct programs and workshops focused on the scholars and educated youth of the Muslim society at the regional and national level as a joint effort by the NGO secretariat and the Department of Social Services and to enlighten them about the importance of civil society activism.



5. Organizing awareness programs on the importance of civil society activism exclusively for the members of religious organizations such as Jamiyyathul Ulama Council without creating any rivalry against them.
6. Creating a background required to establish a social dialogue that emphasizes the importance of Muslim political party leaders and scholars appearing for problems which affect the people of the whole country generally, instead of representing problems only specific to the Muslim society with the support of Mass Media.
7. Similarly, encouraging the relevant media institutions to disseminate programs that successfully communicate the concept being Sri Lankan Muslims with the Sri Lankan identity, to the Muslim society.
8. Empowering the active Muslim youth with a focus on uplifting their social activism and promoting the above ideologies.
9. Skillful and young communicators to be selected with a focus on the new Muslim youth generation to be appointed as resource persons and getting them to support at the national and regional level to disseminate the above ideologies.
10. Introducing a recommended text book on the importance of civil society organizations to the curriculum of the Muslim schools functioning in the general education system of the country.
11. Establishing organizations with the leadership of relevant officers of divisional secretariats focusing on social and environmental issues that affect Muslim masses locally. (Example-Environmental organizations, Garbage Management, Eradication of Dengue)
12. Making it compulsory for all the Muslim organizations that function based on the finances of Middle East countries at present to get registered in the NGOS secretariat and to function in conformity with its financial discipline and rules and regulations.
13. Similarly, the NGO secretariat, as a joint effort with the Wakuf Council should take action to conduct a full audit on the financial sources of the mosques outside the traditional Muslim mosques functioning at the urban and rural level. If the existing legal provisions are not sufficient for this purpose, the NGOS secretariat should consider a revision of the relevant laws.
14. Organizing lectures with the intervention of the Department of Muslim Affairs on the futility of extremism and its destructive effect on the Muslim society by summoning the world famous Muslim scholarly lecturers who uphold views against extremism.

## **9. Empowerment and Legalization of the NGOS Secretariat**

The civil society action and non governmental organizations are undeniably interconnected as per the democratic concepts of the modern world. The performance and recognition of these organizations have been created as International non governmental organizations and non governmental organizations, functioning affiliated to the United Nations Organization and as branches of other international organizations.

It should be accepted that the majority of the non governmental organizations functioning at the national and international level, take the lead in supporting people who become vulnerable as a result of Emergency disaster situations and social issues that originate out of poverty in the developing countries. Such organizations contain a substantial number of individuals working voluntarily in a life threatening manner, specially during massive humanitarian catastrophes. In spite of such a situation, majority of the people in most of the countries possess a mixed reaction towards the non governmental organizations. Sri Lanka is special when things are observed through that point of view. The conduct of the International non governmental organizations and the non governmental organizations functioning in the country during the 26 year period of war and specially during the latter stage of the fourth Elam war was not favorably and positively recognized by the Sri Lankans. The taking over of the NGO Secretariat, which was established to regulate and control the non governmental organizations, under the purview of the Ministry of Defense during the final stage of the war was the final result of all these.

It was the Ministry of Social Services which for a substantial period of time shouldered the full responsibility regarding the voluntary organizations which were established as per Act no. 31 of 1980 on Voluntary Organizations. This act which was introduced in the year 1980 was amended through the act no. 08 of 1998. Further, the NGO Secretariat was originally established through the circular number RAD/99/01 issued by the secretary to the President on 26<sup>th</sup> February, 1999.

This NGO Secretariat which successfully functioned under the Ministry of Social Services initially and the Ministry of Defense later, functioned under the purview of the Ministry of National Integration, Official Languages, Social Development and Hindu Religious Affairs after 2015. The other institutions which come under the said ministry are the Department of Official Languages and the National Languages Commission. Through this, it is explicit that the NGO secretariat has been assigned to function under the said ministry as a result of an irrational division of institutions. Specially, at present the scope of this secretariat has become broad and complex and it is entrusted with the duty of observing and

regulating the total performance of non governmental organizations in the country while establishing financial discipline and proper financial management.

During the investigations conducted subsequent to the Easter attack which happened on the 21<sup>st</sup> of April, the Crime Investigation Department has carried out certain inquiries on certain registered non government organizations and there it has been revealed that some non government organizations function within the country without getting registered. Specially, our Committee observed that the security forces and the intelligence services encounter immense difficulties when dealing with investigations and when working against the affronted non government organizations as a result of the shortcomings of the Act on the non government organizations. Specially, after the attacks which happened on 21<sup>st</sup> of April, many people paid their attention towards the hitherto neglected NGO secretariat focusing on the ways in which the people who were directly involved in the incidents and the relevant groups received money and on the ways in which money was sent to the country on behalf of the Batticaloa Campus Limited.

As per the agreements Sri Lanka has ratified with pertinence to the Asia Pacific Money Laundering and Prevention of Terrorist Financing, the NGO Secretariat should comply with the recommendations mentioned therein related to the Non government sector of Sri Lanka. Further, based on the observations obtained through the financial intelligence unit of the Central Bank of Sri Lanka and the Chief of National Intelligence, this secretariat should be vested with the legal authority to prevent the chances non government organizations may have towards money laundering and terrorist financing. Specially, at present Sri Lanka has been listed as a country with a high risk pertaining to money laundering and terrorist financing and through that several negative influences have been made on the international financial matters in which Sri Lanka is involved. However, there is a delay in implementing these recommendations and since the progress is annually monitored, in future, Sri Lanka will be offended for not working in conformity with the regulations of the international agreements.

In a situation where a large number of organizations which receive foreign funds have not been registered, money which is circulated in the country is not properly monitored. It has been disclosed by the security forces and by the mass media on different occasions that money is received through bank accounts of non government organizations which function based on different foreign funds but are not properly regulated. When this is further inquired, it is visible that a lot of organizations that receive funds even from the middle eastern countries, function even at the regional level and the quantity of said funds and the purposes for which they are utilized are not subjected to a formal supervision.

In order to render most of the above functions and responsibilities in an efficient manner, the NGO Act needs to be definitely revised as it has been proposed by the NGO Secretariat currently.

Although two years have lapsed after completing the legal process relevant to the above amendment Act, still there has been no possibility to get the relevant gazette notification issued. The reason for the delay in issuing the gazette notification is the obstruction made by certain powerful individuals of certain non governmental organizations which have been registered under the Companies Act , convincing the government authorities that these amendments lead to a loss of freedom of speech and this has led to a delay of approximately 2 years.

Specially, it was reported to our committee that the reason for certain leaders of non government organizations to work against the relevant amendment was the inclusion of two clauses to the Act against money laundering and terrorist financing. Accordingly, the argument of the leaders of non government organizations is that action should be taken to work according to the ordinary law which prevails in the country without introducing amendments. The said groups, going beyond this move, have appointed an informal committee out of their own members with the purpose of inquiring about this matter. However, even that committee has only met on two occasions during the last 2 years. Accordingly, the Sectoral Oversight Committee on national security which considered all the above factors, decided to come out with the following recommendations in this regard.

**Recommendations:**

1. To issue the gazette notification related to the NGO Bill, having removed all the obstructions against its issue.
2. To include the NGO secretariat under the scope of the Ministry of Social Services or the Ministry of Defense as a state policy.
3. To name the organizations which function without the registration in the NGO secretariat as illegal organizations and taking action to define the penalties to be imposed on such organizations. To take action under the Companies Act No. 07 of 2003, to take legal action against the organizations that perform as voluntary organizations, having registered as nonprofit, and limited by guarantee companies.
4. Establishing a mechanism enabling to integrate the Financial Intelligence Unit of the Central Bank, Chief of National Intelligence and the NGO secretariat so that it will be possible to regulate all the funds and assistance received by Sri Lanka from non governmental organizations.

5. To establish an Act like Foreign Contribution Regulation Act under the NGO secretariat and take steps to properly audit the foreign assistance received by Sri Lanka. Similarly, it should be ensured that these funds are utilized in a manner that leads to the betterment of all the ethnic groups of the society.
6. As in most of the other countries, the non government organizations and other voluntary organizations should be registered in one particular institution or only under the NGO Secretariat.
7. To amend the Standing orders of Parliament as appropriate disabling the legalization of foundations, Trusts and organizations which benefit one particular ethnic or religious group through the Private Members Motions. Further, action should be taken to ensure that the Boards of Control of foundations, trusts, or funds approved in Parliament are not limited to one family or several families of kin.
8. At the Parliamentary committee stage, measures should be taken to delete the section “registration of non government organizations under emergencies’ as included in the proposed NGO amendment Bill. This section will definitely create a gap in the fundamental law on registration once again.

## **10. Timely Requirement for the amendment of Wakf Act**

The meaning of Wakf is 'the charity fund'. The powers related to religious charity included in sections number 99 and 100 of the Trust Ordinance are invalid related to Islamic religious charity. The Wakf Act established in the year 1956, has the power to register any Islamic charity work and charity organizations and to determine their responsibilities.

Accordingly, the Wakf Council, as its prime responsibility should register the funds within the Muslim mosques. The Wakf council consist of 8 members and it functions under the Ministry of Muslim religious and cultural affairs. These 8 members are appointed by the minister in charge of Muslim affairs. Further, the payments made to these members at present are similar to those that have been approved at the initial stage of the Act. Accordingly, at present the members appointed to this committee work voluntarily and the work of the council is carried out in the form of a court. However, it is the responsibility of the Department of Muslim Religious and Cultural Affairs to observe all the powers and actions that come under the Wakf Act.

The Wakf Act has been amended on 04 occasions and at present drafts have been made for another important amendment to the Act. The Cabinet approval has been received by now and a committee has been appointed to further consider this amendment. The representatives of the present Wakf Council and even the former members are of the opinion that this amendment is an important amendment through which a large number of issues which have been created in the Muslim society and the Muslim religious centers, specially during the recent decades can be resolved. For example, once this proposed draft is approved, and fully enacted, no Muslim mosque can function in Sri Lanka without obtaining the registration of the Wakf Council. Similarly, even the Wakf Council does not have the full authority to fully regulate and calculate the funds and assets in the mosques already registered, the proposed amendments would authorize the council to do so.

In particular, after 1980, the conflicts which happened in the Muslim countries of the world and the expansion of Islamic extremist elements had an impact on the Sri Lankan Muslim society equally. As a result, the educated Muslim society is of the view that the Muslim culture the Islamic religious mainstream which were created in a unique manner throughout several centuries have taken new extremist directions. Accordingly, as a direct result, several Muslim extremist groups with Thauhid Jamath ideology have got divided and started to make an undue influence on the mainstream mosques. The existing Wakf Act has no power neither to regulate nor to ban the small scale Jumma mosques which are formed to nurture the Thauhid ideology. Further, the Wakf Council is only

capable of taking action pertaining to a complaint or a case presented to the Wakf Council by a certain mosque which has been registered in the Wakf Council. However, as per the Act the Wakf Council has no authority to intervene with pertinence to any Thauhid or other type of Mosque that has not been registered .

As per the Wakf Act, the registered Funds should present their accounts to the Wakf Council every six months. The Wakf Council has the power to take action through a magistrate court against the funds and mosques that do not abide by the Act however, the council does not possess any officer with the relevant legal authority to proceed thus.

There is a need to appoint a full time chairman for the Wakf Council. It is required to appoint an educated person with moderate views for this post. It will be possible to regulate all the institutions appearing as Islamic organizations, by equally strengthening the Wakf Council and the Department of Muslim religious affairs.

The opinion of the representatives of the Wakf Council who testified before the Sectoral oversight committee on National Security was that any Muslim organization or Fund which is a threat and a challenge to the mainstream Muslim society, should be abolished. If they engage in conducting lectures and rituals different from the mainstream Muslim system, they should be abolished.

Further, the present and former members of the Wakf Council point out that the Wakf Council and the Department of Muslim Cultural affairs should be further empowered in any action taken with pertinence to regulating the mainstream Muslim mosques in Sri Lanka and also to ban any mosque newly constructed based on different ideologies. It will build the foundation to set a mechanism that implements the policies and decisions of the Wakf Council and the institution which undertakes the duty of implementing the policies of the Wakf Council, should be recognized as the related department.

It was evident through the views expressed by the representatives of the Wakf Council in front of the committee that the Wakf Council is of an open mind on most of the complex issues that have been created around Muslim mosques recently. Accordingly, they pointed out that 2592 mosques have got registered in the Wakf council and only 1500 out of that can be considered as fully complete. Further, they are of the view that all the mosques that spread ideologies which are inconsistent with the Islamic religion existing in Sri Lanka should be removed in order to prevent the expansion of extremely complex extremist ideologies which have sprout out currently. Further, action is being taken by the council to classify the above 1500 major mosques based on certain criteria. In particular, as per the information received by the committee, it was expressed that a large number of mosques that favor Thauhid ideology have spread even in the district

of Kurunegala in addition to the eastern province. Meanwhile, the opinion of the Wakf council is that the number of mosques currently available in the country is quite sufficient as per the population ratio and therefore there is no need to construct new mosques. What is really required is to regulate the available mosques as per a proper methodology.

As it is pointed out by the Wakf Council, there is no proper procedure to regulate or audit the funds received by the Muslim mosques and the Madrasas currently. Particularly, the trustees of the mosques should under this situation, abide by the existing law and laws should be formulated making it mandatory for them to make a clear statement on the assets possessed by them. It has not hitherto happened.

The trustees of the mosque should be responsible to answer the questions like ‘ From where the funds are received, what kind of a membership is available, and how things are done?’. Further, everything performed by the mosque should be recorded in written form. Similarly, the Wakf Council should be enlightened in case if any trustee of a mosque promoting an ideology going beyond the Muslim mainstream system available in Sri Lanka. Then the Wakf council will at least have a rough understanding about the ideology possessed by each mosque. The opinion of the members of the said council on the logical basis of this matter was that there is a possibility for the council to get information at least from the other parties in case of a certain trustee of a mosque providing fake information.

The committee could receive information with examples to the effect that any ideology can be imposed using money as per the manner in which Muslim extremist elements expand currently. Particularly, salafi and wahab extremist ideologies are contained in the Thauhid Jamath and Jamathe Islam extremist movements. Similarly, any individual becoming a member of this kind of extremist movement would become a Kadar within the movement through their performance. As earlier stated, the Muslim mosques that carry the Thauhid ideology do not get registered in the Wakf council. Although they are small in number, their voice and the publicity propaganda are strong. During the recent times these groups have propagated their opinions in many traditional Muslim mosques in different parts of the country. By now, majority of the cases before the Wakf council are the issues related to the Sri Lankan traditional mosques which are under the grip of the Thauhid ideologists. Thauhid ideologists seem to spend a lot of money on their publicity propaganda. They are mostly youth and the Wakf Council observes that they forcefully take control over the Muslim mosques and conduct lectures for many years and ultimately the people of the particular areas start following the said ideology. When they fail to take control over the main mosque of the particular area, they purchase a place like a house and start conducting their lectures. Here, the opinion of the Wakf council is that



the Thauhid ideologists have mostly tried to grab the existing mosques to their control instead of spending money on constructing new mosques.

As per the observations of the Wakf Council, the majority of the Muslims have found this issue so complex, so that they have not been able to identify this new ideology which spread through their Islamic religion. In particular, the complexity of the issue has been aggravated due to the weak nature of the Muslim civil society, people being more interested in observing the region and conducting the business activities, lack of proper clergy and lack of recognition for Ulama council within the Muslim society.

In particular, it should be accepted that a serious impact can be made on an individual by a certain organized group of ideologists due to Islam being a religion which should be learnt and followed by the particular individual and due to the lack of Islamic clergy within the religion. Further, the organizational structure which is evident in religions like Buddhism, Catholicism, and Christianity is not equally available in Islam. Similarly, the recognition of the Muslim society about the Jameiyathul Ulama organization is not definite.

Accordingly, as a whole, the following recommendations are made with a view to finding solutions to a number of issues that have arisen in the Muslim community and to promoting inter-religious coexistence in the country:

1. The relevant parties should work with commitment to realize the amendments to the Waqf Act, which has already been approved by the Cabinet, but has stopped half way.
2. Action should be taken to recruit to the Department of Muslim Religious and Cultural Affairs the necessary staff including a lawyer and an accountant in order to implement the recommendations and policy decisions of the Waqf Board.
3. Trustees of the mosque should be made subjected to the law. Laws should be imposed to make them declare their assets. Legal processes should be provided in order to require the trustee of the mosque to obey the law and answer any question such as, "What are the sources of funding?", "What is the nature of the membership?" and "What is the nature of the mechanisms that are implemented. (Similar legal action has been recommended in the proposed Waqf Bill, too).
4. All sermons delivered in the mosque should be kept recorded. Accordingly, the trustee of the church should be obliged to provide those recordings to law enforcement agencies whenever requested by them in case there is an urgent need. Especially, this should be done with the aim of finding out whether they contain any statement that undermine religious coexistence

and support extremism. (The proposed Waqf Bill contains proposals similar to the relevant legal provisions.)

5. In terms of the Waqf Act after being amended, the Grama Niladhari of the relevant Grama Niladhari Division and the police station of the relevant area should be empowered to inform the Waqf Board about mosques that have not been registered in the Waqf Board of the area.
6. The Waqf Board should have some criteria and procedures to distinguish between the groups that hold extremist ideologies and those who are traditional Muslims in the country.
7. Waqf Board should be vested with the authority to intervene before a dispute relating to the traditional mosques registered with the Board develop into a conflict.
8. A legal framework should be established for the implementation of the policy decisions of the Wakf Board in collaboration with the Department of Muslim Cultural Affairs.
9. The Waqf Board should be vested with the power to decide the number of mosques there should be in proportion to the Muslim population, and to make the final decision with regard to the extremist mosques that do not follow the traditional Islam in the country, and that are not registered with the Board.
10. The Waqf Board and the Department of Muslim Cultural Affairs should be assigned with the responsibility of carrying out the process of implementing the government's decisions within the Muslim community with the objective of promoting inter-religious coexistence, and those institutes should be vested with the necessary powers to implement them.
11. The allowances paid to the members of the Waqf Board should be updated to suit the present day.
12. A full-time Chairperson should be appointed to the Waqf Board.
13. Action should be taken by the Minister of Muslim Religious Affairs to appoint the eight members of the Waqf Board who are appointed by the Minister from among the educated, professionals with moderate opinion, and the intellectuals of the Muslim society.
14. The administrative structure of the Ministry of Muslim Affairs and the Department of Muslim Cultural Affairs is very weak, and therefore extensive structural changes should be made to them in accordance with the accepted procedures and management processes.

15. The staff of the Ministry of Muslim Affairs and the staff of the Department of Muslim Cultural Affairs should be appointed so that there is a combination of people from all ethnic groups.

## **11. Suspension of Registration of Political Parties on Ethnic and Religious Basis**

Political parties are registered under the Parliamentary Elections Act No. 1 of 1981. Accordingly, it is observed that most of the registered political parties in Sri Lanka have been given their names on an ethnic or religious basis. Registration of political parties on ethnic and religious grounds began after the 1980s. Thus, as far as this situation is considered, it appears that political parties that have been formed on an ethnic or religious basis, too, have contributed to disruption of peace, co-existence and reconciliation in the Sri Lankan society.

This question, too, was posed to our committee, which focused on the new legislative process that the country needs after the Easter Sunday attacks. Accordingly, this matter was discussed with the members of the Elections Commission and other scholars who are interested in this matter, and even the Commission is of the view that there is a need to stop the registration of such political parties.

Particularly, Article 12(2) of the Constitution specifically states that, "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". Thus, according to Article 12(2) of the 1978 Constitution, one can argue that registration of and functioning of a political party on a communal or religious basis is a violation of fundamental rights. As per the usual procedure, when a political party is registered with the Elections Commission, the constitution of that party should be submitted to the Elections Commission. Accordingly, at the very outset of a party constitution, all information including the vision, mission, goals, objectives and office bearers of that party should be included in that constitution.

The Elections Commission does not register a political party as a party meant only for a particular religion or ethnic group. It should have been built as a party in which any Sri Lankan citizen can express his opinion at any point. Moreover, unlike in other countries such as India, there is no division as national-level political parties and state-level political parties in our country, and therefore, there cannot be political parties that targets a particular ethnic community or a religion.

Especially, during the observations made by the Sectoral Oversight Committee in this regard, it was found that constitutions of political parties that have been registered under names related to ethnic groups or religions contain visions, missions, goals and objectives that constitute a violation of the Constitution. For example, the constitution of a certain political party with a Muslim name states that the objective of that party is to implement the Sharia Law in Sri Lanka. Similarly, the term 'Eelam' in many Tamil political party names means a separate

state. It thus challenges Article 2 of the Constitution, which states that Sri Lanka is a unitary state.

Leaders of the leading Tamil and Muslim parties have acknowledged this especially during the unofficial discussions carried out in this regard. Accordingly, they said that they are able to change the goals and objectives that are not in accordance with the Constitution within a specific timeframe, and simultaneously change the names of parties with ethnic and religious identities as appropriate. Therefore, the Committee makes the following recommendations in order to suspend the registration and operation of political parties that may hinder promoting reconciliation and religious coexistence in Sri Lanka.

### **Recommendations**

1. The Parliamentary Elections Act No. 1 of 1981 should be amended appropriately so that political parties are registered in order to achieve the abovementioned objectives.
2. The Elections Commission should ensure that the constitution of any political party does not violate the fundamental rights set out in Article 12(2) of the Constitution.
3. When registration is sought by a political party, that party should not be given the registration if the name of that party or its constitution contains any goal or objective that may cause any racial or religious conflict situation that may divide people and hinder reconciliation.
4. If the abovementioned situations are present in the constitutions of the already registered political parties, the Elections Commission should give a definite timeframe (2 – 3 years) for such political parties to be transformed into recognized political party of the entire population of the country.
5. If the names of such political parties relate to any political or ethnic identity, such names should be replaced by those political parties with names that can be recognized as political parties of the entire population.
6. The Elections Commission should provide necessary advice and guidance to political parties that initiate such a process.
7. It should be the responsibility of the Elections Commission to prepare the necessary legal provisions required for the entire process stated above.

## **12. Issuing Birth Certificates with Sri Lankan Identity Number (SLIN)**

Citizen-linked data and information holds a very vital place in any country in the modern world. Sometimes it has become an important part of a country's social capital. The proposed SLIN number is of paramount importance in many aspects of national security in the current social system that has been built on information technology.

The Sectoral Oversight Committee on National Security paid attention to the obstacles and issues that exist for granting the SLIN number, and several rounds of discussions had already been held regarding this matter with the two relevant government departments, namely the Department of the Registrar General and the Department of Registration of Persons chaired by the Ministry of Internal and Home Affairs. Although some agreement had been reached in all those discussions, both departments have equally failed to reach a final consensus on the issue of the SLIN. In such a context, this matter was brought to the attention of our committee, and both the Directors General of the respective institutions, responding to the request of the members of the Committee, said that they would work together towards a better solution through consensus. However, so far, there has been no indication that such an agreement has been reached.

