



**International Convention for  
the Protection of All Persons  
from Enforced Disappearance**

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**Committee on Enforced Disappearances**

**Twenty-ninth session**

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Item 9 of the provisional agenda

**Consideration of reports of States Parties under  
article 29 (1) of the Convention**

**Replies of Sri Lanka to the list of issues in relation  
to its report submitted under article 29 (1) of the  
Convention\***

[Date received: 31 July 2025]

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\* The present document is being issued without formal editing.



## **I. Introduction**

1. This response seeks to provide information in respect of matters raised by the Committee on Enforced Disappearances in the List of Issues pertaining to the Report submitted by Sri Lanka under article 29(1) of the International Convention on the Protection of All Persons from Enforced Disappearances. The response is sequenced in order of the items set out in the List of Issues document and may be read accordingly.

## **II. General Information**

### **Reply to paragraph 1 of the list of issues (CED/C/LKA/Q/1)**

2. Sri Lanka signed the International Convention for the Protection of All Persons from Enforced Disappearance (CED) on 10th December 2015, and ratified the Convention on 25th May 2016. The decision to sign the Convention was taken by the Government of Sri Lanka in recognition to give effect to the CED, and to ensure the right to justice and reparation from enforced disappearance. Sri Lanka subsequently ratified the International Convention for the Protection of All Persons from Enforced Disappearance.

3. In order to give effect to the Convention, to ensure the right to justice and reparation to victims of enforced disappearances and to provide for matters connected therewith or incidental thereto, the Parliament of Sri Lanka enacted the International Convention for the Protection of all Persons from Enforced Disappearance Act, No. 05 of 2018.

4. Section 20 of the International Convention for the Protection of all Persons from Enforced Disappearance Act, No. 05 of 2018 states that:

“Without prejudice to any judicial or other remedy provided for by or under any written law, any person with a legitimate interest shall be entitled to apply by way of petition addressed to the High Court seeking the enforcement of sections 7, 14, 15, 16, or 19 of this Act and to plead for such relief or redress as shall be prayed for in such petition.”

5. Furthermore, Sri Lanka’s constitutional framework addresses grievances for violations of fundamental rights, under Article 126. Article 17 of the Constitution guarantees that individuals whose fundamental rights have been infringed or are imminently infringed due to executive or administrative action, can seek relief before the Supreme Court under Article 126 of the Constitution. This Article grants the Supreme Court jurisdiction to adjudicate on matters concerning the violation of fundamental rights enshrined in Chapter III and Chapter IV of the Constitution. Under Article 141 of the Constitution a party can invoke the writ jurisdiction of the Court of Appeal with regard to the writ of Habeas Corpus.

### **Reply to paragraph 2**

6. The Human Rights Commission of Sri Lanka (HRCSL) operates as an independent national institution constituted in accordance with the Constitution of Sri Lanka and the Paris Principles. To ensure its independence and autonomy, budgetary allocations are made to implement its mandate.

7. The HRCSL’s reaccreditation with "A" status by the Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation is noteworthy. Additionally, the HRCSL inter alia engages in Sri Lanka’s periodic reporting under UN treaty bodies and at the Universal Periodic Reviews (UPR).

8. Under the Human Rights Commission of Sri Lanka Act, No. 21 of 1996, the HRCSL has the mandate to investigate fundamental rights violations, including monitoring places of detention. Regular visits to police stations, prisons, and childcare facilities are conducted without reported obstruction.

### **III. Definition and criminalization of enforced disappearance (Arts. 1-7)**

#### **Reply to paragraph 4**

9. The total number of complaints received by the Office on the Missing Persons (OMP) as at 31.12.2024 to be processed stands at 16,966. The OMP has categorized its data of 16,966 complaints into three major phases in order to give priority to the incidents of the missing persons that have occurred more recently. The number increased from 14,988 to 16,966 with an addition of 1,978 new complaints. The increase occurred over a defined period in which the OMP continued to engage in field visits, public outreach programs, and accepted direct complaints from affected individuals and families. It may be noted that the said complaints pertain to matters that occurred prior to 2018.

