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# Sri Lanka: LLRC Implementation Monitor

LAW &  
GOVERNANCE

Statistical and Analytical Review No. 3

December  
2014

# Sri Lanka: LLRC Implementation Monitor

## Statistical and Analytical Review No. 3

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**December 2014**

This study was compiled by the Legal Research Team of Verité Research. The team comprised **Rehana Mohammed** (principal researcher), **Aloka Kumarage** (data analysis), and **Gehan Gunatilleke** (overall research and editorial supervision).

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The layout and design of pages 7-17 was closely inspired by Foreign Policy, *A World Disrupted: Leading Global Thinkers of 2014* (2014).

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# BACKGROUND

The Lessons Learnt and Reconciliation Commission (LLRC) published its final report on 16 December 2011.<sup>1</sup> On 26 July 2012, the government released a National Plan of Action (NPA) to implement the LLRC's recommendations.

Verité Research published its first report on the LLRC titled *Sri Lanka: LLRC Implementation Monitor – Statistical and Analytical Review No. 1* in November 2012. The report contained an analytical counting and categorisation of the LLRC recommendations, and an assessment of the NPA.<sup>2</sup> However, several revisions of the NPA have taken place since its original release.

The pie charts below depict the extent to which LLRC recommendations were mapped on to the NPA at various stages.<sup>3</sup>

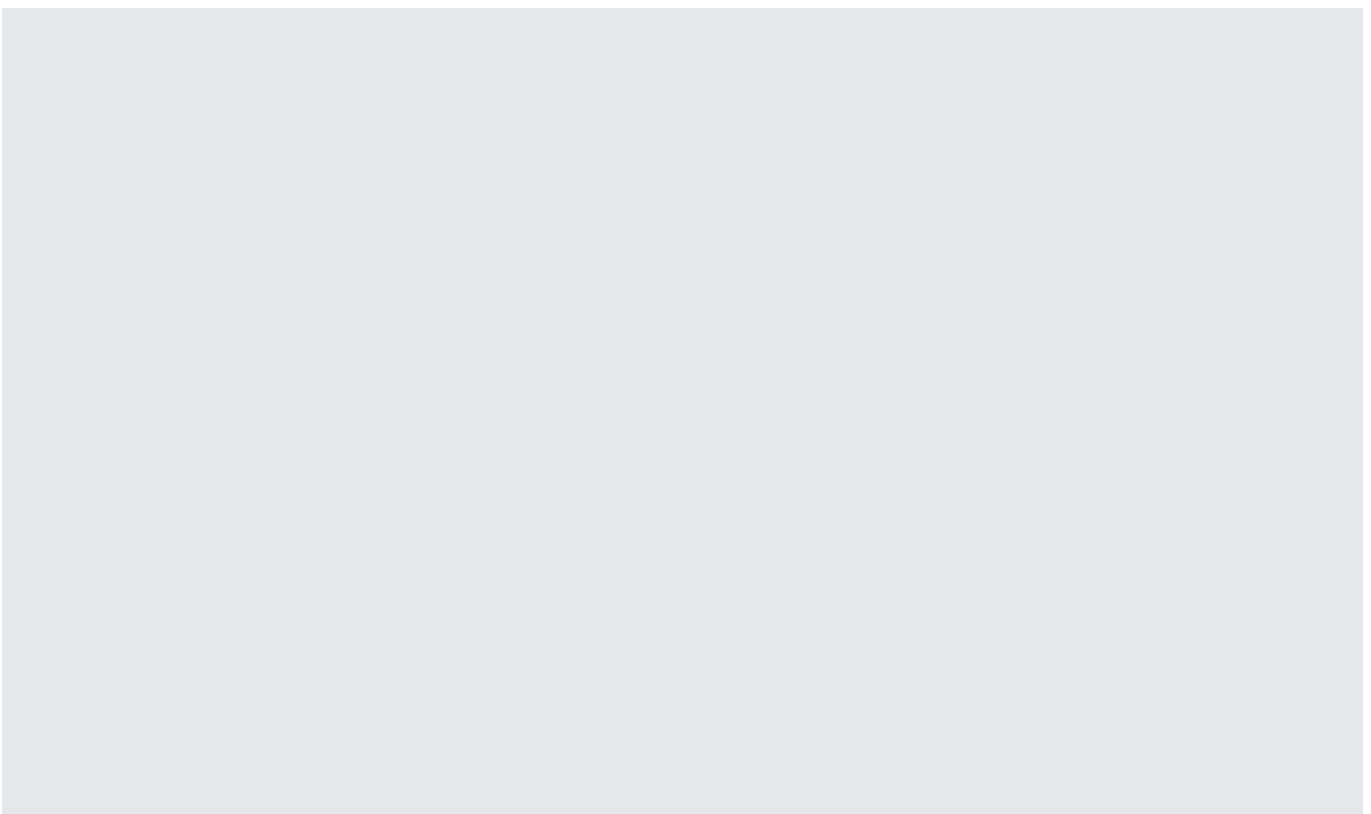
In March 2012, the United Nations Human Rights Council passed Resolution 19/2 on Pro-

moting Reconciliation and Accountability in Sri Lanka.<sup>4</sup> The Resolution specifically called for the implementation of the 'constructive recommendations' of the LLRC. 105 of the LLRC recommendations fall into eight categories of constructive recommendations. One recommendation remains unactionable.<sup>5</sup> In March 2014, Verité Research published *Sri Lanka: LLRC Implementation Monitor – Statistical and Analytical Review No. 2*, which assessed the implementation status of these 105 constructive recommendations.

The Government of Sri Lanka released its latest Monitoring Report on implementing the LLRC's recommendations in September 2014.<sup>6</sup>

Apart from the 105 constructive recommendations (which fall into eight categories), 84 other recommendations fall into three additional categories.

**Figure 1: NPA Mapping**



The categories are as follows:

- Extra-judicial killings and enforced disappearances
- Demilitarisation
- Land dispute resolution
- Detention policy
- Civil institutions
- Devolution of power
- Freedom of expression
- Rule of law
- Languages, social integration and reconciliation
- Return, restitution and development
- Vulnerable groups

**This report provides a detailed account of the implementation status of all 189 actionable recommendations of the LLRC.**

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On 15 August 2013, the President appointed a Commission of Inquiry (CoI) to Investigate Complaints Regarding Missing Persons.<sup>7</sup> The Commission was mandated to investigate complaints regarding missing persons who were resident in the North and East between 10 June 1990 and 19 May 2009. This period was revised thereafter to include incidents which took place between 1 January 1983 and 19 May 2009.<sup>8</sup>

On 15 July 2014, the mandate of this CoI was further expanded to include an inquiry into the following matters:<sup>9</sup>

**A. Matters reported in paragraph 4.359 of the LLRC report:**

- Facts and circumstances that led to the loss of civilian life during the conflict that ended on 19 May 2009; whether any person, group or institution bears responsibility in this regard by violation of international humanitarian law (IHL) or international human rights law (IHRL)
- Whether such loss of life constitutes collateral damage under the laws of armed conflict and IHL
- The adherence to or neglect of the principles

of distinction, military necessity and proportionality under the laws of armed conflict and IHL by the Sri Lankan armed forces

- Whether the LTTE as a non-state actor was subject to IHL in the conduct of its military operations
- The LTTE's use of civilians as human shields and the contribution of this act to the loss of civilian life

**B. The recruitment of child soldiers by the LTTE or illegal armed groups affiliated with the LTTE or any political party**

**C. International criminal activities of the LTTE and the application of financial and other resources obtained through such activities**

**D. The suicide attacks by LTTE and the culpability for such actions under IHL or IHRL**

Sri Lanka has witnessed a proliferation of CoIs mandated to inquire into serious human rights violations.<sup>10</sup> The latest CoI on Missing Persons was appointed despite the fact that its mandate overlapped with the mandates of previous CoIs including the CoI on the Involuntary Removal or Disappearance of Persons in the Northern & Eastern Provinces (appointed in 1994) and the CoI on Involuntary Removal and Disappearances of Certain Persons (All Island) (appointed in 1998). There appears to be a trend of revisiting complaints previously made before past CoIs without necessarily providing meaningful remedies.

The hearings and witness testimonials at previous CoIs were not made public. This lack of disclosure makes a comparative analysis difficult. However, breaking from past practice, the LLRC made transcripts of its public hearings available to the public.<sup>11</sup> The body of information derived from testimonials before the LLRC ought to be analysed for two reasons. First, the information may be used to build on the existing findings and recommendations of the LLRC. For example, it enables further investigation into specific violations of human rights – particularly those that the LLRC did not delve into in its final report. Second, the information can be used to analyse patterns and trends in terms of the types of violations and perpetrators reported. For instance, the complaints relating to missing persons could be compared with data emerging from the latest CoI on Missing Persons.

**This report also provides an initial quantitative analysis of 563 complaints made before the LLRC during its public hearings.**

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The analysis provides a snapshot of the types of violations reported and the alleged perpetrators brought to the attention of the LLRC. The analysis also encourages readers to revisit the original testimonials and assess the potential to further build on the original recommendations of the LLRC.

# METHODOLOGY

The methodology pertaining to this study has been developed in an attempt to create, as far as possible, an objective basis. The methodology involves two assessments:

## 1. Assessment of performance indicators

- Step 1: Quantitative and qualitative assessment of progress in terms of performance indicators. The assessment is carried out in terms of Key Performance Indicators (KPIs) contained in the NPA or independently devised reasonable performance indicators.
- Step 2: Classification of all recommendations into 'fully implemented', '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 has been included in the NPA or not based on previous study *Sri Lanka: LLRC Implementation Monitor – Statistical and Analytical Review No. 1*.
- Step 2: If the recommendation is included in the NPA, assessment of the Planning Framework contained in the NPA (i.e. Legalisation or policy (L); Responsible agency (A); Budgetary allocations (B)).
- Step 3: If the recommendation is not included in the NPA, assessment (based on publicly available information) of steps taken towards the implementation of the recommendation.

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

Figure 2: Methodology

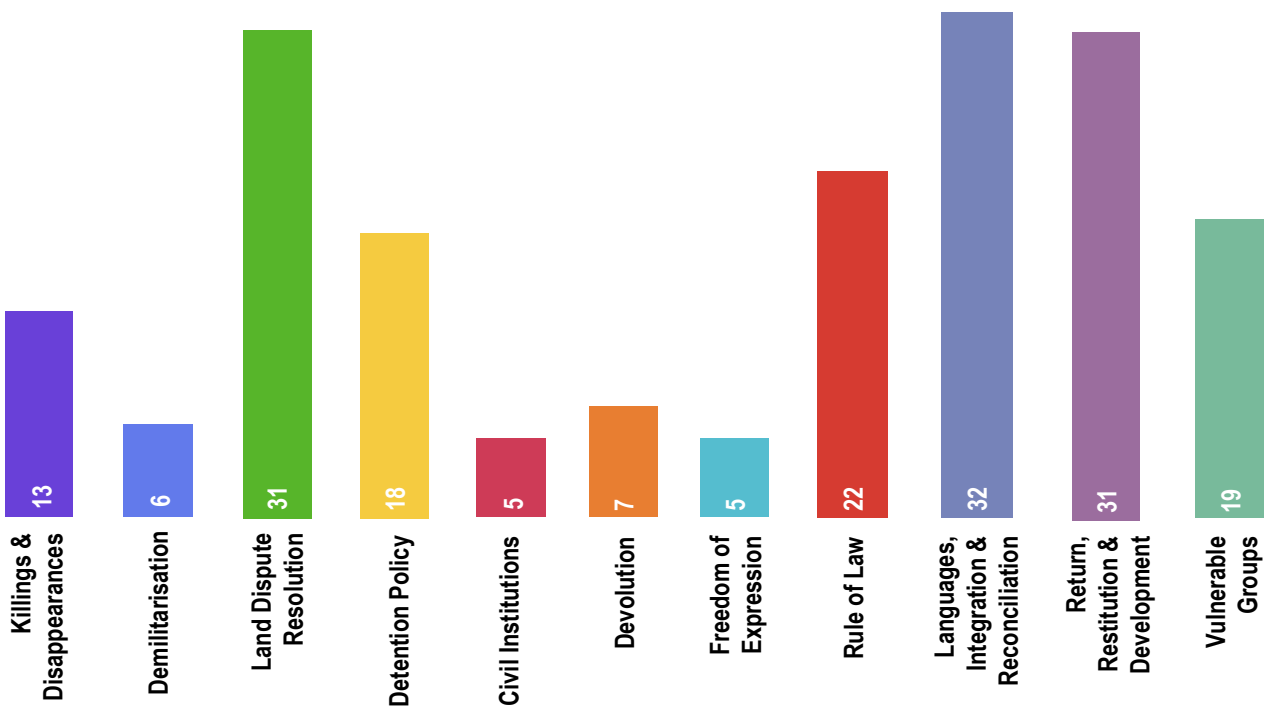
		PERFORMANCE INDICATORS			
		Fully Met	1/2 Met	1/4 Met	Not Met
IMPLEMENTATION PLAN	Workable	Fully Implemented	Partial Progress	Poor Progress	Poor Progress
	Flawed				No Progress
	Not included				

# STATUS OF IMPLEMENTATION

The following section examines the implementation status of 189 LLRC recommendations. The recommendations are categorised as follows:

- Extra-judicial killings and enforced disappearances
- Demilitarisation
- Land dispute resolution
- Detention policy
- Civil institutions
- Devolution of power
- Freedom of expression
- Rule of law
- National languages, social integration and reconciliation
- Return, restitution and development
- Vulnerable groups

Figure 3: Number of recommendations by category





# KILLINGS & DISAPPEARANCES



The LLRC report presented 13 recommendations on credibly investigating widespread allegations of extra-judicial killings and enforced disappearances.

7.7%

**1**

COMPLETED

7.7%

**1**

PARTIAL  
PROGRESS

76.9%

**10**

POOR  
PROGRESS

7.7%

**1**

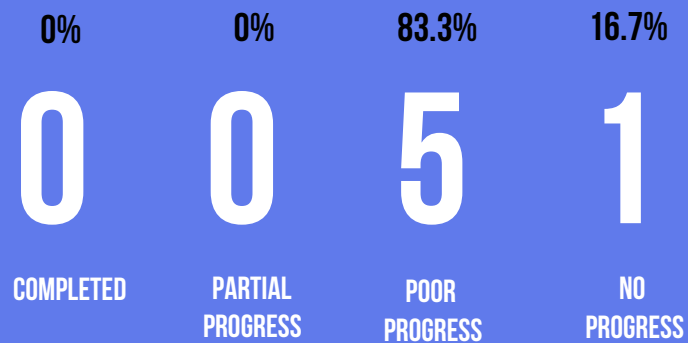
NO  
PROGRESS

[CLICK HERE TO SEE ANNEXURE](#)

# DEMILITARISATION



The LLRC report presented 6 recommendations on the subject of demilitarisation.

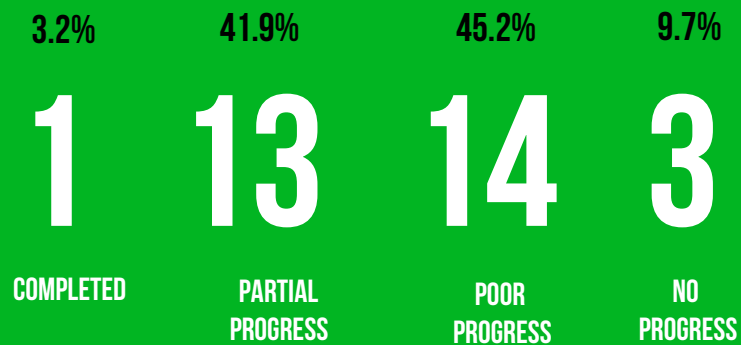


[CLICK HERE TO SEE ANNEXURE](#)

# LAND DISPUTE RESOLUTION



The LLRC report presented 31 actionable recommendations on the subject of land dispute resolution. One recommendation is not actionable.

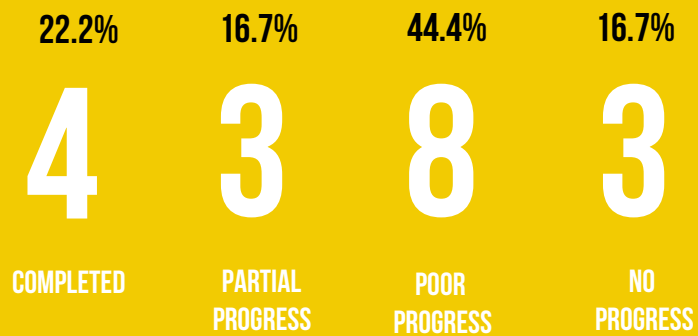


[CLICK HERE TO SEE ANNEXURE](#)

# DETENTION POLICY



The LLRC report presented 18 recommendations on re-evaluating detention policies.



[CLICK HERE TO SEE ANNEXURE](#)

# CIVIL INSTITUTIONS



The LLRC report presented 5 recommendations on strengthening formerly independent civil institutions.

20%

1

COMPLETED

20%

1

PARTIAL  
PROGRESS

20%

1

POOR  
PROGRESS

40%

2

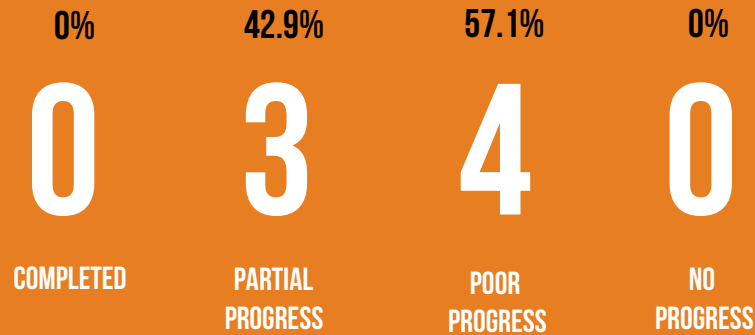
NO  
PROGRESS

[CLICK HERE TO SEE ANNEXURE](#)

# DEVOLUTION



The LLRC report presented 7 recommendations on devolution of power in Sri Lanka.



[CLICK HERE TO SEE ANNEXURE](#)

# FREEDOM OF EXPRESSION



The LLRC report presented 5 recommendations on promoting and protecting freedom of expression.

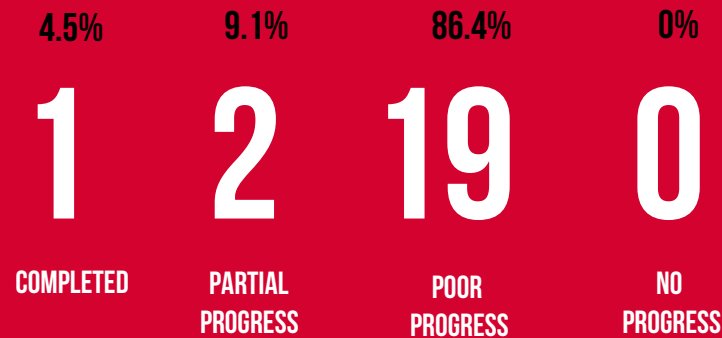


[CLICK HERE TO SEE ANNEXURE](#)

# RULE OF LAW



The LLRC report presented 22 recommendations on rule of law reforms.



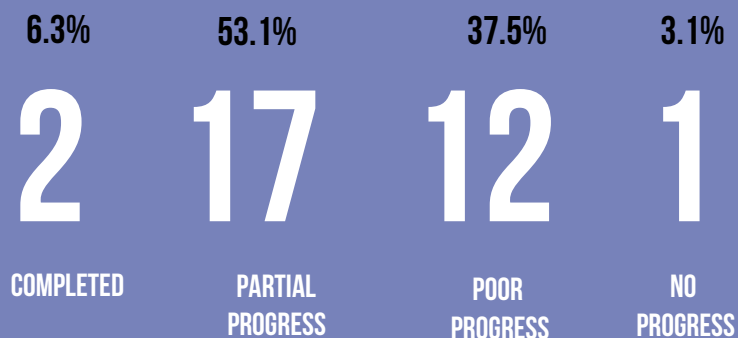
[CLICK HERE TO SEE ANNEXURE](#)



# LANGUAGES, INTEGRATION & RECONCILIATION



The LLRC report presented 32 recommendations on national languages, social integration and reconciliation.



[CLICK HERE TO SEE ANNEXURE](#)

# RETURN, RESTITUTION & DEVELOPMENT



The LLRC report presented 31 recommendations on return of displaced persons and refugees, restitution (including compensation for and rehabilitation of victims of the conflict), and development.

16.1%

5

COMPLETED

38.7%

12

PARTIAL  
PROGRESS

35.5%

11

POOR  
PROGRESS

9.7%

3

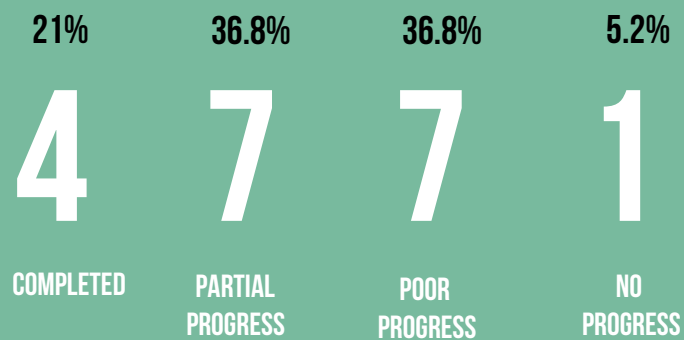
NO  
PROGRESS

[CLICK HERE TO SEE ANNEXURE](#)

# VULNERABLE GROUPS



The LLRC report presented 19 recommendations on addressing the concerns of certain vulnerable groups. These groups include women, children, the elderly and the disabled.



[CLICK HERE TO SEE ANNEXURE](#)

# ANALYSIS OF ORIGINAL COMPLAINTS

In addition to hearings in Colombo, the LLRC undertook field visits to 36 locations. Members of the public were afforded an opportunity to make their representations either *in camera* or in public. The LLRC published the transcripts of its public hearings. However, it maintained confidentiality with respect to representations made *in camera* and written submissions. Accordingly, this publicly accessible body of information provides an important insight into the multiple forms of rights violations experienced by affected civilians.

The material placed before the LLRC through these testimonials included detailed complaints of specific rights violations as recalled by the victims themselves or other witnesses. Many of these complaints warrant investigation beyond the consideration afforded to them in the LLRC's final report.

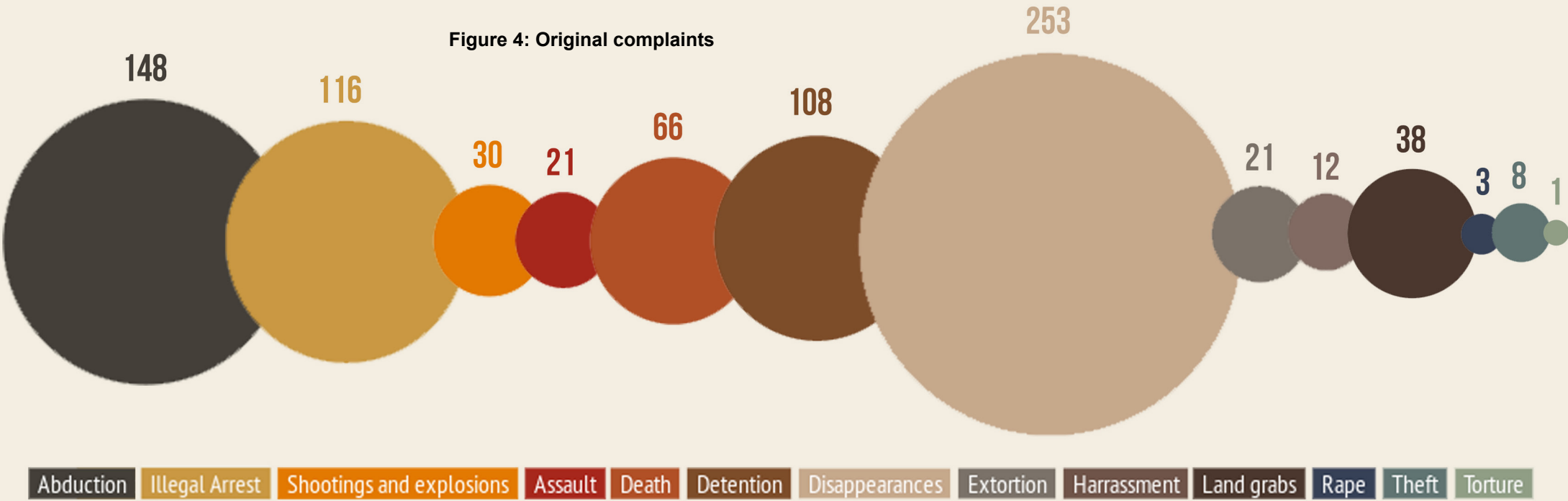
For example, the LLRC heard a complaint on torture and sexual abuse during its public hearing

in Kalmunai. The victim claimed she was abducted by a group of ten persons (including an individual by the name of Iniya Barathi) who then assaulted, sexually harassed and tortured her.<sup>12</sup>

The final report of LLRC only provides a general discussion on principles of IHL relating to torture and presents recommendations on the need to ensure the security of women in former conflict areas. The report does not explore in depth the issues of torture and sexual violence by armed groups. Hence there exists an opportunity to further examine the original complaints made before the LLRC and build on its initial findings and recommendations. We anticipate there will be more opportunities of this nature.

The following interactive figure classifies complaints made before the LLRC during its public hearings. Complaints are classified by type of violation, perpetrator, and according to the district in which the complaints were heard.

Figure 4: Original complaints



# CONCLUSION

In September 2014, the Government of Sri Lanka claimed that it had fully implemented a significant number of LLRC recommendations. According to the latest Monitoring Report, the implementation of 55 recommendations was 'completed', while the implementation of a further 109 recommendations was 'ongoing'. The government has not reported on progress relating to the remaining 25 recommendations.

[See Annex: Progress as per GoSL – Completed](#)

[See Annex: Progress as per GoSL – Ongoing](#)

[See Annex: No GoSL Comments on Progress](#)

A statistical and analytical study of available information reveals that the overall status of implementation with respect to the 189 actionable LLRC recommendations is poor.

The implementation of 19 recommendations has been 'completed'. This figure constitutes 10.1% of the total number of recommendations. Of these recommendations, 13 have been reported as 'completed' by the government.

[See Annex: Completed](#)

We assess that 'partial progress' has been made in implementing 59 recommendations. This figure constitutes 31.2% of the total number of actionable recommendations. According to the government, implementation of eight of these recommendations has been 'completed'. The government also reports that implementation with respect to 44 of these recommendations is 'ongoing'. There are no official reports on progress relating to the remaining seven recommendations.

[See Annex: Partial Progress](#)

We assess that 'poor progress' has been made in implementing 95 recommendations. This figure constitutes approximately half (i.e. 50.3%) of the total number of recommendations. According to the government, implementation of 30 of these recommendations has been 'completed'. It also reports that implementation with respect

to 59 of these recommendations is 'ongoing'. There are no official reports on progress relating to the remaining 6 recommendations.

[See Annex: Poor Progress](#)

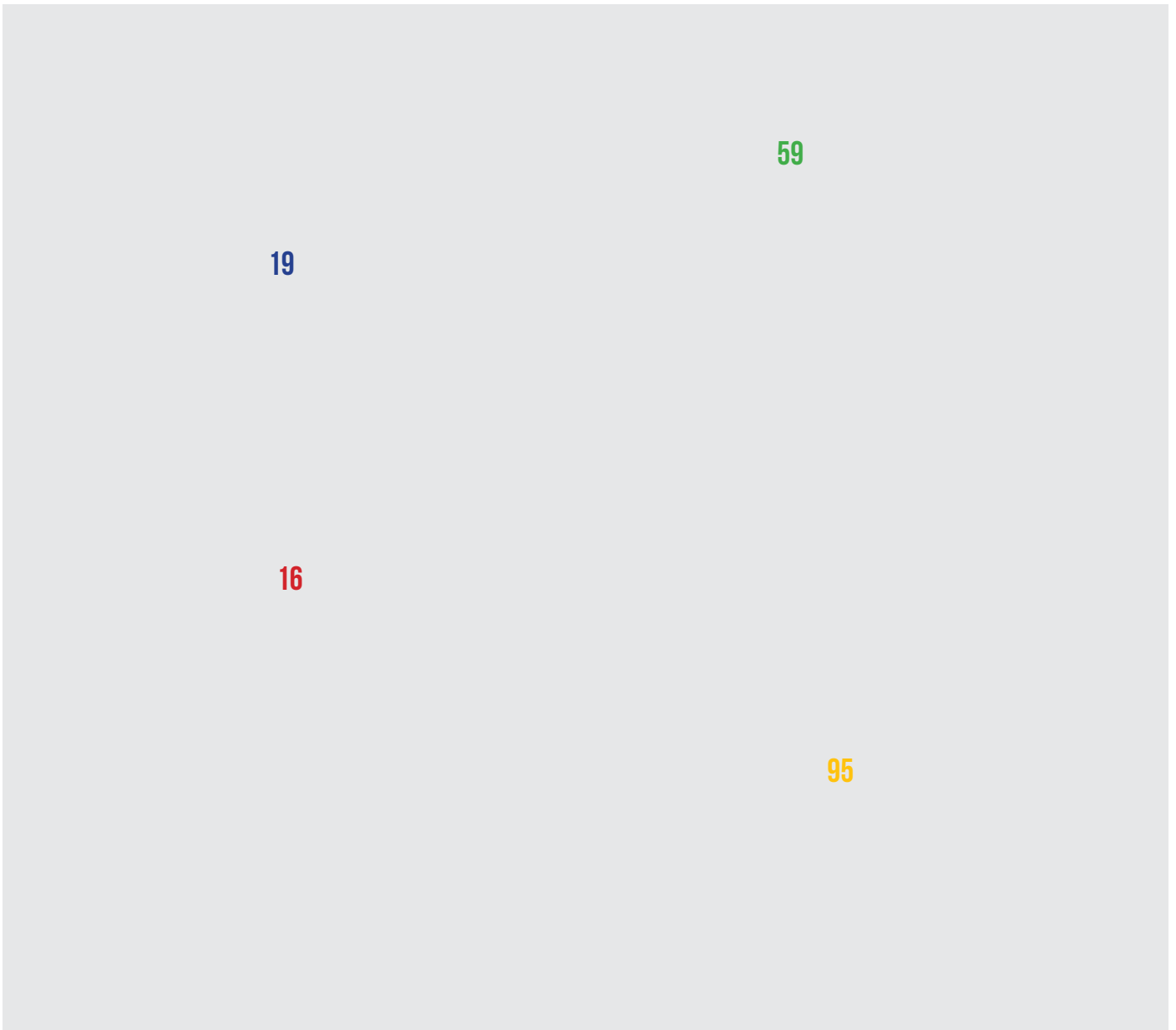
Finally, we assess that 'no progress' has been made with respect to 16 recommendations. This assessment is based on the fact that none of the performance indicators pertaining to these recommendations have been met to any degree, in addition to which the implementation plans pertaining to these recommendations are either non-existent or flawed. This figure constitutes 8.5% of the total number of actionable recommendations. According to the government, implementation of four of these recommendations has been 'completed', while implementation with respect to one recommendation is 'ongoing'. There are no official reports on progress relating to the remaining 11 recommendations.

[See Annex: No Progress](#)

The forgoing analysis raises doubts with regard to the credibility of official reports on the implementation status of LLRC recommendations. For instance, the government's claim that it has completed the implementation of 55 recommendations needs to be revisited, as many of these recommendations are yet to be fully implemented.

Moreover, as discussed in this study, the transcripts of the LLRC's public hearings offer a valuable body of information pertaining to the nature of rights violations originally reported to the LLRC. Our analysis reveals the potential for serious gaps between this body of information and the LLRC's final recommendations (e.g. incidents relating to sexual violence and torture). Therefore, this study identifies an important opportunity to build on the work of the LLRC through a reappraisal of existing information on rights violations.

**Figure 5: Status of implementation**



# END NOTES

<sup>1</sup> *Report of the Commission of Inquiry on Lessons Learnt and Reconciliation* (November 2011) [hereinafter: 'LLRC Report'].

<sup>2</sup> See Verité Research, *Sri Lanka: LLRC Implementation Monitor - Statistical and Analytical Review No. 1* (November 2012), pp. 12 for details on the methodology used to assess the extent of mapping.

<sup>3</sup> See Verité Research, *Sri Lanka: LLRC Implementation Monitor - Statistical and Analytical Review No. 2* (March 2014), pp. 1 for a chronology of changes made to the NPA and the extent to which recommendations were mapped at each stage.

<sup>4</sup> United National Human Rights Council, 19th Session, Resolution on Promoting Reconciliation and Accountability in Sri Lanka (A/HRC/RES/19/2).

<sup>5</sup> The recommendation contained in paragraph **9.139** of the LLRC Report is not actionable. The recommendation calls on the government to give all families who have been secondary occupants - whether at the behest of LTTE or not - land, if the lands they currently occupy are awarded to the genuine original permit holders on the results of the Investigating Committee [In terms of Land Circular 2011/04] decisions. This recommendation is not actionable, as the 'Investigating Committees' envisaged under the original Land Circular No. 2011/04 have been omitted in the new Land Circular No.2013/01. Also see Verité Research, *Sri Lanka: LLRC Implementation Monitor - Status of Implementation - Vol.1 No.1: Land Dispute Resolution* (October 2013).

<sup>6</sup> See <http://www.llrcaction.gov.lk/completed>. Also see Government of Sri Lanka, *National Plan of Action for the Implementation of LLRC Recommendations - Responsibilities by Thematic Area* (September 2014).

<sup>7</sup> Gazette Extraordinary No. 1823/42 on 15 August 2013.

<sup>8</sup> Gazette Extraordinary No. 1855/19 on 25 March 2014.

<sup>9</sup> Gazette Extraordinary No. 1871/18 on 15 July 2014.

<sup>10</sup> Law and Society Trust, *A Legacy To Remember; Sri Lanka's Commissions Of Inquiry 1963 - 2002; A Reference Guide to Commission Reports with a Tabulated List of Recommendations* (September 2010)

<sup>11</sup> The transcripts of the LLRC public hearings are available at [http://www.llrc.lk/index.php?option=com\\_content&view=article&id=26&Itemid=29](http://www.llrc.lk/index.php?option=com_content&view=article&id=26&Itemid=29). For more information on public access to the transcripts, see Groundviews, *Who really supports reconciliation in post-war Sri Lanka?* 20 March 2012, available at <http://groundviews.org/2012/03/20/who-really-supports-reconciliation-in-post-war-sri-lanka/>.

<sup>12</sup> Iniya Barathi is alleged to be associated with paramilitary groups including the TMVP. According to a report in *The Sunday Leader* on 29 January 2012, he was appointed as the Sri Lanka Freedom Party organiser for Amparai District. We also note that, following her appearance before the LLRC, the victim was summoned for questioning by the Criminal Investigation Department (CID) over her testimonial and later identified by name in the media. See 'LLRC Witness Rattled by CID Summon' *BBC News*, 12 November 2011, [www.bbc.co.uk/sinhala/news/story/2011/11/111112\\_llrcwitness.shtml](http://www.bbc.co.uk/sinhala/news/story/2011/11/111112_llrcwitness.shtml) [Last accessed 4 December 2014].



# ANNEX: KILLINGS & DISAPPEARANCES

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	9a	Investigate material implicating Security Forces in death and injury to civilians; prosecute wrongdoing thereupon.	1	<p>1. Complete ongoing disciplinary process being conducted in terms of Armed Forces statutes.</p> <p>2. Upon conclusion, take follow up action to prosecute, where relevant.</p> <p>3. Use the existing system as provided for in the Criminal Procedure Code to originate a complaint and give such mechanism sufficient publicity.</p>	Fully included		<p>1) Ministry of Defence</p> <p>2) Ministry of Defence</p> <p>3) Ministry of Justice</p> <p>4) Attorney General's Office</p>	<p>1) Disciplinary inquiries concluded</p> <p>2) Offenders prosecuted</p> <p>3) Cases filed in Court</p>	Jun-14	Lapsed	<p>Mandate of the Commission of Inquiry to investigate complaints regarding missing persons expanded in July 2014 to include inquiry into the 'principal facts and circumstances that led to the loss of civilian life' and 'whether any person, group or institution directly or indirectly bears responsibility in this regard' by violations of IHL or IHLR, whether this loss of life constitutes proportionate collateral damage, and whether they were either the deliberate or unintended consequence of the rules of engagement during the armed conflict.</p> <p>The Army Court of Inquiry concluded its investigations into allegations regarding civilian casualties in Feb 2013. Investigation of allegations of summary executions of captured persons is on-going.</p>	Ongoing	<p>Army Board on LLRC Recommendations called for an Army Board of Inquiry to be appointed in its report released on 24 January 2013.</p> <p>Navy BoI exonerated - June 2013 Monitoring Report.</p> <p>Army CoI exonerated - November 2013 Monitoring Report.</p> <p>Three military bodies have described the LLRC's findings pertaining to civilian deaths caused by security forces as either inadequate or baseless.</p> <p>Commission of Inquiry on missing persons appears to be reconsidering allegations of civilian deaths. Its term has been extended to 15 February 2015.</p>	Poor progress
2	23	Conduct investigations into specific cases of surrender to the Army; prosecute members of Army responsible for disappearances after surrender to official custody thereupon.	1	Refer to 9.51a	Fully included		Refer to 9.51a	Refer to 9.51a	Jun-14	Lapsed	Refer to 9.51	Ongoing	<p>Initially the CID was to investigate - August 2013 Monitoring Report</p> <p>Investigation was thereafter transferred to the Commission of Inquiry to investigate complaints regarding missing persons.</p> <p>Annex 4.15 of the LLRC report lists at least 45 complaints. The Defence Secretary has claimed there were only 26 incidents. (<a href="http://www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/">www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/</a>)</p>	Poor progress

## Annex: Killings & disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
3	37a	Investigate reported cases of deliberate attack on civilians; take appropriate legal action thereupon.	1	Refer 9.9a	Fully included		Refer 9.9a	Refer 9.9a	Jun-14	Lapsed	Refer to 9.9a	Ongoing	Refer to 9.9a	Poor progress
4	39	Initiate an independent investigation to determine truth of allegations in Channel 4 documentary video footage.	1	Refer to 9.9, 9.37a	Partly included	Not 'independent'			Jun-14	Lapsed	Refer to 9.9a	Ongoing	No independent investigation has been planned.	Poor progress
5	41	Ensure and facilitate the confidentiality and protection of information and informants during independent investigation into issues raised by Channel 4 documentary.	1		Not included	No reference to confidentiality				N/A		None	No information on Col procedure.  Draft Bill for the Assistance and Protection of Victims of Crime and Witnesses is under consideration. The Protection Division proposed under the Bill falls under the purview of the Police department, hence lacks independence.	Poor progress

## Annex: Killings & disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
6	46	Direct law enforcement to take immediate steps to ensure that allegations of abductions, involuntary disappearances and arbitrary detention are investigated; prosecute wrongdoers thereupon.	1	<p>1. Identify impediments, if any, to the effective enforcement of the law. That the offences are visited with serious sanctions</p> <p>2. Strengthen investigation skills of Police.</p> <p>3. Strengthen access to justice.</p> <p>4. Enhance the capacity of the Police to put in place a more effective surveillance mechanism of the locality in cooperation with the local community and establish community policing.</p>	Fully included		<p>Ministry of Defence/ Police Department</p> <p>Legal Aid Commission, CBO's, Ministry of Justice, Police Department</p>	<p>1) Impediments identified and remedial action taken</p> <p>2) Programmes to strengthen skills integrated into Police training modules</p> <p>3) Access to justice programmes identified and implemented by establishing community policing units</p>	Mar-14	Lapsed	<p>Steps have been taken to enhance capacity of law enforcement. 2,544 cases have been inquired into by the police to date. 380 cases are being investigated by the TID. Over 70 legal aid centres function islandwide - September 2014 Monitoring Report.</p>	Ongoing	<p>The TID is an inappropriate body. Special Rapporteur on Torture, Manfred Nowak has previously observed: 'a considerable number of clearly established cases of torture by TID...together with various efforts by TID to hide evidence and to obstruct the investigations of the Special Rapporteur'.</p> <p>According to the January 2014 Monitoring Report, the TID had traced 14 persons. However according to the July and September 2014 Monitoring Reports, the total number of those traced had dropped to 12.</p> <p>According to the Asian Forum for Human Rights and Development, there have been numerous delays in habeas corpus cases filed by family members of the disappeared due to: the State not filing objections in time; Police officers and Ministers summoned not appearing before courts; State Counsel not turning up; Magistrate not being present; and more recently, due to a decision by the Judicial Services Commission to appoint a special Magistrate to hear some of the cases. In the case of the disappearance of Mr Prageeth Eknaigoda, Anura Shantha Jayasundara, a Police officer failed to appear before the courts 11 times and the former minister of Media, Mr Lakshman Yapa Abeywardena twice. State Counsel and a Magistrate had not turned up for some case hearings of habeas corpus cases filed by family members of persons who had disappeared after surrendering to the Army at the end of the war in May 2009. These cases were also delayed due to the state not filing objections in time. (Written statement submitted by the Asian Forum for Human Rights and Development at the 27th sessions of the UNHRC, September 2014 (A/HRC/27/NGO/91))</p>	Poor progress

## Annex: Killings & disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
7	48	Implement immediately the recommendations of past commissions in regard to establishing a special mechanism to address the issue of missing persons and deter future occurrences.	1	1. Establish a Committee to strengthen current initiatives and identify new strategies to address the issue of missing persons, including issues of families of missing persons.	Partly included	Included in July 2013. No special mechanism	Presidential Secretariat	1) Committee convened  2) New strategies identified  3) Implementation of new initiatives commenced	1) January 2014  2) March 2014  3) June 2014	Lapsed	Ministry of Defence and the ICRC continue to collaborate on the issue of missing persons. Col on missing persons established in August 2013. The TID has thus far traced 12 people - September 2014 Monitoring Report.	Ongoing	No special mechanism has been established. No details on how the recommendations of past Cols have been taken on board to avoid duplication.	Poor progress
8	50a	Trace whereabouts of missing persons in cooperation with relevant agencies, especially the ICRC; ensure reunification of missing persons with their families	1	See 9.48	Fully included		See 9.48	See 9.48	See 9.48	Lapsed	The ICRC and the Ministry of Defence continue to collaborate on the issue of missing persons. ICRC's Family Needs Assessment is currently underway. The TID has traced 12 persons thus far, who have been rehabilitated and reunited with their families - September 2014 Monitoring Report.	Ongoing	According to the Annual Report (2013) of the ICRC, the authorities allowed the ICRC to resume its tracing activities in the northern province for potential cases related to the armed conflict and nearly 30 families confirmed being reunited with previously missing relatives. 95 new tracing requests were registered, 55 individuals were located, and ICRC was attempting to trace 16,137 people by 2013.  Thus far, the Col on missing persons has received 19,591 complaints which are currently being investigated.  According to the January 2014 Monitoring Report, the TID had traced 14 persons. However according to the July and September 2014 Monitoring Reports, the total number of those traced had dropped to 12.	Poor progress
9	50b	Keep families informed of progress towards locating their missing loved ones.	1		Not included	No action to keep families informed				N/A		None	No specific action taken. Frequent reports of harassment and intimidation of families of the disappeared.  See: Written statement submitted by the Asian Forum for Human Rights and Development at the 27th Sessions of the UNHRC in September 2014 (A/HRC/27/NGO/91)	No progress

## Annex: Killings & disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
10	51a	Appoint a Special Commissioner of Investigation for alleged disappearances; provide material to the Attorney General for prosecution. Provide the Commissioner with experienced investigators	1	1. Appoint the Commission	Partly included	No Special Commissioner of Investigation	Presidential Secretariat	1) COI Appointed 2) Follow up action identified 3) Relevant material forwarded to AG	Jan-13	Lapsed	The term of the Col appointed in August 2013 has been extended to February 15, 2015. 19,591 complaints received, out of which 939 have been inquired into. A five-member Advisory Council which includes internationally recognised legal experts was appointed to advise the Commission - September 2014 Monitoring Report.	Completed	Mandate of the Col limited to disappearances of those resident in two provinces (the North and East) which took place between January 1983 and May 2009.  Proliferation of Cols not consistent with LLRC's call for a 'Special Commissioner of Investigation'.	Poor progress
11	51b	Devise a centralized system of data collection for all information regarding missing persons.	1	Establish an integrated data base to collate information regarding missing persons.	Fully included		Dept. of Census & Statistics Ministry of Defence	Centralised system of data collection in place	Jan-13	Delayed	Commission's website was launched in May 2014 - July 2014 Monitoring Report.	Completed	A family member of a missing person can make a complaint through the website of the Col on Missing Persons ( <a href="http://www.pcicmp.lk">www.pcicmp.lk</a> ), in addition to direct complaints to the commission. Data on missing persons is also collected through the Census on Death/ Injuries to Persons and Property Damages due to Conflict 2013 and ICRC's Family Needs Assessment. System now appears to be centralized.  See: <a href="http://www.llrcaction.gov.lk/en/news/684-icrc-to-begin-needs-assessment-of-missing-persons-families-in-september.html">www.llrcaction.gov.lk/en/news/684-icrc-to-begin-needs-assessment-of-missing-persons-families-in-september.html</a> and <a href="http://llrcaction.gov.lk/assets/downloads/reports/InterimReport-CensusDeathProperty-Feb-27-2014.pdf">http://llrcaction.gov.lk/assets/downloads/reports/InterimReport-CensusDeathProperty-Feb-27-2014.pdf</a>	Completed
12	59	Frame domestic legislation to specifically criminalize enforced or involuntary disappearances.	1	1. Examine the need for legislation  2. Formulate and present law to Parliament, if law reform is found to be necessary with emphasis on the need to impose heavy terms of imprisonment as a deterrent.	Fully included		Ministry of Justice Attorney-General's Dept. Police Department	1) Review of laws completed  2) Legislation drafted and presented to Parliament, if found necessary	Dec-14	Pending	Draft Amendments to existing legislation sent to the Attorney General for observations - September 2014 Monitoring Report.	Ongoing	September 2014 Monitoring Report records the same update as the January 2014 Monitoring Report, that the draft was sent to the AG. Extent of implementation is contingent on the draft.	Partial progress

## Annex: Killings & disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
13	120	Implement the recommendations of the Report of the Presidential Commission of Inquiry Appointed to Investigate and Inquire into Alleged Serious Violations of Human Rights Arising Since August 2005, particularly those relating to further investigation and prosecution of offenders involved in the incidents of the death of 5 students in Trincomalee in January 2006 and 17 aid workers of the ACF in August 2006.	1	1. Examine recommendations of Committees  2. Ensure follow up on recommendations are implemented	Fully included		Attorney General and Department of Police	Recommendations implemented.	No timeframe specified		Case pertaining to Trincomalee incident and investigations into Muttur incident ongoing - September 2014 Monitoring Report (more details available in report).	Ongoing	Report of the Udalagama Commission was not published so recommendations are unknown. Investigations into the two incidents have begun, but no information has been provided on other incidents.	Poor progress

# ANNEX: DEMILITARISATION

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	117	Remove any remaining restrictions on visiting places of worship including access to places in HSZs with the only exception being made in respect of the restrictions necessitated by mine-clearance activities.	2	1. Identify existing restrictions, if any  2. Remove restrictions, if any	Fully included		Ministry of Religious Affairs	Restrictions if any, removed	Jul-13	Lapsed	No progress reported in any Monitoring reports.	None	Civilian access in the only de facto HSZ (Palaly) is to the airport and harbour.	Poor progress
2	134a	Disengage Security Forces from all civil administration related activities as rapidly as possible.	2		Not included	No reference to disengagement. 134b is included but not 134a				N/A		None	Military continues to be involved in maintaining public order under the Public Security Ordinance through monthly gazette notifications. See Gazette Extraordinary No.1891/7 (December 2014)	No progress
3	134b	Confine use of land for security purposes; expedite release of maximum extents of such land; while taking into account security concern; accord primacy to the policy objective of allowing people to settle in areas convenient to them.	2	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Partly included	No reference to according primacy to policy objective of allowing people to settle in areas convenient to them	Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	Completed - July 2014 Monitoring Report.  Monitoring reports since February state that implementation is complete and 'Only Civil Officers in charge of land matters have been deployed under the new Circular.'	Completed	According to the report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Sri Lanka, land use by the military for security and non-security purposes continues to prevent IDP access to return areas. There is little or no consultation with IDPs regarding relocation, and concerns remain regarding access to livelihood activities in new villages where they have been settled. (A/HRC/26/33/Add.4, submitted at the 26th sessions of the UNHRC in June 2014)  According to Comments by the Government of Sri Lanka on the SR's report, land belonging to 185 families is currently occupied by the military, and a balance of 67 families have not been able to prove ownership of land. All families have been provided land in Keppapilavu Model Village. (A/HRC/26/33/Add.6, submitted at the 26th sessions of the UNHRC in June 2014)	Poor progress

## Annex: Demilitarisation

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
4	142a	Subject the two existing HSZs in Palaly and Trincomalee-Sampoor, as well as small extents of private land currently utilized for security purposes in the districts, to review; release more land while keeping national security needs in perspective.	2	Consequent to the review already completed – a) Release lands where possible; b) Take steps to relocate or to pay compensation acting under applicable Statutes (Land Acquisition Act).	Fully included		(a) Ministry of Defence (b) Ministry of Lands	a) Lands released b) Re-location completed c) Compensation paid	a) No timeframe specified b) Jan 2013 c) July 2015	Pending	20,011 acres of private land and 5740 acres of state land in North and East released; Sampur HSZ declared a Development Zone under Bol - January 2014 Monitoring Report.  No new releases of land reported since.	Ongoing	Some land has been released but new acquisitions take place in North and East: 9,717 acres + 17,489 acres in August 2013 report; 4,058 ha (10,023 acres) in November 2013 report.  Landowners illegally restricted from entering their land in Sampur SEZ. Legality of SEZ has been challenged in Court. See case study on Sampur in Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka (CPA 2013)  A vast majority of the 6,000 acres of land acquired in April 2013 in Jaffna is privately owned, but hosts 32 military camps and instalments - Report of the Special Rapporteur on the human rights of IDPs (June 2014).	Poor progress
5	171	Phase out the involvement of the Security Forces in civilian activities and use of private lands by the Security Forces; give reasonable time lines.	2	1. Formulate Plan for further reducing involvement of Security Forces in civilian work. (95% already withdrawn from civilian duties) having regard to the experiences of the reconciliation programmes	Fully included		Ministry of Defence	A marked reduction or withdrawal of security force personnel for civil activities	Jan-13	Lapsed	Completed - February 2013 Monitoring Report.  Involvement of security forces in resettlement and reconstruction activities in the immediate aftermath of the conflict proved crucial but this is being gradually phased out - September 2014 Monitoring Report.	Completed	According to a media report published in May 2013, over 6,000 acres of private land was acquired in Valikamman North, Jaffna. Over 2,000 residents challenged the acquisition in court. ( <a href="http://www.ft.lk/2013/05/31/appeals-court-issues-notice-on-respondents-in-jaffna-land-acquisition-cases">www.ft.lk/2013/05/31/appeals-court-issues-notice-on-respondents-in-jaffna-land-acquisition-cases</a> ).  One out of its eight basic principles of the government's Draft resettlement policy framework is that Sri Lanka Security Forces are to be a partner of the resettlement process. (See: <a href="http://resettlementmin.gov.lk/site/media/pdf/english/Resettlement%20Policy%2007-11-13.pdf">http://resettlementmin.gov.lk/site/media/pdf/english/Resettlement%20Policy%2007-11-13.pdf</a> )  See 134a and 227	Poor progress



## Annex: Demilitarisation

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
6	227	Revert the Northern Province to civilian administration in matters relating to the day-to-day life of the people, and in particular with regard to matters pertaining to economic activities such as agriculture, fisheries land etc.; Recede military presence to the background.	2	Refer 9.171	Partly included		Refer 9.171	Refer 9.171	Jan-13	Lapsed	<p>Completed - February 2013 Monitoring Report.</p> <p>The present strength of security forces in the Jaffna peninsula has been reduced by 30% from 2009 to 2013, is currently approximately 15,000. Gradual reduction of security forces presence is continuing - July 2014 Monitoring Report.</p>	Completed	<p>No reduction in military presence reported in progress reports.</p> <p>According to a Protection Assessment of Sri Lanka IDPs carried out by the UNHCR in June 2013, an estimated 57 per cent of respondents reported a military presence or a checkpoint less than a mile from their homes, 87 per cent of respondents said they had been registered by the military, and a third said they had been interviewed by the military or the CID. It was reported that military personnel in the north were involved in commercial activities, either in partnership with their relatives or with other people from outside the north.</p> <p>In its comments on the Report of the Special Rapporteur on the human rights of internally displaced persons at the 26th sessions of the UNHRC in June 2014, the government has stated that commercial activity by military including hotels is for the welfare of military personnel and their families (A/HRC/26/33/Add.6).</p> <p>Military still engages in economic activity:  Agriculture: the army runs farms in Ella-Kantale, Kuttigala, Diyatalawa, Paanalawa, Habarakada, Ekala, Kandakadu, Udayarkattukulam, Menik Farm, Nachchikuda, Kohilawaguruwatta, Palali and Wellakulam areas covering land extent of 2196 acres in total (<a href="http://www.army.lk/detailed.php?NewsId=4343">www.army.lk/detailed.php?NewsId=4343</a>)  Tourism: <a href="http://www.thalsevanaresort.com">www.thalsevanaresort.com</a>; <a href="http://www.layahotels.lk">www.layahotels.lk</a>  Transport: <a href="http://www.helitours.lk/aboutus.aspx">http://www.helitours.lk/aboutus.aspx</a></p>	Poor progress

