

Sri Lanka: LLRC Implementation Monitor

Statistical and Analytical Review No. 4

LAW &
GOVERNANCE

LLRC Recommendations & UNHRC Commitments

June 2016

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The Legal Research team at Verité Research is responsible for preparing this report.

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In January 2015, Sri Lanka underwent its first major political transition since the end of the armed conflict in 2009. The immediate post-war years saw limited progress towards reconciliation and accountability.

In such context, the election of President Maithripala Sirisena and a coalition government broadened political space to pursue a pending agenda of reconciliation, accountability and sustainable peace. The government has since made a range of commitments to this effect, both at home and internationally.



In September 2015, Sri Lanka co-sponsored Resolution 30/1 at the 30th Session of the United Nations Human Rights Council (UNHRC).¹ In doing so, the Sri Lankan government committed to a range of measures dealing with human rights, accountability and transitional justice. The endorsement of the Resolution represents a marked shift in Sri Lanka's engagement with the Council - from confrontation under the former government, to consensus and cooperation. Resolution 30/1 has since come to denote the main features of Sri Lanka's transitional justice agenda, particularly with regard to accountability mechanisms for abuses suffered by victims of the conflict. It contains 36 distinct commitments that fall into five broad thematic categories:

1. Transitional justice and reconciliation

2. Rights and rule of law
3. Security and demilitarisation
4. Power sharing
5. International engagement

This report assesses the implementation status of the government's 36 actionable commitments made in Resolution 30/1.

Sri Lanka's primary framework for national reconciliation has previously been the recommendations of the Lessons Learnt and Reconciliation Commission (LLRC), which was appointed by former president Mahinda Rajapaksa in 2010. The Commission was mandated to inquire into the facts and circumstances



that led to the failure of the 2002 Ceasefire Agreement (CFA), and the sequence of events that followed thereafter up to 19 May 2009. It was empowered to inquire and report on the following:

The institutional, administrative and legislative measures which need to be taken in order to prevent any recurrence of such concerns in the future, and to promote further national unity and reconciliation among all communities, and to make any such other recommendations with reference to any of the matters that have been inquired into under the terms of this Warrant.

The LLRC published its final report on 16 December 2011.² In July 2012, the previous government released a National Plan of Action to Implement the Recommendations of the LLRC (NPA), followed by periodic Monitoring Reports that detailed progress in implementation of the LLRC's recommendations in terms of the NPA. The most recent Monitoring Report on all recommendations included in the NPA was released in September 2014; no such reports have since been published by the present government.³

The LLRC was the subject of a series of resolutions adopted at the UNHRC in 2012, 2013 and 2014. These resolutions specifically called on the government to implement the LLRC's 'constructive recommendations' falling within eight identified categories. The resolution adopted in March 2014 mandated the Office of the High Commissioner for Human Rights (OHCHR) to undertake 'a comprehensive investigation into alleged serious violations and abuses of human rights and related crimes by both parties in Sri Lanka during the period covered by the Lessons Learnt and Reconciliation Commission.' The report of the OHCHR Investigation on Sri Lanka (OISL) was also tabled at the 30th Session, approximately two weeks before Resolution 30/1 was adopted. Resolution 30/1 reinforces the constructive recommendations of the LLRC and relates the timeframe of certain transitional justice mechanisms to the 'period covered by the LLRC'.

As Resolution 30/1 has taken centre-stage since its adoption, the government has evidently shifted away from using the LLRC as its primary frame of reference on progress towards reconciliation. Yet the work of the LLRC remains highly relevant in the current context for

two reasons. First, it possesses relatively high political and public legitimacy as a 'home-grown' framework for national reconciliation. Acceptance of the LLRC recommendations is likely to extend beyond the present government's political support base, granting the LLRC framework a degree of resilience in the face of political variation. Second, several LLRC recommendations are still pending implementation. Expediting the full implementation of LLRC recommendations could build and sustain confidence in the government's commitment to reconciliation alongside efforts to fulfil its pledges under Resolution 30/1.

The LLRC's report contained 189 distinct, actionable recommendations, which fall into the following categories:

1. Credibly investigating widespread allegations of extrajudicial killings and enforced disappearances
2. Demilitarising the north of Sri Lanka
3. Implementing impartial land dispute resolution mechanisms
4. Re-evaluating detention policies
5. Strengthening formerly independent civil institutions
6. Reaching a political settlement on the devolution of power to the provinces
7. Promoting and protecting the right of freedom of expression for all
8. Enacting rule of law reforms
9. National languages, social integration and reconciliation
10. Return, restitution and development
11. Vulnerable groups.

Previous studies by Verité Research have assessed progress in implementation of the LLRC's recommendations over the past four years.⁴ The 2015 transition contributed to a notable improvement in overall LLRC implementation.

This report provides a progress update on the implementation of each category of LLRC recommendations.

THE METHODOLOGY pertaining to this study has been developed in an attempt to create, as far as possible, an objective basis.

Figure 1: Methodology

		PERFORMANCE INDICATORS			
		Fully met	1/2 met	1/4 met	Not met
IMPLEMENTATION PLAN	Workable	Fully implemented	Partial progress	Poor progress	Poor progress
	Flawed				No progress
	Not included				

The methodology involves two assessments:

1. Assessment of performance indicators:

- Step 1: Quantitative and qualitative assessment of progress in terms of performance indicators.

