

**Opening Statement by Hon. Harshana Nanayakkara,  
Minister of Justice and National Integration  
at the consideration of Sri Lanka's Initial Report under the International  
Convention for the Protection of All Persons from Enforced Disappearance  
26<sup>th</sup> September 2025**

Mr. Chairman,  
Distinguished Members of the Committee,

1. It is my honour to lead the Sri Lanka delegation to this dialogue with the Committee on Enforced Disappearance and to present Sri Lanka's Initial Report under Article 29 of the International Convention for the Protection of All Persons from Enforced Disappearance.
2. My delegation, both present here and joining virtually from Colombo, includes members from the Ministry of Justice and National Integration, Ministry of Foreign Affairs, Foreign Employment and Tourism, the Ministry of Defence, Ministry of Public Security and Parliamentary Affairs, Ministry of Women and Child Affairs, the Attorney General's Department, Sri Lanka Police, the Department of Probation and Child Care Services, National Child Protection Authority, the Office on Missing Persons, the Office for Reparations, the Office for National Unity and Reconciliation, and the Permanent Mission of Sri Lanka to the UN in Geneva.

Mr. Chairman,

3. At the outset, I would like to reiterate Sri Lanka's firm commitment to safeguarding and protecting the human rights of all citizens as enshrined in the Universal Declaration of Human Rights.  
I wish to further emphasize that the principles of freedom, equality, justice, fundamental human rights and the independence of the judiciary are assured to all the people of Sri Lanka under the Constitution, which is the supreme law of the country.
4. As a State Party to all nine core human rights Conventions, Sri Lanka has demonstrated an unwavering commitment through decades of consistent, transparent, and meaningful engagement with the United Nations human rights mechanisms.
5. It is in this spirit, that Sri Lanka engages with the Treaty Bodies, which are international obligations Sri Lanka has signed up to voluntarily, the Special Procedures, the UN Human Rights Council and the Office of the High Commissioner.
6. On the 8<sup>th</sup> of September 2025, the Hon. Minister of Foreign Affairs addressed the 60<sup>th</sup> session of the Human Rights Council, providing an update on the domestic processes to safeguard and promote human rights as well as legislative amendments that are underway.

Mr. Chairman,

7. The most recent example of Sri Lanka's engagement with Treaty Bodies was our active participation in the ninth periodic review under the Convention on the Elimination of

All Forms of Discrimination Against Women (CEDAW) in February 2025. Prior to that, in March 2023, Sri Lanka engaged with the Human Rights Committee for the review of its sixth report under the ICCPR, as well as the 4<sup>th</sup> Cycle of the Universal Periodic Review process in February 2023.

8. Sri Lanka signed the Convention on Enforced Disappearances on 10 December 2015 and ratified it on 25th May 2016. Engaging with this Committee is not merely a reporting obligation for us, but an opportunity to strengthen national frameworks, uphold accountability and ensure that the rights and dignity of all persons are safeguarded in line with international standards.
9. In keeping with our openness to engaging with the UN on human rights, the Government facilitated the High Commissioner for Human Rights to visit Sri Lanka in June 2025 where he engaged with a broad cross section of stakeholders including Government officials, civil society, religious leaders, victims' families and political parties.  
The Government also facilitated the High Commissioner's visit to the Northern and Eastern Provinces, as well as to the Chemmani grave site which is currently being excavated under judicial oversight. During the visit, the High Commissioner further had the opportunity to listen to the families of those who have lost loved ones during the conflict.

Mr. Chairman,

10. As this is the first time Sri Lanka is engaging with this Committee, allow me to give a brief background of Sri Lanka's recent history.
11. Sri Lanka is a multi-ethnic, multi religious country where this diversity is celebrated, and contributes to our rich social fabric. Different peoples have lived in peace and harmony in Sri Lanka for centuries.
12. After regaining our independence from centuries of colonial rule in 1948, Sri Lanka experienced its darkest period during 30 years of conflict resulting from terrorism. The country has also gone through periods of political and civil unrest, and devastating natural disasters such as the Tsunami in 2004
13. The Government of President Anura Kumara Dissanayaka is firmly and genuinely committed to working towards a country that respects and celebrates the diversity of its people with no division or discrimination. Our commitment in this regard arises from our principles and experience and the paramount need to ensure the rights and well-being of our own people.

Mr. Chairman, Distinguished Members of the Committee,

14. In 2024, the people of Sri Lanka elected a new Government in a free and fair election followed by a peaceful transition of power. The current Parliament is one of the most inclusive in post Independent Sri Lanka reflecting the will of the people of the North, South, East and West.
15. The Government is committed to bring in a new political culture to ensure that racism, extremism and corruption are addressed robustly and the rule of law applies equally to all people. The democratic institutions will be made stronger to enhance public trust,

contributing to political, economic and social stability. It is our intention not to betray the trust reposed in us, by the people of Sri Lanka.

16. As reaffirmed by the Minister of Foreign Affairs at the Human Rights Council earlier this month, the Government is committed to ensuring that the domestic reconciliation mechanisms established to address challenges emanating from the conflict are allowed to continue their work independently, strengthened by additional financial and human resources.
17. While acknowledging the remaining challenges, we are confident and determined to address them in an inclusive, transparent, and sustainable manner that honours the rights and dignity of all affected persons.

Mr. Chair, Distinguished Members of the Committee,  
I will now turn to some issues that are directly pertinent to today's dialogue.