# ANNEX: LAND DISPUTE RESOLUTION

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	104	Grant the legal ownership of land to those who have been resettled.	3	Continue implementation of circular which provides for grant of ownership.	Fully included		Ministry of Lands	Circular implemented.	No timeframe specified		In the North, 44,095 land requests have been resolved (out of 170,592 to date), and 3,286 have been resolved in the East (out of 17,491 to date) - September 2014 Monitoring Report.	Ongoing	<p>Measures have been taken to grant lands in terms of Land Development Ordinance under Ranbima, and Bimsaviya programmes. However, these programs are not specifically related to IDPs since clause 2.2.1.1 of the Land Circular 2013/01, the cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved. Hence, any resettled person who is also landless becomes ineligible to own land until all land problems in the North and East are solved.</p> <p>In its comments on the Report of the Special Rapporteur on the human rights of internally displaced persons at the 26th sessions of the UNHRC in June 2014 (A/HRC/26/33/Add.6), the government stated that an Amendment to Prescription Ordinance is being undertaken to grant legal ownership to those who have been resettled.</p> <p>The Prescription (Amendment) Bill was passed on 24 July 2014. The Prescription (Special Provisions) Bill on rights of land owners who were displaced during the conflict in the North and East, was taken up for its Second Reading in Parliament on Aug. 7, 2014 but adjourned.</p>	Partial progress
2	106	Be clear in policy with regard to the areas available to be resettled; create more awareness among people about such policies and the options available to them.	3	Conduct awareness programmes with relevant groups on the implementation of circular No. 2011/4 of 22.07.2011 issued by the Commissioner General of Lands	Fully included		Ministry of Lands	Awareness programmes conducted	Jan-13	Lapsed	20 awareness programmes conducted in North, 18 in the East - January 2014 Monitoring Report.	Completed	<p>No reference to formulating clear policies. Current Land Circular 2013/01 does not specify areas for resettlement.</p> <p>Meanwhile, according to the Report of the Special Rapporteur on the human rights of internally displaced persons submitted at the 26th session of the UNHRC in June 2014 (A/HRC/26/33/Add.4), no timeframe for the revision and adoption of the draft Framework for Resettlement Policy (released in November 2013) had been provided. The SR was informed that the Ministry of Resettlement is in the process of organizing broader consultations to finalize the draft framework.</p>	Poor progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
3	108a	Facilitate and encourage the return and resettlement of displaced persons living in India; make essential facilities available if they should choose to return.	3	1. Formulate policy with regard to IDPs in India;  2. Conduct bi-lateral discussions with India in terms of policy	Fully included		1) Ministry of Lands, Ministry of External Affairs, Ministry of Re-settlement, Ministry of Defence  2) Ministry of External Affairs, Ministry of Defence	Bi-lateral discussions held and decisions implemented	Jul-14	Lapsed	A policy on refugees in India is included in the draft policy on resettlement. From 2011 to September 30, 2014, 1,381 families (3,966 persons) have voluntarily returned to Sri Lanka. Issue has been placed on the agenda of the Indo-Sri Lanka Joint Commission - September 2014 Monitoring Report.	Ongoing	Progressive decline in numbers of those returning. (See: <a href="http://resettlementmin.gov.lk/site/index.php?option=com_content&amp;view=article&amp;id=4&amp;Itemid=19&amp;lang=en">http://resettlementmin.gov.lk/site/index.php?option=com_content&amp;view=article&amp;id=4&amp;Itemid=19&amp;lang=en</a> )  A study of Sri Lankan Tamil refugees in India published in October 2014 found that only 23 per cent of the 520 families surveyed wanted to return to Sri Lanka. ( <a href="http://www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece">www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece</a> )  No evidence of peace and reconciliation activities, which are considered to be part of the framework for durable solutions.	Poor progress
4	111	Create a uniform State policy aimed at resettling Muslim community IDPs and/or integrating them into the host community; communicate this policy to the IDPs.	3	1. Resettlement of Muslim IDPs is underway in terms of accepted government policy  2. Formulate policy based on an examination of the feasibility and advisability of integration into host community.	Fully included	Included in July 2013.	Ministry of Resettlement	Policy formulated	Mar-14	Lapsed	2,303 houses have been constructed for Muslim IDP families in the Mannar District and 6,391 plots of state land have been earmarked for alienation to resettle the displaced Muslim families. Land Kachcheries to select suitable allottees is in progress and to date 1,993 allotments have been alienated. A survey will be undertaken shortly among the Muslim IDP families living in Puttalam in order to establish their intention to return to their places of origin. Although the integration of Muslim IDPs in the Puttalam District with the host community is taking place at a rapid pace, 3,000 such families have refused to return to their places of origin, instead opting for local integration - September 2014 Monitoring Report.	Ongoing	No formal policy formulated or communicated to IDPs.	Poor progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
5	113	Appoint a special committee to examine durable solutions and to formulate a comprehensive State policy on the issue of integrating Muslim IDPs into host communities, after having extensive consultations with the IDPs and the host communities.	3	1. Presidential Task Force for the North and East (PTF for the N&E) to formulate a policy on the issue of Muslim IDPs.  2. Issue necessary directions to implement policy.	Fully included		PTF for NP	1) Policy formulated  2) Policy implemented	Apr-13	Lapsed	A major policy initiative taken by the government to implement a comprehensive resettlement programme is the appointment of a Presidential Task Force for Resettlement, Development and Security in the Northern Province - September 2014 report (same progress reported since first Monitoring report released in February 2013).	Ongoing	The same progress has been reported since February 2013. No indication of a special committee to specifically look into issues of Muslim IDPs. According to a media report dated 2 May 2013, the Secretary of Presidential Task Force claimed that all matters are handled by Ministry of Resettlement, as PTF no longer functions. A separate committee reported to have been appointed which consulted Muslim IDPs. ( <a href="http://asiantribune.com/node/62422">http://asiantribune.com/node/62422</a> ).  However, existence of this committee is not reported in any Monitoring report and cannot be independently verified.	Partial progress
6	124a	Protect the right of citizens to buy lands where they please; In the case of inter provincial irrigation or land settlement schemes, distribution of State land should continue to be as provided for in the Constitution of Sri Lanka.	3	1 (a) Conduct study to ascertain whether practices infringe on legal rights to acquire land (b) Take appropriate steps to remove infringements, if any exist (c) Effective implementation of the policy on land use with a view to identifying appropriate state land available for settlement.	Fully included		1) Ministry of Lands  2) P.T.F. for N & E  3) Presidential Secretariat	1) A completed study of the alienation of state land with specific reference to the N & E  2) Appointment of the 4th Land Commission	Jul-13	Lapsed	Rights safeguarded under new circular - February 2013 Monitoring Report. Reports from August 2013 onwards state that implementation is complete.	Completed	Land Circular 2013/01 makes no reference to purchase of private land. Non-legal impediments remain.  According to clause 2.2.1.1 of the Land Circular 2013/01, the cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved.	No progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
7	124b	Ensure that land policy of the Government does not become an instrument to effect unnatural changes in the demographic pattern of a given Province	3	<p>Appoint a 4th Land Commission with a TOR similar to the previous three (i.e. the LC's of 1927, 1936 and 1985) to recommend policy to address issues</p> <p>3. Ensure effective implementation of Statutes, i.e. The State Lands Ord., Land Development Ordinance, Land Grants (Sp. Provisions) Act.</p>	Partly included	No commitment regarding preventing demographic changes	Ministry of Lands	Policy formulated	Jul-14	Lapsed	Ongoing - September 2014 Monitoring Report.	Ongoing	<p>According to TNA MP R. Sampanthan, settlement of Sinhalese families has occurred in Trincomalee and Mullaitivu in addition to military occupation of Tamil-owned land. (Parliament speech on 7 August 2014, available at: <a href="http://parliament.lk/uploads/documents/hansard/1407812010069343.pdf">http://parliament.lk/uploads/documents/hansard/1407812010069343.pdf</a>)</p> <p>According to Women's Action Network '...4800 Sinhala families brought to Weli Oya and about 2000 families to Thalabogawewa. On 20th April President Mahinda Rajapaksa visited Weli Oya and personally instructed the government officers to expedite the settlement there and handed over land documents to new settlers.' (Women's Action Network, quoted in Politics, Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka (CPA 2013))</p> <p>The settlement of 25,000 Sinhalese families under Mahaweli system L has been planned. (<a href="http://www.defence.lk/new.asp?fname=20090818_02">http://www.defence.lk/new.asp?fname=20090818_02</a>)</p>	No progress
8	126	Assure people through an appropriate publicity effort that the Land Circular No. 2011/04 programme is not a substitute for recourse to the Courts of Law where people are in possession of valid legal proof of their claim to the land/s in question	3	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Fully included		Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	To be discussed under the 4th Land Commission - September 2014 Monitoring Report.	Ongoing	<p>KPI and reference to 4th Land Commission are not relevant to the recommendation.</p> <p>In either case, public have been made aware, but no information on specific publicity effort by the government.</p>	Partial progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
9	128	Adopt an apolitical approach to implementing the Land Circular No. 2011/04 programme; and Provide the needed human and financial resources for the successful implementation of the Land Circular No. 2011/04 programme.	3	Refer to 9.126	Fully included	No reference to apolitical approach	Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	In progress. Assistant Land Commissioners and Development Officers have been appointed in the North and East, and a budgetary allocation of Rs. 400m for implementation of LLRC recommendations for 2014 has been made - September 2014 Monitoring Report.	Ongoing	Though budgetary allocations have been made, issue of politicisation remains, as those implementing Land Circular 2013/01 are appointed and answerable to the central government.	Poor progress
10	129a	Supervise effectively the civil administration officers tasked with implementation of the Land Circular No. 2011/04 programme by the respective Government agents.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	Structure in place but no clear line of responsibility in Land Circular 2013/01.	Partial progress
11	129b	Monitor implementation quality of the Land Circular No. 2011/04 by the Land Commissioner General at the national level to ensure impartiality and transparency.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	Monitoring framework has been established. However, level of impartiality and transparency of Land Commissioner General is not clear.	Partial progress
12	131	Organize, under the Land Commissioner General's Department, a media seminar on the proposed Land Circular No. 2011/04 to enable the Media to project an accurate and clear view of the new Programme under Land Circular No. 2011/04 devoid of political posturing.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	This recommendation was reported completed in August 2013. However, an inquiry with the Land Commissioner General's Department confirmed that no such meeting was held. No information on any subsequent media seminar is available in the public domain.	Poor progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
13	132	Conduct well designed training programmes by the Land Commissioner General's Department for all officers and community leaders based on a short and simple training manual to ensure all training is identical across Districts.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Training programmes conducted - August 2013 Monitoring Report.  Completed - November 2013 Monitoring Report.	Completed	The Land Circular No. 2013/01 specifically contemplates training programmes for all implementation officers directly involved in the programme, but makes no reference to community leaders or to a training manual. According to the LLRC Unit of the Land Commissioner General's Department, no such training manual presently exists.	Poor progress
14	133	Launch a settler centred communication campaign primarily in simple Tamil, as well as in Sinhala, incorporating information on what specific action the displaced persons should take with regard to different services provided by the Land Circular No. 2011/04 programme.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Refer to 9.106 - September 2014 Monitoring Report.	Ongoing	Information campaign was carried out according to consultations in sample DS Divisions. As per progress reported for 9.106, 20 Divisional Secretariat level awareness programmes were completed in Northern Province and 18 in Eastern Province by January 2014. No further progress has been reported since then.	Partial Progress
15	135a	Direct the First Committees [In terms of Land Circular 2011/04] in each of the District Secretariat areas to organize and hold a well publicized 'Community Consultation Meeting' prior to the launch of the First Committee investigation process	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	According to consultations with sample DS divisions, meetings were held on an ad-hoc basis and not before investigation process began.	Poor progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
16	135b	Direct the planning and conduct of Community Consultation Meetings envisaged in the Land Circular 2011/04 to be based on the experiences of the traditional Land Kachcheri system.	3		Fully included				No timeframe specified		Completed - August 2013 Monitoring Report.	Completed	No indication of incorporating experiences of the Land Kachcheri system, as per Land Commissioner General's Department.	Poor progress
17	136	Direct the Land Commissioner General to establish a mechanism to rapidly consider the constructive suggestions made through the 'Community Consultation Meetings', and to consider using these suggestions as appropriate to further improve the field level methodology of the Land Circular 2011/04 Programme.	3	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Fully included		Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	No indication of constructive feedback from communities as per Land Commissioner General's Department.	Poor progress
18	137	Make arrangements to strengthen human resource teams at all levels to implement alternate land dispute resolution mechanisms	3		Fully included	Included in July 2013.	Ministry of Lands, Ministry of Resettlement		No timeframe specified		In progress. Assistant Land Commissioners and Development Officers have been appointed in the North and East, and a budgetary allocation of Rs. 400m for implementation of LLRC recommendations for 2014 has been made - September 2014 Monitoring Report.	Ongoing	Land Circular 2013/01 does not focus on dispute resolution but on problem identification and administrative solutions for the same.	Poor progress
19	140a	Apply strict controls to prevent any alienation of State land other than for IDPs, except where State land is required for other approved purposes	3	Ensure implementation of provisions of the Circular of the M/Lands which incorporates this principle.	Fully included		Ministry of Lands	Implementation of circular	Oct-12	Lapsed	Completed - August 2013 Monitoring Report.	Completed	According to clause 2.2.1.1 of Land Circular 2013/01, Cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved.	Poor progress



## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
20	140b	Make legal provision to enable relevant authorities to investigate and institute legal action in cases against any public officer, Attorney-at-Law, or Notary Public who commits or abets the alienation of State land through spurious deeds.	3		Not included	No reference to specific legal provisions				N/A		None	No new law introduced.	No progress
21	141	Seek the cooperation of a development partner to support the Land Circular 2011/04 Programme, based on the understanding that Government of Sri Lanka will be responsible for Programme policy, decision making, and implementation.	3	1. Evaluate the need for an external partner  2. Formulate a project proposal if external resources are found to be needed.  3. Secure assistance as appropriate, if feasible	Fully included		Ministry of Lands Ministry of Resettlement Department of National Planning	A report dealing with activities 1, 2 & 3	Oct-12	Delayed	Local funds have been allocated for this purpose - January 2014 Monitoring Report.  Completed. Local funds have been allocated for this purpose. By end 2012, nearly USD 3,189m from multilateral and bilateral funding sources have been mobilized along with local funds for this purpose - July 2014 Monitoring Report.	Completed	Cooperation with development partners appears to have been secured.	Completed
22	142b	Give, within a specific timeframe, alternative lands or compensation in accordance to applicable laws to all families who have lost lands and or houses due to formal HSZs or to other informal or ad hoc security related needs.	3	Consequent to the review already completed – a) Release lands where possible; b) Take steps to re-locate or to pay compensation acting under applicable Statutes (Land Acquisition Act).	Fully included		Ministry of Defence, Ministry of Lands	a) Lands released  b) Re-location completed  c) Compensation paid	a) No timeframe specified b) Jan 2013 c) July 2015	Pending	Refer to 9.142a	Ongoing	No specific information on alternative land or compensation paid in Monitoring Reports.  Land Circular 2013/01 considers providing alternative land and compensation for land taken over for development by armed forces or government institutions.  Provision of alternative land has been ad hoc - <a href="http://www.thesundayleader.lk/2014/01/12/land-owners-without-land/">http://www.thesundayleader.lk/2014/01/12/land-owners-without-land/</a>	Poor progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
23	144	Effectively and expeditiously resolve the land issues of Muslim families who were forcibly ejected by the LTTE from their agricultural land in the Eastern province, and whose living conditions have drastically deteriorated as a result.	3		Included but intangible	Included in July 2013	Ministry of Resettlement, Ministry of Lands	Land issues identified and resolved.	Dec-14	Pending	6,391 plots of land have been alienated to resettled Muslim families. Land Kachcheries are in progress and 1,993 allotments have been alienated. An Inter-Agency Committee has identified requirements for provision of land, rehabilitation of schools, roads etc. - September 2014 Monitoring Report.	Ongoing	This specific recommendation does not contemplate clear governmental action. However, the government has interpreted this recommendation to mean the provision of land to Muslim families.	Partial progress
24	145b	Return Sinhalese families who were evicted from Jaffna and the rest of the Northern Province, and who volunteer to go back, to their own land or resettle them in alternate land as expeditiously as possible	3		Fully included	Included in July 2013	Ministry of Resettlement	Follow up action taken as appropriate.	No timeframe specified		3,714 Sinhala families were evicted from the North and 4,414 families have now returned - September 2014 Monitoring Report.	Ongoing	The same progress has been reported since January 2014.	Partial progress
25	146	Expedite the return and resettlement of the remaining Muslim families who volunteer to return to Jaffna and the Northern Province.	3		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.194			Jan-14	Lapsed		None	Refer to 9.113	Partial progress
26	147	Designate a focal agency to study the special nature of problems and displacement of families in former Threatened Villages, with a view to designing a special mechanism to resolve their current problems expeditiously	3		Fully included	Included in July 2013. Action plan unclear.	Ministry of Resettlement	Specific categories of land issues in former Threatened Villages are identified and recommendations are in place to resolve them	No timeframe specified		A Committee represented by M/Resettlement, M/Economic Development, M/Social Services, and M/Lands and Land Development has been appointed for this purpose. Final report of the Committee will be published shortly - July 2014 Monitoring Report.  Ministry of Resettlement has been designated the focal agency for this purpose - September 2014 Monitoring Report.	Ongoing	Focal agency has been designated, special mechanisms to resolve current problems to be designed.	Partial progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
27	148	Amend the law pertaining to prescription in its application to land transfers/occupation effected during the period of conflict in order to prevent legitimizing of forced eviction and secondary occupation of private lands in the North and the East	3		Fully included	Included in July 2013	Ministry of Justice		No timeframe specified		The Prescription (Special Provisions) Bill was submitted to Parliament by M/Justice in August 2014. The Bill was thereafter referred to a Consultative Committee of the Ministry. Following deliberations by the Consultative Committee, M/Justice is in the process of incorporating certain amendments to the Bill - September 2014 Monitoring Report.	Ongoing	Full implementation pending enactment of Bill. The Prescription (Special Provisions) Bill on rights of land owners who were displaced during the conflict in the North and East was taken up for its Second Reading in Parliament on 7 August 2014 but adjourned.	Partial progress
28	150	Expedite action on the establishment of a National Land Commission (NLC) in order to propose appropriate future national land policy guidelines; include Guidelines for the equitable distribution of State land.	3	Include the proposal to establish a NLC in the TOR of the PSC with a view to receiving recommendations.	Partly included	Implementation is contingent on PSC.	1) Presidential Secretariat 2) Ministry of Lands	Proposal included in TOR of PSC	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	NLC yet to be established under the provisions of the Constitution.	Poor progress
29	151	Develop a land use plan for each district in the North and East with the participation of district and national experts drawn from various relevant disciplines; ensure protection of environment and biodiversity; sustainable economic development; leisure and recreational standards; religious, cultural, and archaeological sites.	3	1. Provide Ministry of Lands with resources to prepare the Land Use Plan for North and East.  2. Acting under the Land Use Policy adopted in 2007, develop Land Use Plan for the North and East.	Fully included		1) Ministry of Finance and Ministry of Public Administration.  2) Ministry of Lands	1) (a) Budgetary provisions made available to Ministry of Lands; (b) Staff provided to M/Lands;  2) Land Use Plan for N&E developed.	Jul-15	Pending	Preparation of updated land use maps in all districts in the North and East is ongoing. Digital maps for all districts in the North complete - September 2014 Monitoring Report.	Ongoing	July 2014 Monitoring Report indicates steps taken towards implementation.	Partial progress

## Annex: Land dispute resolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
30	152	Arrive at a bi-partisan understanding that restitution of land to displaced persons in the North and East is a national issue and not a tool to gain political advantage.	3	Refer recommendation to PSC	Fully included		Presidential Secretariat	Recommendation referred to PSC.	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	Parliamentary Select Committee process launched without the participation of key political actors in the opposition.	Poor progress
31	194	Facilitate the early return of the displaced Muslims to return to their places of origin in the Northern Province.	3	Formulating and implementing a policy for the resettlement and reintegration of the displaced Muslims.	Fully included		PTF for N & E and Ministry of Resettlement	The publication of the report identifying the requirements with recommendations for implementation.	Jan-14	Lapsed	Second stakeholder consultation meeting held in September 2014. Study underway on number of those evicted from North and East from all communities prior to 2009 who have not been compensated. M/Resettlement has allocated funds to improve water and sanitation facilities in Mannar - September 2014 Monitoring Report.	Ongoing	Refer to 9.113	Partial progress

# ANNEX: DETENTION POLICY

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	47	Ensure the safety and security of any person taken into custody by governmental authorities through surrender or arrest.	4		Not included	No reference to steps taken to ensure safety and security of surrendees				N/A		None	No plan to implement recommendation.  Incidents of custodial deaths frequently reported. e.g. custodial deaths of Ganesan Nimalaruban and Mariyadas Pevis Delrukshan in 2012.  Meanwhile, a report by the Asian Legal Resource Centre (2013) titled <i>Narrative of Justice in Sri Lanka</i> details over 400 cases of custodial torture over the last ten years indicating a more systemic problem.	No progress

## Annex: Detention policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
2	53a	Direct law enforcement authorities to issue a formal receipt of arrest when taking persons into custody	4	1. Issue necessary instructions to ensure compliance with recommendations 2. Introduce appropriate legislation to provide for the issue of a receipt regarding arrest.	Fully included	Included in July 2013. Action plan absent.  (1) in action plan was included in July 2014. Previous Monitoring reports only cited (2)	Ministry of Justice, Ministry of Law and Order	Instructions issued to ensure compliance  Legislation introduced in Parliament	Mar-14	Lapsed	(1) Completed. Families of arrested persons were informed of their arrest and detention when Emergency Regulations were in force and in the period before and after. Issuing a formal receipt of arrest to those arrested under the PTA is in force. Next of kin are allowed to visit them frequently. Persons were and are being detained in places which are declared as places of detention - September 2014 Monitoring Report.  (2) Amendments to the relevant legislation have been drafted. Steps will be taken to submit them in parliament as early as possible - July 2014 Monitoring Report (no update provided in September 2014 Monitoring Report).	Completed	2007 Presidential Directive requires formal receipt. (www.defence.lk/new.asp?fname=20070425_02)  No fresh directive has been issued post-LLRC.  Details of proposed amendments have not been provided.	Poor progress
3	53b	Provide next of kin access to places of detention.	4	Refer to 9.53a	Fully included	Refer to 9.53a	Refer to 9.53a	Refer to 9.53a	Mar-14	Lapsed	Refer to 9.53a	Completed	2007 Presidential Directive requires that arrested persons are provided reasonable means of communicating with a relative or friend.  No fresh directive has been issued post-LLRC.  No formal process currently in place providing access to places of detention.	Poor progress
4	54a	Produce an arrested person promptly before a Magistrate; promptly notify the family of an arrested person and the Human Rights Commission of Sri Lanka if place of detention is changed.	4	Issue necessary instructions to ensure compliance with recommendations	Fully included	Included in July 2013. Action plan absent	Ministry of Justice, Ministry of Law and Order	Instructions issued to ensure compliance ; compliance monitored	No timeframe specified		Refer to 9.53a	Completed	Where a detention order has been issued under the Prevention of Terrorism Act (PTA), the requirement to be produced before a magistrate is dispensed with.	Poor progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
5	54b	Instruct Magistrates to visit places of detention every month; Release detainees through the court.	4	Refer to 9.54a	Fully included	Refer to 9.54a	Refer to 9.54a	Refer to 9.54a	No timeframe specified	Pending	Refer to 9.53a	Completed	<p>No information on instructions to magistrates to conduct monthly visits. Under the PTA, authorities are not required to produce a detainee before a magistrate where a detention order has been issued.</p> <p>In the case of remand orders, a 2012 report suggests that magistrates visit detention centres merely to extend remand. (See: <a href="http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderes-in-the-prison-system/">http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderes-in-the-prison-system/</a>)</p>	Poor progress
6	55	Prosecute failure of police to record an arrest, detention and transfer or failure to record or investigate complaints of abductions.	4	<p>1. Examine the adequacy of new strategies implemented to ensure prompt action on complaints received by police.</p> <p>2. Ensure that appropriate disciplinary action is initiated with regard to officers against whom complaints are made</p>	Fully included	Included in July 2013	Ministry of Law and Order	<ul style="list-style-type: none"> <li>• Examination completed and gaps, if any, identified.</li> <li>• New strategies introduced to respond to gaps, if any.</li> <li>• Disciplinary action taken as a per cent of complaints received.</li> </ul>	No timeframe specified		<p>To date, no such instances have been reported which required the prosecution of any police officers. Complaints by the public against Police Officers are rigorously monitored and can be directly lodged at the specially designated Public Day of Inspector General of Police at the Police Headquarters. Action will be taken against errant Police Officers following existing procedure - September 2014 Monitoring Report.</p>	Ongoing	<p>No information on any prosecutions.</p> <p>According the Asian Legal Resource Centre (ALRC) police officers routinely decline to record complaints against state agents and politicians, even in cases of grievous human rights violations such as torture, enforced disappearances and extra-judicial executions. (See: Alternative Report to the United Nations Human Rights Committee in Regard to the Fifth State Party Report Submitted By Sri Lanka in September 2014, by the ALRC)</p>	Poor progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
7	57	Appoint an Independent Advisory Committee to monitor and examine detention and arrest of persons taken under the Public Security Ordinance or the PTA	4	See activities under recommendations 9.9, 9.37 (a) (b), 9.23, 9.39	Partly included	No independent advisory committee  9.9 and 9.37 refer to death or injury to civilians by armed forces, 9.23 calls for investigations into disappearances after arrest/surrender and 9.39 is on investigating allegations made the Channel 4 video	Ministry of Public Administration & Home Affairs		No timeframe specified		Under consideration - February 2013 Monitoring Report.  No progress reported in any Monitoring reports since.	None	An Advisory Board can be established under Section 13 of PTA, consisting of no less than 3 persons appointed by the president. No indication that an independent advisory committee was appointed.	Poor progress
8	62	Create a special mechanism to examine cases of those held in detention for long periods without charges and recommend a course of action in regard to disposal of each case, as appropriate.	4	1. Identify and establish procedures in the existing system to address the issue  2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.	Fully included	Also an interim recommendation, cited as such in NPA	Attorney-General's Dept.	1) Processes identified and established  2) Reduction in the number of detainees.  3) Unit established	Dec-14	Pending	Completed. A team of Attorneys-at-Law under supervision of an Additional Solicitor General and a Deputy Solicitor General is taking action to recommend charges, discharge or any other course of action i.e.: rehabilitation having considered evidence available against each detainee. Of a total 977 files relating to detainees opened between 2009 and 2013, there are only 160 matters to be concluded. The same Additional Solicitor-General functions as the focal point relating to detainees - September 2014 Monitoring Report.	Completed	The identical progress is reported in every monitoring report since February 2013, indicating that the 160 matters 'to be concluded' have not been concluded despite the lapse of more than one and a half years.  According to the Asian Legal Resource Centre (ALRC), though the state has claimed the existence of a special unit within the Attorney General's Department to prosecute cases of torture, in reality there is no evidence of the functioning of such a unit. (See: Alternative Report to the United Nations Human Rights Committee in Regard to the Fifth State Party Report Submitted By Sri Lanka in September 2014, by the ALRC)	Poor progress
9	63	Create a centralized comprehensive database containing a list of detainees; make available to the next of kin with names, place of detention and record of transfers.	4	The present database to be enhanced with easy access to information being available to NOK (next of kin)	Fully included		Ministry of Defence	Enhanced database	Jan-13	Lapsed	Completed. A database available for next of kin (NOK) to access at Terrorist Investigation Units in Colombo, Vavuniya and Boosa. Over 3,000 NOKs have made use of it thus far - January 2014 Monitoring Report.	Completed	According to a media report published in 2011, a vast majority of relatives of detainees are seeking information at these TID Units have been unable to gain any information, as their next of kin are detained by the military, not the TID.  (www.dailymirror.lk/news/12099-only-seven-per-cent-get-information-on-detainees.html)	Partial progress



## Annex: Detention policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
10	64	Direct the relevant authorities to ensure the full implementation of all Interim Recommendations pertaining to detainees.	4	<p>1. Continue current practice of informing next of kin regarding location of detainee. (NB: NHRC is also informed).</p> <p>2. Examine and report on the practical application of such a procedure and its feasibility.</p> <p>3.(a) Formulate a programme to divert suspects from the criminal process to voluntary rehabilitation in appropriate cases; (b) Enable indictments to be filed in an additional number of courts to ease the backlog.</p> <p>(A) --same as above --</p>	Fully included	<p>Cited in NPA as Interim Recommendations which were:</p> <p>(1) publish a list of names of those in detention</p> <p>(2) Issue a certificate when a person is discharged so that that the same person is not taken into custody again, unless new evidence is discovered against him</p> <p>(3) Look into the general issue of law's delays to expedite prosecution or discharge detainees</p>	<p>1. Police Department , Attorney-General's Dept.</p> <p>2. Police Department</p> <p>3.Ministry of Justice</p>	<p>The availability of a comprehensive list of names and relevant data to the NOK.</p> <p>Report published</p> <p>(A) Unit established</p>	<p>No timeframe specified</p> <p>Dec-2012</p> <p>Dec-12</p>	Lapsed	<p>(1) Completed. See 9.63 - January 2014 report</p> <p>(2) Completed. See 9.53, 9.67 - January 2014 report</p> <p>(3) A Bill on "Assistance to and protection of Victims of Crime and Witnesses" was presented to Parliament in September 2014. Ministry of Justice initiated a program to expedite prosecutions in order to discharge detainees, pending appeals. Amendments proposed to Civil Procedure Code, Children (Judicial) Protection Bill, and Criminal Procedure Code to address some of the recommendations made by the committees appointed in the recent past to look into issues of law's delays. Amendment to Prevention of Crimes Ordinance will be introduced. Several courts have been established in areas where the judicial system had been at a standstill - September 2014 Monitoring Report.</p>	Ongoing	<p>Interim recommendations themselves are included in the NPA separately.</p> <p>Progress pertaining to interim recommendations:</p> <p>No.1 - Poor progress No. 2 - Partial progress No. 3 - Partial progress</p>	Partial progress
11	65	Enhance facilities for the transportation of the next of kin to visit their family members at the places of detention in cooperation with the ICRC and voluntary organizations.	4	<p>1. Examine whether special facilities are required in the presence of already improved transport infrastructure - July 2014 report</p>	Partly included	<p>Included in July 2013. No reference to ICRC.</p> <p>Prior to July 2014, NPA stated: 'Considering current circumstances of improved transport infrastructure, special facilities are not required'.</p>			No timeframe specified		Completed. In all instances where next of kin had faced transport difficulties, the Terrorist Investigation Unit has made necessary transport arrangements - January 2014 Monitoring Report.	Completed	<p>In addition to TID facilities, the ICRC has coordinated and assisted family visits.</p> <p>(<a href="http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf">www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf</a> and <a href="http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf">www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf</a>)</p>	Completed

## Annex: Detention policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
12	66	Expand the policy of cooperation and constructive engagement with the ICRC and other similar humanitarian organizations to ensure the welfare of the detainees.	4		Not included	No reference to ICRC				N/A		None	According to the ICRC's Annual Report (2013), in March 2010 the ICRC suspended visits to rehabilitation centres and prisons after authorities refused to allow the ICRC to speak to detainees in private. Following this incident, the ICRC only visited places of detention run by the TID. Visits only resumed in March 2013. The ICRC continues to work with government on detainees, their families, and rehabilitees.	Partial progress
13	67	Detain persons only at formally designated and authorized places of detention.	4	Refer to 9.53a	Fully included	Included in July 2013. No reference to unauthorised places of detention	Refer to 9.53a	Refer to 9.53a	Mar-14	Lapsed	Refer to 9.53a	Completed	Sections 7 and 9 of PTA permit detention in any place and transfer from place to place. These provisions have been prone to abuse.  See: Amnesty International (2012), Locked Away; Sri Lanka's Security Detainees ( <a href="http://files.amnesty.org/archives/asa370032012eng.pdf">http://files.amnesty.org/archives/asa370032012eng.pdf</a> )	Poor progress
14	68	Give priority to investigation and speedy disposal of cases of young detainees.	4	Review the status of the remainder of the detainees with a view to assessing whether special attention to certain groups or individuals is needed.	Partly included	No specific action identified if review reveals that special attention is needed	Commissioner General of Rehabilitation	Status required to be submitted	Oct-12	Delayed	Completed. Detainee status reviewed and steps taken to provide special attention to young detainees and those with disabilities. All former child combatants rehabilitated - January 2014 Monitoring Report.	Completed	Monitoring Reports indicate steps taken towards implementation.	Completed
15	69	Institute a screening process to identify special cases (i.e. young children, physically disabled, those recovering from injury, medical interventions); provide special assistance.	4	Refer to 9.68	Fully included	Refer to 9.68	Refer to 9.68	Refer to 9.68	Oct-12	Delayed	Refer to 9.68	Completed	Monitoring Reports indicate steps taken towards implementation.	Completed

## Annex: Detention policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
16	70	Take conclusive action to dispose of cases of persons being held long periods without charge by bringing charges or releasing them where there is a lack of evidence against them.	4	1. Identify and establish procedures in the existing system to address the issue  2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.	Partly included	Included in July 2013. No reference to releasing detainees where there is a lack of evidence against them.	Ministry of Justice, Attorney-General's Dept.		No timeframe specified		A team of Attorneys-at-Law acting under the supervision of an Additional Solicitor General and a Deputy Solicitor General is taking action to recommend charges, discharge or any other course of action i.e. rehabilitation having considered evidence available against each detainee - July 2014 Monitoring Report.	None	No progress reported in any Monitoring Reports prior to July 2014. Moreover as indicated in progress reported under 9.62, 160 cases have been pending for over one and a half years.	No progress
17	82	Examine the cases of young LTTE suspects as a priority; institute legal action without delay; rehabilitate or release.	4	1. This concern has been fully addressed with large numbers pursuing academic activities followed by reunification with their families. This process to be continued by CG/R.	Fully included		Commissioner General for Rehabilitation	Programme for re-integration designed and implemented	No timeframe specified		All 594 child combatants were rehabilitated and reunited with their families within a one year period - January 2014 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
18	91	Address issues pertaining to missing persons, abductions, arbitrary detentions, long and indefinite detentions, and disappearances as a priority; acknowledge right of women to the truth and legal remedies	4		Not included	No reference to specific gender sensitivity				N/A		None	No indication that these issues have been prioritised. No information on any investigations into disappearances, indictments, or convictions in cases involving disappearances. Families of the disappeared and anti-disappearance campaigners have faced threats, harassment e.g. Woman activist Jeyakumari Balendran was arrested and remains in detention to date.  See also: Written statement by the Asian Forum for Human Rights and Development to the UNHRC in September 2014 (A/HRC/27/NGO/91)	No progress

# ANNEX: CIVIL INSTITUTIONS

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	212	Set up units of the Attorney General's Department in the Provinces to guide and advise the Police regarding matters of criminal justice.	5	1. Formulate TORs for Units in the AGs dept. and establish same.  2. Include relevant modules in the training programmes for Police Officers.  3. Enhance capacity of the Trainers of the Police Training College.	Fully included		1) AG's Department 2) Police Department 3) Police Department	1) Enhanced capacity of AG's Department units  2) Improvement in the quality of investigations  3) Greater success in prosecution and a general improvement in the Criminal Justice System	Jul-13	Delayed	The AG's Dept. has taken action to restructure the supervision system in the Department effective April 20, 2014 to accommodate a system of Provincial supervision. Nine Additional Solicitors General have been appointed to be in charge of the nine Provinces. Two Senior Additional Solicitors General will be in overall supervision of the civil and criminal divisions and will coordinate with the officers supervising the Provinces. A Senior State Counsel is appointed to each High Court Division within a Province - July 2014 Monitoring Report.	Completed	Despite the same progress being reported in every previous Monitoring Report, the latest report indicates definitive action in this regard i.e. that the supervision system came into effect in April 2014.	Completed
2	214	De-Link the Police Department from the institutions dealing with the armed forces which are responsible for the security of the State.	5	Refer this recommendation to the PSC as it deals with an entirely policy/political issue  [Independent Police Commission has already been established]	Partly included	Implementation is contingent on PSC	Proposed Parliamentary Select Committee	Not applicable	No timeframe specified		Completed - January 2014 Monitoring Report.	Completed	The Ministry of Law and Order was established in August 2013, with President Rajapakse holding the portfolios of both Minister of Defence and Minister of Law and Order.	Poor progress
3	215	Establish an independent permanent Police Commission as a pre-requisite to guarantee the effective functioning of the Police and to generate public confidence.	5	Refer to 9.214	Partly included	Refer to 9.214	Refer to 9.214	Refer to 9.214	No timeframe specified		Completed - January 2014 Monitoring Report.	Completed	Under the 18th Amendment to the Constitution, the chairman and members of Police Commission are appointed by the president.	No progress

## Annex: Civil institutions

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
4	224	Conceive and implement a specific programme to bring about attitudinal changes including, through training programmes to enhance the work ethic of the Public Service.	5	Implement the National Human Resources Policy	Fully included		Office of the Sr. Minister for HR Development	1) HR Plan of Action formulated. 2) Implementation of HRPA commenced.	Oct-12	Lapsed	No progress reported in any Monitoring reports.	None	Cabinet approved a proposal to implement the Master Plan of the National Human Resources and Employment Policy on 22 April 2014. The Coordinating and Monitoring Unit for implementation was opened on 27 June 2014.  ( <a href="http://www.ft.lk/2014/06/27/work-on-national-human-resources-and-employment-policy-starts/">www.ft.lk/2014/06/27/work-on-national-human-resources-and-employment-policy-starts/</a> )	Partial progress
5	226	Establish an Independent Public Service Commission without delay to ensure that there is no political interference in the public service and that recruitment and promotions in the public service are in conformity with the equality provisions in the Constitution.	5	An independent Public Services Commission has been established	Fully included				No timeframe specified		No progress reported in any Monitoring reports.	Completed	Under the 18th Amendment to the Constitution, the chairman and members of the Public Services Commission are appointed by the president.	No progress

# ANNEX: DEVOLUTION

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	223	Ensure that development activities should be carried out in consultation and with the participation of the local people	6		Not included	No reference to consultative process				N/A		None	The Divi Neguma framework involves institutions created at regional, district and community level, and may involve some level of community consultation and participation.  Report by Verité Research titled <i>The National Involuntary Resettlement Policy- Dispelling Misconceptions and Assessing Compliances</i> discusses the lack of community consultation in development activities particularly where involuntary resettlement takes place (available at <a href="http://ow.ly/E2E1Y">http://ow.ly/E2E1Y</a> ).	Partial progress
2	230	Provide leadership to a political process which must be pursued for the purpose of establishing a framework for ensuring sustainable peace and security in the post-conflict environment.	6		Fully included	Included in July 2013. Action plan absent		No KPI specified	No timeframe specified		No progress reported in any Monitoring reports.	None	A Parliamentary Select Committee (PSC) was appointed in October 2011 'to recommend and report political and constitutional measures to empower the people of Sri Lanka as one nation'. The process was launched without the participation of key political actors in opposition. The term of the PSC has been extended by six months, until 21 December 2014. ( <a href="http://www.news.lk/news/item/1269-psc-on-national-problem-given-six-months-more">http://www.news.lk/news/item/1269-psc-on-national-problem-given-six-months-more</a> )  TOR of the PSC available here: <a href="http://www.sundaytimes.lk/111016/Columns/political.html">www.sundaytimes.lk/111016/Columns/political.html</a>	Poor progress
3	231a	Empower the Local Government institutions to ensure greater peoples' participation at the grass roots level.	6		Not included	No reference to local government empowerment				N/A		None	National Policy on Local Government: Action Plan for 2012-2014 includes some level of grassroots participation.	Partial progress
4	231b	Take into account the lessons learnt from the shortcomings in the functioning of the Provincial Councils system in devising an appropriate system of devolution that addresses the needs of the people whilst safeguarding unity and fostering diversity.	6		Not included	No reference to examining shortcomings of provincial councils system				N/A		None	Report of the All Party Representative Committee (appointed in 2006) was not tabled in Parliament although it dealt extensively with devolution.  The mandate of Parliamentary Select Committee on political and constitutional measures maybe interpreted to include consideration of the shortcomings of the provincial council system.	Partial progress

## Annex: Devolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
5	236	Launch a good-faith effort to develop a consensus on devolution, building on what exists – both, for maximum possible devolution to the periphery especially at the grass roots level, as well as power sharing at the centre.	6	Refer to the PSC	Partly included	Implementation is contingent on PSC	Presidential Secretariat	Not Applicable	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	Refer to 9.230	Poor progress
6	237	Initiate a serious and structured dialogue on a high political level with technical backstopping with all political parties and those representing the minorities in particular, based on a proposal containing the Government's own thinking on the form and content of the dialogue process envisaged.	6	Refer to 9.236	Partly included	Refer to 9.236	Refer to 9.236	Refer to 9.236	No timeframe specified		Refer to 9.236	Ongoing	Refer 9.230	Poor progress
7	261a	Engage the elected representatives of the minority parties in a meaningful dialogue on devolution and other grievances.	6	Refer to 9.236	Partly included (not referenced)		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	Refer to 9.230	Poor progress

# ANNEX: FREEDOM OF EXPRESSION

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	115a	Take all steps to prevent harassment and attacks on media personnel and institutions.	7	<p>1. Take appropriate action to ensure media freedom.</p> <p>(a) Pursuit of grievance mechanisms - Complaints to Police, FR Applications to SC, Complaints to Press Council (with a wider jurisdiction and enhanced powers)</p> <p>(b) Complaints to NPC against Police inaction.</p> <p>2. Complete investigations into current cases</p> <p>3. Promote responsible journalism and consider a code of conduct for journalists.</p>	Fully included		<p>1) Ministry of Mass Media &amp; Information</p> <p>2) Dept. of Police</p> <p>3) Press Council.</p>	<p>1) Effective redress to grievances of media personnel</p> <p>2) Investigations completed</p>	Jul-14	Lapsed	Online complaint system www.slpc.lk has been launched by the Sri Lanka Press Council enabling media personnel to lodge any complaint immediately - September 2014 Monitoring Report.	Ongoing	<p>Numerous reports on harassment, intimidation, threats and attacks on journalists e.g. disruption of a Transparency International training programme for journalists by the Ministry of Defence, assault of Kapila Chandana Kurupparachchi while covering post-election violence in the Uva province, reported intimidation and threats against journalists covering court proceedings relating to alleged sexual abuse of 11 year old girl by Sri Lanka Navy personnel in Karainagar, Jaffna.</p> <p>See also: www.sundaytimes.lk/141005/news/blatant-threats-and-attacks-prompt-media-protests-121217.html</p>	Poor progress
2	115b	Impose deterrent punishment on harassment and attacks against media personnel; give priority to the investigation, prosecution and disposal of such cases to build-up public confidence in the criminal justice system.	7	Refer to 9.115a	Fully included		Refer to 9.115a	Refer to 9.115a	Jul-14	Lapsed	Refer to 9.115a	Completed	<p>No deterrent punishments imposed thus far. The Press Council Act prohibits disclosure of certain fiscal, defence, and security information and stipulates that the violation of the Act could result in prison terms.</p> <p>No indication of steps taken to deter attacks or prioritise investigations.</p> <p>(See examples in 9.115c)</p>	Poor progress
3	115c	Investigate expeditiously past incidents of such attacks on media personnel.	7	Refer to 9.115a	Fully included		Refer to 9.115a	Refer to 9.115a	Jul-14	Lapsed	Refer to 9.115a	Completed	No prosecutions or convictions thus far in the murder of Sunday Leader editor Lasantha Wickramatunga and attacks on Uthayan, among others.	Poor progress



## Annex: Freedom of expression

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
4	115d	Ensure the freedom of movement of media personnel in the North and East, as it would help in the exchange of information contributing to the process of reconciliation.	7	1. Identify impediments to free movement, if any, of media personnel in the North and East 2. Take appropriate action to remove impediments, if any	Fully included		Ministry of Mass Media and Information  Dept. of Police	1) Impediments identified, if any  2) All impediments, if any, removed	Jan-13	Lapsed	Completed. No restrictions on any person, including foreigners, travelling to North & East. No restrictions experienced by media personnel - January 2014 Monitoring Report.	Completed	Since October 2014, foreign passport holders require Defence Ministry approval to travel to the North. (www.news.lk/news/sri-lanka/item/3595-foreign-nationals-to-north-should-obtain-prior-approval)  Restrictions were imposed on journalists during CHOGM. (www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit)	Poor progress
5	115e	Enact legislation to ensure the right to information.	7	Cabinet to decide the suitable time frame for drafting legislation.	Fully included		Ministry of Mass Media and Information	The Cabinet Office will be the interface for the interaction with the Cabinet of Ministers on the acceptance of such legislation by the legislature.	No timeframe specified		No progress reported in any Monitoring Reports.	None	No current plan to enact legislation on Right to Information.	No progress

# ANNEX: RULE OF LAW

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	26	Take due account of the violation of core Human Rights and International Humanitarian Law Principles in framing charges against LLTE cadres against whom investigations reveal prima facie material for prosecution so that appropriate punishment, commensurate with the grave nature of such crimes could be meted out.	8		Included but intangible		Attorney General's Department		No timeframe specified		Investigation of recruitment of child soldiers, international criminal activities and suicide attacks by the LTTE have been entrusted to the Presidential Commission to Investigate into Complaints Regarding Missing Persons - September 2014 Monitoring Report.	Ongoing	Progress reported in Monitoring Reports for the first time in July 2014 report.  Meanwhile, as per Monitoring Reports released since February 2013, 160 cases pertaining to detainees have been pending for over one and a half years.	Poor progress

## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
2	52	Take effective measure on an administrative level to implement the Registration of Death Act within a published timeframe. Publicize relevant portions of the Registration of Death Act in conflict afflicted areas in order to facilitate access to procedures and remedies.	8	1. Review of progress of implementation of the Registration of Deaths Act in terms of instructions already issued.  2. Give adequate publicity of the availability of information through the Governments 1919 IT facility, to people in conflict affected areas	Partly included		Ministry of Public Administration & Home Affairs	Instructions issued to implement the provisions of new legislation.	No timeframe specified		Monitoring reports up to November 2013 indicated action taken to register deaths - up to 2012, 75 registered in North and 1,562 in East.  Memorandum for issuance of a "Certificate of Absence" submitted to Cabinet. The Registration of Deaths Act No 19 of 2010 is under implementation and has been extended up to 2015. Adequate publicity has been provided - September 2014 Monitoring Report.	Ongoing	Some progress is reflected in previous Monitoring reports.  According to media reports, relatives of those disappeared testifying before the Presidential Commission to Investigate into Complaints regarding Missing Persons have requested that the decision to issue death certificates be revoked. (See: <a href="http://asianmirror.lk/news/item/3799-relatives-oppose-the-issuing-of-death-certificates-for-missing-persons/">http://asianmirror.lk/news/item/3799-relatives-oppose-the-issuing-of-death-certificates-for-missing-persons/</a> )  Legislation on issuing a Certificate of Absence is being drafted. (See: <a href="http://www.sundaytimes.lk/140302/news/new-law-to-help-families-of-missing-people-87614.html">http://www.sundaytimes.lk/140302/news/new-law-to-help-families-of-missing-people-87614.html</a> )  However, there is some criticism on the abuse of the process involving registration of deaths to avoid ascertaining the whereabouts of the missing. (See: <a href="http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html">http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html</a> )	Partial progress
3	73	Conduct investigations of illegal armed groups; prosecute thereupon.	8	During the time of the conflict, illegal armed groups were known to operate in the theatre of conflict. Steps have been taken to completely eliminate this activity. These measures will be continued to be implemented to ensure that these groups do not re-emerge.	Fully included	Fully included as per NPA action taken with respect to LLRC recommendation contained in para.9.213	Ministry of Defence	The effective maintenance of law and order	No timeframe specified		Action has been taken by Government to disarm all illegally armed persons in the North & East. These measures will be observed regularly to ensure that illegally armed groups do not re-emerge - all Monitoring Reports.	Completed	Progress reported only refers to disarmament in the North and East just after the war ended. No indication that investigations were carried out.  Members of these groups now engaged in politics. e.g. MP and Deputy Minister of Resettlement Vinayagamoorthy Muralitharan (alias Karuna).	Poor progress
4	74	Disarm and end illegal activities of illegal arms groups through a time-bound and verifiable process.	8	1. Examine crime statistics and trends to identify critical issues;  2. Take necessary measures to improve law enforcement.	Partly included	Salient elements of recommendation not captured. Cited as Interim recommendation	Ministry of Defence Police Department	1) Effective Vigilance 2) Decrease in incidents of crime	No timeframe specified		Refer to 9.73	Completed	Illegal armed groups continue to function. E.g. 2013 attacks on Uthayan newspaper office, attacks on party offices and opposition supporters during the 2014 Uva Provincial Council elections.  ( <a href="http://www.adaderana.lk/news.php?nid=22321">www.adaderana.lk/news.php?nid=22321</a> ) and <a href="http://www.ceylontoday.lk/51-71792-news-detail-will-uva-be-the-bloodiest-poll-in-history.html">www.ceylontoday.lk/51-71792-news-detail-will-uva-be-the-bloodiest-poll-in-history.html</a> )	Poor progress

## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
5	79a	Investigate alleged cases of conscription of child combatants where prima facie evidence exists; prosecute wrongdoers thereupon.	8		Fully included	Action plan absent			No timeframe specified		No progress reported in any Monitoring Reports prior to July 2014.  No further incidents reported - July 2014 Monitoring Report.	Completed	No updates on plans to initiate prosecutions of certain identified persons accused of recruiting children e.g. Pillayan and Karuna.  However, according to the Report of the Secretariat General on Children and Armed Conflict (2012) an investigation was launched into Iniya Bharahthi's involvement in the case of five missing children recruited by the Iniya Bharathi faction. ( <a href="http://childrenandarmedconflict.un.org/countries/sri-lanka/">http://childrenandarmedconflict.un.org/countries/sri-lanka/</a> ).  Recruitment of child soldiers by the LTTE is also to be investigated by the Presidential Commission to Investigate into Complaints Regarding Missing Persons.	Partial progress
6	79b	Implement fully the Action Plan (in respect of child soldiers) between the TMVP, Commissioner General of Rehabilitation, and the UNICEF with immediate effect.	8		Not included	No reference to action plan				N/A		None	According to media reports, the Action Plan signed in December 2008 was to be implemented over three months, and involved the TMVP releasing all recruited child soldiers. ( <a href="http://www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment">www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment</a> )  By April 2012, the locations of 5 children recruited by the TMVP remained unknown. However, Sri Lanka was removed from list of states in which children were involved in armed conflict due to progress made in ending child conscription.  See Reports of Secretary General for Children in Armed Conflict 2011 and 2012 ( <a href="http://transcurrents.com/news-views/archives/436">http://transcurrents.com/news-views/archives/436</a> ) ( <a href="http://childrenandarmedconflict.un.org/countries/sri-lanka/">http://childrenandarmedconflict.un.org/countries/sri-lanka/</a> )	Completed

## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
7	118	Ensure that people, community leaders and religious leaders are free to organize peaceful events and meetings without restrictions.	8	Monitor monthly at GA's conference, whether there are constraints to enjoying this freedom.	Fully included		Ministry of Public Administration	Zero complaints re inability to organize events	No timeframe specified		District Secretaries are taking action to ensure that religious leaders and community leaders are assured of the freedom to organize as well as to hold meetings peacefully - September 2014 Monitoring Report.	Ongoing	There have been numerous reports of obstructions to peaceful assembly. According to INFORM Human Rights Documentation Centre, at least 84 violations of freedom of assembly and association occurred in 2014 (as at 20th September 2014).  ( <a href="https://ihrc.files.wordpress.com/2014/08/freedom-of-assembly-association-in-sri-lanka-inform-20sep2014.pdf">https://ihrc.files.wordpress.com/2014/08/freedom-of-assembly-association-in-sri-lanka-inform-20sep2014.pdf</a> )	Poor progress
8	119	Follow up Action on the Reports of Past Commissions of Inquiry to ensure that visitors from overseas be allowed to visit their friends and relatives in recently resettled areas without any undue restrictions.	8	Identify whether there are undue restrictions to visits and remove such restrictions, if any.	Fully included	No reference to reports of past commissions in NPA	Ministry of Defence, Department of Police, respective GA's	The formulation of a report which confirms that no such restriction exists	Jan-13	Lapsed	Completed. There are facilities and unrestricted access for overseas visitors to visit their friends and relatives in recently resettled areas - July 2014 Monitoring Report.	Completed	Since October 2014, foreign passport holders are required Defence Ministry approval to travel to the north.	Poor progress
9	204	Take immediate action to disarm persons in possession of unauthorized weapons and also prosecute such offenders	8	Ensure strict enforcement of the provisions of the Offensive Weapons Act/The Firearms and Explosives Act and the successful prosecution of legal action against offenders.	Fully included		Dept. of Police	A complete disarming of persons in possession of unauthorized weapons.	Jan-13	Lapsed	Refer to 9.73	Completed	Refer to 9.73 and 9.74  Progress reported in Monitoring Reports only refers to disarmament in the North and East just after the war ended. Some incidents involving illegal armed groups continue to take place. In 2013 - alleged EPDP shootout, attacks on Uthayan newspaper office ( <a href="http://www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/">www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/</a> ) In 2014 - attacks during the Uva PC elections	Poor progress

## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
10	207	Launch a full investigation of allegations that specific individuals (i.e. Bhareti and Karuna) committed several offences of abduction, extortion, robbery etc. in the Eastern province.	8	Conduct investigations speedily and ensure that the Rule of Law prevails having due regard to the Constitution. Guarantee of the equal protection of the law	Fully included		1) Dept. of Police 2) AG's Department 3) Ministry of Justice	An increased rate of successful prosecutions.	Jan-13	Lapsed	Of the 61 persons in custody, investigations relating to many have been completed. Legal action has been taken with regard to the release, indictment or rehabilitation of 181 suspects by the Attorney General and this number has now been reduced to 84. Rehabilitation activities of the terrorist suspects are being conducted by the Department of Rehabilitation - September 2014 Monitoring Report.	Ongoing	Number of those in custody has been decreasing, from 85 in November 2013, to 76 in January 2014 and 61 by July 2014. No change in number of cases where legal action regarding release, indictment or rehabilitation (84) since January 2014.  Progress makes no reference to specific individuals. Iniya Bharati was appointed the President's District Coordinator for Ampara and awarded the title of Deshamanya, the second highest national honour by the President. Vinayagamoorthy Muralitharan (Karuna) is Vice President of SLFP, National List MP and deputy Minister of Rehabilitation.  See 9.79a	Poor progress
11	208	Launch a full investigation of complaints and allegations of extortion against the EPDP.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	No indication of investigations or prosecutions.	Poor progress
12	209	Investigate fully the illegal activities of a gang led by a person called Major Seelan, in connection with offences of abduction, extortion and robbery; Major Seelan was apprehended but the principal offender remains at large.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	No information on investigation or arrest of anyone known as Major Seelan.	Poor progress
13	210	Give full effect to all of its Interim Recommendations concerning illegal armed groups.	8	1. Examine crime statistics and trends to identify critical issues; 2. Take necessary measures to improve law enforcement	Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.213  Interim recommendation is cited as IR 3	Ministry of Defence	The effective maintenance of law and order	No timeframe specified		Fully implemented as per recommendation 9.73 - February 2013 Monitoring Report.	Completed	Refer 9.73	Poor progress

## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
14	213	Investigate all allegations against illegal armed groups; prosecute and punish all wrongdoers irrespective of their political links.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	Refer 9.207	Poor progress
15	218	Establish an independent institution, with a strong investigative arm, to address the grievances of all citizens, in particular the minorities, arising from the abuse of power of public officials and other individuals involved in the governance of the country.	8	1. Review the provisions of existing Institutions to identify additional and more effective measures that need to be taken to strengthen citizens rights.  2. Introduce measures/ mechanisms/ amendment to laws to strengthen citizens grievance mechanisms	Partly included	NPA only seeks to review the recommendation	1) Presidential Secretariat  2) Ministry of Defence  3) AG's Department  4) Ministry of Justice	Report submitted by major stakeholders to the Cabinet of ministers	Jan-13	Lapsed	Public Day of IGP, IGP Help Desk and 'Tell IGP' website enables the public to access available services. Cabinet Memorandum establishing special boards for land mediation will be presented shortly - September 2014 Monitoring Report.	Ongoing	Progress reported only refers to mechanisms for making police complaints. No independent institution as envisaged by the recommendation has been established as yet.	Poor progress
16	219	Protect the right of citizens who have a grievance arising out of any executive or administrative act, particularly those based on ethnicity or religion to seek redress before the independent institution.	8	Refer to 9.218	Partly included	NPA only seeks to review the recommendation	Refer to 9.218	Refer to 9.218	Jan-13	Lapsed	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218.	Poor progress
17	220	Make provision to give effect to the decisions of a special institution to deal with citizen grievances. Provide for the imposition of sanctions in respect of persons who have abused power.	8	Refer to 9.218	Partly included	Included in July 2013. No reference to giving effect to decisions of special institution	Refer to 9.218	Refer to 9.218	Jun-14	Lapsed	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218.	Poor progress

## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
18	222	Provide for full transparency and make available information regarding the rationale of government decisions; review existing procedures and practices towards this end.	8	Undertake a study of current practices in the administrative machinery with the view to fully catering to the concerns of citizens, in particular the minorities.	Fully included	Action plan unclear	Ministry of Public Administration & Home Affairs	Systems and processes in place that address the concerns of all citizens	No timeframe specified		A review of existing practices in the District and Divisional Secretariats is underway and required processes are being identified through stakeholder workshops. A Complaint Management System is being formulated by M/Public Administration & Home Affairs - September 2014 Monitoring Report.	Ongoing	No mechanism currently in place that guarantees a right to information despite the LLRC recommending legislative measures to this end.	Poor progress
19	228	Make all endeavours, in cooperation with the Opposition, to reach a consensus on an appropriate constitutional amendment to provide for an adequate timeframe to challenge proposed legislation (i.e. pre-enactment judicial review of legislation)	8	Refer to the PSC.	Partly included	Implementation is contingent on PSC	Presidential Secretariat	Not Applicable	Not Applicable		No progress reported in any Monitoring reports.	None	No indication of steps taken towards amendment.	Poor progress



## Annex: Rule of law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
20	267	Take strong deterrent action to prevent incidents of inter-faith intolerance and make every endeavour to arrest the occurrence of such incidents.	8	Action already taken.	Partly included	Included in July 2013, fully included. However, no reference to inter-faith intolerance	Ministry of Buddha Sasana and Religious Affairs, Ministry of Law and Order		No timeframe specified		Completed. No further action required - January 2014 Monitoring Report.  Prompt action is taken against all reported incidents - July 2014 Monitoring Report onwards.	Completed	According to data gathered by the NCEASL and SfM, over 460 reports of inter-faith intolerance (against Muslim and Christian communities) from 2013 to mid-2014.	Poor progress
21	270	Facilitate the establishment of a mechanism in consultation with inter-faith groups, with a mandate to serve as an early warning and early diffusing procedure.	8	1. Continue implementation of the Civil Defence Committee programme of the Police and Community Policing programme.  2. Implement capacity building programmes for the Police officers in the CDC's	Partly included	No special mechanism nor consultation of inter-faith groups	Dept. of Police, Ministry of Law and Order	Implementation of such programmes and wide publicity of such programmes	Jun-14		All issues pertaining to the safety of the society are being tackled through Civil Defence Committees - September 2014 Monitoring Report.	Ongoing	No reference to consultation with inter-faith groups or establishment of such a mechanism.	Poor progress
22	283	Enact and strictly enforce deterrent laws to deal with 'hate speech' relating to ethnicity, religion, and literature	8	1. Examine the adequacy of penal legislation to deal with hate speech. 2. Introduce law reform if necessary.	Fully included	Plan makes no reference to a separate event	1) Presidential Secretariat  2) Ministry of National Languages and Social Integration  3) Ministry of Public Administration & Home Affairs	Sustainable peace and harmony amongst all people	Jul-13	Lapsed	Convention on National Unity in Diversity was held in April, 2014. Ministry of Public Administration has instructed all District Secretaries to safeguard the rights and representation of all ethnic groups during national events organised at district and provincial levels. Action was taken to ensure representation of all ethnic groups in cultural events and in the singing of the national anthem during National Day celebrations held in Trincomalee and at district level in other parts of the country - September 2014 Monitoring Report.	Ongoing	No new law introduced.	Poor progress

# ANNEX: LANGUAGES, INTEGRATION & RECONCILIATION

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	60	Provide comprehensive, island-wide human rights education programmes targeting the school children, youth, members of the Security Forces, and the Police etc.	9	1. Implement activities identified in the NHRAP  2. Formulate a module for inclusion in secondary school curriculum	Fully included		1) NHRC, Ministry of Education, Armed Forces, IGP  2) NIE	1) Implementation of NHRAP monitored  2) Module formulated and included in curriculum	No timeframe specified	Pending	During January – June, 2014 over 700 police officers received training by ICRC on “Community-oriented public order management” and over 700 military personnel received ICRC training on IHL. A seminar on IHL was also conducted for armed forces by the ICRC. Human Rights Education is routinely provided to Police Officers, while the Sri Lanka Army conducts a comprehensive HR law/ IHL training programme for all ranks throughout the year. More than 6,700 Police Officers have received ICRC training on “Use of Force” by January 2014. Secondary school education curriculum has incorporated Human Rights Education. Supplementary curriculum material is being developed. - September 2104 Monitoring Report.	Ongoing	Human Rights training has been introduced to members of security forces and the police. However, the nature of human rights education in secondary school curriculum is unclear.  The Human Rights Commission of Sri Lanka has proposed the inclusion of human rights in the school curriculum. However, according to media reports, the National Institute of Education (responsible for setting the school curriculum) will not implement these proposals in full. HR education is to be incorporated into an existing subject, and not taught as a separate subject.  ( <a href="http://www.nation.lk/edition/news-online/item/31748-human-rights-to-be-included-in-school-curriculum.html">www.nation.lk/edition/news-online/item/31748-human-rights-to-be-included-in-school-curriculum.html</a> )	Partial progress
2	221	Establish Interfaith Reconciliation and Peace Committees at District and Provincial levels to function as a feeder mechanism to support the functions of the above Institution, in particular, by providing grass root level inputs in the implementation of measures aimed at inter - ethnic and inter - religious harmony.	9		Included but intangible	Included in July 2013. Action plan absent.	Ministry of Buddha Sasana & Religious Affairs Ministry of National Languages & Social Integration	No KPI specified	No timeframe specified		A programme was conducted with the participation of Buddhist Bikkus and Hindu priests regarding this recommendation in Polonnaruwa District - September 2014 Monitoring Report.	Ongoing	Inter-faith reconciliation and peace committees are yet to be established.	Poor progress

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3	241	Include, in the full implementation of the language policy, action plans broken down to the community level, and appropriately covering the Divisions and Local Bodies with targets that can be monitored with citizen participation.	9	<p>1. Assess the current status with regard to representation of Tamil speaking people and Tamil speaking regions in official bodies for implementation of the Official Languages Policy and at different levels in respective public institutions.</p> <p>2. Formulate Action Plans to ensure observance of language rights</p>	Fully included	Included in July 2013	Ministry of National Languages & Social Integration	<p>Assessment completed</p> <p>Formulate Action Plans</p>	No timeframe specified		Road Map for implementation of the Official Languages Policy (OLP) has been developed by the Ministry of National Languages & Social Integration to be implemented from 2015 to 2020. Language Committees have been established and Language Plans have been formulated within public institutions to strengthen localised implementation of the OLP. A guidebook for the presentation of language plans by public institutions was also launched - September 2014 Monitoring Report.	Ongoing	It is unclear as to whether language committees have been established at community level. No indication as to whether targets will be monitored with citizen participation.	Poor progress
4	242	Implement the official languages policy in an effective manner to promote understanding, diversity and national integration among all the citizens irrespective of race, religion or social status.	9	<p>1. Establish Language Societies islandwide which includes all communities.</p> <p>2. Provide opportunities to citizens to celebrate diversity.</p>	Included but intangible	Included in July 2013	Ministry of National Languages & Social Integration	Language Societies are established	No timeframe specified		September 2014 Monitoring Report details initiatives such as the Road Map for implementation of OLP, Language Societies, the Convention on National Unity in Diversity among others, with the aim of improving compliance with the OLP.	Ongoing	Since the Road Map for implementation of the OLP prospectively covers 2015 to 2020, full implementation of this recommendation is yet to take place.	Partial progress
5	243	Make the learning of each others' languages a compulsory part of the school curriculum.	9	1. Identify activities that promote interaction among students of different communities.	Fully included	Included in July 2013	Ministry of Education Ministry of National Languages and Social Integration	Programmes/ policies in place.	No timeframe specified		A comprehensive School based Second National Language Policy is being devised by the Ministry of Education. Curriculum on second national language has been developed, and teacher training programmes are underway. Islandwide Second National Language competitions and Annual Second Language students' camps have been organised - September 2014 Monitoring Report.	Ongoing	Currently, provision of second language education varies from school to school based on factors such the availability of teachers. Nevertheless, a sound policy for the implementation of the recommendation i.e. the Ten Year National Plan for a Trilingual Sri Lanka is in place.	Partial progress