In the case of certain LLRC recommendations, this assessment is carried out in terms of Key Performance Indicators (KPIs) contained in the NPA. In the cases of (i) LLRC recommendations not included in the NPA, and (ii) commitments in Resolution 30/1, which does not have a specific documented plan of implementation, this assessment is based on independently devised performance indicators.

- Step 2: Classification of all recommendations into ‘completed’, ‘partial progress’, ‘poor progress’ or ‘no progress’, based on the degree to which performance indicators have been met.*

*N.B. Even if performance indicators have not been met to any degree, the recommendation would be classified as ‘poor progress’ (as opposed to ‘no progress’) if it possesses a workable implementation plan. Hence the second assessment detailed below may retrospectively determine the final classification of a recommendation as ‘poor progress’ or ‘no progress’.

2. Assessment of implementation plans:

- Step 1: Determination of whether the recommendation or commitment has an identifiable plan for implementation, as verified by evidence of steps taken towards their fulfilment.

In the case of LLRC recommendations, the assessment of whether or not they have been included in the NPA is based on a previous study, titled ‘Sri Lanka: LLRC Implementation Monitor – Statistical and Analytical Review No. 1.’ In the case of (i) LLRC recommendations excluded from the NPA, and (ii) commitments in Resolution 30/1, this assessment is based on other publicly available information.

- Step 2: If the recommendation is included in the NPA, assessment of the Planning Framework contained in the NPA i.e. legalisation or policy, responsible agency and budgetary allocations.

The above matrix illustrates the manner in which the status of implementation of each individual recommendation is classified. It also illustrates the manner in which the implementation plan pertaining to a recommendation may determine its classification.

This methodology was used to assess the implementation status of the 36 commitments contained in Resolution 30/1 and the 189 distinct recommendations of the LLRC.

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Resolution 30/1: Implementation Status



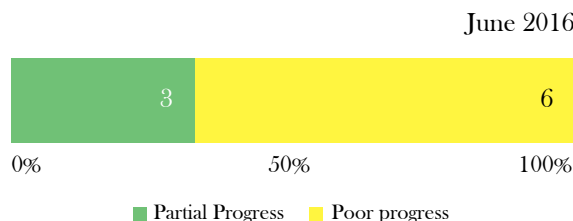
1. TRANSITIONAL JUSTICE AND RECONCILIATION

The government made 9 commitments on transitional justice and reconciliation in Resolution 30/1.

Public consultations with regard to the various transitional justice mechanisms contemplated by Resolution 30/1 are currently underway. Legislation establishing an Office of Missing Persons has been drafted and gazetted, but is yet to be enacted by Parliament.

Meanwhile, draft legislation pertaining to the following mechanisms is yet to be finalized: the office of reparations; the Commission for truth, justice, reconciliation and non-recurrence; and the judicial mechanism with a special counsel and the participation

Figure 2: Transitional Justice & Reconciliation



of Commonwealth and other foreign judges, defence lawyers and authorized prosecutors and investigators. Contrary to the government’s commitment at the UNHRC, President Sirisena has maintained that no foreign judges will participate in the proposed judicial mechanism.⁵

Figure 3: Commitments on Transitional Justice & Reconciliation



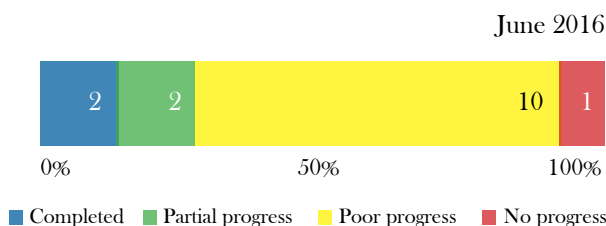
2. RIGHTS AND RULE OF LAW

The government made 15 commitments on rights and rule of law in Resolution 30/1.

The government has signed and ratified the International Convention for the Protection of All Persons from Enforced Disappearances, as a preliminary step towards criminalization of enforced disappearances. Meanwhile, the Cabinet of Ministers has approved draft legislation to enable the issuing of Certificates of Absence to families of missing persons.

Yet there has been limited progress in investigations and prosecutions pertaining to incidents of violence against journalists and religious minorities. For instance, there have been no prosecutions to date over communal clashes in Aluthgama in 2014 that resulted in at least four deaths. At one point, the government reported that steps had been taken to review and repeal the Prevention of Terrorism Act (PTA), citing draft

Figure 4: Rights and Rule of Law



legislative amendments developed by the Sri Lanka Law Commission. However, more recently, the government announced that new national security legislation, which would replace the PTA, is being developed. In this context, opposition political representatives have raised concerns that the Law Commission’s proposed draft has been abandoned in favour of more repressive national security legislation.⁶ Meanwhile there have since been further arrests made under the PTA by the TID, following the discovery of explosives in Chavakachcheri in the Northern Province in April 2016.

A public statement released by the Human Rights Commission on 22 June 2016 reinforced the need to repeal the PTA and outlined international human rights

standards and policies to which national security laws must adhere.⁷

Figure 5: Commitments on Rights and Rule of Law



3. SECURITY AND DEMILITARISATION

The government made 7 commitments on security and demilitarisation in Resolution 30/1.

The government has made some progress in releasing military-held land to its rightful civilian owners. However, the military reportedly continues to hold over 8,200 acres of privately-owned land in the Northern Province.⁸ Moreover, release of land in the Eastern Province has been accompanied by assurances that the overall level of military deployment in the area will not be reduced.

There is no publicly available information to suggest that security sector reforms have been initiated as pledged in Resolution 30/1.