In view of the problem of being unable to issue the SLIN number so far, it has to be considered in several aspects. Firstly, the functions of the two departments that are involved in this are different. This fact is established by the very Acts in terms of which these two departments have been established, which is also the opinion of the Attorney General on the issue. Secondly, the problem is further complicated by the fact that both departments struggle to maintain their identity, recognition and respect. Looking at this issue with an open mind, our Committee recommends that the Department of the Registrar General and the Department of Registration of Persons should resolve this issue while maintaining the same positions they hold as they are. Accordingly, the Sectoral Oversight Committee on National Security requested the Directors General of both these departments to submit their efforts and proposals to the Committee separately so that the issue could be resolved promptly with mutual respect.

Accordingly, the Registrar General and the Commissioner General of the Department of Registration of Persons have submitted the attached documents to our Committee. The recommendation of the Sectoral Oversight Committee on National Security is to address the issue of issuing the SLIN, which has become a national need, through a discussion chaired by the Secretary to the President and with the participation of the Secretary to the respective Ministry to which these

two departments belong in order to arrive at a solution that is acceptable to all parties.

It has been observed that the ministers in charge of the subject ministry and the ministers in charge of various other ministries, too, have shown particular interest in the issue of issuing the SLIN especially over the recent years. This is due to the fact that a large sum of money is to be circulated during the tender process related to the digital technology process connected with the issuing of SLIN.

The view of the Committee is that, it is only if the Secretary to the President gets involved in this that all matters such as maintaining transparency in the relevant tender transactions can be addressed after reaching a platform for implementing this process finally allowing for the views and opinions of both departments having reached settlements with regard to negotiations, agreements, contradictions, conflicts and issues that have arisen during this process. The Committee also recommends that it would be more appropriate to consider the standpoints and proposals submitted by the respective departments and attached hereto as the basis for such discussions. It is because there is some logic and truth in the facts pointed out by both sides.

### **13. Establishment of a Ministry of Religious Affairs that Combines all Religions**

It is clear that creation of four separate Ministries of Religious Affairs for the four major religions practised in Sri Lanka is a major obstacle to religious harmony in the country. The Ministry of Buddha Sasana has been under of the Head of State on several occasions, particularly under the 1978 Constitution, and on some other occasions, i.e., in years 2000 and 2010, the Ministry of Buddha Sasana and Ministry of Religious Affairs was under the purview of the Prime Minister.

However, it became clear to the Sectoral Oversight Committee on National Security, which examined this matter, that with the establishment of four ministries for the four major religions in the country after 2015, there have been many complex issues on the one hand, and the ministries of religious affairs of the respective religions have become inactive on the other hand resulting in their failure to serve at least the religious community they represent. Particularly, this Committee easily drew that conclusion in view of the weaknesses displayed by the Ministries of Muslim Religious Affairs, Christian Religious Affairs and Hindu Religious Affairs while discussing the matters before this Committee. The Ministry of Christian Religious Affairs did not have any information about the Christian Church, while the Ministry of Muslim Religious Affairs was struggling with such simple matters as sharing the annual quota for Haj pilgrimage.

The Ministry of Muslim Religious Affairs did not have any arrangement in place to address the Muslim community and to rebuild the inter-religious coexistence that shattered in the post-April-21<sup>st</sup>-attack period or any other programme related to that.

Upon further inquiry, it came to light that these separate Ministries of Religious Affairs did not have any programme to promote inter-religious co-existence that help build the Sri Lanka nation at least 26-year-long continuous war, which the entire Sri Lankan nation had suffered.

Although there are several reasons as to why four separate ministries of religious affairs have been in operation in recent years, it can be seen that the Ministers who represent each religion have been assigned with the subject of the religion they represent in efforts to secure their support to the government particularly in the form of coalition governments (+113) that are formed under the proportional representation system.

#### **Recommendations:**

1. It is recommended that a single Ministry of All Religious Affairs (a Cabinet ministry) should be created as before in place of all these four Ministries of



Religious Affairs, in order to minimize the problems, complexities and weaknesses that have arisen in functioning in this manner.

2. It is also recommended that four departments (such as the Department of Buddhist Affairs) should be created under the proposed Ministry of All Religious Affairs and the structure of the said Ministry should be created with a Secretary to the Ministry, four Additional Secretaries and four Commissioners as required.
3. The Minister in charge of the proposed Ministry All Religious Affairs shall be the President or the Prime Minister of the country or a Senior Cabinet Minister who is respected by all parties.
4. If the new President that will be elected in 2020 becomes the said Minister of All Religious Affairs, it should happen as an amendment to the 19<sup>th</sup> Amendment to the Constitution. An important consideration here is the assumption that the President will be able to act as an Impartial Arbitrator among all people as the President is elected directly by people of all ethnic and religious groups in the country. From this point of view, it is reasonable that the President himself should act as the proposed Minister of All Religious Affairs.
5. If this is not the case, the said Ministry may be brought under the purview of the Prime Minister as a responsibility assigned to the Prime Minister as a new tradition. If that is not possible for some reason, then the said Ministry should be made the responsibility of an experienced, senior Cabinet minister who is free of racial prejudice, and who is respected by the entire country and the people.
6. Public servants and officers working at each of the four Departments of Religious Affairs should not be limited to representatives of the relevant religions. Accordingly, those departments should also have an institutional structure comprised of employees of all religions.

## **14. Building and maintaining Dhamma Schools and religious Centers so as to ensure Inter-religious co-habitation**

Sri Lankan society transformed into a multi-religious society many centuries ago. Buddhism got established 2500 years ago followed by Hinduism during the Polonnaruwa era and Islam and Catholicism too got established as religions from time to time in the history. Sinhalese, Tamils and Muslims have woven the fabric of cultural diversity in the Sri Lankan society. Subsequent to the formation of ethnicities and related religions, religious centers have come to being from the Anuradhapura era according to written history and archeology. They were Buddhist Viharas and monasteries. During the Polonnaruwa era, Hindu temples too started to emerge alongside the Buddhist monasteries.

A mosque is said to have been first built in Beruwala area. With the advent of the Colonial period Catholic churches started to appear at various places. Even though Catholic churches and Mosques were built at various places of the country with the expansion of the relevant ethnic and religious groups, it is not reported that religious co-existence with the main Sinhala-Buddhist stream collapsed.

However, after the mid-90<sup>th</sup> century there were constant clashes between the main Catholic stream and the Christian Prayer centers that appeared here and there.

WAKF Board is the institution with legal responsibility in relation to matters of Islamic Religious centers or what is generally called Mosques. The Board has been established under the Muslim Charitable trusts or WAKF Act of 1956. According to WAKF Act the number of Mosques registered under that Board is 2592.

However, as reported after the 4/21 attack a large number of Muslim youth have joined with the 'Thowheed Jamath' ideology. According to the statistics of the WAKF Board, it has been established that there is a large number of Mosques based on the Thowheed ideology. According to WAKF Act, those Mosques, which do not abide by its criteria and not registered with it, are illegal.

The traditional architecture that is unique to Mosques can be distinguished even by a non- Muslim quite easily. However, the 'Thowheed' mosques which are discussed above are not like those traditional mosques. An ordinary house or part of a house suddenly becomes Thowheed Jamath Mosque. In addition to that, there is also a move by the Thowheed Jamath ideologists to bring the traditional Mosques under their control by using their money and authority. It was reported to our Committee that building a Thowheed jamath mosque in a place which is

unsuitable for prayers by a gathering of a very small number of person (sometimes 20, 25) disturb the activities of the traditional general mosque and there have even been clashes between the two parties.

Further inquiries revealed that following the April 21<sup>st</sup> attack there was a tendency for unnecessary ethnic and religious resistance to build up owing to the operation of Thowheed Jamath Mosques without the WAKF board. Considering the community ratio, the Sinhala and Tamil society see this situation as an act breach of inter religious harmony. In the recent past, a number of incidents of religious tension mounting were reported from various places of the country at the attempts to try to build Mosques at close proximity to Sinhala and Tamil areas.

Our inquiries in to the above state of affairs found that similar complex situations had erupted when constructing Christian churches too. According to the statistics of the Ministry of Christian Affairs, the number of Catholic churches registered under the Catholic board is 1979. However, the Christian board did not have any accurate statistics. Accordingly, as per a directive given to the Ministry of Christian Affairs by our Committee the Ministry gathered information through newspaper advertisements and from the Divisional Secretariats and according to them 683 churches functioning under 300 sects have sought registration under the Ministry. Furthermore, the clashes that erupted at the attempts to build prayer centers belonging to various sects at areas inhabited by majority Buddhists cannot be forgotten.

Moreover, a problematic situation has erupted in relation to the establishment of Buddhist centers. Accordingly, It is reported to the Ministry of Buddha sasana that problems crop up almost every day when a temple or a place like a Meditation center is established close to a temple or between two temples.

Our Committee therefore paid attention to the basic reason for clashes to erupt from within the religious group or outside of them on religious lines when religious centers are established relating to all religions. The Committee then realized that a common policy under common criterion should be introduced regarding the establishment of religious centers of all religions. In comparison to other religions, even though there are traditions, criteria and laws pertaining to the establishment of Buddhist centers it is obvious that they are not sufficient to address the problems that crop up on daily basis. Therefore the Sectoral Oversight Committee on Defense proposes that a new Act known as an 'Act for the establishment of religious centers and maintaining religious harmony' should be introduced in a bid to ensure religious harmony.

Accordingly the Multi-religious Ministry, this Committee has proposed should formulate the draft of the Act towards establishment and running of the aforesaid

new religious centers. When the Departments of Buddhist Affairs, Hindu Affairs, Christian Affairs and Muslim Affairs function within this Ministry, it will be easy to implement the provisions of this Act. This Act is also expected to give common recognition to all religions, make the decision making process common to everybody and build better link among Departments of all religions.

The proposed Act is expected to formulate common set of criteria for the establishment of new religious centers, registering the unregistered religious centers and running of Dhamma schools as the problems relating to them faced by all religions are alike in nature. It should explicitly specify the distance that should be there between two religious centers of the same religion and of two religious centers of two religions.

The proposed new Act should also pay its attention to converting a religious center that cannot be registered under the existing criteria or is likely to create chaos within a religious group or be a threat to public order and religious harmony into a center (community center, cultural center etc.) which can be used by the relevant religious group before final laws are promulgated to demolish them.

Accordingly, the proposed Act or the `Act known as the Act for the establishment of new religious centers and maintaining religious harmony` should include the above matters into its content.

Firstly a `Place of religious worship` should mean a place where followers of a particular religion engage in religious activities or governed by the clergy.

`A Dhamma school` means an educational institute where religious teaching relating to a particular religion takes place and where there are teachers teaching the religion and students learning in it. It should be connected to a religious center.

If a new Dhamma school or a religious center is built and maintained it should be registered with the Department under which the `Religious center` or `Dhamma school` comes.

Conditions to be fulfilled for the construction of Temples, Kovils, Churches, Devalas and Mosques;

1. There should be a clear deed that confirms the ownership of the land (It is essential that the deed has been made in such a way that it can be commonly used by everybody for purposes of worship)
2. The extent of the land for the construction of Temples, Kovils, Mosques and Churches should be determined in accordance with the demography of the area. The minimum extent of land for the construction of a building

according to the Local Government body of the area, to which the place of worship belongs, is a must.

3. The distance between the proposed place of worship and a Liquor outlet/Meat stall should be at least 500 meters. Approval for such places should not be given within 500 meters of places of religious worship after they have been established. The distance limits set out by the Excise Ordinance are applicable to this.
4. The religious centers so established should have a specific trustee. The term Trustee means a Chief Incumbent of a temple or a trustee or a board of trustees. (A trustee or a board of trustees means a person or a board of persons with theoretical knowledge of the relevant religion).

Trustee can be defined as follows too;

- Of a Buddhist temple - Chief Incumbent, Monk residing in the temple or the chairman of the board of trustees.
  - Hindu Kovil - The chairman of the Kovil Trust.
  - Catholic/Christian church - Trustee priest.
  - Mosque - Chairman of the board of trustees.
5. There should be a system to maintain and conduct religious programmes continuously.
  6. The particular place of religious worship should be completed with the basic religious features that should always be there and of common sanitary facilities.
  7. Demography should be considered when constructing places of religious worship and at least there should be a significant number of family units. (The number of family units should be incorporated by regulations).

### **Conditions to be fulfilled when starting a Dhamma School**

1. There should be a clear deed that confirms the ownership of the land (It is essential that the deed has been made in such a way that it can be commonly used by everybody for the purpose of religious worship)
2. The place should be suitable for the process of learning.
3. It should be established at a place approved by a Department of religious Affairs and connected to a Temple, Kovil, Church or a Mosque.
4. There should be sufficient number of students.

5. The staff should be conversant in the relevant religion. The curricular should be developed by religious academics and it should be approved by the relevant Department of Religious Affairs.
6. There should be plan to muster the physical resources required to run the place.
7. The students should not be linked to any activity other than those that are aimed at imparting the knowledge and practice of the Dhamma and as well as spiritual development.
8. The prior approval of the Ministry should be obtained before inviting foreign lecturers to conduct lectures.

**Procedure to be followed in relation to Bodhis/Statues/Icons/Crosses/Dharma Chakras**

1. They should be consistent with the designs in conformity with the relevant Ministry of religious Affairs.
2. They should be placed on a piece of land with a clear deed.
3. It should be a place where the dignity of the relevant religion is protected.
4. They should not be placed in front of or adjacent to junctions/highways/institutions (except religious institutions). If they are placed at a common venue, the approval of the relevant Divisional Secretary should be obtained on the recommendation of the relevant Local Government body or the Urban Development Authority and the approval of the Ministry of religious Affairs should be obtained at a time of chaos.
5. There should be a system of proper maintenance.

**Common conditions**

1. When a land is purchased and/ or used for constructing and/ or running a place of religious worship, the Divisional Secretary or the relevant Local Government body should give its approval/ recommendations after properly identifying the situation and being satisfied about it and obtaining the approval of the relevant Ministry of Religious Affairs upon informing about it.
2. Reconciliation Committees consisting of inter- religious leaders should be established divisionally in order to give recommendations when religious institutions are constructed or run.

When requests are received for constructing or running a place of religious worship, the Divisional Secretary should seek the recommendation of the divisional reconciliation committee that has been appointed to represent the religions of that area.

Upon the recommendations of the regional reconciliation committee, a committee comprising of the secretaries and heads of departments representing the proposed Ministry of Inter- religious Affairs should consider whether the approval for the relevant place of religious worship should be given and the decision be given. When the approval cannot be given, it should be referred to the National Reconciliation committee.

#### **Composition of the divisional reconciliation committee**

- Divisional Secretary - Convener
- Divisional Inter-religious leaders.
- Officer or Officers in-charge of Police (when a number of Police areas are involved)
- Representatives of the relevant Local Government Body.
- Grama Niladharis and Religious affairs coordinating officers.

#### **Composition of the District reconciliation committee**

- District Secretary - Convener.
- Inter-religious leaders of the district.
- Deputy Inspector General of Police in-charge of the district.

#### **Composition of the Inter-religious Ministerial committee**

- Secretary of the proposed Ministry of Inter-religious Affairs- convener
- Heads of Departments representing the Departments of Religious Affairs.
- Inspector General of Police.

#### **Composition of the National reconciliation committee that is only for the purpose of discussing the National level policy matters.**

- Secretary of the President - Convener.
  - National level religious leaders representing each religion.
  - Secretaries of the proposed Ministries of Inter Religious Affairs.
  - Secretary to the Ministry of defense.
  - Inspector General of Police.
3. There should be a plan to gather physical resources when the physical resources required for running a place of religious worship are insufficient.
  4. Reports on Construction estimates, Estimates of money received and the manner they are expended should be referred to the relevant Ministry of religious Affairs for monitoring and reports of approval should be obtained.

If money is received from the government, a report of how they are spent should be submitted.

5. In order to expand the places of religious worship from time to time with the changing population density, a request should be made to the relevant Local Government institution and approval obtained.
6. When registering the places of religious worship which have not yet been registered but have been run for a considerable period of time with a population basis, the archeological and historic factors of that place should be paid special attention to, and the observations and recommendations of the Department of Archeology be obtained and the registration should take place on such recommendation.
7. The Department of Religious Affairs should maintain a database, which contains the statistics of the places of religious worship of the relevant religions and other relevant information.
8. If foreign funds are received for the construction of a place of religious worship, they should be subjected to proper financial discipline and transparent audit of the Secretariat for Non-Government organizations and the relevant Department of religious Affairs.
9. When the preliminary approval for the establishment of a new place of religious worship is sought, the government institution which grants the approval for it should make an assessment of the number of people that follows that religion, population density and the need for the establishment of such a place.



## 15. Halal Certification Process

Another controversial area of focus of the Sectoral Oversight Committee on National Security was the issue of Halal certification. The Committee engaged in an extensive discussion with the representatives of the Halal Accreditation Council (HAC) who are responsible for Halal certification. At the same time, it should be mentioned that, although our Committee recommended that the Sri Lanka Standards Institution (SLSI), as a government institute, should make some intervention and play a certain role in this regard, this Council did not respond to it favourably.

In particular, since this certification process is somewhat aligned with the export economy of the country, and as a technical process connected with such certification is involved with this, our Committee entrusted the Consumer Affairs Authority with the responsibility of submitting a detailed report and its recommendations on this matter.

Accordingly, following a study on Halal certification by a panel of officials appointed by the Chairman of the Authority, the following report and recommendations were submitted to our Committee:

### **Objectives of the Study**

The objectives of this study are as follows:

- a) Examining the requirements for the Halal certification process.
- b) Specifically identifying the requirements for the Halal certification plan, and understand how it impacts the final price of the product.
- c) Determining the need for Halal certification.
- d) Examining the use of Halal Certification Funds through audit accounts (if possible).

### **Methodology**

The team used the following criteria in this study to achieve the above-mentioned objectives:

- a) Inviting the Halal Accreditation Council for a presentation
- b) Engaging in an inspection visit to the Halal Accreditation Council (HAC), and examining the requirements / documents related to the Halal certification system
- c) Collecting the prescribed documents
- d) Selecting a few Halal-certified business establishments, visiting those establishments and collecting true information about them

- e) Conducting a small-scale survey to collect data from consumers about Halal certification
- f) Preparing the final report based on the evidence obtained using all the information gathered.

### **Introduction to Halal certification**

Currently, the Halal Certification System is completely managed by the Halal Accreditation Council, which has been registered on 04.12.2013 under the Companies Act No. 07 of 2007. With the establishment of the Halal Accreditation Council, the All Ceylon Jamiyyathul Ulama, which was previously the authority in this regard, stopped issuing halal certification in Sri Lanka. Halal Accreditation Council is the only body that issue Halal Certificate in Sri Lanka at present. The main objective of this certification system is to ensure that no haram products are used in the entire supply chain, and in this respect, goods under the following eight areas are identified as haram products:

Generally, all products other than the following should be considered as Halal products. According to the Halal Accreditation Council, the word 'halal', as defined in the Quran, means legitimate or authorized in Arabic, or permissible in Islamic.

### **Food that are not permitted to consume**

**Generally, most consumer products are Halal in nature except for the following:**

Food that are not permitted to consume

Generally, most consumer products are Halal in nature except the following:

- Carrions - dead animals or improperly slaughtered animals
- Hazardous, poisonous or harmful substances
- Blood and all by-products of blood
- Pig and all its by-products
- Carnivorous animals and birds of prey and certain other animals
- Alcoholic beverages
- Reptiles, rodents and insects
- Human body parts

### **Halal food**

Halal foods are foods and beverages that are permitted to be consumed under Islamic law and / or meet the following conditions:

- a) Any animal part or animal product that is not halal in accordance with Islamic law, or products made using animals slaughtered in contravention of Islamic law.
- b) Products that do not contain contaminants (Najis) according to Islamic law
- c) Food that is non-toxic, non-dopey or not harmful to the consumer and is suitable for consumers.
- d) Food that is not prepared, processed or manufactured using equipment that has become unclean by impure substances according to the Islamic law.
- e) Products that do not contain any alcoholic beverage or byproduct that is not permitted by Islamic law.
- f) Products that do not contain any human organ or derivatives thereof (made of human organs), which are not permitted by Islamic law
- g) Products that do not contain any disgusting materials or derivatives, such as sperm, mucus, etc., that are not permitted by Islamic law.
- h) Any product that does not meet the requirements set out in (a), (b), (c), (d), (e) or (d) above in the production, preparation, packaging, storage and transportation of such products, or foods that are physically separate from what the Islamic law prescribes to be unclean.

A copy of the relevant document is given in Annex 03.

### **The findings of the visit to the Halal Accreditation Council**

#### **Management Structure of the Halal Accreditation Council**

The Halal Accreditation Council is run by a CEO and a team of officers who have been trained on the Halal certification process. The Halal Accreditation Council is comprised of an eight-tier vertical hierarchy consisting of various committees. It is stated that the top level of the organization is comprised of founder members, the Board of Managers, the Chief Executive Officer and an impartial board, and only Muslims are employed in those committees. Furthermore, the staff of the Halal Accreditation Council is comprised of food technicians and supervisors who carry out the audit activities or oversee the process of certification of companies. The entire staff consists of Muslims. A copy of the organizational structure is given in Annex 4.

The Halal Accreditation Council has obtained several accreditations and affiliations to gain recognition for its activities and functions, and some of them include:

ISO 27001: 2013 Information Security Systems Certification

ISO 9001: 2015 Quality Management System Certificate (Unaccredited Certificate), Membership of the World Halal Food Council (WHFC)

Membership of the International Halal Authority Board (IHAB)

Membership of Export Board

### **Halal Certification Process**

The Halal Certification Process is comprised of following key steps.

- Initial investigations and submission of letter of intent by applicant.
- Issue of Halal Certification application with terms and conditions.
- Obtaining the set of application completed by the Halal Accreditation Council.  
(The application should be verified from a set of documents)
- Processing & Verification of the application.
- Staff requirement. (Halal Safety Team)
- Conducting Certification Audit at the premises
- Issuing of Halal Certificate.
- Post Certification (un-announced periodic audits)
- Renewal of Halal Certificate.

The sample flow chart of the Certification Process has been displayed in the appendix 05.

