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Sri Lanka: LLRC Implementation Monitor

Statistical and Analytical Review No.2

LAW &
GOVERNANCE

Constructive Recommendations

March 2014

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Constructive Recommendations

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The Legal Research team at Verité Research is responsible for preparing this report.

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Background

The Lessons Learnt and Reconciliation Commission (LLRC) published its final report on 16 December 2011.¹ On 26 July 2012, the government released a National Plan of Action to Implement the Recommendations of the LLRC (NPA). In November 2012, Verité Research published *Sri Lanka: LLRC Implementation Monitor – Statistical and Analytical Review No. 1*, which contained an analytical counting and categorisation of the LLRC recommendations, and an assessment of the NPA.

The LLRC contains 180 tangible recommendations. But even by end 2012, only 168 of them were actionable by the government.² Subsequently, 11 further recommendations have become actionable, making the total number of **tangible and actionable recommendations 179**.³

Following the introduction of the 2013 Land Circular, the NPA (either explicitly or implicitly) fully included 80 of the above 179 recommendations and partially included 51. Thus **48 tangible and actionable recommendations** were not included in the original NPA.


On 4 July 2013, the Presidential Secretariat announced that the Cabinet had approved the explicit inclusion of 53 recommendations in an addendum to the NPA.⁴ In fact, a careful scrutiny reveals that as many as 58 distinct recommendations are contained in this addendum.⁵

However, considering the assessment of the original NPA, where some recommendations were already credited as being implicitly included (even though they were not explicitly mentioned), the July 2013 revision **adds only 32 of the tangible and actionable recommendations**.⁶ Therefore, **16 tangible and actionable recommendations**⁷ are *not included* even in the revised NPA.

The remaining 26 distinct recommendations contained in the July 2013 revision are made up of the following: 15 that were already credited as *included* in the original NPA;⁸ 1 that is *not actionable*; and 10 that are *intangible* (i.e. do not contemplate tangible governmental action).

Table 1: Extent of Mapping

Extent of Mapping	July 2012 Original NPA	Post-Land Circular 2013 NPA	July 2013 Revised NPA
Fully Included	69	80	106
Partly Included	51	51	57
Not Included	48	48	16
Not Actionable	12	01	01
Intangible	0	0	10
TOTAL	180	180	190

 *Click on appropriate timeframe above the diagram to view corresponding extent of mapping*

In March 2012, the UN Human Rights Council passed Resolution 19/2 on Promoting Reconciliation and Accountability in Sri Lanka.⁹ The Resolution specifically called for the implementation of the ‘constructive recommendations’ of the LLRC.

105 of the LLRC recommendations fall into one of the following eight constructive categories listed by the UNHRC:

1. Credibly investigating widespread allegations of extrajudicial killings and enforced disappearances;
2. Demilitarising the north of Sri Lanka;
3. Implementing impartial land dispute resolution mechanisms;
4. Re-evaluating detention policies;
5. Strengthening formerly independent civil institutions;
6. Reaching a political settlement on the devolution of power to the provinces;

7. Promoting and protecting the right of freedom of expression for all; and
8. Enacting rule of law reforms

These constructive recommendations were once again cited in the March 2013 UN Human Rights Council Resolution on Promoting Reconciliation and Accountability in Sri Lanka.¹⁰

In January 2014, the Government of Sri Lanka claimed to have ‘completed’ the implementation of several constructive recommendations.¹¹

This report provides a detailed account of the implementation status of the aforementioned 105 constructive recommendations.

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

Matrix 1: Methodology

		Performance Indicators			
		Fully Met	½ Met	¼ Met	Not Met
Implementation Plan	Workable	Fully Implemented	Partial Progress	Poor Progress	Poor Progress
	Flawed				No Progress
	Not Included				No Progress

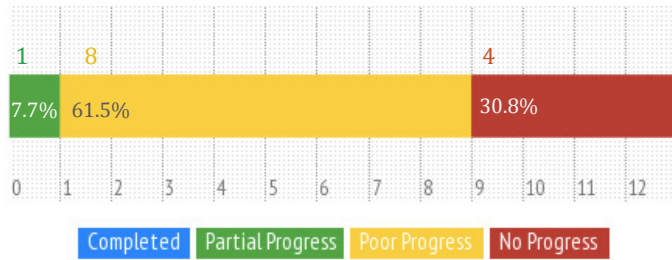
This methodology was used to assess the implementation status of all 105 LLRC recommendations that fall into the eight categories identified by the UN Human Rights Council resolutions.

Implementation Status

1. Investigating Extra-Judicial Killings and Enforced Disappearances

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

Implementation status:

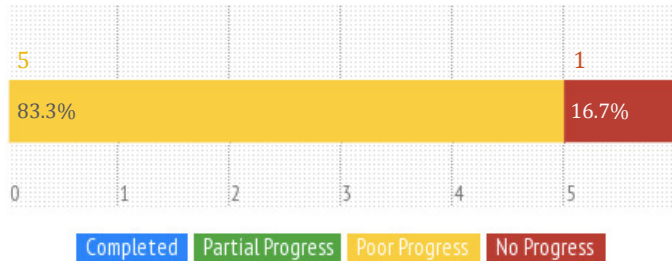


[See Annex: Extra-Judicial Killings and Enforced Disappearances](#)

2. Demilitarisation

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

Implementation status:

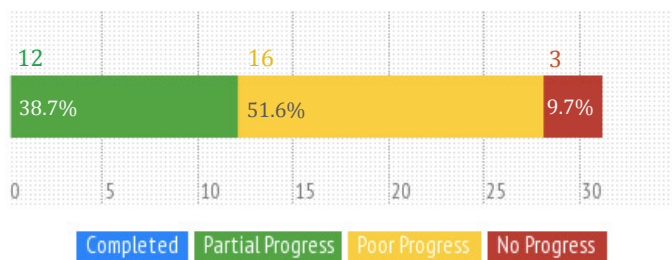


[See Annex: Demilitarisation](#)

3. Land Dispute Resolution

The LLRC made **31 actionable recommendations** on the subject of land dispute resolution.

Implementation status:

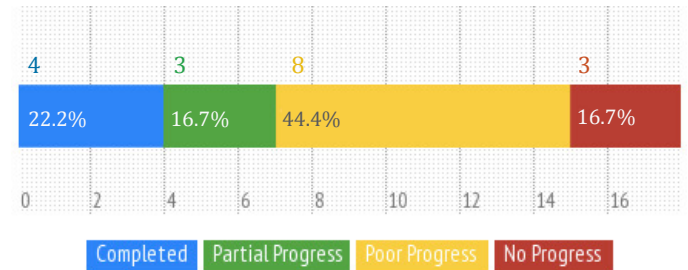


[See Annex: Land](#)

4. Detention Policies

The LLRC made **18 recommendations** on re-evaluating detention policies.

Implementation status:

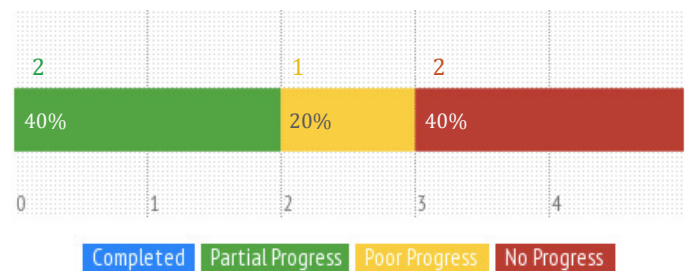


[See Annex: Detention Policy](#)

5. Independent Civil Institutions

The LLRC made **5 recommendations** on strengthening formerly independent civil institutions.

Implementation status:

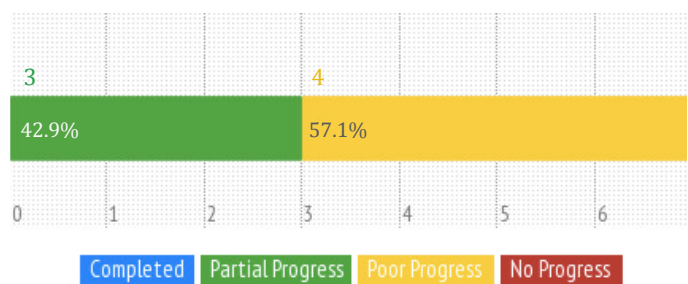


[See Annex: Civil Institutions](#)

6. Devolution

The LLRC presented **7 recommendations** on reaching a political solution on devolution in Sri Lanka.

Implementation status:

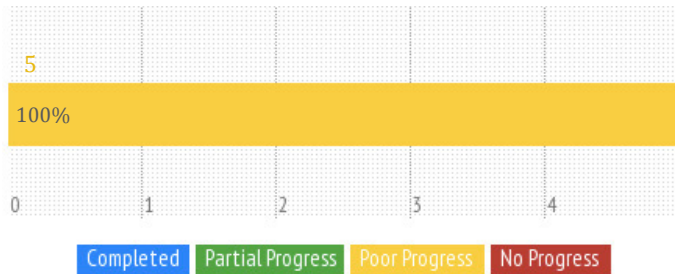


[See Annex: Devolution](#)

7. Freedom of Expression

The LLRC presented **5 key recommendations** on protecting the freedom of expression.

Implementation status:

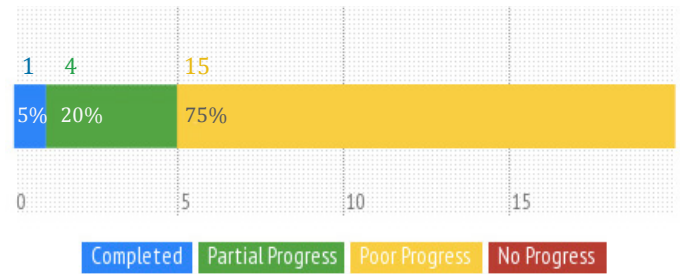


[See Annex: Freedom of Expression](#)

8. Rule of Law

The LLRC presented **20 recommendations** on rule of law reforms.

Implementation status:



[See Annex: Rule of Law](#)

Conclusion

In January 2014, the Government of Sri Lanka claimed that the implementation of a significant number of constructive recommendations was ‘completed’. In fact, according to the government’s reports on progress, the implementation of 38 constructive recommendations was ‘completed’, while a further 48 are described as ‘ongoing’. The government has not reported on progress relating to the remaining 19 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 105 constructive recommendations is poor.

The implementation of **5 constructive recommendations** has been ‘completed’.¹² This figure constitutes **only 4.8%** of the total number of constructive recommendations. Of these recommendations only 4 have been reported as ‘completed’ by the government. An independent verification process has led us to conclude that the remaining recommendation has also been fully implemented.¹³

➤ See Annex: Completed

We assess that the implementation of **25 constructive recommendations** has seen ‘partial progress’. This figure constitutes **23.8%** of the total number of constructive recommendations. According to government reports on progress, 4 of these recommendations have been fully implemented. The government also reports that implementation with respect to 14 of these recommendations is ‘ongoing’. There are no official reports on progress relating to the remaining 7 recommendations.

➤ See Annex: Partial Progress

We also assess that **62 constructive recommendations** have seen ‘poor progress’. This figure constitutes **more than half** (i.e. 59%) of the total number of constructive recommendations. According to the government, implementation of 27 of these recommendations has been ‘completed’. It also reports

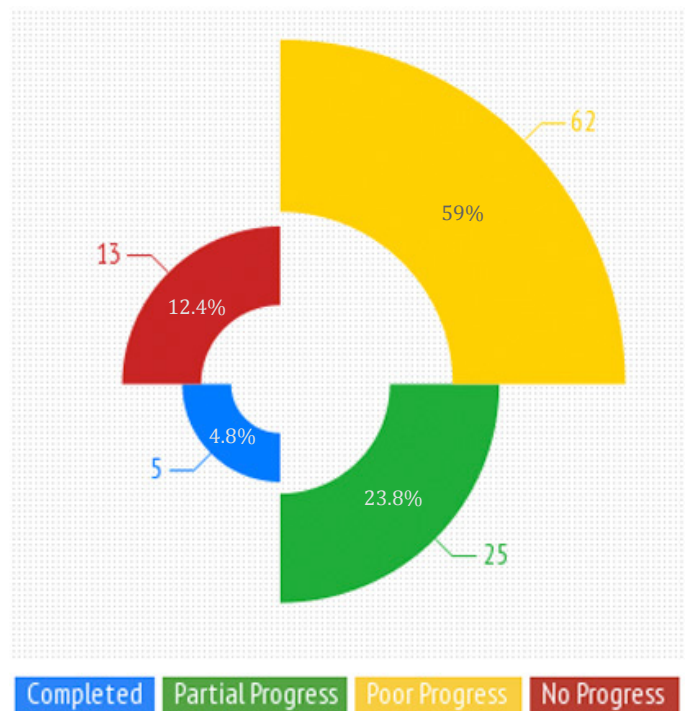
that implementation with respect to 31 of these recommendations is ‘ongoing’. There are no official reports on progress relating to the remaining 4 recommendations.

➤ See Annex: Poor Progress

Finally, we assess that **13 constructive recommendations** have seen ‘no progress’. 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 **12.4%** of the total number of constructive recommendations. According to the government, 3 of these recommendations have been fully implemented, while implementation with respect to 3 of these recommendations is ‘ongoing’. There are no official reports on progress relating to the remaining 7 recommendations.

➤ See Annex: No Progress

The foregoing analysis raises serious doubts with regard to the credibility of the government’s reports on progress. A serious reappraisal of the government’s claim that 38 constructive recommendations have been fully implemented is therefore necessary.



💡 *Hover over image for progress as per GoSL*

End Notes

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

² At the time the LLRC report was first released, 12 recommendations were not actionable in their current form, as they directly relate to the Land Circular No.2011/04, which was subsequently withdrawn.

³ The new Land Circular No.2013/01 has now replaced the previous Circular. As such, 11 of these recommendations are once again deemed actionable (i.e. recommendations **9.126, 9.128, 9.129a, 9.129b, 9.131, 9.132, 9.133, 9.135a, 9.135b, 9.136 and 9.141**). In order to reasonably assess the implementation status of these 11 recommendations, we replace all references to 'Land Circular No. 2011/04' with 'Land Circular No.2013/01'. 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 are currently in occupation 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)*

⁴ Official website of the Presidential Secretariat of Sri Lanka, Cabinet approves action on 53 more LLRC recommendations, 15 July 2013, http://reading.gov.lk/index.php?option=com_k2&view=item&id=120:cabinet-approves-action-on-53-more-llrc-recommendations.