Figure 6: Security and Demilitarisation

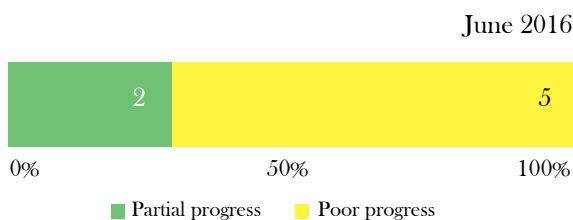
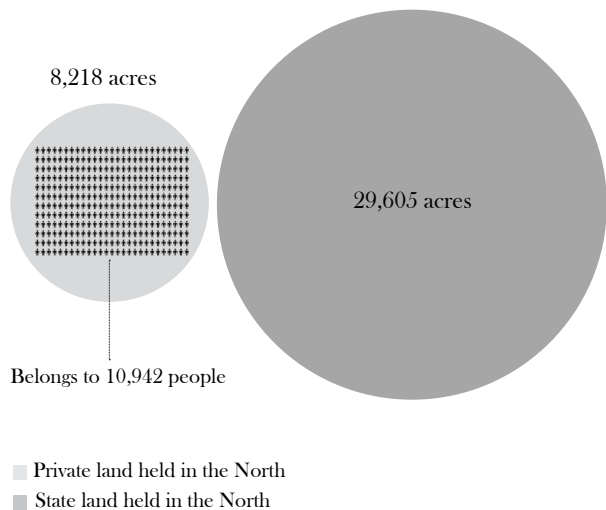


Figure 7: Military Land Occupation in the North



Source: Adjournment Motion on 'Return of Military-Held Lands and Structured Programmes Aiming the Displaced in the North and East', Parliamentary Hansard. Volume 244 No.09, 929. 10 June 2016.

Figure 8: Commitments on Security and Demilitarisation



4. POWER SHARING

The government made 2 commitments on power sharing in Resolution 30/1.

A constitutional reform process is currently underway, initiated by a parliamentary resolution proposed in November 2015 and adopted unanimously in March 2016. The report of the Public Representations Committee on Constitutional Reform (PRC) was released in May 2016. Six Sub-Committees of the Constitutional Assembly have since been appointed, including the Sub-Committee on ‘Centre-Periphery’.⁹

Figure 9: Power Sharing

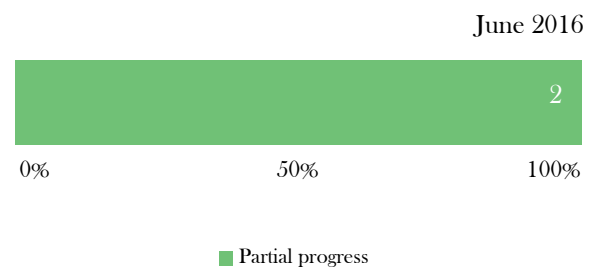
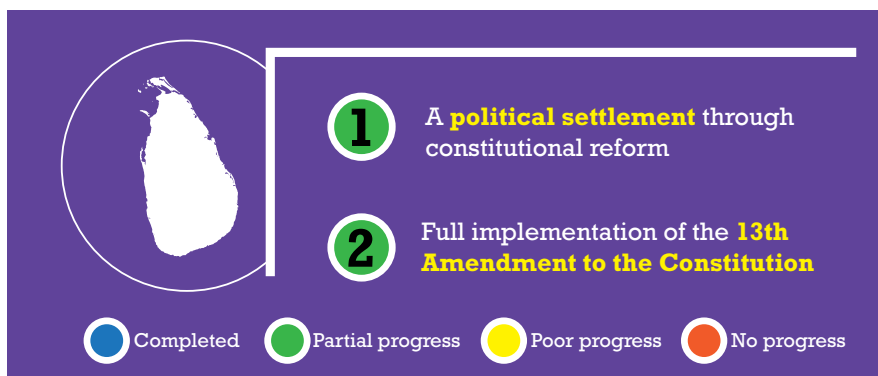


Figure 10: Commitments on Power Sharing



5. INTERNATIONAL ENGAGEMENT

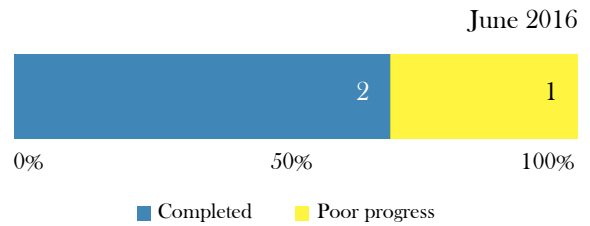
Resolution 30/1 contains 3 commitments on international engagement.

The government has sustained constructive engagement with the OHCHR and has issued standing invitations to all UN special procedure mandate holders.

Meanwhile, there has been poor progress in overall implementation of the recommendations contained in the OHCHR report on Sri Lanka, tabled at the 30th Session of the UNHRC in September 2015.¹⁰

For instance, there has been no review of convictions

Figure 11: International Engagement



under the PTA, including those secured on the basis of confessions induced through torture in custody.