The Certification Process is based on the evaluation of the entire process starting from obtaining raw materials to final product and since the aforementioned eight items are comprised of Non-Halal features, investigations are held regarding those products after collecting random samples to have conclusive evidence whether those items are actually Non-Halal products. Therefore, the Certification Process is mainly based on an audit process to specifically know whether Non-Halal activities have taken place. If Non-Halal or other health related issue is identified, the Halal Accreditation Council will submit a compliance report and in order to qualify for the certification the relevant company will have to rectify the matter properly. One of the unique requirements of the Halal Certification Process is that the institution which hopes to obtain a Halal Certification should form a team of Halal covering various stages of the production. Furthermore, several members of the group should receive a training from the Halal Accreditation Council.

The Halal certificate is valid for a period of one year and it should be renewed before the valid period expires. The accreditation procedures of the Halal

Accreditation Council have been documented as the time required for audit, audit fees, independent policy definitions on appropriateness, approval for certification, post certification and standard operating procedures that include certification charges.

### **Organizations that have received Halal Certification**

The Halal Accreditation Council has issued Halal Certification to 230 business institutions including manufacturing plants and cafeterias covering around 8000 food products. Some of the business institutions are engaged in the exporting industry in addition to selling goods in the local market.

### **Standards of the Certification**

These are based on the 01<sup>st</sup> edition dated 2015/12/01 of the General Guidelines for the Handling and Processing of Halal Food (HAC/STD/03). This is the document that displays the standards for local certification. It covers the requirements for certification and below mentioned requirements are most important as mentioned in the aforesaid document.

- The ability to identify Non-Halal Certified Consumer Goods in the entire supply chain, if there are any.
- Healthy, hygienic and food safety requirements.
- Not having approval to include any Non-Halal item in the relevant certification field.

Furthermore, when sending goods for the export market, especially to countries that belong to Gulf Cooperation Council (GCC), they should be in line with the 'GSO 2055-1 Halal Products - Part 1: General Requirements for Halal Food' as declared by the Standardization Organization of the Gulf Cooperation Council, which is comprised of National Standard Institutions of the member states of GCC.

### **Certification Fees**

Certification fees with regard to Pre-Certification and Post-Certificate are calculated after taking into consideration the below mentioned matters in accordance with the terms and conditions of the Halal Accreditation Council of the document 1.0

- Product category
- Shops and main cuisine / Number of Controllers
- Storage facilities
- Number of products
- Amount of raw materials used

- Importance of raw materials used
- The complexity of the process
- The level of cooperation obtained from the Halal Accreditation Council
- Number of examines / audits that will take place after the certification.
- Scale of the business
- Number of work sites or manufacturing plants
- The distance to business place / storage / work site from the Halal Accreditation Council

After the Halal Accreditation Council conducts the initial evaluation of the application according to the terms and conditions mentioned in the document, the relevant company will be notified of the prices.

The fee for certification is Rs.150,000/- and an additional sum of Rs.25,000/- will be charged irrespective of the number of goods produced and the number of work sites. Information in this regard can be viewed on appendix 06.

### **Financial Situation**

Officials of the Consumer Affairs Authority had reviewed the financial statements of the institution. Following matters had been observed.

There is no process available to identify the direct deposits made by the institution with regard to the relevant dealer and no reconciliation statement to recognize such transactions. Therefore, the auditor has stated "It is difficult to verify the completeness and the accuracy of the revenue, trade receipt balance and cash, balance of cash equivalents."

Furthermore, the income statement shows the following losses.

Loss of Rs.1, 337,012/- for the year ended from 31.12.2017.

Loss of Rs.1, 441,867/- for the year ended from 31.12.2016.

However, the value of cash equivalents by the end of year 2017 has been mentioned as Rs. 5,158,928.00. The company had generated a net cash flow of Rs. 7,032,859.00 from its operations.

Following matters were also revealed during the audit.

Identification of Income – Issuing certificates to dealers and trade receipts (Identification of assets have not been clearly interpreted.)

Assets that were purchased to be granted as aid: How the accounts were handled is unclear. (It has not been clearly mentioned whether the assets had been

purchased to be granted as aid while they have been also included in the final accounts.)

The company had purchased a vehicle worth Rs. 7.64 million after financing through the company.

According to aforementioned matters it is difficult to determine that this company is experiencing financial losses and operational losses. Furthermore, the fund had been established during the financial period ended on 31/12/2014. The company had used this fund on the consent of the Board.

### **Other fields**

On the instances where the conditions, mentioned in the document that displays terms and conditions of Halal, have been violated the Halal Accreditation Council has the right to withdraw the Halal certificate and to ban all products that have Halal logo.

There is no clear criterion to identify the products that should be covered from the Halal certification similar to other methods. As an example, in other methods it is essential to focus attention on managerial proficiency of the organization, technical issues related to product and unique guidelines for production prior to certification.

Being in compliance with the certification of the Sri Lanka Standard Institution confirms that minimum required standards for the use of product have been fulfilled and as a part of the certification process use of unique national production standards and supporting technical document cannot be seen clearly. Although such standards have not been considered in the Halal certification process there are number of standards issued for various products by the Sri Lanka Standard Institute.

### **Views of the Halal certified companies**

In order to obtain information regarding the Halal process, the Consumer Affairs Authority randomly selected 12 Halal certified companies and examined each premises after visiting them on different dates. The officials of the Consumer Affairs Authority held extensive discussions with the officials of the relevant company and engaged in an industrial inspection tour to have a broader knowledge on the Halal certification process. List of the companies that engaged in the inspection tour are mentioned in appendix 07. A brief detail of the companies that were inspected and products / service categories of the restaurants are displayed below.

Number of companies	Product category
1	Tea packets, in bulks
2	Ice cream / dairy products
2	Biscuits / Cake
1	Products for the protection of the skin
1	Bakery ingredients
2	Meat and meat related products
3	Food supply services of restaurants

### **Matters revealed during the research**

1. Majority of the officials from the company stated the Halal certification is mainly based on the criterion of specifically finding out the certified items are not blended with Non Halal items and purity is preserved.
2. As this is based on a search system it is mandatory that all suppliers who supply materials to the aforesaid company have obtained the Halal certification and it avoids unwanted issues when selecting suppliers on the basis of cost effectiveness.
3. As part of the certification process that affects the competitiveness of the company all the relevant documents will be asked to be submitted including information regarding items of competitive nature.
4. In most of the certification methods including the process to award Sri Lanka Standard "SLS" logo and in ISO 9000, ISO 14 000 management system certification process the companies are not asked to submit confidential documents and instead attention is only focused on the documents regarding operational activities.
5. In terms of the Halal certification, it is mandatory to convert companies into fully Halal business ventures and one of the issues faced by the Halal certified companies is to maintain no flexibility towards Non-Halal products within the premises and to guarantee purity is preserved.
6. There is no room for new products that are non-Halal as there is no flexibility and it can affect the development and the growth of the association.
7. The Halal Accreditation Council had assigned one of its employees to the company premises after recognizing certain operations of the production process as "extremely important" for the Halal certification and the



company had to bear additional production cost as a result of the salary and other expenses paid to him in an unacceptable manner in addition to certification fees.

8. An invoice that mentions the total certification fee had been issued to every company although fees for each function have not been displayed separately. Therefore, the basis of how the certification fees were calculated could not be understood either from the "Certification Fee Guidelines Doc/HAC/SOP/FD/1/D". The aforesaid fee was much high for certain companies and it is displayed in detail in 'Annexure F'. However, when the officials from the Halal Accreditation Council came to the Consumer Affairs Authority they informed the fee for certification is Rs.150, 000/- while an additional sum of Rs.25, 000/- is charged from the export companies regardless of the number of the items they produce and the number of worksites the company have. But the facts actually uncovered contradict the aforesaid information. Information in this regard are included in appendix 06.
9. It was the view of the company that a team of Halal comprised of 3 to 5 members, separated from other staff and entrusted with unique responsibilities, should be formed and it is unnecessary to assign excessive work to them with additional tasks.
10. However, when considering the local market only the Muslim community are provided the opportunity of purchasing products they accept through this certification.
11. As mentioned by the employees of the companies who took part in the inspection tour this certification has been obtained merely aiming the market and it does not assist the quality of the product or the productivity improvement.
12. Especially in certain foreign markets including gulf countries the Standard Certificate of the Gulf Scientific Corporation, which is based on the Halal Certification, is required to sell products.
13. Therefore, this Certification is essential for export oriented companies to gain access for aforesaid markets and similarly help earn foreign exchange while strengthening the economy. Furthermore, when considered in a broader perspective the benefits received by the export oriented companies are much higher than the cost born for certification.
14. As stated by staff of restaurants only Halal Certified foods are sold at restaurants as the Halal Accreditation Council does not grant permission to cook or prepare Non-Halal food items and problematic situation arises when Sinhalese do not buy such food.

15. Since the fee for Halal Certification, especially for restaurants, is very high, prices of food items also go up and have to be specifically bear by the local customers. Furthermore, when the production sector is taken into account, the price of the final product go up due to the Certification when compared with the entire finished product although this is not important for the service sector.
16. Since the basis of calculation of invoices issued for companies has not been mentioned expenses cannot be borne according to the current fee structure. (See appendix 06)

### **Opinions of the Consumers**

The Consumer Affairs Authority conducted a market survey with the participation of randomly selected eighty consumers in order to obtain opinions of the consumers using a well prepared questionnaire. Matters revealed are as follows.

Majority of the consumers did not favor this certification and they were of the view that it is not required.

1. Majority of the consumers were not interested about the certification and they were of the view that it is not required.
2. Majority of the consumers pointed out if the Halal Certification is required the process should be carried out under the supervision of the government.
3. High percentage of the consumers in the sample including Muslims stated they were unaware of the actual objective of this certification.
4. Furthermore, considerable percentage of the consumers was of the view that the certification has resulted an increase of the final price of the item and they are unaware of the money paid by the consumers.
5. Majority of the consumers who were included in the sample stated they do not prefer to buy goods that carry the Halal Certificate.
6. It was the view of the majority of the consumers that the Halal Certificate is not required for restaurants.
7. An edition of the consumer survey report has been attached as appendix 08.

### **Conclusion**

Based on the aforesaid revelations, it should be verified that the operational activities are carried out in a transparent manner addressing the legal issues after the proper formulation of Halal Certification Programme. Therefore, the

recommendations mentioned in this report are immensely important to carry out this transformation.

**Recommendations:**

1. It is recommended that the operations of the Halal Accreditation Council should be streamlined with the intervention of the public sector after preparing a suitable cost profile, which is a joint cooperation between the government and the private sector or other state / national organizations.
2. It is recommended that the government audit officers should conduct an independent audit inquiry regarding the operations of the Halal Accreditation Council after it agrees to take measures to restructure and to manage its activities in order to carry out its operations without any hindrance and after the annual accounts are declared the funds earn from certification and how they are earned will be transparently audited.
3. It is recommended that the government should mediate to preserve beliefs of Islam regarding meat and food products and to strengthen the economy by earning foreign exchange through selling such food items especially to countries that belong to the Gulf Cooperation Council and mediation for export markets as well as to carry out the Halal Certification Process with better recognition and to safeguard the rights of Muslims.
4. After a company obtains Halal Certification there should be a method for the company / restaurant to sell Non-Halal products / food and meat enabling to serve a wider community through a balanced market based on the preference of the consumers.
5. Although the 01<sup>st</sup> Edition of the General Condition Guidelines Doc/HAC/SID/03 dated 2015/12/01, which includes the general guidelines on Halal food consumption and preparation, has been recognized as the standard of consumption of the Halal Certification, it is not recognized at national level as it has not been declared by the Sri Lanka Standard Institute. Therefore, providing a national level certification with the participation of Muslims will pave the way for a national level recognition based on a scientific foundation and it would cater the meat and food requirements of the Muslims.
6. After obtaining the national standard it should be used for the certification purposes together with specialized technical documents relevant for other recognized items and would respond to the allegations leveled with regard to collecting of documents of competitive nature (food recipes) while providing a better scientific approach for the Halal Certification.

7. It is recommended to prepare product specific guidelines as technical assistance documents under the approval of the Sri Lanka Standard Institute to assure that legitimacy and other relevant requirements are considered in Halal Certification.
8. It is recommended to develop a suitable and justifiable certification fee system for the Halal Certification while maintaining it within the scope of the public and should issue to anyone who prefers.

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1. මේ පනත 2019 අංක ..... දරණ දණ්ඩ නීති සංග්‍රහය (සංශෝධන) පනත යනුවෙන් හඳුන්වනු ලැබේ.
2. දණ්ඩ නීති සංග්‍රහයේ 120 වන වගන්තිය මෙයින් ඉවත් කොට, ඒ වෙනුවට පහත දැක්වෙන වගන්තිය ආදේශ කරනු ලැබේ. :-

120. කතා කරනු ලැබූ හෝ කියවීමට අදහස් කරනු ලැබූ හෝ ප්‍රදර්ශනය කරනු ලැබූ හෝ පළ කරනු ලැබූ වචන මගින් හෝ සංඥා මගින් හෝ ශ්‍රව්‍ය හෝ දෘශ්‍ය හෝ ඉලෙක්ට්‍රොනික නිරූපන මගින් හෝ අන්‍යාකාරයකින් හෝ ශ්‍රී ලංකාව තුළ දී හෝ ඉන් පිටතදී මහ රැජින කෙරෙහි නොහොත් ශ්‍රී ලංකාවේ ආණ්ඩුව කෙරෙහි අනාදර හැඟීම් අවුස්සන හෝ ඇවිස්සීමට තැත් කරන හෝ යුක්තිය පසිඳලීම කෙරෙහි වෛරය හෝ අපහාසය අවුස්සන හෝ ඇවිස්සීමට තැත් කරන හෝ නීතියෙන් සංස්ථාපිත යම් දෙයක් නීත්‍යානුකූල මාර්ග නොවන වෙනත් මාර්ග මගින් වෙනස් කරවා ගැනීමෙහිලා මහ රැජිනගේ යටත් වැසියන් අවුස්සන හෝ ඇවිස්සීමට තැත් කරන හෝ මහ රැජිනගේ යටත් වැසියන් අතර අසන්තෘෂ්ටිය හෝ අනාදරය ඇති කරවීමට හෝ ඒ වැසියන්ගේ විවිධ පන්ති අතර හෝ ආගම් අතර හෝ ජාතීන් අතර අහිතකර හෝ වෛරී හෝ සතුරු හැඟීම් වර්ධනය කිරීමට තැත් කරන කවර වූ හෝ තැනැත්තකුට අවුරුදු තුනක් දක්වා දීර්ඝ වියහැකි කාලයකට දෙයාකාරයෙන් එක් ආකාරයක බන්ධනාගාරගත කිරීමකින් දඩුවම් කළ යුතු අතර ඔහු දඩයකට ද යටත් වන්නේ ය.

අනාදරය  
ඇවිස්සීම හෝ  
ඇවිස්සීමට තැත්  
කිරීම.

3. දණ්ඩ නීති සංග්‍රහයේ 282 වගන්තියට ඉක්බිතිව පහත සඳහන් 282අ. වගන්තිය ආදේශ කරනු ලැබේ:-

282අ. (1)(අ) කිසිම තැනැත්තෙකු විසින් ප්‍රසිද්ධ ස්ථානයක දී ඒ තැනැත්තාගේ හඳුනාගැනීමට කිසියම් ආකාරයකින් බාධාවක් විය හැකි පරිදි ඒ තැනැත්තාගේ සම්පූර්ණ මුහුණ සහවාලනු ලබන යම් ඇඟලුමක්, ඇඳුමක් හෝ වෙනත් ද්‍රව්‍යයක් නොඇඳිය යුතු ය; නොපැළඳිය යුතු ය:

සම්පූර්ණ මුහුණ ආවරණය කරන යම් ඇඟලුමක්, ඇඳුමක් හෝ වෙනත් යම් ද්‍රව්‍යයක් පැළඳීම තහනම් බව

එසේ වුව ද, ශ්‍රී ලංකා යුද හමුදාවේ, ශ්‍රී ලංකා නාවික හමුදාවේ, ශ්‍රී ලංකා ගුවන් හමුදාවේ යම් සාමාජිකයකු, පොලිස් නිලධරයකු හෝ සිවිල් ආරක්ෂක දෙපාර්තමේන්තුවේ සාමාජිකයකු විසින්, ඒ තැනැත්තා හඳුනා ගැනීමට ශ්‍රී ලංකා යුද හමුදාවේ, ශ්‍රී ලංකා නාවික හමුදාවේ. ශ්‍රී ලංකා ගුවන් හමුදාවේ ඒ සාමාජිකයාට, පොලිස් නිලධරයාට හෝ සිවිල් ආරක්ෂක දෙපාර්තමේන්තුවේ සාමාජිකයාට ඉඩ සැලැස්වීම පිණිස, ඒ තැනැත්තා ඇඳ සිටින්නා වූ හෝ පැළඳ සිටින්නා වූ ඒ තැනැත්තාගේ සම්පූර්ණ මුහුණ සහවාලනු ලබන ඒ ඇඟලුම, ඇඳුම හෝ වෙනත් ද්‍රව්‍යය ඉවත් කරන ලෙස ඒ තැනැත්තාට නියම කරනු ලැබිය හැකිය."

(ආ) (අ) අනු ඡේදයේ කාර්ය සඳහා -

"ප්‍රසිද්ධ ස්ථානය" යන්නට, යම් ප්‍රසිද්ධ මාර්ගයක්, යම් ගොඩනැගිල්ලක්, යම් ආවරණය කරන ලද හෝ විවෘත ප්‍රාදේශයක්, යම් වාහනයක් හෝ වෙනත් යම් ආකාරයක ප්‍රවාහන ක්‍රමයක් ඇතුළත් වේ;

"සම්පූර්ණ මුහුණ" යන්නෙන් නළලේ මුහුණේ සිට නිකටේ අග දක්වා ද දෙකන් අතර ද (එහෙත් දෙකන් නො ඇතුළත්ව) වන යම් තැනැත්තකුගේ මුහුණ අදහස් වේ;

"ප්‍රසිද්ධ මාර්ගයක්" යන්නට, යම් ප්‍රසිද්ධ පාලමකට උඩින් වූ යම් පාරක් හෝ ප්‍රසිද්ධ පාරකට අයත් හෝ සම්බන්ධ වූ යම් පදික වේදිකාවක්, කාණුවක්, කණ්ඩියක් හෝ අගලක් ඇතුළත් වේ.

(2) (1) වන උප වගන්තියේ නිශ්චිතව දක්වා ඇති තහනම එම ඇඟලුම, ඇඳුම හෝ වෙනත් යම් ද්‍රව්‍යය යම් ලිඛිත නීතියක් මගින් හෝ යම් ලිඛිත නීතියක් යටතේ නියම කරනු ලැබුවේ නම් සහ බලය දෙනු ලැබුවේ නම් අදාළ නොවිය යුතු ය.

(3) (1) වන උප වගන්තිය උල්ලංඝනය කරන යම් තැනැත්තකු මහෙස්ත්‍රාත් අධිකරණය ඉදිරියේ වරදකරු කරනු ලැබූ විට මාස 06 ක් දක්වා දිර්ඝ විය හැකි ලිහිල් සිර දඩුවමකින් හෝ දඩයකින් දඩුවම් කළ යුතු ය.

1979 අංක 15 දරණ අපරාධ නඩු විධාන සංග්‍රහය පනතේ පළමුවන උපලේඛනයේ 120 වගන්තියට සංශෝධනය සහ 282 වගන්තියට ඉක්බිතිව 282අ. නව වගන්තිය ආදේශ කිරීම සඳහා කෙටුම්පත

**පළමුවන උපලේඛනය**

1	2	3	4	5	6	7	8
වගන්තිය	වරද	සාම නිලධරයා විසින් වරෙන්තුවක් නැතිව සිරභාරයට ගැනීම කළ හැකි ද නොහැකි ද යන බව	පළමු අවස්ථාවේ දී සාමාන්‍ය වශයෙන් වරෙන්තුවක් හෝ සිතාසියක් නිකුත් කළ යුතු ද යන බව	ඇප දිය හැකි ද නැතහොත් නොහැකි ද යන බව	සමථයට පත් කළ හැකි ද නැතහොත් නොහැකි ද යන බව	දණ්ඩ නීති සංග්‍රහය යටතේ දඬුවම්	මහාධිකරණය හැර වෙනත් කවර අධිකරණයක් විසින් නඩු විභාග කළ හැකි ද යන බව
120	ජාතිය, ආගම හා වෙනත් වෙනස්කම් සම්බන්ධයෙන් විරුද්ධත්වයක් ඇවිස්සීම හෝ ඇවිස්සීමට තැත් කිරීම.	වරෙන්තුවක් නොමැතිව සිර භාරයට ගත හැකිය.	වරෙන්තුව	ඇප දිය නොහැක.	සමථයට පත් කළ නොහැක.	අවුරුදු තුනක කාලයකට බන්ධනාගාර ගත කිරීම හෝ රුපියල් තුන් දහසක් නොඉක්මවන දඩයකට හෝ එම බන්ධනාගාර ගත කිරීම සහ දඩය යන දෙකම.	මහේස්ත්‍රාත් අධිකරණය
282අ.	සම්පූර්ණ මුහුණ ආවරණය කරන යම් ඇඟලුමක්, ඇඳුමක් හෝ වෙනත් යම් ද්‍රව්‍යයක් පැළඳීම නහනම් බව	වරෙන්තුවක් නොමැතිව සිර භාරයට ගත හැකිය	සිතාසිය	ඇප දිය හැකිය	සමථයට පත් කළ නොහැක.	මාස හයක් දක්වා දීර්ඝ විය හැකි ලිහිල් සිර දඬුවමකින් හෝ දඩයකින්	මහේස්ත්‍රාත් අධිකරණය







අන්තර් හා ස්වදේශ කටයුතු සහ පළාත් සහ හා පළාත් පාලන අමාත්‍යාංශය  
 உள்ளக, உள்நாட்டலுவல்கள், மாகாண சபைகள் மற்றும் உள்ளூராட்சி அமைச்சு  
 MINISTRY OF INTERNAL & HOME AFFAIRS AND PROVINCIAL COUNCILS & LOCAL GOVERNMENT



**පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව**  
**ஆட்களைப் பதிவு செய்யும் திணைக்களம்**  
**DEPARTMENT FOR REGISTRATION OF PERSONS**

10 වන මහල, සුහුරුපාය, ශ්‍රී සුභභූතීපුර පාර, බත්තරමුල්ල.  
 10 ஆம் மாடு கூறநதுபுயம், ஸ்ரீ சபுததீபுர வீதி, பத்தரமுல்லை  
 10th Floor, Suhurupaya, Sri Subhuthipura rd, Battaramulla.

මගේ අංකය  
 எனது இல.  
 My Ref.

} DRP/DR/01/11

ඔබේ අංකය  
 உமது இல.  
 Your Ref.