⁵ Paras. **9.53, 9.54, 9.103, 9.143 and 9.145** contain two recommendations each. Hence the number of distinct recommendations in the addendum is 58.

⁶ The addendum includes the aforementioned recommendation **9.139**, which is not actionable, as well as 10 other recommendations, which do not call for specific tangible governmental action.

⁷ The omitted recommendations include: **9.9b**: Provide redress to families of those killed or injured; **9.41**: Ensure and facilitate the confidentiality and protection of information and informants during independent investigation into issues raised by Channel 4 documentary; **9.47**: Ensure the safety and security of any person taken into custody by governmental authorities through surrender or arrest; **9.50b**: Keep families informed of progress towards locating their loved ones; **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; **9.79b**: Implement fully the Action Plan between the TMVP, Commissioner General of Rehabilitation, and the UNICEF with immediate effect; **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; **9.134a**: Disengage Security Forces from all civil administration related activities as rapidly as possible; **9.140b**: 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; **9.153**: Ensure that those who are eligible for payments, compensation or monetary relief have access to it within a reasonable timeframe; **9.159**: Set a time limit for completion of payments for losses suffered up to the end of the conflict; **9.198**: 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; **9.199**: Ensure even-handed resource allocation and development of villages; **9.223**: Ensure that development activities should be carried out in consultation and with the participation of the local people; **9.231a**: Empower the Local Government institutions to ensure greater peoples' participation at the grass roots level; and **9.231b**: 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.

⁸ Recommendation **9.276** was fully included in the original NPA, but was simply miscited. Recommendations **9.48** and **9.70** were partly included in the original NPA. Recommendation **9.70** was also miscited. Moreover, recommendations **9.87, 9.88, 9.89, 9.93, 9.95, 9.96, 9.98, 9.100, 9.111, 9.243, 9.256** and **9.281** (12 recommendations) were partially included in the original NPA though not explicitly referenced. These recommendations were credited as implicitly included (i.e. in an indirect manner) by virtue of their relevance to other recommendations that were included in the NPA. For example, several of these recommendations are contemplated under the action plan to implement recommendation **9.92**.

⁹ United Nations Human Rights Council, 19th Session, Resolution on Promoting Reconciliation and Accountability in Sri Lanka (A/HRC/RES/19/2).

¹⁰ United Nations Human Rights Council, 22nd Session, Resolution on Promoting Reconciliation and Accountability in Sri Lanka (A/HRC/RES/22/1).

¹¹ 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* (January 2014).

¹² Paras.**9.65**: 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; **9.68**: Give priority to investigation and speedy disposal of cases of young detainees; **9.69**: Institute a screening process to identify special cases (i.e. young children, physically disabled, those recovering from injury, medical interventions); provide special assistance; **9.79b**: Implement fully the Action Plan (in respect of child soldiers) between the TMVP, Commissioner General of Rehabilitation, and the UNICEF with immediate effect; and **9.82**: Examine the cases of young LTTE suspects as a priority; institute legal action without delay; rehabilitate or release. We note that some minor gaps in implementation may still remain with respect to these recommendations. However, consultations with the non-governmental and inter-governmental organizations concerned reveals that these recommendations have been implemented with reasonable success.

¹³ Recommendation **9.79b**, which calls on the government to ‘Implement fully the Action Plan (in respect of child soldiers) between the TMVP, Commissioner General of Rehabilitation, and the UNICEF with immediate effect’, is ‘not included’ in the NPA. However, independent verification confirms that this recommendation has in fact been implemented fully.

Annex: Extra-Judicial Killings and Enforced Disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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	<ol style="list-style-type: none"> Complete ongoing disciplinary process being conducted in terms of Armed Forces statutes. Upon conclusion, take follow up action to prosecute, where relevant. Use the existing system as provided for in the Criminal Procedure Code to originate a complaint and give such mechanism sufficient publicity. 	Fully included		<ol style="list-style-type: none"> Ministry of Defence Ministry of Defence Ministry of Justice Attorney General's Office 	<ol style="list-style-type: none"> Disciplinary inquiries concluded Offenders prosecuted Cases filed in Court 	Jun-14	<p>Army Board on LLRC Recommendations called for Army Board of Inquiry to be appointed (24 January 2013)</p> <p>Navy BoI exonerated Navy - June 2013 report</p> <p>Army CoI exonerated Army - November 2013 report</p> <p>Investigations into Channel 4 video currently underway</p>	Ongoing	Three military bodies have described the LLRC's findings pertaining to civilian deaths caused by security forces as either inadequate or baseless	No 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 9.9a	Fully included		Refer 9.9a	Refer 9.9a	Jun-14	<p>Initially CID to investigate - August 2013 report</p> <p>Thereafter transferred to Disappearance CoI - January 2014 report</p>	Ongoing	<p>LLRC lists at least 45 complaints - Annex 4.15</p> <p>Defence Secretary claims there were only 26 incidents - http://www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/</p> <p>According to the GoSL, no further inquiries were being conducted into the incident owing to 'lack of credible evidence' - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)</p>	Poor progress
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		Ongoing	Refer 9.9a	No progress
4	39	Initiate an independent investigation to determine truth of allegations in Channel 4 documentary video footage.	1	<ol style="list-style-type: none"> Assess current processes being pursued to examine the authenticity of the allegations in Channel 4 namely, the inquiry currently conducted by the Army. Based on such results take follow up action as appropriate. 	Partly Included	Not 'independent'	Ministry of Defence, Presidential Secretariat	<ol style="list-style-type: none"> Assessment completed Follow up action identified and pursued, as appropriate. 	Jun-14	Army CoI currently investigating - January 2014 report	Ongoing	No independent assessment	Poor progress

Annex: Extra-Judicial Killings and Enforced Disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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					Ongoing	No information on Col procedure No current witness protection law A Bill on assistance and protection for victims of crime has been in preparation since 2007, and was tabled in Parliament in June 2008 - See GoSL comments on OHCHR report A/HRC/25/23, (24 February 2014) However, the Bill is still to be enacted and will not be applicable to ongoing investigations into the Channel 4 footage	No progress
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	1. Identify impediments, if any, to the effective enforcement of the law. That the offences are visited with serious sanctions 2. Strengthen investigation skills of Police. 3. Strengthen access to justice. 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.	Fully included		Ministry of Defence/ Police Department Legal Aid Commission, CBO's, Ministry of Justice, Police Department	1) Impediments identified and remedial action taken 2) Programmes to strengthen skills integrated into Police training modules 3) Access to justice programmes identified and implemented by establishing community policing units	Mar-14	TID to investigate 2,792 complaints of disappearances 2,547 cases investigated - January 2014 report 14 persons traced - January 2014 report Since 2012, the Government has transmitted responses on 842 cases to the Working Group on Enforced or Involuntary Disappearances dating back to the 1990s. An Inter-Agency Task Force has been established to respond to the Working Group - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	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'	Poor progress
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	Disappearance Col established in August 2013, TID has thus far traced 14 people - January 2014 report	Ongoing	No details on how the recommendations of past Cols have been taken on board to avoid duplication	Poor progress

Annex: Extra-Judicial Killings and Enforced Disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	13,700 complaints made to CoI - January 2014 report 14 persons traced - January 2014 report Issues pertaining to families of the missing to be addressed via implementing the findings of ICRC's 2013 Family Needs Assessment'	Ongoing	ICRC annual report 2012: 'The ICRC continued to remind the government of the plight of the families of the missing and to encourage them to establish a centralized database and a national mechanism to address the issue In 2012, the ICRC were attempting to trace 16,090 people	Poor progress
9	50b	Keep families informed of progress towards locating their missing loved ones.	1		Not included	No action to keep families informed					None	No specific action taken Reports on harrasment of families: Amnesty International - 2012 - http://files.amnesty.org/archives/asa370032012eng.pdf	No progress
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. Invoke the present procedures as available in the Code of Criminal Procedures with priority given to such complaints. 2. Sensitize the public with regard to availability of the various mechanisms through the GIC (1919). 3. Enhance the capacity of the present GIC (1919) to entertain the receipt of information.	Partly Included	No Special Commissioner of Investigation	Presidential Secretariat	1) COI Appointed 2) Follow up action identified 3) Relevant material forwarded to AG	Completed	Disappearance CoI established in August 2013 Material on investigations forwarded to AG - August, November 2013 reports	Completed	Mandate of the CoI limited to two provinces and 1990-2009 timeframe Proliferation of CoIs 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. (Amalgamate with activity relating to para 9.37b above)	Fully included		Dept of Census & Statistics Ministry of Defence	Centralised system of data collection in place	Mar-14	Complaints computerised, public will be enabled to access information directly with the launch of the Commission's website anticipated in January 2014 - January 2014 report	Ongoing	Database not online in February 2014	Poor progress

Annex: Extra-Judicial Killings and Enforced Disappearances

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Draft Amendments sent to the AG for observations - January 2014 report The need for legislation for the criminalization of disappearances is being examined by a Committee appointed by the Ministry of Justice, in consultation with the Attorney General - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	Extent of implementation contingent on the draft	Partial progress
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	Recommendation s implemented.	Ongoing	Case pertaining to Trincomalee incident and investigations into Muttur incident ongoing - January 2014 report	Ongoing	Udalagama Commission Report not published, so recommendations are unknown Investigations into the two incidents (i.e. Trincomalee incident and Muttur incident) have begun, but no information on other incidents The Trincomalee incident was investigated by the Human Rights Commission of Sri Lanka at the time, and its report concluded that security forces had been involved (https://www.colombotelegraph.com/wp-content/uploads/2014/01/report-by-the-HRC-appointed-Special-Rapporteur.pdf)	Poor progress

Annex: Demilitarisation

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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	Jun-14	No progress reported in any Monitoring reports Action is being taken to release lands within the Cantonment area for agricultural and religious activities - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	Restrictions on accessing places of worship within de factor HSZs widely acknowledged - http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=93668	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					None	Military involved in maintaining public order under PSO See Gazette Extraordinary No.1848/5 dated 3 February 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	Completed	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	Resettlement in inconvenient areas such as Kombavil - http://groundviews.org/2011/10/03/re-displacement-of-menik-farm-inmates-to-kombavil-mullativu/ Recorded instances of land acquired for non-security purposes including establishing farms. E.g. Acquisition Notice: Land and Land Development Ministry Ref no: 4-3/4/2013/D/130.	Poor progress
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 re-locate 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) Ongoing b) June 2014 c) December 2015	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 report	Ongoing	Some land has been released but new acquisitions take place in North and East: 9,717 acres + 17,489 acres as per August 2013 report; 4,058 ha (10,23 acres) as per November 2013 report	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	Completed	Completed - February 2013 report	Completed	6,371 acres of private land acquired in Valikammam, Jaffna - Gazette Extraordinary No. 1807/23 dated 26 April 2013 Refer 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	Timeframe	Action Taken	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	No reference to economic activities	Refer 9.171	Refer 9.171	Completed	<p>Completed - February 2013 report</p> <p>Security forces personnel in Jaffna peninsula currently number approximately 15,000 - January 2014 report</p> <p>Military reduced by 30% in the North and 26% in the East. 50% of the troops have been deployed in areas which were not affected by the conflict. The activities carried out by the Sri Lankan military are within the ambit of Civil Military Cooperation and are not intended to usurp the powers of civil administration - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)</p>	Completed	<p>Military still engages in economic activity:</p> <p>Agriculture: http://www.defence.lk/new.asp?fname=20110227_05</p> <p>Tourism: http://www.thalsevanaresort.com; http://www.layahotels.lk</p> <p>Transport: http://www.helitours.lk/aboutus.aspx</p>	Poor progress

Annex: Land

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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.	Ongoing	22,068 land requests resolved in North and 1,177 in the East - January 2014 report	Ongoing	Some measures have been taken to grant lands in terms of Land Development Ordinance under Ranbima, and Bimsaviya programmes See http://www.landmin.gov.lk/web/index.php?option=com_content&view=article&id=159%3Adistribution-of-ranbima-deeds&catid=44%3Aslideshow&lang=en	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	Mar-14	20 awareness programmes conducted in North, 18 in the East - January 2014 report	Ongoing	No reference to formulating clear policies, current Land Circular 2013/01 does not specify areas for resettlement	Poor progress
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 Resettlement, Ministry of Defence 2) Ministry of External Affairs, Ministry of Defence	Bi-lateral discussions held and decisions implemented	Dec-14	Resettlement policy is being drafted and includes policy regarding refugees in India , bi-lateral discussions were held in January 2013, Govt. encourages return through its DHC in Chennai and UNHCR facilitates return - January 2014 report Approx. 68,000 refugees in camps in Southern India - February 2013 report	Ongoing	Progressive decline in numbers of those returning Limited peace and reconciliation activities targeting returnees have taken place (source: UNHCR consultation)	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.	Partly included (not referenced)	Included in July 2013. Contemplated under NPA item relating to recommendation 9.113.	Ministry of Resettlement	Policy formulated	Mar-14	Integration of Muslim IDPs in the Puttalam District with the host community is taking place at a rapid pace, 3,000 families refused to return - January 2014 report	Ongoing	No formal policy formulated or communicated to IDPs	Poor progress