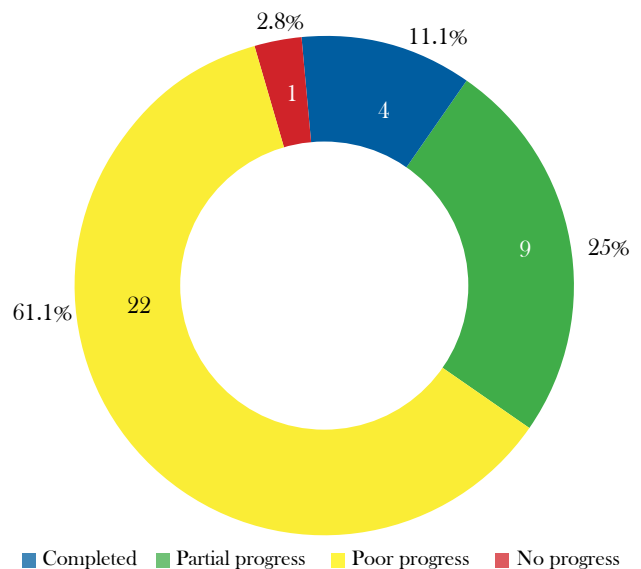
Figure 12: Commitments on International Engagement



RESOLUTION 30/1: OVERALL STATUS OF IMPLEMENTATION

An analytical study of available information indicates that the overall progress made with respect to fulfilling the government’s commitments in Resolution 30/1 has been slow. Of the 36 commitments made in Resolution 30/1, only four have been fully implemented. Progress in implementing a majority of commitments – 22 commitments – has been poor.

Figure 13: Overall Status of Implementation (UNHRC)



LLRC Implementation: Progress update



1. INVESTIGATING EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES

The LLRC report contained 13 recommendations on credibly investigating widespread allegations of extrajudicial killings and enforced disappearances.

Update: On 15 August 2013, the former president appointed a Commission of Inquiry (CoI) to Investigate Complaints Regarding Missing Persons, known as the Paranagama Commission (after its Chairman Maxwell Paranagama). The Commission’s mandate included inquiry into:

- i. Disappearances that took place in the North and East between 1 January 1983 and 19 May 2009;¹¹ and
- ii. Matters reported in paragraph 4.359 of the LLRC report, specifically the facts and circumstances that led to the loss of civilian life during the armed conflict and violation of international humanitarian law (IHL) or international human rights law (IHRL) in this regard, the recruitment of child soldiers by the LTTE and other armed groups, the LTTE’s international criminal activities and its use of suicide attacks.¹²

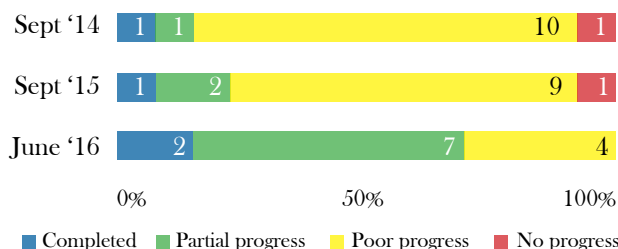
The Paranagama Commission received over 24,000 complaints on missing persons. The Report of the Paranagama Commission’s second mandate was tabled in Parliament in October 2015. The Commission found that there are credible allegations of individual

2. DEMILITARISATION

The LLRC presented 6 recommendations on the subject of demilitarisation.

Update: While there has been some progress in the release of land held by the military in the North and East, its occupation of vast tracts of private land continues to impede resettlement and normalisation of civilian life in these areas.¹⁴ The practice of issuing monthly presidential orders under Section 12 of the Public Security Ordinance (PSO), which enabled the military to exercise police powers in all districts of the country, was discontinued in March 2015. However, this has not restricted the visible military involvement in non-military spheres of life, including commercial activity. The role of the Department of Civil Security (CSD) is particularly significant in this regard. The CSD is a supplementary force established in 2006, prior to which it functioned as the Home Guard Force.¹⁵ Its mandate includes assistance to the police and armed forces in protecting law and order within the country.¹⁶ The

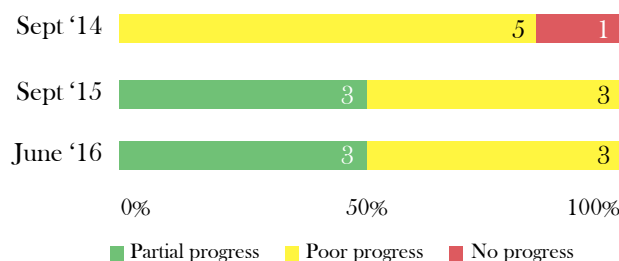
Figure 14: Investigating Extrajudicial Killings and Enforced Disappearances



incidents that ‘are capable of amounting to war crimes or even crimes against humanity’.¹³ It noted that such incidents warrant further investigation and accordingly recommended a judge-led inquiry into them.

The scope of the judicial mechanism with a special counsel envisaged by UNHRC Resolution 30/1 is expected to include investigations into these allegations. Meanwhile, there has been some progress in investigation and prosecution regarding specific incidents of extra-judicial killings and disappearances. For instance, in June 2015 an Army Staff Sergeant was sentenced by the Colombo High Court for the murder of eight civilians in Mirusuvil in December 2000. Moreover, suspects allegedly involved in the disappearance of journalist Prageeth Ekanaligoda, including at least four military personnel, have been taken into custody.

Figure 15: Demilitarisation



CSD’s present activities include over 600 agriculture projects islandwide, and the maintenance of primary schools and pre-schools.¹⁷ It has previously been reported that the CSD managed approximately 230 pre-schools in the Mullaitivu and Killinochchi districts.¹⁸ The scope of the presidential orders issued under the PSO until March 2015 did not apply to CSD personnel. The withdrawal of the orders technically confines military personnel to barracks in all parts of the island; however, CSD personnel are currently not bound by this requirement.

