



A Call to President Maithripala Sirisena: Establish the Office of Missing Persons Immediately

June 1st 2017, Colombo, Sri Lanka: The Centre for Policy Alternatives (CPA) is deeply concerned with the inaction of the Government of Sri Lanka in realising key promises made to a significant number of its citizens about the search for their disappeared and missing loved ones. Despite the numerous calls for action including persistent protests by victims, their pleas have gone unheeded. The ambitious promises made in 2015, including the establishment of the Office of Missing Persons (OMP) and the criminalising of enforced disappearances, are yet to be fulfilled.

Legislation to establish the first permanent and independent mechanism to investigate enforced disappearances and missing persons was enacted by Parliament in August 2016. Despite shortcomings in the drafting process, CPA welcomed the legislation as a genuine opportunity to break from the past and provide answers to victims. More than nine months after the legislation was enacted, CPA is disappointed that the OMP remains yet another elusive mechanism. Moreover, CPA is concerned that rather than establish the OMP, the Government has introduced draft legislation to diminish the OMPs ability to enter into agreements necessary to achieve its mandate. This amendment could potentially impede the functioning of the OMP as an independent and effective institution. CPA is informed that the OMP Amendment Bill (Office on Missing Persons (Establishment, Administration and Discharge of Functions) (Amendment) Bill) is presently listed for debate in Parliament on 7th June 2017. In such a context, CPA reiterates its previous calls and urges President Maithripala Sirisena to fulfil his constitutional duty and take steps to establish the OMP, appoint independent and experienced individuals to the OMP and provide for the necessary resources and assistance for its effective functioning. Any new amendments to the legislation should be done in good faith and should not vitiate the purpose of the OMP.

Enforced disappearances and missing persons are issues that have plagued Sri Lanka for several decades, with successive governments appointing numerous commissions and committees with little or no follow up action. CPA [has](#) commented on the numerous flawed state initiatives that failed to deliver on truth and justice to victims, with many initiatives re-traumatising victims and giving false hopes. In effect, such initiatives made a mockery of the dignity of victims, with the delays and inaction further exacerbating the culture of impunity. These are reminders as to why another committee, as indicated in recent statements by

President Sirisena, will be a mistake. It will further compound the notion that the Executive President, by design or omission, is more inclined to perpetuate the silence and impunity that fosters deep divisions and mistrust than assist thousands of his fellow citizens in finding answers about the disappearance of their loved ones.

Decades of wrongs by the State and non-state actors have had a profound impact on citizens across Sri Lanka and contributed to a legacy of violence. Inaction and apathy now will strengthen the hands of the critics waiting for the Government to squander this unique opportunity to usher in reforms for truth, justice and reconciliation. More than eight years after the end of the war and two years into the “*Yahapalanaya* government”, time is of the essence for the Government to deliver on some of its most crucial promises. President Sirisena must act now!

CPA's previous statements and documents on the OMP and related issues can be found at: www.cpalanka.org and www.tjsrilanka.org