දිනය  
 திகதி  
 Date

} 11.12.2019

"විශ්වසනීය පුද්ගල අනන්‍යතාව හැඳුනුම්පතයි" "அடையாள அட்டை - நம்பகத்தன்மையான தனிநபர் அடையாளம்" "Identity Card, the Trusted Personal Identity"

සහාපති,  
 ජාතික ආරක්ෂාව පිළිබඳ ආංශික අධීක්ෂණ කාරක සභාව,  
 ශ්‍රී ලංකා පාර්ලිමේන්තුව,  
 බත්තරමුල්ල.

**ශ්‍රී ලංකා අනන්‍යතා අංකය (SLIN) සහිත උප්පැන්න සහතික නිකුත් කිරීම**

උක්ත කරුණ සම්බන්ධයෙන් 2019.11.29 දින පැවැති සාකච්ඡාව හා බැඳේ.

02. ඒ අනුව ශ්‍රී ලාංකික දරුවන් සඳහා උපතේ දී ශ්‍රී ලංකා අනන්‍යතා අංකය (SLIN) නිකුත් කිරීම සම්බන්ධයෙන් මෙම දෙපාර්තමේන්තුව විසින් මෙතෙක් සිදු කරන ලද කාර්යයන් හා ගතයුතු ඉදිරි ක්‍රියා මාර්ග පිළිබඳ නිරීක්ෂණ ඇතුළත් වාර්තාව මේ සමඟ ඉදිරිපත් කරන බව කාරුණිකව දන්වා සිටිමි.

පී.වීයානි ගුණතිලක

පුද්ගලයන් ලියාපදිංචි කිරීමේ කොමසාරිස් ජනරාල්

ශ්‍රී ලාංකික පුරවැසියන් සඳහා උපතේදී ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) නිකුත් කිරීම

පසුබිම

ශ්‍රී ලාංකික පුරවැසියන් සඳහා උපතේදී ශ්‍රී ලංකා අන්‍යන්‍යතා අංකයක් (SLIN) නිකුත් කිරීමත් එම අංකය ඇතුළත් කර උප්පැන්න සහතිකය නිකුත් කිරීමත් පිළිබඳව පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව හා රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව අතර සාකච්ඡා වාර කිහිපයක් පවත්වන ලදී. එහි අවසන් රැස්වීම 2019.05.30 දින රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව, පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව, ශ්‍රී ලංකා තොරතුරු හා සන්නිවේදන තාක්ෂණ නියෝජිතායතනය හා අනෙකුත් තාක්ෂණික සේවා සපයන ආයතන වල සහභාගීත්වයෙන් පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තු පරිශ්‍රයේදී පැවැත්විණි. එම සාකච්ඡාවේදී දරු උපකක් ලියාපදිංචි කිරීමේ දී ලබා ගන්නා මවගේ, පියාගේ, භාරකරුගේ හෝ දරුවාගේ වගකීම දරන පුද්ගලයාගේ තොරතුරු සනාථ කර ගැනීම සඳහා රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුවේ පරිගණක පද්ධතිය මගින් ඔවුන්ගේ හැඳුනුම්පත් අංක, පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව වෙත යොමු කර පරීක්ෂා කිරීමටත්, එසේ පරීක්ෂා කිරීමෙන් පසුව දරුවාගේ උපන් දිනයට අදාළව ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව වෙතින් රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත ලබාදීමටත් ඉන්පසු රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව විසින් එම ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) ඇතුළත් කර උප්පැන්න සහතිකය නිකුත් කිරීමටත් සාකච්ඡා විය.

මෙම ක්‍රියාවලිය පරිගණකගත ක්‍රියාවලියක් වන අතර ඊට අදාළව දෙපාර්තමේන්තු දෙකෙහි පරිගණක වැඩසටහන් සංශෝධනය කිරීමටත් ඉන් අනතුරුව එම ක්‍රමවේදයේ ප්‍රායෝගික භාවිතාව (test run) පරීක්ෂා කර ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) සහිතව උප්පැන්න සහතික නිකුත් කිරීම ආරම්භ කිරීමටත් සාකච්ඡා විය. මෙම තොරතුරු හුවමාරුව සිදුවන්නේ දෙපාර්තමේන්තු දෙකෙහි පරිගණක පද්ධතීන් දෙක හරහා වන බැවින් ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) නිපදවී රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත යාමත්, එම අංකය ඩිජිටල් උප්පැන්න සහතිකයට ඇතුල්වීමටත් කිසිදු ප්‍රමාදයක් සිදු නොවන බවට ද සාකච්ඡා විය.

2019.06.03 දින අභ්‍යන්තර හා ස්වදේශ කටයුතු සහ පළාත් සභා හා පළාත් පාලන අමාත්‍යාංශයේ හිටපු අමාත්‍යතුමාගේ ප්‍රධානත්වයෙන් ස්වදේශ කටයුතු අමාත්‍යාංශයේ පැවැත්වුණු සාකච්ඡාවේදී ද රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව හා පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව යන දෙපාර්තමේන්තු දෙක එකඟතාවයකට පැමිණ මේ වන විට නැවතී ඇති ශ්‍රී ලංකා අන්‍යන්‍යතා (SLIN) අංකය සහිතව ඩිජිටල් උප්පැන්න සහතික නිකුත් කිරීම කඩිනමින් ආරම්භ කරන ලෙස උපදෙස් දෙන ලදී.

පසුව රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තු නිලධාරීන්ගෙන් අදාළ ක්‍රමවේදය පිළිබඳව විමසීමේදී ඔවුන් විසින් මේ වනවිට දත්ත පද්ධතියට ඇතුළත් කර ඇති තොරතුරු, මැතිවරණ දෙපාර්තමේන්තුවේ දත්ත පද්ධතියෙන් පරීක්ෂා කර ඇති බවත්, ඒ අනුව රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව විසින් ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය(SLIN) නිකුත් කිරීමට කටයුතු කරන බවත් පවසන ලදී.

මීට අදාළ නෛතිකමය පසුබිම පැහැදිලි කර ගැනීම සඳහා අභ්‍යන්තර හා ස්වදේශ කටයුතු සහ පළාත් සභා හා පළාත් පාලන අමාත්‍යාංශ ලේකම් මගින් නීතිපති උපදෙස් ලබා ගැනීමට කටයුතු කරන ලදී. (ඇමුණුම 01) ඒ අනුව අභ්‍යන්තර හා ස්වදේශ කටයුතු සහ පළාත් සභා හා පළාත් පාලන අමාත්‍යාංශයේ නීති නිලධාරී, රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුවේ නිලධාරීන් හා මෙම දෙපාර්තමේන්තු

නිලධාරීන්ගේ ද සහභාගීත්වයෙන් 2019.07.18 දින නීතිපති දෙපාර්තමේන්තුවේ ජ්‍යෙෂ්ඨ රජයේ නීතිඥ යුරේෂා ප්‍රනාන්දු මිය සමඟ සාකච්ඡාවක් පවත්වන ලදී.

එහිදී අළුත උපන් දරුවෙකුගේ තොරතුරු පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තු පද්ධතියේ ලියාපදිංචි කර ඊට අදාළ ජාතික හැඳුනුම්පත් අංකය උප්පැන්න සහතිකයේ සඳහන් කිරීම් සඳහා රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත නිකුත් කිරීමට පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව සතු නීතිමය ප්‍රතිපාදන ප්‍රමාණවත් ද යන්න සාකච්ඡා විය.

ඒ අනුව පුද්ගලයන් ලියාපදිංචි කිරීමේ පනතේ පවත්නා නීතිමය ප්‍රතිපාදන අනුව දරුවකු උපතේ දී ලියාපදිංචි කර හැඳුනුම්පත් අංකය නිකුත් කිරීමට හැකියාවක් නොමැති බවත්, එසේ ලියාපදිංචි කිරීමට හා ඒ සඳහා හැඳුනුම්පතක් නිකුත් කළ හැක්කේ 2016 අංක 08 දරන පුද්ගලයන් ලියාපදිංචි කිරීමේ සංශෝධිත පනතෙන් ආදේශිත 2.1 වගන්තිය අනුව වයස අවුරුදු පහලොවට එළඹ ඇති හෝ එළඹෙන සෑම ශ්‍රී ලාංකික පුරවැසියකුට පමණක් බවටත් සාකච්ඡා විය.

එමෙන්ම රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුවේ නීතිමය ප්‍රතිපාදන අනුව දරුවාගේ උපත ලියාපදිංචි කර උප්පැන්න සහතිකයක් නිකුත් කිරීමට බලය ඇති බවත් හැඳුනුම්පත් අංකයක් නිකුත් කිරීම හෝ පුද්ගල අනන්‍යතාව තහවුරු කිරීම එම දෙපාර්තමේන්තුවේ කාර්යයක් නොවන බවටත් සාකච්ඡා විය. එමෙන්ම මෙම කාර්යය සාක්ෂාත් කර ගැනීම සඳහා අදාළ පනත් සංශෝධනය කළ යුතු බවටද සාකච්ඡා විය. ඒ අනුව නීතිපති දෙපාර්තමේන්තුවේ අංක E/200/2019 හා 2019.07.30 දිනැති දිනැති ලිපිය මගින් දන්වා ඇත්තේ ( ඇමුණුම 02)

- විවිධ පනත්වලින් සංශෝධිත 1951 අංක 17 දරන උපන් හා මරණ ලියාපදිංචි කිරීමේ පනත ප්‍රකාරව ශ්‍රී ලංකාව තුළදී උපදින ඕනෑම දරුවෙකු උපතේදී ලියාපදිංචි කර එම දරුවාට අදාළව උප්පැන්න සහතිකයක් නිකුත් කිරීමේ බලය රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත පැවරී ඇති බවත්
- විවිධ පනත්වලින් සංශෝධිත 1968 අංක දරන පුද්ගලයන් ලියාපදිංචි කිරීමේ පනත ප්‍රකාරව අවුරුදු 15 ට වැඩි ශ්‍රී ලාංකික පුරවැසියන් ලියාපදිංචි කිරීම හා ඊට අදාළව ඔවුන් වෙත ජාතික හැඳුනුම්පත් නිකුත් කිරීමට අදාළ බලතල පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව වෙත පැවරී ඇති බවත්ය.

නිරීක්ෂණ

1. පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව විසින් හැඳුනුම්පත් අංකයක් නිකුත් කරනු ලබන්නේ ශ්‍රී ලාංකික පුරවැසියන්ට පමණක් වන අතර රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව ශ්‍රී ලංකාව තුළ උපදින සෑම දරුවකුටම උප්පැන්න සහතිකයක් නිකුත් කරනු ලබයි. උපදින සෑම පුද්ගලයෙක්ම ශ්‍රී ලාංකික පුරවැසියකු නොවන බැවින් රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව විසින් නිකුත් කරන සියළුම උප්පැන්න සහතික සඳහා පොදුවේ ශ්‍රී ලංකා අනන්‍යතා අංකය (SLIN) නිකුත් කිරීම නීතිමය ගැටළුවක් බවට පත් විය හැකිය.
2. යම් හෙයකින් පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තු දත්ත පද්ධතිය මගින් නිකුත් කරන ශ්‍රී ලංකා අනන්‍යතා අංකය (SLIN) අංකයකින් තොරව රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව

විසින් ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) නිකුත් කළහොත් පහත සඳහන් ගැටළු උද්ගත විය හැකිය.

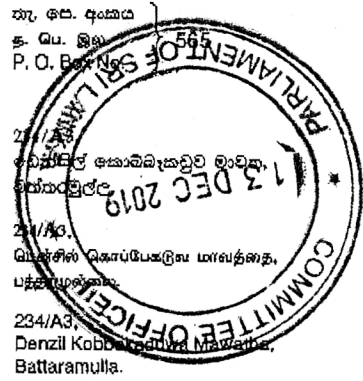
- පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තු දත්ත පද්ධතිය, දෙපාර්තමේන්තුව විසින් නිකුත්කරන ලද වලංගු හැඳුනුම්පත් අංක හා ඊට අදාළ තොරතුරු වලින් සමන්විත වන බැවින් (උප්පැන්න සහතිකයේ නම සඳහන් පුද්ගලයාගේ ඡායාරූප තහවුරුවක්ද සහිතව) පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තු දත්ත පද්ධතිය මගින් තොරතුරු තහවුරු කර ගැනීමකින් තොරව වෙනත් දත්ත පද්ධතීන් මත පදනම්ව ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) නිකුත් කිරීමෙන් විෂමාවාර ඇතිවිය හැකි බව,
  - එසේ නිසි තහවුරුවකින් තොරව නිකුත් කරන ලද ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) සහිත උප්පැන්න සහතිකයක් පදනම් කරගෙන වයස අවුරුදු 15 දී යම් පුද්ගලයෙකු, පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව වෙත පැමිණ හැඳුනුම්පත ඉල්ලීමේදී එම අංකයට අදාළ තොරතුරු පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුවේ දත්ත පද්ධතියේ තොරතුරු හා නොගැලපෙන්නේ නම් එහිදී එම අංකයෙන් හැඳුනුම්පතක් නිකුත් කිරීම ගැටළුකාරී විය හැකි බව මෙන්ම වසර 15 තිස්සේ භාවිතා කළ ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) ලබා නොදීමෙන් එම පුද්ගලයාට අසාධාරණයක් වන බව හා නීතිමය ගැටළු ඇති විය හැකි බව,
3. යොජිත ක්‍රමවේදය 2019.05.30 දින පැවැති රැස්වීමේදී සාකච්ඡා කළ පරිදි රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව මගින් දෙමාපියන්,භාරකරුවන් හෝ දරුවාගේ වගකීම දරන පුද්ගලයන්ගේ තොරතුරු පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව වෙත ලබා දීමටත්, අනතුරුව පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව මගින් ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත නිකුත් කිරීමටත්, ඒ අනුව රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව එම අංකය ඇතුළත් කර ඩිජිටල් උප්පැන්න සහතික නිකුත් කිරීම වඩාත් ඵලදායී හා ආරක්ෂිත ක්‍රමවේදය වන බව,
4. ඒ අනුව එම ක්‍රමවේදය ක්‍රියාත්මක කිරීමට 2016 අංක 8 දරන සංශෝධන පනතින් සංශෝධිත 1968 අංක 32 දරන පුද්ගලයන් ලියාපදිංචි කිරීමේ පනත ශ්‍රී ලංකාවේ සියලුම පුරවැසියන් ලියාපදිංචි කිරීම සඳහාද එසේ ලියාපදිංචි කරනු ලබන සුදුසුකම්ලත් පුරවැසියන්ට ජාතික හැඳුනුම්පත් නිකුත් කිරීම සඳහා ද සහ ඊට සම්බන්ධ හෝ අනුෂාංගික කරුණු සඳහා විධිවිධාන සැලැස්වීම පිණිස වන බැවින් 2016 අංක 08 දරන සංශෝධිත පනතේ 1 අ කොටසේ, 5 වගන්තිය මගින් සංශෝධිත 2.(1) යටතේ වන වගන්තිය, දරුවකු උපදින අවස්ථාවේදී ලියාපදිංචි කර හැඳුනුම්පත් අංකය නිකුත් කිරීමට හැකිවන පරිදි නැවත සංශෝධනය කිරීම මගින් ඉහත ගැටළුව නිරාකරණය කර ගත හැකි බව.

**සටහන**

ඩිජිටල් යටිතල පහසුකම් හා තොරතුරු තාක්ෂණ අමාත්‍යාංශය මගින් 2006 අංක19 දරන ඉලෙක්ට්‍රොනික ගනුදෙනු පනතට අදාළව පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව මගින් ශ්‍රී ලංකා අන්‍යන්‍යතා අංකය (SLIN) රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත නිකුත් කළ යුතු බවට ඊ පුද්ගලයන් ලියාපදිංචි කිරීමේ නියෝග කෙටුම්පත් කර ඇති නමුත් මුල් පනතින් ඊට අදාළ ප්‍රතිපාදන නොමැති අවස්ථාවක දී නියෝග හෝ රෙගුලාසි සකස්කර ඒ පිළිබඳ නීතිපති විමසීම සුදුසු බවට අවධාරණය කරමි. (ඇමුණුම 3)

මගේ අංකය }  
எனது இல. }  
My No. } RG/ITB/01/01/03(04)

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\*\*\* E-MAIL REPORT \*\*\*  
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ඔබේ අංකය }  
உமது இல. }  
Your No. }  
දුරකථන අංක } 2889488  
தொலைபேசி இல. }  
Telephone Nos. } 2889489

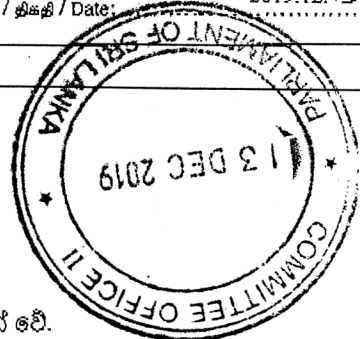
INCOMPLETE TRANSMISSION  
පෙරහිමි ලේඛන දෙපාර්තමේන්තුව  
பதிவுரைப் நாயகம் திணைக்களம்  
REGISTRAR-GENERAL'S DEPARTMENT  
TX/RX NO 0864  
DESTINATION NUMBER  
DESTINATION ID ප්‍රධාන කාර්යාලය  
ST. TIME 01/01 03:22  
COMMUNICATION TIME HEAD OFFICE 00'36  
PAGES SENT 0  
RESULT NG  
වෙබ් අඩවිය } www.rgd.gov.lk  
இணையத்தளம் }  
Web site } NG

ෆැක්ස් අංකය }  
தொலைநகல் }  
Fax No. } 2889491

ඊ මේල් } rgd@slnet.lk  
மின்னஞ்சல் }  
E-mail } rg@rgd.gov.lk

දිනය / திகதி / Date: 2019.12.13

මලික් ජයතිලක මයා  
සභාපති  
ජාතික ආරක්ෂාව පිළිබඳ ආංශික අධීක්ෂක කමිටුව



**ඒකීය අනන්‍යතා අංකය (SLIN Number)**

උක්ත කරුණ සම්බන්ධයෙන් බල විසින් විමසන ලද තොරතුරු පහත සඳහන් වේ.

- මෙම දෙපාර්තමේන්තුවෙන් ක්‍රියාත්මක කරන ඉ- ජනගහන ලේඛන වැඩසටහන හරහා සෑම පුද්ගලයෙකුටම ඒකීය අනන්‍යතා අංකයක් නිකුත් කිරීමේ හැකියාව ඇත. උපතේදීම අනන්‍යතා අංකයක් ලබා දීම මගින් එකම අංකයක් පුද්ගලයන් දෙදෙනෙකුට නිකුත් වීම වැනි අඩුපාඩු මඟ හරවා ගැනීමට හැකියාවක් ලැබේ. අංක 12 කින් යුත් ඒකීය අනන්‍යතා අංකය ඉ- ජනගහන ලේඛන වැඩසටහන හරහා නිර්මාණය කරන ලද්දකි. තවද, ජාතික උප්පත්ත සහතිකයේදී මෙම අනන්‍යතා අංකය ඇතුළත් වේ. එබැවින් ශ්‍රී ලංකාවේ උපදින සෑම අයෙකුටම එනම් පුරවැසි හෝ පුරවැසි නොවන සෑම අයෙකුගේම උපත ලියාපදිංචි කරන අවස්ථාවේදීම අනන්‍යතා අංකයක් නිකුත් කිරීමට හැකියාව ලැබේ. මෙම ඒකීය අනන්‍යතා අංකය නිර්මාණය වී ඇත්තේ , ජාතික හැඳුනුම්පත් අංකය සකස් වී ඇති ආකෘතිය අනුවය. ඒ බැවින් මෙම අංකය ඉදිරියේදී ජාතික හැඳුනුම්පත් අංකය ලෙස භාවිතා කිරීමේ හැකියාව පවතින අතර පුද්ගලයෙකුට ජීවිත කාලය පුරාම එකම අංකයක් භාවිතා කිරීමටද එමගින් හැකියාව ලැබේ. වත්මන් ආගමන විගමන තීතියට අනුව එක් දිනක වයසැති දරුවෙකුට වුවද වෙනම විදේශ ගමන් බලපත්‍රයක් සකස් කළ යුතු වේ. ඒ අවස්ථාවේදීම ජාතික හැඳුනුම්පත් අංකය ලෙසින් මෙම අනන්‍යතා අංකය ඇතුළත් කිරීමේ හැකියාවද මේ හරහා ලැබේ. එම අංකය 2012 වර්ෂයේ සිට අප විසින් නිකුත් කර ඇත. ඉ- ජනගහන ලේඛන වැඩසටහන සකස් කර ඇත්තේ පුද්ගලයාගේ ඒකීය අනන්‍යතා අංකය පාදක කර ගනිමිනි. එකම නම විවිධ අයුරින් භාවිතා කරන බැවින් පුද්ගල නාමය මේ සඳහා පාදක කර ගත නොහැකි වේ. එම නිසා යම් පුද්ගලයෙකු විදේශ ගමන් බලපත්‍රයක්, ජාතික හැඳුනුම්පතක්, අධ්‍යාපන කටයුතු හෝ විභාග සඳහා ඉදිරිපත් වීම වැනි අවස්ථාවලදී ඉ- ජනගහන ලේඛන වැඩසටහන හරහා නිකුත් කරන ජාතික උප්පත්ත සහතිකය භාවිතා කිරීමට සිදු වනු ඇත.
- තවද, අවුරුදු 15 කට අඩු දරුවකු අතින් බාල අපරාධයක් සිදු වූ විට එම අපරාධය සිදු කල පුද්ගලයා නිවැරදිව හඳුනාගැනීමේ හැකියාවක් නොමැති බැවින් මෙම ඒකීය අනන්‍යතා අංකය භාවිතා කිරීම තුළින් අධිකරණමය කටයුතුවලටද පහසුවක් වේ. මේ අනුව පුද්ගලයෙකු අවුරුදු 15 කට එළඹීමට පෙර ඒකීය අනන්‍යතා අංකයක් නිකුත් කිරීම සුදුසු බවත් එය උපතේදීම ලබා දීමට රෙජිස්ටාර් ජනරාල් දෙපාර්තමේන්තුවට හැකියාව ඇති බවත් දන්වමි.
- දැනට ශ්‍රී ලංකාවේ සිදුවන උපන්වලින් 99% ක්ම රෝහල්වල සිදුවේ. (2021 දී සිදු කිරීමට නියමිත ජන සංගණනයේදී එය තහවුරු කර ගැනීමට අදාළ ප්‍රශ්නාවලියට ප්‍රශ්නයක්ද ඇතුළත් කර ඇත). ඒ අනුව ශ්‍රී ලංකාවේ උපදින සෑම අයෙකුටම උපන් ලියාපදිංචි කරන බැවින් මෙම අනන්‍යතා අංකය නිකුත් කිරීම ක්‍රියාත්මක කළ හැකිය. නමුත් ජාතික හැඳුනුම්පත ලැබෙන්නේ අවුරුදු 15 ක් වූ පසු ඉල්ලුම් කළහොත් පමණි. තවද ශ්‍රී ලාංකික පුරවැසි නොවන අයට ජාතික හැඳුනුම්පත් නිකුත් නොකරයි. එබැවින් ශ්‍රී ලංකාවේ ඉපදී ඇති පුද්ගලයන්ගේ දත්ත පද්ධතියක් සකස් කළහොත් එම පුද්ගලයන්ට එයට ඇතුළත් විය හැක්කේ මෙම දෙපාර්තමේන්තුව හරහාය.
- එබැවින් ශ්‍රී ලංකාවේ උපදින සෑම පුද්ගලයෙකුටම අනන්‍යතා අංකයක් නිකුත් කිරීම මෙම දෙපාර්තමේන්තුව හරහා ඉටු කිරීමට හැකියාව ඇති බැවින් එම අංකය මෙම දෙපාර්තමේන්තුව මගින් නිකුත් කිරීම සුදුසුය. අවශ්‍ය නම් නිකුත් කරන අනන්‍යතා අංකය අවශ්‍ය පරිදි වෙනස්කම් සිදු කරගෙන ජාතික හැඳුනුම්පතට යොදා ගැනීමට බාධාවක් නැත.