10. Additionally, the OMP refers 2,521 files to the Registrar General for Certificates of Absence and 428 files for Certificates of Death on the request made by the families to the OMP. A total of 4,676 families were referred for the Family Revival Payment, with 4,197 families having already received the payment from the Office for Reparation by June 30, 2025. Further payments are being continued.

#### **Reply to paragraph 5**

11. Please refer to paragraph 54 of the Report.

12. The Office on Missing Persons (Establishment, Administration and Discharge of Functions) Act, No. 14 of 2016, was enacted in August 2016. Section 27 of the Act interprets

“Unless the context otherwise requires, in this Act— “ “missing person” means a person whose fate or whereabouts are reasonably believed to be unknown and which person is reasonably believed to be unaccounted for and missing—

(i) in the course of, consequent to, or in connection with the conflict which took place in the Northern and Eastern Provinces or its aftermath, or is a member of the armed forces or police who is identified as “missing in action”; or

(ii) in connection with political unrest or civil disturbances; or

(iii) as an enforced disappearance as defined in the “International Convention on Protection of All Persons from Enforced Disappearances”

13. The OMP focuses on several key areas, starting with investigating the identity of the missing person and the applicant. To support this process, the OMP collaborates inter alia with various governmental and non-governmental institutions, including the Department of Registration of Persons, the Department of Immigration and Emigration, the Department of Motor Traffic, the Election Commission of Sri Lanka as well as District and Divisional Secretariats.

#### **Reply to paragraph 6**

14. The OMP has observed investigations ensuring the preservation, exhumation, and identification of remains according to international standards. For this, the OMP developed guidelines on searching, case management, and tracing.

15. The OMP has also provided multiple forms of support to the investigations into the sites in Mannar. Skeletal remains were recovered during the investigation carried out for 155 days. Further, the OMP submitted guidelines for consideration of the Magistrate during the selection of the bone and teeth samples for radio carbon dating.

16. In addition, the OMP was permitted, and acted as an Observer in other judicial proceedings investigating alleged human remains in Case No. AR/808/19 and in Case No.

AR/503/20 before the Magistrate's Court of Mullaitivu; and in Case No. B/542/20 and Case No. B/1053/20 before the Magistrate's Court of Kilinochchi.

17. The OMP has conducted capacity building initiatives on Advanced Forensic Archaeology with the specific aim of establishing a pool of excavation officers to support mass grave investigations, in collaboration with the Department of Archaeology and the Ministry of Justice, which would yield several strategic and practical outcomes. This includes but is not limited to the establishment of a specialized national pool of excavation officers, a trained cadre of professionals capable of responding to suspected mass grave discoveries across the country, officers equipped with forensic, archaeological, legal, and human rights-based investigation skills, creation of a national roster for rapid deployment in future cases; and also to enhance national capacity for mass grave investigations, increased technical capability for *evidence-based investigations* aligned with international standards, better integration between forensic archaeologists, pathologists, legal experts, and human rights actors.

18. In these circumstances, the OMP has taken steps to improve interagency collaboration with the Department of Archaeology, Police and Judicial Medical Officers (JMOs), judiciary and legal officers; and drafting policy documents such as Standard Operating Procedures (SOPs), reference manual/guide produced for national application in accordance to international standards.

### **Reply to paragraph 7**

19. In terms of the allegations of arrests during the mass protests of 2022, those arrested during the Emergency Regulations were produced in courts within 24 hours in terms of the law and a majority were granted bail. Safeguards are built into the Constitution which allow the public to challenge Emergency Regulations through the legal framework, which have been availed of in the fundamental rights petitions filed in the Supreme Court.

### **Reply to paragraph 8**

20. The Enforced Disappearance Act, No. 5 of 2018, Section 23 states:

“The provisions of this Act shall have effect notwithstanding anything to the contrary in any other written law and accordingly in the event of any inconsistency or conflict between the provisions of this Act and such other written law, the provisions of this Act shall prevail”.

21. Actions under both the Public Security Ordinance and the Prevention of Terrorism Act are subject to judicial oversight.