Annex: Land

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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	Jun-14	Presidential Task Force for Resettlement, Development and Security in the Northern Province appointed - January 2014 report	Ongoing	Issues of IDPs including displaced Muslims is being addressed - Report of PTF (2009 - 2012) http://www.scribd.com/doc/126851924/FROM-CONFLICT-TO-STABILITY-IN-SRI-LANKA As per Secretary of PTF, all matters are handled by Ministry of Resettlement, as PTF no longer functions A separate committee is reported to have been appointed which consulted Muslim IDPs - http://asiantribune.com/node/62422	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. 2. 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. 3. Ensure effective implementation of Statutes, i.e. The State Lands Ord., Land Development Ordinance, Land Grants (Sp. Provisions) Act.	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		Rights safeguarded under new circular - February 2013 report. Reports from August onwards state implementation is complete	Completed	Land Circular 2013/01 makes no reference to purchase of private land National Land Commission yet to be established as per Constitution	No progress
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	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	Partly Included	No commitment regarding preventing demographic changes	Ministry of Lands	Policy formulated	Jan-14	TOR for 4th Land Commission under discussion at Presidential Commission - January 2014 report	None	Settlement of soldier families in Tamil majority areas - Parliament speech by R. Sampanthan, 8 August 2013 Plan to settle 25,000 Sinhalese families under Mahaweli system L - http://www.defence.lk/new.asp?fname=20090818_02	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Ongoing	To be discussed under the 4th Land Commission - January 2014 report This is provided for under the new Circular - February 2013 report	Ongoing	Public have been made aware, but no information on specific publicity effort by government	Partial progress
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	Ongoing	In progress - January 2014. Previous reports refer to budgetary allocations, human resources etc	Ongoing	No specific progress reported on how the government intends to ensure an apolitical approach All officers implementing Land Circular 2013/01 appointed and answerable to 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	Completed	Completed - August 2013 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	Completed	Completed - August 2013 report.	Completed	Monitoring in progress Level of impartiality and transparency of Land Commissioner General 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	Completed	Completed - August 2013 report	Completed	No meeting held according to Land Commissioner General's Department	Poor progress
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 but written training manual to ensure all training is identical across Districts.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Completed	Training programmes conducted - August 2013 report Completed - November 2013 report.	Completed	No reference to community leaders or indication that a training manual exists	Poor progress

Annex: Land

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
14	133	Launch a settler centered 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	Completed	Refer to 9.106 - January 2014 report	Ongoing	Information campaign was carried out according to consultations in sample DS Divisions	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	Completed	Completed - August 2013 report.	Completed	Meetings held on ad-hoc basis and not prior to a formal investigation process (Source: Land Commissioner General's Department)	Poor progress
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				Completed	Completed - August 2013 report.	Completed	No indication of incorporating experiences of the Land Kachcheri system (Source: 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	Completed	Completed - August 2013 report.	Completed	No indication of constructive feedback from communities (Source: 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		Completed	Completed - November 2013. *January 2014 report - timeframe states 'completed' while progress states 'ongoing'	Ongoing	Land Circular 2013/01 does not focus on dispute resolution	Poor progress
19	139	Give all families who have been secondary occupants, whether at the behest of LTTE or not, land, if the lands they are currently in occupation are awarded to the genuine original permit holders on the results of the Investigating Committee [In terms of Land Circular 2011/04] decisions	3		Not actionable	Included in July 2013				Refer to 9.104 - January 2014 report	Ongoing	Not actionable as Investigating Committees abolished under new Land Circular 2013/01	N/A

Annex: Land

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
20	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	Completed	Completed - August 2013.	Completed	Land Circular 2013/01 prevents alienating land to the landless until land problems are solved However, state land used to settle soldier families west of Iranamadu tank - R. Sampanthan, Parliament speech, 8 August 2013	Poor progress
21	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					None	No new law introduced	No progress
22	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	Completed	Local funds have been allocated for this purpose - January 2014 report	Completed	Cooperation with development partner not sought due to claim that local funding is adequate	Poor progress
23	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) Ongoing b) June 2014 c) December 2015	Refer to 9.142a	Ongoing	No specific information on alternative land or compensation paid 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 - http://www.thesundayleader.lk/2014/01/12/landowners-without-land/	Poor progress

Annex: Land

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
24	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.		Ministry of Resettlement is currently processing relevant details from District Secretaries - January 2014 report	Ongoing	This recommendation does not contemplate clear governmental action However, some reports indicate that a special committee was appointed to deal with this issue http://asiantribune.com/node/62422	Partial progress
25	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	Review of official data completed. Follow-up action taken as appropriate		4,414 families returned to Northern province - January 2014 report	Ongoing		Partial progress
26	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					None	Refer 9.113	Partial progress
27	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		Ministry of Resettlement is currently processing relevant details received from the District Secretaries - January 2014 report	Ongoing	No focal agency designated as at February 2014	Poor progress
28	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			Amendment to the Prescription Ordinance addressing this issue is to be presented in Parliament by February 2014 - January 2014 report	Ongoing	Full implementation pending enactment of Bill	Partial progress
29	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	To be confirmed	Progress in all Monitoring reports is blank	Ongoing	National Land Commission yet to be established as per Constitution.	Poor progress

Annex: Land

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
30	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 bio-diversity; sustainable economic development; leisure and recreational standards; religious, cultural, and archeological 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.	Jun-15	National level expert groups appointed, technical guideline prepared by District level expert groups - January 2014; District Secretariats and Divisional Secretariats have reported that there has been considerable progress in the development of district land use plans - August 2013 report	Ongoing		Partial progress
31	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.	Ongoing	No progress reported in any Monitoring reports	Ongoing	Parliamentary Select Committee process launched without participation of key political actors in opposition	Poor progress
32	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.	Dec-14	Study underway on number of those evicted from North and East from all communities, 6391 plots of land alienated for resettling Muslims - January 2014 report. PTF for NP has instructed M/Environment to allocate suitable forest land in Mannar, Kilinochchi and Mullaitivu to resettle evicted Muslims and housing construction project initiated - August 2013 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	Timeframe	Action Taken	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					None	No plan to implement Incidents of custodial deaths reported E.g. Custodial deaths of Ganesan Nimalaruban and Mariyadas Pevis Delrukshan in 2012 At least 27 inmates were killed and 43 injured when the armed forces intervened during the Welikada prison riot on 9 November 2012	No progress
2	53a	Direct law enforcement authorities to issue a formal receipt of arrest when taking persons into custody	4	1. Introduce appropriate legislation to provide for the issue of a receipt regarding arrest.	Fully included	Included in July 2013. Action plan absent.	Ministry of Justice, Ministry of Law and Order	Legislation introduced in Parliament	Mar-14	No further action required. Families of arrested persons were informed of their arrest and detention when Emergency Regulations were in force and in the period before and after. Persons were and are being detained in places which are declared as places of detention - January 2014 report The Presidential Directives of 7 July 2006 and reissued in 2007 remain valid to date - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	2007 Presidential Directive requires formal receipt - http://www.defence.lk/new.asp?fname=20070425_02 No fresh directive issued post-LLRC Hence the allegations referenced in para.5.40 of the LLRC report, which necessitated this recommendation, have been disregarded	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	Access is given to legal representatives, family members, religious dignitaries, medical personnel and the ICRC - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	Though 2007 Presidential Directive requires that next of kin is kept informed, no fresh directive issued post-LLRC Hence the allegations referenced in para.5.40 of the LLRC report, which necessitated this recommendation, have been disregarded Moreover, there is no formal process of informing family about changes to place of detention - http://files.amnesty.org/archives/asa370032012eng.pdf	Poor progress

Annex: Detention Policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Ongoing	Refer to 9.53a	Completed	Persons arrested under PTA Regulations not produced promptly before magistrate Failure to report changes in places of detention - http://files.amnesty.org/archives/asa370032012eng.pdf Failure to produce before a magistrate - http://www.refworld.org/pdfid/4d775e2d2.pdf	Poor progress
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	Ongoing	Refer to 9.53a	Completed	No information on instructions to magistrates to conduct monthly visits Reports of magistrate visits merely to extend detention - http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderees-in-the-prison-system/	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	1. Examine the adequacy of new strategies implemented to ensure prompt action on complaints received by police. 2. Ensure that appropriate disciplinary action is initiated with regard to officers against whom complaints are made	Fully included	Included in July 2013	Ministry of Law and Order	<ul style="list-style-type: none"> • Examination completed and gaps, if any, identified. • New strategies introduced to respond to gaps, if any. • Disciplinary action taken as a percent of complaints received. 		Complaints by the public against Police Officers rigorously monitored, can now be directly lodged at the Public Day of Inspector General of Police at the Police Headquarters. Action will be taken against errant Police Officers following existing procedure - January 2014 report	Ongoing	No information on any prosecutions Examples of failure to record and investigate complaints of abductions - Sivasooriyakumar Sanaraj - http://www.amnesty.org/en/library/asset/ASA37/017/2013/en/b7ebe3b5-955d-4556-aa53-5aedaaa44752/asa370172013en.html	Poor progress

Annex: Detention Policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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			Under consideration - February 2013 report Progress section in other reports are blank	None	Advisory Board can be established under Section 13 of PTA, consisting of no less than 3 persons appointed by the President No indication of any independent advisory committee appointed	No 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	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 ie: 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 - January 2014 report According to a separate report, 234 detainees were undergoing rehabilitation, and 91 detainees were facing legal proceedings - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	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 almost a year The above figure appears to be contradicted by the GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Poor progress

Annex: Detention Policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Completed	Completed. A database available for next of kin to access at at Terrorist Investigation Units in Colombo, Vavuniya and Boosa, over 3,000 NOKs have made use of it thus far - January 2014 report	Completed	This database only lists those detained by TID and not by other agencies and institutions - http://www.dailymirror.lk/news/12099-only-seven-percent-get-information-on-detainees.html Difficulties locating detainees remain - http://files.amnesty.org/archives/asa370032012eng.pdf	Partial progress
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>(1) Completed, refer to 9.63 - January 2014 report</p> <p>(2) Completed, refer to 9.53 - January 2014 report</p> <p>(3) Ministry of Justice commenced study to identify recommendations made by a number of committees in the recent past to look into issues of law's delays and proposed amendments to Civil Procedure Code, Criminal Procedure Code - January 2014.</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

Annex: Detention Policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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. Considering current circumstances of improved transport infrastructure, special facilities are not required.	Partly Included	Included in July 2013. No reference to ICRC.			Completed	Completed. In all instances where next of kin had faced transport difficulties, the Terrorist Investigation Unit has made necessary transport arrangements - January 2014 report	Completed	In addition to TID facilities, ICRC has coordinated and assisted family visits - http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf	Completed
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					None	In March 2010, ICRC suspended visits to rehabilitation centres and prisons after authorities refused to allow ICRC to speak to detainees in private Following this incident, ICRC only visited places of detention run by the TID Visits only resumed in March 2013 and the ICRC continues to work with government on detainees - http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf	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	Refer to 9.53a	Completed	Sections 7 and 9 of PTA permit detention in any place and transfer from place to place These provisions are prone to abuse - http://files.amnesty.org/archives/asa370032012eng.pdf	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	Completed	Detainee status reviewed and steps taken to provide special attention to young detainees. All former child combatants rehabilitated - January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed

Annex: Detention Policy

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Completed	Children and disabled have been provided with special assistance- January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed
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 progress indicated in any Monitoring reports	None	No indication of steps taken to dispose of such cases - http://www.refworld.org/pdfid/4ca0ae592.pdf http://www.amnesty.org/en/library/asset/ASA37/001/2011/en/64530ad7-76a6-4fb1-8f46-996c8543daf8/asa370012011en.pdf and http://groundviews.org/2011/09/16/lifting-of-emergency-exposing-the-sham-exercise/	Poor 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	Completed	All 594 child combatants were rehabilitated and reunited with their families within a one year period - January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	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					None	No indication that these issues have been prioritised Families of disappeared have been harassed and on occasion detained by Police - http://www.rightsnow.net/?p=2012	No progress

Annex: Civil Institutions

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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	Dec-13	Deputy Solicitor-General or an Additional Solicitor-General is appointed to each Province, Senior State Counsel is appointed to each High Court Division within a Province, Steps underway to establish a branch office in each province - January 2014 report	Ongoing	Same progress is reported in every monitoring report since February 2013	Partial progress
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	Completed	Completed - January 2014	Completed	Ministry of Law and Order established in August 2013 President remains Minister in charge of Defence as well as 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	Completed	Completed - January 2014	Completed	Under 18th Amendment to the Constitution, Chairman and members of Police Commission appointed by the President	No progress
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.	Feb-14	Progress in all Monitoring reports is blank	None	Human Resources Policy to be presented to Cabinet in 2014 - http://www.dailynews.lk/local/national-policy-human-resources-cabine	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					Progress in all Monitoring reports is blank	Completed	Under 18th Amendment to the Constitution, Chairman and members of PSC 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	Timeframe	Action Taken	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					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>However, some development activities have resulted in loss of land and livelihoods and take place without community consultation or participation</p> <p>E.g - http://www.sundaytimes.lk/130310/news/hundreds-displaced-livelihoods-destroyed-in-govt-land-grab-for-development-36314.html; WFFP on Oluvil port-http://www.panap.net/sites/default/files/womens-resistance-booklet3.pdf</p>	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					None	Parliamentary Select Committee process launched without participation of key political actors in opposition	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					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					None	<p>APRC report was not tabled in Parliament although it dealt with devolution</p> <p>New Parliamentary Select Committee process will consider shortcomings of PC system</p>	Partial progress