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6	244	Ensure proper implementation of the language policy and provide for trilingual (Sinhala, Tamil and English) education to children from a young age.	9	1. Implement programmes in schools in line with the Trilingual Policy	Included but intangible	Included in July 2013	Ministry of Education Ministry of National Languages & Social Integration Presidential Task Force for a Trilingual Sri Lanka	Education sector based road map for the trilingual programme	Dec-16	Pending	Education Sector based Road Map for Trilingual Programme has been developed in line with the Ten Year National Plan for a Trilingual Sri Lanka. A conference on promoting bilingual education was held by Ministry of Education and the National Institute of Education in partnership with British Council. Curriculum material and teacher training modules have been developed - September 2014 Monitoring Report.	Ongoing	Bilingual Education conference reported in progress refers to an initiative only to introduce English as second language rather than provision of trilingual education. The first phase of the Ten Year National Plan for a Trilingual Sri Lanka, currently under implementation, proposes the training and establishment of a cadre of first and second national language teachers, examination reform and the development of curriculum material and learning activities, among other steps to improve language education in schools and universities.	Partial progress
7	245	Make the necessary budgetary provisions available on a priority basis for teacher training and staffing towards the end of becoming a trilingual nation by the year 2020.	9	1. Formulate an Action Plan to ensure effective implementation of the Language policy.  2. Examine the role of the Official Languages Commission and identify areas that need strengthening. Include remedial steps to be taken, in the Action Plan.  3. Implement recommendations of the "Presidential Task Force on Trilingual Society by 2020."  4. Design a monitoring and evaluation Plan to assess whether the programmes implemented are effective and whether there is compliance with policy.	Partly included	No reference to budgetary provisions *But enhanced in term of formulating an Action Plan	1) Ministry of National Languages and Social Integration  2) Presidential Task Force on Trilingual Society	Effective Monitoring of the implementation of the Trilingual Initiative	No timeframe specified		According to the September 2014 Monitoring Report: (1) Completed. Road Map for implementation of the Official Languages Policy (2015-2020) formulated. Language Committees established and Language Plans formulated within public institutions (2) A committee was appointed by the Ministry of National Languages & Social Integration to amend the Official Languages Commission Act No. 18 of 1991. The final draft of the Act is due to be submitted to the Commission for approval by the end October 2014. (3) Activities have been identified to implement recommendations of the Presidential Task Force on Trilingual Society by 2020; 12 strategies have been identified for implementation by Ministry of National Languages & Social Integration. Syllabus of the Diploma Course conducted by the National Institute for Language Education and Training (NILET) is being reviewed.	Ongoing	Progress reported makes no reference to specific budgetary allocations.  However according to 2014 Budget Estimates, the National Institute of Language Education and Training has been allocated Rs. 72 million, and the Presidential Task Force on a Trilingual Sri Lanka has been allocated Rs. 25 million. A programme on Capacity Building of Language Teachers Promoting trilingual Sri Lanka (GOSL/JICA) has been allocated Rs. 40 million.	Completed

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8	246	Ensure that Officers in Government service possess language skills to serve in any part of the country.	9	Refer to 9.245	Partly included	Action envisaged does not include such an aim	Refer to 9.245	Refer to 9.245	No timeframe specified		According to the September 2014 Monitoring Report: No. of teacher trainers to build Bilingual Competency of Public Officers (up to August 2014): 2,344 No. of Public Officers who acquired Bilingual competency (up to August 2014): Sinhala as a second language - 17,379 ; Tamil as second language - 96,084	Ongoing	Government policy adopted in 2007 requires all recruits to the public service after July 2007 to be bilingual within a period of five years of being appointed.  According to the Official's Committee appointed by Cabinet to make recommendations on language proficiency of public officers, problems regarding policy implementation include unavailability of training, course materials, lack of facilities for training in remote areas and time constraints faced by public officers, among others.  ( <a href="http://www.cabinetoffice.gov.lk/cab/images/Downloads/Language%20Report(e).pdf">http://www.cabinetoffice.gov.lk/cab/images/Downloads/Language%20Report(e).pdf</a> )	Partial progress
9	247	Direct that all Government offices have Tamil-speaking officers at all times. In the case of Police Stations they should have bi-lingual officers on a 24- hour basis.	9	Refer to 9.245	Partly included	Action envisaged does not include bi-lingual police officers serving on a 24-hour basis	Refer to 9.245	Refer to 9.245	No timeframe specified		Police Officers conversant in Tamil language provide services on a 24 hour basis in the Police stations in the Northern and Eastern Provinces. As of December 2013, 2,326 Tamil speaking Police officers serve in the Police department. In the Northern Province, there are 395 Tamil officers; 107 Non Tamil officers (speaking & writing capacity in Tamil); and 370 Non Tamil officers (speaking only) serving in the Police stations. The corresponding numbers in the Eastern Province are: 385, 881 and 291. The Official Languages Commission has directed the review and audit of 6 Police Stations, i.e. Slave Island, Negombo, Nawalapitiya, Maskeliya, Balangoda and Puttalam, and has also made arrangements to collect information on implementation of language policy from Police Stations in Northern and Sabaragamuwa provinces - September 2014 Monitoring Report	Ongoing	Refer to 9.246.  An islandwide survey of police stations carried out in early 2013 by Verité Research found that at least 157 out of 408 stations had Tamil language capability. By November 2014, at least six out of nine stations in Tamil-majority areas that did not do so in 2013 had acquired Tamil language capability by then.  While Tamil language competency among public officers islandwide has not been reached yet, the sheer number of individuals to be trained requires consistent high quality training over a sustained period.	Partial progress

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10	248	Create branches for the Language Commission in every province whilst retaining effective powers of implementation.	9	Refer to 9.245	Partly included	Action envisaged does not include branches of Language Commission in every Province	Refer to 9.245	Refer to 9.245	No timeframe specified		The Official Languages Commission has been relocated. A committee was appointed by the Ministry of National Languages & Social Integration to amend the Official Languages Commission Act No. 18 of 1991. The final draft of the Act is due to be submitted to the Commission for approval by the end October 2014. Following Cabinet approval to establish Official Language Centres in every Province, the first Provincial Centres were opened in the Northern and Sabaragamuwa Provinces - September 2014 Monitoring Report.	Ongoing	The nature of the proposed amendments and its relevance to establishing provincial branches of the Commission is unclear. However, it appears that provincial centres can be established without amending the Act. These centres do not have effective powers of implementation under existing Act, hence it is assumed that proposed amendments are intended to empower provincial branches in terms of such powers.	Partial progress
11	249	Give greater attention to information technology which can be utilized as an instrument to overcome the language barrier; use translation software until long-term policies take effect.	9	Refer to 9.245	Fully included		Refer to 9.245	Refer to 9.245	No timeframe specified		The software relating to the Sinhala Akuru Potha and the Tamil Akuru Potha was subjected to a review by an Expert Panel. Accordingly, printing of 3,000 copies in Sinhala and 7,000 copies in Tamil will take place shortly - September 2014 Monitoring Report.	Ongoing	In addition to progress reported in Monitoring Reports, the Information and Communication Technology Agency of Sri Lanka has also undertaken a Local Languages Initiative, while the Ministry of National Languages and Social Integration launched a trilingual electronic dictionary ( <a href="http://www.trilinguadictionary.lk">www.trilinguadictionary.lk</a> ) in 2013. The Ten Year National Plan for a Trilingual Sri Lanka identifies the development of IT based language technology as a major component in all stages of its programme.	Partial progress
12	250	Station interpreters at Police Stations using retired police officers with bilingual fluency.	9	Refer to 9.245	Partly included	Action envisaged does not include utilising retired bilingual police officers	Refer to 9.245	Refer to 9.245	No timeframe specified		Official Languages Commission had investigated 21 complaints received in April 2014 in relation to violation of Official Languages Policy. Reports were forwarded to relevant institutions regarding the same - September 2014 Monitoring Report.	Ongoing	Progress reported makes no reference to employment of retired bilingual officers. No information to suggest that recruitment drives of such officers have been planned.	Poor progress

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13	251	Assemble a committee of experts in education to review the quota system with a view to introducing a merit based admission system.	9	Examine the current admission policy with a view to recommending any changes that would improve the criteria for admissions.	Fully included		UGC / Ministry of Higher Education	Expert Committees Established	Jul-13	Lapsed	As decided by the Cabinet on June 20, 2013, the criteria presently adopted for admission to universities remain in force. However, present method of district-based system is being changed to a nationwide merit based system depending on school system quality and accessibility improvements. Committee was of the view that the immediate introduction of the merit-based system will be disadvantageous to students who were in conflict-affected areas - November 2013 Monitoring Report.	Ongoing	A Committee was established and appears to have reviewed the current system.  Monitoring Reports released after November 2013 make no reference to a possible switch to a nation-wide merit based system.	Completed
14	252	Reduce and eventually eliminate the inequality in the availability of educational facilities in different areas of the country.	9	Implement the current programmes in keeping with the "Mahinda Chintana" to upgrade facilities in schools island wide	Partly included		Ministry of Education	Upgrading of educational facilities in schools	Jul-15	Pending	September 2014 Monitoring Report details steps taken such as the upgrading facilities and infrastructure, and renovation of particular schools located mainly in the North and East.	Ongoing	Monitoring Reports indicate that steps have been taken to address inequalities in availability of education facilities.	Partial progress
15	253	Make a proactive policy to encourage mixed schools serving children from different ethnic and religious backgrounds; develop a carefully conceived policy facilitating the admission of children from different ethnic and religious groups to these schools.	9	1. Formulate a policy that would encourage ethnically mixed schools  2. Ensure that schools include programmes to promote inter-community interactions.	Fully included		Ministry of Education	The establishment of a policy encouraging ethnically mixed schools	Jul-14	Lapsed	Focus Group discussions with the participation of Ministries of Education and National Languages & Social Integration are underway regarding school twinning programme and the Access to Education element of the Social Integration Policy and the National Action Plan. Mapping exercise underway for selection of 9 schools, (one in each province) to convert as ethnically mixed schools - September 2014 Monitoring Report.	Ongoing	Mapping exercise of nine schools in each province to convert into ethnically mixed schools has been underway since February 2013 i.e. for at least one and a half years.  According to some media reports, the government has also announced that schools based on ethnicity, religion and gender would not be established in the future. ( <a href="http://archives.dailynews.lk/2013/01/17/news20.asp">http://archives.dailynews.lk/2013/01/17/news20.asp</a> )  Preparations for an Education Act have commenced, with a draft by the Ministry of Education titled 'New Educational Policies and proposals for General Education in Sri Lanka' tabled in Parliament in August 2013. ( <a href="http://dailynews.lk/?q=political/education-minister-tables-concise-report">http://dailynews.lk/?q=political/education-minister-tables-concise-report</a> )	Partial progress

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16	254	Encourage greater interaction among students, through mechanisms such as twinning of schools from the different provinces, student exchange programmes and formation of Reconciliation Clubs in schools.	9	Refer to 9.253	Fully included		Refer to 9.253	Refer to 9.253	Jul-14	Lapsed	Refer to 9.253	Ongoing	Exchange programmes have taken place, such as by the National Youth Services Council, the National Reconciliation Unit and in collaboration with other organizations. However, there is no indication that the exchange programmes have been introduced as part of a comprehensive policy.	Partial progress
17	256	Take measures to ensure, as far as possible, that students of different communities have every opportunity to interact.	9	Activities underway.	Fully included	Included in July 2013	Ministry of Education Ministry of National Languages & Social Integration Presidential Task Force for a Trilingual Sri Lanka	Establishment of "Mahindodaya Language Labs"	Dec-15	Pending	Cabinet approved a proposal in May 2014 for a suitable national school in Mannar to be developed as a trilingual school from 2015 which will provide opportunities for Sinhalese and Tamil children to learn together in the same school. Language curriculum material is revisited by Ministry of Education to promote greater language interactions, and language-based School Linking Programmes have been conducted. Language Education Resource Units were set up in 1,000 secondary schools through "Mahindodaya Language Labs" - September 2014 Monitoring Report.	Ongoing	Measures have been taken in specific districts to ensure student interaction in the classroom. Language Education Resource Units also appear to advance recommendation. However assuming that 1,000 secondary schools have Language Education Resource Units, students in the remaining 8,905 schools continue to be segregated on the basis of language of instruction.	Partial progress



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18	257	Take steps to ensure public universities have ethnically mixed student populations with a choice of courses offered in all three languages.	9	The present policy caters to this requirement in an appropriate manner. However a group of experts can be mobilized to consider the present system and recommend any changes that would promote the trilingual process	Partly included	Plan does not envisage courses offered in all three languages	UGC/ Ministry of Higher Education	Identification of a group of experts	Jul-14	Lapsed	Cabinet approval has been sought by Ministry of Higher Education to promote Ethnically Mixed Student Populations in Public Universities. An Experts Committee on the issue has made several recommendations, currently implemented to various degrees by universities such as student and staff exchange programmes among universities, trilingual Degree Courses to cater to needs of development, national harmony and peace based activities and the inclusion of the subject of National Harmony as a credit course in all degrees in universities - September 2014 Monitoring Report.	Ongoing	Currently, university admissions take place on a combination of merit and "merit-on district" basis. Depending on geographic location and the language of instruction of its courses, each university tends to have a greater concentration of students from particular ethnicities e.g. during the 2011/12 academic year, the University of Colombo was approximately 91.2% Sinhalese, University of Kelaniya was 95.3% Sinhalese, Jaffna University 65.9% Tamil. Ethnic diversity will be better represented if universities offer courses in all three languages.  Current plan does not clearly envisage courses offered in all three languages. However, ethnically mixed student populations may still emerge as a result of the policy initiatives approved by Cabinet.	Partial progress

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19	258	Conduct sports tournaments at inter-provincial levels and important national sports competitions should be conducted throughout the island, especially, in the North and East.	9	1. Implement programmes to actively promote sports in the former conflict areas.	Partly included	Inter-provincial nature not specified  Prior to release of the July 2014 Monitoring Report, plan stated: 'Presently, national competitions ensure Islandwide participation. However, a programme could be implemented to actively promote sports in the former conflict areas.'	Ministry of Sports	No. of such competitions successfully conducted.	No timeframe specified		September 2014 Monitoring Report details steps taken to promote sports in the North and East. Provincial steering committee meetings of Asian Youth Tournament (2017) have been held in Kilinochchi and Trincomalee in March and April 2014. Development of sports infrastructure is also underway in the North and East.	Ongoing	Some inter-provincial sports tournaments have been introduced.	Partial progress
20	260	Develop, with the relevant stakeholder especially civil society, a comprehensive approach to harness the potential of the expatriate community.	9	1. Formulate programme to harness the untapped potential of the expatriate community, through Sri Lankan overseas Missions.  2. Implement programme through Overseas Missions	Fully included	This is not cited as 9.260 but is included nonetheless.	M/External Affairs	1) Programme formulated.  2) Programme implemented	Oct-12	Lapsed	Guidelines for Sri Lanka Missions and Posts abroad on engaging the overseas Sri Lankan communities were highlighted at the Residential Workshop for Heads of Sri Lanka Missions/Posts abroad held in Diyatalawa in July 2012. Missions continue to implement specific programmes in this regard. The Ministry is regularly updating the database of key diaspora organizations and individuals while monitoring activities of Sri Lanka Missions and Posts abroad - September 2014 Monitoring Report.	Ongoing	The same progress has been reported since August 2013.  Expatriate community is currently not provided with any specific scheme to obtain work permits and expatriates are treated similarly to foreign nationals.	Poor progress

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21	261b	Take action to constructively engage those groups that still harbour adversarial attitudes and the LTTE approach of separation, and find space for those groups to contribute to the local reconciliation and development efforts.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	In March 2014, the government listed 15 Tamil diaspora organizations as organizations engaging in terrorist funding organizations. Moreover organizations such as the LTTE and the Tamil Rehabilitation Organization are proscribed under the PTA Regulations No. 1 of 2011. Under the PTA regulations, any persons who even transacts with the LTTE and the TRO are liable to be arrested and have their property forfeited.	Poor progress
22	261c	Engage in a proactive diplomatic initiative with the international community, especially those countries that host these diaspora groups.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	<p>According to H.E. Mr Ravinatha P. Ariyasinha (Permanent Representative of Sri Lanka to the UN) at the Diaspora Ministerial Conference in June 2013, the government has engaged in a structured dialogue with members of the Sri Lankan Tamil Diaspora from the United States, United Kingdom, Canada, Australia, Norway, Germany, Switzerland, France among others.</p> <p>(<a href="http://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/IDM-2013-Diaspora-Ministerial-Conference/10-Statement-by-HE-Mr-Ravinatha-P-Aryasinha-Permanent-Representative-of-Sri-Lanka-to-the-UN-and-other-International-Organizations-in-Geneva-18-June-2013.pdf">http://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/IDM-2013-Diaspora-Ministerial-Conference/10-Statement-by-HE-Mr-Ravinatha-P-Aryasinha-Permanent-Representative-of-Sri-Lanka-to-the-UN-and-other-International-Organizations-in-Geneva-18-June-2013.pdf</a>)</p> <p>However, post-March 2014 these efforts maybe have been undermined due to the listing of certain diaspora organizations as terrorist funding entities.</p>	Poor progress

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23	261d	Adopt liberal policies and attitudes towards those expatriates who wish to invest and work in Sri Lanka, for instance by making it easier to obtain dual nationality status, effect remittances and be able to travel throughout the country without undue restrictions.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	<p>Since October 2014, foreign passport holders require Defence Ministry approval to travel to the North.</p> <p>The government suspended the granting of dual citizenship to expatriates in 2011, which prevented many Sri Lankans abroad unable to proceed with their applications. According to media reports, the facility is to be reintroduced after changes to the relevant laws. The Cabinet has granted its approval and as at March 2014, the proposed amendments had been directed to the Legal Draftsman's Department. (<a href="http://www.sundaytimes.lk/140330/news/govt-slow-in-resuming-dual-citizenship-90931.html">www.sundaytimes.lk/140330/news/govt-slow-in-resuming-dual-citizenship-90931.html</a>) In a speech in Parliament during the Budget Debate on 28 October 2014, TNA MP M.A. Sumanthiran stated that the government discriminated against Tamil applicants applying for dual citizenship. (<a href="http://parliament.lk/uploads/documents/hansard/1414823868096353.pdf">http://parliament.lk/uploads/documents/hansard/1414823868096353.pdf</a>)</p>	Poor progress
24	261e	Conduct a carefully worked out program of action through diplomatic missions and civil society groups here and abroad.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	No discernible programme of action available, particularly following March 2014, when the government listed 15 Tamil diaspora organizations as organizations engaging in terrorist funding organizations.	Poor progress
25	262	Take the initiative to constructively engage development partners in Sri Lanka and abroad in order to develop a self-reliant, future oriented community in the Wannu, with open minds to build on and sustain reconciliatory community relationships.	9	Refer to 9.260	Partly included (not referenced)	Contemplated under NPA item relating to recommendations 9.261 and 263.	Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	Initiatives to work with development partners such as the World Bank and the Asian Development Bank continue to take place in the country, however there is no clear information on their focus on building on and sustaining community relationships in the Wannu.	Poor progress

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26	263	Constitute a Multi - Disciplinary Task Force that will include representatives from the Presidential Secretariat, External Affairs, Defence, Foreign Employment, the Private Sector, and Academia, to propose a programme of action to harness the untapped potential of the expatriate community, and to respond to the concerns of the so-called 'hostile diaspora groups,' and to engage them constructively with the Government and other stakeholders involved in the reconciliation process.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	No information to suggest the establishment and functioning of such a task force.	Poor progress
27	274	Create greater awareness of linguistic and cultural affinities among the different communities; establish proactive state policy and programme to establish such awareness	9	1. Examine and introduce appropriate measures that could be adopted to create awareness of cultural affinities including through translation of literary works  2. Engage the cultural sector to highlight commonalities and mutual understanding between communities.	Fully included		1) Ministry of Cultural Affairs  2) Ministry of Cultural Affairs	Programmes that would promote cultural affinities and commonalities between communities	Jul-13	Lapsed	September 2014 Monitoring Report lists programmes implemented by the Ministry of National Languages & Social Integration and Ministry of Cultural Affairs such as multi-cultural/lingual television and radio programmes, translation of children's books in Sinhala and Tamil, literary festivals, construction of Art centres and cultural centres.	Ongoing	National Cultural Policy released in October 2007 does not sufficiently prioritise promoting awareness of cultural awareness as a means of building cohesion between communities. However progress reported under recommendation 9.281 below states that a comprehensive National Action Plan to operationalize the National Policy on Social Integration will be launched on 10 December 2014.	Partial progress

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28	275	Give special attention to translation, publication and dissemination of major literary works in Tamil into Sinhala, and similarly Sinhala literary works into Tamil.	9	Refer to 9.274	Fully included		Refer to 9.274	Refer to 9.274	Jul-13	Lapsed	Refer to 9.274	Ongoing	Monitoring Reports released up to November 2013 cited translation of 4 award winning books by the Ministry of Culture and the Arts as progress in implementing of this recommendation. However according to a senior official within the ministry consulted in September 2013, these translations were private initiatives and did not receive state funding. No update on status of these translations has been provided.	Poor progress
29	276	Encourage and disseminate cinema, TV and stage drama, productions that highlight commonalities and mutual understanding between communities for the benefit of the younger generation.	9	1. Formulate public awareness strategy.	Fully included	Included in July 2013	Ministry of National Languages & Social Integration Ministry of Culture and the Arts	Effective public awareness campaign underway.	Jun-14	Lapsed	Social Integration Week is organised annually by the Ministry of National Languages and Social Integration. A media campaign has been designed by the ministry to educate the general public on the importance of social integration and to promote an understanding of the culture of diverse ethnic groups. A Campaign Ambassador has been identified in this regard - September 2014 Monitoring Report.	Ongoing	Apart from reference to the media campaign, no information available on specific productions that highlight commonalities and mutual understanding.	Partial progress
30	277	Support and maintain the practice of the National Anthem being sung simultaneously in two languages to the same tune.	9	Examine the implementation of this recommendation vis-à-vis the current Constitutional provisions, at the PSC.	Partly included	Implementation is contingent on PSC	Presidential Secretariat	The implementation of the recommendations of the PSC	No timeframe specified		No progress reported in any Monitoring Reports.	None	Currently, the national anthem is only sung in Sinhala at state events. According to one media report, the Ministry of National Languages and Social Integration proposed that a bilingual consolidated national anthem be sung at National Day 2013. However this has not been put into practice. ( <a href="http://www.dailymirror.lk/news/25219-bilingual-national-anthem-proposal-sent-to-president.html">www.dailymirror.lk/news/25219-bilingual-national-anthem-proposal-sent-to-president.html</a> ) Since implementation is contingent on the PSC, there is currently no clear plan to implement this recommendation.	No progress

## Annex: Languages, integration & reconciliation

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
31	281	Initiate creative programmes such as "Youth Parliament" and "From Palmyrah Grove to Coconut Grove" falling within the purview of Government Ministries and other agencies in cooperation with civil society groups, so that such exchange programmes can be supported, expanded and broad-based.	9	1. A Five Year Master Plan to be formulated for the Social Integration Policy	Fully included	Included in July 2013	Ministry of National Languages & Social Integration	Master Plan to be formulated	No timeframe specified		A comprehensive National Action Plan to operationalize the National Policy on Social Integration will be launched by Ministry of National Languages & Social Integration on 10 December 2014. The Ministry has also setup an Inter-Ministerial Committee for better coordination among the respective line ministries. Civil Society groups, NGOs, religious organizations and public institutions from all parts of the country participated at the "Social Integration Conference" organised by the ministry in July 2014 - September 2014 Monitoring Report.	Ongoing	Monitoring Report indicates steps taken towards implementation.	Partial progress
32	285	Set apart a separate event on the National Day to express solidarity and empathy with all victims of the tragic conflict and pledge our collective commitment to ensure that there should never be such blood-letting in the country again	9	Continue the present practice of expressing solidarity as one nation and one people and of pledging a collective commitment to non-violence and peace so as to ensure a non-recurrence of the past events that led to the internecine conflict	Partly included	Plan makes no reference to a separate event	1) Presidential Secretariat 2) Ministry of National Languages and Social Integration 3) Ministry of Public Administration & Home Affairs	Sustainable peace and harmony amongst all people	No timeframe specified		Convention on National Unity in Diversity was held in April, 2014. Ministry of Public Administration has instructed all District Secretaries to safeguard the rights and representation of all ethnic groups during national events organised at district and provincial levels. Action was taken to ensure representation of all ethnic groups in cultural events and in the singing of the national anthem during National Day celebrations held in Trincomalee and at district level in other parts of the country - September 2014 Monitoring Report.	Ongoing	No separate event as envisaged by this recommendation was held on National Day 2014.	Poor progress

# ANNEX: RETURN, RESTITUTION & DEVELOPMENT

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	9b	Provide redress to families of those killed or injured.	10		Not included	Victim compensation referred to in NPA item with respect to recommendation 9.155, but no reference to families of victims				N/A		None	Sporadic reports of compensation paid to 'war affected families'. Despite its non-inclusion in the NPA, according to the Ministry of Rehabilitation and Prison Reforms the government has paid compensation in 4,390 cases of death and injury compensation for general public and for public servants from 2009 to August 2014. ( <a href="http://www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf">www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf</a> )  According to media reports, the government has initiated a programme to compensate war victims as per the recommendations of the LLRC, with Rs. 85 million allocated to the first phase of the programme in 2013. ( <a href="http://www.therepublicsquare.com/politics/2013/07/12/sri-lanka-pays-compensation-to-the-war-affected-people-in-north/">www.therepublicsquare.com/politics/2013/07/12/sri-lanka-pays-compensation-to-the-war-affected-people-in-north/</a> )	Partial progress
2	14	Provide redress for those affected by hospital shelling regardless of which party is culpable in said shelling.	10	1. No further action required as recommendation has been given effect to.	Fully included	Included in July 2013	Ministry of Rehabilitation & Prison Reforms REPPIA		No timeframe specified		Any person affected by shells and had applied to the REPPIA for compensation has been granted redress. Whoever injured or disabled due to war is entitled to apply for compensation on submission of a medical report issued by a Government Doctor - January 2014 Monitoring Report.	Completed	Refer to 9.9b	Partial progress
3	22	Examine the humanitarian issue of medical supplies to civilians in conflict areas during the final days of the war considering all relevant factors upon which the supplies can be assessed.	10	Submit a report	Fully included	Included in July 2013	Ministry of Health	Report submitted	Dec-13	Lapsed	Report was submitted by Ministry of Health. All medical supplies, drugs, equipment, personnel and all facilities were provided - July 2014 Monitoring Report.	Completed	Provision of medical supplies to civilians appears to have been examined. However, the report submitted to the Ministry has not been made open to public scrutiny.	Poor progress



## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
4	37b	Conduct a professional island wide survey covering all affected families to ascertain the scale of civilian death, injury and property damage.	10	Conduct survey.	Fully included		Department of Census & Statistics. (Presidential Secretariat will oversee)	Mechanism launched to conduct survey	No timeframe specified		Preliminary Report of the islandwide census to gather information on deaths/injuries to persons and property damages that have occurred from 1982 to date as a result of the internal conflict is nearing completion. Data for the Final Report are being keyed in concurrently - September 2014 Monitoring Report.	Ongoing	Census was originally to be released by March 2014. Concerns regarding the census methodology, data collection and lack of public awareness have been raised.  See: <a href="http://www.rightsnow.net/?p=4544">http://www.rightsnow.net/?p=4544</a> and Commentary on Census on human and property damage due to conflict 2013 (CPA 2014)	Partial progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
5	80	Provide increased employment opportunities in consultation with the private sector for former conflict zones	10	Recommendation has been given effect to	Fully included	Included in July 2013 Action plan unclear	Ministry of Youth & Skills Development Ministry of Rehabilitation & Prison Affairs	KPI not specified	No timeframe specified		Mannar Technical College has been completed and programmes commenced in April 2014. Renovation on Mullaitivu Training Centre has been completed and courses commenced in April 2015 in collaboration with UNICEF. A Sri Lanka-German Training Institute (SLGTI) is being established in Kiliinochchi district - September 2014 Monitoring Report.	Completed	Although measures have been taken to provide training, no information has been provided on actual employment opportunities generated from reported initiatives.	Partial progress
6	103a	Provide assistance for returnees to repair or build permanent houses; encourage self-help and mutual assistance programmes such as "Shramadana"; encourage assistance and cooperation of civil society in housing initiatives.	10	Implement programmes to construct or renovate houses for returnees with required infrastructure in place with the engagement of NGOs, CBOs.	Fully included	Included in July 2013	Ministry of Resettlement	Housing and infrastructure needs are fulfilled.	Dec-14	Pending	As at end August 2014, 65,747 fully damaged houses have been constructed and 9,246 partly damaged houses have been renovated for resettled families in the North and East with the facilitation of state sector, UN agencies, INGOs, NGOs and other agencies. Currently, 23,713 new houses are being constructed and 302 houses are being renovated. The government and other agencies have committed to building 9,367 new houses and reconstructing 2,820 damaged houses in 2014 and 2015. Inter-ministerial programmes to assist conflict affected persons have been held in Ampara and Killinochchi districts - September 2014 Monitoring Report.	Ongoing	Assistance has been also been obtained from the Indian government to build 50,000 houses under the Indian Housing Project. The construction of 10,250 of these houses was completed by January 2013.  ( <a href="http://www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm">www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm</a> )  According to a Protection Assessment of Sri Lankan IDPs who have returned, relocated or are locally integrating by the UNHCR (June 2013), only 32% of respondents have a permanent house, while the majority 57% live in transitional or emergency shelters and 6% live with relatives/friends. The main impediments to restoration of land, property and housing include occupation of land by the security forces and non-clearance of land (jungle growth etc.). ( <a href="http://unhcr.lk/wp-content/uploads/2014/02/Tool-Three-Final-Report-July-12-2013.pdf">http://unhcr.lk/wp-content/uploads/2014/02/Tool-Three-Final-Report-July-12-2013.pdf</a> )	Partial Progress
7	103b	Provide infrastructure needs such as roads, schools and hospitals in the areas where people have been resettled.	10	Refer to 9.103a	Fully included	Included in July 2013	Refer to 9.103a	Refer to 9.103a	Dec-14	Pending	Refer to 9.103a	Ongoing	No reference to infrastructure needs as progress reported only refers to housing.	Poor progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
8	105	Encourage civil society to engage in community development at the grass roots level to help communities who are making a collective effort to reconstruct and rebuild their lives.	10	Strengthen community based women's organizations (Rural Women's Societies)	Included but intangible	Included in July 2013	Ministry of Resettlement Ministry of Youth Affairs & Skills Development Ministry of Child Devt & Women's Affairs Ministry of Construction		No timeframe specified		Ministry of Resettlement adopts an 'owner driven basis' approach in its projects as a matter of policy to empower resettled communities to reconstruct and rebuild their lives. Active participation by Community Based Organizations' in the execution of community infrastructure projects targeted for the benefit of resettled IDPs and returnee refugees is solicited and encouraged by the government. Such participation is evident as they bid competitively for contracts. Field officers attached to Ministry of Child Development & Women's Affairs in Ampara and Jaffna districts are engaged in promoting community contribution in reconstruction and rehabilitation. Training for CBO women leaders has been conducted with the support of GIZ - September 2014 Monitoring Report.	Ongoing	Despite measures to encourage community based organisations in community development, heavy militarisation and communications from the Ministry of Defence have discouraged organisations from continuing their work.	Poor progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
9	108b	Initiate a formal bilateral consultation process between Sri Lanka and India to enable the displaced persons to take considered decisions with regard to their return to Sri Lanka	10	<p>1. Formulate policy with regard to IDPs in India;</p> <p>2. Conduct bi-lateral discussions with India in terms of policy</p>	Fully included		<p>1) Ministry of Lands, Ministry of External Affairs, Ministry of Re-settlement, Ministry of Defence</p> <p>2) Ministry of External Affairs, Ministry of Defence</p>	Bi-lateral discussions held and decisions implemented	Jul-14	Met	From 2011 to September 30, 2014, 1,381 families (3,966 persons) have voluntarily returned to Sri Lanka. Formal bilateral consultation on this matter is now included in the Agenda of the Indo-Sri Lanka Joint Commission which meets periodically at Ministerial Level. Government has consistently encouraged voluntary return of Sri Lankan refugees presently in Tamil Nadu through its mission in Chennai. Return is facilitated through UNHCR. A policy with regard to refugees in India is included in the draft Resettlement Policy - September 2014 Monitoring Report.	Ongoing	While measures have been taken to initiate a formal bilateral process, a study of Sri Lanka Tamil Refugees in India published in October 2014 found that only 23 per cent of the 520 families surveyed wanted to return to Sri Lanka. ( <a href="http://www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece">www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece</a> )	Completed

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
10	112	Include an assistance package in Policy referred to in 9.111; include financial assistance and other material support such as support for housing construction.	10		Fully included	Included in July 2013 Action plan absent	Ministry of Resettlement Ministry of Construction	No KPI specified	No timeframe specified		Under the Indian Housing Project 5,000 new houses have been constructed and 2,500 houses are being constructed in Mannar District. Half of the houses under this project have been granted to resettle Muslim IDPs in Mannar District - July 2014 Monitoring Report.  A Ministerial review mechanism is in operation to address issues on resettlement of Muslim IDPs in their places of origin in the Northern Province. The Committee has identified action that should be taken on priority basis viz; release of land, resettlement assistance, preparation of lands, and development of common and community infrastructure. There are 08 line Agencies represented in this Committee which meets once every 02 months to review progress and take necessary action - September 2014 Monitoring Report.	Ongoing	Full implementation is contingent on the formulation of a policy on Muslim IDPs referred to in recommendation 9.111.	Poor progress
11	143a	Extend livelihood assistance to 'new IDP' families as needed, on an area by area basis for a longer period of time than planned, to ensure family sustenance.	10	Currently there are no "New IDPs". A draft Resettlement Policy has been formulated consequent to stakeholder consultations.	Fully included	Included in July 2013  Extent of progress contingent on the contents of the Draft Resettlement Policy.	Ministry of Resettlement Ministry of Irrigation & Water Management	No KPI specified	No timeframe specified		Currently there are no "New IDPs". A Resettlement Policy has been revised and will be submitted to the Cabinet for approval shortly - September 2014 Monitoring Report.	Ongoing	The revised draft framework for resettlement policy (November 2013) does not distinguish between old and new IDPs. It aims instead to 'ensure a non-discriminatory regime among all the internally displaced persons and returnee refugees irrespective of time of displacement, ethnicity, places of origin'.  No indication that livelihood assistance will be provided for a longer period than initially planned.	Poor progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
12	143b	Continue renovating irrigation tanks in the Northern Province until all the remaining small irrigation tanks are brought back into operation, possibly with UN System assistance.	10	Refer to 9.143a	Fully included	Extent of progress contingent on the contents of the Draft Resettlement Policy	Refer to 9.143a	Refer to 9.143a	No timeframe specified		Refer to 9.143a	Ongoing	According to a report by the Governor of the Northern Province in December 2013, rehabilitation of 11 tanks had been completed, while rehabilitation of 30 tanks was ongoing.  (www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf)	Partial progress
13	145a	Review, without arousing communal tension, the available official data with regard to the eviction of Sinhalese families from the Jaffna district	10	1. Advertise paper notice to collect data on eviction of Sinhalese families from the Jaffna District and the rest of Northern Province.  2. Collect existing data from Ministry of Resettlement regarding the eviction of Sinhalese families	Fully included	Included in July 2013	Ministry of Resettlement Ministry of Lands & Land Development	Review of official data completed.	No timeframe specified		According to data received from the District Secretaries in the Northern province, there are 3,714 Sinhala families evicted from that province and 4,414 families have now returned - September 2014 Monitoring Report.	Ongoing	According to government data, more families than originally evicted appear to have returned.	Completed
14	149	Ascertain the magnitude of the problems of the 'old IDPs' and with the assistance of the United Nations, begin a programme to return or resettle these displaced persons who wish to return voluntarily.	10		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.195			Jan-14	Lapsed		Ongoing	Draft Resettlement policy does not distinguish between old and new IDPs.	Poor progress
15	153	Ensure that those who are eligible for payments, compensation or monetary relief have access to it within a reasonable timeframe.	10		Not included	Arguably contemplated under NPA item relating to recommendation 9.155, but no reference to reasonable timeframes				N/A		None	Recommendation was not included in the NPA. No information to suggest that timeframes have been provided.	No progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
16	155	Review the role and capacity of Rehabilitation of Persons, Properties and Industries Authority (REPPIA) with a view to streamlining and augmenting its role and resources in undertaking post-conflict requirements.	10	1. Examine the issues that affect the effective implementation of the REPIA.  2. Take appropriate action to deal with issues identified.  3. Provide funds for payment of compensation based on an acceptable victim identification process.	Fully included		1) M/Rehabilitation and Prisons Reforms  2) – do –  3) M/Finance and Planning	1) Report on REPIA received.  2) Action taken as appropriate  3) Issues resolved	No timeframe specified		Completed. Role of REPPIA has been reviewed and strengthened. Rs 475M was allocated in 2014 Budget to implement this recommendation. Rs 204M was allocated for REPPIA to implement this recommendation. From 2010 to 2012, Rs 392 M was provided for the payment of compensations - July 2014 Monitoring Report.	Completed	July 2014 Monitoring Report indicates steps taken towards implementation.	Completed
17	157	Take responsibility for prioritizing payments in full, and in time. Procure funding to clear the backlog of cases as well as to prevent lack of funds being the reason for delays and non-payment in the future.	10	Refer to 9.155	Partly included	This was included in the original NPA but not referenced. Reference was added in November 2013.	Refer to 9.155	Refer to 9.155	No timeframe specified		Refer to 9.155	Ongoing	Review appears to have been completed as per progress reported for recommendation 9.155. Funding has been allocated under the 2014 Budget. However, the process of paying compensation is yet to be completed.	Partial progress
18	158	Set a target time frame, via REPPIA, to ensure that all entitlements are met.	10	Complete	Fully included	Included in July 2013	Ministry of Rehabilitation & Prison Reforms	Completed	No timeframe specified		Refer to Recommendations 9.155 and 9.164 - January 2014 Monitoring Report.	Completed	Despite its inclusion in the NPA in July 2013, no details on the action plan for implementation were provided. No timeframes evident in Monitoring Reports.	Poor progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
19	159	Set a time limit for completion of payments for losses suffered up to the end of the conflict; (per 160a) Consider the following factors in setting a time limit: Reasonable time needed for those making applications; the particular circumstances of IDPs and those who had been living in areas dominated by the LTTE; REPPIA's capacity and other relevant factors.	10	Refer to 9.155	Fully included	This was included in the original NPA but not referenced. Reference was added in November 2013.	Refer to 9.155	Refer to 9.155	No timeframe specified		Refer to 9.155	Ongoing	No timeframes evident in Monitoring reports.	Poor progress
20	160	Give extensive publicity to ensure all entitled persons for payments, compensation or monetary relief apply.	10	Completed	Fully included	Included in July 2013 Action plan unclear	Ministry of Rehabilitation & Prison Reforms		No timeframe specified		Completed - July 2014 Monitoring Report.	Completed	No details on publicity efforts have been provided in any Monitoring Report. However, applications for compensation and monetary relief are being made.	Partial progress
21	161	Focus REPPIA towards providing compensatory relief for persons affected by the conflict	10	R	Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.155			No timeframe specified		Refer to 9.155	Ongoing	According to progress reported by the Ministry of Rehabilitation and Prison Reforms, over Rs. 1.25 billion has been disbursed as compensation 13,578 cases, including to members of the public, government servants and reintegrated ex-LTTE combatants.  (www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf)	Partial progress



## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
22	162	Make REPPIA prioritize the 'General Public' and 'Public Servant' payment of death, injury and housing entitlements; revisit the problem of public servants being disqualified from NGO assistance programmes, particularly housing assistance	10	1. Examine government policy to identify what disqualifications exist; 2. Determine and introduce provisions to ensure equitable assistance.	Fully included		Ministry of Public Administration	1) Policy examined and problem areas identified, if any. 2) New policy determined, if necessary.	Oct-12	Met	Although public servants are not selected to receive NGO funds, District Secretaries have informed that complaints have not been received in this regard thus far - February 2013 Monitoring Report.  Completed. No complaints received in this regard - November 2013 Monitoring Report.	Completed	A total of Rs. 475,701,774 was disbursed by REPPIA for implementation of LLRC recommendations, including approx. Rs. 64 million on death and injury compensation for the general public and Rs. 4 million for public servants. (www.reprimin.gov.lk/images/pdf/performance%202013-%20eng.pdf)  Acc. to progress reported by the Ministry of Rehabilitation and Prison Reforms, Rs. 344,967,885 has been disbursed as death and injury compensation for general public from 2009 to August 2014, and Rs. 23,370,000 as death and Injury compensation for government servants during the same period.  (www.reprimin.gov.lk/images/pdf/lrc2014aug.pdf)	Completed
23	164	Make a decision on compensatory relief for death and injury for those involved with the LTTE; prioritize REPPIA towards affected civilians most in need	10	Continue with Government programme for the rehabilitation and re-integration of ex-combatants and a reconciliation programme for the next of kin.	Fully included		Ministry of Resettlement and PTF – N & E	The effective implementation of the relief programmes granting relief to those NOK affected by death or injury as a direct result of the conflict	Jun-14	Met	Rehabilitation Authority has implemented loan and compensation schemes, including death and injury compensation for Most Affected Persons, compensation for property damage for the public and for government servants affected by LTTE activities, and self-employment loans for former LTTE combatants. Rs 34,480,250 has been disbursed in August 2014, making a cumulative total of Rs 1,455,848,448 since 2009. The 2014 budget has allocated an additional Rs 475 M to continue the implementation of this recommendation - September 2014 Monitoring Report.	Ongoing	September 2014 report indicates steps taken towards implementation.	Completed

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
24	165	Access all possible sources of assistance from institutions and individuals both national and international to address housing needs.	10	Refer to 9.103	Fully included		Ministry of Resettlement	No KPI specified	No timeframe specified		A Joint Needs Assessment undertaken by GoSL with the Humanitarian Country Team (HC) and supported by UNOCHA is now complete, to identify sustainable livelihoods, recovery and development needs of the resettled and remaining displaced persons in conflict-affected areas. Ministry of Resettlement conducted a detailed study to identify gaps in shelter requirements in conflict-affected areas in the North and East with the assistance of District Secretaries and has submitted a detailed project proposal to M/ Finance & Planning to explore funding options to address the above identified gap - September 2014 Monitoring Report.	Ongoing	Apart from JNA, assistance has been also been obtained from the Indian government to build 50,000 houses under the Indian Housing Project. The construction of 10,250 of these houses was completed by January 2013.  ( <a href="http://www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm">www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm</a> )	Partial progress
25	169	Fill vacancies in Grama Niladhari positions as a priority.	10		Not included	No reference to filling vacancies				N/A		None	Grama Niladhari positions are being regularly filled. However, there is no information on level of priority given.	Poor progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
26	195	Take immediate steps to assist in re-building of the mosques, houses and schools destroyed or damaged by the LTTE.	10	Formulating and implementing a policy for the resettlement and reintegration of the displaced Muslims.	Fully included		PTF for N & E and M/Resettlement	The publication of the report identifying the requirements with recommendations for implementation.	Jan-14	Pending	A second Key Stakeholder consultation meeting was held on September 24, 2014 by Ministry of Resettlement to take appropriate decisions to expedite the return of Muslim IDPs into their places of origin. A study is underway to ascertain the actual number of families from all communities evicted from the Northern and Eastern Provinces prior to May 2009 but have not been adequately compensated, to facilitate policy decisions on return assistance, land alienation and reconstruction. Rs 13.47 M was allocated to improve water and sanitation facilities in Mannar District in 2014, and Rs 5.0 M for Musali DS Division, Mannar to construct dug wells and tube wells - September 2014 Monitoring Report.	Ongoing	According to a report by the Governor of the Northern Province in December 2013, 695 primary and secondary schools were reconstructed under the Vadakkin Vasantham programme from 2009-2012, as well as other infrastructure development and reconstruction activities.  (www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf)	Partial progress
27	196	Take into account, with the cooperation of development partners, the equity and non-discriminatory principles in dealing with the situation of the 'old IDPs'.	10		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.195			Jan-14	Lapsed		Ongoing	According to a study titled <i>Protracted Displacement, Urgent Solutions: Prospects for Durable Solutions for Protracted IDPs in Sri Lanka (CPA 2013)</i> , differential treatment between 'Old' and 'New' IDPs in the design, planning, funding and implementation of rehabilitation policies have manifested in three main forms – the lack of reference to 'Old IDPs' in the policy agenda, delays in facilitating return of 'Old IDPs' and problems in securing resettlement assistance for 'Old IDPs'. The study further notes that while the government insisted that humanitarian agencies assist in the return of specific Old IDP populations such as Northern Muslim and the Sinhalese IDPs from Weli Oya, it failed to provide necessary resources and other support to extend assistance to all such IDPs despite the shortfall.	Poor progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
28	198	Undertake an in-depth study to identify the needs of the people in villages adjacent to former conflict areas to address the question of improving their livelihood.	10		Not included	No reference to in-depth study				N/A		None	No publicly available information to suggest that such a study has been undertaken.	No progress
29	199	Ensure even-handed resource allocation and development of villages.	10		Not included	No reference to even-handed resource allocation				N/A		None	No specific policy on equitable resource allocation and development of villages.	No progress
30	200	Take necessary steps to improve the health and educational facilities and also provide better living conditions in the estate areas.	10	<p>1. Assess the impact of existing programmes to improve the health, education and housing facilities for the estate sector, to identify areas that require improvement</p> <p>2. Revise programmes to make interventions more effective.</p>	Fully included		M/Health M/Education M/Plantation Industries M/Child Dev & Women's Affairs	The publication of a report indicating the effectiveness of banks existing programmes	Jan-13	Lapsed	<p>September 2014 Monitoring Report details measures such as:</p> <p>A survey to identify uncultivated lands in these areas to be distributed to estate sector employees; preparation of an Action Plan to implement LLRC recommendations in the estate sector as pertaining to the Ministry of Child Development &amp; Women's Affairs</p> <p>A critical situational analysis by the Ministry of Health to measure the impact of existing programmes to improve health facilities in estate sector.</p> <p>The "Plantation Schools Quality Improvement Programme" launched by the Ministry of Education, upgrading of 50 plantation area secondary schools under the 1000 schools upgrading programme, the Child-Friendly School Programme, provision of water and sanitation facilities, rehabilitation of school buildings and introduction of nutrition and health programme.</p>	Ongoing	Progress reported by the government indicates measures to improve health and educational facilities in estate areas.	Partial progress

## Annex: Return, restitution & development

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
31	201	Take into account, in a larger post conflict development agenda and the programmes for reconciliation context, the essential needs of the Tamils of Indian origin.	10	Refer to 9.200	Fully included		Refer to 9.200	Refer to 9.200	Jan-13	Lapsed	Refer to 9.200	Ongoing	Apart from health and education, no clear policy of including Tamils of Indian origin in the post-conflict development agenda.	Poor progress

# ANNEX: VULNERABLE GROUPS

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	58	Assist families with trauma of not knowing the whereabouts of their next of kin; give financial support when missing persons were breadwinners; provide legal aid when necessary.	11	1. Establish a social care centre in each Division in North & East and provide necessary legal support to victims of war	Fully included	Included in July 2013	Ministry of Social Services Ministry of Justice	Social care centres established Availability of legal aid to this category announced	No timeframe specified		The ICRC will carry out an island-wide survey using a representative sample of families of missing persons through its Family Needs Assessment. Single women households, families where one or more members are missing and war widows are catered to by Legal Aid and mediation mechanisms in the North and East. Also, more than 70 Legal Aid Centres function island-wide, as well as 27 Social Care Centres operational in the North and 28 Centres in the East. Preventive Counselling, Treatment Counselling and Capacity Building Counselling programmes are also in place - September 2014 Monitoring Report.	Ongoing	<p>According to government reports, progress is still at the stage of assessing needs, despite a large volume of families reporting missing persons to the Col on missing persons.</p> <p>Meanwhile independent reports suggest gaps in provision of assistance to families suffering from trauma. According to a report by IRIN (September 2013), there is limited organized psychosocial support in Sri Lanka, particularly for families of the missing. Moreover, there are some reports of government hostility deters providers and those seeking help, hence there is limited support from the state and non-profit sector. (reliefweb.int/report/sri-lanka/mental-health-cost-borne-families-missing-sir-lank)</p> <p>According to a study of female headed households in the North by the Graduate Institute of Geneva, the lack of assistance or compensation provided by the government was a key contributor to economic vulnerabilities faced by families of the missing.</p> <p>(See: The Graduate Institute Geneva (2013) Everyday Resistance: Female Headed Households in Northern Sri Lanka)</p>	Poor progress
2	71	Actively encourage a greater role for civil society organisations that could provide financial and human resource assistance to implement programs targeting detainees who have been rehabilitated to integrate into the mainstream civilian life.	11	1. Collaborate with relevant organisations	Included but intangible	Included in July 2013  Current plan is cited in Monitoring Reports from July 2014 onwards. Plan originally cited was 'No further activity required as recommendation has been given effect to'.	Ministry of Rehabilitation	No KPI specified	No timeframe specified		Bureau of the Commissioner General of Rehabilitation is actively engaged in coordinating with all government and corporate sector institutions, INGOs, NGOs and the community - September 2014 Monitoring Report.	Ongoing	No information of specific measures to encourage civil society organisations in respect of assisting former detainees.	Poor progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
3	77	Adopt a community based approach for rehabilitation of former child combatants in cooperation with NGOs and civil society organizations as an utmost priority.	11	Rehabilitation of ex-child combatants completed.	Fully included	Included in July 2013		Ex- child combatants rehabilitated.	No timeframe specified		Completed. All child combatants have been rehabilitated and reintegrated into society by 2010. Any further support will be provided by the Child Rights & Protection Officers (CRPO) at the community level - January 2014 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
4	78a	Direct the relevant rehabilitation authorities to ensure that the children be allowed to live with their families when they complete the rehabilitation programme.	11	See para 1 above  This concern has been fully addressed with large numbers pursuing academic activities followed by reunification with their families. This process to be continued by CG/R.	Fully included		CG/Rehabilitation	Programme for re-integration designed and implemented	No timeframe specified		All child combatants (594) were rehabilitated and reunited with their families within a 01 year period - February 2013 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
5	78b	Help children from rehabilitation programs earn a living and to assist them to continue their formal or informal studies.	11	Refer to 9.78a	Fully included			Refer to 9.78a	No timeframe specified		Special education schemes have been implemented for those who missed years of schooling. 169 ex-child combatants qualified to enter university, 322 have undergone vocational training - November 2013 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
6	81	Encourage and actively support the Family Tracing and Reunification (FTR) Unit pertaining to child conscripts	11	Refer to 9.51	Fully included	NPA states: 'Consider establishing a national, government-led, multidisciplinary task force to develop and implement a comprehensive child tracing programme.' which is in the second part of para 9.81	Refer to 9.51	Refer to 9.51	Jan-13	Lapsed	Refer to 9.51	Completed	According to a report by the Governor of the Northern Province in December 2013, the FTR unit had by then traced 662 missing children.  (www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf)  Progress reported for recommendation 9.51 refers only to COI on missing persons.	Partial progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
7	87	Meet the immediate needs of women, especially widows, affected by the War through economic assistance; provide them with a means of livelihood and other income generating means.	11	1. Implement livelihood /self employment projects 2.Promote women entrepreneurs	Fully included	Included in July 2013	Ministry of Child Devt & Women's Affairs Ministry of Social Services	Target groups engage in livelihood and income generating activities.	No timeframe specified		Several livelihood and income generating projects are implemented to address need of women-headed households in the North and East, including the Single Parent Families Development Programme, Divi Neguma, the Social Care Centre Project and vocational training - September 2014 Monitoring Report (more details provided in Report).	Ongoing	<p>According to Minority Rights Group International (2013) government support for women's livelihood development is limited and of low quality. The government and aid agencies have been criticized by local groups for providing only specific types of skill development for women (such as sewing) and implementing 'one-size-fits-all' livelihood programmes. Where women have been resettled they are unable to engage in traditional forms of livelihood due to safety concerns or lack of natural resources.</p> <p>(See: MRG International, Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka)</p> <p>A study of female headed households in the North by the Graduate Institute of Geneva found that women faced numerous obstacles in accessing income-generating opportunities that the government had yet to address. Little government assistance or compensation had been provided to women breadwinners.</p> <p>(See: The Graduate Institute Geneva (2013) Everyday Resistance: Female Headed Households in Northern Sri Lanka)</p>	Poor progress
8	88	Make greater and sustained efforts to enlist and engage the services of relevant international organizations and civil society groups who have expertise and resources in the area of women's rights to assist in this task of aiding women.	11	Undertake collaborative programmes with relevant international organisations, CBOs etc. to assist single mothers, those recently resettled, and those who are disabled.	Fully included	Included in July 2013	Ministry of Social Services Ministry of Child Devt & Women's Affairs Ministry of Rehabilitation & Prison Affairs Ministry of Health	Collaborative programmes implemented.	Dec-14	Pending	Several international organizations are engaged by government ministries to assist war-affected persons including UNICEF, the World Bank, the ICRC and GIZ - September 2014 Monitoring Report (more details provided in Report).	Ongoing	Progress reported has no specific focus on problems faced by women.	Poor progress



## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
9	89	Provide opportunities and options to women to continue their formal education or pursue other forms of informal education and/or vocational training that may facilitate in finding employment and/or engaging in other livelihood activities	11	Analyse already collected information to identify those still requiring formal/informal/vocational education, in addition to those currently following educational courses.	Fully included	Included in July 2013  Plan only contemplates analysis of information on status of vocational education and not the provision of opportunities.	Ministry of Child Devt & Women's Affairs Ministry of Youth Affairs & Skills Devt Ministry of Rehabilitation	Analysis completed  Strategies to provide education to those in need identified and implemented.	Dec 2013  May 2014	Lapsed	Special vocational and non-formal training programmes are on-going for women who have not been able to continue with their formal education due to the protracted conflict. ALP (Accelerated Learning Programme) and "Catch up education programmes" targeting adults who have lost formal education were successfully carried out - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Monitoring reports indicate that vocational and other training programmes are being provided. However, according to the Sri Lanka Labour Force Survey Annual Bulletin 2013, unemployment rate among women is over four times that of men in both the North and East, and is the highest of all provinces in the country.	Partial progress
10	90	Create a conducive environment in all areas of the country, especially the conflict affected areas, for women to feel that they live in a secure environment and their basic human dignity is safeguarded and protected.	11	Conduct awareness on prevention of violence against women, women's rights and gender equality for police officers, community leaders and general public.	Included but intangible	Included in July 2013	Ministry of Law & Order Ministry of Child Devt & Women's Affairs	Awareness programmes conducted	No timeframe specified		Completed. Child & Women Development Units are operational at Divisional Secretariats in Mullaitivu, Kilinochchi, and Jaffna Districts "Prevention of sexual and gender based violence fore" have been established in Jaffna and Vavuniya District Base Hospitals. Health, security and legal assistance is provided for women hospitalized as a result of gender-based violence. Sensitization programmes on prevention of violence against women and protection of women's rights are conducted for Police and Security Officers, Community Leaders and members of the public - July 2014 Monitoring Report (more details provided in Monitoring report).	Completed	According to a report by MRG International, numerous factors such as pervasive militarization, discriminatory practices, limited livelihood opportunities and socio-economic difficulties continue to undermine safety and security of women. Therefore, secure environment for women, particularly in conflict affected areas is yet to be secured.  (See: MRG International, Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka 2013)	Poor progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
11	92	Establish without delay an Inter-Agency Task Force to address the needs of women, children, elderly and other vulnerable groups such as disabled affected by conflict, and provide necessary relief.	11	Inter-Ministerial Committee comprising M/Rehabilitation & Prison Affairs, M/Child Devt & Women's Affairs and M/Education, M/Health will continue to assess and respond to needs	Fully included	Plan prior to July 2014 Monitoring Report stated: Implement activities identified in the NHRAP to achieve this objective, with the following KPI: NHRAP implementation monitored	Ministry of Social Services Ministry of Child Devt & Women's Affairs Ministry of Rehabilitation & Prison Affairs Ministry of Health	Establish Inter-Ministerial Committee; Progress monitored	No timeframe specified		Completed. The Inter-Ministerial Committee coordinates work carried out separately by stakeholder line Ministries. The status of women, children, elderly and other vulnerable groups is monitored by each stakeholder agency according to their mandate. Refer to 9.87, 9.88, 9.89, 9.90, 9.93, 9.94, 9.95, 9.96, 9.97, 9.98, 9.99 - July 2014 Monitoring Report.	Completed	Inter-ministerial committee has been established.	Completed
12	93	Provide better educational and health facilities, and the continued support, financial and material, for children's homes and orphanages.	11	Support to confirm school education for non-school going children.  Provide scholarships for the children of low income families.	Fully included	Included in July 2013	Ministry of Education Ministry of Child Devt & Women's Affairs Ministry of Social Services	Gaps identified Remedial action taken Scholarships provided.	No timeframe specified		The Inter-Ministerial Committee (See 9.92) monitors this recommendation. Long term measures in place include: Provision of midday meal, free uniforms, monthly stipend and free books for the entire school going student population, including children in Children's Homes and Orphanages. Scholarships have been granted to 2,501 children under Educational Support Programme, while 672 children have benefitted from scholarships under the Foster Parent Scheme. Children's Homes and Orphanages receive continuous support. By June 2014, facilities of 12 Children Homes have been upgraded - September 2014 Monitoring Report.	Ongoing	Better educational and health facilities appear to be envisaged by planned action.	Partial progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
13	94	Identify children who suffer from conflict induced trauma or psychological disorders; provide special attention and care to these children, including professional counselling where necessary.	11	Identify special programmes for children.	Fully included		Ministry of Social Services	Special programmes identified and implemented	No timeframe specified		Counselling programmes are conducted by National Counselling Centre for children suffering from trauma. Several programmes are underway by Ministry of Education through the schools system to assist children affected by the conflict. In the Northern Province, "Children's and Women's Development Units" are in operation - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Reported progress indicates that recommended support is provided.	Partial progress
14	95	Create child-friendly environments in the areas affected by the conflict, including easy access to schools, better healthcare facilities, recreation facilities such as play grounds, and children's parks.	11	Inter-Ministerial Committee comprising Ministry of Rehabilitation & Prison Affairs, Ministry of Child Devt & Women's Affairs, Ministry of Education, Ministry of Health, Ministry of Social Services, Ministry of Livestock & Rural Community Development.	Fully included	Included in July 2013	Ministry of Child Devt & Women's Affairs	Special programmes identified and implemented.	No timeframe specified		Child-friendly and joyful learning environment created in 5,000 schools, including 984 schools in the Northern and Eastern provinces, to ensure easy access to better healthcare facilities, recreation facilities such as playgrounds and children's parks, with a total investment of Rs. 2058m. Water and sanitation facilities upgraded in 6,000 primary schools including 1,105 schools in the North and East. Five early Childhood Care (ECCD) Model Villages have been initiated in the North. 1,469 School Child Protection Committees established. "Free mid day meal programme" and the "Fresh milk distribution programme" extended to all primary schools in North and East. To date, a total of 11 Children's Libraries have been completed in the estate sector - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Reported initiatives are aimed at improving the environment in conflict affected areas. However heavy militarisation in the North and East can be an impediment to the establishment of child friendly environments in conflict affected areas.  (See: The Forever War?: Military Control in Sri Lanka's North (March 2014) at <a href="http://blog.crisisgroup.org/asia/2014/03/25/the-forever-war-military-control-in-sri-lankas-north/">http://blog.crisisgroup.org/asia/2014/03/25/the-forever-war-military-control-in-sri-lankas-north/</a> )	Poor Progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
15	96	<p>Include provisions to reduce the burden on elderly in maintaining and taking care of their extended families in programmes for families</p> <p>Pay attention to the special needs of the elderly due to disability, health issues and trauma.</p>	11	Improve access to elders	Fully included	Included in July 2013	Ministry of Social Services	Elderly people in conflict affected areas are provided care and facilities.	No timeframe specified		<p>Several measures are implemented by Ministry of Social Services to assist the elderly population in conflict affected areas, such as the "Monthly Livelihood Allowance Programme for under privileged elders".</p> <p>Government Mobile Services have issued Elder's Identity Cards to more than 13,000 senior citizens in North and East so that they may enjoy priority treatment at public and private institutions and be entitled to certain financial benefits. 1,079 Elder's Committees at Village, Regional and District Levels in North and East Provinces have been established - September 2014 Monitoring Report.</p>	Ongoing	Reported progress indicates that recommended measures have been adopted.	Partial progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
16	97	Facilitate community and civil society organizations, local religious bodies and the clergy to play a key role in providing easy and unhindered to spiritual and cultural activities to the elderly to deal with trauma	11	Establish Elders' Committees with the involvement of local organizations	Included but intangible	Included in July 2013	Ministry of Social Services	Elders-friendly environment created	Mar-14	Lapsed	Under an initiative of the Ministry of Social Services, 364 Village Level Elders' Committees and 2 Regional Level Committees have been established in the Northern Province, and 669 Village Level Committees, 22 Regional Level Committees and 2 District Level Committees in the East. Selected NGOs which run Elders' Homes in the North were assisted financially to upgrade infrastructure facilities. Department of Christian Religious affairs conducted 18 programmes in Kandy, Kurunegala, Chilaw, Ratnapura and Colombo to uplift the spiritual values of university students, Sunday School teachers and school students. Programmes were also conducted for the general public, Sunday school teachers and students with the participation of Buddhist Bikkus and Hindu priests - September 2014 Monitoring Report.	Ongoing	Reported progress indicates that steps have been taken to facilitate spiritual and cultural activities for the elderly.	Partial progress
17	98	Address as a matter of priority the economic needs of families with disabled members.	11	Implement special programmes to improve living conditions of people with disabilities.	Fully included	Included in July 2013	Ministry of Social Services Ministry of Buddha Sasana & Religious Affairs Ministry of Youth Affairs & Skills Devt	Programmes implemented	No timeframe specified		Monitoring Reports list programmes implemented to provide livelihood assistance, training and other support for the disabled and their families, including in cooperation with organisations the World Bank and NGOs.	Ongoing	Reported progress indicates that economic needs to families with disabled members are being addressed.	Partial progress