22. During the COVID- 19 pandemic, all steps were taken in order to safeguard Public health, in accordance with the international norms, best practices, the Constitution, and laws governing the preservation of public health.

23. All executive actions which are taken are subject to judicial review.

### **Reply to paragraph 9**

24. Please refer to paragraphs 67-69 of the Report.

### **Reply to paragraph 10**

25. Taking into account the seriousness of the crime, the Enforced Disappearance Act provides for penalties for the offence of enforced disappearance in Section 3, setting out the penalties for the offence as; liable to be punished with imprisonment for a term not exceeding twenty years, liable to pay a fine not exceeding one million rupees, and liable to pay compensation not less than five hundred thousand rupees to a victim. The Enforced Disappearance Act provides for an absolute prohibition on enforced disappearance and does

not permit any justifications or mitigating circumstances with respect to the commission of an enforced disappearance.

### **Reply to paragraph 11**

26. This matter has been already addressed in the Report submitted from para 74-80.

## **IV. Judicial procedure and cooperation in criminal matters (Arts. 8-15)**

### **Reply to paragraph 12**

27. On the basis of continuing offence/violation, a plain reading of the Section 20 provides that prescription was circumvented in respect of the offences in the ambit of the same by the use of words becoming known to such person. However, it may be noted that this has not been judicially interpreted to date.

### **Reply to paragraph 13**

28. Regarding the State party's exercise of jurisdiction over an enforced disappearance committed abroad when the alleged offender is present in the territory under its jurisdiction and the offence is not punishable by the State where it was committed, please refer to Paragraphs 86-90 in the Report.

### **Reply to paragraph 14**

29. Please refer to paragraphs 91-92 of the initial report (CED/C/LKA/1).

### **Reply to paragraph 15**

30. Please refer to paragraph 64 of the initial report.

### **Reply to paragraph 16**

#### **(a) The disappearance of members of the Tamil ethnic minority**

31. The conflict was a nationwide crisis that affected all communities and all ethnic groups across the provinces. In comparison to the other Provinces, the communities of the Northern and the Eastern Provinces were disproportionately affected.

32. The Office on Missing Persons (OMP) and various commissions have documented cases from all parts of the country, which indicates that such cases were not confined to one region or ethnicity.

#### **(b) The disappearance of protestors in the daily demonstrations that started on 16 March 2022 in Colombo and spread to other areas of the country**

33. No cases of disappearances of protestors have been reported.

#### **(c) The enforced disappearances that allegedly occurred during the internal armed conflict, between 1983 and 2009**

34. The enforced disappearances that allegedly occurred between 1983 and 2009 are included in the number reported in the response to issue 4. The actual numbers are still being verified.

### **Reply to paragraph 17**

35. The National Anti-Human Trafficking Task Force (NAHTTF) notes that the definition of ‘Enforced Disappearances’ under Article 2 of the Convention requires the involvement of State agents or persons acting with the authorisation, support, or acquiescence of the State. To date, the NAHTTF has not received any reports or evidence indicating that disappearances related to trafficking in persons or irregular migration involve State involvement. It is further noted that human trafficking is addressed and prosecuted under Section 360C of the Penal Code, which criminalises all forms of trafficking and provides a legal framework for investigation, prosecution, and punishment of offenders, thereby enabling the State to take effective action against such crimes through existing judicial and law enforcement mechanisms. These efforts align with Sri Lanka’s obligations under the Palermo Protocol, which the country has ratified and which provides the international legal framework for the prevention, suppression and punishment of trafficking in persons.

### **Reply to paragraph 18**

36. Criminal Investigation Department of the Police has a dedicated unit for investigating cases of disappearances. This unit receives complaints through the standard official channels, similar to other types of complaints, most commonly from the Inspector General of Police.

37. The Criminal Investigation Department (CID) cannot initiate an investigation without a formal complaint or credible information from a reliable informant. Before commencing an investigation, the CID applies specific criteria, including the seriousness of the incident and the level of public or legal controversy involved.

38. With the enactment of Office on Missing Persons (OMP), Act No. 14 of 2016, all matters relating to CED were vested under the purview of the OMP.