Annex: Devolution

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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		PSC appointed in October 2011, 'to recommend and report political and constitutional measures to empower the people of Sri Lanka as one nation'. TOR available here - http://www.sundaytimes.lk/111016/Columns/political.html	Ongoing	Refer 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		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)	Contemplated under NPA item relating to recommendations 9.236 and 237.	Refer to 9.236	Refer to 9.236		Refer to 9.236	Ongoing	Refer 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	Timeframe	Action Taken	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. (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 & 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>	<p>Completed</p> <p>February 2014</p>	<p>Online complaint system www.slpc.lk has been launched by the Sri Lanka Press Council enabling media personnel to lodge any complaint immediately - January 2014 report</p>	Completed	<p>Reports of harassment, intimidation, threats and attacks on journalists</p> <p>Uthayan - http://www.ceylontoday.lk/16-29082-news-detail-the-32nd-attack-on-uthayan-office.html</p> <p>See also: http://www.dailymirror.lk/opinion/172-opinion/28926-observing-press-freedom-in-sri-lanka-.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	Completed	Refer to 9.115a	Completed	<p>No deterrent punishments imposed thus far</p> <p>Press Council Act prohibits disclosure of certain fiscal, defense, 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	Completed	Refer to 9.115a	Completed	<p>No prosecutions or convictions in the murder of Sunday Leader editor Lasantha Wickramatunga, attacks on Uthayan</p> <p>See http://asiancorrespondent.com/107014/analysis-the-assault-on-freedom-of-expression-in-sri-lanka/</p>	Poor progress
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	<p>1. Identify impediments to free movement, if any, of media personnel in the North and East</p> <p>2. Take appropriate action to remove impediments, if any</p>	Fully included		<p>Ministry of Mass Media and Information</p> <p>Dept of Police</p>	<p>1) Impediments identified, if any</p> <p>2) All impediments, if any, removed</p>	Completed	<p>Completed. No restrictions on any person, including foreigners, travelling to North & East, no restrictions experienced by media personnel - January 2014 report</p>	Completed	<p>Restrictions imposed on journalists during CHOGM</p> <p>http://www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit</p>	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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.		Progress section blank in all Monitoring reports	None	No current plan to enact legislation on RTI - Ministry of Justice Progress Report (January - August 2013) makes no reference to progress with regard to Right to Information	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	Timeframe	Action Taken	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		Ongoing		Ongoing	No update in monitoring reports as at February 2014 Legal proceedings have not begun against any LTTE suspect for alleged war crimes - See OHCHR report A/HRC/25/23 (24 February 2014)	Poor progress
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	No reference to published timeframe	Ministry of Public Administration & Home Affairs	Instructions issued to implement the provisions of new legislation.	Ongoing	Monitoring reports up to November 2013 indicated action taken to register deaths - up to 2012, 75 registered in North and 1562 in East 'Issuance of a Certificate of Absence is under consideration' - January 2014 report	Ongoing	Some progress reflected in previous monitoring reports However, there are some reports on the abuse of the process involving registration of deaths to avoid ascertaining the whereabouts of the missing - http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html	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	Completed	In the immediate aftermath of the war, action was taken by the Government to disarm all persons in the North & East - all Monitoring reports	Completed	No indication that investigations were carried out Members of these groups are currently engaged in politics - http://www.defence.lk/new.asp?fname=full_text_Post_Conflict_Sri_Lanka_Challenges_2013_0903	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	1) Ongoing 2) Ongoing	Refer to 9.73	Completed	Illegal armed groups continue to operate E.g. Attacks on Uthayan newspaper - http://www.adaderana.lk/news.php?nid=22321	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	Timeframe	Action Taken	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				Investigations completed.	Progress in all Monitoring reports is blank	None	<p>No updates on plans to initiate prosecutions of certain identified persons accused of recruiting children e.g. Pillayan and Karuna.</p> <p>However, an investigation was launched into Iniya Bharahthi's involvement in the case of five missing children recruited by the Iniya Bharathi faction (Source: Report of the UN Secretary General to the Security Council - A/66/782-S/2012/261 issued on 26 April 2012)</p>	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					None	<p>Action Plan signed in December 2008 was to be implemented over three months, and involved the TMVP releasing all recruited child soldiers - http://www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment</p> <p>By April 2012, the locations of 5 children recruited by the TMVP remained unknown</p> <p>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 UN Secretary General on Children in Armed Conflict 2011 (http://transcurrents.com/news-views/archives/436) and 2012 (http://childrenandarmedconflict.un.org/countries/sri-lanka/)</p>	Completed