## Annex: Vulnerable groups

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
18	99	Encourage people with disabilities to organize themselves as community groups that will help facilitate mutual support and obtain necessary assistance for them through international organizations and civil society groups who have expertise and resources in this area.	11	Refer to 9.98	Included but intangible	Refer to 9.98	Refer to 9.98	Refer to 9.98	No timeframe specified		Refer to 9.98	Ongoing	Assuming that the recommendation envisages the establishment of 'community groups', no such community groups have been established based on governmental intervention and necessary assistance from international organizations and civil society groups has not been obtained.	Poor progress
19	100	Put in place national legislation to realize the rights of persons with disabilities in line with the UN Convention on Rights of Persons with Disabilities.	11	Completed	Fully included	Included in July 2013 Action plan absent	Ministry of Social Services Ministry of Construction	No KPI specified	No timeframe specified		Completed. Disabled-friendly national legislation is already in force. E.g. Act No. 28 of 1996 Protection of the Rights of Persons with Disabilities has been amended to recognize all the rights of persons with disabilities in accordance with the UN Convention, Election Special Act of 2011, Accessibility Regulations No. 1 of 2006. A National Policy on Disability is in operation - January 2014 Monitoring Report.	Completed	The UN Convention on the Rights of Persons with Disabilities was signed in 2007 and is yet to be ratified. Act No. 28 of 1996 and its amendment in 2003 pre-dated the signing of the convention. Furthermore, aspects of the UN Convention, such as the development and implementation of minimum standards and guidelines for accessibility of public facilities and services, are currently not reflected.	No progress

# ANNEX: PROGRESS AS PER GOSL - COMPLETED

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	14	Provide redress for those affected by hospital shelling regardless of which party is culpable in said shelling.	10	1. No further action required as recommendation has been given effect to.	Fully included	Included in July 2013	Ministry of Rehabilitation & Prison Reforms REPPIA		No timeframe specified		Any person affected by shells and had applied to the REPPIA for compensation has been granted redress. Whoever injured or disabled due to war is entitled to apply for compensation on submission of a medical report issued by a Government Doctor - January 2014 Monitoring Report.	Completed	Refer to 9.9b	Partial progress
2	22	Examine the humanitarian issue of medical supplies to civilians in conflict areas during the final days of the war considering all relevant factors upon which the supplies can be assessed.	10	Submit a report	Fully included	Included in July 2013	Ministry of Health	Report submitted	Dec-13	Lapsed	Report was submitted by Ministry of Health. All medical supplies, drugs, equipment, personnel and all facilities were provided - July 2014 Monitoring Report.	Completed	Provision of medical supplies to civilians appears to have been examined. However, the report submitted to the Ministry has not been made open to public scrutiny.	Poor progress
3	51a	Appoint a Special Commissioner of Investigation for alleged disappearances; provide material to the Attorney General for prosecution. Provide the Commissioner with experienced investigators	1	1. Appoint the Commission	Partly included	No Special Commissioner of Investigation	Presidential Secretariat	1) COI Appointed 2) Follow up action identified 3) Relevant material forwarded to AG	Jan-13	Lapsed	The term of the Col appointed in August 2013 has been extended to February 15, 2015. 19,591 complaints received, out of which 939 have been inquired into. A five-member Advisory Council which includes internationally recognised legal experts was appointed to advise the Commission - September 2014 Monitoring Report.	Completed	Mandate of the Col limited to disappearances of those resident in two provinces (the North and East) which took place between January 1983 and May 2009.  Proliferation of Cols not consistent with LLRC's call for a 'Special Commissioner of Investigation'.	Poor progress

## Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
4	51b	Devise a centralized system of data collection for all information regarding missing persons.	1	Establish an integrated data base to collate information regarding missing persons.	Fully included		Dept. of Census & Statistics Ministry of Defence	Centralised system of data collection in place	Jan-13	Delayed	Commission's website was launched in May 2014 - July 2014 Monitoring Report.	Completed	A family member of a missing person can make a complaint through the website of the Col on Missing Persons ( <a href="http://www.pcicmp.lk">www.pcicmp.lk</a> ), in addition to direct complaints to the commission. Data on missing persons is also collected through the Census on Death/ Injuries to Persons and Property Damages due to Conflict 2013 and ICRC's Family Needs Assessment. System now appears to be centralized.  See: <a href="http://www.llrcaction.gov.lk/en/news/684-icrc-to-begin-needs-assessment-of-missing-persons-families-in-september.html">www.llrcaction.gov.lk/en/news/684-icrc-to-begin-needs-assessment-of-missing-persons-families-in-september.html</a> and <a href="http://llrcaction.gov.lk/assets/downloads/reports/InterimReport-CensusDeathProperty-Feb-27-2014.pdf">http://llrcaction.gov.lk/assets/downloads/reports/InterimReport-CensusDeathProperty-Feb-27-2014.pdf</a>	Completed
5	53a	Direct law enforcement authorities to issue a formal receipt of arrest when taking persons into custody	4	1. Issue necessary instructions to ensure compliance with recommendations 2. Introduce appropriate legislation to provide for the issue of a receipt regarding arrest.	Fully included	Included in July 2013. Action plan absent.  (1) in action plan was included in July 2014. Previous Monitoring reports only cited (2)	Ministry of Justice, Ministry of Law and Order	Instructions issued to ensure compliance  Legislation introduced in Parliament	Mar-14	Lapsed	(1) Completed. Families of arrested persons were informed of their arrest and detention when Emergency Regulations were in force and in the period before and after. Issuing a formal receipt of arrest to those arrested under the PTA is in force. Next of kin are allowed to visit them frequently. Persons were and are being detained in places which are declared as places of detention - September 2014 Monitoring Report.  (2) Amendments to the relevant legislation have been drafted. Steps will be taken to submit them in parliament as early as possible - July 2014 Monitoring Report (no update provided in September 2014 Monitoring Report).	Completed	2007 Presidential Directive requires formal receipt. ( <a href="http://www.defence.lk/new.asp?fname=20070425_02">www.defence.lk/new.asp?fname=20070425_02</a> )  No fresh directive has been issued post-LLRC.  Details of proposed amendments have not been provided.	Poor progress



## Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
6	53b	Provide next of kin access to places of detention.	4	Refer to 9.53a	Fully included	Refer to 9.53a	Refer to 9.53a	Refer to 9.53a	Mar-14	Lapsed	Refer to 9.53a	Completed	2007 Presidential Directive requires that arrested persons are provided reasonable means of communicating with a relative or friend.  No fresh directive has been issued post-LLRC.  No formal process currently in place providing access to places of detention.	Poor progress
7	54a	Produce an arrested person promptly before a Magistrate; promptly notify the family of an arrested person and the Human Rights Commission of Sri Lanka if place of detention is changed.	4	Issue necessary instructions to ensure compliance with recommendations	Fully included	Included in July 2013. Action plan absent	Ministry of Justice, Ministry of Law and Order	Instructions issued to ensure compliance ; compliance monitored	No timeframe specified		Refer to 9.53a	Completed	Where a detention order has been issued under the Prevention of Terrorism Act (PTA), the requirement to be produced before a magistrate is dispensed with.	Poor progress
8	54b	Instruct Magistrates to visit places of detention every month; Release detainees through the court.	4	Refer to 9.54a	Fully included	Refer to 9.54a	Refer to 9.54a	Refer to 9.54a	No timeframe specified	Pending	Refer to 9.53a	Completed	No information on instructions to magistrates to conduct monthly visits. Under the PTA, authorities are not required to produce a detainee before a magistrate where a detention order has been issued.  In the case of remand orders, a 2012 report suggests that magistrates visit detention centres merely to extend remand. (See: <a href="http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-interment-rehabilitation-and-surrenderees-in-the-prison-system/">http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-interment-rehabilitation-and-surrenderees-in-the-prison-system/</a> )	Poor progress

## Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
9	62	Create a special mechanism to examine cases of those held in detention for long periods without charges and recommend a course of action in regard to disposal of each case, as appropriate.	4	1. Identify and establish procedures in the existing system to address the issue  2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.	Fully included	Also an interim recommendation, cited as such in NPA	Attorney-General's Dept.	1) Processes identified and established  2) Reduction in the number of detainees.  3) Unit established	Dec-14	Pending	Completed. A team of Attorneys-at-Law under supervision of an Additional Solicitor General and a Deputy Solicitor General is taking action to recommend charges, discharge or any other course of action i.e.: rehabilitation having considered evidence available against each detainee. Of a total 977 files relating to detainees opened between 2009 and 2013, there are only 160 matters to be concluded. The same Additional Solicitor-General functions as the focal point relating to detainees - September 2014 Monitoring Report.	Completed	The identical progress is reported in every monitoring report since February 2013, indicating that the 160 matters 'to be concluded' have not been concluded despite the lapse of more than one and a half years.  According the Asian Legal Resource Centre (ALRC), though the state has claimed the existence of a special unit within the Attorney General's Department to prosecute cases of torture, in reality there is no evidence of the functioning of such a unit. (See: Alternative Report to the United Nations Human Rights Committee in Regard to the Fifth State Party Report Submitted By Sri Lanka in September 2014, by the ALRC)	Poor progress
10	63	Create a centralized comprehensive database containing a list of detainees; make available to the next of kin with names, place of detention and record of transfers.	4	The present database to be enhanced with easy access to information being available to NOK (next of kin)	Fully included		Ministry of Defence	Enhanced database	Jan-13	Lapsed	Completed. A database available for next of kin (NOK) to access at Terrorist Investigation Units in Colombo, Vavuniya and Boosa. Over 3,000 NOKs have made use of it thus far - January 2014 Monitoring Report.	Completed	According to a media report published in 2011, a vast majority of relatives of detainees are seeking information at these TID Units have been unable to gain any information, as their next of kin are detained by the military, not the TID.  (www.dailymirror.lk/news/12099-only-seven-percent-get-information-on-detainees.html)	Partial progress
11	65	Enhance facilities for the transportation of the next of kin to visit their family members at the places of detention in cooperation with the ICRC and voluntary organizations.	4	1. Examine whether special facilities are required in the presence of already improved transport infrastructure - July 2014 report	Partly included	Included in July 2013. No reference to ICRC.  Prior to July 2014, NPA stated: 'Considering current circumstances of improved transport infrastructure, special facilities are not required'.			No timeframe specified		Completed. In all instances where next of kin had faced transport difficulties, the Terrorist Investigation Unit has made necessary transport arrangements - January 2014 Monitoring Report.	Completed	In addition to TID facilities, the ICRC has coordinated and assisted family visits.  (www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf)	Completed

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12	67	Detain persons only at formally designated and authorized places of detention.	4	Refer to 9.53a	Fully included	Included in July 2013. No reference to unauthorised places of detention	Refer to 9.53a	Refer to 9.53a	Mar-14	Lapsed	Refer to 9.53a	Completed	Sections 7 and 9 of PTA permit detention in any place and transfer from place to place. These provisions have been prone to abuse.  See: Amnesty International (2012), Locked Away; Sri Lanka's Security Detainees ( <a href="http://files.amnesty.org/archives/asa370032012eng.pdf">http://files.amnesty.org/archives/asa370032012eng.pdf</a> )	Poor progress
13	68	Give priority to investigation and speedy disposal of cases of young detainees.	4	Review the status of the remainder of the detainees with a view to assessing whether special attention to certain groups or individuals is needed.	Partly included	No specific action identified if review reveals that special attention is needed	Commissioner General of Rehabilitation	Status required to be submitted	Oct-12	Delayed	Completed. Detainee status reviewed and steps taken to provide special attention to young detainees and those with disabilities. All former child combatants rehabilitated - January 2014 Monitoring Report.	Completed	Monitoring Reports indicate steps taken towards implementation.	Completed
14	69	Institute a screening process to identify special cases (i.e. young children, physically disabled, those recovering from injury, medical interventions); provide special assistance.	4	Refer to 9.68	Fully included	Refer to 9.68	Refer to 9.68	Refer to 9.68	Oct-12	Delayed	Refer to 9.68	Completed	Monitoring Reports indicate steps taken towards implementation.	Completed
15	73	Conduct investigations of illegal armed groups; prosecute thereupon.	8	During the time of the conflict, illegal armed groups were known to operate in the theatre of conflict. Steps have been taken to completely eliminate this activity. These measures will be continued to be implemented to ensure that these groups do not re-emerge.	Fully included	Fully included as per NPA action taken with respect to LLRC recommendation contained in para.9.213	Ministry of Defence	The effective maintenance of law and order	No timeframe specified		Action has been taken by Government to disarm all illegally armed persons in the North & East. These measures will be observed regularly to ensure that illegally armed groups do not re-emerge - all Monitoring Reports.	Completed	Progress reported only refers to disarmament in the North and East just after the war ended. No indication that investigations were carried out.  Members of these groups now engaged in politics. e.g. MP and Deputy Minister of Resettlement Vinayagamoorthy Muralitharan (alias Karuna).	Poor progress

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16	74	Disarm and end illegal activities of illegal arms groups through a time-bound and verifiable process.	8	1. Examine crime statistics and trends to identify critical issues;  2. Take necessary measures to improve law enforcement.	Partly included	Salient elements of recommendation not captured. Cited as Interim recommendation	Ministry of Defence Police Department	1) Effective Vigilance  2) Decrease in incidents of crime	No timeframe specified		Refer to 9.73	Completed	Illegal armed groups continue to function. E.g. 2013 attacks on Uthayan newspaper office, attacks on party offices and opposition supporters during the 2014 Uva Provincial Council elections.  (www.adaderana.lk/news.php?nid=22321) and www.ceylontoday.lk/51-71792-news-detail-will-uva-be-the-bloodiest-poll-in-history.html)	Poor progress
17	77	Adopt a community based approach for rehabilitation of former child combatants in cooperation with NGOs and civil society organizations as an utmost priority.	11	Rehabilitation of ex-child combatants completed.	Fully included	Included in July 2013		Ex- child combatants rehabilitated.	No timeframe specified		Completed. All child combatants have been rehabilitated and reintegrated into society by 2010. Any further support will be provided by the Child Rights & Protection Officers (CRPO) at the community level - January 2014 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
18	78a	Direct the relevant rehabilitation authorities to ensure that the children be allowed to live with their families when they complete the rehabilitation programme.	11	See para 1 above  This concern has been fully addressed with large numbers pursuing academic activities followed by reunification with their families. This process to be continued by CG/R.	Fully included		CG/Rehabilitation	Programme for re-integration designed and implemented	No timeframe specified		All child combatants (594) were rehabilitated and reunited with their families within a 01 year period - February 2013 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
19	78b	Help children from rehabilitation programs earn a living and to assist them to continue their formal or informal studies.	11	Refer to 9.78a	Fully included			Refer to 9.78a	No timeframe specified		Special education schemes have been implemented for those who missed years of schooling. 169 ex-child combatants qualified to enter university, 322 have undergone vocational training - November 2013 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed

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20	79a	Investigate alleged cases of conscription of child combatants where prima facie evidence exists; prosecute wrongdoers thereupon.	8		Fully included	Action plan absent			No timeframe specified		No progress reported in any Monitoring Reports prior to July 2014.  No further incidents reported - July 2014 Monitoring Report.	Completed	No updates on plans to initiate prosecutions of certain identified persons accused of recruiting children e.g. Pillayan and Karuna.  However, according to the Report of the Secretariat General on Children and Armed Conflict (2012) an investigation was launched into Iniya Bharathi's involvement in the case of five missing children recruited by the Iniya Bharathi faction. ( <a href="http://childrenandarmedconflict.un.org/countries/sri-lanka/">http://childrenandarmedconflict.un.org/countries/sri-lanka/</a> ).  Recruitment of child soldiers by the LTTE is also to be investigated by the Presidential Commission to Investigate into Complaints Regarding Missing Persons.	Partial progress
21	80	Provide increased employment opportunities in consultation with the private sector for former conflict zones	10	Recommendation has been given effect to	Fully included	Included in July 2013 Action plan unclear	Ministry of Youth & Skills Development Ministry of Rehabilitation & Prison Affairs	KPI not specified	No timeframe specified		Mannar Technical College has been completed and programmes commenced in April 2014. Renovation on Mullaitivu Training Centre has been completed and courses commenced in April 2015 in collaboration with UNICEF. A Sri Lanka-German Training Institute (SLGTI) is being established in Kilinochchi district - September 2014 Monitoring Report.	Completed	Although measures have been taken to provide training, no information has been provided on actual employment opportunities generated from reported initiatives.	Partial progress
22	81	Encourage and actively support the Family Tracing and Reunification (FTR) Unit pertaining to child conscripts	11	Refer to 9.51	Fully included	NPA states: 'Consider establishing a national, government-led, multidisciplinary task force to develop and implement a comprehensive child tracing programme.' which is in the second part of para 9.81	Refer to 9.51	Refer to 9.51	Jan-13	Lapsed	Refer to 9.51	Completed	According to a report by the Governor of the Northern Province in December 2013, the FTR unit had by then traced 662 missing children.  ( <a href="http://www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf">www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf</a> )  Progress reported for recommendation 9.51 refers only to COI on missing persons.	Partial progress

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23	82	Examine the cases of young LTTE suspects as a priority; institute legal action without delay; rehabilitate or release.	4	1. This concern has been fully addressed with large numbers pursuing academic activities followed by reunification with their families. This process to be continued by CG/R.	Fully included		Commissioner General for Rehabilitation	Programme for re-integration designed and implemented	No timeframe specified		All 594 child combatants were rehabilitated and reunited with their families within a one year period - January 2014 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
24	90	Create a conducive environment in all areas of the country, especially the conflict affected areas, for women to feel that they live in a secure environment and their basic human dignity is safeguarded and protected.	11	Conduct awareness on prevention of violence against women, women's rights and gender equality for police officers, community leaders and general public.	Included but intangible	Included in July 2013	Ministry of Law & Order Ministry of Child Devt & Women's Affairs	Awareness programmes conducted	No timeframe specified		Completed. Child & Women Development Units are operational at Divisional Secretariats in Mullaitivu, Kilinochchi, and Jaffna Districts "Prevention of sexual and gender based violence fore" have been established in Jaffna and Vavuniya District Base Hospitals. Health, security and legal assistance is provided for women hospitalized as a result of gender-based violence. Sensitization programmes on prevention of violence against women and protection of women's rights are conducted for Police and Security Officers, Community Leaders and members of the public - July 2014 Monitoring Report (more details provided in Monitoring report).	Completed	According to a report by MRG International, numerous factors such as pervasive militarization, discriminatory practices, limited livelihood opportunities and socio-economic difficulties continue to undermine safety and security of women. Therefore, secure environment for women, particularly in conflict affected areas is yet to be secured.  (See: MRG International, Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka 2013)	Poor progress
25	92	Establish without delay an Inter-Agency Task Force to address the needs of women, children, elderly and other vulnerable groups such as disabled affected by conflict, and provide necessary relief.	11	Inter-Ministerial Committee comprising M/Rehabilitation & Prison Affairs, M/Child Devt & Women's Affairs and M/Education, M/Health will continue to assess and respond to needs	Fully included	Plan prior to July 2014 Monitoring Report stated: Implement activities identified in the NHRAP to achieve this objective, with the following KPI: NHRAP implementation monitored	Ministry of Social Services Ministry of Child Devt & Women's Affairs Ministry of Rehabilitation & Prison Affairs Ministry of Health	Establish Inter-Ministerial Committee; Progress monitored	No timeframe specified		Completed. The Inter-Ministerial Committee coordinates work carried out separately by stakeholder line Ministries. The status of women, children, elderly and other vulnerable groups is monitored by each stakeholder agency according to their mandate. Refer to 9.87, 9.88, 9.89, 9.90, 9.93, 9.94, 9.95, 9.96, 9.97, 9.98, 9.99 - July 2014 Monitoring Report.	Completed	Inter-ministerial committee has been established.	Completed

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26	100	Put in place national legislation to realize the rights of persons with disabilities in line with the UN Convention on Rights of Persons with Disabilities.	11	Completed	Fully included	Included in July 2013 Action plan absent	Ministry of Social Services Ministry of Construction	No KPI specified	No timeframe specified		Completed. Disabled-friendly national legislation is already in force. E.g. Act No. 28 of 1996 Protection of the Rights of Persons with Disabilities has been amended to recognize all the rights of persons with disabilities in accordance with the UN Convention, Election Special Act of 2011, Accessibility Regulations No. 1 of 2006. A National Policy on Disability is in operation - January 2014 Monitoring Report.	Completed	The UN Convention on the Rights of Persons with Disabilities was signed in 2007 and is yet to be ratified. Act No. 28 of 1996 and its amendment in 2003 pre-dated the signing of the convention. Furthermore, aspects of the UN Convention, such as the development and implementation of minimum standards and guidelines for accessibility of public facilities and services, are currently not reflected.	No progress
27	106	Be clear in policy with regard to the areas available to be resettled; create more awareness among people about such policies and the options available to them.	3	Conduct awareness programmes with relevant groups on the implementation of circular No. 2011/4 of 22.07.2011 issued by the Commissioner General of Lands	Fully included		Ministry of Lands	Awareness programmes conducted	Jan-13	Lapsed	20 awareness programmes conducted in North, 18 in the East - January 2014 Monitoring Report.	Completed	No reference to formulating clear policies. Current Land Circular 2013/01 does not specify areas for resettlement.  Meanwhile, according to the Report of the Special Rapporteur on the human rights of internally displaced persons submitted at the 26th session of the UNHRC in June 2014 ( A/HRC/26/33/Add.4), no timeframe for the revision and adoption of the draft Framework for Resettlement Policy (released in November 2013) had been provided. The SR was informed that the Ministry of Resettlement is in the process of organizing broader consultations to finalize the draft framework.	Poor progress
28	115b	Impose deterrent punishment on harassment and attacks against media personnel; give priority to the investigation, prosecution and disposal of such cases to build-up public confidence in the criminal justice system.	7	Refer to 9.115a	Fully included		Refer to 9.115a	Refer to 9.115a	Jul-14	Lapsed	Refer to 9.115a	Completed	No deterrent punishments imposed thus far. The Press Council Act prohibits disclosure of certain fiscal, defence, and security information and stipulates that the violation of the Act could result in prison terms.  No indication of steps taken to deter attacks or prioritise investigations.  (See examples in 9.115c)	Poor progress

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29	115c	Investigate expeditiously past incidents of such attacks on media personnel.	7	Refer to 9.115a	Fully included		Refer to 9.115a	Refer to 9.115a	Jul-14	Lapsed	Refer to 9.115a	Completed	No prosecutions or convictions thus far in the murder of Sunday Leader editor Lasantha Wickramatunga and attacks on Uthayan, among others.	Poor progress
30	115d	Ensure the freedom of movement of media personnel in the North and East, as it would help in the exchange of information contributing to the process of reconciliation.	7	1. Identify impediments to free movement, if any, of media personnel in the North and East 2. Take appropriate action to remove impediments, if any	Fully included		Ministry of Mass Media and Information  Dept. of Police	1) Impediments identified, if any  2) All impediments, if any, removed	Jan-13	Lapsed	Completed. No restrictions on any person, including foreigners, travelling to North & East. No restrictions experienced by media personnel - January 2014 Monitoring Report.	Completed	Since October 2014, foreign passport holders require Defence Ministry approval to travel to the North. (www.news.lk/news/sri-lanka/item/3595-foreign-nationals-to-north-should-obtain-prior-approval)  Restrictions were imposed on journalists during CHOGM. (www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit)	Poor progress
31	119	Follow up Action on the Reports of Past Commissions of Inquiry to ensure that visitors from overseas be allowed to visit their friends and relatives in recently resettled areas without any undue restrictions.	8	Identify whether there are undue restrictions to visits and remove such restrictions, if any.	Fully included	No reference to reports of past commissions in NPA	Ministry of Defence, Department of Police, respective GA's	The formulation of a report which confirms that no such restriction exists	Jan-13	Lapsed	Completed. There are facilities and unrestricted access for overseas visitors to visit their friends and relatives in recently resettled areas - July 2014 Monitoring Report.	Completed	Since October 2014, foreign passport holders are required Defence Ministry approval to travel to the north.	Poor progress
32	124a	Protect the right of citizens to buy lands where they please; In the case of inter provincial irrigation or land settlement schemes, distribution of State land should continue to be as provided for in the Constitution of Sri Lanka.	3	1 (a) Conduct study to ascertain whether practices infringe on legal rights to acquire land (b) Take appropriate steps to remove infringements, if any exist (c) Effective implementation of the policy on land use with a view to identifying appropriate state land available for settlement.	Fully included		1) Ministry of Lands  2) P.T.F. for N & E  3) Presidential Secretariat	1) A completed study of the alienation of state land with specific reference to the N & E  2) Appointment of the 4th Land Commission	Jul-13	Lapsed	Rights safeguarded under new circular - February 2013 Monitoring Report. Reports from August 2013 onwards state that implementation is complete.	Completed	Land Circular 2013/01 makes no reference to purchase of private land. Non-legal impediments remain.  According to clause 2.2.1.1 of the Land Circular 2013/01, the cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved.	No progress



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33	129a	Supervise effectively the civil administration officers tasked with implementation of the Land Circular No. 2011/04 programme by the respective Government agents.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	Structure in place but no clear line of responsibility in Land Circular 2013/01.	Partial progress
34	129b	Monitor implementation quality of the Land Circular No. 2011/04 by the Land Commissioner General at the national level to ensure impartiality and transparency.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	Monitoring framework has been established. However, level of impartiality and transparency of Land Commissioner General is not clear.	Partial progress
35	131	Organize, under the Land Commissioner General's Department, a media seminar on the proposed Land Circular No. 2011/04 to enable the Media to project an accurate and clear view of the new Programme under Land Circular No. 2011/04 devoid of political posturing.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	This recommendation was reported completed in August 2013. However, an inquiry with the Land Commissioner General's Department confirmed that no such meeting was held. No information on any subsequent media seminar is available in the public domain.	Poor progress
36	132	Conduct well designed training programmes by the Land Commissioner General's Department for all officers and community leaders based on a short and simple training manual to ensure all training is identical across Districts.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Training programmes conducted - August 2013 Monitoring Report.  Completed - November 2013 Monitoring Report.	Completed	The Land Circular No. 2013/01 specifically contemplates training programmes for all implementation officers directly involved in the programme, but makes no reference to community leaders or to a training manual. According to the LLRC Unit of the Land Commissioner General's Department, no such training manual presently exists.	Poor progress

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37	134b	Confine use of land for security purposes; expedite release of maximum extents of such land; while taking into account security concern; accord primacy to the policy objective of allowing people to settle in areas convenient to them.	2	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Partly included	No reference to according primacy to policy objective of allowing people to settle in areas convenient to them	Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	Completed - July 2014 Monitoring Report.  Monitoring reports since February state that implementation is complete and 'Only Civil Officers in charge of land matters have been deployed under the new Circular.'	Completed	According to the report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Sri Lanka, land use by the military for security and non-security purposes continues to prevent IDP access to return areas. There is little or no consultation with IDPs regarding relocation, and concerns remain regarding access to livelihood activities in new villages where they have been settled. (A/HRC/26/33/Add.4, submitted at the 26th sessions of the UNHRC in June 2014)  According to Comments by the Government of Sri Lanka on the SR's report, land belonging to 185 families is currently occupied by the military, and a balance of 67 families have not been able to prove ownership of land. All families have been provided land in Keppapilavu Model Village. (A/HRC/26/33/Add.6, submitted at the 26th sessions of the UNHRC in June 2014)	Poor progress
38	135a	Direct the First Committees [In terms of Land Circular 2011/04] in each of the District Secretariat areas to organize and hold a well publicized 'Community Consultation Meeting' prior to the launch of the First Committee investigation process	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	According to consultations with sample DS divisions, meetings were held on an ad-hoc basis and not before investigation process began.	Poor progress
39	135b	Direct the planning and conduct of Community Consultation Meetings envisaged in the Land Circular 2011/04 to be based on the experiences of the traditional Land Kachcheri system.	3		Fully included				No timeframe specified		Completed - August 2013 Monitoring Report.	Completed	No indication of incorporating experiences of the Land Kachcheri system, as per Land Commissioner General's Department.	Poor progress

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40	136	Direct the Land Commissioner General to establish a mechanism to rapidly consider the constructive suggestions made through the 'Community Consultation Meetings', and to consider using these suggestions as appropriate to further improve the field level methodology of the Land Circular 2011/04 Programme.	3	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Fully included		Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	No indication of constructive feedback from communities as per Land Commissioner General's Department.	Poor progress
41	140a	Apply strict controls to prevent any alienation of State land other than for IDPs, except where State land is required for other approved purposes	3	Ensure implementation of provisions of the Circular of the M/Lands which incorporates this principle.	Fully included		Ministry of Lands	Implementation of circular	Oct-12	Lapsed	Completed - August 2013 Monitoring Report.	Completed	According to clause 2.2.1.1 of Land Circular 2013/01, Cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved.	Poor progress
42	141	Seek the cooperation of a development partner to support the Land Circular 2011/04 Programme, based on the understanding that Government of Sri Lanka will be responsible for Programme policy, decision making, and implementation.	3	1. Evaluate the need for an external partner 2. Formulate a project proposal if external resources are found to be needed. 3. Secure assistance as appropriate, if feasible	Fully included		Ministry of Lands Ministry of Resettlement Department of National Planning	A report dealing with activities 1, 2 & 3	Oct-12	Delayed	Local funds have been allocated for this purpose - January 2014 Monitoring Report.  Completed. Local funds have been allocated for this purpose. By end 2012, nearly USD 3,189m from multilateral and bilateral funding sources have been mobilized along with local funds for this purpose - July 2014 Monitoring Report.	Completed	Cooperation with development partners appears to have been secured.	Completed

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43	155	Review the role and capacity of Rehabilitation of Persons, Properties and Industries Authority (REPPIA) with a view to streamlining and augmenting its role and resources in undertaking post-conflict requirements.	10	1. Examine the issues that affect the effective implementation of the REPIA. 2. Take appropriate action to deal with issues identified. 3. Provide funds for payment of compensation based on an acceptable victim identification process.	Fully included		1) M/Rehabilitation and Prisons Reforms 2) – do – 3) M/Finance and Planning	1) Report on REPIA received. 2) Action taken as appropriate. 3) Issues resolved	No timeframe specified		Completed. Role of REPPIA has been reviewed and strengthened. Rs 475M was allocated in 2014 Budget to implement this recommendation. Rs 204M was allocated for REPPIA to implement this recommendation. From 2010 to 2012, Rs 392 M was provided for the payment of compensations - July 2014 Monitoring Report.	Completed	July 2014 Monitoring Report indicates steps taken towards implementation.	Completed
44	158	Set a target time frame, via REPPIA, to ensure that all entitlements are met.	10	Complete	Fully included	Included in July 2013	Ministry of Rehabilitation & Prison Reforms	Completed	No timeframe specified		Refer to Recommendations 9.155 and 9.164 - January 2014 Monitoring Report.	Completed	Despite its inclusion in the NPA in July 2013, no details on the action plan for implementation were provided. No timeframes evident in Monitoring Reports.	Poor progress
45	160	Give extensive publicity to ensure all entitled persons for payments, compensation or monetary relief apply.	10	Completed	Fully included	Included in July 2013 Action plan unclear	Ministry of Rehabilitation & Prison Reforms		No timeframe specified		Completed - July 2014 Monitoring Report.	Completed	No details on publicity efforts have been provided in any Monitoring Report. However, applications for compensation and monetary relief are being made.	Partial progress
46	162	Make REPPIA prioritize the 'General Public' and 'Public Servant' payment of death, injury and housing entitlements; revisit the problem of public servants being disqualified from NGO assistance programmes, particularly housing assistance	10	1. Examine government policy to identify what disqualifications exist; 2. Determine and introduce provisions to ensure equitable assistance.	Fully included		Ministry of Public Administration	1) Policy examined and problem areas identified, if any. 2) New policy determined, if necessary.	Oct-12	Met	Although public servants are not selected to receive NGO funds, District Secretaries have informed that complaints have not been received in this regard thus far - February 2013 Monitoring Report.  Completed. No complaints received in this regard - November 2013 Monitoring Report.	Completed	A total of Rs. 475,701,774 was disbursed by REPPIA for implementation of LLRC recommendations, including approx. Rs. 64 million on death and injury compensation for the general public and Rs. 4 million for public servants. (www.reprimin.gov.lk/images/pdf/performance%202013-%20eng.pdf)  Acc. to progress reported by the Ministry of Rehabilitation and Prison Reforms, Rs. 344,967,885 has been disbursed as death and injury compensation for general public from 2009 to August 2014, and Rs. 23,370,000 as death and injury compensation for government servants during the same period.  (www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf)	Completed

## Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
47	171	Phase out the involvement of the Security Forces in civilian activities and use of private lands by the Security Forces; give reasonable time lines.	2	1. Formulate Plan for further reducing involvement of Security Forces in civilian work. (95% already withdrawn from civilian duties) having regard to the experiences of the reconciliation programmes	Fully included		Ministry of Defence	A marked reduction or withdrawal of security force personnel for civil activities	Jan-13	Lapsed	Completed - February 2013 Monitoring Report.  Involvement of security forces in resettlement and reconstruction activities in the immediate aftermath of the conflict proved crucial but this is being gradually phased out - September 2014 Monitoring Report.	Completed	According to a media report published in May 2013, over 6,000 acres of private land was acquired in Valikamman North, Jaffna. Over 2,000 residents challenged the acquisition in court. ( <a href="http://www.ft.lk/2013/05/31/appeals-court-issues-notice-on-respondents-in-jaffna-land-acquisition-cases">www.ft.lk/2013/05/31/appeals-court-issues-notice-on-respondents-in-jaffna-land-acquisition-cases</a> ).  One out of its eight basic principles of the government's Draft resettlement policy framework is that Sri Lanka Security Forces are to be a partner of the resettlement process. (See: <a href="http://resettlementmin.gov.lk/site/media/pdf/english/Resettlement%20Policy%2007-11-13.pdf">http://resettlementmin.gov.lk/site/media/pdf/english/Resettlement%20Policy%2007-11-13.pdf</a> )  See 134a and 227	Poor progress
48	204	Take immediate action to disarm persons in possession of unauthorized weapons and also prosecute such offenders	8	Ensure strict enforcement of the provisions of the Offensive Weapons Act/The Firearms and Explosives Act and the successful prosecution of legal action against offenders.	Fully included		Dept. of Police	A complete disarming of persons in possession of unauthorized weapons.	Jan-13	Lapsed	Refer to 9.73	Completed	Refer to 9.73 and 9.74  Progress reported in Monitoring Reports only refers to disarmament in the North and East just after the war ended. Some incidents involving illegal armed groups continue to take place. In 2013 - alleged EPDP shootout, attacks on Uthayan newspaper office ( <a href="http://www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/">www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/</a> ) In 2014 - attacks during the Uva PC elections	Poor progress
49	210	Give full effect to all of its Interim Recommendations concerning illegal armed groups.	8	1. Examine crime statistics and trends to identify critical issues;  2. Take necessary measures to improve law enforcement	Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.213  Interim recommendation is cited as IR 3	Ministry of Defence	The effective maintenance of law and order	No timeframe specified		Fully implemented as per recommendation 9.73 - February 2013 Monitoring Report.	Completed	Refer 9.73	Poor progress

## Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
50	212	Set up units of the Attorney General's Department in the Provinces to guide and advise the Police regarding matters of criminal justice.	5	<p>1. Formulate TORs for Units in the AGs dept. and establish same.</p> <p>2. Include relevant modules in the training programmes for Police Officers.</p> <p>3. Enhance capacity of the Trainers of the Police Training College.</p>	Fully included		<p>1) AG's Department</p> <p>2) Police Department</p> <p>3) Police Department</p>	<p>1) Enhanced capacity of AG's Department units</p> <p>2) Improvement in the quality of investigations</p> <p>3) Greater success in prosecution and a general improvement in the Criminal Justice System</p>	Jul-13	Delayed	The AG's Dept. has taken action to restructure the supervision system in the Department effective April 20, 2014 to accommodate a system of Provincial supervision. Nine Additional Solicitors General have been appointed to be in charge of the nine Provinces. Two Senior Additional Solicitors General will be in overall supervision of the civil and criminal divisions and will coordinate with the officers supervising the Provinces. A Senior State Counsel is appointed to each High Court Division within a Province - July 2014 Monitoring Report.	Completed	Despite the same progress being reported in every previous Monitoring Report, the latest report indicates definitive action in this regard i.e. that the supervision system came into effect in April 2014.	Completed
51	214	De-Link the Police Department from the institutions dealing with the armed forces which are responsible for the security of the State.	5	<p>Refer this recommendation to the PSC as it deals with an entirely policy/political issue</p> <p>[Independent Police Commission has already been established]</p>	Partly included	Implementation is contingent on PSC	Proposed Parliamentary Select Committee	Not applicable	No timeframe specified		Completed - January 2014 Monitoring Report.	Completed	The Ministry of Law and Order was established in August 2013, with President Rajapakse holding the portfolios of both Minister of Defence and Minister of Law and Order.	Poor progress
52	215	Establish an independent permanent Police Commission as a pre-requisite to guarantee the effective functioning of the Police and to generate public confidence.	5	Refer to 9.214	Partly included	Refer to 9.214	Refer to 9.214	Refer to 9.214	No timeframe specified		Completed - January 2014 Monitoring Report.	Completed	Under the 18th Amendment to the Constitution, the chairman and members of Police Commission are appointed by the president.	No progress

### Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
53	226	Establish an Independent Public Service Commission without delay to ensure that there is no political interference in the public service and that recruitment and promotions in the public service are in conformity with the equality provisions in the Constitution.	5	An independent Public Services Commission has been established	Fully included				No timeframe specified		No progress reported in any Monitoring reports.	Completed	Under the 18th Amendment to the Constitution, the chairman and members of the Public Services Commission are appointed by the president.	No progress
54	227	Revert the Northern Province to civilian administration in matters relating to the day-to-day life of the people, and in particular with regard to matters pertaining to economic activities such as agriculture, fisheries land etc.; Recede military presence to the background.	2	Refer 9.171	Partly included		Refer 9.171	Refer 9.171	Jan-13	Lapsed	Completed - February 2013 Monitoring Report.  The present strength of security forces in the Jaffna peninsula has been reduced by 30% from 2009 to 2013, is currently approximately 15,000. Gradual reduction of security forces presence is continuing - July 2014 Monitoring Report.	Completed	No reduction in military presence reported in progress reports.  According to a Protection Assessment of Sri Lanka IDPs carried out by the UNHCR in June 2013, an estimated 57 per cent of respondents reported a military presence or a checkpoint less than a mile from their homes, 87 per cent of respondents said they had been registered by the military, and a third said they had been interviewed by the military or the CID. It was reported that military personnel in the north were involved in commercial activities, either in partnership with their relatives or with other people from outside the north. In its comments on the Report of the Special Rapporteur on the human rights of internally displaced persons at the 26th sessions of the UNHRC in June 2014, the government has stated that commercial activity by military including hotels is for the welfare of military personnel and their families (A/HRC/26/33/Add.6).  Military still engages in economic activity: Agriculture: the army runs farms in Ella-Kantale, Kuttigala, Diyatalawa, Paanaluwa, Habarakada, Ekala, Kandakadu, Udayarkattukulam, Menik Farm, Nachchikuda, Kohilawaguruwatta, Palali and Wellakulam areas covering land extent of 2196 acres in total ( <a href="http://www.army.lk/detailed.php?NewsId=4343">www.army.lk/detailed.php?NewsId=4343</a> ) Tourism: <a href="http://www.thalsevanaresort.com">www.thalsevanaresort.com</a> ; <a href="http://www.layahotels.lk">www.layahotels.lk</a> Transport: <a href="http://www.helitours.lk/aboutus.aspx">http://www.helitours.lk/aboutus.aspx</a>	Poor progress

## Annex: Progress as per GoSL - Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
55	267	Take strong deterrent action to prevent incidents of inter-faith intolerance and make every endeavour to arrest the occurrence of such incidents.	8	Action already taken.	Partly included	Included in July 2013, fully included. However, no reference to inter-faith intolerance	Ministry of Buddha Sasana and Religious Affairs, Ministry of Law and Order		No timeframe specified		Completed. No further action required - January 2014 Monitoring Report.  Prompt action is taken against all reported incidents - July 2014 Monitoring Report onwards.	Completed	According to data gathered by the NCEASL and SfM, over 460 reports of inter-faith intolerance (against Muslim and Christian communities) from 2013 to mid-2014.	Poor progress



# ANNEX: PROGRESS AS PER GO SL - ONGOING

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	9a	Investigate material implicating Security Forces in death and injury to civilians; prosecute wrongdoing thereupon.	1	<p>1. Complete ongoing disciplinary process being conducted in terms of Armed Forces statutes.</p> <p>2. Upon conclusion, take follow up action to prosecute, where relevant.</p> <p>3. Use the existing system as provided for in the Criminal Procedure Code to originate a complaint and give such mechanism sufficient publicity.</p>	Fully included		<p>1) Ministry of Defence</p> <p>2) Ministry of Defence</p> <p>3) Ministry of Justice</p> <p>4) Attorney General's Office</p>	<p>1) Disciplinary inquiries concluded</p> <p>2) Offenders prosecuted</p> <p>3) Cases filed in Court</p>	Jun-14	Lapsed	<p>Mandate of the Commission of Inquiry to investigate complaints regarding missing persons expanded in July 2014 to include inquiry into the 'principal facts and circumstances that led to the loss of civilian life' and 'whether any person, group or institution directly or indirectly bears responsibility in this regard' by violations of IHL or IHLR, whether this loss of life constitutes proportionate collateral damage, and whether they were either the deliberate or unintended consequence of the rules of engagement during the armed conflict.</p> <p>The Army Court of Inquiry concluded its investigations into allegations regarding civilian casualties in Feb 2013. Investigation of allegations of summary executions of captured persons is on-going.</p>	Ongoing	<p>Army Board on LLRC Recommendations called for an Army Board of Inquiry to be appointed (24 January 2013). Navy BoI exonerated - June 2013 Monitoring Report. Army Col exonerated - November 2013 Monitoring Report.</p> <p>Three military bodies have described the LLRC's findings pertaining to civilian deaths caused by security forces as either inadequate or baseless.</p> <p>Commission of Inquiry on missing persons appears to be reconsidering allegations of civilian deaths. Its term has been extended to 15 February 2015.</p>	Poor progress
2	23	Conduct investigations into specific cases of surrender to the Army; prosecute members of Army responsible for disappearances after surrender to official custody thereupon.	1	Refer to 9.51a	Fully included		Refer to 9.51a	Refer to 9.51a	Jun-14	Lapsed	Refer to 9.51	Ongoing	<p>Initially the CID was to investigate - August 2013 Monitoring Report Investigation was thereafter transferred to the Commission of Inquiry to investigate complaints regarding missing persons.</p> <p>Annex 4.15 of the LLRC report lists at least 45 complaints. The Defence Secretary has claimed there were only 26 incidents. (<a href="http://www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/">www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/</a>)</p>	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
3	26	Take due account of the violation of core Human Rights and International Humanitarian Law Principles in framing charges against LLTE cadres against whom investigations reveal prima facie material for prosecution so that appropriate punishment, commensurate with the grave nature of such crimes could be meted out.	8		Included but intangible		Attorney General's Department		No timeframe specified		Investigation of recruitment of child soldiers, international criminal activities and suicide attacks by the LTTE have been entrusted to the Presidential Commission to Investigate into Complaints Regarding Missing Persons - September 2014 Monitoring Report.	Ongoing	Progress reported in Monitoring Reports for the first time in July 2014 report.  Meanwhile, as per Monitoring Reports released since February 2013, 160 cases pertaining to detainees have been pending for over one and a half years.	Poor progress
4	37a	Investigate reported cases of deliberate attack on civilians; take appropriate legal action thereupon.	1	Refer 9.9a	Fully included		Refer 9.9a	Refer 9.9a	Jun-14	Lapsed	Refer to 9.9a	Ongoing	Refer to 9.9a	Poor progress
5	37b	Conduct a professional island wide survey covering all affected families to ascertain the scale of civilian death, injury and property damage.	10	Conduct survey.	Fully included		Department of Census & Statistics. (Presidential Secretariat will oversee)	Mechanism launched to conduct survey	No timeframe specified		Preliminary Report of the islandwide census to gather information on deaths/injuries to persons and property damages that have occurred from 1982 to date as a result of the internal conflict is nearing completion. Data for the Final Report are being keyed in concurrently - September 2014 Monitoring Report.	Ongoing	Census was originally to be released by March 2014. Concerns regarding the census methodology, data collection and lack of public awareness have been raised.  See: <a href="http://www.rightsnow.net/?p=4544">http://www.rightsnow.net/?p=4544</a> and Commentary on Census on human and property damage due to conflict 2013 (CPA 2014)	Partial progress
6	39	Initiate an independent investigation to determine truth of allegations in Channel 4 documentary video footage.	1	Refer to 9.9, 9.37a	Partly included	Not 'independent'			Jun-14	Lapsed	Refer to 9.9a	Ongoing	No independent investigation has been planned.	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
7	46	Direct law enforcement to take immediate steps to ensure that allegations of abductions, involuntary disappearances and arbitrary detention are investigated; prosecute wrongdoers thereupon.	1	<p>1. Identify impediments, if any, to the effective enforcement of the law. That the offences are visited with serious sanctions</p> <p>2. Strengthen investigation skills of Police.</p> <p>3. Strengthen access to justice.</p> <p>4. Enhance the capacity of the Police to put in place a more effective surveillance mechanism of the locality in cooperation with the local community and establish community policing.</p>	Fully included		<p>Ministry of Defence/ Police Department</p> <p>Legal Aid Commission, CBO's, Ministry of Justice, Police Department</p>	<p>1) Impediments identified and remedial action taken</p> <p>2) Programmes to strengthen skills integrated into Police training modules</p> <p>3) Access to justice programmes identified and implemented by establishing community policing units</p>	Mar-14	Lapsed	<p>Steps have been taken to enhance capacity of law enforcement. 2,544 cases have been inquired into by the police to date. 380 cases are being investigated by the TID. Over 70 legal aid centres function islandwide - September 2014 Monitoring Report.</p>	Ongoing	<p>The TID is an inappropriate body. Special Rapporteur on Torture, Manfred Nowak has previously observed: 'a considerable number of clearly established cases of torture by TID...together with various efforts by TID to hide evidence and to obstruct the investigations of the Special Rapporteur'.</p> <p>According to the January 2014 Monitoring Report, the TID had traced 14 persons. However according to the July and September 2014 Monitoring Reports, the total number of those traced had dropped to 12.</p> <p>According to the Asian Forum for Human Rights and Development, there have been numerous delays in habeas corpus cases filed by family members of the disappeared due to: the State not filing objections in time; Police officers and Ministers summoned not appearing before courts; State Counsel not turning up; Magistrate not being present; and more recently, due to a decision by the Judicial Services Commission to appoint a special Magistrate to hear some of the cases. In the case of the disappearance of Mr Prageeth Eknaigoda, Anura Shantha Jayasundara, a Police officer failed to appear before the courts 11 times and the former minister of Media, Mr Lakshman Yapa Abeywardena twice. State Counsel and a Magistrate had not turned up for some case hearings of habeas corpus cases filed by family members of persons who had disappeared after surrendering to the Army at the end of the war in May 2009. These cases were also delayed due to the state not filing objections in time. (Written statement submitted by the Asian Forum for Human Rights and Development at the 27th sessions of the UNHRC, September 2014 (A/HRC/27/NGO/91))</p>	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
8	48	Implement immediately the recommendations of past commissions in regard to establishing a special mechanism to address the issue of missing persons and deter future occurrences.	1	1. Establish a Committee to strengthen current initiatives and identify new strategies to address the issue of missing persons, including issues of families of missing persons.	Partly included	Included in July 2013. No special mechanism	Presidential Secretariat	1) Committee convened 2) New strategies identified 3) Implementation of new initiatives commenced	1) January 2014 2) March 2014 3) June 2014	Lapsed	Ministry of Defence and the ICRC continue to collaborate on the issue of missing persons. Col on missing persons established in August 2013. The TID has thus far traced 12 people - September 2014 Monitoring Report.	Ongoing	No special mechanism has been established. No details on how the recommendations of past Cols have been taken on board to avoid duplication.	Poor progress
9	50a	Trace whereabouts of missing persons in cooperation with relevant agencies, especially the ICRC; ensure reunification of missing persons with their families	1	See 9.48	Fully included		See 9.48	See 9.48	See 9.48	Lapsed	The ICRC and the Ministry of Defence continue to collaborate on the issue of missing persons. ICRC's Family Needs Assessment is currently underway. The TID has traced 12 persons thus far, who have been rehabilitated and reunited with their families - September 2014 Monitoring Report.	Ongoing	According to the Annual Report (2013) of the ICRC, the authorities allowed the ICRC to resume its tracing activities in the northern province for potential cases related to the armed conflict and nearly 30 families confirmed being reunited with previously missing relatives. 95 new tracing requests were registered, 55 individuals were located, and ICRC was attempting to trace 16,137 people by 2013.  Thus far, the Col on missing persons has received 19,591 complaints which are currently being investigated.  According to the January 2014 Monitoring Report, the TID had traced 14 persons. However according to the July and September 2014 Monitoring Reports, the total number of those traced had dropped to 12.	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
10	52	<p>Take effective measure on an administrative level to implement the Registration of Death Act within a published timeframe.</p> <p>Publicize relevant portions of the Registration of Death Act in conflict afflicted areas in order to facilitate access to procedures and remedies.</p>	8	<p>1. Review of progress of implementation of the Registration of Deaths Act in terms of instructions already issued.</p> <p>2. Give adequate publicity of the availability of information through the Governments 1919 IT facility, to people in conflict affected areas</p>	Partly included		Ministry of Public Administration & Home Affairs	Instructions issued to implement the provisions of new legislation.	No timeframe specified		<p>Monitoring reports up to November 2013 indicated action taken to register deaths - up to 2012, 75 registered in North and 1,562 in East.</p> <p>Memorandum for issuance of a "Certificate of Absence" submitted to Cabinet. The Registration of Deaths Act No 19 of 2010 is under implementation and has been extended up to 2015. Adequate publicity has been provided - September 2014 Monitoring Report.</p>	Ongoing	<p>Some progress is reflected in previous Monitoring reports.</p> <p>According to media reports, relatives of those disappeared testifying before the Presidential Commission to Investigate into Complaints regarding Missing Persons have requested that the decision to issue death certificates be revoked. (See: <a href="http://asianmirror.lk/news/item/3799-relatives-oppose-the-issuing-of-death-certificates-for-missing-persons/">http://asianmirror.lk/news/item/3799-relatives-oppose-the-issuing-of-death-certificates-for-missing-persons/</a>)</p> <p>Legislation on issuing a Certificate of Absence is being drafted. (See: <a href="http://www.sundaytimes.lk/140302/news/new-law-to-help-families-of-missing-people-87614.html">http://www.sundaytimes.lk/140302/news/new-law-to-help-families-of-missing-people-87614.html</a>)</p> <p>However, there is some criticism on the abuse of the process involving registration of deaths to avoid ascertaining the whereabouts of the missing. (See: <a href="http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html">http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html</a>)</p>	Partial progress
11	55	Prosecute failure of police to record an arrest, detention and transfer or failure to record or investigate complaints of abductions.	4	<p>1. Examine the adequacy of new strategies implemented to ensure prompt action on complaints received by police.</p> <p>2. Ensure that appropriate disciplinary action is initiated with regard to officers against whom complaints are made</p>	Fully included	Included in July 2013	Ministry of Law and Order	<ul style="list-style-type: none"> <li>• Examination completed and gaps, if any, identified.</li> <li>• New strategies introduced to respond to gaps, if any.</li> <li>• Disciplinary action taken as a per cent of complaints received.</li> </ul>	No timeframe specified		<p>To date, no such instances have been reported which required the prosecution of any police officers. Complaints by the public against Police Officers are rigorously monitored and can be directly lodged at the specially designated Public Day of Inspector General of Police at the Police Headquarters. Action will be taken against errant Police Officers following existing procedure - September 2014 Monitoring Report.</p>	Ongoing	<p>No information on any prosecutions.</p> <p>According the Asian Legal Resource Centre (ALRC) police officers routinely decline to record complaints against state agents and politicians, even in cases of grievous human rights violations such as torture, enforced disappearances and extra-judicial executions. (See: Alternative Report to the United Nations Human Rights Committee in Regard to the Fifth State Party Report Submitted By Sri Lanka in September 2014, by the ALRC)</p>	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
12	58	Assist families with trauma of not knowing the whereabouts of their next of kin; give financial support when missing persons were breadwinners; provide legal aid when necessary.	11	1. Establish a social care centre in each Division in North & East and provide necessary legal support to victims of war	Fully included	Included in July 2013	Ministry of Social Services Ministry of Justice	Social care centres established Availability of legal aid to this category announced	No timeframe specified		The ICRC will carry out an island-wide survey using a representative sample of families of missing persons through its Family Needs Assessment. Single women households, families where one or more members are missing and war widows are catered to by Legal Aid and mediation mechanisms in the North and East. Also, more than 70 Legal Aid Centres function island-wide, as well as 27 Social Care Centres operational in the North and 28 Centres in the East. Preventive Counselling, Treatment Counselling and Capacity Building Counselling programmes are also in place - September 2014 Monitoring Report.	Ongoing	<p>According to government reports, progress is still at the stage of assessing needs, despite a large volume of families reporting missing persons to the Col on missing persons.</p> <p>Meanwhile independent reports suggest gaps in provision of assistance to families suffering from trauma. According to a report by IRIN (September 2013), there is limited organized psychosocial support in Sri Lanka, particularly for families of the missing. Moreover, there are some reports of government hostility deters providers and those seeking help, hence there is limited support from the state and non-profit sector. (<a href="http://reliefweb.int/report/sri-lanka/mental-health-cost-borne-families-missing-sir-lank">reliefweb.int/report/sri-lanka/mental-health-cost-borne-families-missing-sir-lank</a>)</p> <p>According to a study of female headed households in the North by the Graduate Institute of Geneva, the lack of assistance or compensation provided by the government was a key contributor to economic vulnerabilities faced by families of the missing.  (See: The Graduate Institute Geneva (2013) Everyday Resistance: Female Headed Households in Northern Sri Lanka)</p>	Poor progress
13	59	Frame domestic legislation to specifically criminalize enforced or involuntary disappearances.	1	<p>1. Examine the need for legislation</p> <p>2. Formulate and present law to Parliament, if law reform is found to be necessary with emphasis on the need to impose heavy terms of imprisonment as a deterrent.</p>	Fully included		Ministry of Justice Attorney-General's Dept. Police Department	<p>1) Review of laws completed</p> <p>2) Legislation drafted and presented to Parliament, if found necessary</p>	Dec-14	Pending	Draft Amendments to existing legislation sent to the Attorney General for observations - September 2014 Monitoring Report.	Ongoing	September 2014 Monitoring Report records the same update as the January 2014 Monitoring Report, that the draft was sent to the AG. Extent of implementation is contingent on the draft.	Partial progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
14	60	Provide comprehensive, island-wide human rights education programmes targeting the school children, youth, members of the Security Forces, and the Police etc.	9	1. Implement activities identified in the NHRAP  2. Formulate a module for inclusion in secondary school curriculum	Fully included		1) NHRC, Ministry of Education, Armed Forces, IGP  2) NIE	1) Implementation of NHRAP monitored  2) Module formulated and included in curriculum	No timeframe specified	Pending	During January – June, 2014 over 700 police officers received training by ICRC on “Community-oriented public order management” and over 700 military personnel received ICRC training on IHL. A seminar on IHL was also conducted for armed forces by the ICRC. Human Rights Education is routinely provided to Police Officers, while the Sri Lanka Army conducts a comprehensive HR law/ IHL training programme for all ranks throughout the year. More than 6,700 Police Officers have received ICRC training on “Use of Force” by January 2014. Secondary school education curriculum has incorporated Human Rights Education. Supplementary curriculum material is being developed. - September 2104 Monitoring Report.	Ongoing	Human Rights training has been introduced to members of security forces and the police. However, the nature of human rights education in secondary school curriculum is unclear.  The Human Rights Commission of Sri Lanka has proposed the inclusion of human rights in the school curriculum. However, according to media reports, the National Institute of Education (responsible for setting the school curriculum) will not implement these proposals in full. HR education is to be incorporated into an existing subject, and not taught as a separate subject.  ( <a href="http://www.nation.lk/edition/news-online/item/31748-human-rights-to-be-included-in-school-curriculum.html">www.nation.lk/edition/news-online/item/31748-human-rights-to-be-included-in-school-curriculum.html</a> )	Partial progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
15	64	Direct the relevant authorities to ensure the full implementation of all Interim Recommendations pertaining to detainees.	4	<p>1. Continue current practice of informing next of kin regarding location of detainee. (NB: NHRC is also informed).</p> <p>2. Examine and report on the practical application of such a procedure and its feasibility.</p> <p>3.(a) Formulate a programme to divert suspects from the criminal process to voluntary rehabilitation in appropriate cases; (b) Enable indictments to be filed in an additional number of courts to ease the backlog.</p> <p>(A) --same as above --</p>	Fully included	<p>Cited in NPA as Interim Recommendations which were:</p> <p>(1) publish a list of names of those in detention</p> <p>(2) Issue a certificate when a person is discharged so that that the same person is not taken into custody again, unless new evidence is discovered against him</p> <p>(3) Look into the general issue of law's delays to expedite prosecution or discharge detainees</p>	<p>1. Police Department , Attorney-General's Dept.</p> <p>2. Police Department</p> <p>3.Ministry of Justice</p>	<p>The availability of a comprehensive list of names and relevant data to the NOK.</p> <p>Report published</p> <p>(A) Unit established</p>	<p>No timeframe specified</p> <p>Dec-2012</p> <p>Dec-12</p>	Lapsed	<p>(1) Completed. See 9.63 - January 2014 report</p> <p>(2) Completed. See 9.53, 9.67 - January 2014 report</p> <p>(3) A Bill on "Assistance to and protection of Victims of Crime and Witnesses" was presented to Parliament in September 2014. Ministry of Justice initiated a program to expedite prosecutions in order to discharge detainees, pending appeals. Amendments proposed to Civil Procedure Code, Children (Judicial) Protection Bill, and Criminal Procedure Code to address some of the recommendations made by the committees appointed in the recent past to look into issues of law's delays. Amendment to Prevention of Crimes Ordinance will be introduced. Several courts have been established in areas where the judicial system had been at a standstill - September 2014 Monitoring Report.</p>	Ongoing	<p>Interim recommendations themselves are included in the NPA separately.</p> <p>Progress pertaining to interim recommendations:</p> <p>No.1 - Poor progress No. 2 - Partial progress No. 3 - Partial progress</p>	Partial progress
16	71	Actively encourage a greater role for civil society organisations that could provide financial and human resource assistance to implement programs targeting detainees who have been rehabilitated to integrate into the mainstream civilian life.	11	1. Collaborate with relevant organisations	Included but intangible	<p>Included in July 2013</p> <p>Current plan is cited in Monitoring Reports from July 2014 onwards. Plan originally cited was 'No further activity required as recommendation has been given effect to'.</p>	Ministry of Rehabilitation	No KPI specified	No timeframe specified		Bureau of the Commissioner General of Rehabilitation is actively engaged in coordinating with all government and corporate sector institutions, INGOs, NGOs and the community - September 2014 Monitoring Report.	Ongoing	No information of specific measures to encourage civil society organisations in respect of assisting former detainees.	Poor progress