*(Signature)*  
එන්.සී.විතානගේ  
රෙජිස්ටාර් ජනරාල්



අභ්‍යන්තර හා ස්වදේශ කටයුතු සහ පළාත් සභා හා පළාත් පාලන අමාත්‍යාංශය  
உள்ளக, உள்ளநாட்டலுவல்கள், மாகாண சபைகள் மற்றும் உள்ளூராட்சி அமைச்சு  
MINISTRY OF INTERNAL & HOME AFFAIRS AND PROVINCIAL COUNCILS & LOCAL GOVERNMENT



**පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව**  
**ஆட்களைப் பதிவு செய்யும் திணைக்களம்**  
**DEPARTMENT FOR REGISTRATION OF PERSONS**

10 වන මහල, සුහුරුපාය, ශ්‍රී සුභභූතීපුර පාර, බත්තරමුල්ල.  
10 ஆம் மாடிக், சுறுறுபாய், ஸ்ரீ சபுத்திர வீதி, பத்தரமுல்லை.  
10th Floor, Suhurupaya, Sri Subhuthipura rd, Battaramulla.

මගේ අංකය  
எனது இல.  
My Ref.

} DRP/DR/07/01

ඔබේ අංකය  
உமது இல.  
Your Ref.

දිනය  
திகதி  
Date

} 2019.05. 05

"විශ්වසනීය පුද්ගල අභ්‍යන්තර හැඳුනුම්පතයි" "அடையாள அட்டை - நம்பகத்தன்மையான தனிநபர் அடையாளம்" "Identity Card, the Trusted Personal Identity"

ගරු නීතිපතිතුමා,  
නීතිපති දෙපාර්තමේන්තුව,  
කොළඹ 12.

ලේකම්,  
අභ්‍යන්තර හා ස්වදේශ කටයුතු සහ පළාත් පාලන අමාත්‍යාංශය මගින්

අළුතින් උපදින දරුවන් සඳහා හැඳුනුම්පත් අංකයක් නිකුත් කිරීම

පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව පුද්ගලයන් ලියාපදිංචි කිරීමෙන් අනතුරුව හැඳුනුම්පත් අංකය නිකුත් කරන බැවින්, එම අංකය නිකුත් කිරීමේ ක්‍රියාවලිය, දෙපාර්තමේන්තුවේ ජාතික හැඳුනුම්පත් අංකය ලබා දීමේ ක්‍රියාවලිය සමග අත්‍යන්තයෙන් බැඳී සිටී.

02. එබැවින් එම ක්‍රියාවලියේදීම රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුවේ යෝජිත නව ඩිජිටල් උප්පැන්න සහතික නිකුත් කිරීමේ වැඩසටහනේදී, උප්පැන්න සහතිකයේ තොරතුරු එම දෙපාර්තමේන්තුවේ දත්ත පද්ධතියට එකතු කර මෙම දෙපාර්තමේන්තුව සමග ජාල ගත වීම මගින්, එම තොරතුරු මෙම දෙපාර්තමේන්තුව වෙත යොමු කොට උපතේදීම මෙම දෙපාර්තමේන්තුව මගින් අදාල උපතට ජාතික හැඳුනුම්පත් අංකය නිකුත් කර උප්පැන්න සහතිකයේ එම අංකය සටහන් කර උප්පැන්න සහතිකය නිකුත් කිරීමට යෝජනා වී ඇත.

03. 1968 අංක 32 දරණ පුද්ගලයින් ලියාපදිංචි කිරීමේ පනතේ 6 වගන්තිය 2016 අංක 8 දරණ සංශෝධන පනතේ 10 වැනි වගන්තිය යටතේ ඉවත් කොට 6(1) යනුවෙන් නව වගන්තියක් ඇතුළත් කොට, පුද්ගලයන් පිලිබඳ ජාතික නාමලේඛනයක් මගින් දත්ත පද්ධතියක් ස්ථාපනය කර, එහි 2(1) උපවගන්තිය යටතේ විස්තර කර ඇති යම් තැනැත්තෙකුගේ තොරතුරු වාර්තා කර තැබිය යුතු බව දක්වා ඇත. එම සංශෝධන පනතේ 11 වන වගන්තිය යටතේ 6 අ. වගන්තිය ඇතුළත් කර, එම නව වගන්තිය යටතේ එම පුද්ගලයන්ගේ තොරතුරුවල වෙනස්වීම් එනම් දරුවන්ගේ ඉපදීම, විවාහය, මරණය කඩිනමින් හා හැඳුනුම්පත් දරන්නා විසින් හෝ ඥාතියකු විසින් (මරණයකදී) වාර්තා කලයුතු බව ද දක්වා ඇත.

04. ඉහත 2016 අංක 8 දරණ සංශෝධන පනතට අදාළව 2017 දරණ පුද්ගලයන් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තු නියෝග අංක 1 අනුව එහි 4 වන නියෝගයෙහි ;

දරු උපතක් සම්බන්ධයෙන් වන අවස්ථාවකදී ස්වභාවික මව්පියන් විසින්,

- V. දරුකමට හදාගන්නා දරුවකු සම්බන්ධයෙන් දරුකමට හදා ගන්නා තැනැත්තා,
- VI. යම් තැනැත්තකුගේ විවාහයක් සම්බන්ධයෙන් වන විටකදී ඒ තැනැත්තා විසින්,
- VII. යම් තැනැත්තකුගේ දික්කසාදයක් සම්බන්ධයෙන් වන විටකදී ඒ තැනැත්තා විසින්,
- VIII. කලත්‍රයාගේ මරණය සම්බන්ධයෙන් වන විටක දී ජීවත්ව සිටින කලත්‍රයා හෝ ආසන්නතම ඥාති විසින්, යන තොරතුරු පුද්ගලයන් විසින් දෙපාර්තමේන්තුව වෙත ලබා දිය යුතු බව දක්වා ඇත.

මේ අනුව පහත සඳහන් කාර්යයන් කිරීම සඳහා ඉහත දෙපාර්තමේන්තුව සතු නෛතික තත්වයන් ප්‍රමාණවත්ද, නැතහොත් නව නීතීන් පැනවිය යුතු ද යන්න පිළිබඳව පරීක්ෂාකර බලා අදාළ සංශෝධන පිළිබඳව මෙම දෙපාර්තමේන්තුව දැනුවත් කරන මෙන් කාරුණිකව ඉල්ලා සිටිමි. මේ සම්බන්ධයෙන් තවදුරටත් යම් පැහැදිලි කිරීමක් අවශ්‍ය වන්නේ නම් ඒ සඳහා ඔබ ආයතනය සමඟ සාකච්ඡාවක් ලබා දෙන්නේ නම් අගය කරමි.

ඒ අනුව ඉහත නව යෝජිත කාර්යයන් ඉටුකිරීමේ දී,

- ඉහත අංක 4 නියෝගයට අනුව පුද්ගලයින් විසින් ලබා දිය යුතු තොරතුරු එම පුද්ගලයන්ගෙන් ලබා නොගෙන රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව මගින් ලබා ගැනීම.
- එම ලබා ගන්නා තොරතුරු මත පදනම්ව දරු උපතක් වන අවස්ථාව දෙපාර්තමේන්තුව වෙත රෙජිස්ට්‍රාර් ජනරාල් වෙතින් ලද තොරතුරු මත අදාළ දරුවාගේ තොරතුරු, මෙම දෙපාර්තමේන්තු පද්ධතියේ ලියාපදිංචි කර ජාතික හැඳුනුම්පත් අංකය උපතේ දී නිකුත් කිරීම පවත්වා ප්‍රතිපාදන මත සිදු කල හැකිද යන්න දන්වා එවන මෙන් කාරුණිකව ඉල්ලමි.



පී.විශානි ගුණකිලක

පුද්ගලයන් ලියාපදිංචි කිරීමේ කොමසාරිස් ජනරාල්

02/2792



පුද්ගලයන් ලියාපදිංචි කිරීමේ කොමසාරිස් ජනරාල්  
06 AUG 2019  
භූමිකම් පිළිබඳව පිළිගැනීමේ කොමසාරිස් ජනරාල්

පුද්ගල අංකය  
502  
P.O. Box No.  
කොළඹ 12.  
கொழும்பு 12  
Colombo 12.

අංකය }  
My No. }  
ඔබේ අංකය }  
உமது இல. }  
Your No. }  
දුරකථන අංක }  
தொலைபேசி இல. }  
Telephone Nos. }  
2147898  
2433967  
2433769  
2320800  
2327919  
ඉලෙක්ට්‍රොනික් තැපෑල }  
மின்-அஞ்சல் }  
E-mail }  
administration@attorneygeneral.gov.lk  
ෆැක්ස් }  
தொலைநகல் }  
Fax }  
2436421

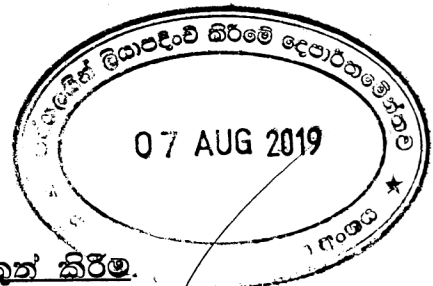
E/200/2019

DRB/DR/07/01

නීතිපති දෙපාර්තමේන්තුව  
சட்டமா அதிபர் திணைக்களம்  
ATTORNEY - GENERAL'S DEPARTMENT

2019.07.30

පී. වියානි ගුණතිලක,  
පුද්ගලයින් ලියාපදිංචි කිරීමේ කොමසාරිස් ජනරාල්,  
පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව,  
10 වන මහල,  
"සුභරූපය", ශ්‍රී සුභතිපුර පාර,  
බත්තරමුල්ල.



අලුතින් උපදින දරුවන් සඳහා හැඳුනුම්පත් අංක නිකුත් කිරීම.

උක්ත කරුණ සම්බන්ධයෙන් ඔබගේ 2019.05.08 දිනැති ලිපිය හා බැඳේ.

අලුතින් උපදින දරුවන් සඳහා ජාතික හැඳුනුම්පත් අංකයක් නිකුත් කිරීම සඳහා පවත්නා තෛතික ප්‍රතිපාදන මත ඔබ ආයතනයට හැකියාවක් ඇත්ද යන්න පහත දැක්වෙන කරුණු මත මාගේ මතය ප්‍රකාශ කර සිටිමි.

- i. විවිධ පනත්වලින් සංශෝධිත 1951 අංක 17 දරණ උපත් හා මරණ ලියාපදිංචි කිරීමේ පනත ප්‍රකාරව ශ්‍රී ලංකාව තුළ දී උපදින ඕනෑම දරුවෙකු උපතේ දී ලියාපදිංචි කර එම දරුවාට අදාළව උප්පැන්න සහතිකයක් නිකුත් කිරීමේ බලය රෙජිස්ට්‍රාර් ජනරාල් දෙපාර්තමේන්තුව වෙත පැවරී ඇත.
- ii. විවිධ පනත්වලින් සංශෝධිත 1968 අංක 32 දරණ පුද්ගලයින් ලියාපදිංචි කිරීමේ පනත ප්‍රකාරව අවුරුදු 15ට වැඩි ශ්‍රී ලාංකික පුරවැසියන් ලියාපදිංචි කිරීම සහ ඊට අදාළව ඔවුන් වෙත ජාතික හැඳුනුම්පත් නිකුත් කිරීමට අදාළ බලතල පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව වෙත පැවරී ඇත.
- iii. එසේ හෙයින් අවුරුදු 15ට අඩු කැනැක්තන් ලියාපදිංචි කර ඔවුන්ට ජාතික හැඳුනුම්පත් අංකයක් ලබා දීමට ඉහත පනත ප්‍රකාරව ඔබ ආයතනයට තෛතික ප්‍රතිපාදන නොමැත.



iv. එලෙස පුද්ගලයින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව මගින් ඉහත කී කර්තව්‍යන් සිදු කිරීමට පෙර පුද්ගලයින් ලියාපදිංචි කිරීමේ පනතෙහි 14 වන වගන්තියේ සිට දැක්වෙන දීර්ඝ ක්‍රියා පිළිවෙතක් අනුගමනය කළ යුතු බවත්, එකී ක්‍රියා පිළිවෙත ශ්‍රී ලාංකික පුරවැසියෙකු අවුරුදු 15 සමපූර්ණ වූ විට පමණක් සිදු කිරීමට පනත මගින් ප්‍රතිපාදන සලසා ඇති බව "ලියාපදිංචි කිරීමට යටත් තැනැත්තා" යන්න නිර්වචනය කර ඇති එකී පනතෙහි 2(1) වන වගන්තිය මගින්ද තහවුරු වේ.

එබැවින්, උපතේදී ජාතික හැඳුනුම්පත් අංකයක් නිකුත් කිරීමට ඔබ දෙපාර්තමේන්තුවට පවත්නා ප්‍රතිපාදන යටතේ නෛතික හැකියාවක් නොමැති බව මාගේ මතය වේ.

තවද, 2017 මැයි 31 දින 2021 අංක 28 දරණ අති විශේෂ ගැසට් පත්‍රිකාව මගින් ප්‍රකාශිත පුද්ගලයින් ලියාපදිංචි කිරීමේ නියෝග අංක 01හි 04 වන නියෝගය ප්‍රකාරවද එකී නියෝගයෙහි සඳහන් කර ඇති තොරතුරු එහි දක්වා ඇති ආකාරයට අදාළ පුද්ගලයින් මගින් ලබාගත යුතු බවත් තවදුරටත් ප්‍රකාශ කර සිටී.



විජේ ගනේපොල,  
රජයේ අධිකාරී.

අත්/කළේ : සුරේෂා ප්‍රනාන්දු,  
ජ්‍යෙෂ්ඨ රජයේ අධිකාරී,  
නීතිපති වෙනුවට.

Kavi/E-200-2019-LE

අගයනු 03

L.D.B 5/2007

**Electronic Transactions Act, No. 19 of 2006**

REGULATIONS made by the Minister of Digital Infrastructure and Information Technology under section 24 of the Electronic Transactions Act, No. 19 of 2006, read with sections 2(ca) and 8 (2) of the said Act.

Ajith P. Perera

Minister of Digital Infrastructure and Information Technology

Colombo,  
..... October, 2019

**Regulations**

1. These Regulations may be cited as the Electronic Transactions (Sri Lanka Identification Number) Regulations No. 1 of 2019 and shall come into force with effect from .....October,2019.
2. The Commissioner General shall, upon the registration of every birth by the Registrar General create an Identification Number in respect of every citizen of Sri Lanka (hereinafter referred to as the "SLIN") in the form and manner described in the Schedule hereto.
3. The Commissioner General shall authorize and facilitate the use of SLIN as the unique identification number by providing the SLIN to the Registrar General and also for all citizen based transactions for the citizens of Sri Lanka.
4. **It shall be the duty of every government institution, Provincial Council, Provincial Ministry or department to use the SLIN created by the Commissioner General for all citizen based transactions.**

5. In these regulations-

**“Commissioner General”** means the Commissioner General appointed under the Registration of Persons Act, No. 32 of 1968;

**“government institution”** includes a Ministry, a government department, a public corporation, a local authority, any business or other undertaking vested in the Government and company registered or deemed to be registered under the Companies Act, No.7 of 2007, in which the Government, a public corporation or any local authority holds more than fifty percentum of the shares;

**“local authority”** means any Municipal Council, Urban Council, Town Council, or Village Council and includes any Authority created and established by or under any law to exercise, perform, and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Council;

**“public corporation”** means any corporation, board or other body which was or is established by or under any written law other than the Companies Act, No.7 of 2007, with funds or capital wholly or partly provided by the Government by way of grant, loan or otherwise;

**“Registrar General”** means the Registrar-General appointed under the Births and Deaths Registration Act (Chapter 110);

## SCHEDULE

[Regulation 2 ]

Birth Year	Birth day of the year	Serial number of the issued day	Check digit	Identity Card version
Yyyy	Ddd	Nnnn	C	A

Example:-

Old Number	64	104	275	7	V
New Number	1964	104	0275	7	V



# බෞද්ධ පාරිභෝගික අයිතීන් සුරැකීමේ එකමුතුව

“සිතෙසි”, අංක626/18, සිල්වර් ගේට්, අවිස්සාවේල්ල පාර, කඩුවෙල.

දුර:071-6211330/071-2905358.



2019-05-13

සභාපති  
ආචාර්ය  
පූජ්‍ය ඕමල්පේ සෝහිත නාහිමි

ලේකම්  
බෝසත් කළහේපතිරණ

භාණ්ඩාගාරික  
රංග අනුරාධ විජේසූරිය

ප්‍රසංග පති  
අධ්‍යක්ෂ ජනරාල්

ප්‍රලේකම්  
දු.එන්.කේ.සේවානායක

වාරක සහකරුන්

- 1 ශ්‍රීනේත් නාලක
- 2 ඉරේෂා ශාමාලි
- 3 දීපිකා ඩයස්
- 4 ඒ සම්පත් කුමාර
- 5 කේ.පී.ඩී.රෝහිත සමන් කුමාර
- 6 අනුෂ්ක චතුරංග
- 7 ඩී කේ සුමතිපාල
- 8 පුලිප් සංජය
- 9 සම්පත් දසුන් මුණසිංහ
- 10 ඩී.බණ්ඩාර

සභාපති,  
ශ්‍රී ලංකා පාරිභෝගික කටයුතු පිළිබඳ අධිකාරිය  
අංක:27,  
චොක්ෂෝල් විදිය,  
කොළඹ 02.

සභාපතිතුමනි,

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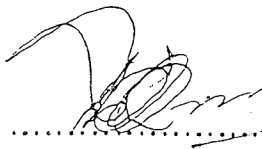
නීතියට පටහැනි ආකාරයෙන් හලාල් සහතික නිකුත් කරමින් ඒ හරහා අන්තවාදී කල්ලි අති විශාල මුදලක් උපයන අතර, බෞද්ධයන් ඇතුළු අනන්‍යාගමිකයන් ගෙන් ද හලාල් බද්ද වකු ආකාරයෙන් අන්තවාදී කල්ලි අය කර ගනු ලැබේ. වෙළඳ, පාරිභෝගික හෝ ආහාර ද්‍රව්‍ය වෙළඳ පොල තුළදී ආගමික වශයෙන් වර්ගීකරණයට ලක්කිරීම අමු අමුවේම ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ 12 වන වගන්තිය උල්ලංඝනය කිරීමකි.

“හලාල්” ලෙස ඊනියා සහතිකයක් වෙළඳ හෝ පාරිභෝගික භාණ්ඩයක ලේඛලයක් මත සඳහන් කිරීමට 2003 අංක:09 දරණ පාරිභෝගික කටයුතු පිළිබඳ අධිකාරී පනත යටතේ ප්‍රතිපාදන නොමැත. ඉහත පනත ප්‍රකාරව වෙළඳ හෝ පාරිභෝගික භාණ්ඩයක ලේඛලයක් මත එම භාණ්ඩයේ ප්‍රමිති සහ පිරිවිතර වශයෙන් සඳහන් කල හැක්කේ 2003 අංක:09 දරණ පාරිභෝගික කටයුතු පිළිබඳ අධිකාරී පනතේ 12(2) වගන්තිය ප්‍රකාරව ශ්‍රී ලංකා ප්‍රමිති ආයතනය විසින් නියම කරන ලද ප්‍රමිති සහ පිරිවිතර පමණි.

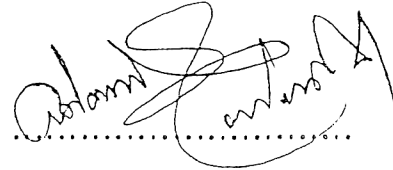
ඒ අනුව අප සංවිධානය ඔබ ආයතනයෙන් ගෞරවයෙන් ආයාචනය කර සිටින්නේ ඔබ ආයතනයට පැවරී ඇති බලතල අනුව වෙනත් ප්‍රතිපාදන අතර 2003 අංක:09 දරණ පාරිභෝගික කටයුතු පිළිබඳ අධිකාරී පනතේ 10 වන වගන්තිය ප්‍රකාරව අන්තවාදී ආගමික සංවිධාන විසින් නිකුත් කරනු ලබන ඊනියා නීතියට පටහැනි හලාල් සහතික නිකුත් කර බෞද්ධයන් ඇතුළු අනන්‍යාගමිකයන් ගෙන් හලාල් බද්ද වකු ආකාරයෙන් අයකර ගැනීම නතර කර දෙන ලෙසටයි.

මෙම ආයාචනය සිදු කර සිටින්නේ වෙනත් ප්‍රතිපාදන අතර 2003 අංක:09 දරණ පාරිභෝගික කටයුතු පිළිබඳ අධිකාරී පනතේ 7 (අ) සහ 7 (ඈ) වගන්ති ප්‍රකාරවයි.

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13.05.2019

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# HALAL ACCREDITATION COUNCIL (GUARANTEE) LIMITED

26-B, Retreat Road, Bambalapitiya, Colombo 04, Sri Lanka

IN CONFORMANCE TO  
ISO 17065 - 2012  
GSO 2055 - 2 2015



ISO 9001 2015 CERTIFIED



ISO 27001 2013 CERTIFIED



MEMBER OF



ARKS OF COMPLIANCE



21 May 2019

To  
Dr. Lalith N. Senaweera  
The Chairman  
Consumer Affairs Authority  
C. W. E. Secretariat Building  
27, Vauxhall Street  
Colombo 02

Dear Dr. Lalith N. Senaweera

## AN ENQUIRY INTO HALAL CERTIFICATION OF BY HALAL ACCREDITATION COUNCIL (GUARANTEE) LIMITED

This letter serves as a request by and on behalf of Halal Accreditation Council (HAC) a guarantee company duly incorporated under the Companies' Act No. 7 of 2007 in December 2013. It is the only professional entity conducting internationally accepted Halal compliance audits and issuing Halal Compliance Certificates in Sri Lanka.