39. The OMP maintains internal functional divisions, such as the Tracing and Investigation Unit and the Victim and Family Support Unit, to separate responsibilities and ensure impartiality. It continues to support victims’ families by monitoring court cases, including Habeas Corpus proceedings, and provides legal assistance. The OMP has developed a protection strategy, an internal complaints mechanism, which includes a code of conduct for Victim and Family Support Officers (VFSOs) to ensure ethical communication during field consultations.

40. The Tracing and Investigation division focuses on several key areas, starting with investigating the identity of the missing person. To support this process, the division collaborates with various governmental and non-governmental institutions, including the Department of Registration of Persons, the Department of Immigration and Emigration, the Department of Motor Traffic, the Election Commission of Sri Lanka as well as District and Divisional Secretariats, among others.

41. In the second phase, a more detailed investigation is conducted into the missing person's personal details, the incident, the time frame, and other relevant facts. To facilitate this, information is gathered from the Sri Lanka Police and its line agencies, as well as from security and intelligence services, including the Tri-forces. Additionally, the Prisons Department, along with various ministries, departments, and non-governmental institutions, is consulted to support the search efforts based on information provided by the complainant or witnesses. The Tracing and Investigation Unit conducted a visit to Prison to investigate the whereabouts of the missing individual.

42. Once a complaint is lodged on behalf of the victim by the support unit, a specific file shall be allocated for that complainant which includes basic reports of the complaint and other relevant documents from the portfolio. The file will be based on the complainant’s relevant district. Prior to the commencement of an inquiry, the Data Management Unit provides the files which will be addressed at the panel hearings. Once a file is processed as above, the respective complainant shall receive an invitation letter notifying them the date and place of the inquiry followed by a reminder through a telephone call.

43. The Inquiry Panels usually consist of 03 professionals and among them one inquirer heading the Panel with a qualified lawyer or Senior Administrative Service officials or officers that belongs to All Island Services (retired or serving), and a member from Independent Commissions. The Heads of Panels are distinguished experts in law and investigation.

44. The inquiry Panel will gather information about the missing or disappeared person and the incident surrounding such disappearance. This includes information related to missing or disappeared persons, any information about the day / incident on which he/she was reported to have disappeared or last seen. The investigation is being carried out based on the information provided by the relatives of the missing person and the complainant.

45. Moreover, the inquiry panels request that an additional witness accompany the complainant during the inquiry. Witnesses are questioned individually after the complainant's submission. Following the inquiry, the panel provides recommendations to the complainant. Provisional support offered includes, but is not limited to, provision of legal documents such as Certificates of Absence (COAs), revival payments, land or housing assistance, and other psycho-social assistance.

### **Reply to paragraph 19**

46. Please refer to the paragraphs 100-109 and paragraphs 150-151 of the initial report.

### **Reply to paragraph 20**

47. Under Article 126 of the Constitution, the jurisdiction of the Supreme Court can be invoked in cases of violations of Fundamental Rights arising from the inaction by the Executive.

48. The Enforced Disappearance Act, No. 5 of 2018 the Section 17:

“(1) any person, including a person suspected of having committed an offence under sections 3 or 4 of this Act, who -

(a) interferes with the conduct of an investigation;

(b) influences the progress of an investigation by means of pressure or acts of intimidation or reprisal aimed at the complainant, witnesses, relatives of the disappeared person or their attorney-at-law or persons participating in the investigation;

(c) being the officer responsible for the official register, intentionally fails to record the deprivation of liberty of any person, or records any information which he knew to be inaccurate;

(d) refuses to provide information on the deprivation of liberty of a person, or provides inaccurate information, notwithstanding the fact that legal requirements for providing such information have been met, shall be guilty of an offence under this Act.”

49. Additionally, Section 18 of the OMP Act establishes the OMP Victim and Witness Protection Division:

“(1) There shall be a Victim and Witness Protection Division within the OMP that shall protect the rights and address the needs and concerns of victims, witnesses and relatives of missing persons.