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17	87	Meet the immediate needs of women, especially widows, affected by the War through economic assistance; provide them with a means of livelihood and other income generating means.	11	1. Implement livelihood /self employment projects 2.Promote women entrepreneurs	Fully included	Included in July 2013	Ministry of Child Devt & Women's Affairs Ministry of Social Services	Target groups engage in livelihood and income generating activities.	No timeframe specified		Several livelihood and income generating projects are implemented to address need of women-headed households in the North and East, including the Single Parent Families Development Programme, Divi Neguma, the Social Care Centre Project and vocational training - September 2014 Monitoring Report (more details provided in Report).	Ongoing	<p>According to Minority Rights Group International (2013) government support for women's livelihood development is limited and of low quality. The government and aid agencies have been criticized by local groups for providing only specific types of skill development for women (such as sewing) and implementing 'one-size-fits-all' livelihood programmes. Where women have been resettled they are unable to engage in traditional forms of livelihood due to safety concerns or lack of natural resources.</p> <p>(See: MRG International, Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka)</p> <p>A study of female headed households in the North by the Graduate Institute of Geneva found that women faced numerous obstacles in accessing income-generating opportunities that the government had yet to address. Little government assistance or compensation had been provided to women breadwinners.</p> <p>(See: The Graduate Institute Geneva (2013) Everyday Resistance: Female Headed Households in Northern Sri Lanka)</p>	Poor progress
18	88	Make greater and sustained efforts to enlist and engage the services of relevant international organizations and civil society groups who have expertise and resources in the area of women's rights to assist in this task of aiding women.	11	Undertake collaborative programmes with relevant international organisations, CBOs etc. to assist single mothers, those recently resettled, and those who are disabled.	Fully included	Included in July 2013	Ministry of Social Services Ministry of Child Devt & Women's Affairs Ministry of Rehabilitation & Prison Affairs Ministry of Health	Collaborative programmes implemented.	Dec-14	Pending	Several international organizations are engaged by government ministries to assist war-affected persons including UNICEF, the World Bank, the ICRC and GIZ - September 2014 Monitoring Report (more details provided in Report).	Ongoing	Progress reported has no specific focus on problems faced by women.	Poor progress

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19	89	Provide opportunities and options to women to continue their formal education or pursue other forms of informal education and/or vocational training that may facilitate in finding employment and/or engaging in other livelihood activities	11	Analyse already collected information to identify those still requiring formal/informal/vocational education, in addition to those currently following educational courses.	Fully included	Included in July 2013  Plan only contemplates analysis of information on status of vocational education and not the provision of opportunities.	Ministry of Child Devt & Women's Affairs Ministry of Youth Affairs & Skills Devt Ministry of Rehabilitation	Analysis completed  Strategies to provide education to those in need identified and implemented.	Dec 2013  May 2014	Lapsed	Special vocational and non-formal training programmes are on-going for women who have not been able to continue with their formal education due to the protracted conflict. ALP (Accelerated Learning Programme) and "Catch up education programmes" targeting adults who have lost formal education were successfully carried out - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Monitoring reports indicate that vocational and other training programmes are being provided. However, according to the Sri Lanka Labour Force Survey Annual Bulletin 2013, unemployment rate among women is over four times that of men in both the North and East, and is the highest of all provinces in the country.	Partial progress
20	93	Provide better educational and health facilities, and the continued support, financial and material, for children's homes and orphanages.	11	Support to confirm school education for non-school going children.  Provide scholarships for the children of low income families.	Fully included	Included in July 2013	Ministry of Education Ministry of Child Devt & Women's Affairs Ministry of Social Services	Gaps identified Remedial action taken Scholarships provided.	No timeframe specified		The Inter-Ministerial Committee (See 9.92) monitors this recommendation. Long term measures in place include: Provision of midday meal, free uniforms, monthly stipend and free books for the entire school going student population, including children in Children's Homes and Orphanages. Scholarships have been granted to 2,501 children under Educational Support Programme, while 672 children have benefitted from scholarships under the Foster Parent Scheme. Children's Homes and Orphanages receive continuous support. By June 2014, facilities of 12 Children Homes have been upgraded - September 2014 Monitoring Report.	Ongoing	Better educational and health facilities appear to be envisaged by planned action.	Partial progress

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21	94	Identify children who suffer from conflict induced trauma or psychological disorders; provide special attention and care to these children, including professional counselling where necessary.	11	Identify special programmes for children.	Fully included		Ministry of Social Services	Special programmes identified and implemented	No timeframe specified		Counselling programmes are conducted by National Counselling Centre for children suffering from trauma. Several programmes are underway by Ministry of Education through the schools system to assist children affected by the conflict. In the Northern Province, "Children's and Women's Development Units" are in operation - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Reported progress indicates that recommended support is provided.	Partial progress
22	95	Create child-friendly environments in the areas affected by the conflict, including easy access to schools, better healthcare facilities, recreation facilities such as play grounds, and children's parks.	11	Inter-Ministerial Committee comprising Ministry of Rehabilitation & Prison Affairs, Ministry of Child Devt & Women's Affairs, Ministry of Education, Ministry of Health, Ministry of Social Services, Ministry of Livestock & Rural Community Development.	Fully included	Included in July 2013	Ministry of Child Devt & Women's Affairs	Special programmes identified and implemented.	No timeframe specified		Child-friendly and joyful learning environment created in 5,000 schools, including 984 schools in the Northern and Eastern provinces, to ensure easy access to better healthcare facilities, recreation facilities such as playgrounds and children's parks, with a total investment of Rs. 2058m. Water and sanitation facilities upgraded in 6,000 primary schools including 1,105 schools in the North and East. Five early Childhood Care (ECCD) Model Villages have been initiated in the North. 1,469 School Child Protection Committees established. "Free mid day meal programme" and the "Fresh milk distribution programme" extended to all primary schools in North and East. To date, a total of 11 Children's Libraries have been completed in the estate sector - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Reported initiatives are aimed at improving the environment in conflict affected areas. However heavy militarisation in the North and East can be an impediment to the establishment of child friendly environments in conflict affected areas.  (See: The Forever War?: Military Control in Sri Lanka's North (March 2014) at <a href="http://blog.crisisgroup.org/asia/2014/03/25/the-forever-war-military-control-in-sri-lankas-north/">http://blog.crisisgroup.org/asia/2014/03/25/the-forever-war-military-control-in-sri-lankas-north/</a> )	Poor Progress

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23	96	<p>Include provisions to reduce the burden on elderly in maintaining and taking care of their extended families in programmes for families</p> <p>Pay attention to the special needs of the elderly due to disability, health issues and trauma.</p>	11	Improve access to elders	Fully included	Included in July 2013	Ministry of Social Services	Elderly people in conflict affected areas are provided care and facilities.	No timeframe specified		Several measures are implemented by Ministry of Social Services to assist the elderly population in conflict affected areas, such as the "Monthly Livelihood Allowance Programme for under privileged elders". Government Mobile Services have issued Elder's Identity Cards to more than 13,000 senior citizens in North and East so that they may enjoy priority treatment at public and private institutions and be entitled to certain financial benefits. 1,079 Elder's Committees at Village, Regional and District Levels in North and East Provinces have been established - September 2014 Monitoring Report.	Ongoing	Reported progress indicates that recommended measures have been adopted.	Partial progress

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24	97	Facilitate community and civil society organizations, local religious bodies and the clergy to play a key role in providing easy and unhindered to spiritual and cultural activities to the elderly to deal with trauma	11	Establish Elders' Committees with the involvement of local organizations	Included but intangible	Included in July 2013	Ministry of Social Services	Elders-friendly environment created	Mar-14	Lapsed	Under an initiative of the Ministry of Social Services, 364 Village Level Elders' Committees and 2 Regional Level Committees have been established in the Northern Province, and 669 Village Level Committees, 22 Regional Level Committees and 2 District Level Committees in the East. Selected NGOs which run Elders' Homes in the North were assisted financially to upgrade infrastructure facilities. Department of Christian Religious affairs conducted 18 programmes in Kandy, Kurunegala, Chilaw, Ratnapura and Colombo to uplift the spiritual values of university students, Sunday School teachers and school students. Programmes were also conducted for the general public, Sunday school teachers and students with the participation of Buddhist Bikkus and Hindu priests - September 2014 Monitoring Report.	Ongoing	Reported progress indicates that steps have been taken to facilitate spiritual and cultural activities for the elderly.	Partial progress
25	98	Address as a matter of priority the economic needs of families with disabled members.	11	Implement special programmes to improve living conditions of people with disabilities.	Fully included	Included in July 2013	Ministry of Social Services Ministry of Buddha Sasana & Religious Affairs Ministry of Youth Affairs & Skills Devt	Programmes implemented	No timeframe specified		Monitoring Reports list programmes implemented to provide livelihood assistance, training and other support for the disabled and their families, including in cooperation with organisations the World Bank and NGOs.	Ongoing	Reported progress indicates that economic needs to families with disabled members are being addressed.	Partial progress

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26	99	Encourage people with disabilities to organize themselves as community groups that will help facilitate mutual support and obtain necessary assistance for them through international organizations and civil society groups who have expertise and resources in this area.	11	Refer to 9.98	Included but intangible	Refer to 9.98	Refer to 9.98	Refer to 9.98	No timeframe specified		Refer to 9.98	Ongoing	Assuming that the recommendation envisages the establishment of 'community groups', no such community groups have been established based on governmental intervention and necessary assistance from international organizations and civil society groups has not been obtained.	Poor progress
27	103a	Provide assistance for returnees to repair or build permanent houses; encourage self-help and mutual assistance programmes such as "Shramadana"; encourage assistance and cooperation of civil society in housing initiatives.	10	Implement programmes to construct or renovate houses for returnees with required infrastructure in place with the engagement of NGOs, CBOs.	Fully included	Included in July 2013	Ministry of Resettlement	Housing and infrastructure needs are fulfilled.	Dec-14	Pending	As at end August 2014, 65,747 fully damaged houses have been constructed and 9,246 partly damaged houses have been renovated for resettled families in the North and East with the facilitation of state sector, UN agencies, INGOs, NGOs and other agencies. Currently, 23,713 new houses are being constructed and 302 houses are being renovated. The government and other agencies have committed to building 9,367 new houses and reconstructing 2,820 damaged houses in 2014 and 2015. Inter-ministerial programmes to assist conflict affected persons have been held in Ampara and Killinochchi districts - September 2014 Monitoring Report.	Ongoing	Assistance has been also been obtained from the Indian government to build 50,000 houses under the Indian Housing Project. The construction of 10,250 of these houses was completed by January 2013.  ( <a href="http://www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm">www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm</a> )  According to a Protection Assessment of Sri Lankan IDPs who have returned, relocated or are locally integrating by the UNHCR (June 2013), only 32% of respondents have a permanent house, while the majority 57% live in transitional or emergency shelters and 6% live with relatives/friends. The main impediments to restoration of land, property and housing include occupation of land by the security forces and non-clearance of land (jungle growth etc.). ( <a href="http://unhcr.lk/wp-content/uploads/2014/02/Tool-Three-Final-Report-July-12-2013.pdf">http://unhcr.lk/wp-content/uploads/2014/02/Tool-Three-Final-Report-July-12-2013.pdf</a> )	Partial Progress
28	103b	Provide infrastructure needs such as roads, schools and hospitals in the areas where people have been resettled.	10	Refer to 9.103a	Fully included	Included in July 2013	Refer to 9.103a	Refer to 9.103a	Dec-14	Pending	Refer to 9.103a	Ongoing	No reference to infrastructure needs as progress reported only refers to housing.	Poor progress

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29	104	Grant the legal ownership of land to those who have been resettled.	3	Continue implementation of circular which provides for grant of ownership.	Fully included		Ministry of Lands	Circular implemented.	No timeframe specified		In the North, 44,095 land requests have been resolved (out of 170,592 to date), and 3,286 have been resolved in the East (out of 17,491 to date) - September 2014 Monitoring Report.	Ongoing	<p>Measures have been taken to grant lands in terms of Land Development Ordinance under Ranbima, and Bimsaviya programmes. However, these programs are not specifically related to IDPs since clause 2.2.1.1 of the Land Circular 2013/01, the cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved. Hence, any resettled person who is also landless becomes ineligible to own land until all land problems in the North and East are solved.</p> <p>In its comments on the Report of the Special Rapporteur on the human rights of internally displaced persons at the 26th sessions of the UNHRC in June 2014 (A/HRC/26/33/Add.6), the government stated that an Amendment to Prescription Ordinance is being undertaken to grant legal ownership to those who have been resettled.</p> <p>The Prescription (Amendment) Bill was passed on 24 July 2014. The Prescription (Special Provisions) Bill on rights of land owners who were displaced during the conflict in the North and East, was taken up for its Second Reading in Parliament on Aug. 7, 2014 but adjourned.</p>	Partial progress

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30	105	Encourage civil society to engage in community development at the grass roots level to help communities who are making a collective effort to reconstruct and rebuild their lives.	10	Strengthen community based women's organizations (Rural Women's Societies)	Included but intangible	Included in July 2013	Ministry of Resettlement Ministry of Youth Affairs & Skills Development Ministry of Child Devt & Women's Affairs Ministry of Construction		No timeframe specified		Ministry of Resettlement adopts an 'owner driven basis' approach in its projects as a matter of policy to empower resettled communities to reconstruct and rebuild their lives. Active participation by Community Based Organizations' in the execution of community infrastructure projects targeted for the benefit of resettled IDPs and returnee refugees is solicited and encouraged by the government. Such participation is evident as they bid competitively for contracts. Field officers attached to Ministry of Child Development & Women's Affairs in Ampara and Jaffna districts are engaged in promoting community contribution in reconstruction and rehabilitation. Training for CBO women leaders has been conducted with the support of GIZ - September 2014 Monitoring Report.	Ongoing	Despite measures to encourage community based organisations in community development, heavy militarisation and communications from the Ministry of Defence have discouraged organisations from continuing their work.	Poor progress
31	108a	Facilitate and encourage the return and resettlement of displaced persons living in India; make essential facilities available if they should choose to return.	3	1. Formulate policy with regard to IDPs in India;  2. Conduct bi-lateral discussions with India in terms of policy	Fully included		1) Ministry of Lands, Ministry of External Affairs, Ministry of Resettlement, Ministry of Defence  2) Ministry of External Affairs, Ministry of Defence	Bi-lateral discussions held and decisions implemented	Jul-14	Lapsed	A policy on refugees in India is included in the draft policy on resettlement. From 2011 to September 30, 2014, 1,381 families (3,966 persons) have voluntarily returned to Sri Lanka. Issue has been placed on the agenda of the Indo-Sri Lanka Joint Commission - September 2014 Monitoring Report.	Ongoing	Progressive decline in numbers of those returning. (See: <a href="http://resettlementmin.gov.lk/site/index.php?option=com_content&amp;view=article&amp;id=4&amp;Itemid=19&amp;lang=en">http://resettlementmin.gov.lk/site/index.php?option=com_content&amp;view=article&amp;id=4&amp;Itemid=19&amp;lang=en</a> )  A study of Sri Lankan Tamil refugees in India published in October 2014 found that only 23 per cent of the 520 families surveyed wanted to return to Sri Lanka. ( <a href="http://www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece">www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece</a> )  No evidence of peace and reconciliation activities, which are considered to be part of the framework for durable solutions.	Poor progress



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32	108b	Initiate a formal bilateral consultation process between Sri Lanka and India to enable the displaced persons to take considered decisions with regard to their return to Sri Lanka	10	<p>1. Formulate policy with regard to IDPs in India;</p> <p>2. Conduct bi-lateral discussions with India in terms of policy</p>	Fully included		<p>1) Ministry of Lands, Ministry of External Affairs, Ministry of Re-settlement, Ministry of Defence</p> <p>2) Ministry of External Affairs, Ministry of Defence</p>	Bi-lateral discussions held and decisions implemented	Jul-14	Met	From 2011 to September 30, 2014, 1,381 families (3,966 persons) have voluntarily returned to Sri Lanka. Formal bilateral consultation on this matter is now included in the Agenda of the Indo-Sri Lanka Joint Commission which meets periodically at Ministerial Level. Government has consistently encouraged voluntary return of Sri Lankan refugees presently in Tamil Nadu through its mission in Chennai. Return is facilitated through UNHCR. A policy with regard to refugees in India is included in the draft Resettlement Policy - September 2014 Monitoring Report.	Ongoing	While measures have been taken to initiate a formal bilateral process, a study of Sri Lanka Tamil Refugees in India published in October 2014 found that only 23 per cent of the 520 families surveyed wanted to return to Sri Lanka. ( <a href="http://www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece">www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece</a> )	Completed
33	111	Create a uniform State policy aimed at resettling Muslim community IDPs and/or integrating them into the host community; communicate this policy to the IDPs.	3	<p>1. Resettlement of Muslim IDPs is underway in terms of accepted government policy</p> <p>2. Formulate policy based on an examination of the feasibility and advisability of integration into host community.</p>	Fully included	Included in July 2013.	Ministry of Resettlement	Policy formulated	Mar-14	Lapsed	2,303 houses have been constructed for Muslim IDP families in the Mannar District and 6,391 plots of state land have been earmarked for alienation to resettle the displaced Muslim families. Land Kachcheries to select suitable allottees is in progress and to date 1,993 allotments have been alienated. A survey will be undertaken shortly among the Muslim IDP families living in Puttalam in order to establish their intention to return to their places of origin. Although the integration of Muslim IDPs in the Puttalam District with the host community is taking place at a rapid pace, 3,000 such families have refused to return to their places of origin, instead opting for local integration - September 2014 Monitoring Report.	Ongoing	No formal policy formulated or communicated to IDPs.	Poor progress

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34	112	Include an assistance package in Policy referred to in 9.111; include financial assistance and other material support such as support for housing construction.	10		Fully included	Included in July 2013 Action plan absent	Ministry of Resettlement Ministry of Construction	No KPI specified	No timeframe specified		Under the Indian Housing Project 5,000 new houses have been constructed and 2,500 houses are being constructed in Mannar District. Half of the houses under this project have been granted to resettle Muslim IDPs in Mannar District - July 2014 Monitoring Report.  A Ministerial review mechanism is in operation to address issues on resettlement of Muslim IDPs in their places of origin in the Northern Province. The Committee has identified action that should be taken on priority basis viz; release of land, resettlement assistance, preparation of lands, and development of common and community infrastructure. There are 08 line Agencies represented in this Committee which meets once every 02 months to review progress and take necessary action - September 2014 Monitoring Report.	Ongoing	Full implementation is contingent on the formulation of a policy on Muslim IDPs referred to in recommendation 9.111.	Poor progress
35	113	Appoint a special committee to examine durable solutions and to formulate a comprehensive State policy on the issue of integrating Muslim IDPs into host communities, after having extensive consultations with the IDPs and the host communities.	3	1. Presidential Task Force for the North and East (PTF for the N&E) to formulate a policy on the issue of Muslim IDPs.  2. Issue necessary directions to Implement policy.	Fully included		PTF for NP	1) Policy formulated  2) Policy implemented	Apr-13	Lapsed	A major policy initiative taken by the government to implement a comprehensive resettlement programme is the appointment of a Presidential Task Force for Resettlement, Development and Security in the Northern Province - September 2014 report (same progress reported since first Monitoring report released in February 2013).	Ongoing	The same progress has been reported since February 2013. No indication of a special committee to specifically look into issues of Muslim IDPs. According to a media report dated 2 May 2013, the Secretary of Presidential Task Force claimed that all matters are handled by Ministry of Resettlement, as PTF no longer functions. A separate committee reported to have been appointed which consulted Muslim IDPs. ( <a href="http://asiantribune.com/node/62422">http://asiantribune.com/node/62422</a> ).  However, existence of this committee is not reported in any Monitoring report and cannot be independently verified.	Partial progress

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36	115a	Take all steps to prevent harassment and attacks on media personnel and institutions.	7	<p>1. Take appropriate action to ensure media freedom.</p> <p>(a) Pursuit of grievance mechanisms - Complaints to Police, FR Applications to SC, Complaints to Press Council (with a wider jurisdiction and enhanced powers) (b) Complaints to NPC against Police inaction.</p> <p>2. Complete investigations into current cases</p> <p>3. Promote responsible journalism and consider a code of conduct for journalists.</p>	Fully included		<p>1) Ministry of Mass Media &amp; Information</p> <p>2) Dept. of Police</p> <p>3) Press Council.</p>	<p>1) Effective redress to grievances of media personnel</p> <p>2) Investigations completed</p>	Jul-14	Lapsed	Online complaint system www.slpc.lk has been launched by the Sri Lanka Press Council enabling media personnel to lodge any complaint immediately - September 2014 Monitoring Report.	Ongoing	<p>Numerous reports on harassment, intimidation, threats and attacks on journalists e.g. disruption of a Transparency International training programme for journalists by the Ministry of Defence, assault of Kapila Chandana Kurupparachchi while covering post-election violence in the Uva province, reported intimidation and threats against journalists covering court proceedings relating to alleged sexual abuse of 11 year old girl by Sri Lanka Navy personnel in Karainagar, Jaffna.</p> <p>See also: <a href="http://www.sundaytimes.lk/141005/news/blatant-threats-and-attacks-prompt-media-protests-121217.html">www.sundaytimes.lk/141005/news/blatant-threats-and-attacks-prompt-media-protests-121217.html</a></p>	Poor progress
37	118	Ensure that people, community leaders and religious leaders are free to organize peaceful events and meetings without restrictions.	8	Monitor monthly at GA's conference, whether there are constraints to enjoying this freedom.	Fully included		Ministry of Public Administration	Zero complaints re inability to organize events	No timeframe specified		District Secretaries are taking action to ensure that religious leaders and community leaders are assured of the freedom to organize as well as to hold meetings peacefully - September 2014 Monitoring Report.	Ongoing	<p>There have been numerous reports of obstructions to peaceful assembly. According to INFORM Human Rights Documentation Centre, at least 84 violations of freedom of assembly and association occurred in 2014 (as at 20th September 2014).</p> <p>(<a href="https://ihrc.files.wordpress.com/2014/08/freedom-of-assembly-association-in-sri-lanka-inform-20sep2014.pdf">https://ihrc.files.wordpress.com/2014/08/freedom-of-assembly-association-in-sri-lanka-inform-20sep2014.pdf</a>)</p>	Poor progress

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38	120	Implement the recommendations of the Report of the Presidential Commission of Inquiry Appointed to Investigate and Inquire into Alleged Serious Violations of Human Rights Arising Since August 2005, particularly those relating to further investigation and prosecution of offenders involved in the incidents of the death of 5 students in Trincomalee in January 2006 and 17 aid workers of the ACF in August 2006.	1	<p>1. Examine recommendations of Committees</p> <p>2. Ensure follow up on recommendations are implemented</p>	Fully included		Attorney General and Department of Police	Recommendations implemented.	No timeframe specified		Case pertaining to Trincomalee incident and investigations into Muttur incident ongoing - September 2014 Monitoring Report (more details available in report).	Ongoing	Udalagama Commission Report not published so recommendations are unknown Investigations into the two incidents have begun, but no information has been provided on other incidents.	Poor progress
39	124b	Ensure that land policy of the Government does not become an instrument to effect unnatural changes in the demographic pattern of a given Province	3	<p>Appoint a 4th Land Commission with a TOR similar to the previous three (i.e. the LC's of 1927, 1936 and 1985) to recommend policy to address issues</p> <p>3. Ensure effective implementation of Statutes, i.e. The State Lands Ord., Land Development Ordinance, Land Grants (Sp. Provisions) Act.</p>	Partly included	No commitment regarding preventing demographic changes	Ministry of Lands	Policy formulated	Jul-14	Lapsed	Ongoing - September 2014 Monitoring Report.	Ongoing	<p>According to TNA MP R. Sampanthan, settlement of Sinhalese families has occurred in Trincomalee and Mullaitivu in addition to military occupation of Tamil-owned land. (Parliament speech on 7 August 2014, available at: <a href="http://parliament.lk/uploads/documents/hansard/1407812010069343.pdf">http://parliament.lk/uploads/documents/hansard/1407812010069343.pdf</a>)</p> <p>According to Women's Action Network '4800 Sinhala families brought to Weli Oya and about 2000 families to Thalabogawewa. On 20th April President Mahinda Rajapaksa visited Weli Oya and personally instructed the government officers to expedite the settlement there and handed over land documents to new settlers.' (Women's Action Network, quoted in Politics, Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka (CPA 2013))</p> <p>The settlement of 25,000 Sinhalese families under Mahaweli system L has been planned. (<a href="http://www.defence.lk/new.asp?fname=20090818_02">http://www.defence.lk/new.asp?fname=20090818_02</a>)</p>	No progress

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40	126	Assure people through an appropriate publicity effort that the Land Circular No. 2011/04 programme is not a substitute for recourse to the Courts of Law where people are in possession of valid legal proof of their claim to the land/s in question	3	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Fully included		Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	To be discussed under the 4th Land Commission - September 2014 Monitoring Report.	Ongoing	KPI and reference to 4th Land Commission are not relevant to the recommendation.  In either case, public have been made aware, but no information on specific publicity effort by the government.	Partial progress
41	128	Adopt an apolitical approach to implementing the Land Circular No. 2011/04 programme; and Provide the needed human and financial resources for the successful implementation of the Land Circular No. 2011/04 programme.	3	Refer to 9.126	Fully included	No reference to apolitical approach	Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	In progress. Assistant Land Commissioners and Development Officers have been appointed in the North and East, and a budgetary allocation of Rs. 400m for implementation of LLRC recommendations for 2014 has been made - September 2014 Monitoring Report.	Ongoing	Though budgetary allocations have been made, issue of politicisation remains, as those implementing Land Circular 2013/01 are appointed and answerable to the central government.	Poor progress
42	133	Launch a settler centred communication campaign primarily in simple Tamil, as well as in Sinhala, incorporating information on what specific action the displaced persons should take with regard to different services provided by the Land Circular No. 2011/04 programme.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Refer to 9.106 - September 2014 Monitoring Report.	Ongoing	Information campaign was carried out according to consultations in sample DS Divisions. As per progress reported for 9.106, 20 Divisional Secretariat level awareness programmes were completed in Northern Province and 18 in Eastern Province by January 2014. No further progress has been reported since then.	Partial Progress

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43	137	Make arrangements to strengthen human resource teams at all levels to implement alternate land dispute resolution mechanisms	3		Fully included	Included in July 2013.	Ministry of Lands, Ministry of Resettlement		No timeframe specified		In progress. Assistant Land Commissioners and Development Officers have been appointed in the North and East, and a budgetary allocation of Rs. 400m for implementation of LLRC recommendations for 2014 has been made - September 2014 Monitoring Report.	Ongoing	Land Circular 2013/01 does not focus on dispute resolution but on problem identification and administrative solutions for the same.	Poor progress
44	142a	Subject the two existing HSZs in Palaly and Trincomalee-Sampoor, as well as small extents of private land currently utilized for security purposes in the districts, to review; release more land while keeping national security needs in perspective.	2	Consequent to the review already completed – a) Release lands where possible; b) Take steps to relocate or to pay compensation acting under applicable Statutes (Land Acquisition Act).	Fully included		(a) Ministry of Defence (b) Ministry of Lands	a) Lands released b) Relocation completed c) Compensation paid	a) No timeframe specified b) Jan 2013 c) July 2015	Pending	20,011 acres of private land and 5740 acres of state land in North and East released; Sampur HSZ declared a Development Zone under Bol - January 2014 Monitoring Report.  No new releases of land reported since.	Ongoing	Some land has been released but new acquisitions take place in North and East: 9,717 acres + 17,489 acres in August 2013 report; 4,058 ha (10,023 acres) in November 2013 report.  Landowners illegally restricted from entering their land in Sampur SEZ. Legality of SEZ has been challenged in Court. See case study on Sampur in Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka (CPA 2013)  A vast majority of the 6,000 acres of land acquired in April 2013 in Jaffna is privately owned, but hosts 32 military camps and instalments - Report of the Special Rapporteur on the human rights of IDPs (June 2014).	Poor progress
45	142b	Give, within a specific timeframe, alternative lands or compensation in accordance to applicable laws to all families who have lost lands and or houses due to formal HSZs or to other informal or ad hoc security related needs.	3	Consequent to the review already completed – a) Release lands where possible; b) Take steps to relocate or to pay compensation acting under applicable Statutes (Land Acquisition Act).	Fully included		Ministry of Defence, Ministry of Lands	a) Lands released b) Relocation completed c) Compensation paid	a) No timeframe specified b) Jan 2013 c) July 2015	Pending	Refer to 9.142a	Ongoing	No specific information on alternative land or compensation paid in Monitoring Reports.  Land Circular 2013/01 considers providing alternative land and compensation for land taken over for development by armed forces or government institutions.  Provision of alternative land has been ad hoc - <a href="http://www.thesundayleader.lk/2014/01/12/land-owners-without-land/">http://www.thesundayleader.lk/2014/01/12/land-owners-without-land/</a>	Poor progress

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46	143a	Extend livelihood assistance to 'new IDP' families as needed, on an area by area basis for a longer period of time than planned, to ensure family sustenance.	10	Currently there are no "New IDPs". A draft Resettlement Policy has been formulated consequent to stakeholder consultations.	Fully included	Included in July 2013  Extent of progress contingent on the contents of the Draft Resettlement Policy.	Ministry of Resettlement  Ministry of Irrigation & Water Management	No KPI specified	No timeframe specified		Currently there are no "New IDPs". A Resettlement Policy has been revised and will be submitted to the Cabinet for approval shortly - September 2014 Monitoring Report.	Ongoing	The revised draft framework for resettlement policy (November 2013) does not distinguish between old and new IDPs. It aims instead to 'ensure a non-discriminatory regime among all the internally displaced persons and returnee refugees irrespective of time of displacement, ethnicity, places of origin'.  No indication that livelihood assistance will be provided for a longer period than initially planned.	Poor progress
47	143b	Continue renovating irrigation tanks in the Northern Province until all the remaining small irrigation tanks are brought back into operation, possibly with UN System assistance.	10	Refer to 9.143a	Fully included	Extent of progress contingent on the contents of the Draft Resettlement Policy	Refer to 9.143a	Refer to 9.143a	No timeframe specified		Refer to 9.143a	Ongoing	According to a report by the Governor of the Northern Province in December 2013, rehabilitation of 11 tanks had been completed, while rehabilitation of 30 tanks was ongoing.  (www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf)	Partial progress
48	144	Effectively and expeditiously resolve the land issues of Muslim families who were forcibly ejected by the LTTE from their agricultural land in the Eastern province, and whose living conditions have drastically deteriorated as a result.	3		Included but intangible	Included in July 2013	Ministry of Resettlement, Ministry of Lands	Land issues identified and resolved.	Dec-14	Pending	6,391 plots of land have been alienated to resettled Muslim families. Land Kachcheries are in progress and 1,993 allotments have been alienated. An Inter-Agency Committee has identified requirements for provision of land, rehabilitation of schools, roads etc. - September 2014 Monitoring Report.	Ongoing	This specific recommendation does not contemplate clear governmental action. However, the government has interpreted this recommendation to mean the provision of land to Muslim families.	Partial progress
49	145a	Review, without arousing communal tension, the available official data with regard to the eviction of Sinhalese families from the Jaffna district	10	1. Advertise paper notice to collect data on eviction of Sinhalese families from the Jaffna District and the rest of Northern Province.  2. Collect existing data from Ministry of Resettlement regarding the eviction of Sinhalese families	Fully included	Included in July 2013	Ministry of Resettlement  Ministry of Lands & Land Development	Review of official data completed.	No timeframe specified		According to data received from the District Secretaries in the Northern province, there are 3,714 Sinhala families evicted from that province and 4,414 families have now returned - September 2014 Monitoring Report.	Ongoing	According to government data, more families than originally evicted appear to have returned.	Completed

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50	145b	Return Sinhalese families who were evicted from Jaffna and the rest of the Northern Province, and who volunteer to go back, to their own land or resettle them in alternate land as expeditiously as possible	3		Fully included	Included in July 2013	Ministry of Resettlement	Follow up action taken as appropriate	No timeframe specified		3,714 Sinhala families were evicted from the North and 4,414 families have now returned - September 2014 Monitoring Report.	Ongoing	The same progress has been reported since January 2014.	Partial progress
51	147	Designate a focal agency to study the special nature of problems and displacement of families in former Threatened Villages, with a view to designing a special mechanism to resolve their current problems expeditiously	3		Fully included	Included in July 2013. Action plan unclear.	Ministry of Resettlement	Specific categories of land issues in former Threatened Villages are identified and recommendations are in place to resolve them	No timeframe specified		A Committee represented by M/Resettlement, M/Economic Development, M/Social Services, and M/Lands and Land Development has been appointed for this purpose, Final report of the Committee will be published shortly - July 2014 Monitoring Report.  Ministry of Resettlement has been designated the focal agency for this purpose - September 2014 Monitoring Report.	Ongoing	Focal agency has been designated, special mechanisms to resolve current problems to be designed.	Partial progress
52	148	Amend the law pertaining to prescription in its application to land transfers/occupation effected during the period of conflict in order to prevent legitimizing of forced eviction and secondary occupation of private lands in the North and the East	3		Fully included	Included in July 2013	Ministry of Justice		No timeframe specified		The Prescription (Special Provisions) Bill was submitted to Parliament by M/Justice in August 2014. The Bill was thereafter referred to a Consultative Committee of the Ministry. Following deliberations by the Consultative Committee, M/Justice is in the process of incorporating certain amendments to the Bill - September 2014 Monitoring Report.	Ongoing	Full implementation pending enactment of Bill. The Prescription (Special Provisions) Bill on rights of land owners who were displaced during the conflict in the North and East was taken up for its Second Reading in Parliament on 7 August 2014 but adjourned.	Partial progress



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53	149	Ascertain the magnitude of the problems of the 'old IDPs' and with the assistance of the United Nations, begin a programme to return or resettle these displaced persons who wish to return voluntarily.	10		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.195			Jan-14	Lapsed		Ongoing	Draft Resettlement policy does not distinguish between old and new IDPs.	Poor progress
54	150	Expedite action on the establishment of a National Land Commission (NLC) in order to propose appropriate future national land policy guidelines; include Guidelines for the equitable distribution of State land.	3	Include the proposal to establish a NLC in the TOR of the PSC with a view to receiving recommendations.	Partly included	Implementation is contingent on PSC.	1) Presidential Secretariat 2) Ministry of Lands	Proposal included in TOR of PSC	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	NLC yet to be established under the provisions of the Constitution.	Poor progress
55	151	Develop a land use plan for each district in the North and East with the participation of district and national experts drawn from various relevant disciplines; ensure protection of environment and biodiversity; sustainable economic development; leisure and recreational standards; religious, cultural, and archaeological sites.	3	1. Provide Ministry of Lands with resources to prepare the Land Use Plan for North and East. 2. Acting under the Land Use Policy adopted in 2007, develop Land Use Plan for the North and East.	Fully included		1) Ministry of Finance and Ministry of Public Administration. 2) Ministry of Lands	1) (a) Budgetary provisions made available to Ministry of Lands; (b) Staff provided to M/Lands; 2) Land Use Plan for N&E developed.	Jul-15	Pending	Preparation of updated land use maps in all districts in the North and East is ongoing. Digital maps for all districts in the North complete - September 2014 Monitoring Report.	Ongoing	July 2014 Monitoring Report indicates steps taken towards implementation.	Partial progress

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56	152	Arrive at a bi-partisan understanding that restitution of land to displaced persons in the North and East is a national issue and not a tool to gain political advantage.	3	Refer recommendation to PSC	Fully included		Presidential Secretariat	Recommendation referred to PSC.	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	Parliamentary Select Committee process launched without the participation of key political actors in the opposition.	Poor progress
57	157	Take responsibility for prioritizing payments in full, and in time. Procure funding to clear the backlog of cases as well as to prevent lack of funds being the reason for delays and non-payment in the future.	10	Refer to 9.155	Partly included	This was included in the original NPA but not referenced. Reference was added in November 2013.	Refer to 9.155	Refer to 9.155	No timeframe specified		Refer to 9.155	Ongoing	Review appears to have been completed as per progress reported for recommendation 9.155. Funding has been allocated under the 2014 Budget. However, the process of paying compensation is yet to be completed.	Partial progress
58	159	Set a time limit for completion of payments for losses suffered up to the end of the conflict; (per 160a) Consider the following factors in setting a time limit: Reasonable time needed for those making applications; the particular circumstances of IDPs and those who had been living in areas dominated by the LTTE; REPPA's capacity and other relevant factors.	10	Refer to 9.155	Fully included	This was included in the original NPA but not referenced. Reference was added in November 2013.	Refer to 9.155	Refer to 9.155	No timeframe specified		Refer to 9.155	Ongoing	No timeframes evident in Monitoring reports.	Poor progress

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59	161	Focus REPPIA towards providing compensatory relief for persons affected by the conflict	10	R	Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.155			No timeframe specified		Refer to 9.155	Ongoing	According to progress reported by the Ministry of Rehabilitation and Prison Reforms, over Rs. 1.25 billion has been disbursed as compensation 13,578 cases, including to members of the public, government servants and reintegrated ex-LTTE combatants.  (www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf)	Partial progress
60	164	Make a decision on compensatory relief for death and injury for those involved with the LTTE; prioritize REPPIA towards affected civilians most in need	10	Continue with Government programme for the rehabilitation and re-integration of ex-combatants and a reconciliation programme for the next of kin.	Fully included		Ministry of Resettlement and PTF – N & E	The effective implementation of the relief programmes granting relief to those NOK affected by death or injury as a direct result of the conflict	Jun-14	Met	Rehabilitation Authority has implemented loan and compensation schemes, including death and injury compensation for Most Affected Persons, compensation for property damage for the public and for government servants affected by LTTE activities, and self-employment loans for former LTTE combatants. Rs 34,480,250 has been disbursed in August 2014, making a cumulative total of Rs 1,455,848,448 since 2009. The 2014 budget has allocated an additional Rs 475 M to continue the implementation of this recommendation - September 2014 Monitoring Report.	Ongoing	September 2014 report indicates steps taken towards implementation.	Completed

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61	165	Access all possible sources of assistance from institutions and individuals both national and international to address housing needs.	10	Refer to 9.103	Fully included		Ministry of Resettlement	No KPI specified	No timeframe specified		A Joint Needs Assessment undertaken by GoSL with the Humanitarian Country Team (HC) and supported by UNOCHA is now complete, to identify sustainable livelihoods, recovery and development needs of the resettled and remaining displaced persons in conflict-affected areas. Ministry of Resettlement conducted a detailed study to identify gaps in shelter requirements in conflict-affected areas in the North and East with the assistance of District Secretaries and has submitted a detailed project proposal to M/ Finance & Planning to explore funding options to address the above identified gap - September 2014 Monitoring Report.	Ongoing	Apart from JNA, assistance has been also been obtained from the Indian government to build 50,000 houses under the Indian Housing Project. The construction of 10,250 of these houses was completed by January 2013.  ( <a href="http://www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm">www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm</a> )	Partial progress
62	194	Facilitate the early return of the displaced Muslims to return to their places of origin in the Northern Province.	3	Formulating and implementing a policy for the resettlement and reintegration of the displaced Muslims.	Fully included		PTF for N & E and Ministry of Resettlement	The publication of the report identifying the requirements with recommendations for implementation.	Jan-14	Lapsed	Second stakeholder consultation meeting held in September 2014. Study underway on number of those evicted from North and East from all communities prior to 2009 who have not been compensated. M/Resettlement has allocated funds to improve water and sanitation facilities in Mannar - September 2014 Monitoring Report.	Ongoing	Refer to 9.113	Partial progress

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63	195	Take immediate steps to assist in re-building of the mosques, houses and schools destroyed or damaged by the LTTE.	10	Formulating and implementing a policy for the resettlement and reintegration of the displaced Muslims.	Fully included		PTF for N & E and M/Resettlement	The publication of the report identifying the requirements with recommendations for implementation.	Jan-14	Pending	A second Key Stakeholder consultation meeting was held on September 24, 2014 by Ministry of Resettlement to take appropriate decisions to expedite the return of Muslim IDPs into their places of origin. A study is underway to ascertain the actual number of families from all communities evicted from the Northern and Eastern Provinces prior to May 2009 but have not been adequately compensated, to facilitate policy decisions on return assistance, land alienation and reconstruction. Rs 13.47 M was allocated to improve water and sanitation facilities in Mannar District in 2014, and Rs 5.0 M for Musali DS Division, Mannar to construct dug wells and tube wells - September 2014 Monitoring Report.	Ongoing	According to a report by the Governor of the Northern Province in December 2013, 695 primary and secondary schools were reconstructed under the Vadakkin Vasantham programme from 2009-2012, as well as other infrastructure development and reconstruction activities.  (www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkin%20Vasantham%20Programme.pdf)	Partial progress
64	196	Take into account, with the cooperation of development partners, the equity and non-discriminatory principles in dealing with the situation of the 'old IDPs'.	10		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.195			Jan-14	Lapsed		Ongoing	According to a study titled <i>Protracted Displacement, Urgent Solutions: Prospects for Durable Solutions for Protracted IDPs in Sri Lanka (CPA 2013)</i> , differential treatment between 'Old' and 'New' IDPs in the design, planning, funding and implementation of rehabilitation policies have manifested in three main forms – the lack of reference to 'Old IDPs' in the policy agenda, delays in facilitating return of 'Old IDPs' and problems in securing resettlement assistance for 'Old IDPs'. The study further notes that while the government insisted that humanitarian agencies assist in the return of specific Old IDP populations such as Northern Muslim and the Sinhalese IDPs from Weli Oya, it failed to provide necessary resources and other support to extend assistance to all such IDPs despite the shortfall.	Poor progress

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65	200	Take necessary steps to improve the health and educational facilities and also provide better living conditions in the estate areas.	10	<p>1. Assess the impact of existing programmes to improve the health, education and housing facilities for the estate sector, to identify areas that require improvement</p> <p>2. Revise programmes to make interventions more effective.</p>	Fully included		M/Health M/Education M/Plantation Industries M/Child Dev & Women's Affairs	The publication of a report indicating the effectiveness of banks existing programmes	Jan-13	Lapsed	<p>September 2014 Monitoring Report details measures such as:</p> <p>A survey to identify uncultivated lands in these areas to be distributed to estate sector employees; preparation of an Action Plan to implement LLRC recommendations in the estate sector as pertaining to the Ministry of Child Development &amp; Women's Affairs</p> <p>A critical situational analysis by the Ministry of Health to measure the impact of existing programmes to improve health facilities in estate sector.</p> <p>The "Plantation Schools Quality Improvement Programme" launched by the Ministry of Education, upgrading of 50 plantation area secondary schools under the 1000 schools upgrading programme, the Child-Friendly School Programme, provision of water and sanitation facilities, rehabilitation of school buildings and introduction of nutrition and health programme.</p>	Ongoing	Progress reported by the government indicates measures to improve health and educational facilities in estate areas.	Partial progress
66	201	Take into account, in a larger post conflict development agenda and the programmes for reconciliation context, the essential needs of the Tamils of Indian origin.	10	Refer to 9.200	Fully included		Refer to 9.200	Refer to 9.200	Jan-13	Lapsed	Refer to 9.200	Ongoing	Apart from health and education, no clear policy of including Tamils of Indian origin in the post-conflict development agenda.	Poor progress

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67	207	Launch a full investigation of allegations that specific individuals (i.e. Bhareti and Karuna) committed several offences of abduction, extortion, robbery etc. in the Eastern province.	8	Conduct investigations speedily and ensure that the Rule of Law prevails having due regard to the Constitution. Guarantee of the equal protection of the law	Fully included		1) Dept. of Police 2) AG's Department 3) Ministry of Justice	An increased rate of successful prosecutions.	Jan-13	Lapsed	Of the 61 persons in custody, investigations relating to many have been completed. Legal action has been taken with regard to the release, indictment or rehabilitation of 181 suspects by the Attorney General and this number has now been reduced to 84. Rehabilitation activities of the terrorist suspects are being conducted by the Department of Rehabilitation - September 2014 Monitoring Report.	Ongoing	Number of those in custody has been decreasing, from 85 in November 2013, to 76 in January 2014 and 61 by July 2014. No change in number of cases where legal action regarding release, indictment or rehabilitation (84) since January 2014.  Progress makes no reference to specific individuals. Iniya Bharati was appointed the President's District Coordinator for Ampara and awarded the title of Deshamanya, the second highest national honour by the President. Vinayagamoorthy Muralitharan (Karuna) is Vice President of SLFP, National List MP and deputy Minister of Rehabilitation.  See 9.79a	Poor progress
68	208	Launch a full investigation of complaints and allegations of extortion against the EPDP.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	No indication of investigations or prosecutions.	Poor progress
69	209	Investigate fully the illegal activities of a gang led by a person called Major Seelan, in connection with offences of abduction, extortion and robbery; Major Seelan was apprehended but the principal offender remains at large.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	No information on investigation or arrest of anyone known as Major Seelan.	Poor progress
70	213	Investigate all allegations against illegal armed groups; prosecute and punish all wrongdoers irrespective of their political links.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	Refer 9.207	Poor progress

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71	218	Establish an independent institution, with a strong investigative arm, to address the grievances of all citizens, in particular the minorities, arising from the abuse of power of public officials and other individuals involved in the governance of the country.	8	1. Review the provisions of existing Institutions to identify additional and more effective measures that need to be taken to strengthen citizens rights.  2. Introduce measures/ mechanisms/ amendment to laws to strengthen citizens grievance mechanisms	Partly included	NPA only seeks to review the recommendation	1) Presidential Secretariat  2) Ministry of Defence  3) AG's Department  4) Ministry of Justice	Report submitted by major stakeholders to the Cabinet of ministers	Jan-13	Lapsed	Public Day of IGP, IGP Help Desk and 'Tell IGP' website enables the public to access available services. Cabinet Memorandum establishing special boards for land mediation will be presented shortly - September 2014 Monitoring Report.	Ongoing	Progress reported only refers to mechanisms for making police complaints. No independent institution as envisaged by the recommendation has been established as yet.	Poor progress
72	219	Protect the right of citizens who have a grievance arising out of any executive or administrative act, particularly those based on ethnicity or religion to seek redress before the independent institution.	8	Refer to 9.218	Partly included	NPA only seeks to review the recommendation	Refer to 9.218	Refer to 9.218	Jan-13	Lapsed	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218.	Poor progress
73	220	Make provision to give effect to the decisions of a special institution to deal with citizen grievances. Provide for the imposition of sanctions in respect of persons who have abused power.	8	Refer to 9.218	Partly included	Included in July 2013. No reference to giving effect to decisions of special institution	Refer to 9.218	Refer to 9.218	Jun-14	Lapsed	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218.	Poor progress



## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
74	221	Establish Interfaith Reconciliation and Peace Committees at District and Provincial levels to function as a feeder mechanism to support the functions of the above Institution, in particular, by providing grass root level inputs in the implementation of measures aimed at inter - ethnic and inter - religious harmony.	9		Included but intangible	Included in July 2013. Action plan absent.	Ministry of Buddha Sasana & Religious Affairs Ministry of National Languages & Social Integration	No KPI specified	No timeframe specified		A programme was conducted with the participation of Buddhist Bikkus and Hindu priests regarding this recommendation in Polonnaruwa District - September 2014 Monitoring Report.	Ongoing	Inter-faith reconciliation and peace committees are yet to be established.	Poor progress
75	222	Provide for full transparency and make available information regarding the rationale of government decisions; review existing procedures and practices towards this end.	8	Undertake a study of current practices in the administrative machinery with the view to fully catering to the concerns of citizens, in particular the minorities.	Fully included	Action plan unclear	Ministry of Public Administration & Home Affairs	Systems and processes in place that address the concerns of all citizens	No timeframe specified		A review of existing practices in the District and Divisional Secretariats is underway and required processes are being identified through stakeholder workshops. A Complaint Management System is being formulated by M/Public Administration & Home Affairs - September 2014 Monitoring Report.	Ongoing	No mechanism currently in place that guarantees a right to information despite the LLRC recommending legislative measures to this end.	Poor progress
76	236	Launch a good-faith effort to develop a consensus on devolution, building on what exists – both, for maximum possible devolution to the periphery especially at the grass roots level, as well as power sharing at the centre.	6	Refer to the PSC	Partly included	Implementation is contingent on PSC	Presidential Secretariat	Not Applicable	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	Refer to 9.230	Poor progress

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77	237	Initiate a serious and structured dialogue on a high political level with technical backstopping with all political parties and those representing the minorities in particular, based on a proposal containing the Government's own thinking on the form and content of the dialogue process envisaged.	6	Refer to 9.236	Partly included	Refer to 9.236	Refer to 9.236	Refer to 9.236	No timeframe specified		Refer to 9.236	Ongoing	Refer 9.230	Poor progress
78	241	Include, in the full implementation of the language policy, action plans broken down to the community level, and appropriately covering the Divisions and Local Bodies with targets that can be monitored with citizen participation.	9	1. Assess the current status with regard to representation of Tamil speaking people and Tamil speaking regions in official bodies for implementation of the Official Languages Policy and at different levels in respective public institutions.  2. Formulate Action Plans to ensure observance of language rights	Fully included	Included in July 2013	Ministry of National Languages & Social Integration	Assessment completed  Formulate Action Plans	No timeframe specified		Road Map for implementation of the Official Languages Policy (OLP) has been developed by the Ministry of National Languages & Social Integration to be implemented from 2015 to 2020. Language Committees have been established and Language Plans have been formulated within public institutions to strengthen localised implementation of the OLP. A guidebook for the presentation of language plans by public institutions was also launched - September 2014 Monitoring Report.	Ongoing	It is unclear as to whether language committees have been established at community level. No indication as to whether targets will be monitored with citizen participation.	Poor progress
79	242	Implement the official languages policy in an effective manner to promote understanding, diversity and national integration among all the citizens irrespective of race, religion or social status.	9	1. Establish Language Societies islandwide which includes all communities.  2. Provide opportunities to citizens to celebrate diversity.	Included but intangible	Included in July 2013	Ministry of National Languages & Social Integration	Language Societies are established	No timeframe specified		September 2014 Monitoring Report details initiatives such as the Road Map for implementation of OLP, Language Societies, the Convention on National Unity in Diversity among others, with the aim of improving compliance with the OLP.	Ongoing	Since the Road Map for implementation of the OLP prospectively covers 2015 to 2020, full implementation of this recommendation is yet to take place.	Partial progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
80	243	Make the learning of each others' languages a compulsory part of the school curriculum.	9	1. Identify activities that promote interaction among students of different communities.	Fully included	Included in July 2013	Ministry of Education Ministry of National Languages and Social Integration	Programmes/ policies in place.	No timeframe specified		A comprehensive School based Second National Language Policy is being devised by the Ministry of Education. Curriculum on second national language has been developed, and teacher training programmes are underway. Islandwide Second National Language competitions and Annual Second Language students' camps have been organised - September 2014 Monitoring Report.	Ongoing	Currently, provision of second language education varies from school to school based on factors such the availability of teachers. Nevertheless, a sound policy for the implementation of the recommendation i.e. the Ten Year National Plan for a Trilingual Sri Lanka is in place.	Partial progress
81	244	Ensure proper implementation of the language policy and provide for trilingual (Sinhala, Tamil and English) education to children from a young age.	9	1. Implement programmes in schools in line with the Trilingual Policy	Included but intangible	Included in July 2013	Ministry of Education Ministry of National Languages & Social Integration Presidential Task Force for a Trilingual Sri Lanka	Education sector based road map for the trilingual programme	Dec-16	Pending	Education Sector based Road Map for Trilingual Programme has been developed in line with the Ten Year National Plan for a Trilingual Sri Lanka. A conference on promoting bilingual education was held by Ministry of Education and the National Institute of Education in partnership with British Council. Curriculum material and teacher training modules have been developed - September 2014 Monitoring Report.	Ongoing	Bilingual Education conference reported in progress refers to an initiative only to introduce English as second language rather than provision of trilingual education. The first phase of the Ten Year National Plan for a Trilingual Sri Lanka, currently under implementation, proposes the training and establishment of a cadre of first and second national language teachers, examination reform and the development of curriculum material and learning activities, among other steps to improve language education in schools and universities.	Partial progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
82	245	Make the necessary budgetary provisions available on a priority basis for teacher training and staffing towards the end of becoming a trilingual nation by the year 2020.	9	<p>1. Formulate an Action Plan to ensure effective implementation of the Language policy.</p> <p>2. Examine the role of the Official Languages Commission and identify areas that need strengthening. Include remedial steps to be taken, in the Action Plan.</p> <p>3. Implement recommendations of the "Presidential Task Force on Trilingual Society by 2020."</p> <p>4. Design a monitoring and evaluation Plan to assess whether the programmes implemented are effective and whether there is compliance with policy.</p>	Partly included	No reference to budgetary provisions *But enhanced in term of formulating an Action Plan	<p>1) Ministry of National Languages and Social Integration</p> <p>2) Presidential Task Force on Trilingual Society</p>	Effective Monitoring of the implementation of the Trilingual Initiative	No timeframe specified		<p>According to the September 2014 Monitoring Report:</p> <p>(1) Completed. Road Map for implementation of the Official Languages Policy (2015-2020) formulated. Language Committees established and Language Plans formulated within public institutions</p> <p>(2) A committee was appointed by the Ministry of National Languages &amp; Social Integration to amend the Official Languages Commission Act No. 18 of 1991. The final draft of the Act is due to be submitted to the Commission for approval by the end October 2014.</p> <p>(3) Activities have been identified to implement recommendations of the Presidential Task Force on Trilingual Society by 2020; 12 strategies have been identified for implementation by Ministry of National Languages &amp; Social Integration. Syllabus of the Diploma Course conducted by the National Institute for Language Education and Training (NILET) is being reviewed.</p>	Ongoing	<p>Progress reported makes no reference to specific budgetary allocations.</p> <p>However according to 2014 Budget Estimates, the National Institute of Language Education and Training has been allocated Rs. 72 million, and the Presidential Task Force on a Trilingual Sri Lanka has been allocated Rs. 25 million A programme on Capacity Building of Language Teachers Promoting trilingual Sri Lanka (GOSL/JICA) has been allocated Rs. 40 million.</p>	Completed
83	246	Ensure that Officers in Government service possess language skills to serve in any part of the country.	9	Refer to 9.245	Partly included	Action envisaged does not include such an aim	Refer to 9.245	Refer to 9.245	No timeframe specified		<p>According to the September 2014 Monitoring Report:</p> <p>No. of teacher trainers to build Bilingual Competency of Public Officers (up to August 2014): 2,344</p> <p>No. of Public Officers who acquired Bilingual competency (up to August 2014): Sinhala as a second language - 17,379 ; Tamil as second language - 96,084</p>	Ongoing	<p>Government policy adopted in 2007 requires all recruits to the public service after July 2007 to be bilingual within a period of five years of being appointed.</p> <p>According to the Official's Committee appointed by Cabinet to make recommendations on language proficiency of public officers, problems regarding policy implementation include unavailability of training, course materials, lack of facilities for training in remote areas and time constraints faced by public officers, among others.</p> <p>(<a href="http://www.cabinetoffice.gov.lk/cab/images/Downloads/Language%20Report(e).pdf">http://www.cabinetoffice.gov.lk/cab/images/Downloads/Language%20Report(e).pdf</a>)</p>	Partial progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
84	247	Direct that all Government offices have Tamil-speaking officers at all times. In the case of Police Stations they should have bi-lingual officers on a 24- hour basis.	9	Refer to 9.245	Partly included	Action envisaged does not include bi-lingual police officers serving on a 24-hour basis	Refer to 9.245	Refer to 9.245	No timeframe specified		Police Officers conversant in Tamil language provide services on a 24 hour basis in the Police stations in the Northern and Eastern Provinces. As of December 2013, 2,326 Tamil speaking Police officers serve in the Police department. In the Northern Province, there are 395 Tamil officers; 107 Non Tamil officers (speaking & writing capacity in Tamil); and 370 Non Tamil officers (speaking only) serving in the Police stations. The corresponding numbers in the Eastern Province are: 385, 881 and 291. The Official Languages Commission has directed the review and audit of 6 Police Stations, i.e. Slave Island, Negombo, Nawalapitiya, Maskeliya, Balangoda and Puttalam, and has also made arrangements to collect information on implementation of language policy from Police Stations in Northern and Sabaragamuwa provinces - September 2014 Monitoring Report	Ongoing	Refer to 9.246.  An islandwide survey of police stations carried out in early 2013 by Verité Research found that at least 157 out of 408 stations had Tamil language capability. By November 2014, at least six out of nine stations in Tamil-majority areas that did not do so in 2013 had acquired Tamil language capability by then.  While Tamil language competency among public officers islandwide has not been reached yet, the sheer number of individuals to be trained requires consistent high quality training over a sustained period.	Partial progress

