



வலிந்து காணாமல் ஆக்கப்பட்டவர்களின் உறவுகளின் சங்கம்  
வடக்கு-கிழக்கு மாகாணங்கள்

**Association for Relatives of the Enforced Disappearance**  
**NORTH & EAST PROVINCES**

பதிவு இல }  
Rgd No }

கண்டி வீதி, கிலினொச்சி  
Kandy Road, Kilinochchi

திகதி }  
Date } 07.08.2018

Her Excellency Simonetta Sommaruga  
Federal Councilor and Head of Justice and Police  
Government of Switzerland

Your Excellency,

**Demands of the Families of the Disappeared**

We the undersigned are members of families of the disappeared from across the North-East of Sri Lanka express our profound gratitude for the opportunity to meet with Your Excellency.

As Your Excellency may be aware, for the past 500 days or more we have been protesting roadside in Kilinochchi, Mullaitivu, Vavuniya, Marunathankerny and Trincomalee demanding answers for the whereabouts of our disappeared loved ones.

Our loved ones were taken from us during and after the war in white van abductions, snatched directly from our homes, taken during round-ups in the East, and in so many other horrific ways. Many of our sons, daughters, husbands, and wives disappeared after we surrendered them to the Sri Lankan army at the end of the war, after they had been taken into custody. For some of us it's been decades since we last saw our loved ones, and decades since we've had any peace. Most of us believe that our loved ones are kept in detention by the Sri Lankan Government in secret prisons or otherwise.

We've travelled across the country to every military camp, every government prison, every police station demanding answers to our one question – where are they? We've gone before every commission, every inquiry, every UN official, every INGO, in the hopes that they will be able to help us find our loved ones.

But nine years after the war, and one year after we began this protest, the Sri Lankan government has still done nothing to provide us with the answers we so desperately seek. We continue to sit on the roadside in terrible conditions through heat, rain and dust with one aim – to obtain truth and justice for our disappeared loved ones. We have lost eight of our fellow campaigners while in protest.

On June 12, 2017, President Maithripala Sirisena agreed to meet 5 of our demands:

1. Release a list of all those who surrendered or were detained by the Sri Lankan Armed forces during and after the war, and in particular during the last stages of the war (latter part of 2008 – 2009). Such detention/ surrender took place at a number of exit points from LTTE-controlled areas to Sri Lankan Army-controlled areas throughout the last stages of the war but mostly over the last few days of the war in May 2009. These lists should be available with the different divisions of the armed forces in charge of the exit points. The Government should collate this



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information intelligently and make them available to us to find out whether any of our loved ones are on such lists.

2. Release a list of all secret detention centres run by the Sri Lankan Armed Forces/ Police throughout the war and after the war, their current status and an annual list of detainees held in such detention centres throughout the war and after the end of the war.
3. Release a list of all detainees being held under the PTA/ Emergency Regulation or unlawfully in any legal detention centre in Sri Lanka. Release a list of detainees held in these legal detention centres/remand prisons/prisons annually from 1983 onwards.
4. The Government must release these lists to a representative group of families of the disappeared, their lawyers and any representatives that they authorize.
5. Release in the public domain all reports of committees/ commissions on the subject of disappearances appointed by various Governments over the past 30 years, and this Government's response to those reports.

Yet despite meeting with him on three separate occasions, the government has yet to address any of the above.

On November 16, 2017, we wrote to the President to express our concerns about the Office of Missing Persons (OMP) and that in order for it to be even considered baseline credible by us, among other things:

- A. The process of nominations for commissioners would need to be transparent and accountable to us;
- B. At least two commissioners should be representatives of families of the disappeared and at least four of the commissioners should be Tamil-speaking;
- C. Credible, international experts should be appointed to monitor the process; and
- D. A credible prosecutorial mechanism must be commenced alongside the OMP.

We were not consulted when the OMP bill was drafted. We made our own efforts to meet the President and officials at the Secretariat for Coordinating Reconciliation Mechanisms to discuss our concerns with the OMP. Despite our efforts, our concerns have not been taken on board. Given that our concerns have not been addressed and given that the President has failed to deliver his promises in relation to releasing the lists we are left with no option but to conclude that the OMP will be an exercise in futility.

After a protracted delay in setting up the OMP the names of the commissioners were finally announced in March 2018. The OMP's composition is riddled with contradictions. While we recognise that one of our own (for largely tokenistic purposes we fear) has also been appointed it also includes a person who served as Director/Legal for the Sri Lankan Army during the last phase of the war. Quite strangely it does not include any civil society activist from the North-East with considerable on-the-ground activism on



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the issue of disappearances. One of the civil society representatives on the OMP worked very closely for President Sirisena/ Prime Minister Wickremesinghe during the elections in 2015 and we presume for good reasons, would do nothing to displease the powers in Colombo. Be that as it may, for us to trust the OMP despite all of this we need to see action, not words, not more offices.

As of recently the OMP has started organising meeting in the North-East and elsewhere in the name of 'consultations'. The mothers in the North-East are an organised group and have collectively put forward our demands at various *fora*. Hence the views of the families of the disappeared in the North-East is well known. We welcome consultations but again it cannot be tokenistic. As outlined earlier the OMP must take decisive action to inspire confidence in the institution. We cannot be asked to repose blind trust on the OMP just because some actors locally and internationally want to show goodwill to the incumbent Government. We cannot be asked to throw ourselves, beg and kneel for justice before any commission or office the Government establishes. We have done enough of that. The burden is not on us to show *bona fides*. It is on the OMP. We in fact had a suggestion for the OMP when they came to meet us: Why not press for the lists that we referred to in our meeting with President Sirisena? To date, as ever, there is no satisfactory reply.

Your Excellency,

Ever since this Government was voted into power the International Community have asked us to support its half-baked initiatives. The burden has shifted from the Government to us, the victim community to demonstrate that we are willing to work towards solutions. We are being continuously accused of lacking self-agency. This is adding injury to insult. No one – no political party, or organisation internal or external to Sri Lanka asked us to take the protests to the roads. That was our own decision. We decide our own future. We may have internal disagreements but that is for us to sort out. But we are clear in what we want. If we are trust any more of Sri Lankan Government's commissions and offices, we say show us by decisive action not by more of these commissions. We hope you convey this to representatives of the Government of Sri Lanka.

Thank you

(Signed)

On Behalf of the Families of the Disappeared