(2) The Victim and Witness Protection Division shall be headed by an Executive Officer appointed by the OMP.

(3) The Division shall take all appropriate measures to ensure the protection of victims and witnesses who engage with the OMP.

(4) The Victim and Witness Protection Division may provide or facilitate the provision of administrative services and welfare services including psycho-social support to victims, witnesses and relatives of missing persons.

(5) The Victim and Witness Protection Division shall inform victims and witnesses of all the uses or potential uses, of information provided.

(6) The Victim and Witness Protection Division may co-ordinate with other law enforcement agencies where it deems necessary.”

50. Further, under the Assistance to and Protection of Victims and Witnesses Act, No. 10 of 2023, witnesses and victims, including relatives, are entitled to legal protection and redress.

### **Reply to paragraph 21**

51. Please refer to the paragraphs 110-114 and paragraphs 115-118 of the initial report.

52. As of 2025, Sri Lanka has entered into several bilateral extradition agreements and Mutual Legal Assistance agreements.

53. As of now, the GoSL has not received any requests in this regard. However, the GoSL is willing to facilitate such requests.

## **V. Measures to prevent enforced disappearances (Arts. 16-23)**

### **Reply to paragraph 22**

54. Please refer to the paragraphs 119-122 of the initial report.

### **Reply to paragraph 23**

55. Please refer to the paragraphs 123-130 of the initial report.

### **Reply to paragraph 24**

56. Please refer to paragraphs 126 and 92 of the initial report.

57. Persons in detention are guaranteed prompt and confidential access to a lawyer, including legal aid if they cannot afford representation. They have the right to inform a third party—such as a relative or employer—of their detention without undue delay, and to maintain communication with them, subject to lawful restrictions. Foreign nationals must be informed of their right to contact consular authorities, who should be allowed to visit and communicate with them. These safeguards, enshrined in Directive 2013/48/EU and Article 36 of the Vienna Convention on Consular Relations, uphold the principles of fair trial and procedural justice across Jurisdictions.

### **Reply to paragraph 25**

58. Please refer to the paragraphs 117-130 of the initial report.

59. Pursuant to the accession, the UN Sub-Committee on Torture visited Sri Lanka in April 2019. Sri Lanka has also received visits from other related working groups and special rapporteurs, including the Working Group on Arbitrary Detention, and the Working Group on Disappearances. The Working Group on Enforced or Involuntary Disappearances in 2015, in particular, appreciated that all of the meetings that it requested were accommodated, and additionally appreciated the openness and cooperative disposition of the officials with whom it met.

## **Reply to paragraph 26**

60. Please refer to the paragraphs 125, 140- 143 of the initial report.

61. In addition, amendments to the Prevention of Terrorism Act provide oversight by Magistrates and other independent bodies, such as the HRCSL.

62. According to the recent Amendment to the PTA, Magistrates are duty-bound to visit a place of detention within forty-eight hours from issuing the Detention Order, and at least once a month (during the period of detention), to look into the well being, welfare and conditions under which a person is detained; Persons authorized by the HRCSL are permitted to visit places of detention; The Magistrate shall direct the Inspector General of Police (IGP) to commence an investigation on an alleged torture of a detainee, to enable the Attorney-General to institute criminal proceedings against the perpetrator; Detention Orders issued under the Act shall be subjected to judicial scrutiny under Articles 126, 140 or 141 of the Constitution; Attorneys-at-Law have the right of access to remanded/detained persons and to make representations on their behalf; Suspects remanded/detained shall have the right to communicate with their relatives; In order to mitigate delays, every trial under this Act shall be held on a day-to-day basis, unless exceptional circumstances warrant postponement; The Court of Appeal may release on bail a person remanded/detained under the Act, if the trial has not commenced after the expiration of twelve months from the date of arrest. The High Court is also empowered to release such persons on bail; The High Court may grant bail in circumstances where the trial has not commenced after the expiration of twelve months from the date of such filing.