3. LAND DISPUTE RESOLUTION

The LLRC made 31 actionable recommendations on the subject of land dispute resolution.

Update: The ‘Accelerated Programme on Solving Post Conflict State Lands Issues in the Northern and Eastern Provinces’ under Land Circular 2013/01 is still underway. The programme was originally intended to be completed within two years, i.e. by the end of 2014.

The Prescription (Special Provisions) Act was enacted by Parliament in April 2016. The Act affords ‘disadvantaged’ persons, who have been unable to recover immovable property (including land) due to ‘activity of any militant terrorist groups’ between May 1983 and May 2009, the ability to pursue their rights in court for the recovery of that property. As such, it protects persons from losing title to their lands as a result of adverse possession – for instance through prolonged displacement or secondary occupation.

4. DETENTION POLICIES

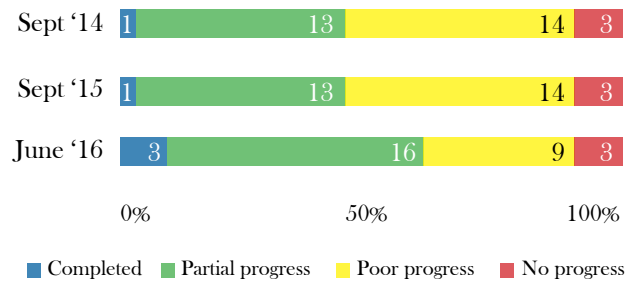
The LLRC presented 18 recommendations on reevaluating detention policies.

Update: In November 2015, 39 persons detained without charge under the PTA were released on bail. Following further arrests under the PTA in April 2016, the Human Rights Commission of Sri Lanka issued directives on arrest and detention of persons under the PTA.¹⁹ These directives were subsequently re-issued to the security forces and police by President Sirisena.²⁰

Persons held in prolonged custody or detention under the PTA fall into three categories:

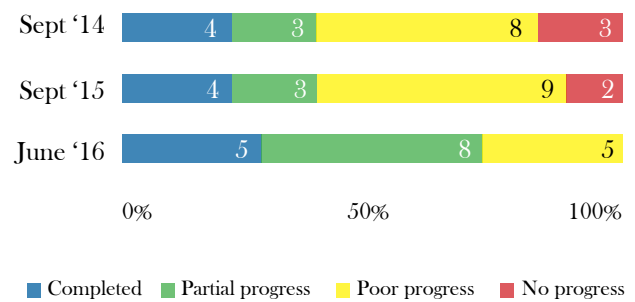
- i. Suspects held under detention orders that need to be renewed every 90 days, for a period of up to 18 months.
- ii. Suspects transferred into fiscal custody pending investigations, with remand orders reviewed every 14 days by a Magistrate. Persons in this category can be held in custody indefinitely as long as a Magistrate issues remand orders every 14 days.
- iii. Suspects with respect to whom investigations were completed and a police report filed with the Attorney General for a decision as to their release or indictment. If the suspect is indicted, judicial

Figure 16: Land Dispute Resolution



Meanwhile, the National Land Commission (NLC), envisaged by the Thirteenth Amendment to the Constitution, is yet to be established. The NLC is mandated to formulate national policy on the use of state land, with the input of provincial councils. However, in the absence of the NLC, the Minister of Land continues to determine land policy in contravention of the Constitution.

Figure 17: Detention Policies



proceedings begin in the High Court. Remand orders continue to be subject to renewal every 14 days. The suspect is also given the option of undergoing rehabilitation in lieu of prosecution.

In March 2016, Cabinet Minister D. M. Swaminathan reported that 158 persons were being detained under the PTA in 11 prisons, out of which 32 had been convicted.²¹ A special High Court bench was reportedly established to expedite ongoing cases where suspects have endured prolonged detention.²²

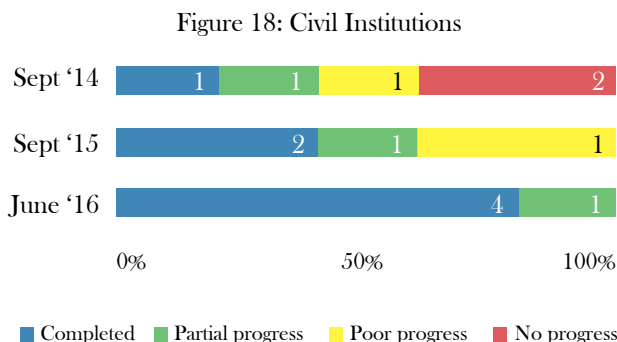


5. CIVIL INSTITUTIONS

The LLRC presented 5 recommendations on strengthening independent civil institutions.

Update: The Police Department was de-linked from state security institutions following the re-assignment of Cabinet portfolios in the aftermath of the 2015 parliamentary elections. It now falls under the purview of the Ministry of Law and Order and Southern Development, rather than the Ministry of Defence and Urban Development as was the case under the previous government. An independent National Police Commission and Public Service Commission have been established in terms of the Nineteenth Amendment to the Constitution. Under the Nineteenth Amendment, appointments to the Commissions can only be made by the President upon nomination by the Constitutional Council.