Annex: Rule of Law

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	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	Ongoing	District Secretaries are taking action - January 2014 report	Ongoing	Numerous reports of obstructions to peaceful assembly - http://groundviews.org/2013/05/16/freedom-of-assembly-in-post-war-sri-lanka/ and http://www.ceylontoday.lk/16-11833-news-detail-uni-student-protest-tear-gassed.html	Poor progress
8	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.	Completed	Refer to 9.73	Completed	Progress reported only refers to disarmament in the North and East just after the war ended Some incidents involving illegal armed groups continue to take place e.g. EPDP alleged shootout in 2013 - http://www.thesundayleader.lk/2013/12/15/kamalendransas-smoking-gun/	Partial progress
9	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.	Jun-14	Investigations relating to many of the 76 in custody complete. Legal action had been taken with regard to the release, indictment or rehabilitation of 84 remaining suspects - January 2014 report	Ongoing	Progress makes no reference to specific individuals. No action taken to date with regard to senior paramilitary leaders such as Douglas Devananda. Iniya Bharati 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. Refer 9.79a	Poor progress
10	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	Jun-14	Refer to 9.207	Ongoing	No indication of investigations or prosecutions	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
11	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	Jun-14	Refer to 9.207	Ongoing	No information on investigation or arrest of anyone known as Major Seelan	Poor progress
12	210	Give full effect to all of its Interim Recommendations concerning illegal armed groups.	8		Partly Included (not referenced)	Contemplated under NPA item relating to recommendation 9.213				Interim recommendation is cited, fully implemented as per 9.73. Progress for 9.213: Investigations relating to many of the 76 in custody complete. Legal action had been taken with regard to the release, indictment or rehabilitation of 84 remaining suspects - January 2014 report - January 2014 report	Completed	Refer 9.73	Poor progress
13	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	Jun-14	Refer to 9.207	Ongoing	Refer 9.207	Poor progress
14	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	Jun-14	Public Day of IGP, IGP Help Desk and 'Tell IGP' website enables 'any person to make any kind of complaint without going through formal procedure or language Barriers'; proposed board for land mediation - January 2014 report	Ongoing	No such institution has been established as at February 2014	Poor progress
15	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	Jun-14	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218	Poor progress
16	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	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
17	228	Make all endeavors, 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	Progress section in all Monitoring reports is blank	None	No indication of steps taken towards amendment at at February 2014	Poor progress
18	267	Take strong deterrent action to prevent incidents of inter-faith intolerance and make every endeavour to arrest the occurrence of such incidents.	8		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			Completed. No further action required - January 2014 report 182 incidents affecting all religions, of which only 147 were reported to police. Judicial inquiries are in progress regarding 112, and 22 cases have been concluded - See GoSL comments on OHCHR report A/HRC/25/23, 24 February 2014)	Completed	Over 360 reports of inter-faith intolerance (against Muslim and Christian communities) accompanied by inaction by authorities (Source: Secretariat for Muslims; National Christian Evangelical Alliance of Sri Lanka)	Poor progress
19	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 - January 2014 report	Completed	No reference to consultation with inter-faith groups or establishment of such a mechanism	Poor progress
20	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		M/Justice	Submission of draft legislation to Parliament.	Jun-14	Draft amendment to the Penal Code, incorporating the section criminalizing "Hate Speech" re-submitted to the Cabinet for approval to refer to the Legal Draftsman and for the observations of the Attorney General - January 2014 report	Ongoing	Full implementation pending enactment of Bill	Partial 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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
1	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. Invoke the present procedures as available in the Code of Criminal Procedures with priority given to such complaints. 2. Sensitize the public with regard to availability of the various mechanisms through the GIC (1919). 3. Enhance the capacity of the present GIC (1919) to entertain the receipt of information.	Partly Included	No Special Commissioner of Investigation	Presidential Secretariat	1) COI Appointed 2) Follow up action identified 3) Relevant material forwarded to AG	Completed	Disappearance COI established in August 2013 Material on investigations forwarded to AG - August, November 2013 reports	Completed	Mandate of the COI limited to two provinces and 1990-2009 timeframe Proliferation of COIs not consistent with LLRC's call for a 'Special Commissioner of Investigation'	Poor progress
2	53a	Direct law enforcement authorities to issue a formal receipt of arrest when taking persons into custody	4	1. Introduce appropriate legislation to provide for the issue of a receipt regarding arrest.	Fully included	Included in July 2013. Action plan absent.	Ministry of Justice, Ministry of Law and Order	Legislation introduced in Parliament	Mar-14	No further action required. Families of arrested persons were informed of their arrest and detention when Emergency Regulations were in force and in the period before and after. Persons were and are being detained in places which are declared as places of detention - January 2014 report The Presidential Directives of 7 July 2006 and reissued in 2007 remain valid to date - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	2007 Presidential Directive requires formal receipt - http://www.defence.lk/new.asp?fname=20070425_02 No fresh directive issued post-LLRC Hence the allegations referenced in para.5.40 of the LLRC report, which necessitated this recommendation, have been disregarded	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	Access is given to legal representatives, family members, religious dignitaries, medical personnel and the ICRC - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	Though 2007 Presidential Directive requires that next of kin is kept informed, no fresh directive issued post-LLRC Hence the allegations referenced in para.5.40 of the LLRC report, which necessitated this recommendation, have been disregarded Moreover, there is no formal process of informing family about changes to place of detention - http://files.amnesty.org/archives/asa370032012eng.pdf	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Ongoing	Refer to 9.53a	Completed	Persons arrested under PTA Regulations not produced promptly before magistrate Failure to report changes in places of detention - http://files.amnesty.org/archives/asa370032012eng.pdf Failure to produce before a magistrate - http://www.refworld.org/pdfid/4d775e2d2.pdf	Poor progress
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	Ongoing	Refer to 9.53a	Completed	No information on instructions to magistrates to conduct monthly visits Reports of magistrate visits merely to extend detention - http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderees-in-the-prison-system/	Poor progress
6	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	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 ie: 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 - January 2014 report According to a separate report, 234 detainees were undergoing rehabilitation, and 91 detainees were facing legal proceedings - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	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 almost a year The above figure appears to be contradicted by the GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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	Completed	Completed. A database available for next of kin to access at at Terrorist Investigation Units in Colombo, Vavuniya and Boosa, over 3,000 NOKs have made use of it thus far - January 2014 report	Completed	This database only lists those detained by TID and not by other agencies and institutions - http://www.dailymirror.lk/news/12099-only-seven-percent-get-information-on-detainees.html Difficulties locating detainees remain - http://files.amnesty.org/archives/asa370032012eng.pdf	Partial progress
8	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. Considering current circumstances of improved transport infrastructure, special facilities are not required.	Partly Included	Included in July 2013. No reference to ICRC.			Completed	Completed. In all instances where next of kin had faced transport difficulties, the Terrorist Investigation Unit has made necessary transport arrangements - January 2014 report	Completed	In addition to TID facilities, ICRC has coordinated and assisted family visits - http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf	Completed
9	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	Refer to 9.53a	Completed	Sections 7 and 9 of PTA permit detention in any place and transfer from place to place These provisions are prone to abuse - http://files.amnesty.org/archives/asa370032012eng.pdf	Poor progress
10	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	Completed	Detainee status reviewed and steps taken to provide special attention to young detainees. All former child combatants rehabilitated - January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed
11	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	Completed	Children and disabled have been provided with special assistance- January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
12	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	Completed	In the immediate aftermath of the war, action was taken by the Government to disarm all persons in the North & East - all Monitoring reports	Completed	No indication that investigations were carried out Members of these groups are currently engaged in politics - http://www.defence.lk/new.asp?fname=full_text_Post_Conflict_Sri_Lanka_Challenges_2013_0903	Poor progress
13	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	1) Ongoing 2) Ongoing	Refer to 9.73	Completed	Illegal armed groups continue to operate E.g. Attacks on Uthayan newspaper - http://www.adaderana.lk/news.php?nid=22321	Poor progress
14	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	Completed	All 594 child combatants were rehabilitated and reunited with their families within a one year period - January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed
15	115a	Take all steps to prevent harassment and attacks on media personnel and institutions.	7	1. Take appropriate action to ensure media freedom. (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. 2. Complete investigations into current cases 3. Promote responsible journalism and consider a code of conduct for journalists.	Fully included		1) Ministry of Mass Media & Information 2) Dept. of Police 3) Press Council.	1) Effective redress to grievances of media personnel 2) Investigations completed	Completed February 2014	Online complaint system www.slp.lk has been launched by the Sri Lanka Press Council enabling media personnel to lodge any complaint immediately - January 2014 report	Completed	Reports of harassment, intimidation, threats and attacks on journalists Uthayan - http://www.ceylontoday.lk/16-29082-news-detail-the-32nd-attack-on-uthayan-office.html See also: http://www.dailymirror.lk/opinion/172-opinion/28926-observing-press-freedom-in-sri-lanka.html	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
16	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	Completed	Refer to 9.115a	Completed	No deterrent punishments imposed thus far Press Council Act prohibits disclosure of certain fiscal, defense, 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
17	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	Completed	Refer to 9.115a	Completed	No prosecutions or convictions in the murder of Sunday Leader editor Lasantha Wickramatunga, attacks on Uthayan See http://asiancorrespondent.com/107014/analysis-the-assault-on-freedom-of-expression-in-sri-lanka/)	Poor progress
18	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	Completed	Completed. No restrictions on any person, including foreigners, travelling to North & East, no restrictions experienced by media personnel - January 2014 report	Completed	Restrictions imposed on journalists during CHOGM http://www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
19	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	<p>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.</p> <p>2. 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>	Fully included		<p>1) Ministry of Lands</p> <p>2) P.T.F. for N & E</p> <p>3) Presidential Secretariat</p>	<p>1) A completed study of the alienation of state land with specific reference to the N & E</p> <p>2) Appointment of the 4th Land Commission</p>		Rights safeguarded under new circular - February 2013 report. Reports from August onwards state implementation is complete	Completed	<p>Land Circular 2013/01 makes no reference to purchase of private land</p> <p>National Land Commission yet to be established as per Constitution</p>	No progress
20	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	Completed	Completed - August 2013 report.	Completed	Structure in place but no clear line of responsibility in Land Circular 2013/01	Partial progress
21	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	Completed	Completed - August 2013 report.	Completed	<p>Monitoring in progress</p> <p>Level of impartiality and transparency of Land Commissioner General not clear</p>	Partial progress
22	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	Completed	Completed - August 2013 report	Completed	No meeting held according to Land Commissioner General's Department	Poor progress
23	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 but written training manual to ensure all training is identical across Districts.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Completed	<p>Training programmes conducted - August 2013 report</p> <p>Completed - November 2013 report.</p>	Completed	No reference to community leaders or indication that a training manual exists	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
24	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	Completed	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	Resettlement in inconvenient areas such as Kombavil - http://groundviews.org/2011/10/03/re-displacement-of-menik-farm-inmates-to-kombavil-mullativu/ Recorded instances of land acquired for non-security purposes including establishing farms. E.g. Acquisition Notice: Land and Land Development Ministry Ref no: 4-3/4/2013/D/130.	Poor progress
25	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	Completed	Completed - August 2013 report.	Completed	Meetings held on ad-hoc basis and not prior to a formal investigation process (Source: Land Commissioner General's Department)	Poor progress
26	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				Completed	Completed - August 2013 report.	Completed	No indication of incorporating experiences of the Land Kachcheri system (Source: Land Commissioner General's Department)	Poor progress
27	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	Completed	Completed - August 2013 report.	Completed	No indication of constructive feedback from communities (Source: Land Commissioner General's Department)	Poor progress
28	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	Completed	Completed - August 2013.	Completed	Land Circular 2013/01 prevents alienating land to the landless until land problems are solved However, state land used to settle soldier families west of Iranamadu tank - R. Sampanthan, Parliament speech, 8 August 2013	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
29	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	Completed	Local funds have been allocated for this purpose - January 2014 report	Completed	Cooperation with development partner not sought due to claim that local funding is adequate	Poor progress
30	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	Completed	Completed - February 2013 report	Completed	6,371 acres of private land acquired in Valikammam, Jaffna - Gazette Extraordinary No. 1807/23 dated 26 April 2013 Refer 134a and 227	Poor progress
31	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.	Completed	Refer to 9.73	Completed	Progress reported only refers to disarmament in the North and East just after the war ended Some incidents involving illegal armed groups continue to take place e.g. EPDP alleged shootout in 2013 - http://www.thesundayleader.lk/2013/12/15/kamalendrans-smoking-gun/	Partial progress
32	210	Give full effect to all of its Interim Recommendations concerning illegal armed groups.	8		Partly Included (not referenced)	Contemplated under NPA item relating to recommendation 9.213				Interim recommendation is cited, fully implemented as per 9.73. Progress for 9.213: Investigations relating to many of the 76 in custody complete. Legal action had been taken with regard to the release, indictment or rehabilitation of 84 remaining suspects - January 2014 report - January 2014 report	Completed	Refer 9.73	Poor progress
33	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	Completed	Completed - January 2014	Completed	Ministry of Law and Order established in August 2013 President remains Minister in charge of Defence as well as Law and Order	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
34	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	Completed	Completed - January 2014	Completed	Under 18th Amendment to the Constitution, Chairman and members of Police Commission appointed by the President	No progress
35	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					Progress in all Monitoring reports is blank	Completed	Under 18th Amendment to the Constitution, Chairman and members of PSC appointed by the President	No progress
36	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	No reference to economic activities	Refer 9.171	Refer 9.171	Completed	Completed - February 2013 report Security forces personnel in Jaffna peninsula currently number approximately 15,000 - January 2014 report Military reduced by 30% in the North and 26% in the East. 50% of the troops have been deployed in areas which were not affected by the conflict. The activities carried out by the Sri Lankan military are within the ambit of Civil Military Cooperation and are not intended to usurp the powers of civil administration - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	Military still engages in economic activity: Agriculture: http://www.defence.lk/new.asp?fname=20110227_05 Tourism: http://www.thalsevanaresort.com ; http://www.layahotels.lk Transport: http://www.helitours.lk/aboutus.aspx	Poor progress
37	267	Take strong deterrent action to prevent incidents of inter-faith intolerance and make every endeavour to arrest the occurrence of such incidents.	8		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			Completed. No further action required - January 2014 report 182 incidents affecting all religions, of which only 147 were reported to police. Judicial inquiries are in progress regarding 112, and 22 cases have been concluded - See GoSL comments on OHCHR report A/HRC/25/23, 24 February 2014)	Completed	Over 360 reports of inter-faith intolerance (against Muslim and Christian communities) accompanied by inaction by authorities (Source: Secretariat for Muslims; National Christian Evangelical Alliance of Sri Lanka)	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
38	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 - January 2014 report	Completed	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	Timeframe	Action Taken	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	<p>Army Board on LLRC Recommendations called for Army Board of Inquiry to be appointed (24 January 2013)</p> <p>Navy BoI exonerated Navy - June 2013 report</p> <p>Army Col exonerated Army - November 2013 report</p> <p>Investigations into Channel 4 video currently underway</p>	Ongoing	Three military bodies have described the LLRC's findings pertaining to civilian deaths caused by security forces as either inadequate or baseless	No 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 9.9a	Fully included		Refer 9.9a	Refer 9.9a	Jun-14	<p>Initially CID to investigate - August 2013 report</p> <p>Thereafter transferred to Disappearance CoI - January 2014 report</p>	Ongoing	<p>LLRC lists at least 45 complaints - Annex 4.15</p> <p>Defence Secretary claims there were only 26 incidents - http://www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/</p> <p>According to the GoSL, no further inquiries were being conducted into the incident owing to 'lack of credible evidence' - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)</p>	Poor progress
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		Ongoing		Ongoing	<p>No update in monitoring reports as at February 2014</p> <p>Legal proceedings have not begun against any LTTE suspect for alleged war crimes - See OHCHR report A/HRC/25/23 (24 February 2014)</p>	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		Ongoing	Refer 9.9a	No 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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
5	39	Initiate an independent investigation to determine truth of allegations in Channel 4 documentary video footage.	1	1. Assess current processes being pursued to examine the authenticity of the allegations in Channel 4 namely, the inquiry currently conducted by the Army. 2. Based on such results take follow up action as appropriate.	Partly Included	Not 'independent'	Ministry of Defence, Presidential Secretariat	1. Assessment completed 2. Follow up action identified and pursued, as appropriate.	Jun-14	Army Col currently investigating - January 2014 report	Ongoing	No independent assessment	Poor progress
6	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					Ongoing	No information on Col procedure No current witness protection law A Bill on assistance and protection for victims of crime has been in preparation since 2007, and was tabled in Parliament in June 2008 - See GoSL comments on OHCHR report A/HRC/25/23, (24 February 2014) However, the Bill is still to be enacted and will not be applicable to ongoing investigations into the Channel 4 footage	No progress
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	1. Identify impediments, if any, to the effective enforcement of the law. That the offences are visited with serious sanctions 2. Strengthen investigation skills of Police. 3. Strengthen access to justice. 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.	Fully included		Ministry of Defence/ Police Department Legal Aid Commission, CBO's, Ministry of Justice, Police Department	1) Impediments identified and remedial action taken 2) Programmes to strengthen skills integrated into Police training modules 3) Access to justice programmes identified and implemented by establishing community policing units	Mar-14	TID to investigate 2,792 complaints of disappearances 2,547 cases investigated - January 2014 report 14 persons traced - January 2014 report Since 2012, the Government has transmitted responses on 842 cases to the Working Group on Enforced or Involuntary Disappearances dating back to the 1990s. An Inter-Agency Task Force has been established to respond to the Working Group - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	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'	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	Timeframe	Action Taken	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	Disappearance Col established in August 2013, TID has thus far traced 14 people - January 2014 report	Ongoing	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	13,700 complaints made to Col - January 2014 report 14 persons traced - January 2014 report Issues pertaining to families of the missing to be addressed via implementing the findings of ICRC's 2013 Family Needs Assessment' In 2012, the ICRC were attempting to trace 16,090 people	Ongoing	ICRC annual report 2012: 'The ICRC continued to remind the government of the plight of the families of the missing and to encourage them to establish a centralized database and a national mechanism to address the issue In 2012, the ICRC were attempting to trace 16,090 people	Poor progress
10	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. (Amalgamate with activity relating to para 9.37b above)	Fully included		Dept of Census & Statistics Ministry of Defence	Centralised system of data collection in place	Mar-14	Complaints computerised, public will be enabled to access information directly with the launch of the Commission's website anticipated in January 2014 - January 2014 report	Ongoing	Database not online in February 2014	Poor progress
11	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	No reference to published timeframe	Ministry of Public Administration & Home Affairs	Instructions issued to implement the provisions of new legislation.	Ongoing	Monitoring reports up to November 2013 indicated action taken to register deaths - up to 2012, 75 registered in North and 1562 in East 'Issuance of a Certificate of Absence is under consideration' - January 2014 report	Ongoing	Some progress reflected in previous monitoring reports However, there are some reports on the abuse of the process involving registration of deaths to avoid ascertaining the whereabouts of the missing - http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
12	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"> • Examination completed and gaps, if any, identified. • New strategies introduced to respond to gaps, if any. • Disciplinary action taken as a percent of complaints received. 		Complaints by the public against Police Officers rigorously monitored, can now be directly lodged at the Public Day of Inspector General of Police at the Police Headquarters. Action will be taken against errant Police Officers following existing procedure - January 2014 report	Ongoing	<p>No information on any prosecutions</p> <p>Examples of failure to record and investigate complaints of abductions - Sivasooriyakumar Sanaraj - http://www.amnesty.org/en/library/asset/ASA37/017/2013/en/b7ebe3b5-955d-4556-aa53-5aedaaa44752/asa370172013en.html</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		<p>Ministry of Justice</p> <p>Attorney-General's Dept.</p> <p>Police Department</p>	<p>1) Review of laws completed</p> <p>2) Legislation drafted and presented to Parliament, if found necessary</p>	Dec-14	<p>Draft Amendments sent to the AG for observations - January 2014 report</p> <p>The need for legislation for the criminalization of disappearances is being examined by a Committee appointed by the Ministry of Justice, in consultation with the Attorney General - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014</p>	Ongoing	Extent of implementation 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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
14	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>(1) Completed, refer to 9.63 - January 2014 report</p> <p>(2) Completed, refer to 9.53 - January 2014 report</p> <p>(3) Ministry of Justice commenced study to identify recommendations made by a number of committees in the recent past to look into issues of law's delays and proposed amendments to Civil Procedure Code, Criminal Procedure Code - January 2014.</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</p> <p>No. 2 - Partial progress</p> <p>No. 3 - Partial progress</p>	Partial progress
15	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.	Ongoing	22,068 land requests resolved in North and 1,177 in the East - January 2014 report	Ongoing	<p>Some measures have been taken to grant lands in terms of Land Development Ordinance under Ranbima, and Bimsaviya programmes</p> <p>See http://www.landmin.gov.lk/web/index.php?option=com_content&view=article&id=159%3Adistribution-of-ranbima-deeds&catid=44%3Aslideshow&lang=en</p>	Partial progress
16	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	Mar-14	20 awareness programmes conducted in North, 18 in the East - January 2014 report	Ongoing	No reference to formulating clear policies, current Land Circular 2013/01 does not specify areas for resettlement	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
17	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	Dec-14	Resettlement policy is being drafted and includes policy regarding refugees in India , bi-lateral discussions were held in January 2013, Govt. encourages return through its DHC in Chennai and UNHCR facilitates return - January 2014 report Approx. 68,000 refugees in camps in Southern India - February 2013 report	Ongoing	Progressive decline in numbers of those returning Limited peace and reconciliation activities targeting returnees have taken place (source: UNHCR consultation)	Poor progress
18	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.	Partly Included (not referenced)	Included in July 2013. Contemplated under NPA item relating to recommendation 9.113.	Ministry of Resettlement	Policy formulated	Mar-14	Integration of Muslim IDPs in the Puttalam District with the host community is taking place at a rapid pace, 3,000 families refused to return - January 2014 report	Ongoing	No formal policy formulated or communicated to IDPs	Poor progress
19	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	Jun-14	Presidential Task Force for Resettlement, Development and Security in the Northern Province appointed - January 2014 report	Ongoing	Issues of IDPs including displaced Muslims is being adressed - Report of PTF (2009 - 2012) http://www.scribd.com/doc/126851924/FROM-CONFLICT-TO-STABILITY-IN-SRI-LANKA As per Secretary of PTF, all matters are handled by Ministry of Resettlement, as PTF no longer functions A seperate committee is reported to have been appointed which consulted Muslim IDPs - http://asiantribune.com/node/62422	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
20	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	Jun-14	No progress reported in any Monitoring reports Action is being taken to release lands within the Cantonment area for agricultural and religious activities - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	Restrictions on accessing places of worship within de factor HSZs widely acknowledged - http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=93668	Poor progress
21	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	Ongoing	District Secretaries are taking action - January 2014 report	Ongoing	Numerous reports of obstructions to peaceful assembly - http://groundviews.org/2013/05/16/freedom-of-assembly-in-post-war-sri-lanka/ and http://www.ceylontoday.lk/16-11833-news-detail-unistudent-protest-tear-gassed.html	Poor progress
22	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.	Ongoing	Case pertaining to Trincomalee incident and investigations into Muttur incident ongoing - January 2014 report	Ongoing	Udalagama Commission Report not published, so recommendations are unknown Investigations into the two incidents (i.e. Trincomalee incident and Muttur incident) have begun, but no information on other incidents The Trincomalee incident was investigated by the Human Rights Commission of Sri Lanka at the time, and its report concluded that security forces had been involved (https://www.colombotelegraph.com/wp-content/uploads/2014/01/report-by-the-HRC-appointed-Special-Rapporteur.pdf)	Poor progress
23	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	Ongoing	To be discussed under the 4th Land Commission - January 2014 report This is provided for under the new Circular - February 2013 report	Ongoing	Public have been made aware, but no information on specific publicity effort by government	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
24	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	Ongoing	In progress - January 2014. Previous reports refer to budgetary allocations, human resources etc	Ongoing	No specific progress reported on how the government intends to ensure an apolitical approach All officers implementing Land Circular 2013/01 appointed and answerable to central government	Poor progress
25	133	Launch a settler centered 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	Completed	Refer to 9.106 - January 2014 report	Ongoing	Information campaign was carried out according to consultations in sample DS Divisions	Partial progress
26	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		Completed	Completed - November 2013. *January 2014 report - timeframe states 'completed' while progress states 'ongoing'	Ongoing	Land Circular 2013/01 does not focus on dispute resolution	Poor progress
27	139	Give all families who have been secondary occupants, whether at the behest of LTTE or not, land, if the lands they are currently in occupation are awarded to the genuine original permit holders on the results of the Investigating Committee [In terms of Land Circular 2011/04] decisions	3		Not actionable	Included in July 2013				Refer to 9.104 - January 2014 report	Ongoing	Not actionable as Investigating Committees abolished under new Land Circular 2013/01	N/A
28	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 re-locate 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) Ongoing b) June 2014 c) December 2015	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 report	Ongoing	Some land has been released but new acquisitions take place in North and East: 9,717 acres + 17,489 acres as per August 2013 report; 4,058 ha (10,023 acres) as per November 2013 report	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
29	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) Ongoing b) June 2014 c) December 2015	Refer to 9.142a	Ongoing	No specific information on alternative land or compensation paid 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 - http://www.thesundayleader.lk/2014/01/12/landowners-without-land/	Poor progress
30	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.		Ministry of Resettlement is currently processing relevant details from District Secretaries - January 2014 report	Ongoing	This recommendation does not contemplate clear governmental action However, some reports indicate that a special committee was appointed to deal with this issue http://asiantribune.com/node/62422	Partial progress
31	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	Review of official data completed. Follow-up action taken as appropriate		4,414 families returned to Northern province - January 2014 report	Ongoing		Partial progress
32	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		Ministry of Resettlement is currently processing relevant details received from the District Secretaries - January 2014 report	Ongoing	No focal agency designated as at February 2014	Poor progress
33	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			Amendment to the Prescription Ordinance addressing this issue is to be presented in Parliament by February 2014 - January 2014 report	Ongoing	Full implementation pending enactment of Bill	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
34	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	To be confirmed	Progress in all Monitoring reports is blank	Ongoing	National Land Commission yet to be established as per Constitution.	Poor progress
35	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 bio-diversity; sustainable economic development; leisure and recreational standards; religious, cultural, and archeological 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.	Jun-15	National level expert groups appointed, technical guideline prepared by District level expert groups - January 2014; District Secretariats and Divisional Secretariats have reported that there has been considerable progress in the development of district land use plans - August 2013 report	Ongoing		Partial progress
36	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.	Ongoing	No progress reported in any Monitoring reports	Ongoing	Parliamentary Select Committee process launched without participation of key political actors in opposition	Poor 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.	Dec-14	Study underway on number of those evicted from North and East from all communities, 6391 plots of land alienated for resettling Muslims - January 2014 report. PTF for NP has instructed M/Environment to allocate suitable forest land in Mannar, Kilinochchi and Mullaitivu to resettle evicted Muslims and housing construction project initiated - August 2013 report	Ongoing	Refer to 9.113	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
38	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.	Jun-14	Investigations relating to many of the 76 in custody complete. Legal action had been taken with regard to the release, indictment or rehabilitation of 84 remaining suspects - January 2014 report	Ongoing	Progress makes no reference to specific individuals. No action taken to date with regard to senior paramilitary leaders such as Douglas Devananda. Iniya Bharati 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. Refer 9.79a	Poor progress
39	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	Jun-14	Refer to 9.207	Ongoing	No indication of investigations or prosecutions	Poor progress
40	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	Jun-14	Refer to 9.207	Ongoing	No information on investigation or arrest of anyone known as Major Seelan	Poor progress
41	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	Dec-13	Deputy Solicitor-General or an Additional Solicitor-General is appointed to each Province, Senior State Counsel is appointed to each High Court Division within a Province, Steps underway to establish a branch office in each province - January 2014 report	Ongoing	Same progress is reported in every monitoring report since February 2013	Partial progress
42	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	Jun-14	Refer to 9.207	Ongoing	Refer to 9.207	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
43	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	Jun-14	Public Day of IGP, IGP Help Desk and 'Tell IGP' website enables 'any person to make any kind of complaint without going through formal procedure or language Barriers'; proposed board for land mediation - January 2014 report	Ongoing	No such institution has been established as at February 2014	Poor progress
44	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	Jun-14	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218	Poor progress
45	220	Make provision to give effect to the decisions of a special institution to deal with citizens 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	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218	Poor progress
46	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		PSC appointed in October 2011, 'to recommend and report political and constitutional measures to empower the people of Sri Lanka as one nation'. TOR available here - http://www.sundaytimes.lk/111016/Columns/political.html	Ongoing	Refer 9.230	Poor progress
47	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		Refer to 9.236	Ongoing	Refer 9.230	Poor progress
48	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)	Contemplated under NPA item relating to recommendations 9.236 and 237.	Refer to 9.236	Refer to 9.236		Refer to 9.236	Ongoing	Refer 9.230	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
49	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		M/Justice	Submission of draft legislation to Parliament.	Jun-14	Draft amendment to the Penal Code, incorporating the section criminalizing "Hate Speech" re-submitted to the Cabinet for approval to refer to the Legal Draftsman and for the observations of the Attorney General - January 2014 report	Ongoing	Full implementation pending enactment of Bill	Partial 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	Timeframe	Action Taken	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					None	No plan to implement Incidents of custodial deaths reported E.g. Custodial deaths of Ganesan Nimalaruban and Mariyadas Pevis Delrukshan in 2012 At least 27 inmates were killed and 43 injured when the armed forces intervened during the Welikada prison riot on 9 November 2012	No progress
2	50b	Keep families informed of progress towards locating their missing loved ones.	1		Not included	No action to keep families informed					None	No specific action taken Reports on harrassment of families: Amnesty International - 2012 - http://files.amnesty.org/archives/asa370032012eng.pdf	No progress
3	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			Under consideration - February 2013 report Progress section in other reports are blank	None	Advisory Board can be established under Section 13 of PTA, consisting of no less than 3 persons appointed by the President No indication of any independent advisory committee appointed	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
4	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					None	<p>In March 2010, ICRC suspended visits to rehabilitation centres and prisons after authorities refused to allow ICRC to speak to detainees in private</p> <p>Following this incident, ICRC only visited places of detention run by the TID</p> <p>Visits only resumed in March 2013 and the ICRC continues to work with government on detainees - http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf</p>	Partial progress
5	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	<p>1. Identify and establish procedures in the existing system to address the issue</p> <p>2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.</p>	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 progress indicated in any Monitoring reports	None	<p>No indication of steps taken to dispose of such cases - http://www.refworld.org/pdfid/4ca0ae592.pdf http://www.amnesty.org/en/library/asset/ASA37/001/2011/en/64530ad7-76a6-4fb1-8f46-996c8543daf8/asa370012011en.pdf and http://groundviews.org/2011/09/16/lifting-of-emergency-exposing-the-sham-exercise/</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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
6	79a	Investigate alleged cases of conscription of child combatants where prima facie evidence exists; prosecute wrongdoers thereupon.	8		Fully included				Investigations completed.	Progress in all Monitoring reports is blank	None	<p>No updates on plans to initiate prosecutions of certain identified persons accused of recruiting children e.g. Pillayan and Karuna.</p> <p>However, an investigation was launched into Iniya Bharahthi's involvement in the case of five missing children recruited by the Iniya Bharathi faction (Source: Report of the UN Secretary General to the Security Council - A/66/782-S/2012/261 issued on 26 April 2012)</p>	Partial progress
7	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					None	<p>Action Plan signed in December 2008 was to be implemented over three months, and involved the TMVP releasing all recruited child soldiers - http://www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment</p> <p>By April 2012, the locations of 5 children recruited by the TMVP remained unknown</p> <p>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 UN Secretary General on Children in Armed Conflict 2011 (http://transcurrents.com/news-views/archives/436) and 2012 (http://childrenandarmedconflict.un.org/countries/sri-lanka/)</p>	Completed