63. In this regard, the Inspector General of Police has issued instructions whereby there is a de facto moratorium on arrests being made under the PTA. Law enforcement officials have been instructed by the Inspector General of Police to follow due process in the conduct of investigations under the PTA and to use the PTA only in instances of extreme necessity. (The Police circular on PTA related arrests (RTM 540/CRTM 364) was issued on 2022.05.23.)

64. The Ministry of Justice and National Integration has obtained Cabinet approval to appoint a committee to review the existing Anti- terrorism legislation chaired by a senior President's Counsel. The initial discussions were held and further deliberations are taking place. The Committee consists of officials representing the Attorney General's Department, Department of Legal Draftsman, Ministry of Justice and National Integration, Ministry of Defence and National Intelligence, Ministry of Public Security and Parliamentary Affairs, Ministry of Foreign Affairs, Foreign Employment and Tourism, Sri Lanka Police and nominees from Bar Association of Sri Lanka.

65. Comments from the public for the proposed law have been called by paper advertisement, social media and the official websites.

## **Reply to paragraph 27**

66. Please refer to paragraphs 123- 130 and the paragraph 131 of the initial report.

## **Reply to paragraph 28**

67. Please refer to paragraphs 137-139 of the initial report.

68. In addition, the Right to Information Act, No. 12 of 2016 also provides for the right to access information with regard to a person deprived of liberty. Section 25(3) of the Right to Information Act provides that: "where the request for information concerns the life and personal liberty of the citizen, the response to it shall be made within forty-eight hours of the receipt of the request."

**Reply to paragraph 29**

69. Please refer to paragraphs 131- 134 of the initial report.

**Reply to paragraph 30**

70. Please refer to paragraphs 144- 149 of the initial report.

71. The OMP has taken initiative to develop training curricula focusing on the Convention and the OMP Act.

**VI. Measures to protect and ensure the rights of victims of enforced disappearance (art. 24)****Reply to paragraph 31**

72. The Office for Reparations (OR) makes monetary grants to victims of conflict as a form of reparations. The focus of the OR is to assist aggrieved persons in ways that will provide meaningful assistance that is sustainable. Hence, the grant is not intended to serve as compensation but is given as a form of monetary relief. Families of missing persons are included in Livelihood Development Programmes, which have particular focus on women who are the head of households.

73. Families of missing persons are among those to whom monetary grants are made by the OR on receipt of confirmation from the OMP that the person is in fact missing. In terms of section 11(a) of the OR Act No. 34 of 2018, the OR is empowered to “receive recommendations with regard to reparations to be made to aggrieved persons, from the Office on Missing Persons.”

74. Since the year 2022, the OR has received recommendations from the OMP to make payments to claimants in respect of a family member who they confirm are missing, after the conduct of an inquiry by the OMP into complaints made to the OMP by the family member (a claimant). The sum granted is Rs. 200,000/= per missing person, and is the same as the sum granted to applicants who make direct requests to the OR for monetary relief on the basis of the death of a family member.

75. The 3 step procedure followed by the OR on receiving the recommendation from the OMP is as follows:

**Step 1- Obtaining information from family:**

- The letter received from the OMP confirms that the person named therein is reported missing based on documents produced to the OMP, and recommends that a payment be made to the complainant named therein.
- The information in the letter is sometimes inadequate to affirm the identity of the missing person and ascertain whether any previous grants have already been made to the family of that person on a direct application made to the OR. Hence the OR proceeds to obtain necessary information from the OMP and/or the complainant regarding – (1) the identity of the claimant and the missing person (Name, address, NIC number if available), to check from the OR information system whether a payment has been made previously and (2) the Bank Account to which the grant money should be remitted.
- Where appropriate, the OR requests an affidavit from the claimant to state that no member of the family has previously received any payment on account of the death of that family member. A template of the Affidavit is provided by the OR.

**Step 2 – Processing the claim on receiving information:**

- On receiving the required information, the claim is processed to (1) confirm the identity of the claimant and (2) confirm that no previous grants have been made to the family on account of the death of the missing person.
- The OR does not make any judgment on who should receive the grant or the eligibility of the family to receive grant money, and acts purely on the recommendation of the OMP.
- In certain cases, the Claimant rejects accepting a monetary grant and informs OR accordingly. In such cases, no payment is made.