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85	248	Create branches for the Language Commission in every province whilst retaining effective powers of implementation.	9	Refer to 9.245	Partly included	Action envisaged does not include branches of Language Commission in every Province	Refer to 9.245	Refer to 9.245	No timeframe specified		The Official Languages Commission has been relocated. A committee was appointed by the Ministry of National Languages & Social Integration to amend the Official Languages Commission Act No. 18 of 1991. The final draft of the Act is due to be submitted to the Commission for approval by the end October 2014. Following Cabinet approval to establish Official Language Centres in every Province, the first Provincial Centres were opened in the Northern and Sabaragamuwa Provinces - September 2014 Monitoring Report.	Ongoing	The nature of the proposed amendments and its relevance to establishing provincial branches of the Commission is unclear. However, it appears that provincial centres can be established without amending the Act. These centres do not have effective powers of implementation under existing Act, hence it is assumed that proposed amendments are intended to empower provincial branches in terms of such powers.	Partial progress
86	249	Give greater attention to information technology which can be utilized as an instrument to overcome the language barrier; use translation software until long-term policies take effect.	9	Refer to 9.245	Fully included		Refer to 9.245	Refer to 9.245	No timeframe specified		The software relating to the Sinhala Akuru Potha and the Tamil Akuru Potha was subjected to a review by an Expert Panel. Accordingly, printing of 3,000 copies in Sinhala and 7,000 copies in Tamil will take place shortly - September 2014 Monitoring Report.	Ongoing	In addition to progress reported in Monitoring Reports, the Information and Communication Technology Agency of Sri Lanka has also undertaken a Local Languages Initiative, while the Ministry of National Languages and Social Integration launched a trilingual electronic dictionary ( <a href="http://www.trilinguadictionary.lk">www.trilinguadictionary.lk</a> ) in 2013. The Ten Year National Plan for a Trilingual Sri Lanka identifies the development of IT based language technology as a major component in all stages of its programme.	Partial progress
87	250	Station interpreters at Police Stations using retired police officers with bilingual fluency.	9	Refer to 9.245	Partly included	Action envisaged does not include utilising retired bi-lingual police officers	Refer to 9.245	Refer to 9.245	No timeframe specified		Official Languages Commission had investigated 21 complaints received in April 2014 in relation to violation of Official Languages Policy. Reports were forwarded to relevant institutions regarding the same - September 2014 Monitoring Report.	Ongoing	Progress reported makes no reference to employment of retired bilingual officers. No information to suggest that recruitment drives of such officers have been planned.	Poor progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
88	251	Assemble a committee of experts in education to review the quota system with a view to introducing a merit based admission system.	9	Examine the current admission policy with a view to recommending any changes that would improve the criteria for admissions.	Fully included		UGC / Ministry of Higher Education	Expert Committees Established	Jul-13	Lapsed	As decided by the Cabinet on June 20, 2013, the criteria presently adopted for admission to universities remain in force. However, present method of district-based system is being changed to a nationwide merit based system depending on school system quality and accessibility improvements. Committee was of the view that the immediate introduction of the merit-based system will be disadvantageous to students who were in conflict-affected areas - November 2013 Monitoring Report.	Ongoing	A Committee was established and appears to have reviewed the current system.  Monitoring Reports released after November 2013 make no reference to a possible switch to a nation-wide merit based system.	Completed
89	252	Reduce and eventually eliminate the inequality in the availability of educational facilities in different areas of the country.	9	Implement the current programmes in keeping with the "Mahinda Chintana" to upgrade facilities in schools island wide	Partly included		Ministry of Education	Upgrading of educational facilities in schools	Jul-15	Pending	September 2014 Monitoring Report details steps taken such as the upgrading facilities and infrastructure, and renovation of particular schools located mainly in the North and East.	Ongoing	Monitoring Reports indicate that steps have been taken to address inequalities in availability of education facilities.	Partial progress
90	253	Make a proactive policy to encourage mixed schools serving children from different ethnic and religious backgrounds; develop a carefully conceived policy facilitating the admission of children from different ethnic and religious groups to these schools.	9	1. Formulate a policy that would encourage ethnically mixed schools  2. Ensure that schools include programmes to promote inter-community interactions.	Fully included		Ministry of Education	The establishment of a policy encouraging ethnically mixed schools	Jul-14	Lapsed	Focus Group discussions with the participation of Ministries of Education and National Languages & Social Integration are underway regarding school twinning programme and the Access to Education element of the Social Integration Policy and the National Action Plan. Mapping exercise underway for selection of 9 schools, (one in each province) to convert as ethnically mixed schools - September 2014 Monitoring Report.	Ongoing	Mapping exercise of nine schools in each province to convert into ethnically mixed schools has been underway since February 2013 i.e. for at least one and a half years.  According to some media reports, the government has also announced that schools based on ethnicity, religion and gender would not be established in the future. ( <a href="http://archives.dailynews.lk/2013/01/17/news20.asp">http://archives.dailynews.lk/2013/01/17/news20.asp</a> )  Preparations for an Education Act have commenced, with a draft by the Ministry of Education titled 'New Educational Policies and proposals for General Education in Sri Lanka' tabled in Parliament in August 2013. ( <a href="http://dailynews.lk/?q=political/education-minister-tables-concise-report">http://dailynews.lk/?q=political/education-minister-tables-concise-report</a> )	Partial progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
91	254	Encourage greater interaction among students, through mechanisms such as twinning of schools from the different provinces, student exchange programmes and formation of Reconciliation Clubs in schools.	9	Refer to 9.253	Fully included		Refer to 9.253	Refer to 9.253	Jul-14	Lapsed	Refer to 9.253	Ongoing	Exchange programmes have taken place, such as by the National Youth Services Council, the National Reconciliation Unit and in collaboration with other organizations. However, there is no indication that the exchange programmes have been introduced as part of a comprehensive policy.	Partial progress
92	256	Take measures to ensure, as far as possible, that students of different communities have every opportunity to interact.	9	Activities underway.	Fully included	Included in July 2013	Ministry of Education Ministry of National Languages & Social Integration Presidential Task Force for a Trilingual Sri Lanka	Establishment of "Mahindodaya Language Labs"	Dec-15	Pending	Cabinet approved a proposal in May 2014 for a suitable national school in Mannar to be developed as a trilingual school from 2015 which will provide opportunities for Sinhalese and Tamil children to learn together in the same school. Language curriculum material is revisited by Ministry of Education to promote greater language interactions, and language-based School Linking Programmes have been conducted. Language Education Resource Units were set up in 1,000 secondary schools through "Mahindodaya Language Labs" - September 2014 Monitoring Report.	Ongoing	Measures have been taken in specific districts to ensure student interaction in the classroom. Language Education Resource Units also appear to advance recommendation. However assuming that 1,000 secondary schools have Language Education Resource Units, students in the remaining 8,905 schools continue to be segregated on the basis of language of instruction.	Partial progress



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93	257	Take steps to ensure public universities have ethnically mixed student populations with a choice of courses offered in all three languages.	9	The present policy caters to this requirement in an appropriate manner. However a group of experts can be mobilized to consider the present system and recommend any changes that would promote the trilingual process	Partly included	Plan does not envisage courses offered in all three languages	UGC/ Ministry of Higher Education	Identification of a group of experts	Jul-14	Lapsed	Cabinet approval has been sought by Ministry of Higher Education to promote Ethnically Mixed Student Populations in Public Universities. An Experts Committee on the issue has made several recommendations, currently implemented to various degrees by universities such as student and staff exchange programmes among universities, trilingual Degree Courses to cater to needs of development, national harmony and peace based activities and the inclusion of the subject of National Harmony as a credit course in all degrees in universities - September 2014 Monitoring Report.	Ongoing	Currently, university admissions take place on a combination of merit and "merit-on district" basis. Depending on geographic location and the language of instruction of its courses, each university tends to have a greater concentration of students from particular ethnicities e.g. during the 2011/12 academic year, the University of Colombo was approximately 91.2% Sinhalese, University of Kelaniya was 95.3% Sinhalese, Jaffna University 65.9% Tamil. Ethnic diversity will be better represented if universities offer courses in all three languages.  Current plan does not clearly envisage courses offered in all three languages. However, ethnically mixed student populations may still emerge as a result of the policy initiatives approved by Cabinet.	Partial progress

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94	258	Conduct sports tournaments at inter-provincial levels and important national sports competitions should be conducted throughout the island, especially, in the North and East.	9	1. Implement programmes to actively promote sports in the former conflict areas.	Partly included	Inter-provincial nature not specified  Prior to release of the July 2014 Monitoring Report, plan stated: 'Presently, national competitions ensure Islandwide participation. However, a programme could be implemented to actively promote sports in the former conflict areas.'	Ministry of Sports	No. of such competitions successfully conducted.	No timeframe specified		September 2014 Monitoring Report details steps taken to promote sports in the North and East. Provincial steering committee meetings of Asian Youth Tournament (2017) have been held in Kilinochchi and Trincomalee in March and April 2014. Development of sports infrastructure is also underway in the North and East.	Ongoing	Some inter-provincial sports tournaments have been introduced.	Partial progress
95	260	Develop, with the relevant stakeholder especially civil society, a comprehensive approach to harness the potential of the expatriate community.	9	1. Formulate programme to harness the untapped potential of the expatriate community, through Sri Lankan overseas Missions.  2. Implement programme through Overseas Missions	Fully included	This is not cited as 9.260 but is included nonetheless.	M/External Affairs	1) Programme formulated.  2) Programme implemented	Oct-12	Lapsed	Guidelines for Sri Lanka Missions and Posts abroad on engaging the overseas Sri Lankan communities were highlighted at the Residential Workshop for Heads of Sri Lanka Missions/Posts abroad held in Diyatalawa in July 2012. Missions continue to implement specific programmes in this regard. The Ministry is regularly updating the database of key diaspora organizations and individuals while monitoring activities of Sri Lanka Missions and Posts abroad - September 2014 Monitoring Report.	Ongoing	The same progress has been reported since August 2013.  Expatriate community is currently not provided with any specific scheme to obtain work permits and expatriates are treated similarly to foreign nationals.	Poor progress
96	261a	Engage the elected representatives of the minority parties in a meaningful dialogue on devolution and other grievances.	6	Refer to 9.236	Partly included (not referenced)		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	Refer to 9.230	Poor progress

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97	261b	Take action to constructively engage those groups that still harbour adversarial attitudes and the LTTE approach of separation, and find space for those groups to contribute to the local reconciliation and development efforts.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	In March 2014, the government listed 15 Tamil diaspora organizations as organizations engaging in terrorist funding organizations. Moreover organizations such as the LTTE and the Tamil Rehabilitation Organization are proscribed under the PTA Regulations No. 1 of 2011. Under the PTA regulations, any persons who even transacts with the LTTE and the TRO are liable to be arrested and have their property forfeited.	Poor progress
98	261c	Engage in a proactive diplomatic initiative with the international community, especially those countries that host these diaspora groups.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	<p>According to H.E. Mr Ravinatha P. Ariyasinha (Permanent Representative of Sri Lanka to the UN) at the Diaspora Ministerial Conference in June 2013, the government has engaged in a structured dialogue with members of the Sri Lankan Tamil Diaspora from the United States, United Kingdom, Canada, Australia, Norway, Germany, Switzerland, France among others.</p> <p>(<a href="http://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/IDM-2013-Diaspora-Ministerial-Conference/10-Statement-by-HE-Mr-Ravinatha-P-Aryasinha-Permanent-Representative-of-Sri-Lanka-to-the-UN-and-other-International-Organizations-in-Geneva-18-June-2013.pdf">http://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/IDM-2013-Diaspora-Ministerial-Conference/10-Statement-by-HE-Mr-Ravinatha-P-Aryasinha-Permanent-Representative-of-Sri-Lanka-to-the-UN-and-other-International-Organizations-in-Geneva-18-June-2013.pdf</a>)</p> <p>However, post-March 2014 these efforts maybe have been undermined due to the listing of certain diaspora organizations as terrorist funding entities.</p>	Poor progress

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99	261d	Adopt liberal policies and attitudes towards those expatriates who wish to invest and work in Sri Lanka, for instance by making it easier to obtain dual nationality status, effect remittances and be able to travel throughout the country without undue restrictions.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	<p>Since October 2014, foreign passport holders require Defence Ministry approval to travel to the North.</p> <p>The government suspended the granting of dual citizenship to expatriates in 2011, which prevented many Sri Lankans abroad unable to proceed with their applications. According to media reports, the facility is to be reintroduced after changes to the relevant laws. The Cabinet has granted its approval and as at March 2014, the proposed amendments had been directed to the Legal Draftsman's Department. (<a href="http://www.sundaytimes.lk/140330/news/govt-slow-in-resuming-dual-citizenship-90931.html">www.sundaytimes.lk/140330/news/govt-slow-in-resuming-dual-citizenship-90931.html</a>) In a speech in Parliament during the Budget Debate on 28 October 2014, TNA MP M.A. Sumanthiran stated that the government discriminated against Tamil applicants applying for dual citizenship. (<a href="http://parliament.lk/uploads/documents/hansard/1414823868096353.pdf">http://parliament.lk/uploads/documents/hansard/1414823868096353.pdf</a>)</p>	Poor progress
100	261e	Conduct a carefully worked out program of action through diplomatic missions and civil society groups here and abroad.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	No discernible programme of action available, particularly following March 2014, when the government listed 15 Tamil diaspora organizations as organizations engaging in terrorist funding organizations.	Poor progress
101	262	Take the initiative to constructively engage development partners in Sri Lanka and abroad in order to develop a self-reliant, future oriented community in the Wannu, with open minds to build on and sustain reconciliatory community relationships.	9	Refer to 9.260	Partly included (not referenced)	Contemplated under NPA item relating to recommendations 9.261 and 263.	Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	Initiatives to work with development partners such as the World Bank and the Asian Development Bank continue to take place in the country, however there is no clear information on their focus on building on and sustaining community relationships in the Wannu.	Poor progress

### Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
102	263	Constitute a Multi - Disciplinary Task Force that will include representatives from the Presidential Secretariat, External Affairs, Defence, Foreign Employment, the Private Sector, and Academia, to propose a programme of action to harness the untapped potential of the expatriate community, and to respond to the concerns of the so-called 'hostile diaspora groups,' and to engage them constructively with the Government and other stakeholders involved in the reconciliation process.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	No information to suggest the establishment and functioning of such a task force.	Poor progress
103	270	Facilitate the establishment of a mechanism in consultation with inter-faith groups, with a mandate to serve as an early warning and early diffusing procedure.	8	1. Continue implementation of the Civil Defence Committee programme of the Police and Community Policing programme.  2. Implement capacity building programmes for the Police officers in the CDC's	Partly included	No special mechanism nor consultation of inter-faith groups	Dept. of Police, Ministry of Law and Order	Implementation of such programmes and wide publicity of such programmes	Jun-14		All issues pertaining to the safety of the society are being tackled through Civil Defence Committees - September 2014 Monitoring Report.	Ongoing	No reference to consultation with inter-faith groups or establishment of such a mechanism.	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
104	274	Create greater awareness of linguistic and cultural affinities among the different communities; establish proactive state policy and programme to establish such awareness	9	1. Examine and introduce appropriate measures that could be adopted to create awareness of cultural affinities including through translation of literary works  2. Engage the cultural sector to highlight commonalities and mutual understanding between communities.	Fully included		1) Ministry of Cultural Affairs  2) Ministry of Cultural Affairs	Programmes that would promote cultural affinities and commonalities between communities	Jul-13	Lapsed	September 2014 Monitoring Report lists programmes implemented by the Ministry of National Languages & Social Integration and Ministry of Cultural Affairs such as multi-cultural/lingual television and radio programmes, translation of children's books in Sinhala and Tamil, literary festivals, construction of Art centres and cultural centres.	Ongoing	National Cultural Policy released in October 2007 does not sufficiently prioritise promoting awareness of cultural awareness as a means of building cohesion between communities. However progress reported under recommendation 9.281 below states that a comprehensive National Action Plan to operationalize the National Policy on Social Integration will be launched on 10 December 2014.	Partial progress
105	275	Give special attention to translation, publication and dissemination of major literary works in Tamil into Sinhala, and similarly Sinhala literary works into Tamil.	9	Refer to 9.274	Fully included		Refer to 9.274	Refer to 9.274	Jul-13	Lapsed	Refer to 9.274	Ongoing	Monitoring Reports released up to November 2013 cited translation of 4 award winning books by the Ministry of Culture and the Arts as progress in implementing of this recommendation. However according to a senior official within the ministry consulted in September 2013, these translations were private initiatives and did not receive state funding. No update on status of these translations has been provided.	Poor progress
106	276	Encourage and disseminate cinema, TV and stage drama, productions that highlight commonalities and mutual understanding between communities for the benefit of the younger generation.	9	1. Formulate public awareness strategy.	Fully included	Included in July 2013	Ministry of National Languages & Social Integration Ministry of Culture and the Arts	Effective public awareness campaign underway.	Jun-14	Lapsed	Social Integration Week is organised annually by the Ministry of National Languages and Social Integration. A media campaign has been designed by the ministry to educate the general public on the importance of social integration and to promote an understanding of the culture of diverse ethnic groups. A Campaign Ambassador has been identified in this regard - September 2014 Monitoring Report.	Ongoing	Apart from reference to the media campaign, no information available on specific productions that highlight commonalities and mutual understanding.	Partial progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
107	281	Initiate creative programmes such as "Youth Parliament" and "From Palmyrah Grove to Coconut Grove" falling within the purview of Government Ministries and other agencies in cooperation with civil society groups, so that such exchange programmes can be supported, expanded and broad-based.	9	1. A Five Year Master Plan to be formulated for the Social Integration Policy	Fully included	Included in July 2013	Ministry of National Languages & Social Integration	Master Plan to be formulated	No timeframe specified		A comprehensive National Action Plan to operationalize the National Policy on Social Integration will be launched by Ministry of National Languages & Social Integration on 10 December 2014. The Ministry has also setup an Inter-Ministerial Committee for better coordination among the respective line ministries. Civil Society groups, NGOs, religious organizations and public institutions from all parts of the country participated at the "Social Integration Conference" organised by the ministry in July 2014 - September 2014 Monitoring Report.	Ongoing	Monitoring Report indicates steps taken towards implementation.	Partial progress
108	283	Enact and strictly enforce deterrent laws to deal with 'hate speech' relating to ethnicity, religion, and literature	8	1. Examine the adequacy of penal legislation to deal with hate speech. 2. Introduce law reform if necessary.	Fully included	Plan makes no reference to a separate event	1) Presidential Secretariat 2) Ministry of National Languages and Social Integration 3) Ministry of Public Administration & Home Affairs	Sustainable peace and harmony amongst all people	Jul-13	Lapsed	Convention on National Unity in Diversity was held in April, 2014. Ministry of Public Administration has instructed all District Secretaries to safeguard the rights and representation of all ethnic groups during national events organised at district and provincial levels. Action was taken to ensure representation of all ethnic groups in cultural events and in the singing of the national anthem during National Day celebrations held in Trincomalee and at district level in other parts of the country - September 2014 Monitoring Report.	Ongoing	No new law introduced.	Poor progress

## Annex: Progress as per GoSL - Ongoing

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
109	285	Set apart a separate event on the National Day to express solidarity and empathy with all victims of the tragic conflict and pledge our collective commitment to ensure that there should never be such blood-letting in the country again	9	Continue the present practice of expressing solidarity as one nation and one people and of pledging a collective commitment to non-violence and peace so as to ensure a non-recurrence of the past events that led to the internecine conflict	Partly included	Plan makes no reference to a separate event	1) Presidential Secretariat  2) Ministry of National Languages and Social Integration  3) Ministry of Public Administration & Home Affairs	Sustainable peace and harmony amongst all people	No timeframe specified		Convention on National Unity in Diversity was held in April, 2014. Ministry of Public Administration has instructed all District Secretaries to safeguard the rights and representation of all ethnic groups during national events organised at district and provincial levels. Action was taken to ensure representation of all ethnic groups in cultural events and in the singing of the national anthem during National Day celebrations held in Trincomalee and at district level in other parts of the country - September 2014 Monitoring Report.	Ongoing	No separate event as envisaged by this recommendation was held on National Day 2014.	Poor progress



# ANNEX: NO GOSL COMMENTS ON PROGRESS

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	9b	Provide redress to families of those killed or injured.	10		Not included	Victim compensation referred to in NPA item with respect to recommendation 9.155, but no reference to families of victims				N/A		None	Sporadic reports of compensation paid to 'war affected families'. Despite its non-inclusion in the NPA, according to the Ministry of Rehabilitation and Prison Reforms the government has paid compensation in 4,390 cases of death and injury compensation for general public and for public servants from 2009 to August 2014. (www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf)  According to media reports, the government has initiated a programme to compensate war victims as per the recommendations of the LLRC, with Rs. 85 million allocated to the first phase of the programme in 2013. (www.therepublicsquare.com/politics/2013/07/12/sri-lanka-pays-compensation-to-the-war-affected-people-in-north/)	Partial progress
2	41	Ensure and facilitate the confidentiality and protection of information and informants during independent investigation into issues raised by Channel 4 documentary.	1		Not included	No reference to confidentiality				N/A		None	No information on Col procedure.  Draft Bill for the Assistance and Protection of Victims of Crime and Witnesses is under consideration. The Protection Division proposed under the Bill falls under the purview of the Police department, hence lacks independence.	Poor progress
3	47	Ensure the safety and security of any person taken into custody by governmental authorities through surrender or arrest.	4		Not included	No reference to steps taken to ensure safety and security of surrendees				N/A		None	No plan to implement recommendation.  Incidents of custodial deaths frequently reported. e.g. custodial deaths of Ganesan Nimalaruban and Mariyadas Pevis Delrukshan in 2012.  Meanwhile, a report by the Asian Legal Resource Centre (2013) titled <i>Narrative of Justice in Sri Lanka</i> details over 400 cases of custodial torture over the last ten years indicating a more systemic problem.	No progress
4	50b	Keep families informed of progress towards locating their missing loved ones.	1		Not included	No action to keep families informed				N/A		None	No specific action taken. Frequent reports of harassment and intimidation of families of the disappeared.  See: Written statement submitted by the Asian Forum for Human Rights and Development at the 27th Sessions of the UNHRC in September 2014 (A/HRC/27/NGO/91)	No progress

## Annex: No GoSL comments on progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
5	57	Appoint an Independent Advisory Committee to monitor and examine detention and arrest of persons taken under the Public Security Ordinance or the PTA	4	See activities under recommendations 9.9, 9.37 (a) (b), 9.23, 9.39	Partly included	No independent advisory committee  9.9 and 9.37 refer to death or injury to civilians by armed forces, 9.23 calls for investigations into disappearances after arrest/surrender and 9.39 is on investigating allegations made the Channel 4 video	Ministry of Public Administration & Home Affairs		No timeframe specified		Under consideration - February 2013 Monitoring Report.  No progress reported in any Monitoring reports since.	None	An Advisory Board can be established under Section 13 of PTA, consisting of no less than 3 persons appointed by the president. No indication that an independent advisory committee was appointed.	Poor progress
6	66	Expand the policy of cooperation and constructive engagement with the ICRC and other similar humanitarian organizations to ensure the welfare of the detainees.	4		Not included	No reference to ICRC				N/A		None	According to the ICRC's Annual Report (2013), in March 2010 the ICRC suspended visits to rehabilitation centres and prisons after authorities refused to allow the ICRC to speak to detainees in private. Following this incident, the ICRC only visited places of detention run by the TID. Visits only resumed in March 2013. The ICRC continues to work with government on detainees, their families, and rehabilitees.	Partial progress
7	70	Take conclusive action to dispose of cases of persons being held long periods without charge by bringing charges or releasing them where there is a lack of evidence against them.	4	1. Identify and establish procedures in the existing system to address the issue  2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.	Partly included	Included in July 2013. No reference to releasing detainees where there is a lack of evidence against them.	Ministry of Justice, Attorney-General's Dept.		No timeframe specified		A team of Attorneys-at-Law acting under the supervision of an Additional Solicitor General and a Deputy Solicitor General is taking action to recommend charges, discharge or any other course of action i.e. rehabilitation having considered evidence available against each detainee - July 2014 Monitoring Report.	None	No progress reported in any Monitoring Reports prior to July 2014. Moreover as indicated in progress reported under 9.62, 160 cases have been pending for over one and a half years.	No progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
8	79b	Implement fully the Action Plan (in respect of child soldiers) between the TMVP, Commissioner General of Rehabilitation, and the UNICEF with immediate effect.	8		Not included	No reference to action plan				N/A		None	<p>According to media reports, the Action Plan signed in December 2008 was to be implemented over three months, and involved the TMVP releasing all recruited child soldiers. (<a href="http://www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment">www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment</a>)</p> <p>By April 2012, the locations of 5 children recruited by the TMVP remained unknown. However, Sri Lanka was removed from list of states in which children were involved in armed conflict due to progress made in ending child conscription.</p> <p>See Reports of Secretary General for Children in Armed Conflict 2011 and 2012 (<a href="http://transcurents.com/news-views/archives/436">http://transcurents.com/news-views/archives/436</a>) (<a href="http://childrenandarmedconflict.un.org/countries/sri-lanka/">http://childrenandarmedconflict.un.org/countries/sri-lanka/</a>)</p>	Completed
9	91	Address issues pertaining to missing persons, abductions, arbitrary detentions, long and indefinite detentions, and disappearances as a priority; acknowledge right of women to the truth and legal remedies	4		Not included	No reference to specific gender sensitivity				N/A		None	<p>No indication that these issues have been prioritised. No information on any investigations into disappearances, indictments, or convictions in cases involving disappearances. Families of the disappeared and anti-disappearance campaigners have faced threats, harassment e.g. Woman activist Jeyakumari Balendran was arrested and remains in detention to date.</p> <p>See also: Written statement by the Asian Forum for Human Rights and Development to the UNHRC in September 2014 (A/HRC/27/NGO/91)</p>	No progress

## Annex: No GoSL comments on progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
10	115e	Enact legislation to ensure the right to information.	7	Cabinet to decide the suitable time frame for drafting legislation.	Fully included		Ministry of Mass Media and Information	The Cabinet Office will be the interface for the interaction with the Cabinet of Ministers on the acceptance of such legislation by the legislature.	No timeframe specified		No progress reported in any Monitoring Reports.	None	No current plan to enact legislation on Right to Information.	No progress
11	117	Remove any remaining restrictions on visiting places of worship including access to places in HSZs with the only exception being made in respect of the restrictions necessitated by mine-clearance activities.	2	1. Identify existing restrictions, if any  2. Remove restrictions, if any	Fully included		Ministry of Religious Affairs	Restrictions if any, removed	Jul-13	Lapsed	No progress reported in any Monitoring reports.	None	Civilian access in the only de facto HSZ (Palaly) is to the airport and harbour.	Poor progress
12	134a	Disengage Security Forces from all civil administration related activities as rapidly as possible.	2		Not included	No reference to disengagement. 134b is included but not 134a				N/A		None	Military continues to be involved in maintaining public order under the Public Security Ordinance through monthly gazette notifications. See Gazette Extraordinary No.1891/7 (December 2014)	No progress
13	140b	Make legal provision to enable relevant authorities to investigate and institute legal action in cases against any public officer, Attorney-at-Law, or Notary Public who commits or abets the alienation of State land through spurious deeds.	3		Not included	No reference to specific legal provisions				N/A		None	No new law introduced.	No progress

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14	146	Expedite the return and resettlement of the remaining Muslim families who volunteer to return to Jaffna and the Northern Province.	3		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.194			Jan-14	Lapsed		None	Refer to 9.113	Partial progress
15	153	Ensure that those who are eligible for payments, compensation or monetary relief have access to it within a reasonable timeframe.	10		Not included	Arguably contemplated under NPA item relating to recommendation 9.155, but no reference to reasonable timeframes				N/A		None	Recommendation was not included in the NPA. No information to suggest that timeframes have been provided.	No progress
16	169	Fill vacancies in Grama Niladhari positions as a priority.	10		Not included	No reference to filling vacancies				N/A		None	Grama Niladhari positions are being regularly filled. However, there is no information on level of priority given.	Poor progress
17	198	Undertake an in-depth study to identify the needs of the people in villages adjacent to former conflict areas to address the question of improving their livelihood.	10		Not included	No reference to in-depth study				N/A		None	No publicly available information to suggest that such a study has been undertaken.	No progress
18	199	Ensure even-handed resource allocation and development of villages.	10		Not included	No reference to even-handed resource allocation				N/A		None	No specific policy on equitable resource allocation and development of villages.	No progress

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19	223	Ensure that development activities should be carried out in consultation and with the participation of the local people	6		Not included	No reference to consultative process				N/A		None	The Divi Neguma framework involves institutions created at regional, district and community level, and may involve some level of community consultation and participation.  Report by Verité Research titled <i>The National Involuntary Resettlement Policy- Dispelling Misconceptions and Assessing Compliances</i> discusses the lack of community consultation in development activities particularly where involuntary resettlement takes place (available at <a href="http://ow.ly/E2E1Y">http://ow.ly/E2E1Y</a> ).	Partial progress
20	224	Conceive and implement a specific programme to bring about attitudinal changes including, through training programmes to enhance the work ethic of the Public Service.	5	Implement the National Human Resources Policy	Fully included		Office of the Sr. Minister for HR Development	1) HR Plan of Action formulated. 2) Implementation of HRPA commenced.	Oct-12	Lapsed	No progress reported in any Monitoring reports.	None	Cabinet approved a proposal to implement the Master Plan of the National Human Resources and Employment Policy on 22 April 2014. The Coordinating and Monitoring Unit for implementation was opened on 27 June 2014.  ( <a href="http://www.ft.lk/2014/06/27/work-on-national-human-resources-and-employment-policy-starts/">www.ft.lk/2014/06/27/work-on-national-human-resources-and-employment-policy-starts/</a> )	Partial progress
21	228	Make all endeavours, in cooperation with the Opposition, to reach a consensus on an appropriate constitutional amendment to provide for an adequate timeframe to challenge proposed legislation (i.e. pre-enactment judicial review of legislation)	8	Refer to the PSC.	Partly included	Implementation is contingent on PSC	Presidential Secretariat	Not Applicable	Not Applicable		No progress reported in any Monitoring reports.	None	No indication of steps taken towards amendment.	Poor progress

## Annex: No GoSL comments on progress

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22	230	Provide leadership to a political process which must be pursued for the purpose of establishing a framework for ensuring sustainable peace and security in the post-conflict environment.	6		Fully included	Included in July 2013. Action plan absent		No KPI specified	No timeframe specified		No progress reported in any Monitoring reports.	None	A Parliamentary Select Committee (PSC) was appointed in October 2011 'to recommend and report political and constitutional measures to empower the people of Sri Lanka as one nation'. The process was launched without the participation of key political actors in opposition. The term of the PSC has been extended by six months, until 21 December 2014. ( <a href="http://www.news.lk/news/item/1269-psc-national-problem-given-six-months-more">http://www.news.lk/news/item/1269-psc-national-problem-given-six-months-more</a> )  TOR of the PSC available here: <a href="http://www.sundaytimes.lk/111016/Columns/political.html">www.sundaytimes.lk/111016/Columns/political.html</a>	Poor progress
23	231a	Empower the Local Government institutions to ensure greater peoples' participation at the grass roots level.	6		Not included	No reference to local government empowerment				N/A		None	National Policy on Local Government: Action Plan for 2012-2014 includes some level of grassroots participation.	Partial progress
24	231b	Take into account the lessons learnt from the shortcomings in the functioning of the Provincial Councils system in devising an appropriate system of devolution that addresses the needs of the people whilst safeguarding unity and fostering diversity.	6		Not included	No reference to examining shortcomings of provincial councils system				N/A		None	Report of the All Party Representative Committee (appointed in 2006) was not tabled in Parliament although it dealt extensively with devolution.  The mandate of Parliamentary Select Committee on political and constitutional measures maybe interpreted to include consideration of the shortcomings of the provincial council system.	Partial progress
25	277	Support and maintain the practice of the National Anthem being sung simultaneously in two languages to the same tune.	9	Examine the implementation of this recommendation vis-à-vis the current Constitutional provisions, at the PSC.	Partly included	Implementation is contingent on PSC	Presidential Secretariat	The implementation of the recommendations of the PSC	No timeframe specified		No progress reported in any Monitoring Reports.	None	Currently, the national anthem is only sung in Sinhala at state events. According to one media report, the Ministry of National Languages and Social Integration proposed that a bilingual consolidated national anthem be sung at National Day 2013. However this has not been put into practice. ( <a href="http://www.dailymirror.lk/news/25219-bilingual-national-anthem-proposal-sent-to-president.html">www.dailymirror.lk/news/25219-bilingual-national-anthem-proposal-sent-to-president.html</a> ) Since implementation is contingent on the PSC, there is currently no clear plan to implement this recommendation.	No progress

# ANNEX: COMPLETED

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	51b	Devise a centralized system of data collection for all information regarding missing persons.	1	Establish an integrated data base to collate information regarding missing persons.	Fully included		Dept. of Census & Statistics Ministry of Defence	Centralised system of data collection in place	Jan-13	Delayed	Commission's website was launched in May 2014 - July 2014 Monitoring Report.	Completed	A family member of a missing person can make a complaint through the website of the CoI on Missing Persons ( <a href="http://www.pcicmp.lk">www.pcicmp.lk</a> ), in addition to direct complaints to the commission. Data on missing persons is also collected through the Census on Death/ Injuries to Persons and Property Damages due to Conflict 2013 and ICRC's Family Needs Assessment. System now appears to be centralized.  See: <a href="http://www.llrcaction.gov.lk/en/news/684-icrc-to-begin-needs-assessment-of-missing-persons-families-in-september.html">www.llrcaction.gov.lk/en/news/684-icrc-to-begin-needs-assessment-of-missing-persons-families-in-september.html</a> and <a href="http://llrcaction.gov.lk/assets/downloads/reports/InterimReport-CensusDeathProperty-Feb-27-2014.pdf">http://llrcaction.gov.lk/assets/downloads/reports/InterimReport-CensusDeathProperty-Feb-27-2014.pdf</a>	Completed
2	65	Enhance facilities for the transportation of the next of kin to visit their family members at the places of detention in cooperation with the ICRC and voluntary organizations.	4	1. Examine whether special facilities are required in the presence of already improved transport infrastructure - July 2014 report	Partly included	Included in July 2013. No reference to ICRC.  Prior to July 2014, NPA stated: 'Considering current circumstances of improved transport infrastructure, special facilities are not required'.			No timeframe specified		Completed. In all instances where next of kin had faced transport difficulties, the Terrorist Investigation Unit has made necessary transport arrangements - January 2014 Monitoring Report.	Completed	In addition to TID facilities, the ICRC has coordinated and assisted family visits.  ( <a href="http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf">www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf</a> and <a href="http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf">www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf</a> )	Completed
3	68	Give priority to investigation and speedy disposal of cases of young detainees.	4	Review the status of the remainder of the detainees with a view to assessing whether special attention to certain groups or individuals is needed.	Partly included	No specific action identified if review reveals that special attention is needed	Commissioner General of Rehabilitation	Status required to be submitted	Oct-12	Delayed	Completed. Detainee status reviewed and steps taken to provide special attention to young detainees and those with disabilities. All former child combatants rehabilitated - January 2014 Monitoring Report.	Completed	Monitoring Reports indicate steps taken towards implementation.	Completed



## Annex: Completed

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4	69	Institute a screening process to identify special cases (i.e. young children, physically disabled, those recovering from injury, medical interventions); provide special assistance.	4	Refer to 9.68	Fully included	Refer to 9.68	Refer to 9.68	Refer to 9.68	Oct-12	Delayed	Refer to 9.68	Completed	Monitoring Reports indicate steps taken towards implementation.	Completed
5	77	Adopt a community based approach for rehabilitation of former child combatants in cooperation with NGOs and civil society organizations as an utmost priority.	11	Rehabilitation of ex-child combatants completed.	Fully included	Included in July 2013		Ex- child combatants rehabilitated.	No timeframe specified		Completed. All child combatants have been rehabilitated and reintegrated into society by 2010. Any further support will be provided by the Child Rights & Protection Officers (CRPO) at the community level - January 2014 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
6	78a	Direct the relevant rehabilitation authorities to ensure that the children be allowed to live with their families when they complete the rehabilitation programme.	11	See para 1 above  This concern has been fully addressed with large numbers pursuing academic activities followed by reunification with their families. This process to be continued by CG/R.	Fully included		CG/Rehabilitation	Programme for re-integration designed and implemented	No timeframe specified		All child combatants (594) were rehabilitated and reunited with their families within a 01 year period - February 2013 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
7	78b	Help children from rehabilitation programs earn a living and to assist them to continue their formal or informal studies.	11	Refer to 9.78a	Fully included			Refer to 9.78a	No timeframe specified		Special education schemes have been implemented for those who missed years of schooling. 169 ex-child combatants qualified to enter university, 322 have undergone vocational training - November 2013 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed

## Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Deadline Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
8	79b	Implement fully the Action Plan (in respect of child soldiers) between the TMVP, Commissioner General of Rehabilitation, and the UNICEF with immediate effect.	8		Not included	No reference to action plan				N/A		None	<p>According to media reports, the Action Plan signed in December 2008 was to be implemented over three months, and involved the TMVP releasing all recruited child soldiers. (<a href="http://www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment">www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment</a>)</p> <p>By April 2012, the locations of 5 children recruited by the TMVP remained unknown. However, Sri Lanka was removed from list of states in which children were involved in armed conflict due to progress made in ending child conscription.</p> <p>See Reports of Secretary General for Children in Armed Conflict 2011 and 2012 (<a href="http://transcurents.com/news-views/archives/436">http://transcurents.com/news-views/archives/436</a>) (<a href="http://childrenandarmedconflict.un.org/countries/sri-lanka/">http://childrenandarmedconflict.un.org/countries/sri-lanka/</a>)</p>	Completed
9	82	Examine the cases of young LTTE suspects as a priority; institute legal action without delay; rehabilitate or release.	4	1. This concern has been fully addressed with large numbers pursuing academic activities followed by reunification with their families. This process to be continued by CG/R.	Fully included		Commissioner General for Rehabilitation	Programme for re-integration designed and implemented	No timeframe specified		All 594 child combatants were rehabilitated and reunited with their families within a one year period - January 2014 Monitoring Report.	Completed	Government progress report appears to be accurate.	Completed
10	92	Establish without delay an Inter-Agency Task Force to address the needs of women, children, elderly and other vulnerable groups such as disabled affected by conflict, and provide necessary relief.	11	Inter-Ministerial Committee comprising M/Rehabilitation & Prison Affairs, M/Child Devt & Women's Affairs and M/Education, M/Health will continue to assess and respond to needs	Fully included	Plan prior to July 2014 Monitoring Report stated: Implement activities identified in the NHRAP to achieve this objective, with the following KPI: NHRAP implementation monitored	Ministry of Social Services Ministry of Child Devt & Women's Affairs Ministry of Rehabilitation & Prison Affairs Ministry of Health	Establish Inter-Ministerial Committee; Progress monitored	No timeframe specified		Completed. The Inter-Ministerial Committee coordinates work carried out separately by stakeholder line Ministries. The status of women, children, elderly and other vulnerable groups is monitored by each stakeholder agency according to their mandate. Refer to 9.87, 9.88, 9.89, 9.90, 9.93, 9.94, 9.95, 9.96, 9.97, 9.98, 9.99 - July 2014 Monitoring Report.	Completed	Inter-ministerial committee has been established.	Completed

## Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
11	108b	Initiate a formal bilateral consultation process between Sri Lanka and India to enable the displaced persons to take considered decisions with regard to their return to Sri Lanka	10	1. Formulate policy with regard to IDPs in India;  2. Conduct bi-lateral discussions with India in terms of policy	Fully included		1) Ministry of Lands, Ministry of External Affairs, Ministry of Re-settlement, Ministry of Defence  2) Ministry of External Affairs, Ministry of Defence	Bi-lateral discussions held and decisions implemented	Jul-14	Met	From 2011 to September 30, 2014, 1,381 families (3,966 persons) have voluntarily returned to Sri Lanka. Formal bilateral consultation on this matter is now included in the Agenda of the Indo-Sri Lanka Joint Commission which meets periodically at Ministerial Level. Government has consistently encouraged voluntary return of Sri Lankan refugees presently in Tamil Nadu through its mission in Chennai. Return is facilitated through UNHCR. A policy with regard to refugees in India is included in the draft Resettlement Policy - September 2014 Monitoring Report.	Ongoing	While measures have been taken to initiate a formal bilateral process, a study of Sri Lanka Tamil Refugees in India published in October 2014 found that only 23 per cent of the 520 families surveyed wanted to return to Sri Lanka. ( <a href="http://www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece">www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece</a> )	Completed
12	141	Seek the cooperation of a development partner to support the Land Circular 2011/04 Programme, based on the understanding that Government of Sri Lanka will be responsible for Programme policy, decision making, and implementation.	3	1. Evaluate the need for an external partner  2. Formulate a project proposal if external resources are found to be needed.  3. Secure assistance as appropriate, if feasible	Fully included		Ministry of Lands Ministry of Resettlement Department of National Planning	A report dealing with activities 1, 2 & 3	Oct-12	Delayed	Local funds have been allocated for this purpose - January 2014 Monitoring Report.  Completed. Local funds have been allocated for this purpose. By end 2012, nearly USD 3,189m from multilateral and bilateral funding sources have been mobilized along with local funds for this purpose - July 2014 Monitoring Report.	Completed	Cooperation with development partners appears to have been secured.	Completed
13	145a	Review, without arousing communal tension, the available official data with regard to the eviction of Sinhalese families from the Jaffna district	10	1. Advertise paper notice to collect data on eviction of Sinhalese families from the Jaffna District and the rest of Northern Province.  2. Collect existing data from Ministry of Resettlement regarding the eviction of Sinhalese families	Fully included	Included in July 2013	Ministry of Resettlement Ministry of Lands & Land Development	Review of official data completed.	No timeframe specified		According to data received from the District Secretaries in the Northern province, there are 3,714 Sinhala families evicted from that province and 4,414 families have now returned - September 2014 Monitoring Report.	Ongoing	According to government data, more families than originally evicted appear to have returned.	Completed

## Annex: Completed

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14	155	Review the role and capacity of Rehabilitation of Persons, Properties and Industries Authority (REPPIA) with a view to streamlining and augmenting its role and resources in undertaking post-conflict requirements.	10	1. Examine the issues that affect the effective implementation of the REPIA.  2. Take appropriate action to deal with issues identified.  3. Provide funds for payment of compensation based on an acceptable victim identification process.	Fully included		1) M/Rehabilitation and Prisons Reforms  2) – do –  3) M/Finance and Planning	1) Report on REPIA received.  2) Action taken as appropriate  3) Issues resolved	No timeframe specified		Completed. Role of REPPIA has been reviewed and strengthened. Rs 475M was allocated in 2014 Budget to implement this recommendation. Rs 204M was allocated for REPPIA to implement this recommendation. From 2010 to 2012, Rs 392 M was provided for the payment of compensations - July 2014 Monitoring Report.	Completed	July 2014 Monitoring Report indicates steps taken towards implementation.	Completed
15	162	Make REPPIA prioritize the 'General Public' and 'Public Servant' payment of death, injury and	10	1. Examine government policy to identify what disqualifications exist; 2. Determine and introduce provisions to	Fully included		Ministry of Public Administration	1) Policy examined and problem areas	Oct-12	Met	Although public servants are not selected to receive NGO funds, District Secretaries have informed that complaints have not been	Completed	A total of Rs. 475,701,774 was disbursed by REPPIA for implementation of LLRC recommendations, including approx. Rs. 64 million on death and injury compensation for the general public and Rs. 4 million for public	Completed
16	164	Make a decision on compensatory relief for death and injury for those involved with the LTTE; prioritize REPPIA towards affected civilians most in need	10	Continue with Government programme for the rehabilitation and re-integration of ex-combatants and a reconciliation programme for the next of kin.	Fully included		Ministry of Resettlement and PTF – N & E	The effective implementation of the relief programmes granting relief to those NOK affected by death or injury as a direct result of the conflict	Jun-14	Met	Rehabilitation Authority has implemented loan and compensation schemes, including death and injury compensation for Most Affected Persons, compensation for property damage for the public and for government servants affected by LTTE activities, and self-employment loans for former LTTE combatants. Rs 34,480,250 has been disbursed in August 2014, making a cumulative total of Rs 1,455,848,448 since 2009. The 2014 budget has allocated an additional Rs 475 M to continue the implementation of this recommendation - September 2014 Monitoring Report.	Ongoing	September 2014 report indicates steps taken towards implementation.	Completed

## Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
17	212	Set up units of the Attorney General's Department in the Provinces to guide and advise the Police regarding matters of criminal justice.	5	<p>1. Formulate TORs for Units in the AGs dept. and establish same.</p> <p>2. Include relevant modules in the training programmes for Police Officers.</p> <p>3. Enhance capacity of the Trainers of the Police Training College.</p>	Fully included		<p>1) AG's Department</p> <p>2) Police Department</p> <p>3) Police Department</p>	<p>1) Enhanced capacity of AG's Department units</p> <p>2) Improvement in the quality of investigations</p> <p>3) Greater success in prosecution and a general improvement in the Criminal Justice System</p>	Jul-13	Delayed	The AG's Dept. has taken action to restructure the supervision system in the Department effective April 20, 2014 to accommodate a system of Provincial supervision. Nine Additional Solicitors General have been appointed to be in charge of the nine Provinces. Two Senior Additional Solicitors General will be in overall supervision of the civil and criminal divisions and will coordinate with the officers supervising the Provinces. A Senior State Counsel is appointed to each High Court Division within a Province - July 2014 Monitoring Report.	Completed	Despite the same progress being reported in every previous Monitoring Report, the latest report indicates definitive action in this regard i.e. that the supervision system came into effect in April 2014.	Completed

## Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
18	245	Make the necessary budgetary provisions available on a priority basis for teacher training and staffing towards the end of becoming a trilingual nation by the year 2020.	9	<p>1. Formulate an Action Plan to ensure effective implementation of the Language policy.</p> <p>2. Examine the role of the Official Languages Commission and identify areas that need strengthening. Include remedial steps to be taken, in the Action Plan.</p> <p>3. Implement recommendations of the "Presidential Task Force on Trilingual Society by 2020."</p> <p>4. Design a monitoring and evaluation Plan to assess whether the programmes implemented are effective and whether there is compliance with policy.</p>	Partly included	No reference to budgetary provisions *But enhanced in term of formulating an Action Plan	<p>1) Ministry of National Languages and Social Integration</p> <p>2) Presidential Task Force on Trilingual Society</p>	Effective Monitoring of the implementation of the Trilingual Initiative	No timeframe specified		<p>According to the September 2014 Monitoring Report:</p> <p>(1) Completed. Road Map for implementation of the Official Languages Policy (2015-2020) formulated. Language Committees established and Language Plans formulated within public institutions</p> <p>(2) A committee was appointed by the Ministry of National Languages &amp; Social Integration to amend the Official Languages Commission Act No. 18 of 1991. The final draft of the Act is due to be submitted to the Commission for approval by the end October 2014.</p> <p>(3) Activities have been identified to implement recommendations of the Presidential Task Force on Trilingual Society by 2020; 12 strategies have been identified for implementation by Ministry of National Languages &amp; Social Integration. Syllabus of the Diploma Course conducted by the National Institute for Language Education and Training (NILET) is being reviewed.</p>	Ongoing	<p>Progress reported makes no reference to specific budgetary allocations.</p> <p>However according to 2014 Budget Estimates, the National Institute of Language Education and Training has been allocated Rs. 72 million, and the Presidential Task Force on a Trilingual Sri Lanka has been allocated Rs. 25 million A programme on Capacity Building of Language Teachers Promoting trilingual Sri Lanka (GOSL/JICA) has been allocated Rs. 40 million.</p>	Completed

## Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
19	251	Assemble a committee of experts in education to review the quota system with a view to introducing a merit based admission system.	9	Examine the current admission policy with a view to recommending any changes that would improve the criteria for admissions.	Fully included		UGC / Ministry of Higher Education	Expert Committees Established	Jul-13	Lapsed	As decided by the Cabinet on June 20, 2013, the criteria presently adopted for admission to universities remain in force. However, present method of district-based system is being changed to a nationwide merit based system depending on school system quality and accessibility improvements. Committee was of the view that the immediate introduction of the merit-based system will be disadvantageous to students who were in conflict-affected areas - November 2013 Monitoring Report.	Ongoing	A Committee was established and appears to have reviewed the current system.  Monitoring Reports released after November 2013 make no reference to a possible switch to a nation-wide merit based system.	Completed

# ANNEX: PARTIAL PROGRESS

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	9b	Provide redress to families of those killed or injured.	10		Not included	Victim compensation referred to in NPA item with respect to recommendation 9.155, but no reference to families of victims				N/A		None	Sporadic reports of compensation paid to 'war affected families'. Despite its non-inclusion in the NPA, according to the Ministry of Rehabilitation and Prison Reforms the government has paid compensation in 4,390 cases of death and injury compensation for general public and for public servants from 2009 to August 2014. ( <a href="http://www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf">www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf</a> )  According to media reports, the government has initiated a programme to compensate war victims as per the recommendations of the LLRC, with Rs. 85 million allocated to the first phase of the programme in 2013. ( <a href="http://www.therepublicsquare.com/politics/2013/07/12/sri-lanka-pays-compensation-to-the-war-affected-people-in-north/">www.therepublicsquare.com/politics/2013/07/12/sri-lanka-pays-compensation-to-the-war-affected-people-in-north/</a> )	Partial progress
2	14	Provide redress for those affected by hospital shelling regardless of which party is culpable in said shelling.	10	1. No further action required as recommendation has been given effect to.	Fully included	Included in July 2013	Ministry of Rehabilitation & Prison Reforms REPPIA		No timeframe specified		Any person affected by shells and had applied to the REPPIA for compensation has been granted redress. Whoever injured or disabled due to war is entitled to apply for compensation on submission of a medical report issued by a Government Doctor - January 2014 Monitoring Report.	Completed	Refer to 9.9b	Partial progress
3	37b	Conduct a professional island wide survey covering all affected families to ascertain the scale of civilian death, injury and property damage.	10	Conduct survey.	Fully included		Department of Census & Statistics. (Presidential Secretariat will oversee)	Mechanism launched to conduct survey	No timeframe specified		Preliminary Report of the islandwide census to gather information on deaths/injuries to persons and property damages that have occurred from 1982 to date as a result of the internal conflict is nearing completion. Data for the Final Report are being keyed in concurrently - September 2014 Monitoring Report.	Ongoing	Census was originally to be released by March 2014. Concerns regarding the census methodology, data collection and lack of public awareness have been raised.  See: <a href="http://www.rightsnow.net/?p=4544">http://www.rightsnow.net/?p=4544</a> and Commentary on Census on human and property damage due to conflict 2013 (CPA 2014)	Partial progress



## Annex: Partial progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
4	52	Take effective measure on an administrative level to implement the Registration of Death Act within a published timeframe. Publicize relevant portions of the Registration of Death Act in conflict afflicted areas in order to facilitate access to procedures and remedies.	8	1. Review of progress of implementation of the Registration of Deaths Act in terms of instructions already issued.  2. Give adequate publicity of the availability of information through the Governments 1919 IT facility, to people in conflict affected areas	Partly included		Ministry of Public Administration & Home Affairs	Instructions issued to implement the provisions of new legislation.	No timeframe specified		Monitoring reports up to November 2013 indicated action taken to register deaths - up to 2012, 75 registered in North and 1,562 in East.  Memorandum for issuance of a "Certificate of Absence" submitted to Cabinet. The Registration of Deaths Act No 19 of 2010 is under implementation and has been extended up to 2015. Adequate publicity has been provided - September 2014 Monitoring Report.	Ongoing	Some progress is reflected in previous Monitoring reports.  According to media reports, relatives of those disappeared testifying before the Presidential Commission to Investigate into Complaints regarding Missing Persons have requested that the decision to issue death certificates be revoked. (See: <a href="http://asianmirror.lk/news/item/3799-relatives-oppose-the-issuing-of-death-certificates-for-missing-persons/">http://asianmirror.lk/news/item/3799-relatives-oppose-the-issuing-of-death-certificates-for-missing-persons/</a> )  Legislation on issuing a Certificate of Absence is being drafted. (See: <a href="http://www.sundaytimes.lk/140302/news/new-law-to-help-families-of-missing-people-87614.html">http://www.sundaytimes.lk/140302/news/new-law-to-help-families-of-missing-people-87614.html</a> )  However, there is some criticism on the abuse of the process involving registration of deaths to avoid ascertaining the whereabouts of the missing. (See: <a href="http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html">http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html</a> )	Partial progress
5	59	Frame domestic legislation to specifically criminalize enforced or involuntary disappearances.	1	1. Examine the need for legislation  2. Formulate and present law to Parliament, if law reform is found to be necessary with emphasis on the need to impose heavy terms of imprisonment as a deterrent.	Fully included		Ministry of Justice Attorney-General's Dept. Police Department	1) Review of laws completed  2) Legislation drafted and presented to Parliament, if found necessary	Dec-14	Pending	Draft Amendments to existing legislation sent to the Attorney General for observations - September 2014 Monitoring Report.	Ongoing	September 2014 Monitoring Report records the same update as the January 2014 Monitoring Report, that the draft was sent to the AG. Extent of implementation is contingent on the draft.	Partial progress

## Annex: Partial progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
6	60	Provide comprehensive, island-wide human rights education programmes targeting the school children, youth, members of the Security Forces, and the Police etc.	9	1. Implement activities identified in the NHRAP  2. Formulate a module for inclusion in secondary school curriculum	Fully included		1) NHRC, Ministry of Education, Armed Forces, IGP  2) NIE	1) Implementation of NHRAP monitored  2) Module formulated and included in curriculum	No timeframe specified	Pending	During January – June, 2014 over 700 police officers received training by ICRC on “Community-oriented public order management” and over 700 military personnel received ICRC training on IHL. A seminar on IHL was also conducted for armed forces by the ICRC. Human Rights Education is routinely provided to Police Officers, while the Sri Lanka Army conducts a comprehensive HR law/ IHL training programme for all ranks throughout the year. More than 6,700 Police Officers have received ICRC training on “Use of Force” by January 2014. Secondary school education curriculum has incorporated Human Rights Education. Supplementary curriculum material is being developed. - September 2104 Monitoring Report.	Ongoing	Human Rights training has been introduced to members of security forces and the police. However, the nature of human rights education in secondary school curriculum is unclear.  The Human Rights Commission of Sri Lanka has proposed the inclusion of human rights in the school curriculum. However, according to media reports, the National Institute of Education (responsible for setting the school curriculum) will not implement these proposals in full. HR education is to be incorporated into an existing subject, and not taught as a separate subject.  ( <a href="http://www.nation.lk/edition/news-online/item/31748-human-rights-to-be-included-in-school-curriculum.html">www.nation.lk/edition/news-online/item/31748-human-rights-to-be-included-in-school-curriculum.html</a> )	Partial progress
7	63	Create a centralized comprehensive database containing a list of detainees; make available to the next of kin with names, place of detention and record of transfers.	4	The present database to be enhanced with easy access to information being available to NOK (next of kin)	Fully included		Ministry of Defence	Enhanced database	Jan-13	Lapsed	Completed. A database available for next of kin (NOK) to access at Terrorist Investigation Units in Colombo, Vavuniya and Boosa. Over 3,000 NOKs have made use of it thus far - January 2014 Monitoring Report.	Completed	According to a media report published in 2011, a vast majority of relatives of detainees are seeking information at these TID Units have been unable to gain any information, as their next of kin are detained by the military, not the TID.  ( <a href="http://www.dailymirror.lk/news/12099-only-seven-per-cent-get-information-on-detainees.html">www.dailymirror.lk/news/12099-only-seven-per-cent-get-information-on-detainees.html</a> )	Partial progress

## Annex: Partial progress

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8	64	Direct the relevant authorities to ensure the full implementation of all Interim Recommendations pertaining to detainees.	4	<p>1. Continue current practice of informing next of kin regarding location of detainee. (NB: NHRC is also informed).</p> <p>2. Examine and report on the practical application of such a procedure and its feasibility.</p> <p>3.(a) Formulate a programme to divert suspects from the criminal process to voluntary rehabilitation in appropriate cases; (b) Enable indictments to be filed in an additional number of courts to ease the backlog.</p> <p>(A) --same as above --</p>	Fully included	<p>Cited in NPA as Interim Recommendations which were:</p> <p>(1) publish a list of names of those in detention</p> <p>(2) Issue a certificate when a person is discharged so that that the same person is not taken into custody again, unless new evidence is discovered against him</p> <p>(3) Look into the general issue of law's delays to expedite prosecution or discharge detainees</p>	<p>1. Police Department , Attorney-General's Dept.</p> <p>2. Police Department</p> <p>3. Ministry of Justice</p>	<p>The availability of a comprehensive list of names and relevant data to the NOK.</p> <p>Report published</p> <p>(A) Unit established</p>	<p>No timeframe specified</p> <p>Dec-2012</p> <p>Dec-12</p>	Lapsed	<p>(1) Completed. See 9.63 - January 2014 report</p> <p>(2) Completed. See 9.53, 9.67 - January 2014 report</p> <p>(3) A Bill on "Assistance to and protection of Victims of Crime and Witnesses" was presented to Parliament in September 2014. Ministry of Justice initiated a program to expedite prosecutions in order to discharge detainees, pending appeals. Amendments proposed to Civil Procedure Code, Children (Judicial) Protection Bill, and Criminal Procedure Code to address some of the recommendations made by the committees appointed in the recent past to look into issues of law's delays. Amendment to Prevention of Crimes Ordinance will be introduced. Several courts have been established in areas where the judicial system had been at a standstill - September 2014 Monitoring Report.</p>	Ongoing	<p>Interim recommendations themselves are included in the NPA separately.</p> <p>Progress pertaining to interim recommendations:</p> <p>No.1 - Poor progress No. 2 - Partial progress No. 3 - Partial progress</p>	Partial progress
9	66	Expand the policy of cooperation and constructive engagement with the ICRC and other similar humanitarian organizations to ensure the welfare of the detainees.	4		Not included	No reference to ICRC				N/A		None	<p>According to the ICRC's Annual Report (2013), in March 2010 the ICRC suspended visits to rehabilitation centres and prisons after authorities refused to allow the ICRC to speak to detainees in private. Following this incident, the ICRC only visited places of detention run by the TID. Visits only resumed in March 2013. The ICRC continues to work with government on detainees, their families, and rehabilitees.</p>	Partial progress

## Annex: Partial progress

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10	79a	Investigate alleged cases of conscription of child combatants where prima facie evidence exists; prosecute wrongdoers thereupon.	8		Fully included	Action plan absent			No timeframe specified		No progress reported in any Monitoring Reports prior to July 2014.  No further incidents reported - July 2014 Monitoring Report.	Completed	No updates on plans to initiate prosecutions of certain identified persons accused of recruiting children e.g. Pillayan and Karuna.  However, according to the Report of the Secretariat General on Children and Armed Conflict (2012) an investigation was launched into Iniya Bharathi's involvement in the case of five missing children recruited by the Iniya Bharathi faction. ( <a href="http://childrenandarmedconflict.un.org/countries/sri-lanka/">http://childrenandarmedconflict.un.org/countries/sri-lanka/</a> ).  Recruitment of child soldiers by the LTTE is also to be investigated by the Presidential Commission to Investigate into Complaints Regarding Missing Persons.	Partial progress
11	80	Provide increased employment opportunities in consultation with the private sector for former conflict zones	10	Recommendation has been given effect to	Fully included	Included in July 2013 Action plan unclear	Ministry of Youth & Skills Development Ministry of Rehabilitation & Prison Affairs	KPI not specified	No timeframe specified		Mannar Technical College has been completed and programmes commenced in April 2014. Renovation on Mullaitivu Training Centre has been completed and courses commenced in April 2015 in collaboration with UNICEF. A Sri Lanka-German Training Institute (SLGTI) is being established in Kilinochchi district - September 2014 Monitoring Report.	Completed	Although measures have been taken to provide training, no information has been provided on actual employment opportunities generated from reported initiatives.	Partial progress
12	81	Encourage and actively support the Family Tracing and Reunification (FTR) Unit pertaining to child conscripts	11	Refer to 9.51	Fully included	NPA states: 'Consider establishing a national, government-led, multidisciplinary task force to develop and implement a comprehensive child tracing programme.' which is in the second part of para 9.81	Refer to 9.51	Refer to 9.51	Jan-13	Lapsed	Refer to 9.51	Completed	According to a report by the Governor of the Northern Province in December 2013, the FTR unit had by then traced 662 missing children.  ( <a href="http://www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf">www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf</a> )  Progress reported for recommendation 9.51 refers only to COI on missing persons.	Partial progress