HAC has learnt of the fact that Ven. Dr. Omalpe Sobitha Thero has lodged a complaint to Consumer Affairs Authority stating several allegations against Halal certification which eventually lead to the causing of disharmony amidst the people of Sri Lanka.

These allegations in our opinion are unfounded though of serious nature resulting in public agitation against Halal certification.

We therefore, kindly request you to hold an independent enquiry into these allegations and activities of the Halal Accreditation Council to establish and clarify the facts for the larger interest of public and to dispel consequential suspicions.

**HALAL ACCREDITATION COUNCIL (GUARANTEE) LIMITED**

Ali Fatharally  
DIRECTOR AND CHIEF EXECUTIVE OFFICER



# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

Document No: HAC/STD/03  
Date of Issue: 12/01/2015  
Version Number: 01

## CONTENT

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1- Introduction	2
2- Scope	3
3- Definitions and Interpretations	3
4- Requirements	5

ORIGINAL





# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

Document No: HAC/STD/03  
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## INTRODUCTION

The "*GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD*" has been designed to help all those who have an interest Halal compliance certification.

This document will **enable those interested to familiarize themselves**, to a reasonable extent, the basics in terms of Halal compliance certification process. This will enable them **to get a better understanding** of the Halal compliance certification process and in turn will help them to make the **final decision on the need and ability to proceed further with halal certification**.

This document endeavors to explain, amongst other things, the definitions of concepts and terms related to Halal; the sources of halal food; and the basic requirements to maintain the integrity of Halal compliance certifications.

It is emphasized that the document is **neither fully exhaustive nor all-embracing** in terms of the requirements for Halal compliance certification. Further requirements will come to bear depending on ground realities of products, processes and facility that are to be subject certification.

The standards described in this document had been prepared based on authentic principles and other Halal standards adopted by International Halal Certification Bodies that have mutual recognition with HAC.

We thank you for having read this "Introduction" and invite you to read further the contents in the document. We will be more than happy to provide you further clarification and/or assistance on issues and concerns you may have on matters mentioned in this document.



# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

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- g. The product does not contain any disgusting or its derivatives that are not permitted by Islamic law. i.e. sperm, phlegm, etc.
- h. During its preparation, processing, handling, Packaging, storage or transportation, the food is physically separated from any other food that does not meet the requirements stated in items (a), (b), (c), (d), (e), or (f) or any other things that have been decreed as Najis by Islamic law.

## 2.5 HANDLING

Handling Includes the making, manufacturing, producing, collecting, extracting, processing, storing, transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving and displaying of food.

## 2.6 PREMISES

Any building or any other structure, permanent or otherwise together with the land on which the building, or other structure is situated and any adjoin land used in connection with the preparation, processing, handling, packaging, storage, distribution and sale any food.

## 2.7 NAJIS

"Najis" is an Arabic term which means "filth". Muslims are prohibited to consume "filthy" or permitted food that is contaminated by filth.

## 2.8 PROCESSING

Methods and processes (a series of actions or steps) used to transform raw ingredients into food for human consumption.

## 2.9 ISLAMIC LAW

Islamic Law is derived from those injunctions mentioned in Al-Quran (i.e. holy book of Islam), Al-Hadith (i.e. traditions of Prophet Muhammad, Messenger of Allah).



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## 3.0 REQUIREMENTS

### 3.1 SOURCE OF HALAL FOOD AND DRINK

#### 3.1.1 Animals

Animals can be divided into two categories:

- a. Land animals.
- b. Aquatic animals.

##### 3.1.1.1 Land Animals

All land animals are \*halal as food except the following:

- a. pigs and dogs and their descendants;
- b. animals with long pointed teeth or tusks which are used to kill prey such as tigers, bears, elephants, cats, monkeys, etc.;
- c. Predator birds such as eagles, owls, and etc;
- d. pests and or poisonous animals such as rats, centipedes, scorpions, snakes, cockroaches, snakes, wasps and other similar animals;
- e. animals that are forbidden to be killed in Islam such as ants, bees, woodpeckers, etc.;
- f. Creatures that are considered repulsive such as lice, flies, worms, etc.
- g. Animals forbidden to be eaten in accordance to Islamic law such as domesticated donkeys and mules
- h. Hybrid offspring from Halal & Non Halal animal such as mules.

##### 3.1.1.2 Aquatic Animals

Aquatic animals are those which live in water and cannot survive outside it, such as fish. All aquatic animals are halal except those that are poisonous, intoxicating or hazardous to health. Animals that live both on land and water such as crocodiles, turtles and frogs are not halal.

#### 3.1.2 Plants

All types of plants and plant products and their derivatives are halal except those that are Poisonous, intoxicating or hazardous to health.

\*The Halal Animals MUST not be fed intentionally and continually with Najis



# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

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## 3.1.3 Mushrooms and Micro-organisms

All types of mushrooms and micro-organisms (i.e. bacteria, algae and fungi) and their by-products and/or derivatives are halal except those that are poisonous, intoxicating or hazardous to health.

## 3.1.4 Natural minerals and chemicals

All natural minerals and chemicals allowed to be used except those that are poisonous, intoxicating or hazardous to health.

## 3.1.5 Drinks

All kinds of water and beverages are halal as drinks except those that are poisonous, intoxicating, and hazardous to health or contain traces of Najis.

## 3.2 LOCATION / PREMISES

All locations / Premises involved in the handling and processing of Halal food must meet the following conditions:

- a. The location/premises must **NOT** be used for the handling and processing of non-Halal food and/or Najis items.
- b. The location/premises **shall be totally segregated and isolated** from other locations and facilities that are involved with the handling and processing of non-Halal food and/or Najis items.

## 3.3 DEVICES, UTENSILS, MACHINES AND PROCESSING AIDS

- a. Devices, utensils, machines and processing aids used for processing halal food shall **NOT** be made of or contain any materials that are decreed as Najis by Islamic Law.
- b. Devices, utensils, machines and processing aids, which were previously used or were in contact with heavy Najis in shall be washed and cleansed according to Islamic law as described in Appendix A (please refer).
- c. The procedure adopted in regard to devices, utensils, machines, and processing units involved in Halal Food production shall be supervised and verified by the HAC to ensure strict compliance.

# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

- d. After such cleansing and conversion, the lines, devices, utensils and machines shall be used and operated for halal food only. Repetition of such situations where cleaning and converting the line to Heavy Najis line and to and from Halal line shall **NOT** be permitted.

## 3.4 PROCESSING AND HANDLING

All *processing and handling* of Halal food shall meet the following requirements:

- a. The ingredient, additive, processing aid used to prepare the food shall be from halal sources only and shall **NOT** contain any ingredient, additive &/or derivatives from non halal sources
  - b. food shall not be processed using any ingredient, additive &/or derivatives in any quantity that is decreed as Najis
  - c. processed food or its ingredients shall be safe for consumption, non-poisonous, non-intoxicating or non-hazardous to health;
  - d. food shall be prepared, processed or manufactured using equipment and facilities that are free from contamination with Najis;
  - e. food or its ingredients shall be free from any human parts or its derivatives that are not permitted by Islamic Law;
- during its preparation, processing, handling, packaging, storage, distribution and serving, the food should be fully separated from any other food that does not meet the requirements specified in items (a), (b), (c), (d) and/or (e) or any other things that are decreed as najis by Islamic Law.

## 3.5 STORAGE, TRANSPORTATION, DISPLAY AND SERVINGS

All *Halal food storage, transportation, display and servings* must meet the following conditions:

- a. Halal Food should be stored in a location that is fully segregated and isolated from Non-Halal food and/or Najis items.
- b. Halal Food should be transported in vehicles that are "NOT" for transporting non-Halal food and/or Najis items.
- c. Halal Food should be displayed and served using equipment and facilities that are free from contamination with Najis and *away from Non-Halal food*.

There must be *clear and conspicuous* signage indicating that the food is Halal so as to prevent it from being mixed or contaminated with non-Halal food and/or Najis items.



# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

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## 3.6 PACKAGING AND LABELLING

Halal food shall be suitably packed. Packaging materials shall be Halal in nature and shall fulfil the following requirements:

- a. The packaging materials shall not be made from raw materials that are decreed as najis by Islamic Law.
- b. The packaging material is not prepared, processed or manufactured using equipment that is contaminated with things that are Najis as decreed by Islamic Law.
- c. During the preparation, processing, storage or transportation of the packaging material, it shall be physically separated from any other packaging material that does not meet the requirements stated in item a) or b).
- d. The packaging material does not have any toxic effect on the halal food; and packing design, sign, symbol, logo, name and picture shall not be misleading and/or contravening the Islamic Law.

## 3.7 HYGEINE, SANITATION AND FOOD SAFETY

All food shall be prepared, processed, packaged, transported and stored in such a manner that they are in compliance to the local hygiene and sanitation requirements and other relevant and applicable standards.

## REFERENCE

We also acknowledge with gratitude having made references to the approved standards listed below:

- MS 1500:2009 MALAYSIAN STANDARD (Halal Food Production, Preparation, Handling and Storage- General Guidelines- Second Revision).
- SINGAPORE MUIS HALAL STANDARD MUIS- HC-S001 General Guidelines for the Handling and Processing of Halal Food.
- HALAL STANDARD THS 1435-1-2557.

# GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

## APPENDIX

### METHOD OF WASHING AND CLEANING ACCORDING TO ISLAMIC LAW FOR NAJIS.

#### A.1 SCOPE

This Appendix intends to identify the types of Najis, as stipulated by Islamic Law. It provides guidance on the purification procedures of equipment and/or facilities that have been contaminated with Najis items, for the purpose of Halal food handling and processing.

#### A.2 DEFINITION OF NAJIS

An Arabic term which means "filth". Substances considered as "Najis" cannot be consumed by Muslims.

#### A.3 TYPES OF NAJIS

##### A.3.1 Light (Low/Mild) Najis

Light Najis is urine of a baby boy whose age is 2 years and below who has not consumed any other food except his mother's milk.

##### A.3.2 Medium Najis

Medium Najis is one that does not falls under either severe or light types of Najis Examples are blood, pus, lymph, vomit, excrement, urine, carrion except carrion specified in severe Najis (fish and grasshopper), halal animals that are not slaughtered according to Islamic law, milk of unlawful animals and intoxicants.

##### A.3.3 Severe Najis

Severe Najis examples are pigs, dogs or animals that are crossbred through a dog or a pig and or via its derivatives.

#### A.4 WASHING AND CLEANSING METHOD

A.4.1 Light Najis: its physical part and characteristics shall be removed completely prior cleaned by sprinkling water onto the article without running water is acceptable.



## GENERAL GUIDELINES FOR THE HANDLING AND PROCESSING OF HALAL FOOD

Document No: HAC/STD/03  
Date of Issue: 12/01/2015  
Version Number: 01

A.4.2 Medium Najis: its physical part and characteristics shall be removed completely prior cleaned by running or pouring water over the article once in order to remove its color, odor and taste.

A.4.3 Severe Najis: its physical part and characteristics shall be removed completely prior washing it seven times with water, using water mixed with soil in the first wash is recommended.

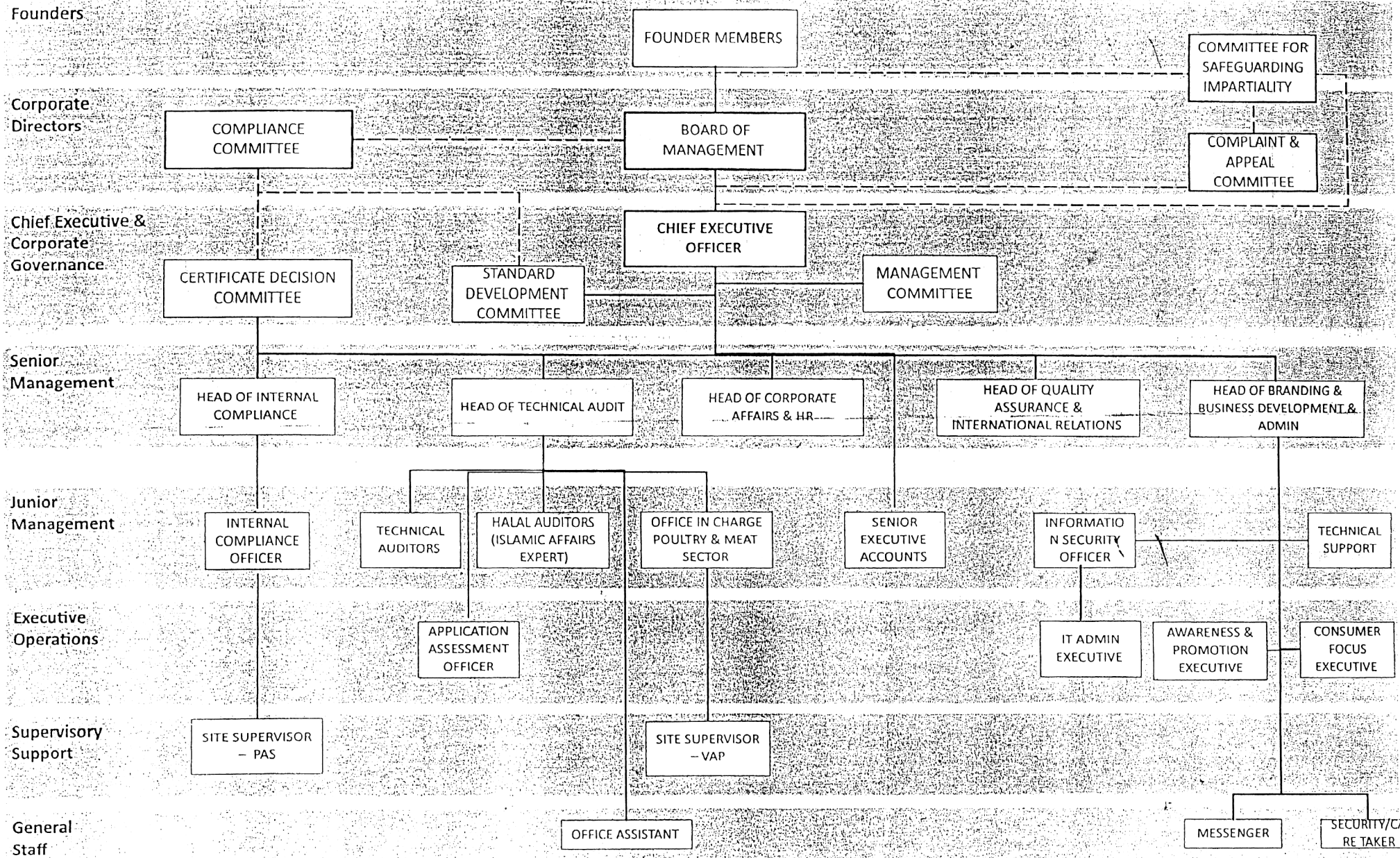
ORIGINAL





# ORGANIZATIONAL CHART

Document No: HAC/ORG  
Date of Issue: 2018/09/20  
Version Number: 04



Author : QR

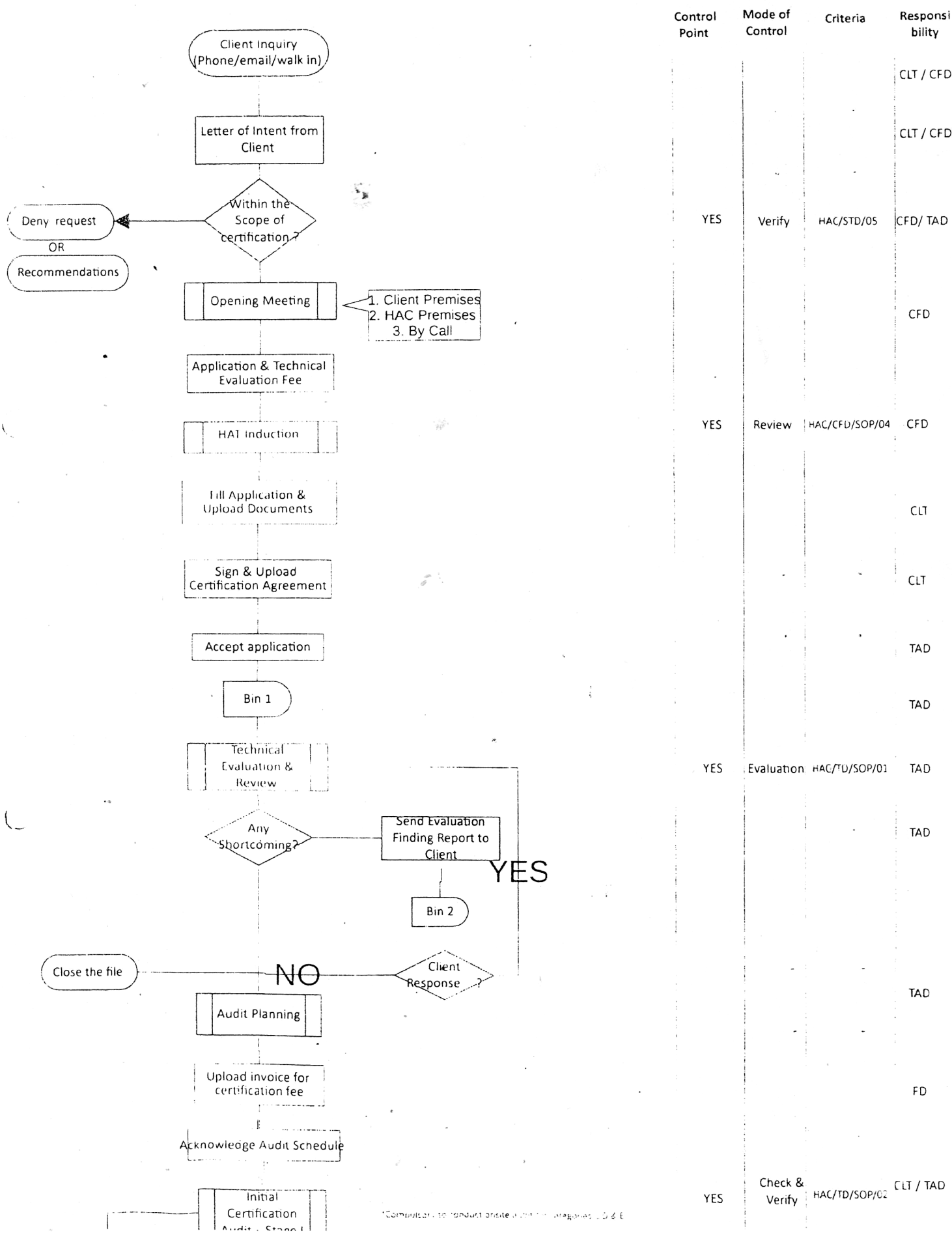
Reviewed By : MR

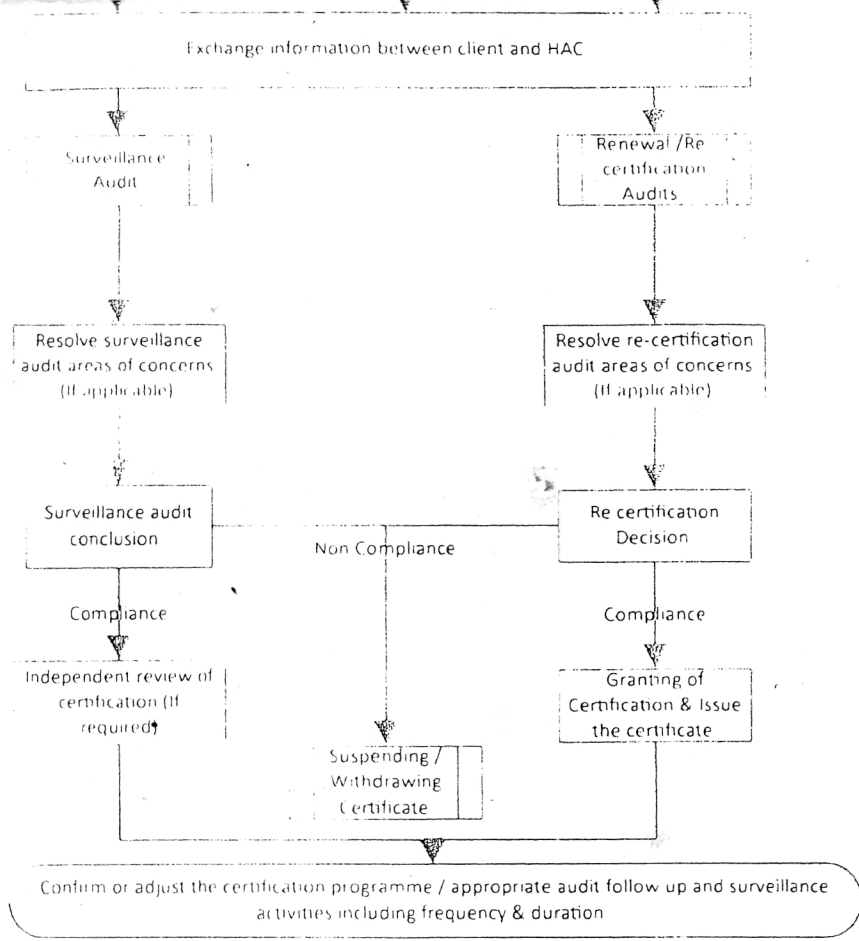
Approved By : CEO

Appendix of



# MAIN CERTIFICATION PROCESS

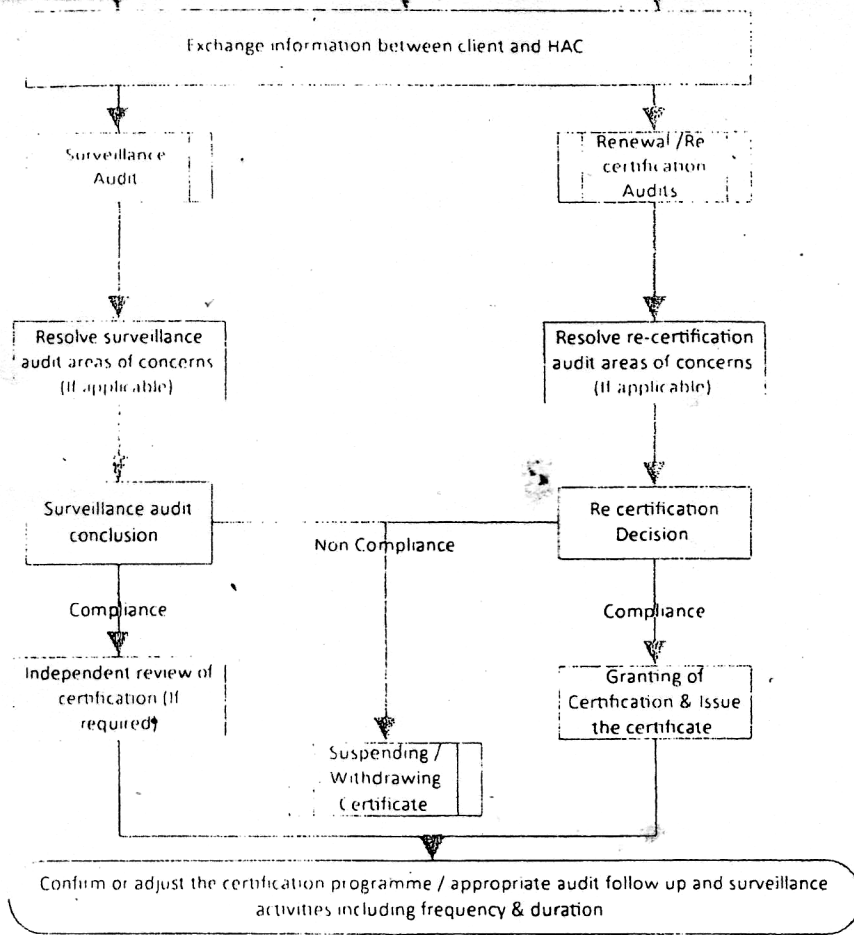




IAD / PAS  
 CIT / TAD  
 CDC  
 ICD  
 TAD/ICD

- FD – Customer Focus Department
- AD – Technical Audit Department
- ID – Internal Compliance Department
- D – Finance Department
- MBD – Marketing & Branding Department
- DC – Certification Decision Committee
- AS – Poultry Abattoir Sector
- IT Client