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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
8	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					None	No indication that these issues have been prioritised Families of disappeared have been harassed and on occasion detained by Police - http://www.rightsnow.net/?p=2012	No progress
9	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.		Progress section blank in all Monitoring reports	None	No current plan to enact legislation on RTI - Ministry of Justice Progress Report (January - August 2013) makes no reference to progress with regard to Right to Information	Poor progress
10	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	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	Partly Included	No commitment regarding preventing demographic changes	Ministry of Lands	Policy formulated	Jan-14	TOR for 4th Land Commission under discussion at Presidential Commission - January 2014 report	None	Settlement of soldier families in Tamil majority areas - Parliament speech by R. Sampanthan, 8 August 2013 Plan to settle 25,000 Sinhalese families under Mahaweli system L - http://www.defence.lk/new.asp?fname=20090818_02	No progress
11	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					None	Military involved in maintaining public order under PSO See Gazette Extraordinary No.1848/5 dated 3 February 2014	No progress
12	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					None	No new law introduced	No progress
13	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					None	Refer 9.113	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
14	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					None	The Divi Neguma framework involves institutions created at regional, district and community level, and may involve some level of community consultation and participation However, some development activities have resulted in loss of land and livelihoods and take place without community consultation or participation E.g - http://www.sundaytimes.lk/130310/news/hundreds-displaced-livelihoods-destroyed-in-govt-land-grab-for-development-36314.html ; WFFP on Oluvil port- http://www.panap.net/sites/default/files/womens-resistance-booklet3.pdf	Partial progress
15	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.	Feb-14	Progress in all Monitoring reports is blank	None	Human Resources Policy to be presented to Cabinet in 2014 - http://www.dailynews.lk/local/national-policy-human-resources-cabine	Partial progress
16	228	Make all endeavors, 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	Progress section in all Monitoring reports is blank	None	No indication of steps taken towards amendment at at February 2014	Poor progress
17	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					None	Parliamentary Select Committee process launched without participation of key political actors in opposition	Poor progress
18	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					None	National Policy on Local Government: Action Plan for 2012-2014 includes some level of grassroots participation	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
19	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					None	APRC report was not tabled in Parliament although it dealt with devolution New Parliamentary Select Committee process will consider shortcomings of PC system	Partial progress

Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
1	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. Considering current circumstances of improved transport infrastructure, special facilities are not required.	Partly Included	Included in July 2013. No reference to ICRC.			Completed	Completed. In all instances where next of kin had faced transport difficulties, the Terrorist Investigation Unit has made necessary transport arrangements - January 2014 report	Completed	In addition to TID facilities, ICRC has coordinated and assisted family visits - http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf	Completed
2	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	Completed	Detainee status reviewed and steps taken to provide special attention to young detainees. All former child combatants rehabilitated - January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed
3	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	Completed	Children and disabled have been provided with special assistance- January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed

Annex: Completed

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
4	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					None	<p>Action Plan signed in December 2008 was to be implemented over three months, and involved the TMVP releasing all recruited child soldiers - http://www.irinnews.org/report/81977/sri-lanka-breakaway-tamil-tiger-faction-to-stop-child-recruitment</p> <p>By April 2012, the locations of 5 children recruited by the TMVP remained unknown</p> <p>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 UN Secretary General on Children in Armed Conflict 2011 (http://transcurrenents.com/news-views/archives/436) and 2012 (http://childrenandarmedconflict.un.org/countries/sri-lanka/)</p>	Completed
5	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	Completed	All 594 child combatants were rehabilitated and reunited with their families within a one year period - January 2014 report	Completed	January 2014 report indicates steps taken towards full implementation	Completed

Annex: Partial Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
1	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	No reference to published timeframe	Ministry of Public Administration & Home Affairs	Instructions issued to implement the provisions of new legislation.	Ongoing	Monitoring reports up to November 2013 indicated action taken to register deaths - up to 2012, 75 registered in North and 1562 in East 'Issuance of a Certificate of Absence is under consideration' - January 2014 report	Ongoing	Some progress reflected in previous monitoring reports However, there are some reports on the abuse of the process involving registration of deaths to avoid ascertaining the whereabouts of the missing - http://www.ceylontoday.lk/51-53643-news-detail-issuing-death-certificates-to-missing-persons-illegal.html	Partial progress
2	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	Draft Amendments sent to the AG for observations - January 2014 report The need for legislation for the criminalization of disappearances is being examined by a Committee appointed by the Ministry of Justice, in consultation with the Attorney General - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	Extent of implementation contingent on the draft	Partial progress
3	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	Completed	Completed. A database available for next of kin to access at at Terrorist Investigation Units in Colombo, Vavuniya and Boosa, over 3,000 NOKs have made use of it thus far - January 2014 report	Completed	This database only lists those detained by TID and not by other agencies and institutions - http://www.dailymirror.lk/news/12099-only-seven-percent-get-information-on-detainees.html Difficulties locating detainees remain - http://files.amnesty.org/archives/asa370032012eng.pdf	Partial progress

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4	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>(1) Completed, refer to 9.63 - January 2014 report</p> <p>(2) Completed, refer to 9.53 - January 2014 report</p> <p>(3) Ministry of Justice commenced study to identify recommendations made by a number of committees in the recent past to look into issues of law's delays and proposed amendments to Civil Procedure Code, Criminal Procedure Code - January 2014.</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
5	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					None	<p>In March 2010, ICRC suspended visits to rehabilitation centres and prisons after authorities refused to allow ICRC to speak to detainees in private</p> <p>Following this incident, ICRC only visited places of detention run by the TID</p> <p>Visits only resumed in March 2013 and the ICRC continues to work with government on detainees - http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-sri-lanka.pdf and http://www.icrc.org/eng/assets/files/2014/sri-lanka-newsletter-september-2013.pdf</p>	Partial progress

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6	79a	Investigate alleged cases of conscription of child combatants where prima facie evidence exists; prosecute wrongdoers thereupon.	8		Fully included					Investigations completed.	Progress in all Monitoring reports is blank	None	No updates on plans to initiate prosecutions of certain identified persons accused of recruiting children e.g. Pillayan and Karuna. However, an investigation was launched into Iniya Bharathi's involvement in the case of five missing children recruited by the Iniya Bharathi faction (Source: Report of the UN Secretary General to the Security Council - A/66/782-S/2012/261 issued on 26 April 2012)	Partial progress
7	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.	Ongoing	22,068 land requests resolved in North and 1,177 in the East - January 2014 report	Ongoing	Some measures have been taken to grant lands in terms of Land Development Ordinance under Ranbima, and Bimsaviya programmes See http://www.landmin.gov.lk/web/index.php?option=com_content&view=article&id=159%3Adistribution-of-ranbima-deeds&catid=44%3Aslideshow&lang=en	Partial progress	
8	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	Jun-14	Presidential Task Force for Resettlement, Development and Security in the Northern Province appointed - January 2014 report	Ongoing	Issues of IDPs including displaced Muslims is being addressed - Report of PTF (2009 - 2012) http://www.scribd.com/doc/126851924/FROM-CONFLICT-TO-STABILITY-IN-SRI-LANKA As per Secretary of PTF, all matters are handled by Ministry of Resettlement, as PTF no longer functions A separate committee is reported to have been appointed which consulted Muslim IDPs - http://asiantribune.com/node/62422	Partial progress	