18. Following Sri Lanka's ratification of the Convention on Enforced Disappearance, no cases of enforced disappearance have been reported in Sri Lanka during the reporting period of 2017 to 2023. It is important to underscore that, even prior to the formulation of this Convention in 2006, its entry into force in 2010, and Sri Lanka's ratification in 2016, Sri Lanka had a long-standing practice of investigating complaints of disappearances.
19. Successive governments sought to address this issue through the establishment of dedicated national mechanisms, including several Commissions of Inquiry, mandated to receive complaints, investigate cases, and recommend appropriate action in respect of missing and disappeared persons. These processes have been complemented by our legal, policy and institutional framework.
20. The Constitution of Sri Lanka contains provisions to address grievances for violations of fundamental rights, under Article 126. Article 17 of the Constitution guarantees that individuals whose fundamental rights have been infringed or are imminently infringed due to executive or administrative action, can seek relief before the Supreme Court under Article 126. Additionally, Article 141 of the Constitution has provision for a party to invoke the writ jurisdiction of the Court of Appeal with regard to the writ of Habeas Corpus.
21. The International Convention for the Protection of all Persons from Enforced Disappearance Act, (No. 05 of 2018) dated 21 March 2018, was enacted to give effect to the Convention on Enforced Disappearance and operationalize it domestically. This Act provides for an absolute prohibition on enforced disappearance and does not permit any justifications or mitigating circumstances with respect to the commission of an enforced disappearance. Section 23 of the Act provides that the 2018 Act supersedes all other written laws, illustrating that it has been given eminent standing insofar as our criminal justice system is concerned.
22. On more recent developments relevant to the Convention, the Government has initiated action to introduce new counter terrorism legislation with a view to repealing the current Prevention of Terrorism Act. The Cabinet appointed Committee in this regard is formulating proposals and continuing its deliberations towards finalizing a draft counter terrorism legislation that aligns with international standards and best

practices. The Government expects to gazette the new counter terrorism legislation very soon, repealing the current Prevention of Terrorism Act (PTA). The ongoing work in this regard is at an advanced state.

Mr. Chair,

23. The Office on Missing Persons Act, (No. 14 of 2016), was enacted within a specific context, as reflected in its preamble, which acknowledges the existence of incidents of missing persons, including those who disappeared as victims of abduction, those missing in action, or otherwise unaccounted for in connection with the conflict, political unrest, and civil disturbances. It further recognizes that relatives of missing persons are entitled to know the circumstances under which such persons went missing and their ultimate fate and whereabouts. The preamble also underscores the necessity of establishing an institution empowered to take all measures required to search for and trace missing persons, protect the rights and interests of missing persons and their families, and contribute towards ensuring non-recurrence.
24. The establishment of the Office on Missing Persons in 2018 was a significant milestone in Sri Lanka's efforts to address the issue of missing persons and the disappeared. It operationalized a permanent and independent State institution responsible for clarifying in a transparent and structured manner, the fate and whereabouts of persons who went missing or were disappeared.
25. The Office draws on technical support from academia, the ICRC, and other partners. Its victim-centred approach to public engagement and decision-making has been met with positive public response, underscoring its role as a trusted mechanism. The Cabinet of Ministers has recently approved an additional Rs. 375 million to the OMP in order to expedite the investigation of missing person allegations, which it views as a special priority.
26. Its broad mandate encompasses searching for and tracing missing persons irrespective of the period of disappearance, clarifying and investigating the circumstances, making recommendations to competent authorities for redress and protection, developing and maintaining a centralized database, and supporting and informing families of their rights and entitlements.  
To date, the OMP has successfully traced 23 missing persons, issued Certificates of Absence and made referrals to the Office for Reparations for the provision of reparations.
27. In addition to the OMP, Sri Lanka has a strong and vibrant governance structure and an independent judiciary, further strengthened by the vigilance and oversight of independent commissions. The Human Rights Commission of Sri Lanka (HRCSL), a National Human Rights Institution with 'A' status is mandated to investigate fundamental rights violations, including monitoring places of detention. This envisages regular visits without prior notice, to police stations, prisons, and childcare facilities. Further, Attorneys-at-Law have the right of access to remanded/detained persons and to make representations on their behalf while such persons have the right to communicate with their relatives.
28. The Government continues to strengthen the domestic reconciliation mechanisms which, apart from the OMP, also include the Office for Reparations, and Office of

National Unity and Reconciliation (ONUR) by guaranteeing their independence and making the necessary resource allocations.

29. Other initiatives that have been undertaken by the Government include drafting a national policy and Action Plan on Reconciliation, with the support of the UN Country Team in Sri Lanka, and initiating work towards the establishment of an independent public prosecutor's office as pledged by the Government in its policy statement.
30. The Government is acutely conscious of the immense impact of enforced disappearance on victims' families in all parts of the country, and is firm in its commitment to addressing challenges while moving forward. Through the work of the OMP and other related institutions, and in line with the national legislation on enforced disappearance, the Government's principal concern remains to ensure that the voices of the missing and their families are heard, acknowledged, and respected.

Mr. Chairman,

31. Victims' families deserve more than sympathy. They deserve recognition and respect. We are working to introduce a new system to compensate these families which will go beyond the one-time revival grant, while avoiding the delays that have occurred so far and ensuring transparency. The new system will provide long-term support and enable an integrated system that includes fair financial compensation, along with vocational education, livelihood opportunities, health facilities, psychosocial care and restoration of social dignity.
32. By ensuring transparency and accountability, we seek not only to heal wounds but also to strengthen trust, and to foster reconciliation and our shared future as one nation in a sustainable manner.
33. We believe that the outcome of today's dialogue will positively contribute to Sri Lanka's ongoing national efforts on reconciliation and accountability to address past occurrences of enforced disappearance.

Mr. Chairman, Distinguished Members of the Committee,

34. Sri Lanka stands ready to engage with the esteemed Committee, and to provide further information and clarifications during our interactions today. Continuing on Sri Lanka's path of positive engagement with the UN on human rights and Treaty Bodies, we look forward to a constructive and respectful dialogue.

Thank you.

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