However, it is unclear as to whether the Council has formulated criteria that guide its nominations for

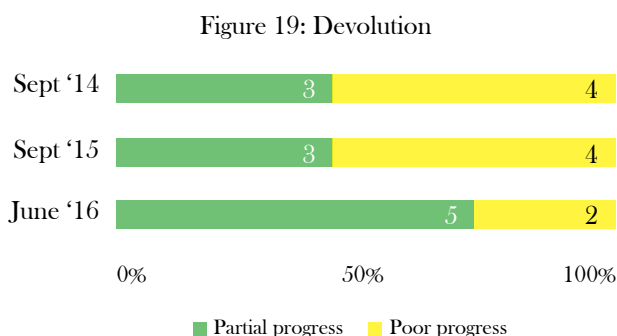


appointments to Commissions. In April 2016, the Council’s nomination for the post of the Inspector General of Police (IGP) was determined through secret ballot in the absence of two of the Council’s three civil society representatives. The appointment arguably contravenes the Council’s functional aim to de-politicise appointments to Commissions.

6. DEVOLUTION

The LLRC presented 7 recommendations on reaching a political solution based on power sharing arrangements in Sri Lanka.

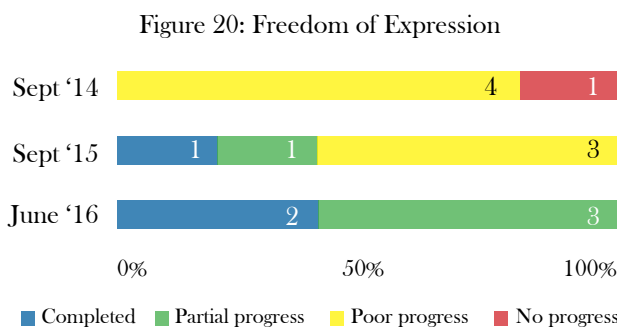
Update: The LLRC’s recommendations in this category include the launch of a structured political engagement among all political parties on devolution, which has been partly fulfilled given the ongoing constitutional reform process. The report of the PRC also echoed the LLRC’s recommendation of empowerment of local government bodies to enhance public participation and political representation.



7. FREEDOM OF EXPRESSION

The LLRC presented 5 recommendations on protecting the freedom of expression.

Update: Attacks and harassment of journalists have reduced significantly over the past year. However sporadic incidents continue to be reported, such as the attack on journalist Freddy Gamage in June 2016. There has been some progress in investigations into certain emblematic cases of violence against media personnel, such as Prageeth Eknaligoda’s case. Moreover, the implementation of a key recommendation in this category has been completed with the enactment of the



Right to Information Act on 24 June 2016.

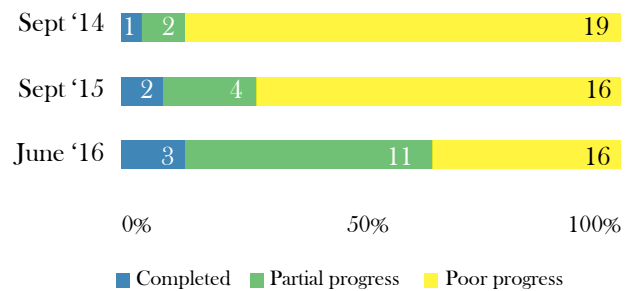
8. RULE OF LAW

The LLRC presented 22 recommendations on rule of law reforms.

Update: The government recently instituted an amnesty period within which persons in possession of illegal arms were permitted to surrender them to the authorities.²³ Meanwhile, in October 2015, Pillayan, a former leader of the paramilitary group, Tamil Makkal Viduthalai Pulikal, was arrested for his alleged involvement in the assassination of MP Joseph Pararajasingham. Yet there has been limited progress in investigations into activities of illegal armed groups. For instance, there have been no known investigations to date into the allegations against the Eelam People’s Democratic Party (EPDP), which was specifically cited by the LLRC as warranting investigation.

Incidents of violence against religious minorities

Figure 21: Rule of Law



continue to be reported.²⁴ Hate speech is an offence under the ICCPR Act, No. 56 of 2007. Despite the existence of these provisions, there have been no prosecutions under the ICCPR Act for several documented instances of hate speech against religious minorities.

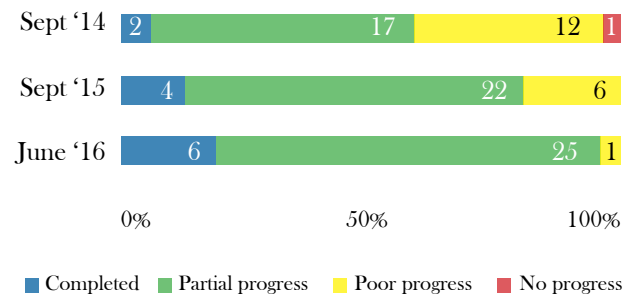
9. NATIONAL LANGUAGES, SOCIAL INTEGRATION AND RECONCILIATION

The LLRC presented 32 recommendations the subject of national languages, social integration and reconciliation.

Update: In 2015, the government lifted an unofficial ban placed on singing the national anthem in the Tamil language. At the Independence Day celebrations in February 2016, a Declaration of Peace was issued in all three languages commemorating all victims of violence and pledging its non-recurrence in future. Both symbolic measures fulfilled the implementation of key LLRC recommendations on reconciliation. The government has also taken steps towards more constructive engagements with the Sri Lankan diaspora. In November 2015, it de-proscribed 269 individuals and eight Tamil diaspora organisations.