Annex: Partial Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
9	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	Ongoing	To be discussed under the 4th Land Commission - January 2014 report This is provided for under the new Circular - February 2013 report	Ongoing	Public have been made aware, but no information on specific publicity effort by government	Partial 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	Completed	Completed - August 2013 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	Completed	Completed - August 2013 report.	Completed	Monitoring in progress Level of impartiality and transparency of Land Commissioner General not clear	Partial progress
12	133	Launch a settler centered 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	Completed	Refer to 9.106 - January 2014 report	Ongoing	Information campaign was carried out according to consultations in sample DS Divisions	Partial progress
13	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.		Ministry of Resettlement is currently processing relevant details from District Secretaries - January 2014 report	Ongoing	This recommendation does not contemplate clear governmental action However, some reports indicate that a special committee was appointed to deal with this issue http://asiantribune.com/node/62422	Partial progress
14	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	Review of official data completed. Follow-up action taken as appropriate		4,414 families returned to Northern province - January 2014 report	Ongoing		Partial progress
15	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					None	Refer 9.113	Partial progress

Annex: Partial Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
16	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			Amendment to the Prescription Ordinance addressing this issue is to be presented in Parliament by February 2014 - January 2014 report	Ongoing	Full implementation pending enactment of Bill	Partial progress
17	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 bio-diversity; sustainable economic development; leisure and recreational standards; religious, cultural, and archeological 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.	Jun-15	National level expert groups appointed, technical guideline prepared by District level expert groups - January 2014; District Secretariats and Divisional Secretariats have reported that there has been considerable progress in the development of district land use plans - August 2013 report	Ongoing		Partial progress
18	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.	Dec-14	Study underway on number of those evicted from North and East from all communities, 6391 plots of land alienated for resettling Muslims - January 2014 report. PTF for NP has instructed M/Environment to allocate suitable forest land in Mannar, Kilinochchi and Mullaitivu to resettle evicted Muslims and housing construction project initiated - August 2013 report	Ongoing	Refer to 9.113	Partial progress
19	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.	Completed	Refer to 9.73	Completed	Progress reported only refers to disarmament in the North and East just after the war ended Some incidents involving illegal armed groups continue to take place e.g. EPDP alleged shootout in 2013 - http://www.thesundayleader.lk/2013/12/15/kamalendransas-smoking-gun/	Partial progress

Annex: Partial Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
20	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>	Dec-13	Deputy Solicitor-General or an Additional Solicitor-General is appointed to each Province, Senior State Counsel is appointed to each High Court Division within a Province, Steps underway to establish a branch office in each province - January 2014 report	Ongoing	Same progress is reported in every monitoring report since February 2013	Partial progress
21	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					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>However, some development activities have resulted in loss of land and livelihoods and take place without community consultation or participation</p> <p>E.g - http://www.sundaytimes.lk/130310/news/hundreds-displaced-livelihoods-destroyed-in-govt-land-grab-for-development-36314.html; WFFP on Oluvil port- http://www.panap.net/sites/default/files/womens-resistance-booklet3.pdf</p>	Partial progress
22	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	<p>1) HR Plan of Action formulated.</p> <p>2) Implementation of HRPA commenced.</p>	Feb-14	Progress in all Monitoring reports is blank	None	Human Resources Policy to be presented to Cabinet in 2014 - http://www.dailynews.lk/local/national-policy-human-resources-cabine	Partial progress

Annex: Partial Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
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					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					None	APRC report was not tabled in Parliament although it dealt with devolution New Parliamentary Select Committee process will consider shortcomings of PC system	Partial progress
25	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		M/Justice	Submission of draft legislation to Parliament.	Jun-14	Draft amendment to the Penal Code, incorporating the section criminalizing "Hate Speech" re-submitted to the Cabinet for approval to refer to the Legal Draftsman and for the observations of the Attorney General - January 2014 report	Ongoing	Full implementation pending enactment of Bill	Partial progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
1	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 9.9a	Fully included		Refer 9.9a	Refer 9.9a	Jun-14	Initially CID to investigate - August 2013 report Thereafter transferred to Disappearance Col - January 2014 report	Ongoing	LLRC lists at least 45 complaints - Annex 4.15 Defence Secretary claims there were only 26 incidents - http://www.ft.lk/2013/09/04/sri-lanka-is-peaceful-stable-and-democratically-secured/ According to the GoSL, no further inquiries were being conducted into the incident owing to 'lack of credible evidence' - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Poor progress
2	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		Ongoing		Ongoing	No update in monitoring reports as at February 2014 Legal proceedings have not begun against any LTTE suspect for alleged war crimes - See OHCHR report A/HRC/25/23 (24 February 2014)	Poor progress
3	39	Initiate an independent investigation to determine truth of allegations in Channel 4 documentary video footage.	1	1. Assess current processes being pursued to examine the authenticity of the allegations in Channel 4 namely, the inquiry currently conducted by the Army. 2. Based on such results take follow up action as appropriate.	Partly Included	Not 'independent'	Ministry of Defence, Presidential Secretariat	1. Assessment completed 2. Follow up action identified and pursued, as appropriate.	Jun-14	Army Col currently investigating - January 2014 report	Ongoing	No independent assessment	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
4	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	<p>TID to investigate 2,792 complaints of disappearances 2,547 cases investigated - January 2014 report</p> <p>14 persons traced - January 2014 report</p> <p>Since 2012, the Government has transmitted responses on 842 cases to the Working Group on Enforced or Involuntary Disappearances dating back to the 1990s. An Inter-Agency Task Force has been established to respond to the Working Group - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)</p>	Ongoing	<p>TID is an inappropriate body</p> <p>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>	Poor progress
5	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	<p>1) Committee convened</p> <p>2) New strategies identified</p> <p>3) Implementation of new initiatives commenced</p>	<p>1) January 2014</p> <p>2) March 2014</p> <p>3) June 2014</p>	<p>Disappearance Col established in August 2013, TID has thus far traced 14 people - January 2014 report</p>	Ongoing	No details on how the recommendations of past Cols have been taken on board to avoid duplication	Poor progress
6	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	<p>13,700 complaints made to Col - January 2014 report</p> <p>14 persons traced - January 2014 report</p> <p>Issues pertaining to families of the missing to be addressed via implementing the findings of ICRC's 2013 Family Needs Assessment'</p>	Ongoing	<p>ICRC annual report 2012: 'The ICRC continued to remind the government of the plight of the families of the missing and to encourage them to establish a centralized database and a national mechanism to address the issue</p> <p>In 2012, the ICRC were attempting to trace 16,090 people</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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
7	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. Invoke the present procedures as available in the Code of Criminal Procedures with priority given to such complaints. 2. Sensitize the public with regard to availability of the various mechanisms through the GIC (1919). 3. Enhance the capacity of the present GIC (1919) to entertain the receipt of information.	Partly Included	No Special Commissioner of Investigation	Presidential Secretariat	1) COI Appointed 2) Follow up action identified 3) Relevant material forwarded to AG	Completed	Disappearance COI established in August 2013 Material on investigations forwarded to AG - August, November 2013 reports	Completed	Mandate of the COI limited to two provinces and 1990-2009 timeframe Proliferation of COIs not consistent with LLRC's call for a 'Special Commissioner of Investigation'	Poor progress
8	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. (Amalgamate with activity relating to para 9.37b above)	Fully included		Dept of Census & Statistics Ministry of Defence	Centralised system of data collection in place	Mar-14	Complaints computerised, public will be enabled to access information directly with the launch of the Commission's website anticipated in January 2014 - January 2014 report	Ongoing	Database not online in February 2014	Poor progress
9	53a	Direct law enforcement authorities to issue a formal receipt of arrest when taking persons into custody	4	1. Introduce appropriate legislation to provide for the issue of a receipt regarding arrest.	Fully included	Included in July 2013. Action plan absent.	Ministry of Justice, Ministry of Law and Order	Legislation introduced in Parliament	Mar-14	No further action required. Families of arrested persons were informed of their arrest and detention when Emergency Regulations were in force and in the period before and after. Persons were and are being detained in places which are declared as places of detention - January 2014 report The Presidential Directives of 7 July 2006 and reissued in 2007 remain valid to date - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	2007 Presidential Directive requires formal receipt - http://www.defence.lk/new.asp?fname=20070425_02 No fresh directive issued post-LLRC Hence the allegations referenced in para.5.40 of the LLRC report, which necessitated this recommendation, have been disregarded	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
10	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	Access is given to legal representatives, family members, religious dignitaries, medical personnel and the ICRC - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	<p>Though 2007 Presidential Directive requires that next of kin is kept informed, no fresh directive issued post-LLRC</p> <p>Hence the allegations referenced in para.5.40 of the LLRC report, which necessitated this recommendation, have been disregarded</p> <p>Moreover, there is no formal process of informing family about changes to place of detention - http://files.amnesty.org/archives/asa370032012eng.pdf</p>	Poor progress
11	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	Ongoing	Refer to 9.53a	Completed	<p>Persons arrested under PTA Regulations not produced promptly before magistrate</p> <p>Failure to report changes in places of detention - http://files.amnesty.org/archives/asa370032012eng.pdf</p> <p>Failure to produce before a magistrate - http://www.refworld.org/pdfid/4d775e2d2.pdf</p>	Poor progress
12	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	Ongoing	Refer to 9.53a	Completed	<p>No information on instructions to magistrates to conduct monthly visits</p> <p>Reports of magistrate visits merely to extend detention - http://groundviews.org/2012/02/14/arbitrary-detention-in-sri-lanka-internment-rehabilitation-and-surrenderees-in-the-prison-system/</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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
13	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"> • Examination completed and gaps, if any, identified. • New strategies introduced to respond to gaps, if any. • Disciplinary action taken as a percent of complaints received. 		Complaints by the public against Police Officers rigorously monitored, can now be directly lodged at the Public Day of Inspector General of Police at the Police Headquarters. Action will be taken against errant Police Officers following existing procedure - January 2014 report	Ongoing	<p>No information on any prosecutions</p> <p>Examples of failure to record and investigate complaints of abductions - Sivasooriyakumar Sanaraj - http://www.amnesty.org/en/library/asset/ASA37/017/2013/en/b7ebe3b5-955d-4556-aa53-5aedaaa44752/asa370172013en.html</p>	Poor progress
14	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	<p>1. Identify and establish procedures in the existing system to address the issue</p> <p>2. Complete decision making regarding detainees through a dedicated Unit in the Attorney General's Dept. mandated to examine detention cases.</p>	Fully included	Also an interim recommendation, cited as such in NPA	Attorney-General's Dept.	<p>1) Processes identified and established</p> <p>2) Reduction in the number of detainees.</p> <p>3) Unit established</p>	Dec-14	<p>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 ie: 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 - January 2014 report</p> <p>According to a separate report, 234 detainees were undergoing rehabilitation, and 91 detainees were facing legal proceedings - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)</p>	Completed	<p>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 almost a year</p> <p>The above figure appears to be contradicted by the GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)</p>	Poor progress
15	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	Refer to 9.53a	Completed	<p>Sections 7 and 9 of PTA permit detention in any place and transfer from place to place</p> <p>These provisions are prone to abuse - http://files.amnesty.org/archives/asa370032012eng.pdf</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	Timeframe	Action Taken	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 progress indicated in any Monitoring reports	None	No indication of steps taken to dispose of such cases - http://www.refworld.org/pdfid/4ca0ae592.pdf http://www.amnesty.org/en/library/asset/ASA37/001/2011/en/64530ad7-76a6-4fb1-8f46-996c8543da8/asa370012011en.pdf and http://groundviews.org/2011/09/16/lifting-of-emergency-exposing-the-sham-exercise/	Poor progress
17	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	Completed	In the immediate aftermath of the war, action was taken by the Government to disarm all persons in the North & East - all Monitoring reports	Completed	No indication that investigations were carried out Members of these groups are currently engaged in politics - http://www.defence.lk/new.asp?fname=full_text_Post_Conflict_Sri_Lanka_Challenges_20130903	Poor progress
18	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	1) Ongoing 2) Ongoing	Refer to 9.73	Completed	Illegal armed groups continue to operate E.g. Attacks on Uthayan newspaper - http://www.adaderana.lk/news.php?nid=22321	Poor progress
19	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	Mar-14	20 awareness programmes conducted in North, 18 in the East - January 2014 report	Ongoing	No reference to formulating clear policies, current Land Circular 2013/01 does not specify areas for resettlement	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
20	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	Dec-14	Resettlement policy is being drafted and includes policy regarding refugees in India , bi-lateral discussions were held in January 2013, Govt. encourages return through its DHC in Chennai and UNHCR facilitates return - January 2014 report Approx. 68,000 refugees in camps in Southern India - February 2013 report	Ongoing	Progressive decline in numbers of those returning Limited peace and reconciliation activities targeting returnees have taken place (source: UNHCR consultation)	Poor progress
21	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.	Partly Included (not referenced)	Included in July 2013. Contemplated under NPA item relating to recommendation 9.113.	Ministry of Resettlement	Policy formulated	Mar-14	Integration of Muslim IDPs in the Puttalam District with the host community is taking place at a rapid pace, 3,000 families refused to return - January 2014 report	Ongoing	No formal policy formulated or communicated to IDPs	Poor progress
22	115a	Take all steps to prevent harassment and attacks on media personnel and institutions.	7	1. Take appropriate action to ensure media freedom. (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. 2. Complete investigations into current cases 3. Promote responsible journalism and consider a code of conduct for journalists.	Fully included		1) Ministry of Mass Media & Information 2) Dept. of Police 3) Press Council.	1) Effective redress to grievances of media personnel 2) Investigations completed	Completed February 2014	Online complaint system www.sipc.lk has been launched by the Sri Lanka Press Council enabling media personnel to lodge any complaint immediately - January 2014 report	Completed	Reports of harassment, intimidation, threats and attacks on journalists Uthayan - http://www.ceylontoday.lk/16-29082-news-detail-the-32nd-attack-on-uthayan-office.html See also: http://www.dailymirror.lk/opinion/172-opinion/28926-observing-press-freedom-in-sri-lanka-.html	Poor progress