★ The certification audit for HAC General Scheme



IAD / PAS  
 CIT / TAD  
 CDC  
 ICD  
 TAD/ICD

- FD – Customer Focus Department
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- MBD – Marketing & Branding Department
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- AS – Poultry Abattoir Sector
- LT Client

★ The certification audit for HAC General Scheme



# CERTIFICATION FEE GUIDELINE

Document No: HAC/SOP/FD/1/D  
Date of Issue: 2019/03/30  
Version Number: 02  
Classification: Internal

CATEGORY	INDUSTRIES
CATEGORY A:	BLACK TEA, GREEN TEA, HERBAL TEA, VCO, SPICES, ICE CONE, WATER, ACTIVATED CARBON, OATS, RICE, DESICATED COCONUT & FISH BASE PRODUCT, PULSES
CATEGORY B:	FLAVOURED TEA, COCONUT BASE PRODUCTS, CONFECTIONERY, BAKERY PRODUCT, CONDIMENTS, DAIRY, ENERGY DRINK, FLAVOUR COMPANIES, SAUCE & SEASONING, BREAD CRUM, MULTI PRODUCT PRODUCING COMPANIES.
CATEGORY C:	CONSIGNMENT (BLACK TEA/SPICES/VCO)
CATEGORY D:	RESTAURANTS
CATEGORY E:	HOTELS
CATEGORY F:	ENDORSEMENT (EXCEPT GELATIN SUPPLIER)
CATEGORY G:	VALUE ADDED MEAT PROCESSORS
CATEGORY H:	POULTRY
CATEGORY I:	GSO CERTIFICATION
CATEGORY J:	FORIGEN COMPANIES CERTIFICATION
CATEGORY K:	OUTSOURCE SUPPLIER (Will be allowed to supply maximum for 2 certified clients)
CATEGORY L:	COTTAGE INDUSTRY
CATEGORY M:	NON - FOOD INDUSTRY
CATEGORY N:	ENDORSEMENT (GELATIN SUPPLIER)
CATEGORY O:	TANK CONTAINER
CATEGORY P:	EVENT CERTIFICATION
CATEGORY Q:	CAFETERIA OUTLET

## APPLICATION & EVALUATION FEE (NON - REFUNDABLE)

CATEGORY A: (20% of 125,000 + NBT & VAT)

CATEGORY B: (20% of 150,000 + NBT & VAT)

CATEGORY C: (20% of 30,000 + NBT & VAT)

CATEGORY D: WAIVED OFF

CATEGORY E: WAIVED OFF

CATEGORY F: (20% of 100,000 + NBT & VAT)

CATEGORY G: (20% of 200,000 + NBT & VAT)

CATEGORY H: 20% of the total annual fee from the respective category (excluding transport Chargers)

CATEGORY I: 20% In addition to the normal HAC certification for the related category. (Excluding transport Chargers)

CATEGORY J: 950 USD

CATEGORY K: WAIVED OFF

CATEGORY L: WAIVED OFF

CATEGORY M: (20% of 150,000 + NBT & VAT)

CATEGORY N: (20% of 150,000 + NBT & VAT)

CATEGORY O: (20% of 45,000 + NBT & VAT)

CATEGORY P: WAIVED OFF

CATEGORY Q: WAIVED OFF



Author : QR	Reviewed By : MR	Approved By : CEO
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# CERTIFICATION FEE GUIDELINE

Document No: HAC/SOP/FD/1/D  
 Date of Issue: 2019/03/30  
 Version Number: 02  
 Classification: Internal

## ANNUAL CERTIFICATION FEE STRUCTURE

**CATEGORY A:** 125,000 + Actual transport cost (Inclusive of export charges)

**CATEGORY B:** 150,000 + Export 25,000 + Actual transport cost

**CATEGORY C:** 30,000 + Actual transport cost

**CATEGORY D:**

1 TO 3	4 TO 7	8 TO 15	16 TO 20	21 TO 30	31 TO 40	41 TO 50	51 AND ABOVE
5,000.00	4,500.00	4,000.00	3,750.00	3,500.00	3,250.00	3,000.00	2,500.00
(60,000 - 180,000)	(216,000 - 378,000)	(384,000 - 720,000)	(720,000 - 900,000)	(882,000 - 1,260,000)	(1,209,000 - 1,560,000)	(1,476,000 - 1,800,000)	(1,530,000 - above)

Eg:

NO OF OUTLETS (A)	OUTLET PRICE (B)	(A*B) = C	(C* 12) = D (TOTAL)
32	3,250.00	104,000.00	1,248,000.00

**CATEGORY E:** 75,000 + (additional Kitchen 25,000) + Actual transport cost

**CATEGORY F:** 100,000 + Actual transport cost

**CATEGORY G:** 200,000 + Supervisor Salary (37,000) + Actual transport cost

**CATEGORY H:** Under Revision

**CATEGORY I:** 20% addition from the respective Category.

**CATEGORY J:** Refer below table

## GSO SCHEME

The HAC Halal certification is valid for three (03) years. The three-year certification cycle begins from the date of approval granted for certification or recertification.

The audit programme of HAC consists of the following;

- I. Certification Audit (Two stages: Stage 1 Stage 2) - prior to certification
- II. Surveillance Audit 1 - during the 1<sup>st</sup> year of certification
- III. Surveillance Audit 2 - during the 2<sup>nd</sup> year of certification
- IV. Recertification audit - end of 3<sup>rd</sup> year of certification

Author : QR	Reviewed By : MR	Approved By : CEO
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# CERTIFICATION FEE GUIDELINE

Document No: HAC/SOP/FD/1/D  
Date of Issue: 2019/03/30  
Version Number: 02  
Classification: Internal

Application Fee	200 USD
Technical Evaluation Fee	750 USD
Audit fee Time and Materials Audit fee (per man per day) Audit team comprise of min 2 personnel (Technical Auditor & Islamic Affairs Expert) Expense for travel (both Air fare & internal transport), accommodation & meals shall be borne by the company	350 USD
Annual Fee for certification	500 USD

- The process will be commenced upon payment at the point of processing step
- All HAC invoices are payable within 30 days from their presentation
- Certificate will be issued only on receipt of full payment

## GENERAL SCHEME

The HAC Halal certification is valid for One (01) year which commence from Date of issue to Date of Expiry mentioned in the HAC Halal Certificate. Thereafter, the term may be extended for further periods that will mentioned in the renewed HAC Halal Certificate provided completion of successful renewal certification.

The Audit programme of HAC consist of the following

- I. Certification Audit (Two stages: Stage 1 Stage 2) – prior to certification
- II. Surveillance Audit - Based on the criticality of the raw material used in the manufacture of products, a minimum of one or more audit/s will be conducted, during the 1<sup>st</sup> year of certification
- III. Recertification audit – If required, an audit will be conducted at the end of the 1<sup>st</sup> year of certification.

Author : QR	Reviewed By : MR	Approved By : CEO
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# CERTIFICATION FEE GUIDELINE

Document No: HAC/SOP/FD/1/D  
 Date of Issue: 2019/03/30  
 Version Number: 02  
 Classification: Internal

## FEE STRUCTURE

1. Application Fee	200 USD
2. Technical Evaluation Fee	750 USD
3. Audit fee Time and Materials Audit fee (per man per day) Audit team comprise of min 2 personnel (Technical Auditor & Islamic Affairs Expert) Expense for travel (both Air fare & internal transport), accommodation & meals shall be borne by the company	350 USD
4. Annual Fee for certification	500 USD

- Individual invoices will be issued for each of items listed in the fee structure (points 1 to 4,) highlighted on the aforementioned schedule. The Process will only commence after payment in full.
- All HAC invoices are payable within 3 days of the date of Invoice.
- The Halal certification will be issued, on realization of full payment.

### **CATEGORY K:**

- **Commercial Level Industry** - 25,000 + Actual transport cost (Payment need to made prior to the audit, which is NON - REFUNDABLE)
- **Cottage Level** - 20,000 + Actual transport cost (Payment need to made prior to the audit, which is NON - REFUNDABLE)

**CATEGORY L:** 20,000 + Actual transport cost

**CATEGORY M:** 150,000 + Actual transport cost

**CATEGORY N:** 150,000 + Actual transport cost

**CATEGORY O:** 45,000 + Actual transport cost

**CATEGORY P:** 20,000 + TAX

**CATEGORY Q:** 60,000 (Commissary) + 10,000 per Outlet + Actual Transport Cost

Author : QR	Reviewed By : MR	Approved By : CEO
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# CERTIFICATION FEE GUIDELINE

Document No: HAC/SOP/FD/1/D  
Date of Issue: 2019/03/30  
Version Number: 02  
Classification: Internal

## SPECIAL NOTES:

1. GROSS AMOUNT WILL BE ROUND UP TO THE NEARST 100
2. PER MAN DAY COST DECIDED AT 15,000 LKR
3. STUNNING PER INSPECTON COST - 20,000 LKR + APPLICABLE NBT & VAT
4. NEW APPLICATION & EVALUATION FEE - 20% OF THE CERTIFICTAION FEE RELATED TO THE INDUSTRY.
5. APPLICATION & EVALUATION FEE FOR HOTEL INDUSTRY - **WAIVED OFF**
6. ADDITIONAL SECTORE INVOICING FOR EXSISTING CLIENTS - INVOICE VALUE WILL ONLY BE CALCUALTED WITH 2 TECHNICAL MAN DAY(15,000 PER MAN DAY) + TRAVELING COST WITH NO OF AUDIT FREQUENCY
7. PER KM (65 LKR) WILL BE CHARGER WITH EFFECTIVE ON 1<sup>ST</sup> MAY 2018
8. ABOVE FEE IS SUBJECTED TO REVISION, AT THE MANAGEMENT DISCRETION.
9. MAXIMUM DISCOUNT ON CERTIFICATION WILL SHALL NOT EXCEED 20% OF CERTIFICATION FEE AND WILL BE AT HAC MANAGEMENT DISCREATATION AFTER EVALUATING CLIENT REQUEST FOR SUCH REDUCTION IN CERTIFICATION FEE. THIS SHALL BE IN ADDITON TO WAIVE OF APPLICATION FEE. SUCH DISCOUNT SHALL BE FOR ONE YEAR ONLY.
10. INDUSTRIES WITH ADDITIONAL OUTLETS - 5,000 PER AUDIT POINT+ ACTUAL TRANSPORT COST.
11. CRITERIA FOR COTTAGE (MANUFACTURING) INDUSTRY - ANNUAL TURNOVER LESS THAN 15 M, WITH LESS THAN 10 EMPLOYEE.
12. ACTUAL LABORATORY TEST FEE SHALL BE BORNE BY CLIENT FOR ANY TESTING PERFORMED IN A HAC RECOGNIZED LABORATORY (APPLICABLE FOR TANK CONTAINER)
13. LKR 20,000 + TAX WILL BE CHARGE FOR PER TANK CLEANING INSPECTION.
14. PER ADDITIONAL PLANT INCLUSION (CATEGORY A - 25,000) & (CATEGORY B- 50,000)

Author : QR	Reviewed By : MR	Approved By : CEO
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PROFORMA INVOICE

DATE : 20/11/2018

INVOICE No :

Our VAT Reg. No :

Client VAT Reg. No :

DESCRIPTION OF SERVICE	PERIOD	AMOUNT
CERTIFICATION FEE	JAN 19 - DEC 19	1,560,195.00
NBT-2.04% (Effective Rate)		31,840.77
Subtotal		Rs.1,592,035.77
VAT (15.0%)		Rs.238,805.37
Total		Rs.1,830,841.14

- 1 All payments should be made via cheques crossed "Account Payee Only" in favor of "Halal Accreditation Council (Guarantee) Limited"
- 2 This ia not a Tax Invoice
- 3 Tax Invoice will be issued upon settling the above amount in full.

Authorised Signature

HALAL ACCREDITATION COUNCIL (GUARANTEE) LIMITED

26-B, Retreat Road, Bambalapitiya, Colombo - 04, Sri Lanka  
Hotline 0117 425 225 | Fax 0112 588 050 | info@hac.lk | Web: www.hac.lk  
(Registration No GL 2271)



## PROFORMA INVOICE

**BILL TO**

DATE : 20/11/2018

INVOICE No :

Our VAT Reg. No :

Client VAT Reg. No :

DESCRIPTION OF SERVICE	PERIOD	TOTAL
CERTIFICATION FEE - 1,071,215 LKR EXPORT FEE - 25,000 LKR TRAVELING COST - 27,300 LKR NBT-2.04% (Effective Rate)	JAN 19 - DEC 19	1,123,515.00
		22,928.92
	Subtotal	Rs.1,146,443.92
	VAT (15.0%)	Rs.171,966.59
	Total	Rs.1,318,410.51

### Note

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Hotline 0117 425 225 | Fax 0112 588 050 | info@hac.lk | Web: www.hac.lk  
(Registration No. GL 2271)



## PROFORMA INVOICE

BILL TO  
[Redacted]

DATE : 20/11/2018

INVOICE No :

Our VAT Reg. No :

Client VAT Reg. No :

DESCRIPTION OF SERVICE	PERIOD	TOTAL
CERTIFICATION FEE NBT-2.04% (Effective Rate)	JAN 19 - DEC 19	762,300.00 15,557.17
Subtotal		Rs.777,857.17
VAT (15.0%)		Rs.116,678.58
Total		Rs.894,535.75

### Note

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- 2 This ia not a Tax Invoice
- 3 Tax Invoice will be issued upon settling the above amount in full.

Authorised Signature

HALAL ACCREDITATION COUNCIL (GUARANTEE) LIMITED

26-B, Retreat Road, Bambalapitiya, Colombo -04, Sri Lanka  
Hotline 0117 425 225 | Fax 0112 588 050 | info@hac.lk | Web: www.hac.lk  
(Registration No. G)

BILL TO:



**PAID**  
 01/01/2019

DATE : 01/01/2019

INVOICE No :

Our VAT Reg. No :

Client VAT Reg. No :

DESCRIPTION OF SERVICE	PERIOD	TOTAL
CERTIFICATION FEE - 442,122 LKR	JAN 19 - DEC 19	472,973.00
EXPORT FEE - 25,000 LKR		
TRAVELING COST - 5,850 LKR		
NBT-2.04% (Effective Rate)		9,652.53
Subtotal		Rs.482,625.5
VAT (15.0%)		Rs.72,393.8
Total		Rs.555,019.3

**Terms & Condition**

- 1 All payments should be made via cheques crossed "Account Payee Only" in favor of "Halal Accreditation Council (Guarantee) Limited"
- 2 The above Certification fee will remain fixed to your organization till the period of expiry which is mentioned in your certification, Addition of raw materials or new products added during this tenure, within current loaction(s) of operation will be free of charge
- 3 The fee mentioned above includes all travelling related expenses incurred by Halal Accreditation Council (Guarantee) Limited, during the audits and other evaluation process

Authorized Signature



## PROFORMA INVOICE

**BILL TO:**

DATE : 20/11/2018

INVOICE No :

Our VAT Reg. No :

Client VAT Reg. No :

DESCRIPTION OF SERVICE	PERIOD	TOTAL
CERTIFICATION FEE- 188,600.00 LKR TRAVELING COST - 3,900.00 LKR NBT-2.04% (Effective Rate)	JAN 19 - DEC 19	192,500.00
		3,928.58
	Subtotal	Rs.196,428.58
	VAT (15.0%)	Rs.29,464.29
	<b>Total</b>	<b>Rs.225,892.87</b>

### Note

1. All payments should be made via cheques crossed "Account Payee Only" in favor of "Halal Accreditation Council (Guarantee) Limited"
2. This is not a Tax Invoice
3. Tax Invoice will be issued upon settling the above amount in full.

Authorised Signature

**HALAL ACCREDITATION COUNCIL (GUARANTEE) LIMITED**

26-B, Retreat Road, Bambalapitiya, Colombo - 04, Sri Lanka  
Hotline 0117 425 225 | Fax 0112 588 050 | info@hac.lk | Web: www.hac.lk  
(Registration No. GL 2271)

Company Name	Category	Product	Halal Mark Display	Certificate Date	Type of Business	No. of Halal & non Halal products	HAC employee work or not	Certification Fee	Sample Testing	Presently Halal certified
1.CBL	Production	Biscuits	Export -Yes Local - No	2013.12.18	Local & Export	Halal -All Products	No	555,019.36	No	Certified
2.Little Lion	Production	Cake & Biscuits	No	Before 2012	Local & Export	Non Halal -Two Products	No	217,000.00	No	Certified
3.Nelna	Production	Meat	No	2010	Local	Halal -31	Yes	786,785.44	No	No
4.Crysbro	Production	Meat	No	Before 2011	Local	Halal-All products	Yes	1,049,046.47	No	Certified
5. Pizza Hut	Service	Food & Beverages	No	Before 2012	Local (multinational)	All products excluding soft drinks	No	556,163.87	No	Certified
6.KFC	Service	Food & Beverages	No	2007	Local Multinational	All menu items excluding Beverages	No	1,830,841.14	No	Certified
7.Mcdonads (Abans Resturant)	Service	Food & Beverages	No	Before 2012	Local	All menu items excluding Beverages	No	894,535.75	No	Certified
8.4Ever	Production	Ayurvedic, Cosmetics, Personal Care, Tea	No	2017	Local & Export	Halal-8	No	178,589.25	Yes (Only for POP Paspanguwa)	Certified

Company Name	Category	Product	Halal Mark Display	Certificate Date	Type of Business	No. of Halal & non Halal products	HAC employee work or not	Certification Fee	Sample Testing	Presently Halal certified
9.AB Mayuri	Production	Bakery Ingredients	No	2013	Local & Export	Halal-53	No	225,892.87	No	Certified
10.Nestle	Production	Dairy Products	No	Before 2011	Local & Export	Halal-61	No	1,318,410.51	No	Certified
11.Sunshine	Production	Tea	No	2016	Local & Export	Halal-28 Non halal-03	No	211,679.58	No	Certified
12.Cargills Dairy	Production	Dairy Products	No	Before 2012	Local	Halal- All Products	No	414,334.00	No	Certified



හලාල් සහතිකය පිළිබඳ පාරිභෝගික අවබෝධය අධ්‍යයනය 2019

පාරිභෝගික කටයුතු පිළිබඳ අධිකාරිය

කර්මාන්ත හා වාණිජ කටයුතු, දිගුකාලීනව අවතැන් වූ පුද්ගලයන් නැවත පදිංචි කිරීම සහ සමුපකාර සංවර්ධන අමාත්‍යාංශය

හලාල් සහතිකය, එහි භාවිතය සහ අවශ්‍යතාව පිළිබඳව වර්තමාන සමාජය තුළ කුතිකාවතක් සිසුයෙන් වර්ධනය වෙමින් පවතී. එම නිසා වෙළඳපොළ තුළ පාරිභෝගිකයාට තම අවශ්‍යතාවයන්ට ගැලපෙන ලෙස භාණ්ඩ හා සේවාවන් තෝරාගැනීමට ඇති අයිතීන් සුරැකීම සාධාරණ වෙළඳපොළක් නිර්මාණය කිරීමේ අරමුණින් අදාළ වෙළඳපොළ තත්ත්වයන් සහ පාරිභෝගික අවශ්‍යතාවයන් හඳුනා ගැනීම සඳහා සිදුකෙරෙන මෙම අධ්‍යයනය සඳහා ඔබගේ උපරිම සහයෝගය බලාපොරොත්තු වන අතර මෙහිදී ලබාගන්නා තොරතුරු හුදෙක්ම අධ්‍යයනයේ අරමුණු සාක්ෂාත් කරගැනීම සඳහා පමණක්ම භාවිත කරනු ලබයි.

A කොටස

1. භාණ්ඩ මිලදී ගැනීමේදී ඔබ සැලකිලිමත් වන කරුණු මොනවාද?

- සන්නාම නාමය
- ප්‍රමිති සහතික
- මිල
- අමුද්‍රව්‍ය

2. මිලදී ගන්නා භාණ්ඩය අයත් සන්නාම නාමය තෝරාගැනීමට හේතු

- ඉහල ප්‍රමිතිය
- සාදාරණ මිල
- දිගු කාලයක සිට මිලදී ගැනීමට හුරුවීම නිසා
- වෙනත් අයෙකු නිර්දේශ කල නිසා

3. මිලදී ගන්නා භාණ්ඩයේ තිබිය යුතු යැයි ඔබ සලකන ප්‍රමිති/ තත්ත්ව හෝ වෙනත් සහතික මොනවාද?

- SLS
- ISO
- HALAL
- HACCP
- GMP
- Any Other

4. ඔබගේ දැනුම අනුව හලාල් යනු කුමක්ද?

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5. හලාල් නිෂ්පාදන මිලදී ගැනීමට ඔබ කැමතිද?

ඔව්

නැත

ඔව් නම්, හේතු සඳහන් කරන්න

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6. ලංකාවේ හෝ විදේශයන්හි ඇති ඕනෑම ආකාරයක හලාල් නිෂ්පාදන පිළිබඳව ඔබ දැනුවත්ද?