Step 3 – Remittance of grant money to claimant:

- On confirmation of the details, the grant money is remitted to the Bank Account of the Claimant.

76. Accordingly, as at 30 June 2025, Out of 4,676 recommendations submitted by the OMP, 4,197 families/claimants have been granted the revival payment. (the remaining recommendations are, 237 recommendations were duplicates, 49 claimants rejected accepting payments and 150 claims are currently missing details, and awaiting further information).

77. OR has been committed to providing collective reparations since 2023. These initiatives, focused on livelihood and community support, aim to address the complex socio-economic and psychological challenges faced by aggrieved communities across multiple districts, explicitly including families of missing persons.

78. In 2023, the OR successfully implemented 4 collective reparations programs. This commitment grew significantly in 2024, with 17 programs being implemented. Cumulatively, these initiatives have provided vital support to 1,570 conflict-affected individuals, comprising 1,031 women (66%) and 537 men (34%).

79. OR has established a Psychosocial Support (PSS) programme to address the needs of victims affected by conflicts including missing person's families in Sri Lanka. This initiative, developed with technical assistance from the International Organization for Migration (IOM), operates through two key projects: individualized victim-centric support and broader community-based interventions.

80. From 2022, the OR has provided Psychosocial support for Victims of the conflict. Psychosocial support, including counseling, accompaniment, and referrals, was provided to 152 individuals across Tamil- and Sinhala-speaking communities. Among them, 68 were Tamil-speaking individuals (51 women and 17 men) from Ampara, Batticaloa, Trincomalee, Jaffna, Vavuniya, Nuwara Eliya, and Mannar districts. Additionally, 84 Sinhala-speaking individuals (50 women and 34 men) from Kurunegala, Hambantota, Matale, Monaragala, Polonnaruwa, Trincomalee, Gampaha, Anuradhapura, Badulla, Kegalle, Matara, and Galle districts. These efforts resulted in improved mental well-being, strengthened coping mechanisms, and greater social reintegration for conflict-affected individuals.

## Reply to paragraph 32

81. In the absence of a formal complaint the OMP covers all island complaints of alleged disappearances according to the OMP's mandate through the tracking table. OMP is regularly updating the tracking table, which illustrates the information reported in the newspapers and other reports.

82. In the context of forensic capacity building for identifying missing persons, the GoSL has received technical support from the ICRC. This assistance aims to enhance the expertise of the medicolegal community, strengthen forensic methodologies, and contribute to policy discussions on forensic-related issues. By fostering professional and dignified management of human remains in cases of armed conflict, natural disasters, or migration, this collaboration ensures more effective identification and documentation of missing persons.

83. An ante-mortem data collection workshop was conducted in May 2025, followed by an advanced training for OMP officers later that month. These sessions focused on

developing an anti-mortem data form and its practical application. The ICRC collaborated with the OMP during these workshops, facilitating access to expertise from foreign experts. Thereafter, the anti-mortem data form was developed and translated into all three languages, and it will be used in upcoming mass grave investigations.

### **Reply to paragraph 33**

84. Please refer to paragraphs 154-156 of the initial report.

### **Reply to paragraph 34**

85. Sri Lanka remains committed to investigating complaints regarding alleged attacks against human rights defenders and civil society, particularly concerning the intimidation or harassment of relatives of disappeared persons. Multiple national mechanisms are available to receive and investigate such complaints. These include law enforcement authorities and independent institutions such as the Human Rights Commission of Sri Lanka and the National Police Commission. Individuals seeking legal redress can also file Fundamental Rights applications with the Supreme Court of Sri Lanka, as these matters fall within its jurisdiction.

### **Reply to paragraph 35**

86. The OMP provides gender-sensitive reparation and assistance under family revival payment for the missing persons' families. Accordingly, interim relief programs have provided Rs. 200,000 per family as limited financial assistance to some affected families, including women. These programs primarily benefited families of missing persons reported to OMP after the year 2000. Families of missing persons are included in Livelihood Development Programmes, which have particular focus on women who are the head of households.

