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இலங்கை மனித உரிமைகள் ஆணைக்குழு
HUMAN RIGHTS COMMISSION OF SRI LANKA

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2nd November 2020

Hon. Pavithra Wanniarachchi,

Minister of Health

AND

Lieutenant General Shavendra de Silva,

Head of the National Operation Centre for Prevention of COVID 19 Outbreak

HRCSL Guidelines on Regularising Quarantine Processes

November 2020

The Human Rights Commission of Sri Lanka commends all the efforts being made to curb the rapid spread of COVID-19 in the country. The Commission continues to recognise the need to restrict freedom of movement and liberty of people in the interests of public health and public order during an extraordinary health emergency such as that facing the country at present. The Commission has observed that a large number of persons have been subject to quarantine processes in view of the resurgence of the fear of spread of COVID-19 pandemic and has received a variety of complaints and expressions of concerns relating to the process.

In this regard, the Commission welcomes confirmation that first contacts of the COVID-19 infected patients who were earlier sent to quarantine centres, will now be home quarantined. We are in agreement that quarantining persons to their home will be the best option.

Since it is incumbent on the Commission under Act No. 21 of 1996 to examine whether restrictions on liberty are compatible with our Constitution and international human rights obligations, having given due consideration to the concerns expressed by the general public, the Commission presents the following guidelines:

ප්‍රධාන කාර්යාලය பிரதான அலுவலகம் Head Office	} 14, ආර්. ඒ. ද මෙල් මාවත, කොළඹ - 04. 14, ஆர். ஏ. து மெல் மாவத்தை, கொழும்பு - 04. 14, R. A. De Mel Mawatha, Colombo - 04.	සභාපති தலைவர் Chairperson	} 011-2505451	ෆැක්ස් தொலைநகல் Fax	} 011-2505541 / 74	විද්‍යුත් තැපෑල மின்தொலைபேசி e-mail	} sechrc@gmail.com
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The Commission is of the view that the quarantine process can be regularized under the law by:

- (i) Transparency in delegation of powers by the “Proper Authority”;
- (ii) Vest powers of testing on designated qualified personnel;
- (iii) List the places designated as quarantine centres and the designating authority.
- (iv) Clarify the period of required quarantining.
- (v) Create a receipt system for quarantined persons including the reason for quarantine, the place they are being taken to and the length of isolation;
- (vi) External scrutiny of quarantine centres, especially by the “proper authority”;
- (vii) Prohibit those handling quarantine from informing the media of the proposed quarantining efforts, exposing those being quarantined to public gaze as though they were offenders rather than unfortunate victims of a virulent virus.

The Commission is also of the view the hardships imposed by the quarantining process can be ameliorated by:

- (i) Ensuring quarantined period is considered paid/ duty leave;
- (ii) Ensuring financial or any other assistance to families of those in quarantine;
- (iii) The Grama Niladhari be immediately informed when a person is quarantined;
- (iv) In the circumstances where the vulnerable dependents in the families are left behind due to quarantine process, the Grama Niladhari to ensure provision of all necessary support to vulnerable persons including alerting the proper authorities.

The Commission wishes to emphasize that nothing in these recommendations should be construed by any member of the public to act contrary to health guidelines issued by the public health authorities in regard to the COVID-19 pandemic or act in a manner that would be harmful to public health in general. The Commission also reiterates that placing the persons of first contact with COVID-19 patients under home quarantine will remove most of the concerns listed above but is issuing these recommendations in the event the government wishes to establish quarantine processes again in the future.



Ramani Muttettuwagama
Commissioner

Human Rights Commissions of Sri Lanka

<p>ප්‍රධාන කාර්යාලය பிரதான அலுவலகம் Head Office</p>	<p>14, එ. ඩී. ජී. ද මෙල් මාවත, කොළඹ - 04. 14, ஆ.டி.சி. ஜே. மெல் மாவாத்தி, கொழும்பு - 04. 14, R. A. De Mel Mawatha, Colombo - 04.</p>	<p>සභාපති தலைமையினர் Chairperson</p>	<p>011-2505451</p>	<p>ෆැක්ස් தொலைபேசி Fax</p>	<p>011-2505541 / 74</p>	<p>විද්‍යුත් තැපෑල மின்னஞ்சல் e-mail</p>	<p>sechrc@gmail.com</p>
<p>දුරකථන தொலைபேசி Telephone</p>	<p>94 -11- 2505580 / 81 / 82</p>	<p>ලේකම් செயலாளர் Secretary</p>	<p>011-2505521</p>	<p>ශ්‍රී ලංකා இலங்கை Hotline</p>	<p>1996</p>	<p>වෙබ් இணையம் Web</p>	<p>www.hrcsl.lk</p>