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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement* submitted by Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 February 2003]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Abuse of human body parts in Sri Lanka

1. In recent years, many cases have come to light of missing body parts in deceased persons in Sri Lanka. The majority of bodies abused are those of women who died while in overseas employment. Dead bodies are often sent back without any explanation and sometimes at post mortem inquiries it has been found that important human organs have been missing. The missing organs can be attributed to attempts to conceal evidence that would indicate murder or some other purposes, such as illegal trade in body parts. Two examples follow.
2.
 - a. H M Ajantha Herat was admitted Mihidupura Hospital, Tricommalee, on 15 February 2002 for childbirth. She was later found dead and at the post mortem her heart was found to be missing. According to her husband, Gamini Ratnayake, no permission had been obtained from either his wife or any other family member to remove the heart or any body parts. The concerned family could not conceive of why the heart would have been removed, and have sought an inquiry.
 - b. Sathrusinghe Arachchilage Somalatha, a native of Digamadulla, Ampara District, left Sri Lanka in May 2002 through the Al Aman Travels Job Agency in Kurunegala, and with the authority of the Sri Lanka Bureau of Foreign Employment, to do domestic work in Kuwait. Somalatha reportedly died on July 12, six days after she was admitted to Imansima Hospital in Kuwait. The cause of death has not yet been established. The Chairman of the Hospital Board in Kuwait then informed the Ministry of Foreign Affairs in Sri Lanka that Somalatha's kidneys were removed in accordance with Kuwaiti law, under the approval of the Director of the Health Department.
2. The misappropriation of parts of human bodies violates all principles relating to human dignity, which is the basis for all human rights. Where states parties receive complaints of this nature they are obliged to conduct proper inquiries and offer speedy redress to families. The Asian Legal Resource Centre accordingly calls upon the Commission to pressure the Government of Sri Lanka to afford its citizens, particularly migrant workers and those living in remote and insecure regions, greater protection in accordance with the international treaties to which Sri Lanka is a party.