Meanwhile, there has been poor progress towards fuller implementation of Sri Lanka’s official language policy. Public Administration Circular 2007/07 required all

Figure 22: National Languages, Social Integration and Reconciliation



recruits to the public service after July 2007 to achieve bilingual proficiency within a period of five years of being appointed. This period has since been extended twice, in 2012 and 2014. Difficulties in accessing public services in both official languages persist islandwide. This gap is particularly marked in predominantly Tamil-speaking areas where services continue to be offered in Sinhala.



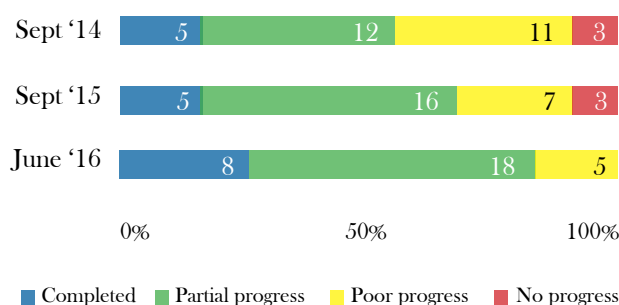
10. RETURN, RESTITUTION AND DEVELOPMENT

The LLRC presented 31 recommendations on return of displaced persons and refugees, restitution and development.

Update: The government is committed to establish an Office of Reparations. However, the relevant draft legislation is yet to be finalised. In the meantime, the Rehabilitation of Persons, Property and Industries Authority (REPIIA) is tasked with providing compensatory payments for death, injury and property damage resulting from the war. Yet the final report of the Census on Deaths and Injuries to Persons and Property Damages Due to Conflict – carried out in 2013 to provide baseline data for reparations – is yet to be published.

A National Policy on Durable Solutions for Conflict-Affected Displacement has been drafted. It identifies certain key challenges to the provision of durable solutions for those displaced, including continued

Figure 23: Return, Restitution and Development



occupation of land by the security forces, and the lack of comprehensive data on displacement. It also identifies the need for a comprehensive reparations policy that deals with transitional justice issues pertaining to displacement. The policy is yet to be approved or adopted by Cabinet.

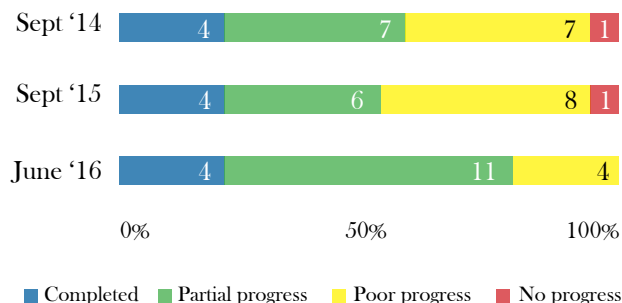
11. VULNERABLE GROUPS

The LLRC presented 19 recommendations on addressing the concerns of certain vulnerable groups.

Update: In February 2016, Sri Lanka ratified the United Nations Convention on the Rights of Persons with Disabilities, fulfilling the implementation of a key recommendation in this category.

Women in conflict-affected areas continue to face multiple forms of insecurity, including economic vulnerability and threats to personal security. Female labour force participation in the Northern and Eastern Provinces is among the lowest in the country – at 26.2 per cent and 23.6 per cent respectively, while female unemployment in these areas is among the highest.²⁵ Female heads of household also face difficulties in accessing support services and redress for losses

Figure 24: Vulnerable Groups



incurred. Fulfilment of the government’s commitments to establish an Office of Missing Persons and issue Certificates of Absence to families of the disappeared could potentially address some of these vulnerabilities.



LLRC: OVERALL STATUS OF IMPLEMENTATION

The 2015 transition has contributed to a notable improvement in overall implementation of LLRC recommendations.

To date, the implementation of approximately 20% of the LLRC's 189 distinct, actionable recommendations has been completed. Approximately 57% of LLRC recommendations have seen partial progress in implementation, while 22% of recommendations have seen poor progress in implementation.

Figure 25: Progress in LLRC Implementation

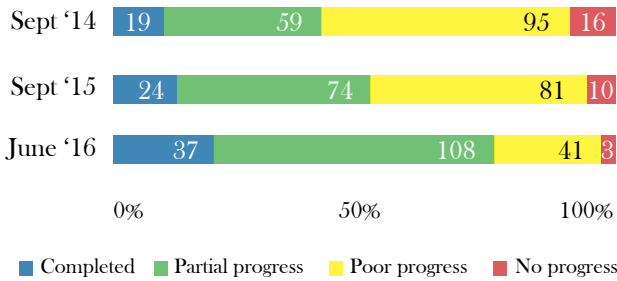
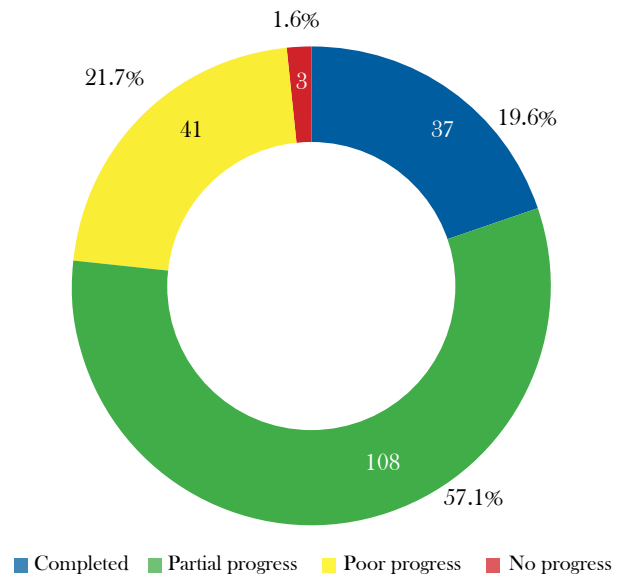


Figure 26: Overall Status of Implementation (LLRC)



¹ Resolution adopted by the Human Rights Council on 1 October 2015 (A/HRC/RES/30/1), 30th Session of the UNHRC.