## Annex: Partial progress

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13	89	Provide opportunities and options to women to continue their formal education or pursue other forms of informal education and/or vocational training that may facilitate in finding employment and/or engaging in other livelihood activities	11	Analyse already collected information to identify those still requiring formal/informal/vocational education, in addition to those currently following educational courses.	Fully included	Included in July 2013  Plan only contemplates analysis of information on status of vocational education and not the provision of opportunities.	Ministry of Child Devt & Women's Affairs Ministry of Youth Affairs & Skills Devt Ministry of Rehabilitation	Analysis completed  Strategies to provide education to those in need identified and implemented.	Dec 2013  May 2014	Lapsed	Special vocational and non-formal training programmes are on-going for women who have not been able to continue with their formal education due to the protracted conflict. ALP (Accelerated Learning Programme) and "Catch up education programmes" targeting adults who have lost formal education were successfully carried out - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Monitoring reports indicate that vocational and other training programmes are being provided. However, according to the Sri Lanka Labour Force Survey Annual Bulletin 2013, unemployment rate among women is over four times that of men in both the North and East, and is the highest of all provinces in the country.	Partial progress
14	93	Provide better educational and health facilities, and the continued support, financial and material, for children's homes and orphanages.	11	Support to confirm school education for non-school going children.  Provide scholarships for the children of low income families.	Fully included	Included in July 2013	Ministry of Education Ministry of Child Devt & Women's Affairs Ministry of Social Services	Gaps identified Remedial action taken Scholarships provided.	No timeframe specified		The Inter-Ministerial Committee (See 9.92) monitors this recommendation. Long term measures in place include: Provision of midday meal, free uniforms, monthly stipend and free books for the entire school going student population, including children in Children's Homes and Orphanages. Scholarships have been granted to 2,501 children under Educational Support Programme, while 672 children have benefitted from scholarships under the Foster Parent Scheme. Children's Homes and Orphanages receive continuous support. By June 2014, facilities of 12 Children Homes have been upgraded - September 2014 Monitoring Report.	Ongoing	Better educational and health facilities appear to be envisaged by planned action.	Partial progress

## Annex: Partial progress

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15	94	Identify children who suffer from conflict induced trauma or psychological disorders; provide special attention and care to these children, including professional counselling where necessary.	11	Identify special programmes for children.	Fully included		Ministry of Social Services	Special programmes identified and implemented	No timeframe specified		Counselling programmes are conducted by National Counselling Centre for children suffering from trauma. Several programmes are underway by Ministry of Education through the schools system to assist children affected by the conflict. In the Northern Province, "Children's and Women's Development Units" are in operation - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Reported progress indicates that recommended support is provided.	Partial progress
16	96	Include provisions to reduce the burden on elderly in maintaining and taking care of their extended families in programmes for families Pay attention to the special needs of the elderly due to disability, health issues and trauma.	11	Improve access to elders	Fully included	Included in July 2013	Ministry of Social Services	Elderly people in conflict affected areas are provided care and facilities.	No timeframe specified		Several measures are implemented by Ministry of Social Services to assist the elderly population in conflict affected areas, such as the "Monthly Livelihood Allowance Programme for under privileged elders". Government Mobile Services have issued Elder's Identity Cards to more than 13,000 senior citizens in North and East so that they may enjoy priority treatment at public and private institutions and be entitled to certain financial benefits. 1,079 Elder's Committees at Village, Regional and District Levels in North and East Provinces have been established - September 2014 Monitoring Report.	Ongoing	Reported progress indicates that recommended measures have been adopted.	Partial progress

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17	97	Facilitate community and civil society organizations, local religious bodies and the clergy to play a key role in providing easy and unhindered to spiritual and cultural activities to the elderly to deal with trauma	11	Establish Elders' Committees with the involvement of local organizations	Included but intangible	Included in July 2013	Ministry of Social Services	Elders-friendly environment created	Mar-14	Lapsed	Under an initiative of the Ministry of Social Services, 364 Village Level Elders' Committees and 2 Regional Level Committees have been established in the Northern Province, and 669 Village Level Committees, 22 Regional Level Committees and 2 District Level Committees in the East. Selected NGOs which run Elders' Homes in the North were assisted financially to upgrade infrastructure facilities. Department of Christian Religious affairs conducted 18 programmes in Kandy, Kurunegala, Chilaw, Ratnapura and Colombo to uplift the spiritual values of university students, Sunday School teachers and school students. Programmes were also conducted for the general public, Sunday school teachers and students with the participation of Buddhist Bikkus and Hindu priests - September 2014 Monitoring Report.	Ongoing	Reported progress indicates that steps have been taken to facilitate spiritual and cultural activities for the elderly.	Partial progress
18	98	Address as a matter of priority the economic needs of families with disabled members.	11	Implement special programmes to improve living conditions of people with disabilities.	Fully included	Included in July 2013	Ministry of Social Services Ministry of Buddha Sasana & Religious Affairs Ministry of Youth Affairs & Skills Devt	Programmes implemented	No timeframe specified		Monitoring Reports list programmes implemented to provide livelihood assistance, training and other support for the disabled and their families, including in cooperation with organisations the World Bank and NGOs.	Ongoing	Reported progress indicates that economic needs to families with disabled members are being addressed.	Partial progress

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19	103a	Provide assistance for returnees to repair or build permanent houses; encourage self-help and mutual assistance programmes such as "Shramadana"; encourage assistance and cooperation of civil society in housing initiatives.	10	Implement programmes to construct or renovate houses for returnees with required infrastructure in place with the engagement of NGOs, CBOs.	Fully included	Included in July 2013	Ministry of Resettlement	Housing and infrastructure needs are fulfilled.	Dec-14	Pending	As at end August 2014, 65,747 fully damaged houses have been constructed and 9,246 partly damaged houses have been renovated for resettled families in the North and East with the facilitation of state sector, UN agencies, INGOs, NGOs and other agencies. Currently, 23,713 new houses are being constructed and 302 houses are being renovated. The government and other agencies have committed to building 9,367 new houses and reconstructing 2,820 damaged houses in 2014 and 2015. Inter-ministerial programmes to assist conflict affected persons have been held in Ampara and Killinochchi districts - September 2014 Monitoring Report.	Ongoing	Assistance has been also been obtained from the Indian government to build 50,000 houses under the Indian Housing Project. The construction of 10,250 of these houses was completed by January 2013.  ( <a href="http://www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm">www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm</a> )  According to a Protection Assessment of Sri Lankan IDPs who have returned, relocated or are locally integrating by the UNHCR (June 2013), only 32% of respondents have a permanent house, while the majority 57% live in transitional or emergency shelters and 6% live with relatives/friends. The main impediments to restoration of land, property and housing include occupation of land by the security forces and non-clearance of land (jungle growth etc.). ( <a href="http://unhcr.lk/wp-content/uploads/2014/02/Tool-Three-Final-Report-July-12-2013.pdf">http://unhcr.lk/wp-content/uploads/2014/02/Tool-Three-Final-Report-July-12-2013.pdf</a> )	Partial Progress



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20	104	Grant the legal ownership of land to those who have been resettled.	3	Continue implementation of circular which provides for grant of ownership.	Fully included		Ministry of Lands	Circular implemented.	No timeframe specified		In the North, 44,095 land requests have been resolved (out of 170,592 to date), and 3,286 have been resolved in the East (out of 17,491 to date) - September 2014 Monitoring Report.	Ongoing	<p>Measures have been taken to grant lands in terms of Land Development Ordinance under Ranbima, and Bimsaviya programmes. However, these programs are not specifically related to IDPs since clause 2.2.1.1 of the Land Circular 2013/01, the cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved. Hence, any resettled person who is also landless becomes ineligible to own land until all land problems in the North and East are solved.</p> <p>In its comments on the Report of the Special Rapporteur on the human rights of internally displaced persons at the 26th sessions of the UNHRC in June 2014 (A/HRC/26/33/Add.6), the government stated that an Amendment to Prescription Ordinance is being undertaken to grant legal ownership to those who have been resettled.</p> <p>The Prescription (Amendment) Bill was passed on 24 July 2014. The Prescription (Special Provisions) Bill on rights of land owners who were displaced during the conflict in the North and East, was taken up for its Second Reading in Parliament on Aug. 7, 2014 but adjourned.</p>	Partial progress
21	113	Appoint a special committee to examine durable solutions and to formulate a comprehensive State policy on the issue of integrating Muslim IDPs into host communities, after having extensive consultations with the IDPs and the host communities.	3	<p>1. Presidential Task Force for the North and East (PTF for the N&amp;E) to formulate a policy on the issue of Muslim IDPs.</p> <p>2. Issue necessary directions to Implement policy.</p>	Fully included		PTF for NP	<p>1) Policy formulated</p> <p>2) Policy implemented</p>	Apr-13	Lapsed	A major policy initiative taken by the government to implement a comprehensive resettlement programme is the appointment of a Presidential Task Force for Resettlement, Development and Security in the Northern Province - September 2014 report (same progress reported since first Monitoring report released in February 2013).	Ongoing	<p>The same progress has been reported since February 2013. No indication of a special committee to specifically look into issues of Muslim IDPs. According to a media report dated 2 May 2013, the Secretary of Presidential Task Force claimed that all matters are handled by Ministry of Resettlement, as PTF no longer functions. A separate committee reported to have been appointed which consulted Muslim IDPs. (<a href="http://asiantribune.com/node/62422">http://asiantribune.com/node/62422</a>).</p> <p>However, existence of this committee is not reported in any Monitoring report and cannot be independently verified.</p>	Partial progress

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22	126	Assure people through an appropriate publicity effort that the Land Circular No. 2011/04 programme is not a substitute for recourse to the Courts of Law where people are in possession of valid legal proof of their claim to the land/s in question	3	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Fully included		Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	To be discussed under the 4th Land Commission - September 2014 Monitoring Report.	Ongoing	KPI and reference to 4th Land Commission are not relevant to the recommendation.  In either case, public have been made aware, but no information on specific publicity effort by the government.	Partial progress
23	129a	Supervise effectively the civil administration officers tasked with implementation of the Land Circular No. 2011/04 programme by the respective Government agents.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	Structure in place but no clear line of responsibility in Land Circular 2013/01.	Partial progress
24	129b	Monitor implementation quality of the Land Circular No. 2011/04 by the Land Commissioner General at the national level to ensure impartiality and transparency.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	Monitoring framework has been established. However, level of impartiality and transparency of Land Commissioner General is not clear.	Partial progress
25	133	Launch a settler centred communication campaign primarily in simple Tamil, as well as in Sinhala, incorporating information on what specific action the displaced persons should take with regard to different services provided by the Land Circular No. 2011/04 programme.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Refer to 9.106 - September 2014 Monitoring Report.	Ongoing	Information campaign was carried out according to consultations in sample DS Divisions. As per progress reported for 9.106, 20 Divisional Secretariat level awareness programmes were completed in Northern Province and 18 in Eastern Province by January 2014. No further progress has been reported since then.	Partial Progress

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26	143b	Continue renovating irrigation tanks in the Northern Province until all the remaining small irrigation tanks are brought back into operation, possibly with UN System assistance.	10	Refer to 9.143a	Fully included	Extent of progress contingent on the contents of the Draft Resettlement Policy	Refer to 9.143a	Refer to 9.143a	No timeframe specified		Refer to 9.143a	Ongoing	According to a report by the Governor of the Northern Province in December 2013, rehabilitation of 11 tanks had been completed, while rehabilitation of 30 tanks was ongoing.  (www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkinn%20Vasantham%20Programme.pdf)	Partial progress
27	144	Effectively and expeditiously resolve the land issues of Muslim families who were forcibly ejected by the LTTE from their agricultural land in the Eastern province, and whose living conditions have drastically deteriorated as a result.	3		Included but intangible	Included in July 2013	Ministry of Resettlement, Ministry of Lands	Land issues identified and resolved.	Dec-14	Pending	6,391 plots of land have been alienated to resettled Muslim families. Land Kachcheries are in progress and 1,993 allotments have been alienated. An Inter-Agency Committee has identified requirements for provision of land, rehabilitation of schools, roads etc. - September 2014 Monitoring Report.	Ongoing	This specific recommendation does not contemplate clear governmental action. However, the government has interpreted this recommendation to mean the provision of land to Muslim families.	Partial progress
28	145b	Return Sinhalese families who were evicted from Jaffna and the rest of the Northern Province, and who volunteer to go back, to their own land or resettle them in alternate land as expeditiously as possible	3		Fully included	Included in July 2013	Ministry of Resettlement	Follow up action taken as appropriate	No timeframe specified		3,714 Sinhala families were evicted from the North and 4,414 families have now returned - September 2014 Monitoring Report.	Ongoing	The same progress has been reported since January 2014.	Partial progress
29	146	Expedite the return and resettlement of the remaining Muslim families who volunteer to return to Jaffna and the Northern Province.	3		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.194			Jan-14	Lapsed		None	Refer to 9.113	Partial progress

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30	147	Designate a focal agency to study the special nature of problems and displacement of families in former Threatened Villages, with a view to designing a special mechanism to resolve their current problems expeditiously	3		Fully included	Included in July 2013. Action plan unclear.	Ministry of Resettlement	Specific categories of land issues in former Threatened Villages are identified and recommendations are in place to resolve them	No timeframe specified		A Committee represented by M/Resettlement, M/Economic Development, M/Social Services, and M/Lands and Land Development has been appointed for this purpose, Final report of the Committee will be published shortly - July 2014 Monitoring Report.  Ministry of Resettlement has been designated the focal agency for this purpose - September 2014 Monitoring Report.	Ongoing	Focal agency has been designated, special mechanisms to resolve current problems to be designed.	Partial progress
31	148	Amend the law pertaining to prescription in its application to land transfers/occupation effected during the period of conflict in order to prevent legitimizing of forced eviction and secondary occupation of private lands in the North and the East	3		Fully included	Included in July 2013	Ministry of Justice		No timeframe specified		The Prescription (Special Provisions) Bill was submitted to Parliament by M/Justice in August 2014. The Bill was thereafter referred to a Consultative Committee of the Ministry. Following deliberations by the Consultative Committee, M/Justice is in the process of incorporating certain amendments to the Bill - September 2014 Monitoring Report.	Ongoing	Full implementation pending enactment of Bill. The Prescription (Special Provisions) Bill on rights of land owners who were displaced during the conflict in the North and East was taken up for its Second Reading in Parliament on 7 August 2014 but adjourned.	Partial progress
32	151	Develop a land use plan for each district in the North and East with the participation of district and national experts drawn from various relevant disciplines; ensure protection of environment and biodiversity; sustainable economic development; leisure and recreational standards; religious, cultural, and archaeological sites.	3	1. Provide Ministry of Lands with resources to prepare the Land Use Plan for North and East.  2. Acting under the Land Use Policy adopted in 2007, develop Land Use Plan for the North and East.	Fully included		1) Ministry of Finance and Ministry of Public Administration.  2) Ministry of Lands	1) (a) Budgetary provisions made available to Ministry of Lands; (b) Staff provided to M/Lands;  2) Land Use Plan for N&E developed.	Jul-15	Pending	Preparation of updated land use maps in all districts in the North and East is ongoing. Digital maps for all districts in the North complete - September 2014 Monitoring Report.	Ongoing	July 2014 Monitoring Report indicates steps taken towards implementation.	Partial progress

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33	157	Take responsibility for prioritizing payments in full, and in time. Procure funding to clear the backlog of cases as well as to prevent lack of funds being the reason for delays and non-payment in the future.	10	Refer to 9.155	Partly included	This was included in the original NPA but not referenced. Reference was added in November 2013.	Refer to 9.155	Refer to 9.155	No timeframe specified		Refer to 9.155	Ongoing	Review appears to have been completed as per progress reported for recommendation 9.155. Funding has been allocated under the 2014 Budget. However, the process of paying compensation is yet to be completed.	Partial progress
34	160	Give extensive publicity to ensure all entitled persons for payments, compensation or monetary relief apply.	10	Completed	Fully included	Included in July 2013 Action plan unclear	Ministry of Rehabilitation & Prison Reforms		No timeframe specified		Completed - July 2014 Monitoring Report.	Completed	No details on publicity efforts have been provided in any Monitoring Report. However, applications for compensation and monetary relief are being made.	Partial progress
35	161	Focus REPPIA towards providing compensatory relief for persons affected by the conflict	10	R	Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.155			No timeframe specified		Refer to 9.155	Ongoing	According to progress reported by the Ministry of Rehabilitation and Prison Reforms, over Rs. 1.25 billion has been disbursed as compensation 13,578 cases, including to members of the public, government servants and reintegrated ex-LTTE combatants.  (www.reprimin.gov.lk/images/pdf/llrc2014aug.pdf)	Partial progress

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36	165	Access all possible sources of assistance from institutions and individuals both national and international to address housing needs.	10	Refer to 9.103	Fully included		Ministry of Resettlement	No KPI specified	No timeframe specified		A Joint Needs Assessment undertaken by GoSL with the Humanitarian Country Team (HC) and supported by UNOCHA is now complete, to identify sustainable livelihoods, recovery and development needs of the resettled and remaining displaced persons in conflict-affected areas. Ministry of Resettlement conducted a detailed study to identify gaps in shelter requirements in conflict-affected areas in the North and East with the assistance of District Secretaries and has submitted a detailed project proposal to M/ Finance & Planning to explore funding options to address the above identified gap - September 2014 Monitoring Report.	Ongoing	Apart from JNA, assistance has been also been obtained from the Indian government to build 50,000 houses under the Indian Housing Project. The construction of 10,250 of these houses was completed by January 2013.  ( <a href="http://www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm">www.priu.gov.lk/news_update/Current_Affairs/ca201401/20140102houses_completed_in_sl_under_indian_housing_project.htm</a> )	Partial progress
37	194	Facilitate the early return of the displaced Muslims to return to their places of origin in the Northern Province.	3	Formulating and implementing a policy for the resettlement and reintegration of the displaced Muslims.	Fully included		PTF for N & E and Ministry of Resettlement	The publication of the report identifying the requirements with recommendations for implementation.	Jan-14	Lapsed	Second stakeholder consultation meeting held in September 2014. Study underway on number of those evicted from North and East from all communities prior to 2009 who have not been compensated. M/Resettlement has allocated funds to improve water and sanitation facilities in Mannar - September 2014 Monitoring Report.	Ongoing	Refer to 9.113	Partial progress

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38	195	Take immediate steps to assist in re-building of the mosques, houses and schools destroyed or damaged by the LTTE.	10	Formulating and implementing a policy for the resettlement and reintegration of the displaced Muslims.	Fully included		PTF for N & E and M/Resettlement	The publication of the report identifying the requirements with recommendations for implementation.	Jan-14	Pending	A second Key Stakeholder consultation meeting was held on September 24, 2014 by Ministry of Resettlement to take appropriate decisions to expedite the return of Muslim IDPs into their places of origin. A study is underway to ascertain the actual number of families from all communities evicted from the Northern and Eastern Provinces prior to May 2009 but have not been adequately compensated, to facilitate policy decisions on return assistance, land alienation and reconstruction. Rs 13.47 M was allocated to improve water and sanitation facilities in Mannar District in 2014, and Rs 5.0 M for Musali DS Division, Mannar to construct dug wells and tube wells - September 2014 Monitoring Report.	Ongoing	According to a report by the Governor of the Northern Province in December 2013, 695 primary and secondary schools were reconstructed under the Vadakkin Vasantham programme from 2009-2012, as well as other infrastructure development and reconstruction activities.  ( <a href="http://www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkin%20Vasantham%20Programme.pdf">www.np.gov.lk/pdf/Development%20Activities%20Under%20the%20Vadakkin%20Vasantham%20Programme.pdf</a> )	Partial progress

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39	200	Take necessary steps to improve the health and educational facilities and also provide better living conditions in the estate areas.	10	<p>1. Assess the impact of existing programmes to improve the health, education and housing facilities for the estate sector, to identify areas that require improvement</p> <p>2. Revise programmes to make interventions more effective.</p>	Fully included		M/Health M/Education M/Plantation Industries M/Child Dev & Women's Affairs	The publication of a report indicating the effectiveness of banks existing programmes	Jan-13	Lapsed	<p>September 2014 Monitoring Report details measures such as:</p> <p>A survey to identify uncultivated lands in these areas to be distributed to estate sector employees; preparation of an Action Plan to implement LLRC recommendations in the estate sector as pertaining to the Ministry of Child Development &amp; Women's Affairs</p> <p>A critical situational analysis by the Ministry of Health to measure the impact of existing programmes to improve health facilities in estate sector.</p> <p>The "Plantation Schools Quality Improvement Programme" launched by the Ministry of Education, upgrading of 50 plantation area secondary schools under the 1000 schools upgrading programme, the Child-Friendly School Programme, provision of water and sanitation facilities, rehabilitation of school buildings and introduction of nutrition and health programme.</p>	Ongoing	Progress reported by the government indicates measures to improve health and educational facilities in estate areas.	Partial progress
40	223	Ensure that development activities should be carried out in consultation and with the participation of the local people	6		Not included	No reference to consultative process				N/A		None	<p>The Divi Neguma framework involves institutions created at regional, district and community level, and may involve some level of community consultation and participation.</p> <p>Report by Verité Research titled <i>The National Involuntary Resettlement Policy- Dispelling Misconceptions and Assessing Compliances</i> discusses the lack of community consultation in development activities particularly where involuntary resettlement takes place (available at <a href="http://ow.ly/E2E1Y">http://ow.ly/E2E1Y</a>).</p>	Partial progress



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41	224	Conceive and implement a specific programme to bring about attitudinal changes including, through training programmes to enhance the work ethic of the Public Service.	5	Implement the National Human Resources Policy	Fully included		Office of the Sr. Minister for HR Development	1) HR Plan of Action formulated. 2) Implementation of HRPA commenced.	Oct-12	Lapsed	No progress reported in any Monitoring reports.	None	Cabinet approved a proposal to implement the Master Plan of the National Human Resources and Employment Policy on 22 April 2014. The Coordinating and Monitoring Unit for implementation was opened on 27 June 2014.  ( <a href="http://www.ft.lk/2014/06/27/work-on-national-human-resources-and-employment-policy-starts/">www.ft.lk/2014/06/27/work-on-national-human-resources-and-employment-policy-starts/</a> )	Partial progress
42	231a	Empower the Local Government institutions to ensure greater peoples' participation at the grass roots level.	6		Not included	No reference to local government empowerment				N/A		None	National Policy on Local Government: Action Plan for 2012-2014 includes some level of grassroots participation.	Partial progress
43	231b	Take into account the lessons learnt from the shortcomings in the functioning of the Provincial Councils system in devising an appropriate system of devolution that addresses the needs of the people whilst safeguarding unity and fostering diversity.	6		Not included	No reference to examining shortcomings of provincial councils system				N/A		None	Report of the All Party Representative Committee (appointed in 2006) was not tabled in Parliament although it dealt extensively with devolution.  The mandate of Parliamentary Select Committee on political and constitutional measures maybe interpreted to include consideration of the shortcomings of the provincial council system.	Partial progress
44	242	Implement the official languages policy in an effective manner to promote understanding, diversity and national integration among all the citizens irrespective of race, religion or social status.	9	1. Establish Language Societies islandwide which includes all communities.  2. Provide opportunities to citizens to celebrate diversity.	Included but intangible	Included in July 2013	Ministry of National Languages & Social Integration	Language Societies are established	No timeframe specified		September 2014 Monitoring Report details initiatives such as the Road Map for implementation of OLP, Language Societies, the Convention on National Unity in Diversity among others, with the aim of improving compliance with the OLP.	Ongoing	Since the Road Map for implementation of the OLP prospectively covers 2015 to 2020, full implementation of this recommendation is yet to take place.	Partial progress

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45	243	Make the learning of each others' languages a compulsory part of the school curriculum.	9	1. Identify activities that promote interaction among students of different communities.	Fully included	Included in July 2013	Ministry of Education Ministry of National Languages and Social Integration	Programmes/ policies in place.	No timeframe specified		A comprehensive School based Second National Language Policy is being devised by the Ministry of Education. Curriculum on second national language has been developed, and teacher training programmes are underway. Islandwide Second National Language competitions and Annual Second Language students' camps have been organised - September 2014 Monitoring Report.	Ongoing	Currently, provision of second language education varies from school to school based on factors such the availability of teachers. Nevertheless, a sound policy for the implementation of the recommendation i.e. the Ten Year National Plan for a Trilingual Sri Lanka is in place.	Partial progress
46	244	Ensure proper implementation of the language policy and provide for trilingual (Sinhala, Tamil and English) education to children from a young age.	9	1. Implement programmes in schools in line with the Trilingual Policy	Included but intangible	Included in July 2013	Ministry of Education Ministry of National Languages & Social Integration Presidential Task Force for a Trilingual Sri Lanka	Education sector based road map for the trilingual programme	Dec-16	Pending	Education Sector based Road Map for Trilingual Programme has been developed in line with the Ten Year National Plan for a Trilingual Sri Lanka. A conference on promoting bilingual education was held by Ministry of Education and the National Institute of Education in partnership with British Council. Curriculum material and teacher training modules have been developed - September 2014 Monitoring Report.	Ongoing	Bilingual Education conference reported in progress refers to an initiative only to introduce English as second language rather than provision of trilingual education. The first phase of the Ten Year National Plan for a Trilingual Sri Lanka, currently under implementation, proposes the training and establishment of a cadre of first and second national language teachers, examination reform and the development of curriculum material and learning activities, among other steps to improve language education in schools and universities.	Partial progress
47	246	Ensure that Officers in Government service possess language skills to serve in any part of the country.	9	Refer to 9.245	Partly included	Action envisaged does not include such an aim	Refer to 9.245	Refer to 9.245	No timeframe specified		According to the September 2014 Monitoring Report: No. of teacher trainers to build Bilingual Competency of Public Officers (up to August 2014): 2,344 No. of Public Officers who acquired Bilingual competency (up to August 2014): Sinhala as a second language - 17,379 ; Tamil as second language - 96,084	Ongoing	Government policy adopted in 2007 requires all recruits to the public service after July 2007 to be bilingual within a period of five years of being appointed.  According to the Official's Committee appointed by Cabinet to make recommendations on language proficiency of public officers, problems regarding policy implementation include unavailability of training, course materials, lack of facilities for training in remote areas and time constraints faced by public officers, among others.  ( <a href="http://www.cabinetoffice.gov.lk/cab/images/Downloads/Language%20Report(e).pdf">http://www.cabinetoffice.gov.lk/cab/images/Downloads/Language%20Report(e).pdf</a> )	Partial progress

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48	247	Direct that all Government offices have Tamil-speaking officers at all times. In the case of Police Stations they should have bi-lingual officers on a 24- hour basis.	9	Refer to 9.245	Partly included	Action envisaged does not include bi-lingual police officers serving on a 24-hour basis	Refer to 9.245	Refer to 9.245	No timeframe specified		Police Officers conversant in Tamil language provide services on a 24 hour basis in the Police stations in the Northern and Eastern Provinces. As of December 2013, 2,326 Tamil speaking Police officers serve in the Police department. In the Northern Province, there are 395 Tamil officers; 107 Non Tamil officers (speaking & writing capacity in Tamil); and 370 Non Tamil officers (speaking only) serving in the Police stations. The corresponding numbers in the Eastern Province are: 385, 881 and 291. The Official Languages Commission has directed the review and audit of 6 Police Stations, i.e. Slave Island, Negombo, Nawalapitiya, Maskeliya, Balangoda and Puttalam, and has also made arrangements to collect information on implementation of language policy from Police Stations in Northern and Sabaragamuwa provinces - September 2014 Monitoring Report	Ongoing	Refer to 9.246.  An islandwide survey of police stations carried out in early 2013 by Verité Research found that at least 157 out of 408 stations had Tamil language capability. By November 2014, at least six out of nine stations in Tamil-majority areas that did not do so in 2013 had acquired Tamil language capability by then.  While Tamil language competency among public officers islandwide has not been reached yet, the sheer number of individuals to be trained requires consistent high quality training over a sustained period.	Partial progress

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49	248	Create branches for the Language Commission in every province whilst retaining effective powers of implementation.	9	Refer to 9.245	Partly included	Action envisaged does not include branches of Language Commission in every Province	Refer to 9.245	Refer to 9.245	No timeframe specified		The Official Languages Commission has been relocated. A committee was appointed by the Ministry of National Languages & Social Integration to amend the Official Languages Commission Act No. 18 of 1991. The final draft of the Act is due to be submitted to the Commission for approval by the end October 2014. Following Cabinet approval to establish Official Language Centres in every Province, the first Provincial Centres were opened in the Northern and Sabaragamuwa Provinces - September 2014 Monitoring Report.	Ongoing	The nature of the proposed amendments and its relevance to establishing provincial branches of the Commission is unclear. However, it appears that provincial centres can be established without amending the Act. These centres do not have effective powers of implementation under existing Act, hence it is assumed that proposed amendments are intended to empower provincial branches in terms of such powers.	Partial progress
50	249	Give greater attention to information technology which can be utilized as an instrument to overcome the language barrier; use translation software until long-term policies take effect.	9	Refer to 9.245	Fully included		Refer to 9.245	Refer to 9.245	No timeframe specified		The software relating to the Sinhala Akuru Potha and the Tamil Akuru Potha was subjected to a review by an Expert Panel. Accordingly, printing of 3,000 copies in Sinhala and 7,000 copies in Tamil will take place shortly - September 2014 Monitoring Report.	Ongoing	In addition to progress reported in Monitoring Reports, the Information and Communication Technology Agency of Sri Lanka has also undertaken a Local Languages Initiative, while the Ministry of National Languages and Social Integration launched a trilingual electronic dictionary ( <a href="http://www.trilingualdictionary.lk">www.trilingualdictionary.lk</a> ) in 2013. The Ten Year National Plan for a Trilingual Sri Lanka identifies the development of IT based language technology as a major component in all stages of its programme.	Partial progress

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51	252	Reduce and eventually eliminate the inequality in the availability of educational facilities in different areas of the country.	9	Implement the current programmes in keeping with the "Mahinda Chintana" to upgrade facilities in schools island wide	Partly included		Ministry of Education	Upgrading of educational facilities in schools	Jul-15	Pending	September 2014 Monitoring Report details steps taken such as the upgrading facilities and infrastructure, and renovation of particular schools located mainly in the North and East.	Ongoing	Monitoring Reports indicate that steps have been taken to address inequalities in availability of education facilities.	Partial progress
52	253	Make a proactive policy to encourage mixed schools serving children from different ethnic and religious backgrounds; develop a carefully conceived policy facilitating the admission of children from different ethnic and religious groups to these schools.	9	1. Formulate a policy that would encourage ethnically mixed schools  2. Ensure that schools include programmes to promote inter-community interactions.	Fully included		Ministry of Education	The establishment of a policy encouraging ethnically mixed schools	Jul-14	Lapsed	Focus Group discussions with the participation of Ministries of Education and National Languages & Social Integration are underway regarding school twinning programme and the Access to Education element of the Social Integration Policy and the National Action Plan. Mapping exercise underway for selection of 9 schools, (one in each province) to convert as ethnically mixed schools - September 2014 Monitoring Report.	Ongoing	Mapping exercise of nine schools in each province to convert into ethnically mixed schools has been underway since February 2013 i.e. for at least one and a half years.  According to some media reports, the government has also announced that schools based on ethnicity, religion and gender would not be established in the future. ( <a href="http://archives.dailynews.lk/2013/01/17/news20.asp">http://archives.dailynews.lk/2013/01/17/news20.asp</a> )  Preparations for an Education Act have commenced, with a draft by the Ministry of Education titled 'New Educational Policies and proposals for General Education in Sri Lanka' tabled in Parliament in August 2013. ( <a href="http://dailynews.lk/?q=political/education-minister-tables-concise-report">http://dailynews.lk/?q=political/education-minister-tables-concise-report</a> )	Partial progress
53	254	Encourage greater interaction among students, through mechanisms such as twinning of schools from the different provinces, student exchange programmes and formation of Reconciliation Clubs in schools.	9	Refer to 9.253	Fully included		Refer to 9.253	Refer to 9.253	Jul-14	Lapsed	Refer to 9.253	Ongoing	Exchange programmes have taken place, such as by the National Youth Services Council, the National Reconciliation Unit and in collaboration with other organizations. However, there is no indication that the exchange programmes have been introduced as part of a comprehensive policy.	Partial progress

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No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
54	256	Take measures to ensure, as far as possible, that students of different communities have every opportunity to interact.	9	Activities underway.	Fully included	Included in July 2013	Ministry of Education Ministry of National Languages & Social Integration Presidential Task Force for a Trilingual Sri Lanka	Establishment of "Mahindodaya Language Labs"	Dec-15	Pending	Cabinet approved a proposal in May 2014 for a suitable national school in Mannar to be developed as a trilingual school from 2015 which will provide opportunities for Sinhalese and Tamil children to learn together in the same school. Language curriculum material is revisited by Ministry of Education to promote greater language interactions, and language-based School Linking Programmes have been conducted. Language Education Resource Units were set up in 1,000 secondary schools through "Mahindodaya Language Labs" - September 2014 Monitoring Report.	Ongoing	Measures have been taken in specific districts to ensure student interaction in the classroom. Language Education Resource Units also appear to advance recommendation. However assuming that 1,000 secondary schools have Language Education Resource Units, students in the remaining 8,905 schools continue to be segregated on the basis of language of instruction.	Partial progress
55	257	Take steps to ensure public universities have ethnically mixed student populations with a choice of courses offered in all three languages.	9	The present policy caters to this requirement in an appropriate manner. However a group of experts can be mobilized to consider the present system and recommend any changes that would promote the trilingual process	Partly included	Plan does not specifically envisage courses offered in all three languages	UGC/ Ministry of Higher Education	Identification of a group of experts	Jul-14	Lapsed	Cabinet approval has been sought by Ministry of Higher Education to promote Ethnically Mixed Student Populations in Public Universities. An Experts Committee on the issue has made several recommendations, currently implemented to various degrees by universities such as student and staff exchange programmes among universities, trilingual Degree Courses to cater to needs of development, national harmony and peace based activities and the inclusion of the subject of National Harmony as a credit course in all degrees in universities - September 2014 Monitoring Report.	Ongoing	Currently, university admissions take place on a combination of merit and "merit-on district" basis. Depending on geographic location and the language of instruction of its courses, each university tends to have a greater concentration of students from particular ethnicities e.g. during the 2011/12 academic year, the University of Colombo was approximately 91.2% Sinhalese, University of Kelaniya was 95.3% Sinhalese, Jaffna University 65.9% Tamil. Ethnic diversity will be better represented if universities offer courses in all three languages.  Current plan does not clearly envisage courses offered in all three languages. However, ethnically mixed student populations may still emerge as a result of the policy initiatives approved by Cabinet.	Partial progress

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56	258	Conduct sports tournaments at inter-provincial levels and important national sports competitions should be conducted throughout the island, especially, in the North and East.	9	1. Implement programmes to actively promote sports in the former conflict areas.	Partly included	Inter-provincial nature not specified  Prior to release of the July 2014 Monitoring Report, plan stated: 'Presently, national competitions ensure Islandwide participation. However, a programme could be implemented to actively promote sports in the former conflict areas.'	Ministry of Sports	No. of such competitions successfully conducted.	No timeframe specified		September 2014 Monitoring Report details steps taken to promote sports in the North and East. Provincial steering committee meetings of Asian Youth Tournament (2017) have been held in Kilinochchi and Trincomalee in March and April 2014. Development of sports infrastructure is also underway in the North and East.	Ongoing	Some inter-provincial sports tournaments have been introduced.	Partial progress
57	274	Create greater awareness of linguistic and cultural affinities among the different communities; establish proactive state policy and programme to establish such awareness	9	1. Examine and introduce appropriate measures that could be adopted to create awareness of cultural affinities including through translation of literary works  2. Engage the cultural sector to highlight commonalities and mutual understanding between communities.	Fully included		1) Ministry of Cultural Affairs  2) Ministry of Cultural Affairs	Programmes that would promote cultural affinities and commonalities between communities	Jul-13	Lapsed	September 2014 Monitoring Report lists programmes implemented by the Ministry of National Languages & Social Integration and Ministry of Cultural Affairs such as multi-cultural/lingual television and radio programmes, translation of children's books in Sinhala and Tamil, literary festivals, construction of Art centres and cultural centres.	Ongoing	National Cultural Policy released in October 2007 does not sufficiently prioritise promoting awareness of cultural awareness as a means of building cohesion between communities. However progress reported under recommendation 9.281 below states that a comprehensive National Action Plan to operationalize the National Policy on Social Integration will be launched on 10 December 2014.	Partial progress

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58	276	Encourage and disseminate cinema, TV and stage drama, productions that highlight commonalities and mutual understanding between communities for the benefit of the younger generation.	9	1. Formulate public awareness strategy.	Fully included	Included in July 2013	Ministry of National Languages & Social Integration Ministry of Culture and the Arts	Effective public awareness campaign underway.	Jun-14	Lapsed	Social Integration Week is organised annually by the Ministry of National Languages and Social Integration. A media campaign has been designed by the ministry to educate the general public on the importance of social integration and to promote an understanding of the culture of diverse ethnic groups. A Campaign Ambassador has been identified in this regard - September 2014 Monitoring Report.	Ongoing	Apart from reference to the media campaign, no information available on specific productions that highlight commonalities and mutual understanding.	Partial progress
59	281	Initiate creative programmes such as "Youth Parliament" and "From Palmyrah Grove to Coconut Grove" falling within the purview of Government Ministries and other agencies in cooperation with civil society groups, so that such exchange programmes can be supported, expanded and broad-based.	9	1. A Five Year Master Plan to be formulated for the Social Integration Policy	Fully included	Included in July 2013	Ministry of National Languages & Social Integration	Master Plan to be formulated	No timeframe specified		A comprehensive National Action Plan to operationalize the National Policy on Social Integration will be launched by Ministry of National Languages & Social Integration on 10 December 2014. The Ministry has also setup an Inter-Ministerial Committee for better coordination among the respective line ministries. Civil Society groups, NGOs, religious organizations and public institutions from all parts of the country participated at the "Social Integration Conference" organised by the ministry in July 2014 - September 2014 Monitoring Report.	Ongoing	Monitoring Report indicates steps taken towards implementation.	Partial progress



# ANNEX: POOR PROGRESS

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
1	9a	Investigate material implicating Security Forces in death and injury to civilians; prosecute wrongdoing thereupon.	1	<p>1. Complete ongoing disciplinary process being conducted in terms of Armed Forces statutes.</p> <p>2. Upon conclusion, take follow up action to prosecute, where relevant.</p> <p>3. Use the existing system as provided for in the Criminal Procedure Code to originate a complaint and give such mechanism sufficient publicity.</p>	Fully included		<p>1) Ministry of Defence</p> <p>2) Ministry of Defence</p> <p>3) Ministry of Justice</p> <p>4) Attorney General's Office</p>	<p>1) Disciplinary inquiries concluded</p> <p>2) Offenders prosecuted</p> <p>3) Cases filed in Court</p>	Jun-14	Lapsed	<p>Mandate of the Commission of Inquiry to investigate complaints regarding missing persons expanded in July 2014 to include inquiry into the 'principal facts and circumstances that led to the loss of civilian life' and 'whether any person, group or institution directly or indirectly bears responsibility in this regard' by violations of IHL or IHL, whether this loss of life constitutes proportionate collateral damage, and whether they were either the deliberate or unintended consequence of the rules of engagement during the armed conflict.</p> <p>The Army Court of Inquiry concluded its investigations into allegations regarding civilian casualties in Feb 2013. Investigation of allegations of summary executions of captured persons is on-going.</p>	Ongoing	<p>Army Board on LLRC Recommendations called for an Army Board of Inquiry to be appointed (24 January 2013). Navy BoI exonerated - June 2013 Monitoring Report. Army CoI exonerated - November 2013 Monitoring Report.</p> <p>Three military bodies have described the LLRC's findings pertaining to civilian deaths caused by security forces as either inadequate or baseless.</p> <p>Commission of Inquiry on missing persons appears to be reconsidering allegations of civilian deaths. Its term has been extended to 15 February 2015.</p>	Poor progress
2	22	Examine the humanitarian issue of medical supplies to civilians in conflict areas during the final days of the war considering all relevant factors upon which the supplies can be assessed.	10	Submit a report	Fully included	Included in July 2013	Ministry of Health	Report submitted	Dec-13	Lapsed	Report was submitted by Ministry of Health. All medical supplies, drugs, equipment, personnel and all facilities were provided - July 2014 Monitoring Report.	Completed	Provision of medical supplies to civilians appears to have been examined. However, the report submitted to the Ministry has not been made open to public scrutiny.	Poor progress

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3	23	Conduct investigations into specific cases of surrender to the Army; prosecute members of Army responsible for disappearances after surrender to official custody thereupon.	1	Refer to 9.51a	Fully included		Refer to 9.51a	Refer to 9.51a	Jun-14	Lapsed	Refer to 9.51	Ongoing	Initially the CID was to investigate - August 2013 Monitoring Report Investigation was thereafter transferred to the Commission of Inquiry to investigate complaints regarding missing persons.  Annex 4.15 of the LLRC report lists at least 45 complaints. The Defence Secretary has claimed there were only 26 incidents. (www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/)	Poor progress
4	26	Take due account of the violation of core Human Rights and International Humanitarian Law Principles in framing charges against LLTE cadres against whom investigations reveal prima facie material for prosecution so that appropriate punishment, commensurate with the grave nature of such crimes could be meted out.	8		Included but intangible		Attorney General's Department		No timeframe specified		Investigation of recruitment of child soldiers, international criminal activities and suicide attacks by the LTTE have been entrusted to the Presidential Commission to Investigate into Complaints Regarding Missing Persons - September 2014 Monitoring Report.	Ongoing	Progress reported in Monitoring Reports for the first time in July 2014 report.  Meanwhile, as per Monitoring Reports released since February 2013, 160 cases pertaining to detainees have been pending for over one and a half years.	Poor progress

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5	37a	Investigate reported cases of deliberate attack on civilians; take appropriate legal action thereupon.	1	Refer 9.9a	Fully included		Refer 9.9a	Refer 9.9a	Jun-14	Lapsed	Refer to 9.9a	Ongoing	Refer to 9.9a	Poor progress
6	39	Initiate an independent investigation to determine truth of allegations in Channel 4 documentary video footage.	1	Refer to 9.9, 9.37a	Partly included	Not 'independent'			Jun-14	Lapsed	Refer to 9.9a	Ongoing	No independent investigation has been planned.	Poor progress
7	41	Ensure and facilitate the confidentiality and protection of information and informants during independent investigation into issues raised by Channel 4 documentary.	1		Not included	No reference to confidentiality				N/A		None	No information on Col procedure.  Draft Bill for the Assistance and Protection of Victims of Crime and Witnesses is under consideration. The Protection Division proposed under the Bill falls under the purview of the Police department, hence lacks independence.	Poor progress

## Annex: Poor progress

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8	46	Direct law enforcement to take immediate steps to ensure that allegations of abductions, involuntary disappearances and arbitrary detention are investigated; prosecute wrongdoers thereupon.	1	<p>1. Identify impediments, if any, to the effective enforcement of the law. That the offences are visited with serious sanctions</p> <p>2. Strengthen investigation skills of Police.</p> <p>3. Strengthen access to justice.</p> <p>4. Enhance the capacity of the Police to put in place a more effective surveillance mechanism of the locality in cooperation with the local community and establish community policing.</p>	Fully included		<p>Ministry of Defence/ Police Department</p> <p>Legal Aid Commission, CBO's, Ministry of Justice, Police Department</p>	<p>1) Impediments identified and remedial action taken</p> <p>2) Programmes to strengthen skills integrated into Police training modules</p> <p>3) Access to justice programmes identified and implemented by establishing community policing units</p>	Mar-14	Lapsed	<p>Steps have been taken to enhance capacity of law enforcement. 2,544 cases have been inquired into by the police to date. 380 cases are being investigated by the TID. Over 70 legal aid centres function islandwide - September 2014 Monitoring Report.</p>	Ongoing	<p>The TID is an inappropriate body. Special Rapporteur on Torture, Manfred Nowak has previously observed: 'a considerable number of clearly established cases of torture by TID...together with various efforts by TID to hide evidence and to obstruct the investigations of the Special Rapporteur'.</p> <p>According to the January 2014 Monitoring Report, the TID had traced 14 persons. However according to the July and September 2014 Monitoring Reports, the total number of those traced had dropped to 12.</p> <p>According to the Asian Forum for Human Rights and Development, there have been numerous delays in habeas corpus cases filed by family members of the disappeared due to: the State not filing objections in time; Police officers and Ministers summoned not appearing before courts; State Counsel not turning up; Magistrate not being present; and more recently, due to a decision by the Judicial Services Commission to appoint a special Magistrate to hear some of the cases. In the case of the disappearance of Mr Prageeth Eknaigoda, Anura Shantha Jayasundara, a Police officer failed to appear before the courts 11 times and the former minister of Media, Mr Lakshman Yapa Abeywardena twice. State Counsel and a Magistrate had not turned up for some case hearings of habeas corpus cases filed by family members of persons who had disappeared after surrendering to the Army at the end of the war in May 2009. These cases were also delayed due to the state not filing objections in time. (Written statement submitted by the Asian Forum for Human Rights and Development at the 27th sessions of the UNHRC, September 2014 (A/HRC/27/NGO/91))</p>	Poor progress

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9	48	Implement immediately the recommendations of past commissions in regard to establishing a special mechanism to address the issue of missing persons and deter future occurrences.	1	1. Establish a Committee to strengthen current initiatives and identify new strategies to address the issue of missing persons, including issues of families of missing persons.	Partly included	Included in July 2013. No special mechanism	Presidential Secretariat	1) Committee convened 2) New strategies identified 3) Implementation of new initiatives commenced	1) January 2014 2) March 2014 3) June 2014	Lapsed	Ministry of Defence and the ICRC continue to collaborate on the issue of missing persons. Col on missing persons established in August 2013. The TID has thus far traced 12 people - September 2014 Monitoring Report.	Ongoing	No special mechanism has been established. No details on how the recommendations of past Cols have been taken on board to avoid duplication.	Poor progress
10	50a	Trace whereabouts of missing persons in cooperation with relevant agencies, especially the ICRC; ensure reunification of missing persons with their families	1	See 9.48	Fully included		See 9.48	See 9.48	See 9.48	Lapsed	The ICRC and the Ministry of Defence continue to collaborate on the issue of missing persons. ICRC's Family Needs Assessment is currently underway. The TID has traced 12 persons thus far, who have been rehabilitated and reunited with their families - September 2014 Monitoring Report.	Ongoing	According to the Annual Report (2013) of the ICRC, the authorities allowed the ICRC to resume its tracing activities in the northern province for potential cases related to the armed conflict and nearly 30 families confirmed being reunited with previously missing relatives. 95 new tracing requests were registered, 55 individuals were located, and ICRC was attempting to trace 16,137 people by 2013.  Thus far, the Col on missing persons has received 19,591 complaints which are currently being investigated.  According to the January 2014 Monitoring Report, the TID had traced 14 persons. However according to the July and September 2014 Monitoring Reports, the total number of those traced had dropped to 12.	Poor progress
11	51a	Appoint a Special Commissioner of Investigation for alleged disappearances; provide material to the Attorney General for prosecution. Provide the Commissioner with experienced investigators	1	1. Appoint the Commission	Partly included	No Special Commissioner of Investigation	Presidential Secretariat	1) COI Appointed 2) Follow up action identified 3) Relevant material forwarded to AG	Jan-13	Lapsed	The term of the Col appointed in August 2013 has been extended to February 15, 2015. 19,591 complaints received, out of which 939 have been inquired into. A five-member Advisory Council which includes internationally recognised legal experts was appointed to advise the Commission - September 2014 Monitoring Report.	Completed	Mandate of the Col limited to disappearances of those resident in two provinces (the North and East) which took place between January 1983 and May 2009.  Proliferation of Cols not consistent with LLRC's call for a 'Special Commissioner of Investigation'.	Poor progress

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12	53a	Direct law enforcement authorities to issue a formal receipt of arrest when taking persons into custody	4	1. Issue necessary instructions to ensure compliance with recommendations 2. Introduce appropriate legislation to provide for the issue of a receipt regarding arrest.	Fully included	Included in July 2013. Action plan absent.  (1) in action plan was included in July 2014. Previous Monitoring reports only cited (2)	Ministry of Justice, Ministry of Law and Order	Instructions issued to ensure compliance  Legislation introduced in Parliament	Mar-14	Lapsed	(1) Completed. Families of arrested persons were informed of their arrest and detention when Emergency Regulations were in force and in the period before and after. Issuing a formal receipt of arrest to those arrested under the PTA is in force. Next of kin are allowed to visit them frequently. Persons were and are being detained in places which are declared as places of detention - September 2014 Monitoring Report.  (2) Amendments to the relevant legislation have been drafted. Steps will be taken to submit them in parliament as early as possible - July 2014 Monitoring Report (no update provided in September 2014 Monitoring Report).	Completed	2007 Presidential Directive requires formal receipt. (www.defence.lk/new.asp?fname=20070425_02)  No fresh directive has been issued post-LLRC.  Details of proposed amendments have not been provided.	Poor progress
13	53b	Provide next of kin access to places of detention.	4	Refer to 9.53a	Fully included	Refer to 9.53a	Refer to 9.53a	Refer to 9.53a	Mar-14	Lapsed	Refer to 9.53a	Completed	2007 Presidential Directive requires that arrested persons are provided reasonable means of communicating with a relative or friend.  No fresh directive has been issued post-LLRC.  No formal process currently in place providing access to places of detention.	Poor progress
14	54a	Produce an arrested person promptly before a Magistrate; promptly notify the family of an arrested person and the Human Rights Commission of Sri Lanka if place of detention is changed.	4	Issue necessary instructions to ensure compliance with recommendations	Fully included	Included in July 2013. Action plan absent	Ministry of Justice, Ministry of Law and Order	Instructions issued to ensure compliance ; compliance monitored	No timeframe specified		Refer to 9.53a	Completed	Where a detention order has been issued under the Prevention of Terrorism Act (PTA), the requirement to be produced before a magistrate is dispensed with.	Poor progress

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15	54b	Instruct Magistrates to visit places of detention every month; Release detainees through the court.	4	Refer to 9.54a	Fully included	Refer to 9.54a	Refer to 9.54a	Refer to 9.54a	No timeframe specified	Pending	Refer to 9.53a	Completed	<p>No information on instructions to magistrates to conduct monthly visits. Under the PTA, authorities are not required to produce a detainee before a magistrate where a detention order has been issued.</p> <p>In the case of remand orders, a 2012 report suggests that magistrates visit detention centres merely to extend remand. (See: <a href="http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderes-in-the-prison-system/">http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderes-in-the-prison-system/</a>)</p>	Poor progress
16	55	Prosecute failure of police to record an arrest, detention and transfer or failure to record or investigate complaints of abductions.	4	<p>1. Examine the adequacy of new strategies implemented to ensure prompt action on complaints received by police.</p> <p>2. Ensure that appropriate disciplinary action is initiated with regard to officers against whom complaints are made</p>	Fully included	Included in July 2013	Ministry of Law and Order	<ul style="list-style-type: none"> <li>• Examination completed and gaps, if any, identified.</li> <li>• New strategies introduced to respond to gaps, if any.</li> <li>• Disciplinary action taken as a per cent of complaints received.</li> </ul>	No timeframe specified		<p>To date, no such instances have been reported which required the prosecution of any police officers. Complaints by the public against Police Officers are rigorously monitored and can be directly lodged at the specially designated Public Day of Inspector General of Police at the Police Headquarters. Action will be taken against errant Police Officers following existing procedure - September 2014 Monitoring Report.</p>	Ongoing	<p>No information on any prosecutions.</p> <p>According the Asian Legal Resource Centre (ALRC) police officers routinely decline to record complaints against state agents and politicians, even in cases of grievous human rights violations such as torture, enforced disappearances and extra-judicial executions. (See: Alternative Report to the United Nations Human Rights Committee in Regard to the Fifth State Party Report Submitted By Sri Lanka in September 2014, by the ALRC)</p>	Poor progress

## Annex: Poor progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Time-frame	Dead-line Status	Progress Reported	Progress as per GoSL	Comments on Action	Status
17	57	Appoint an Independent Advisory Committee to monitor and examine detention and arrest of persons taken under the Public Security Ordinance or the PTA	4	See activities under recommendations 9.9, 9.37 (a) (b), 9.23, 9.39	Partly included	No independent advisory committee  9.9 and 9.37 refer to death or injury to civilians by armed forces, 9.23 calls for investigations into disappearances after arrest/surrender and 9.39 is on investigating allegations made the Channel 4 video	Ministry of Public Administration & Home Affairs		No timeframe specified		Under consideration - February 2013 Monitoring Report.  No progress reported in any Monitoring reports since.	None	An Advisory Board can be established under Section 13 of PTA, consisting of no less than 3 persons appointed by the president. No indication that an independent advisory committee was appointed.	Poor progress
18	58	Assist families with trauma of not knowing the whereabouts of their next of kin; give financial support when missing persons were breadwinners; provide legal aid when necessary.	11	1. Establish a social care centre in each Division in North & East and provide necessary legal support to victims of war	Fully included	Included in July 2013	Ministry of Social Services Ministry of Justice	Social care centres established Availability of legal aid to this category announced	No timeframe specified		The ICRC will carry out an island-wide survey using a representative sample of families of missing persons through its Family Needs Assessment. Single women households, families where one or more members are missing and war widows are catered to by Legal Aid and mediation mechanisms in the North and East. Also, more than 70 Legal Aid Centres function island-wide, as well as 27 Social Care Centres operational in the North and 28 Centres in the East. Preventive Counselling, Treatment Counselling and Capacity Building Counselling programmes are also in place - September 2014 Monitoring Report.	Ongoing	According to government reports, progress is still at the stage of assessing needs, despite a large volume of families reporting missing persons to the Col on missing persons.  Meanwhile independent reports suggest gaps in provision of assistance to families suffering from trauma. According to a report by IRIN (September 2013), there is limited organized psychosocial support in Sri Lanka, particularly for families of the missing. Moreover, there are some reports of government hostility deters providers and those seeking help, hence there is limited support from the state and non-profit sector. ( <a href="http://reliefweb.int/report/sri-lanka/mental-health-cost-borne-families-missing-sir-lank">reliefweb.int/report/sri-lanka/mental-health-cost-borne-families-missing-sir-lank</a> )  According to a study of female headed households in the North by the Graduate Institute of Geneva, the lack of assistance or compensation provided by the government was a key contributor to economic vulnerabilities faced by families of the missing.  (See: The Graduate Institute Geneva (2013) Everyday Resistance: Female Headed Households in Northern Sri Lanka)	Poor progress



## Annex: Poor progress

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19	62	Create a special mechanism to examine cases of those held in detention for long periods without charges and recommend a course of action in regard to disposal of each case, as appropriate.	4	1. Identify and establish procedures in the existing system to address the issue  2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.	Fully included	Also an interim recommendation, cited as such in NPA	Attorney-General's Dept.	1) Processes identified and established  2) Reduction in the number of detainees.  3) Unit established	Dec-14	Pending	Completed. A team of Attorneys-at-Law under supervision of an Additional Solicitor General and a Deputy Solicitor General is taking action to recommend charges, discharge or any other course of action i.e.: rehabilitation having considered evidence available against each detainee. Of a total 977 files relating to detainees opened between 2009 and 2013, there are only 160 matters to be concluded. The same Additional Solicitor-General functions as the focal point relating to detainees - September 2014 Monitoring Report.	Completed	The identical progress is reported in every monitoring report since February 2013, indicating that the 160 matters 'to be concluded' have not been concluded despite the lapse of more than one and a half years.  According the Asian Legal Resource Centre (ALRC), though the state has claimed the existence of a special unit within the Attorney General's Department to prosecute cases of torture, in reality there is no evidence of the functioning of such a unit. (See: Alternative Report to the United Nations Human Rights Committee in Regard to the Fifth State Party Report Submitted By Sri Lanka in September 2014, by the ALRC)	Poor progress
20	67	Detain persons only at formally designated and authorized places of detention.	4	Refer to 9.53a	Fully included	Included in July 2013. No reference to unauthorised places of detention	Refer to 9.53a	Refer to 9.53a	Mar-14	Lapsed	Refer to 9.53a	Completed	Sections 7 and 9 of PTA permit detention in any place and transfer from place to place. These provisions have been prone to abuse.  See: Amnesty International (2012), Locked Away; Sri Lanka's Security Detainees ( <a href="http://files.amnesty.org/archives/asa370032012eng.pdf">http://files.amnesty.org/archives/asa370032012eng.pdf</a> )	Poor progress
21	71	Actively encourage a greater role for civil society organisations that could provide financial and human resource assistance to implement programs targeting detainees who have been rehabilitated to integrate into the mainstream civilian life.	11	1. Collaborate with relevant organisations	Included but intangible	Included in July 2013  Current plan is cited in Monitoring Reports from July 2014 onwards. Plan originally cited was 'No further activity required as recommendation has been given effect to'.	Ministry of Rehabilitation	No KPI specified	No timeframe specified		Bureau of the Commissioner General of Rehabilitation is actively engaged in coordinating with all government and corporate sector institutions, INGOs, NGOs and the community - September 2014 Monitoring Report.	Ongoing	No information of specific measures to encourage civil society organisations in respect of assisting former detainees.	Poor progress

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22	73	Conduct investigations of illegal armed groups; prosecute thereupon.	8	During the time of the conflict, illegal armed groups were known to operate in the theatre of conflict. Steps have been taken to completely eliminate this activity. These measures will be continued to be implemented to ensure that these groups do not re-emerge.	Fully included	Fully included as per NPA action taken with respect to LLRC recommendation contained in para.9.213	Ministry of Defence	The effective maintenance of law and order	No timeframe specified		Action has been taken by Government to disarm all illegally armed persons in the North & East. These measures will be observed regularly to ensure that illegally armed groups do not re-emerge - all Monitoring Reports.	Completed	Progress reported only refers to disarmament in the North and East just after the war ended. No indication that investigations were carried out.  Members of these groups now engaged in politics. e.g. MP and Deputy Minister of Resettlement Vinayamoorthy Muralitharan (alias Karuna).	Poor progress
23	74	Disarm and end illegal activities of illegal arms groups through a time-bound and verifiable process.	8	1. Examine crime statistics and trends to identify critical issues;  2. Take necessary measures to improve law enforcement.	Partly included	Salient elements of recommendation not captured. Cited as Interim recommendation	Ministry of Defence Police Department	1) Effective Vigilance  2) Decrease in incidents of crime	No timeframe specified		Refer to 9.73	Completed	Illegal armed groups continue to function. E.g. 2013 attacks on Uthayan newspaper office, attacks on party offices and opposition supporters during the 2014 Uva Provincial Council elections.  ( <a href="http://www.adaderana.lk/news.php?nid=22321">www.adaderana.lk/news.php?nid=22321</a> ) and <a href="http://www.ceylontoday.lk/51-71792-news-detail-will-uva-be-the-bloodiest-poll-in-history.html">www.ceylontoday.lk/51-71792-news-detail-will-uva-be-the-bloodiest-poll-in-history.html</a> )	Poor progress

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24	87	Meet the immediate needs of women, especially widows, affected by the War through economic assistance; provide them with a means of livelihood and other income generating means.	11	1. Implement livelihood /self employment projects 2.Promote women entrepreneurs	Fully included	Included in July 2013	Ministry of Child Devt & Women's Affairs Ministry of Social Services	Target groups engage in livelihood and income generating activities.	No timeframe specified		Several livelihood and income generating projects are implemented to address need of women-headed households in the North and East, including the Single Parent Families Development Programme, Divi Neguma, the Social Care Centre Project and vocational training - September 2014 Monitoring Report (more details provided in Report).	Ongoing	<p>According to Minority Rights Group International (2013) government support for women's livelihood development is limited and of low quality. The government and aid agencies have been criticized by local groups for providing only specific types of skill development for women (such as sewing) and implementing 'one-size-fits-all' livelihood programmes. Where women have been resettled they are unable to engage in traditional forms of livelihood due to safety concerns or lack of natural resources.</p> <p>(See: MRG International, Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka)</p> <p>A study of female headed households in the North by the Graduate Institute of Geneva found that women faced numerous obstacles in accessing income-generating opportunities that the government had yet to address. Little government assistance or compensation had been provided to women breadwinners.</p> <p>(See: The Graduate Institute Geneva (2013) Everyday Resistance: Female Headed Households in Northern Sri Lanka)</p>	Poor progress
25	88	Make greater and sustained efforts to enlist and engage the services of relevant international organizations and civil society groups who have expertise and resources in the area of women's rights to assist in this task of aiding women.	11	Undertake collaborative programmes with relevant international organisations, CBOs etc. to assist single mothers, those recently resettled, and those who are disabled.	Fully included	Included in July 2013	Ministry of Social Services Ministry of Child Devt & Women's Affairs Ministry of Rehabilitation & Prison Affairs Ministry of Health	Collaborative programmes implemented.	Dec-14	Pending	Several international organizations are engaged by government ministries to assist war-affected persons including UNICEF, the World Bank, the ICRC and GIZ - September 2014 Monitoring Report (more details provided in Report).	Ongoing	Progress reported has no specific focus on problems faced by women.	Poor progress