Annex: Poor Progress

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23	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	Completed	Refer to 9.115a	Completed	No deterrent punishments imposed thus far Press Council Act prohibits disclosure of certain fiscal, defense, 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
24	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	Completed	Refer to 9.115a	Completed	No prosecutions or convictions in the murder of Sunday Leader editor Lasantha Wickramatunga, attacks on Uthayan See http://asiancorrespondent.com/107014/analysis-the-assault-on-freedom-of-expression-in-sri-lanka/)	Poor progress
25	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	Completed	Completed. No restrictions on any person, including foreigners, travelling to North & East, no restrictions experienced by media personnel - January 2014 report	Completed	Restrictions imposed on journalists during CHOGM http://www.channel4.com/news/channel-4-news-sri-lanka-mahinda-rajapaksa-chogm-summit	Poor progress
26	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.		Progress section blank in all Monitoring reports	None	No current plan to enact legislation on RTI - Ministry of Justice Progress Report (January - August 2013) makes no reference to progress with regard to Right to Information	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
27	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	Jun-14	No progress reported in any Monitoring reports Action is being taken to release lands within the Cantonment area for agricultural and religious activities - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Ongoing	Restrictions on accessing places of worship within de factor HSZs widely acknowledged - http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=93668	Poor progress
28	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	Ongoing	District Secretaries are taking action - January 2014 report	Ongoing	Numerous reports of obstructions to peaceful assembly - http://groundviews.org/2013/05/16/freedom-of-assembly-in-post-war-sri-lanka/ and http://www.ceylontoday.lk/16-11833-news-detail-unistudent-protest-tear-gassed.html	Poor progress
29	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.	Ongoing	Case pertaining to Trincomalee incident and investigations into Muttur incident ongoing - January 2014 report	Ongoing	Udalagama Commission Report not published, so recommendations are unknown Investigations into the two incidents (i.e. Trincomalee incident and Muttur incident) have begun, but no information on other incidents The Trincomalee incident was investigated by the Human Rights Commission of Sri Lanka at the time, and its report concluded that security forces had been involved (https://www.colombotelegraph.com/wp-content/uploads/2014/01/report-by-the-HRC-appointed-Special-Rapporteur.pdf)	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
30	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	Ongoing	In progress - January 2014. Previous reports refer to budgetary allocations, human resources etc	Ongoing	No specific progress reported on how the government intends to ensure an apolitical approach All officers implementing Land Circular 2013/01 appointed and answerable to central government	Poor progress
31	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	Completed	Completed - August 2013 report	Completed	No meeting held according to Land Commissioner General's Department	Poor progress
32	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 but written training manual to ensure all training is identical across Districts.	3	Refer to 9.126	Fully included		Ministry of Lands	Refer to 9.126	Completed	Training programmes conducted - August 2013 report Completed - November 2013 report.	Completed	No reference to community leaders or indication that a training manual exists	Poor progress
33	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	Completed	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	Resettlement in inconvenient areas such as Kombavil - http://groundviews.org/2011/10/03/re-displacement-of-menik-farm-inmates-to-kombavil-mullativu/ Recorded instances of land acquired for non-security purposes including establishing farms. E.g. Acquisition Notice: Land and Land Development Ministry Ref no: 4-3/4/2013/D/130.	Poor progress
34	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	Completed	Completed - August 2013 report.	Completed	Meetings held on ad-hoc basis and not prior to a formal investigation process (Source: Land Commissioner General's Department)	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
35	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				Completed	Completed - August 2013 report.	Completed	No indication of incorporating experiences of the Land Kachcheri system (Source: Land Commissioner General's Department)	Poor progress
36	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	Completed	Completed - August 2013 report.	Completed	No indication of constructive feedback from communities (Source: Land Commissioner General's Department)	Poor progress
37	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		Completed	Completed - November 2013. *January 2014 report - timeframe states 'completed' while progress states 'ongoing'	Ongoing	Land Circular 2013/01 does not focus on dispute resolution	Poor progress
38	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	Completed	Completed - August 2013.	Completed	Land Circular 2013/01 prevents alienating land to the landless until land problems are solved However, state land used to settle soldier families west of Iranamadu tank - R. Sampanthan, Parliament speech, 8 August 2013	Poor progress
39	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	Completed	Local funds have been allocated for this purpose - January 2014 report	Completed	Cooperation with development partner not sought due to claim that local funding is adequate	Poor progress
40	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 re-locate 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) Ongoing b) June 2014 c) December 2015	20,011 acres of private land and 5740 acres of state land in North and East released; Sampur HSZ declared a Development Zone under BoI - January 2014 report	Ongoing	Some land has been released but new acquisitions take place in North and East: 9,717 acres + 17,489 acres as per August 2013 report; 4,058 ha (10,023 acres) as per November 2013 report	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
41	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) Ongoing b) June 2014 c) December 2015	Refer to 9.142a	Ongoing	No specific information on alternative land or compensation paid 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 - http://www.thesundayleader.lk/2014/01/12/landowners-without-land/	Poor progress
42	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		Ministry of Resettlement is currently processing relevant details received from the District Secretaries - January 2014 report	Ongoing	No focal agency designated as at February 2014	Poor progress
43	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	To be confirmed	Progress in all Monitoring reports is blank	Ongoing	National Land Commission yet to be established as per Constitution.	Poor progress
44	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.	Ongoing	No progress reported in any Monitoring reports	Ongoing	Parliamentary Select Committee process launched without participation of key political actors in opposition	Poor progress
45	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	Completed	Completed - February 2013 report	Completed	6,371 acres of private land acquired in Valikammam, Jaffna - Gazette Extraordinary No. 1807/23 dated 26 April 2013 Refer 134a and 227	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
46	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.	Jun-14	Investigations relating to many of the 76 in custody complete. Legal action had been taken with regard to the release, indictment or rehabilitation of 84 remaining suspects - January 2014 report	Ongoing	Progress makes no reference to specific individuals. No action taken to date with regard to senior paramilitary leaders such as Douglas Devananda. Iniya Bharati appointed the President's District Coordinator for Ampara and awarded the title of Deshamanya, the second highest national honour, by the President; Vinayagamorthy Muralitharan (Karuna) is Vice President of SLFP, National List MP and deputy Minister of Rehabilitation. Refer 9.79a	Poor progress
47	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	Jun-14	Refer to 9.207	Ongoing	No indication of investigations or prosecutions	Poor progress
48	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	Jun-14	Refer to 9.207	Ongoing	No information on investigation or arrest of anyone known as Major Seelan	Poor progress
49	210	Give full effect to all of its Interim Recommendations concerning illegal armed groups.	8		Partly Included (not referenced)	Contemplated under NPA item relating to recommendation 9.213				Interim recommendation is cited, fully implemented as per 9.73. Progress for 9.213: Investigations relating to many of the 76 in custody complete. Legal action had been taken with regard to the release, indictment or rehabilitation of 84 remaining suspects - January 2014 report - January 2014 report	Completed	Refer 9.73	Poor progress
50	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	Jun-14	Refer to 9.207	Ongoing	Refer 9.207	Poor progress
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	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	Completed	Completed - January 2014	Completed	Ministry of Law and Order established in August 2013 President remains Minister in charge of Defence as well as Law and Order	Poor progress

Annex: Poor Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
52	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	Jun-14	Public Day of IGP, IGP Help Desk and 'Tell IGP' website enables 'any person to make any kind of complaint without going through formal procedure or language Barriers'; proposed board for land mediation - January 2014 report	Ongoing	No such institution has been established as at February 2014	Poor progress
53	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	Jun-14	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218	Poor progress
54	220	Make provision to give effect to the decisions of a special institution to deal with citizens 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	Refer to 9.218	Ongoing	Contingent on establishment of an independent institution contemplated under 9.218	Poor progress
55	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	No reference to economic activities	Refer 9.171	Refer 9.171	Completed	Completed - February 2013 report Security forces personnel in Jaffna peninsula currently number approximately 15,000 - January 2014 report Military reduced by 30% in the North and 26% in the East. 50% of the troops have been deployed in areas which were not affected by the conflict. The activities carried out by the Sri Lankan military are within the ambit of Civil Military Cooperation and are not intended to usurp the powers of civil administration - See GoSL comments on OHCHR report A/HRC/25/23 (24 February 2014)	Completed	Military still engages in economic activity: Agriculture: http://www.defence.lk/new.asp?fname=20110227_05 Tourism: http://www.thalsevanaresort.com ; http://www.layahotels.lk Transport: http://www.helitours.lk/aboutus.aspx	Poor progress
56	228	Make all endeavors, 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	Progress section in all Monitoring reports is blank	None	No indication of steps taken towards amendment at at February 2014	Poor progress

Annex: Poor Progress

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57	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					None	Parliamentary Select Committee process launched without participation of key political actors in opposition	Poor progress
58	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		PSC appointed in October 2011, 'to recommend and report political and constitutional measures to empower the people of Sri Lanka as one nation'. TOR available here - http://www.sundaytimes.lk/111016/Columns/political.html	Ongoing	Refer 9.230	Poor progress
59	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		Refer to 9.236	Ongoing	Refer 9.230	Poor progress
60	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)	Contemplated under NPA item relating to recommendations 9.236 and 237.	Refer to 9.236	Refer to 9.236		Refer to 9.236	Ongoing	Refer 9.230	Poor progress
61	267	Take strong deterrent action to prevent incidents of inter-faith intolerance and make every endeavour to arrest the occurrence of such incidents.	8		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			Completed. No further action required - January 2014 report 182 incidents affecting all religions, of which only 147 were reported to police. Judicial inquiries are in progress regarding 112, and 22 cases have been concluded - See GoSL comments on OHCHR report A/HRC/25/23, 24 February 2014)	Completed	Over 360 reports of inter-faith intolerance (against Muslim and Christian communities) accompanied by inaction by authorities (Source: Secretariat for Muslims; National Christian Evangelical Alliance of Sri Lanka)	Poor progress

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62	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 - January 2014 report	Completed	No reference to consultation with inter-faith groups or establishment of such a mechanism	Poor progress

Annex: No Progress

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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	<p>Army Board on LLRC Recommendations called for Army Board of Inquiry to be appointed (24 January 2013)</p> <p>Navy BoI exonerated Navy - June 2013 report</p> <p>Army Col exonerated Army - November 2013 report</p> <p>Investigations into Channel 4 video currently underway</p>	Ongoing	Three military bodies have described the LLRC's findings pertaining to civilian deaths caused by security forces as either inadequate or baseless	No progress
2	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		Ongoing	Refer 9.9a	No progress
3	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					Ongoing	<p>No information on Col procedure</p> <p>No current witness protection law</p> <p>A Bill on assistance and protection for victims of crime has been in preparation since 2007, and was tabled in Parliament in June 2008 - See GoSL comments on OHCHR report A/HRC/25/23, (24 February 2014)</p> <p>However, the Bill is still to be enacted and will not be applicable to ongoing investigations into the Channel 4 footage</p>	No progress

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4	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					None	No plan to implement Incidents of custodial deaths reported E.g. Custodial deaths of Ganesan Nimalaruban and Mariyadas Pevis Delrukshan in 2012 At least 27 inmates were killed and 43 injured when the armed forces intervened during the Welikada prison riot on 9 November 2012	No progress
5	50b	Keep families informed of progress towards locating their missing loved ones.	1		Not included	No action to keep families informed					None	No specific action taken Reports on harrassment of families: Amnesty International - 2012 - http://files.amnesty.org/archives/asa370032012eng.pdf	No progress
6	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			Under consideration - February 2013 report Progress section in other reports are blank	None	Advisory Board can be established under Section 13 of PTA, consisting of no less than 3 persons appointed by the President No indication of any independent advisory committee appointed	No progress
7	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					None	No indication that these issues have been prioritised Families of disappeared have been harassed and on occasion detained by Police - http://www.rightsnow.net/?p=2012	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	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
8	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	<p>1 (a) Conduct study to ascertain whether practices infringe on legal rights to acquire land</p> <p>(b) Take appropriate steps to remove infringements, if any exist</p> <p>(c) Effective implementation of the policy on land use with a view to identifying appropriate state land available for settlement.</p> <p>2. 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>	Fully included		<p>1) Ministry of Lands</p> <p>2) P.T.F. for N & E</p> <p>3) Presidential Secretariat</p>	<p>1) A completed study of the alienation of state land with specific reference to the N & E</p> <p>2) Appointment of the 4th Land Commission</p>		Rights safeguarded under new circular - February 2013 report. Reports from August onwards state implementation is complete	Completed	<p>Land Circular 2013/01 makes no reference to purchase of private land</p> <p>National Land Commission yet to be established as per Constitution</p>	No progress
9	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	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	Partly Included	No commitment regarding preventing demographic changes	Ministry of Lands	Policy formulated	Jan-14	TOR for 4th Land Commission under discussion at Presidential Commission - January 2014 report	None	<p>Settlement of soldier families in Tamil majority areas - Parliament speech by R. Sampanthan, 8 August 2013</p> <p>Plan to settle 25,000 Sinhalese families under Mahaweli system L - http://www.defence.lk/new.asp?fname=20090818_02</p>	No progress
10	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					None	<p>Military involved in maintaining public order under PSO</p> <p>See Gazette Extraordinary No.1848/5 dated 3 February 2014</p>	No progress
11	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					None	No new law introduced	No progress
12	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	Completed	Completed - January 2014	Completed	Under 18th Amendment to the Constitution, Chairman and members of Police Commission appointed by the President	No progress

Annex: No Progress

No.	LLRC Cit. #	Summary of Recommendation	UN	National Plan of Action	Extent of Mapping	Comments on Mapping	Agency	KPI	Timeframe	Action Taken	Progress as per GoSL	Comments on Action	Status
13	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					Progress in all Monitoring reports is blank	Completed	Under 18th Amendment to the Constitution, Chairman and members of PSC appointed by the President	No progress