ඔව්

නැත

7. ඔබ මිලදී ගන්නා නිෂ්පාදන හෝ ලබාගන්නා සේවාවන් හලාල් ද නැද්ද යන්න පරීක්ෂා කරනවාද?

ඔව්

නැත

8. හලාල් සහතිකකරනය සහිත, පරිභෝජනය හෝ භාවිතා කරන භාණ්ඩයක් නම් එය ඔබට කොතරම් වැදගත්ද?

ඉතා වැදගත්

වැදගත්

කිසිසේත්ම වැදගත් නොවේ

අවබෝධයක් නැත

9. ඔබ අහාර ලබාගන්නා ආපනශාලා සහ අවන්හල් සඳහා හලාල් සහතිකය ලබා ගිබීම කොතරම් පාවිච්චි කරන්න?

ඉතා අවශ්‍යයි

අවශ්‍යයි

අවශ්‍ය නැත

කිසිසේත්ම අවශ්‍ය නැත

10. පහත සඳහන් ප්‍රකාශ අතුරින් හලාල් නිෂ්පාදන මිලදී ගැනීමේ ඔබ ගත් තීරණයට බලපෑම් කරන්නේ කුමක්ද?

- යම්කිසි සංවිධානයක් මගින් සහතික කර තිබීම.
- එම සංවිධානය පිළිබඳව ඇති විශ්වාසය.
- ප්‍රමිතිය, ගුණාත්මක බව සහ සෞඛ්‍යයරක්ෂිත බව පිළිබඳ ඇති විශ්වාසය.
- ආගමික අවශ්‍යතාව.
- මිලදී ගැනීමේ හලාල් සහතික නොකළ භාණ්ඩ නොමැති වීම.

11. රජය මගින් නිකුත් කරන පිළිගත් ප්‍රමිති/තත්ත්ව සහතික හෝ ජාත්‍යන්තර ප්‍රමිති/තත්ත්ව සහතික තිබියදීත් හලාල් සහතිකය තිබිය යුතුද නැද්ද?

- ඔව්
- නැත

12. ශ්‍රී ලංකාවේ සාමාන්‍ය වෙළඳපොළ තුළ හලාල් ලාභනය සහිත භාණ්ඩ සහ සේවාවන් තවදුරටත් පැවතිය යුතුද නැද්ද?

- පැවතිය යුතුයි
- පැවතිය යුතු නැත

13. එසේ පැවතිය යුතු නම් එය පවත්වා ගත යුත්තේ,

- රජයේ අනුබද්ධ ආයතනයක් ලෙස
- රජය සහ පුද්ගලික යන සංකලනයෙන් යුතු ආයතනයක් ලෙස
- විධිමත් පුද්ගලික ආයතනයක් ලෙස (ආගමික බැඳියාවකින් තොරව)

1. පදිංචි දිස්ත්‍රික්කය

2. ස්ත්‍රී / පුරුෂභාවය

- i. ස්ත්‍රී
- ii. පුරුෂ

3. ඔබගේ වයස

- i. අවුරුදු 18-25 අතර
- ii. අවුරුදු 25-30 අතර
- iii. අවුරුදු 30-35 අතර
- iv. අවුරුදු 35 ට වැඩි

4. ඔබ නියෝජනය කරන ජන වර්ගය

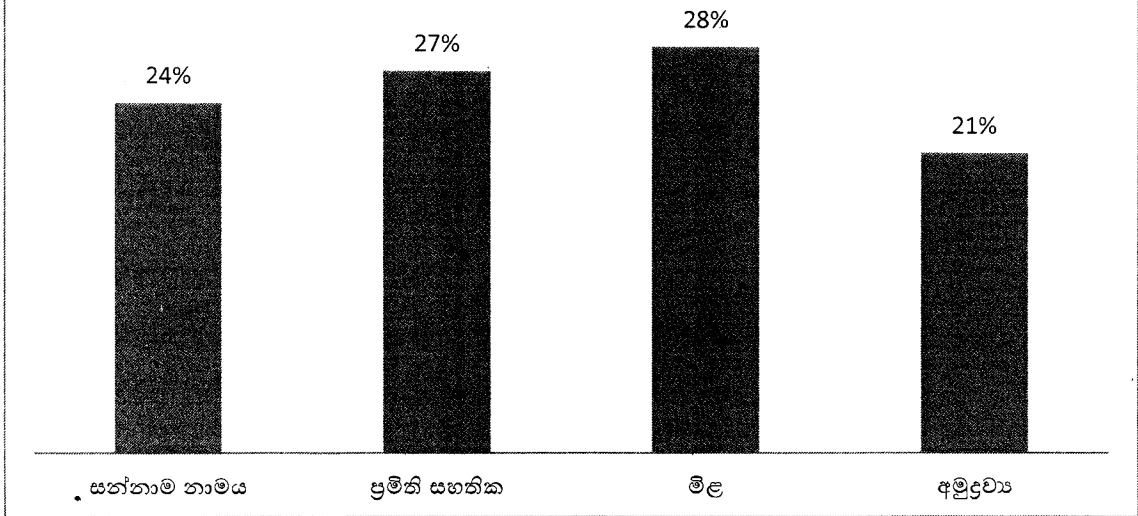
- i. සිංහල
- ii. දෙමළ
- iii. මුස්ලිම්
- iv. වෙනත්

5. වර්තමාන රැකියා තත්ත්වය

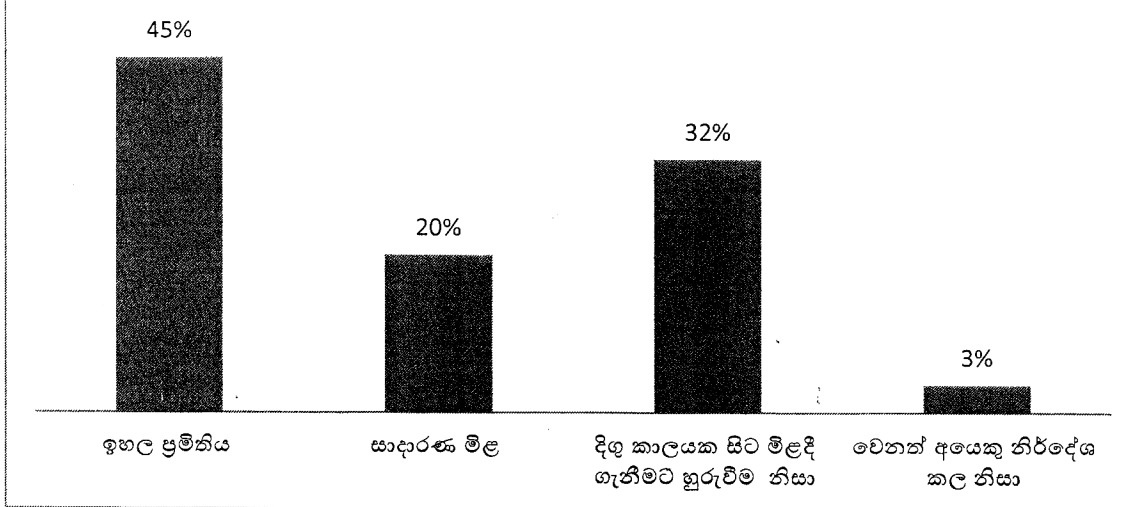
- පූර්ණ කාලීන රැකියා
- අර්ධ කාලීන රැකියා
- ස්වයං රැකියා
- විශ්‍රාමික
- ශිෂ්‍ය

ස්තූතියි.

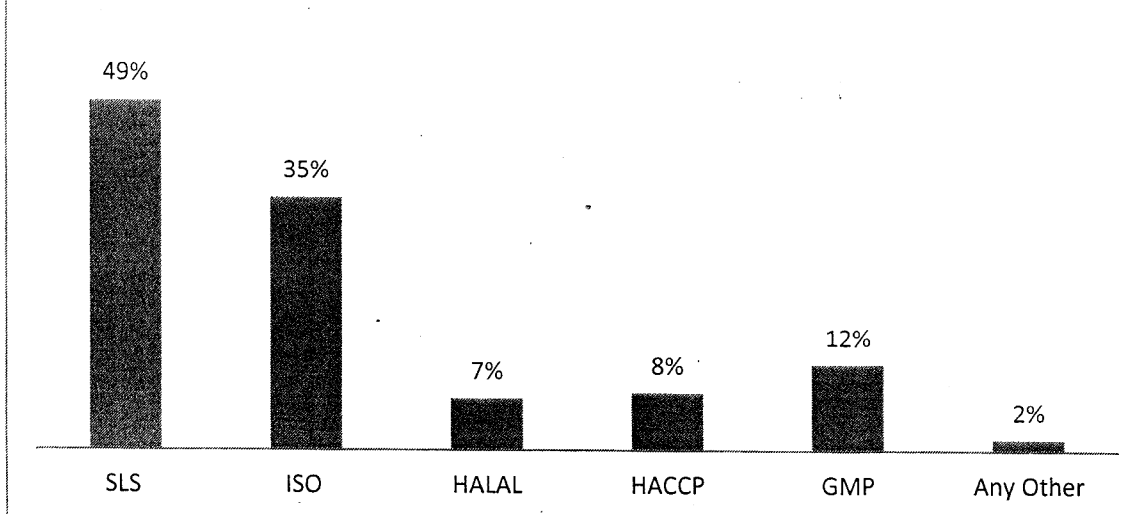
භාණ්ඩ මිලදී ගැනීමේදී සැලකිලිමත් වන කරුණු



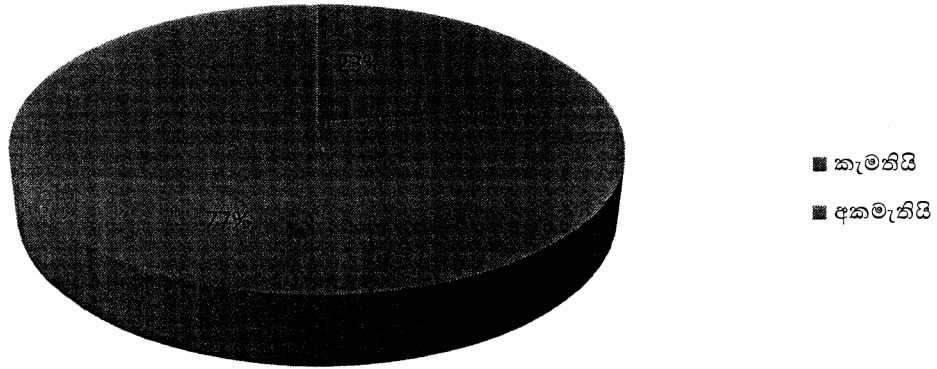
භාණ්ඩය අයත් සන්තාම නාමය තෝරාගැනීමට හේතු



භාණ්ඩයක තිබිය යුතු යැයි සලකන ප්‍රමිති/ තත්ත්ව හෝ වෙනත් සහතික



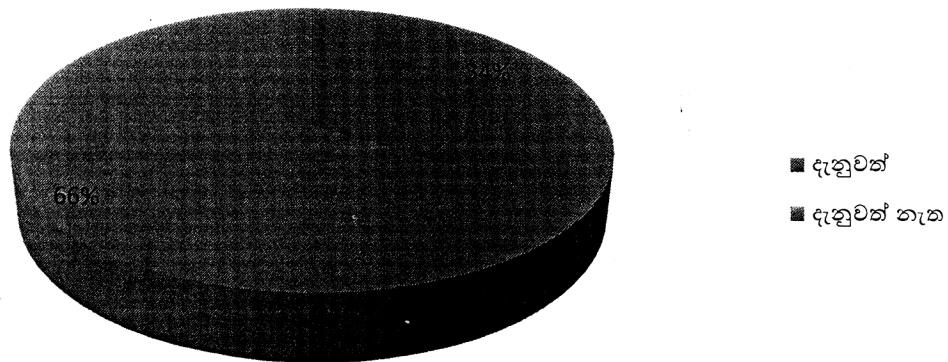
හලාල් නිෂ්පාදන මිලදී ගැනීමට ඇති කැමැත්ත



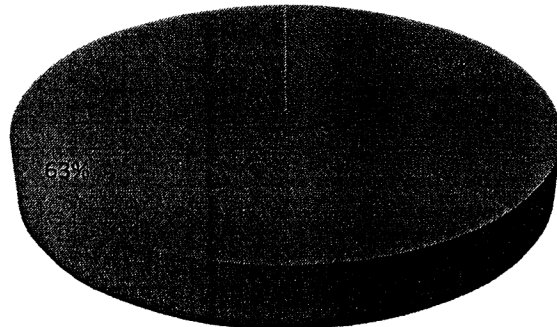
ඔබගේ දැනුම අනුව හලාල් යනු

47%	ආගමික මතය
27%	දැනුවත් නැත
9%	පරිභෝජනයට සුදුසු
5%	දැනුවත්
4%	මස් හලාල් වේ
3%	උරු මස් වලින් වැළකීම
1%	අනවශ්‍ය දෙයකි
1%	වැදගත් නොවේ
1%	සත්ව කොටස් අඩංගු නැති දේවල්
1%	සහතිකකරණ ක්‍රියාවලියක්

ලංකාවේ හෝ විදේශයන්හි ඇති ඕනෑම ආකාරයක හලාල් නිෂ්පාදන පිළිබඳව ඇති දැනුවත්බව

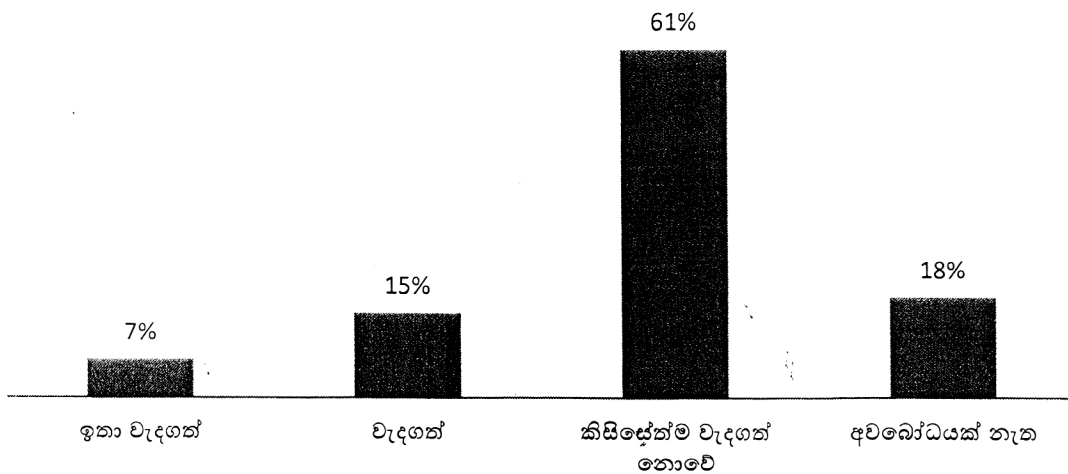


මිලදී ගන්නා නිෂ්පාදන හෝ ලබාගන්නා සේවාවන් හලාල් ද නැද්ද යන්න පරීක්ෂා කිරීම

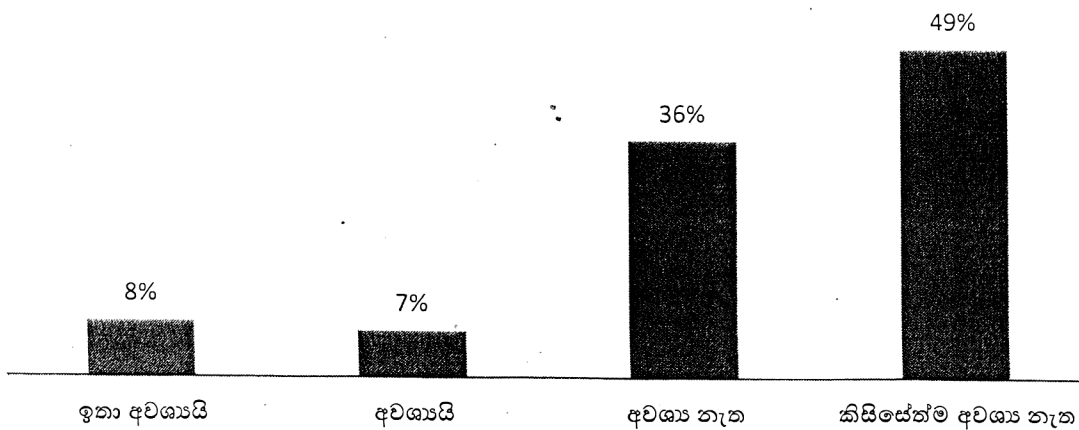


■ පරීක්ෂාකරයි ■ පරීක්ෂාකරයි නොකරයි

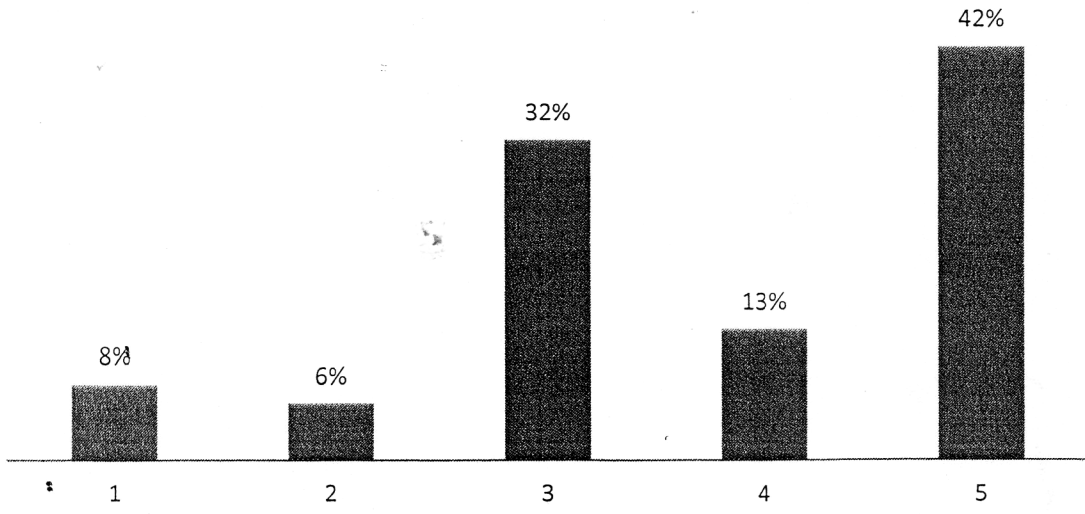
හලාල් සහතිකය සහිත භාවිතා කරන භාණ්ඩයක් වීමේ ඇති වැදගත් බව



අහාර ලබාගන්නා ආපනශාලා සහ අවන්හල් සඳහා හලාල් සහතිකය ලබා තිබීමේ ආවශ්‍යතාව

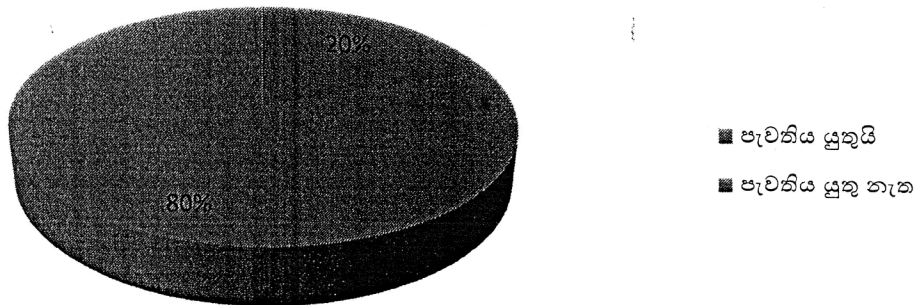


හලාල් නිෂ්පාදන මිලදී ගැනීමේ තීරණයට බලපෑම් කරන ප්‍රකාශ



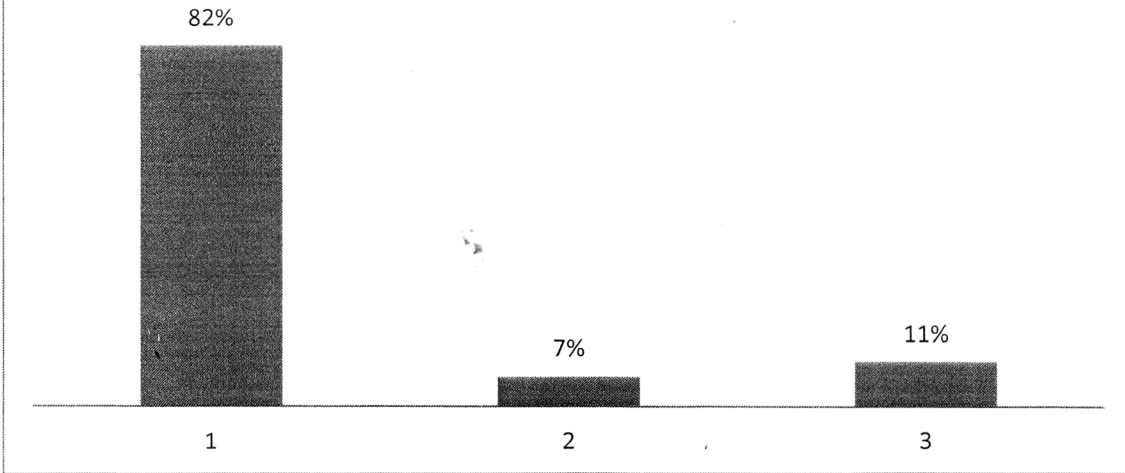
- 1 යම්කිසි සංවිධානයක් මගින් සහතික කර තිබීම.
- 2 එම සංවිධානය පිළිබඳව ඇති විශ්වාසය.
- 3 ප්‍රමිතිය, ගුණාත්මක බව සහ සෞඛ්‍යයරක්ෂිත බව පිළිබඳ ඇති විශ්වාසය.
- 4 ආගමික අවශ්‍යතාව.
- 5 මිලදී ගැනීමට හලාල් සහතික නොකළ භාණ්ඩ නොමැති වීම.

රජය මගින් නිකුත් කරන පිළිගත් ප්‍රමිති/තත්ත්ව සහතික හෝ ජාත්‍යන්තර ප්‍රමිති/තත්ත්ව සහතික තිබියදීත් හලාල් සහතිකය පැවතිය යුතුද නැද්ද යන වග





හලාල් සහතිකය තවදුරටත් පැවතිය යුතු නම් එය පවත්වා ගත යුත්තේ,



1 රජයේ අනුබද්ධ ආයතනයක් ලෙස

2 රජය සහ පුද්ගලික යන සංකලනයෙන් යුතු ආයතනයක් ලෙස

3 විධිමත් පුද්ගලික ආයතනයක් ලෙස ආගමික පරිසරයකින් තොරව

ස්ත්‍රී / පුරුෂභාවය