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26	90	Create a conducive environment in all areas of the country, especially the conflict affected areas, for women to feel that they live in a secure environment and their basic human dignity is safeguarded and protected.	11	Conduct awareness on prevention of violence against women, women's rights and gender equality for police officers, community leaders and general public.	Included but intangible	Included in July 2013	Ministry of Law & Order Ministry of Child Devt & Women's Affairs	Awareness programmes conducted	No timeframe specified		Completed. Child & Women Development Units are operational at Divisional Secretariats in Mullaitivu, Kilinochchi, and Jaffna Districts "Prevention of sexual and gender based violence fore" have been established in Jaffna and Vavuniya District Base Hospitals. Health, security and legal assistance is provided for women hospitalized as a result of gender-based violence. Sensitization programmes on prevention of violence against women and protection of women's rights are conducted for Police and Security Officers, Community Leaders and members of the public - July 2014 Monitoring Report (more details provided in Monitoring report).	Completed	According to a report by MRG International, numerous factors such as pervasive militarization, discriminatory practices, limited livelihood opportunities and socio-economic difficulties continue to undermine safety and security of women. Therefore, secure environment for women, particularly in conflict affected areas is yet to be secured.  (See: MRG International, Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka 2013)	Poor progress

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27	95	Create child-friendly environments in the areas affected by the conflict, including easy access to schools, better healthcare facilities, recreation facilities such as play grounds, and children's parks.	11	Inter-Ministerial Committee comprising Ministry of Rehabilitation & Prison Affairs, Ministry of Child Devt & Women's Affairs, Ministry of Education, Ministry of Health, Ministry of Social Services, Ministry of Livestock & Rural Community Development.	Fully included	Included in July 2013	Ministry of Child Devt & Women's Affairs	Special programmes identified and implemented.	No timeframe specified		Child-friendly and joyful learning environment created in 5,000 schools, including 984 schools in the Northern and Eastern provinces, to ensure easy access to better healthcare facilities, recreation facilities such as playgrounds and children's parks, with a total investment of Rs. 2058m. Water and sanitation facilities upgraded in 6,000 primary schools including 1,105 schools in the North and East. Five early Childhood Care (ECCD) Model Villages have been initiated in the North. 1,469 School Child Protection Committees established. "Free mid day meal programme" and the "Fresh milk distribution programme" extended to all primary schools in North and East. To date, a total of 11 Children's Libraries have been completed in the estate sector - September 2014 Monitoring Report (more details provided in Monitoring report).	Ongoing	Reported initiatives are aimed at improving the environment in conflict affected areas. However heavy militarisation in the North and East can be an impediment to the establishment of child friendly environments in conflict affected areas.  (See: The Forever War?: Military Control in Sri Lanka's North (March 2014) at <a href="http://blog.crisisgroup.org/asia/2014/03/25/the-forever-war-military-control-in-sri-lankas-north/">http://blog.crisisgroup.org/asia/2014/03/25/the-forever-war-military-control-in-sri-lankas-north/</a> )	Poor Progress
28	99	Encourage people with disabilities to organize themselves as community groups that will help facilitate mutual support and obtain necessary assistance for them through international organizations and civil society groups who have expertise and resources in this area.	11	Refer to 9.98	Included but intangible	Refer to 9.98	Refer to 9.98	Refer to 9.98	No timeframe specified		Refer to 9.98	Ongoing	Assuming that the recommendation envisages the establishment of 'community groups', no such community groups have been established based on governmental intervention and necessary assistance from international organizations and civil society groups has not been obtained.	Poor progress

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29	103b	Provide infrastructure needs such as roads, schools and hospitals in the areas where people have been resettled.	10	Refer to 9.103a	Fully included	Included in July 2013	Refer to 9.103a	Refer to 9.103a	Dec-14	Pending	Refer to 9.103a	Ongoing	No reference to infrastructure needs as progress reported only refers to housing.	Poor progress
30	105	Encourage civil society to engage in community development at the grass roots level to help communities who are making a collective effort to reconstruct and rebuild their lives.	10	Strengthen community based women's organizations (Rural Women's Societies)	Included but intangible	Included in July 2013	Ministry of Resettlement Ministry of Youth Affairs & Skills Development Ministry of Child Devt & Women's Affairs Ministry of Construction		No timeframe specified		Ministry of Resettlement adopts an 'owner driven basis' approach in its projects as a matter of policy to empower resettled communities to reconstruct and rebuild their lives. Active participation by Community Based Organizations' in the execution of community infrastructure projects targeted for the benefit of resettled IDPs and returnee refugees is solicited and encouraged by the government. Such participation is evident as they bid competitively for contracts. Field officers attached to Ministry of Child Development & Women's Affairs in Ampara and Jaffna districts are engaged in promoting community contribution in reconstruction and rehabilitation. Training for CBO women leaders has been conducted with the support of GIZ - September 2014 Monitoring Report.	Ongoing	Despite measures to encourage community based organisations in community development, heavy militarisation and communications from the Ministry of Defence have discouraged organisations from continuing their work.	Poor progress

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31	106	Be clear in policy with regard to the areas available to be resettled; create more awareness among people about such policies and the options available to them.	3	Conduct awareness programmes with relevant groups on the implementation of circular No. 2011/4 of 22.07.2011 issued by the Commissioner General of Lands	Fully included		Ministry of Lands	Awareness programmes conducted	Jan-13	Lapsed	20 awareness programmes conducted in North, 18 in the East - January 2014 Monitoring Report.	Completed	<p>No reference to formulating clear policies. Current Land Circular 2013/01 does not specify areas for resettlement.</p> <p>Meanwhile, according to the Report of the Special Rapporteur on the human rights of internally displaced persons submitted at the 26th session of the UNHRC in June 2014 ( A/HRC/26/33/Add.4), no timeframe for the revision and adoption of the draft Framework for Resettlement Policy (released in November 2013) had been provided. The SR was informed that the Ministry of Resettlement is in the process of organizing broader consultations to finalize the draft framework.</p>	Poor progress
32	108a	Facilitate and encourage the return and resettlement of displaced persons living in India; make essential facilities available if they should choose to return.	3	<p>1. Formulate policy with regard to IDPs in India;</p> <p>2. Conduct bi-lateral discussions with India in terms of policy</p>	Fully included		<p>1) Ministry of Lands, Ministry of External Affairs, Ministry of Re-settlement, Ministry of Defence</p> <p>2) Ministry of External Affairs, Ministry of Defence</p>	Bi-lateral discussions held and decisions implemented	Jul-14	Lapsed	A policy on refugees in India is included in the draft policy on resettlement. From 2011 to September 30, 2014, 1,381 families (3,966 persons) have voluntarily returned to Sri Lanka. Issue has been placed on the agenda of the Indo-Sri Lanka Joint Commission - September 2014 Monitoring Report.	Ongoing	<p>Progressive decline in numbers of those returning. (See: <a href="http://resettlementmin.gov.lk/site/index.php?option=com_content&amp;view=article&amp;id=4&amp;Itemid=19&amp;lang=en">http://resettlementmin.gov.lk/site/index.php?option=com_content&amp;view=article&amp;id=4&amp;Itemid=19&amp;lang=en</a>)</p> <p>A study of Sri Lankan Tamil refugees in India published in October 2014 found that only 23 per cent of the 520 families surveyed wanted to return to Sri Lanka. (<a href="http://www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece">www.thehindu.com/news/national/twothirds-of-lankan-refugees-want-to-remain-in-india/article6538582.ece</a>)</p> <p>No evidence of peace and reconciliation activities, which are considered to be part of the framework for durable solutions.</p>	Poor progress

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33	111	Create a uniform State policy aimed at resettling Muslim community IDPs and/or integrating them into the host community; communicate this policy to the IDPs.	3	<p>1. Resettlement of Muslim IDPs is underway in terms of accepted government policy</p> <p>2. Formulate policy based on an examination of the feasibility and advisability of integration into host community.</p>	Fully included	Included in July 2013.	Ministry of Resettlement	Policy formulated	Mar-14	Lapsed	2,303 houses have been constructed for Muslim IDP families in the Mannar District and 6,391 plots of state land have been earmarked for alienation to resettle the displaced Muslim families. Land Kachcheries to select suitable allottees is in progress and to date 1,993 allotments have been alienated. A survey will be undertaken shortly among the Muslim IDP families living in Puttalam in order to establish their intention to return to their places of origin. Although the integration of Muslim IDPs in the Puttalam District with the host community is taking place at a rapid pace, 3,000 such families have refused to return to their places of origin, instead opting for local integration - September 2014 Monitoring Report.	Ongoing	No formal policy formulated or communicated to IDPs.	Poor progress



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34	112	Include an assistance package in Policy referred to in 9.111; include financial assistance and other material support such as support for housing construction.	10		Fully included	Included in July 2013 Action plan absent	Ministry of Resettlement Ministry of Construction	No KPI specified	No timeframe specified		Under the Indian Housing Project 5,000 new houses have been constructed and 2,500 houses are being constructed in Mannar District. Half of the houses under this project have been granted to resettle Muslim IDPs in Mannar District - July 2014 Monitoring Report.  A Ministerial review mechanism is in operation to address issues on resettlement of Muslim IDPs in their places of origin in the Northern Province. The Committee has identified action that should be taken on priority basis viz; release of land, resettlement assistance, preparation of lands, and development of common and community infrastructure. There are 08 line Agencies represented in this Committee which meets once every 02 months to review progress and take necessary action - September 2014 Monitoring Report.	Ongoing	Full implementation is contingent on the formulation of a policy on Muslim IDPs referred to in recommendation 9.111.	Poor progress

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35	115a	Take all steps to prevent harassment and attacks on media personnel and institutions.	7	<p>1. Take appropriate action to ensure media freedom.</p> <p>(a) Pursuit of grievance mechanisms - Complaints to Police, FR Applications to SC, Complaints to Press Council (with a wider jurisdiction and enhanced powers)</p> <p>(b) Complaints to NPC against Police inaction.</p> <p>2. Complete investigations into current cases</p> <p>3. Promote responsible journalism and consider a code of conduct for journalists.</p>	Fully included		<p>1) Ministry of Mass Media &amp; Information</p> <p>2) Dept. of Police</p> <p>3) Press Council.</p>	<p>1) Effective redress to grievances of media personnel</p> <p>2) Investigations completed</p>	Jul-14	Lapsed	Online complaint system www.slpc.lk has been launched by the Sri Lanka Press Council enabling media personnel to lodge any complaint immediately - September 2014 Monitoring Report.	Ongoing	<p>Numerous reports on harassment, intimidation, threats and attacks on journalists e.g. disruption of a Transparency International training programme for journalists by the Ministry of Defence, assault of Kapila Chandana Kurupparachchi while covering post-election violence in the Uva province, reported intimidation and threats against journalists covering court proceedings relating to alleged sexual abuse of 11 year old girl by Sri Lanka Navy personnel in Karainagar, Jaffna.</p> <p>See also: www.sundaytimes.lk/141005/news/blatant-threats-and-attacks-prompt-media-protests-121217.html</p>	Poor progress
36	115b	Impose deterrent punishment on harassment and attacks against media personnel; give priority to the investigation, prosecution and disposal of such cases to build-up public confidence in the criminal justice system.	7	Refer to 9.115a	Fully included		Refer to 9.115a	Refer to 9.115a	Jul-14	Lapsed	Refer to 9.115a	Completed	<p>No deterrent punishments imposed thus far. The Press Council Act prohibits disclosure of certain fiscal, defence, and security information and stipulates that the violation of the Act could result in prison terms.</p> <p>No indication of steps taken to deter attacks or prioritise investigations.</p> <p>(See examples in 9.115c)</p>	Poor progress
37	115c	Investigate expeditiously past incidents of such attacks on media personnel.	7	Refer to 9.115a	Fully included		Refer to 9.115a	Refer to 9.115a	Jul-14	Lapsed	Refer to 9.115a	Completed	No prosecutions or convictions thus far in the murder of Sunday Leader editor Lasantha Wickramatunga and attacks on Uthayan, among others.	Poor progress

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38	115d	Ensure the freedom of movement of media personnel in the North and East, as it would help in the exchange of information contributing to the process of reconciliation.	7	1. Identify impediments to free movement, if any, of media personnel in the North and East 2. Take appropriate action to remove impediments, if any	Fully included		Ministry of Mass Media and Information  Dept. of Police	1) Impediments identified, if any  2) All impediments, if any, removed	Jan-13	Lapsed	Completed. No restrictions on any person, including foreigners, travelling to North & East. No restrictions experienced by media personnel - January 2014 Monitoring Report.	Completed	Since October 2014, foreign passport holders require Defence Ministry approval to travel to the North. ( <a href="http://www.news.lk/news/sri-lanka/item/3595-foreign-nationals-to-north-should-obtain-prior-approval">www.news.lk/news/sri-lanka/item/3595-foreign-nationals-to-north-should-obtain-prior-approval</a> )  Restrictions were imposed on journalists during CHOGM. ( <a href="http://www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit">www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit</a> )	Poor progress
39	117	Remove any remaining restrictions on visiting places of worship including access to places in HSZs with the only exception being made in respect of the restrictions necessitated by mine-clearance activities.	2	1. Identify existing restrictions, if any  2. Remove restrictions, if any	Fully included		Ministry of Religious Affairs	Restrictions if any, removed	Jul-13	Lapsed	No progress reported in any Monitoring reports.	None	Civilian access in the only de facto HSZ (Palaly) is to the airport and harbour.	Poor progress
40	118	Ensure that people, community leaders and religious leaders are free to organize peaceful events and meetings without restrictions.	8	Monitor monthly at GA's conference, whether there are constraints to enjoying this freedom.	Fully included		Ministry of Public Administration	Zero complaints re inability to organize events	No timeframe specified		District Secretaries are taking action to ensure that religious leaders and community leaders are assured of the freedom to organize as well as to hold meetings peacefully - September 2014 Monitoring Report.	Ongoing	There have been numerous reports of obstructions to peaceful assembly. According to INFORM Human Rights Documentation Centre, at least 84 violations of freedom of assembly and association occurred in 2014 (as at 20th September 2014).  ( <a href="https://ihrc.files.wordpress.com/2014/08/freedom-of-assembly-association-in-sri-lanka-inform-20sep2014.pdf">https://ihrc.files.wordpress.com/2014/08/freedom-of-assembly-association-in-sri-lanka-inform-20sep2014.pdf</a> )	Poor progress
41	119	Follow up Action on the Reports of Past Commissions of Inquiry to ensure that visitors from overseas be allowed to visit their friends and relatives in recently resettled areas without any undue restrictions.	8	Identify whether there are undue restrictions to visits and remove such restrictions, if any.	Fully included	No reference to reports of past commissions in NPA	Ministry of Defence, Department of Police, respective GA's	The formulation of a report which confirms that no such restriction exists	Jan-13	Lapsed	Completed. There are facilities and unrestricted access for overseas visitors to visit their friends and relatives in recently resettled areas - July 2014 Monitoring Report.	Completed	Since October 2014, foreign passport holders are required Defence Ministry approval to travel to the north.	Poor progress

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42	120	Implement the recommendations of the Report of the Presidential Commission of Inquiry Appointed to Investigate and Inquire into Alleged Serious Violations of Human Rights Arising Since August 2005, particularly those relating to further investigation and prosecution of offenders involved in the incidents of the death of 5 students in Trincomalee in January 2006 and 17 aid workers of the ACF in August 2006.	1	1. Examine recommendations of Committees  2. Ensure follow up on recommendations are implemented	Fully included		Attorney General and Department of Police	Recommendations implemented.	No timeframe specified		Case pertaining to Trincomalee incident and investigations into Muttur incident ongoing - September 2014 Monitoring Report (more details available in report).	Ongoing	Udalagama Commission Report not published so recommendations are unknown Investigations into the two incidents have begun, but no information has been provided on other incidents.	Poor progress
43	128	Adopt an apolitical approach to implementing the Land Circular No. 2011/04 programme; and Provide the needed human and financial resources for the successful implementation of the Land Circular No. 2011/04 programme.	3	Refer to 9.126	Fully included	No reference to apolitical approach	Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	In progress. Assistant Land Commissioners and Development Officers have been appointed in the North and East, and a budgetary allocation of Rs. 400m for implementation of LLRC recommendations for 2014 has been made - September 2014 Monitoring Report.	Ongoing	Though budgetary allocations have been made, issue of politicisation remains, as those implementing Land Circular 2013/01 are appointed and answerable to the central government.	Poor progress
44	131	Organize, under the Land Commissioner General's Department, a media seminar on the proposed Land Circular No. 2011/04 to enable the Media to project an accurate and clear view of the new Programme under Land Circular No. 2011/04 devoid of political posturing.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	This recommendation was reported completed in August 2013. However, an inquiry with the Land Commissioner General's Department confirmed that no such meeting was held. No information on any subsequent media seminar is available in the public domain.	Poor progress

## Annex: Poor progress

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45	132	Conduct well designed training programmes by the Land Commissioner General's Department for all officers and community leaders based on a short and simple training manual to ensure all training is identical across Districts.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Training programmes conducted - August 2013 Monitoring Report.  Completed - November 2013 Monitoring Report.	Completed	The Land Circular No. 2013/01 specifically contemplates training programmes for all implementation officers directly involved in the programme, but makes no reference to community leaders or to a training manual. According to the LLRC Unit of the Land Commissioner General's Department, no such training manual presently exists.	Poor progress
46	134b	Confine use of land for security purposes; expedite release of maximum extents of such land; while taking into account security concern; accord primacy to the policy objective of allowing people to settle in areas convenient to them.	2	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Partly included	No reference to according primacy to policy objective of allowing people to settle in areas convenient to them	Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	Completed - July 2014 Monitoring Report.  Monitoring reports since February state that implementation is complete and 'Only Civil Officers in charge of land matters have been deployed under the new Circular.'	Completed	According to the report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Sri Lanka, land use by the military for security and non-security purposes continues to prevent IDP access to return areas. There is little or no consultation with IDPs regarding relocation, and concerns remain regarding access to livelihood activities in new villages where they have been settled. (A/HRC/26/33/Add.4, submitted at the 26th sessions of the UNHRC in June 2014)  According to Comments by the Government of Sri Lanka on the SR's report, land belonging to 185 families is currently occupied by the military, and a balance of 67 families have not been able to prove ownership of land. All families have been provided land in Keppapilavu Model Village. (A/HRC/26/33/Add.6, submitted at the 26th sessions of the UNHRC in June 2014)	Poor progress
47	135a	Direct the First Committees [In terms of Land Circular 2011/04] in each of the District Secretariat areas to organize and hold a well publicized 'Community Consultation Meeting' prior to the launch of the First Committee investigation process	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	According to consultations with sample DS divisions, meetings were held on an ad-hoc basis and not before investigation process began.	Poor progress

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48	135b	Direct the planning and conduct of Community Consultation Meetings envisaged in the Land Circular 2011/04 to be based on the experiences of the traditional Land Kachcheri system.	3		Fully included				No timeframe specified		Completed - August 2013 Monitoring Report.	Completed	No indication of incorporating experiences of the Land Kachcheri system, as per Land Commissioner General's Department.	Poor progress
49	136	Direct the Land Commissioner General to establish a mechanism to rapidly consider the constructive suggestions made through the 'Community Consultation Meetings', and to consider using these suggestions as appropriate to further improve the field level methodology of the Land Circular 2011/04 Programme.	3	The proposed 4th Land Commission to take cognizance of the recommendation 9.126, 9.128, 9.129, 9.131 to 9.136 and consider the feasibility of the implementation of such recommendations	Fully included		Ministry of Lands	Implementation of the activities in keeping with the findings of the 4th Land Commission	Jul-14	Lapsed	Completed - August 2013 Monitoring Report.	Completed	No indication of constructive feedback from communities as per Land Commissioner General's Department.	Poor progress
50	137	Make arrangements to strengthen human resource teams at all levels to implement alternate land dispute resolution mechanisms	3		Fully included	Included in July 2013.	Ministry of Lands, Ministry of Resettlement		No timeframe specified		In progress. Assistant Land Commissioners and Development Officers have been appointed in the North and East, and a budgetary allocation of Rs. 400m for implementation of LLRC recommendations for 2014 has been made - September 2014 Monitoring Report.	Ongoing	Land Circular 2013/01 does not focus on dispute resolution but on problem identification and administrative solutions for the same.	Poor progress
51	140a	Apply strict controls to prevent any alienation of State land other than for IDPs, except where State land is required for other approved purposes	3	Ensure implementation of provisions of the Circular of the M/Lands which incorporates this principle.	Fully included		Ministry of Lands	Implementation of circular	Oct-12	Lapsed	Completed - August 2013 Monitoring Report.	Completed	According to clause 2.2.1.1 of Land Circular 2013/01, Cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved.	Poor progress

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52	142a	Subject the two existing HSZs in Palaly and Trincomalee-Sampoor, as well as small extents of private land currently utilized for security purposes in the districts, to review; release more land while keeping national security needs in perspective.	2	Consequent to the review already completed – a) Release lands where possible; b) Take steps to relocate or to pay compensation acting under applicable Statutes (Land Acquisition Act).	Fully included		(a) Ministry of Defence (b) Ministry of Lands	a) Lands released b) Relocation completed c) Compensation paid	a) No timeframe specified b) Jan 2013 c) July 2015	Pending	20,011 acres of private land and 5740 acres of state land in North and East released; Sampur HSZ declared a Development Zone under Bol - January 2014 Monitoring Report.  No new releases of land reported since.	Ongoing	Some land has been released but new acquisitions take place in North and East: 9,717 acres + 17,489 acres in August 2013 report; 4,058 ha (10,023 acres) in November 2013 report.  Landowners illegally restricted from entering their land in Sampur SEZ. Legality of SEZ has been challenged in Court. See case study on Sampur in Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka (CPA 2013)  A vast majority of the 6,000 acres of land acquired in April 2013 in Jaffna is privately owned, but hosts 32 military camps and instalments - Report of the Special Rapporteur on the human rights of IDPs (June 2014).	Poor progress
53	142b	Give, within a specific timeframe, alternative lands or compensation in accordance to applicable laws to all families who have lost lands and or houses due to formal HSZs or to other informal or ad hoc security related needs.	3	Consequent to the review already completed – a) Release lands where possible; b) Take steps to relocate or to pay compensation acting under applicable Statutes (Land Acquisition Act).	Fully included		Ministry of Defence, Ministry of Lands	a) Lands released b) Relocation completed c) Compensation paid	a) No timeframe specified b) Jan 2013 c) July 2015	Pending	Refer to 9.142a	Ongoing	No specific information on alternative land or compensation paid in Monitoring Reports.  Land Circular 2013/01 considers providing alternative land and compensation for land taken over for development by armed forces or government institutions.  Provision of alternative land has been ad hoc - <a href="http://www.thesundayleader.lk/2014/01/12/land-owners-without-land/">http://www.thesundayleader.lk/2014/01/12/land-owners-without-land/</a>	Poor progress
54	143a	Extend livelihood assistance to 'new IDP' families as needed, on an area by area basis for a longer period of time than planned, to ensure family sustenance.	10	Currently there are no "New IDPs". A draft Resettlement Policy has been formulated consequent to stakeholder consultations.	Fully included	Included in July 2013  Extent of progress contingent on the contents of the Draft Resettlement Policy.	Ministry of Resettlement Ministry of Irrigation & Water Management	No KPI specified	No timeframe specified		Currently there are no "New IDPs". A Resettlement Policy has been revised and will be submitted to the Cabinet for approval shortly - September 2014 Monitoring Report.	Ongoing	The revised draft framework for resettlement policy (November 2013) does not distinguish between old and new IDPs. It aims instead to 'ensure a non-discriminatory regime among all the internally displaced persons and returnee refugees irrespective of time of displacement, ethnicity, places of origin'.  No indication that livelihood assistance will be provided for a longer period than initially planned.	Poor progress

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55	149	Ascertain the magnitude of the problems of the 'old IDPs' and with the assistance of the United Nations, begin a programme to return or resettle these displaced persons who wish to return voluntarily.	10		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.195			Jan-14	Lapsed		Ongoing	Draft Resettlement policy does not distinguish between old and new IDPs.	Poor progress
56	150	Expedite action on the establishment of a National Land Commission (NLC) in order to propose appropriate future	3	Include the proposal to establish a NLC in the TOR of the PSC with a view to receiving recommendations.	Partly included	Implementation is contingent on PSC.	1) Presidential Secretariat 2) Ministry of Lands	Proposal included in TOR of PSC	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	NLC yet to be established under the provisions of the Constitution.	Poor progress
57	152	Arrive at a bi-partisan understanding that restitution of land to displaced persons in the North and East is a national issue and not a tool to gain political advantage.	3	Refer recommendation to PSC	Fully included		Presidential Secretariat	Recommendation referred to PSC.	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	Parliamentary Select Committee process launched without the participation of key political actors in the opposition.	Poor progress
58	158	Set a target time frame, via REPPIA, to ensure that all entitlements are met.	10	Complete	Fully included	Included in July 2013	Ministry of Rehabilitation & Prison Reforms	Completed	No timeframe specified		Refer to Recommendations 9.155 and 9.164 - January 2014 Monitoring Report.	Completed	Despite its inclusion in the NPA in July 2013, no details on the action plan for implementation were provided. No timeframes evident in Monitoring Reports.	Poor progress



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59	159	Set a time limit for completion of payments for losses suffered up to the end of the conflict; (per 160a) Consider the following factors in setting a time limit: Reasonable time needed for those making applications; the particular circumstances of IDPs and those who had been living in areas dominated by the LTTE; REPPA's capacity and other relevant factors.	10	Refer to 9.155	Fully included	This was included in the original NPA but not referenced. Reference was added in November 2013.	Refer to 9.155	Refer to 9.155	No timeframe specified		Refer to 9.155	Ongoing	No timeframes evident in Monitoring reports.	Poor progress
60	169	Fill vacancies in Grama Niladhari positions as a priority.	10		Not included	No reference to filling vacancies				N/A		None	Grama Niladhari positions are being regularly filled. However, there is no information on level of priority given.	Poor progress
61	171	Phase out the involvement of the Security Forces in civilian activities and use of private lands by the Security Forces; give reasonable time lines.	2	1. Formulate Plan for further reducing involvement of Security Forces in civilian work. (95% already withdrawn from civilian duties) having regard to the experiences of the reconciliation programmes	Fully included		Ministry of Defence	A marked reduction or withdrawal of security force personnel for civil activities	Jan-13	Lapsed	Completed - February 2013 Monitoring Report.  Involvement of security forces in resettlement and reconstruction activities in the immediate aftermath of the conflict proved crucial but this is being gradually phased out - September 2014 Monitoring Report.	Completed	According to a media report published in May 2013, over 6,000 acres of private land was acquired in Valikamman North, Jaffna. Over 2,000 residents challenged the acquisition in court. ( <a href="http://www.ft.lk/2013/05/31/appeals-court-issues-notice-on-respondents-in-jaffna-land-acquisition-cases">www.ft.lk/2013/05/31/appeals-court-issues-notice-on-respondents-in-jaffna-land-acquisition-cases</a> ).  One out of its eight basic principles of the government's Draft resettlement policy framework is that Sri Lanka Security Forces are to be a partner of the resettlement process. (See: <a href="http://resettlementmin.gov.lk/site/media/pdf/english/Resettlement%20Policy%2007-11-13.pdf">http://resettlementmin.gov.lk/site/media/pdf/english/Resettlement%20Policy%2007-11-13.pdf</a> )  See 134a and 227	Poor progress

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62	196	Take into account, with the cooperation of development partners, the equity and non-discriminatory principles in dealing with the situation of the 'old IDPs'.	10		Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.113 and 9.195			Jan-14	Lapsed		Ongoing	According to a study titled <i>Protracted Displacement, Urgent Solutions: Prospects for Durable Solutions for Protracted IDPs in Sri Lanka (CPA 2013)</i> , differential treatment between 'Old' and 'New' IDPs in the design, planning, funding and implementation of rehabilitation policies have manifested in three main forms – the lack of reference to 'Old IDPs' in the policy agenda, delays in facilitating return of 'Old IDPs' and problems in securing resettlement assistance for 'Old IDPs'. The study further notes that while the government insisted that humanitarian agencies assist in the return of specific Old IDP populations such as Northern Muslim and the Sinhalese IDPs from Weli Oya, it failed to provide necessary resources and other support to extend assistance to all such IDPs despite the shortfall.	Poor progress
63	201	Take into account, in a larger post conflict development agenda and the programmes for reconciliation context, the essential needs of the Tamils of Indian origin.	10	Refer to 9.200	Fully included		Refer to 9.200	Refer to 9.200	Jan-13	Lapsed	Refer to 9.200	Ongoing	Apart from health and education, no clear policy of including Tamils of Indian origin in the post-conflict development agenda.	Poor progress
64	204	Take immediate action to disarm persons in possession of unauthorized weapons and also prosecute such offenders	8	Ensure strict enforcement of the provisions of the Offensive Weapons Act/The Firearms and Explosives Act and the successful prosecution of legal action against offenders.	Fully included		Dept. of Police	A complete disarming of persons in possession of unauthorized weapons.	Jan-13	Lapsed	Refer to 9.73	Completed	Refer to 9.73 and 9.74  Progress reported in Monitoring Reports only refers to disarmament in the North and East just after the war ended. Some incidents involving illegal armed groups continue to take place. In 2013 - alleged EPDP shootout, attacks on Uthayan newspaper office ( <a href="http://www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/">www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/</a> ) In 2014 - attacks during the Uva PC elections	Poor progress

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65	207	Launch a full investigation of allegations that specific individuals (i.e. Bhareti and Karuna) committed several offences of abduction, extortion, robbery etc. in the Eastern province.	8	Conduct investigations speedily and ensure that the Rule of Law prevails having due regard to the Constitution. Guarantee of the equal protection of the law	Fully included		1) Dept. of Police 2) AG's Department 3) Ministry of Justice	An increased rate of successful prosecutions.	Jan-13	Lapsed	Of the 61 persons in custody, investigations relating to many have been completed. Legal action has been taken with regard to the release, indictment or rehabilitation of 181 suspects by the Attorney General and this number has now been reduced to 84. Rehabilitation activities of the terrorist suspects are being conducted by the Department of Rehabilitation - September 2014 Monitoring Report.	Ongoing	Number of those in custody has been decreasing, from 85 in November 2013, to 76 in January 2014 and 61 by July 2014. No change in number of cases where legal action regarding release, indictment or rehabilitation (84) since January 2014.  Progress makes no reference to specific individuals. Iniya Bharati was appointed the President's District Coordinator for Ampara and awarded the title of Deshamanya, the second highest national honour by the President. Vinayagamoorthy Muralitharan (Karuna) is Vice President of SLFP, National List MP and deputy Minister of Rehabilitation.  See 9.79a	Poor progress
66	208	Launch a full investigation of complaints and allegations of extortion against the EPDP.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	No indication of investigations or prosecutions.	Poor progress
67	209	Investigate fully the illegal activities of a gang led by a person called Major Seelan, in connection with offences of abduction, extortion and robbery; Major Seelan was apprehended but the principal offender remains at large.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	No information on investigation or arrest of anyone known as Major Seelan.	Poor progress
68	210	Give full effect to all of its Interim Recommendations concerning illegal armed groups.	8	1. Examine crime statistics and trends to identify critical issues; 2. Take necessary measures to improve law enforcement	Partly included (not referenced)	Contemplated under NPA item relating to recommendation 9.213  Interim recommendation is cited as IR 3	Ministry of Defence	The effective maintenance of law and order	No timeframe specified		Fully implemented as per recommendation 9.73 - February 2013 Monitoring Report.	Completed	Refer 9.73	Poor progress

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69	213	Investigate all allegations against illegal armed groups; prosecute and punish all wrongdoers irrespective of their political links.	8	Refer to 9.207	Fully included		Refer to 9.207	Refer to 9.207	Jan-13	Lapsed	Refer to 9.207	Ongoing	Refer 9.207	Poor progress
70	214	De-Link the Police Department from the institutions dealing with the armed forces which are responsible for the security of the State.	5	Refer this recommendation to the PSC as it deals with an entirely policy/political issue  [Independent Police Commission has already been established]	Partly included	Implementation is contingent on PSC	Proposed Parliamentary Select Committee	Not applicable	No timeframe specified		Completed - January 2014 Monitoring Report.	Completed	The Ministry of Law and Order was established in August 2013, with President Rajapakse holding the portfolios of both Minister of Defence and Minister of Law and Order.	Poor progress
71	218	Establish an independent institution, with a strong investigative arm, to address the grievances of all citizens, in particular the minorities, arising from the abuse of power of public officials and other individuals involved in the governance of the country.	8	1. Review the provisions of existing Institutions to identify additional and more effective measures that need to be taken to strengthen citizens rights.  2. Introduce measures/ mechanisms/ amendment to laws to strengthen citizens grievance mechanisms	Partly included	NPA only seeks to review the recommendation	1) Presidential Secretariat  2) Ministry of Defence  3) AG's Department  4) Ministry of Justice	Report submitted by major stakeholders to the Cabinet of ministers	Jan-13	Lapsed	Public Day of IGP, IGP Help Desk and 'Tell IGP' website enables the public to access available services. Cabinet Memorandum establishing special boards for land mediation will be presented shortly - September 2014 Monitoring Report.	Ongoing	Progress reported only refers to mechanisms for making police complaints. No independent institution as envisaged by the recommendation has been established as yet.	Poor progress
72	219	Protect the right of citizens who have a grievance arising out of any executive or administrative act, particularly those based on ethnicity or religion to seek redress before the independent institution.	8	Refer to 9.218	Partly included	NPA only seeks to review the recommendation	Refer to 9.218	Refer to 9.218	Jan-13	Lapsed	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218.	Poor progress

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73	220	Make provision to give effect to the decisions of a special institution to deal with citizen grievances. Provide for the imposition of sanctions in respect of persons who have abused power.	8	Refer to 9.218	Partly included	Included in July 2013. No reference to giving effect to decisions of special institution	Refer to 9.218	Refer to 9.218	Jun-14	Lapsed	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218.	Poor progress
74	221	Establish Interfaith Reconciliation and Peace Committees at District and Provincial levels to function as a feeder mechanism to support the functions of the above Institution, in particular, by providing grass root level inputs in the implementation of measures aimed at inter - ethnic and inter - religious harmony.	9		Included but intangible	Included in July 2013. Action plan absent.	Ministry of Buddha Sasana & Religious Affairs Ministry of National Languages & Social Integration	No KPI specified	No timeframe specified		A programme was conducted with the participation of Buddhist Bikkus and Hindu priests regarding this recommendation in Polonnaruwa District - September 2014 Monitoring Report.	Ongoing	Inter-faith reconciliation and peace committees are yet to be established.	Poor progress
75	222	Provide for full transparency and make available information regarding the rationale of government decisions; review existing procedures and practices towards this end.	8	Undertake a study of current practices in the administrative machinery with the view to fully catering to the concerns of citizens, in particular the minorities.	Fully included	Action plan unclear	Ministry of Public Administration & Home Affairs	Systems and processes in place that address the concerns of all citizens	No timeframe specified		A review of existing practices in the District and Divisional Secretariats is underway and required processes are being identified through stakeholder workshops. A Complaint Management System is being formulated by M/Public Administration & Home Affairs - September 2014 Monitoring Report.	Ongoing	No mechanism currently in place that guarantees a right to information despite the LLRC recommending legislative measures to this end.	Poor progress

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76	227	Revert the Northern Province to civilian administration in matters relating to the day-to-day life of the people, and in particular with regard to matters pertaining to economic activities such as agriculture, fisheries land etc.; Recede military presence to the background.	2	Refer 9.171	Partly included		Refer 9.171	Refer 9.171	Jan-13	Lapsed	Completed - February 2013 Monitoring Report.  The present strength of security forces in the Jaffna peninsula has been reduced by 30% from 2009 to 2013, is currently approximately 15,000. Gradual reduction of security forces presence is continuing - July 2014 Monitoring Report.	Completed	No reduction in military presence reported in progress reports.  According to a Protection Assessment of Sri Lanka IDPs carried out by the UNHCR in June 2013, an estimated 57 per cent of respondents reported a military presence or a checkpoint less than a mile from their homes, 87 per cent of respondents said they had been registered by the military, and a third said they had been interviewed by the military or the CID. It was reported that military personnel in the north were involved in commercial activities, either in partnership with their relatives or with other people from outside the north. In its comments on the Report of the Special Rapporteur on the human rights of internally displaced persons at the 26th sessions of the UNHRC in June 2014, the government has stated that commercial activity by military including hotels is for the welfare of military personnel and their families (A/HRC/26/33/Add.6).  Military still engages in economic activity: Agriculture: the army runs farms in Ella-Kantale, Kuttigala, Diyatalawa, Paanaluwa, Habarakada, Ekala, Kandakadu, Udayarkattukulam, Menik Farm, Nachchikuda, Kohilawaguruwatta, Palali and Wellakulam areas covering land extent of 2196 acres in total ( <a href="http://www.army.lk/detailed.php?NewsId=4343">www.army.lk/detailed.php?NewsId=4343</a> ) Tourism: <a href="http://www.thalsevanaresort.com">www.thalsevanaresort.com</a> ; <a href="http://www.layahotels.lk">www.layahotels.lk</a> Transport: <a href="http://www.helitours.lk/aboutus.aspx">http://www.helitours.lk/aboutus.aspx</a>	Poor progress
77	228	Make all endeavours, in cooperation with the Opposition, to reach a consensus on an appropriate constitutional amendment to provide for an adequate timeframe to challenge proposed legislation (i.e. pre-enactment judicial review of legislation)	8	Refer to the PSC.	Partly included	Implementation is contingent on PSC	Presidential Secretariat	Not Applicable	Not Applicable		No progress reported in any Monitoring reports.	None	No indication of steps taken towards amendment.	Poor progress

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78	230	Provide leadership to a political process which must be pursued for the purpose of establishing a framework for ensuring sustainable peace and security in the post-conflict environment.	6		Fully included	Included in July 2013. Action plan absent		No KPI specified	No timeframe specified		No progress reported in any Monitoring reports.	None	A Parliamentary Select Committee (PSC) was appointed in October 2011 'to recommend and report political and constitutional measures to empower the people of Sri Lanka as one nation'. The process was launched without the participation of key political actors in opposition. The term of the PSC has been extended by six months, until 21 December 2014. ( <a href="http://www.news.lk/news/item/1269-psc-on-national-problem-given-six-months-more">http://www.news.lk/news/item/1269-psc-on-national-problem-given-six-months-more</a> )  TOR of the PSC available here: <a href="http://www.sundaytimes.lk/111016/Columns/political.html">www.sundaytimes.lk/111016/Columns/political.html</a>	Poor progress
79	236	Launch a good-faith effort to develop a consensus on devolution, building on what exists – both, for maximum possible devolution to the periphery especially at the grass roots level, as well as power sharing at the centre.	6	Refer to the PSC	Partly included	Implementation is contingent on PSC	Presidential Secretariat	Not Applicable	No timeframe specified		No progress reported in any Monitoring reports.	Ongoing	Refer to 9.230	Poor progress
80	237	Initiate a serious and structured dialogue on a high political level with technical backstopping with all political parties and those representing the minorities in particular, based on a proposal containing the Government's own thinking on the form and content of the dialogue process envisaged.	6	Refer to 9.236	Partly included	Refer to 9.236	Refer to 9.236	Refer to 9.236	No timeframe specified		Refer to 9.236	Ongoing	Refer 9.230	Poor progress

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81	241	Include, in the full implementation of the language policy, action plans broken down to the community level, and appropriately covering the Divisions and Local Bodies with targets that can be monitored with citizen participation.	9	<p>1. Assess the current status with regard to representation of Tamil speaking people and Tamil speaking regions in official bodies for implementation of the Official Languages Policy and at different levels in respective public institutions.</p> <p>2. Formulate Action Plans to ensure observance of language rights</p>	Fully included	Included in July 2013	Ministry of National Languages & Social Integration	Assessment completed  Formulate Action Plans	No timeframe specified		Road Map for implementation of the Official Languages Policy (OLP) has been developed by the Ministry of National Languages & Social Integration to be implemented from 2015 to 2020. Language Committees have been established and Language Plans have been formulated within public institutions to strengthen localised implementation of the OLP. A guidebook for the presentation of language plans by public institutions was also launched - September 2014 Monitoring Report.	Ongoing	It is unclear as to whether language committees have been established at community level. No indication as to whether targets will be monitored with citizen participation.	Poor progress
82	250	Station interpreters at Police Stations using retired police officers with bilingual fluency.	9	Refer to 9.245	Partly included	Action envisaged does not include utilising retired bilingual police officers	Refer to 9.245	Refer to 9.245	No timeframe specified		Official Languages Commission had investigated 21 complaints received in April 2014 in relation to violation of Official Languages Policy. Reports were forwarded to relevant institutions regarding the same - September 2014 Monitoring Report.	Ongoing	Progress reported makes no reference to employment of retired bilingual officers. No information to suggest that recruitment drives of such officers have been planned.	Poor progress



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83	260	Develop, with the relevant stakeholder especially civil society, a comprehensive approach to harness the potential of the expatriate community.	9	1. Formulate programme to harness the untapped potential of the expatriate community, through Sri Lankan overseas Missions.  2. Implement programme through Overseas Missions	Fully included	This is not cited as 9.260 but is included nonetheless.	M/External Affairs	1) Programme formulated.  2) Programme implemented	Oct-12	Lapsed	Guidelines for Sri Lanka Missions and Posts abroad on engaging the overseas Sri Lankan communities were highlighted at the Residential Workshop for Heads of Sri Lanka Missions/Posts abroad held in Diyatalawa in July 2012. Missions continue to implement specific programmes in this regard. The Ministry is regularly updating the database of key diaspora organizations and individuals while monitoring activities of Sri Lanka Missions and Posts abroad - September 2014 Monitoring Report.	Ongoing	The same progress has been reported since August 2013.  Expatriate community is currently not provided with any specific scheme to obtain work permits and expatriates are treated similarly to foreign nationals.	Poor progress
84	261a	Engage the elected representatives of the minority parties in a meaningful dialogue on devolution and other grievances.	6	Refer to 9.236	Partly included (not referenced)		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	Refer to 9.230	Poor progress
85	261b	Take action to constructively engage those groups that still harbour adversarial attitudes and the LTTE approach of separation, and find space for those groups to contribute to the local reconciliation and development efforts.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	In March 2014, the government listed 15 Tamil diaspora organizations as organizations engaging in terrorist funding organizations. Moreover organizations such as the LTTE and the Tamil Rehabilitation Organization are proscribed under the PTA Regulations No. 1 of 2011. Under the PTA regulations, any persons who even transacts with the LTTE and the TRO are liable to be arrested and have their property forfeited.	Poor progress

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86	261c	Engage in a proactive diplomatic initiative with the international community, especially those countries that host these diaspora groups.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	<p>According to H.E. Mr Ravinatha P. Ariyasinha (Permanent Representative of Sri Lanka to the UN) at the Diaspora Ministerial Conference in June 2013, the government has engaged in a structured dialogue with members of the Sri Lankan Tamil Diaspora from the United States, United Kingdom, Canada, Australia, Norway, Germany, Switzerland, France among others.</p> <p>(<a href="http://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/IDM-2013-Diaspora-Ministerial-Conference/10-Statement-by-HE-Mr-Ravinatha-P-Ariyasinha-Permanent-Representative-of-Sri-Lanka-to-the-UN-and-other-International-Organizations-in-Geneva-18-June-2013.pdf">http://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/IDM-2013-Diaspora-Ministerial-Conference/10-Statement-by-HE-Mr-Ravinatha-P-Ariyasinha-Permanent-Representative-of-Sri-Lanka-to-the-UN-and-other-International-Organizations-in-Geneva-18-June-2013.pdf</a>)</p> <p>However, post-March 2014 these efforts maybe have been undermined due to the listing of certain diaspora organizations as terrorist funding entities.</p>	Poor progress
87	261d	Adopt liberal policies and attitudes towards those expatriates who wish to invest and work in Sri Lanka, for instance by making it easier to obtain dual nationality status, effect remittances and be able to travel throughout the country without undue restrictions.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	<p>Since October 2014, foreign passport holders require Defence Ministry approval to travel to the North.</p> <p>The government suspended the granting of dual citizenship to expatriates in 2011, which prevented many Sri Lankans abroad unable to proceed with their applications. According to media reports, the facility is to be reintroduced after changes to the relevant laws. The Cabinet has granted its approval and as at March 2014, the proposed amendments had been directed to the Legal Draftsman's Department. (<a href="http://www.sundaytimes.lk/140330/news/govt-slow-in-resuming-dual-citizenship-90931.html">www.sundaytimes.lk/140330/news/govt-slow-in-resuming-dual-citizenship-90931.html</a>) In a speech in Parliament during the Budget Debate on 28 October 2014, TNA MP M.A. Sumanthiran stated that the government discriminated against Tamil applicants applying for dual citizenship. (<a href="http://parliament.lk/uploads/documents/hansard/1414823868096353.pdf">http://parliament.lk/uploads/documents/hansard/1414823868096353.pdf</a>)</p>	Poor progress

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88	261e	Conduct a carefully worked out program of action through diplomatic missions and civil society groups here and abroad.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	No discernible programme of action available, particularly following March 2014, when the government listed 15 Tamil diaspora organizations as organizations engaging in terrorist funding organizations.	Poor progress
89	262	Take the initiative to constructively engage development partners in Sri Lanka and abroad in order to develop a self-reliant, future oriented community in the Wanni, with open minds to build on and sustain reconciliatory community relationships.	9	Refer to 9.260	Partly included (not referenced)	Contemplated under NPA item relating to recommendations 9.261 and 263.	Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	Initiatives to work with development partners such as the World Bank and the Asian Development Bank continue to take place in the country, however there is no clear information on their focus on building on and sustaining community relationships in the Wanni.	Poor progress
90	263	Constitute a Multi - Disciplinary Task Force that will include representatives from the Presidential Secretariat, External Affairs, Defence, Foreign Employment, the Private Sector, and Academia, to propose a programme of action to harness the untapped potential of the expatriate community, and to respond to the concerns of the so-called 'hostile diaspora groups,' and to engage them constructively with the Government and other stakeholders involved in the reconciliation process.	9	Refer to 9.260	Fully included		Refer to 9.260	Refer to 9.260	Oct-12	Lapsed	Refer to 9.260	Ongoing	No information to suggest the establishment and functioning of such a task force.	Poor progress

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91	267	Take strong deterrent action to prevent incidents of inter-faith intolerance and make every endeavour to arrest the occurrence of such incidents.	8	Action already taken.	Partly included	Included in July 2013, fully included. However, no reference to inter-faith intolerance	Ministry of Buddha Sasana and Religious Affairs, Ministry of Law and Order		No timeframe specified		Completed. No further action required - January 2014 Monitoring Report.  Prompt action is taken against all reported incidents - July 2014 Monitoring Report onwards.	Completed	According to data gathered by the NCEASL and SfM, over 460 reports of inter-faith intolerance (against Muslim and Christian communities) from 2013 to mid-2014.	Poor progress
92	270	Facilitate the establishment of a mechanism in consultation with inter-faith groups, with a mandate to serve as an early warning and early diffusing procedure.	8	1. Continue implementation of the Civil Defence Committee programme of the Police and Community Policing programme.  2. Implement capacity building programmes for the Police officers in the CDC's	Partly included	No special mechanism nor consultation of inter-faith groups	Dept. of Police, Ministry of Law and Order	Implementation of such programmes and wide publicity of such programmes	Jun-14		All issues pertaining to the safety of the society are being tackled through Civil Defence Committees - September 2014 Monitoring Report.	Ongoing	No reference to consultation with inter-faith groups or establishment of such a mechanism.	Poor progress
93	275	Give special attention to translation, publication and dissemination of major literary works in Tamil into Sinhala, and similarly Sinhala literary works into Tamil.	9	Refer to 9.274	Fully included		Refer to 9.274	Refer to 9.274	Jul-13	Lapsed	Refer to 9.274	Ongoing	Monitoring Reports released up to November 2013 cited translation of 4 award winning books by the Ministry of Culture and the Arts as progress in implementing of this recommendation. However according to a senior official within the ministry consulted in September 2013, these translations were private initiatives and did not receive state funding. No update on status of these translations has been provided.	Poor progress

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94	283	Enact and strictly enforce deterrent laws to deal with 'hate speech' relating to ethnicity, religion, and literature	8	1. Examine the adequacy of penal legislation to deal with hate speech. 2. Introduce law reform if necessary.	Fully included	Plan makes no reference to a separate event	1) Presidential Secretariat  2) Ministry of National Languages and Social Integration  3) Ministry of Public Administration & Home Affairs	Sustainable peace and harmony amongst all people	Jul-13	Lapsed	Convention on National Unity in Diversity was held in April, 2014. Ministry of Public Administration has instructed all District Secretaries to safeguard the rights and representation of all ethnic groups during national events organised at district and provincial levels. Action was taken to ensure representation of all ethnic groups in cultural events and in the singing of the national anthem during National Day celebrations held in Trincomalee and at district level in other parts of the country - September 2014 Monitoring Report.	Ongoing	No new law introduced.	Poor progress
95	285	Set apart a separate event on the National Day to express solidarity and empathy with all victims of the tragic conflict and pledge our collective commitment to ensure that there should never be such blood-letting in the country again	9	Continue the present practice of expressing solidarity as one nation and one people and of pledging a collective commitment to non-violence and peace so as to ensure a non-recurrence of the past events that led to the internecine conflict	Partly included	Plan makes no reference to a separate event	1) Presidential Secretariat  2) Ministry of National Languages and Social Integration  3) Ministry of Public Administration & Home Affairs	Sustainable peace and harmony amongst all people	No timeframe specified		Convention on National Unity in Diversity was held in April, 2014. Ministry of Public Administration has instructed all District Secretaries to safeguard the rights and representation of all ethnic groups during national events organised at district and provincial levels. Action was taken to ensure representation of all ethnic groups in cultural events and in the singing of the national anthem during National Day celebrations held in Trincomalee and at district level in other parts of the country - September 2014 Monitoring Report.	Ongoing	No separate event as envisaged by this recommendation was held on National Day 2014.	Poor progress

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1	47	Ensure the safety and security of any person taken into custody by governmental authorities through surrender or arrest.	4		Not included	No reference to steps taken to ensure safety and security of surrendees				N/A		None	No plan to implement recommendation.  Incidents of custodial deaths frequently reported. e.g. custodial deaths of Ganesan Nimalaruban and Mariyadas Pevis Delrukshan in 2012.  Meanwhile, a report by the Asian Legal Resource Centre (2013) titled <i>Narrative of Justice in Sri Lanka</i> details over 400 cases of custodial torture over the last ten years indicating a more systemic problem.	No progress
2	50b	Keep families informed of progress towards locating their missing loved ones.	1		Not included	No action to keep families informed				N/A		None	No specific action taken. Frequent reports of harassment and intimidation of families of the disappeared.  See: Written statement submitted by the Asian Forum for Human Rights and Development at the 27th Sessions of the UNHRC in September 2014 (A/HRC/27/NGO/91)	No progress

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3	70	Take conclusive action to dispose of cases of persons being held long periods without charge by bringing charges or releasing them where there is a lack of evidence against them.	4	1. Identify and establish procedures in the existing system to address the issue  2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.	Partly included	Included in July 2013. No reference to releasing detainees where there is a lack of evidence against them.	Ministry of Justice, Attorney-General's Dept.		No timeframe specified		A team of Attorneys-at-Law acting under the supervision of an Additional Solicitor General and a Deputy Solicitor General is taking action to recommend charges, discharge or any other course of action i.e. rehabilitation having considered evidence available against each detainee - July 2014 Monitoring Report.	None	No progress reported in any Monitoring Reports prior to July 2014. Moreover as indicated in progress reported under 9.62, 160 cases have been pending for over one and a half years.	No progress
4	91	Address issues pertaining to missing persons, abductions, arbitrary detentions, long and indefinite detentions, and disappearances as a priority; acknowledge right of women to the truth and legal remedies	4		Not included	No reference to specific gender sensitivity				N/A		None	No indication that these issues have been prioritised. No information on any investigations into disappearances, indictments, or convictions in cases involving disappearances. Families of the disappeared and anti-disappearance campaigners have faced threats, harassment e.g. Woman activist Jeyakumari Balendran was arrested and remains in detention to date.  See also: Written statement by the Asian Forum for Human Rights and Development to the UNHRC in September 2014 (A/HRC/27/NGO/91)	No progress
5	100	Put in place national legislation to realize the rights of persons with disabilities in line with the UN Convention on Rights of Persons with Disabilities.	11	Completed	Fully included	Included in July 2013 Action plan absent	Ministry of Social Services Ministry of Construction	No KPI specified	No timeframe specified		Completed. Disabled-friendly national legislation is already in force. E.g. Act No. 28 of 1996 Protection of the Rights of Persons with Disabilities has been amended to recognize all the rights of persons with disabilities in accordance with the UN Convention, Election Special Act of 2011, Accessibility Regulations No. 1 of 2006. A National Policy on Disability is in operation - January 2014 Monitoring Report.	Completed	The UN Convention on the Rights of Persons with Disabilities was signed in 2007 and is yet to be ratified. Act No. 28 of 1996 and its amendment in 2003 pre-dated the signing of the convention. Furthermore, aspects of the UN Convention, such as the development and implementation of minimum standards and guidelines for accessibility of public facilities and services, are currently not reflected.	No progress

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6	115e	Enact legislation to ensure the right to information.	7	Cabinet to decide the suitable time frame for drafting legislation.	Fully included		Ministry of Mass Media and Information	The Cabinet Office will be the interface for the interaction with the Cabinet of Ministers on the acceptance of such legislation by the legislature.	No timeframe specified		No progress reported in any Monitoring Reports.	None	No current plan to enact legislation on Right to Information.	No progress
7	124a	Protect the right of citizens to buy lands where they please; In the case of inter provincial irrigation or land settlement schemes, distribution of State land should continue to be as provided for in the Constitution of Sri Lanka.	3	1 (a) Conduct study to ascertain whether practices infringe on legal rights to acquire land (b) Take appropriate steps to remove infringements, if any exist (c) Effective implementation of the policy on land use with a view to identifying appropriate state land available for settlement.	Fully included		1) Ministry of Lands  2) P.T.F. for N & E  3) Presidential Secretariat	1) A completed study of the alienation of state land with specific reference to the N & E  2) Appointment of the 4th Land Commission	Jul-13	Lapsed	Rights safeguarded under new circular - February 2013 Monitoring Report. Reports from August 2013 onwards state that implementation is complete.	Completed	Land Circular 2013/01 makes no reference to purchase of private land. Non-legal impediments remain.  According to clause 2.2.1.1 of the Land Circular 2013/01, the cabinet has decided not to alienate land to the landless until land problems of those affected by the conflict are solved.	No progress



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8	124b	Ensure that land policy of the Government does not become an instrument to effect unnatural changes in the demographic pattern of a given Province	3	<p>Appoint a 4th Land Commission with a TOR similar to the previous three (i.e. the LC's of 1927, 1936 and 1985) to recommend policy to address issues</p> <p>3. Ensure effective implementation of Statutes, i.e. The State Lands Ord., Land Development Ordinance, Land Grants (Sp. Provisions) Act.</p>	Partly included	No commitment regarding preventing demographic changes	Ministry of Lands	Policy formulated	Jul-14	Lapsed	Ongoing - September 2014 Monitoring Report.	Ongoing	<p>According to TNA MP R. Sampanthan, settlement of Sinhalese families has occurred in Trincomalee and Mullaitivu in addition to military occupation of Tamil-owned land. (Parliament speech on 7 August 2014, available at: <a href="http://parliament.lk/uploads/documents/hansard/1407812010069343.pdf">http://parliament.lk/uploads/documents/hansard/1407812010069343.pdf</a>)</p> <p>According to Women's Action Network '...4800 Sinhala families brought to Weli Oya and about 2000 families to Thalabogaswewa. On 20th April President Mahinda Rajapaksa visited Weli Oya and personally instructed the government officers to expedite the settlement there and handed over land documents to new settlers.' (Women's Action Network, quoted in Politics, Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka (CPA 2013))</p> <p>The settlement of 25,000 Sinhalese families under Mahaweli system L has been planned. (<a href="http://www.defence.lk/new.asp?fname=20090818_02">http://www.defence.lk/new.asp?fname=20090818_02</a>)</p>	No progress
9	134a	Disengage Security Forces from all civil administration related activities as rapidly as possible.	2		Not included	No reference to disengagement. 134b is included but not 134a				N/A		None	Military continues to be involved in maintaining public order under the Public Security Ordinance through monthly gazette notifications. See Gazette Extraordinary No.1891/7 (December 2014)	No progress
10	140b	Make legal provision to enable relevant authorities to investigate and institute legal action in cases against any public officer, Attorney-at-Law, or Notary Public who commits or abets the alienation of State land through spurious deeds.	3		Not included	No reference to specific legal provisions				N/A		None	No new law introduced.	No progress

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11	153	Ensure that those who are eligible for payments, compensation or monetary relief have access to it within a reasonable timeframe.	10		Not included	Arguably contemplated under NPA item relating to recommendation 9.155, but no reference to reasonable timeframes				N/A		None	Recommendation was not included in the NPA. No information to suggest that timeframes have been provided.	No progress
12	198	Undertake an in-depth study to identify the needs of the people in villages adjacent to former conflict areas to address the question of improving their livelihood.	10		Not included	No reference to in-depth study				N/A		None	No publicly available information to suggest that such a study has been undertaken.	No progress
13	199	Ensure even-handed resource allocation and development of villages.	10		Not included	No reference to even-handed resource allocation				N/A		None	No specific policy on equitable resource allocation and development of villages.	No progress
14	215	Establish an independent permanent Police Commission as a pre-requisite to guarantee the effective functioning of the Police and to generate public confidence.	5	Refer to 9.214	Partly included	Refer to 9.214	Refer to 9.214	Refer to 9.214	No timeframe specified		Completed - January 2014 Monitoring Report.	Completed	Under the 18th Amendment to the Constitution, the chairman and members of Police Commission are appointed by the president.	No progress

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15	226	Establish an Independent Public Service Commission without delay to ensure that there is no political interference in the public service and that recruitment and promotions in the public service are in conformity with the equality provisions in the Constitution.	5	An independent Public Services Commission has been established	Fully included				No timeframe specified		No progress reported in any Monitoring reports.	Completed	Under the 18th Amendment to the Constitution, the chairman and members of the Public Services Commission are appointed by the president.	No progress
16	277	Support and maintain the practice of the National Anthem being sung simultaneously in two languages to the same tune.	9	Examine the implementation of this recommendation vis-à-vis the current Constitutional provisions, at the PSC.	Partly included	Implementation is contingent on PSC	Presidential Secretariat	The implementation of the recommendations of the PSC	No timeframe specified		No progress reported in any Monitoring Reports.	None	Currently, the national anthem is only sung in Sinhala at state events. According to one media report, the Ministry of National Languages and Social Integration proposed that a bilingual consolidated national anthem be sung at National Day 2013. However this has not been put into practice. ( <a href="http://www.dailymirror.lk/news/25219-bilingual-national-anthem-proposal-sent-to-president.html">www.dailymirror.lk/news/25219-bilingual-national-anthem-proposal-sent-to-president.html</a> ) Since implementation is contingent on the PSC, there is currently no clear plan to implement this recommendation.	No progress





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