² *Report of the Commission of Inquiry on Lessons Learnt and Reconciliation* (November 2011) [hereinafter: 'LLRC Report'].

³ The Ministry of Land is an exception; up to December 2015, it continued to publish monthly Monitoring Reports detailing progress in implementation of LLRC recommendations that fall within its mandate. However, no Monitoring Reports have been published by this Ministry for 2016 thus far.

⁴ Verité Research, *Sri Lanka: LLRC Implementation Monitor - Statistical and Analytical Review No. 1* (November 2012); *Sri Lanka: LLRC Implementation Monitor - Statistical and Analytical Review No. 2: Constructive Recommendations* (March 2014); and *Sri Lanka: LLRC Implementation Monitor - Statistical and Analytical Review No. 3* (December 2014).

⁵ 'President rules out foreign judges in Sri Lanka war crimes probe', *News.lk*, 20 March 2016, at: <http://www.news.lk/news/politics/item/12660-president-rules-out-foreign-judges-in-sri-lanka-war-crimes-probe> [last retrieved 25 June 2016].

⁶ M.A. Sumanthiran, 'Thoughts On Sri Lanka's Progress In This Transitional Phase', 16 June 2016, at <http://tnapolitics.org/?p=940> [last retrieved 25 June 2016].

⁷ Human Rights Commission of Sri Lanka, 'Public Statement, 22 June 2016, at: <http://hrsl.lk/english/wp-content/uploads/2016/06/Public-Statement-by-HRCSL.pdf> [last retrieved 28 June 2016].

⁸ Parliament speech by TNA MP S. Shriritharan, Adjournment Motion on 'Return of Military-held Lands and Structured Programmes Aiming the Displaced in the North and East', Parliamentary Hansard, Volume 244 No.09, 929, 10 June 2016.

⁹ 'Sub Committee members appointed to Constitutional Assembly', *Daily News*, 6 May 2016, at <http://www.dailynews.lk/?q=2016/05/06/local/80929> [last retrieved 25 June 2016].

¹⁰ Comprehensive report of the Office of the United Nations High Commissioner for Human Rights on Sri Lanka, 28 September 2015 (A/HRC/30/61), 30th Session of the UNHRC.

¹¹ Gazette Extraordinary No. 1855/19 on 25 March 2014.

¹² Gazette Extraordinary No. 1871/18 on 15 July 2014.

¹³ Report on the Second Mandate of the Presidential Commission of Inquiry Into Complaints of Abductions and Disappearances, (August 2015).

¹⁴ Parliament speeches by Leader of the Opposition R. Sampanthan and TNA MP S. Shriritharan, Adjournment Motion on 'Return of Military-held Lands and Structured Programmes Aiming the Displaced in the North and East', 10 June 2016.

¹⁵ 'Establishment of the Department of Civil Security'. Extraordinary Gazette No. 1462/20, 13 September 2006.

¹⁶ *Ibid.*

¹⁷ 'Present/Future Role', *csd.lk*. at http://www.csd.lk/index.php?option=com_content&view=article&id=20:operations&catid=11&Itemid=134&lang=en#present-future-role [last retrieved 26 June 2016].

¹⁸ 'Towards national reconciliation and development: CSD plays key role in terror-free Sri Lanka', *Sundayobserver.lk*. 22 September 2013, at <http://www.sundayobserver.lk/2013/09/22/sec02.asp> [last retrieved 26 June 2016].

¹⁹ Directives Issued By The Human Rights Commission of Sri Lanka on Arrest and Detention under the Prevention of Terrorism (Temporary Provisions) Act No.48 of 1979, at <http://hrsl.lk/english/wp-content/uploads/2016/05/Directives-on-Arrest-Detention-by-HRCSL-E-.pdf> [last retrieved 25 June 2016].

²⁰ 'HRCSL welcomes President's directives for arrests under PTA', *Adaderana.lk*, 23 June 2015, at <http://www.adaderana.lk/news/35789/hrsl-welcomes-presidents-directives-for-arrests-under-pta#sthash.NWYxFL5F.dpuf> [last



retrieved 25 June 2016].

²¹ Adjournment Motion on ‘Plan of Action Regarding Victims of Enforced Disappearances and Persons Held in Custody for a Long Period of Time’, Parliamentary Hansard, Volume 243 No. 1. 8 March 2016.

²² *Ibid.*

²³ ‘Over 400 firearms surrendered during amnesty period’, *News.lk*, 9 May 2016, at <http://www.news.lk/news/sri-lanka/item/13261-over-400-firearms-surrendered-during-amnesty-period> [last retrieved 25 June 2016].

²⁴ Secretariat for Muslims. ‘Anti Muslim Sentiment in Sri Lanka May-August 2015’, at <http://sfmsl.org/> [last retrieved 25 June 2016].

²⁵ The World Bank, ‘*Sri Lanka: Ending Poverty And Promoting Shared Prosperity, A Systematic Country Diagnostic*’ (February 2016) and Department of Census and Statistics, Annual Report of the Sri Lanka Labour Force Survey (2014).



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