87. Several NGOs and civil society organizations (CSOs) have implemented psychosocial support programs for war-affected Tamil women, primarily in the Northern and Eastern provinces. In 2024, OMP held eight island-wide CSO meetings to support this effort, successfully reaching districts including Colombo, Jaffna, Kilinochchi, Mullaitivu, Mannar, Vavuniya, Batticaloa, and Matara.

88. Sri Lanka maintains a zero-tolerance policy on sexual and gender-based violence (SGBV). Under the Section 18 of the OMP Act, The Protection Unit and Victim and Witness Protection Unit take measures to address safety, security, protection, and GBV related matters and to handle complaints.

89. From 2016 to 2020, Sri Lanka implemented a National Action Plan to Address SGBV, achieving around 70% of its goals. Building on this, a second Multi-sectoral National Action Plan for 2024-2028 was launched to further strengthen efforts against SGBV.

90. The establishment of the National Commission on Women through the enactment of the Women's Empowerment Act No. 37 of 2024 on 09 July 2024, aims to align with Sri Lanka's international obligations under the CEDAW, create a national policy for women's empowerment, eliminate gender discrimination, and strengthen legal mechanisms to address discrimination, sexual harassment, and violence against women.

91. To protect survivors, safe homes have been set up in eight districts, offering shelter, mental and physical healthcare, counselling, legal and financial aid, and livelihood support. In March 2024, the Cabinet approved National Guidelines for managing these shelters, ensuring consistent and effective care.

92. Counselling services are provided at the grassroots level through officers attached to Divisional Secretariats and specially trained staff at Children and Women's Desks in police stations. Additionally, the Ministry of Women and Child Affairs runs a toll-free helpline (1938) to receive SGBV complaints and provide support.

93. Awareness programmes are being conducted to prevent all forms of violence and abuse, including domestic violence, which is commonly reported at the rural level, and to ensure gender equality, for 1500 beneficiaries identified in 10 divisional secretariats.

## **VII. Measures to protect children against enforced disappearance (Art. 25)**

### **Reply to paragraph 36**

94. The OMP has been mandated to investigate cases of disappeared persons, including possible child victims. The OMP has informed the Family Tracing and Reintegration Unit (FTRU) of the Department of Probation and Child Care Services (DPCCs) of 2,431 tracing applications recorded so far of which 840 are relating to children and the others are relating to youth and adults. The OMP is voluntarily working as an observer to gather DNA samples, maintain family records, and work with the Registrar General's Department, National Child Protection Authority (NCPA) and Probation and Childcare Services to assist in verifying identity and tracing family links. The OMP coordinate with the Children and Women's Bureau of the Sri Lanka Police, NGOs, and international bodies like ICRC.

### **Reply to paragraph 37**

95. Please refer to paragraphs 171-176 of the initial report.

### **Reply to paragraph 38**

96. Sri Lanka's system of adoption and child placement operates under a legal framework that prioritizes the best interests of the child. The adoption process is primarily governed by the Adoption of Children Ordinance No. 24 of 1941 (as amended), while child placement in institutions falls under the Children and Young Persons Ordinance No. 48 of 1939 and the Probation and Child Care Services Act No. 38 of 1999.

97. In cases where adoption, placement, or guardianship arises from enforced disappearance, Sri Lankan law provides mechanisms to review and annul such arrangements. Courts have the authority to invalidate an adoption or guardianship order if it is proven that the child was wrongfully taken from their lawful guardians or if fraud, coercion, or other unlawful means were involved. Furthermore, international legal obligations under the Convention on the Rights of the Child (CRC) and the Hague Convention on Intercountry Adoption reinforce Sri Lanka's commitment to preventing child trafficking and wrongful adoptions.

98. Where an adoption is deemed to have originated from an enforced disappearance, legal recourse is available to restore the child's identity, nationality, and family ties. The Enforced Disappearance Act No. 5 of 2018 strengthens these protections by recognizing enforced disappearance as a continuing crime and ensuring that victims, including unlawfully adopted children, have access to legal remedies.

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