



Media and Reconciliation: Media Coverage of the Office on Missing Persons and the Devolution of Power

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The Media Research Team of Verité Research compiled this study. The report was written by Stephanie Nicolle, with support from Vinusha Paulraj. Aaseem Mohamed compiled the list of illustrations. Deepanjali Abeywardana and Gehan Gunatilleke contributed with overall research and editorial guidance.

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EXECUTIVE SUMMARY

This report was prepared by Verité Research for the International Research and Exchange Board (IREX) during June – August 2018 and looks into both Sinhala and Tamil language press reports on (a) Transitional Justice and Reconciliation, as well as corresponding topics such as (b) Women and (c) Minorities. The subtopics selected from these main topics during the reporting period in consultation with IREX were: the Office on Missing Persons (OMP) and the Devolution of Power. The observations made with regards to these topics are given below:

Office on Missing Persons (OMP)

- Out of the 1143 articles monitored in both the Sinhala and Tamil language newspapers, a total of 56 reports discussed the OMP. In comparison to one article featured in the Sinhala language press, the Tamil language press featured 55 articles. This difference in reporting reflected the significance placed on the OMP in the Tamil press.
- Several reports in the Tamil press featured the protests against the OMP by the relatives of disappeared persons and were written using emotive language. The protests were due to the perceived inefficiency of the OMP in addressing the grievances faced by the relatives of the disappeared.

Devolution of Power

- Out of the 1143 articles monitored in both the Sinhala and Tamil language newspapers, two articles were reported in the Tamil press, while five articles were reported in the Sinhala press. In general, there was minimal coverage on the devolution of power in both the Sinhala and Tamil media which is illustrative of the little attention given to the topic during the period monitoring was undertaken.
- In the Sinhala language press, the overall discussion on the devolution of power was underpinned by the notion that a unitary state is the preferred model for the majority Sinhalese community. As such, the devolution of power was seemingly framed in a negative manner in several Sinhala language newspapers whereas it was discussed in the Tamil press in two ways. One article in the Tamil press featured the Janatha Vimukthi Peramuna's (JVP) statement that their proposition on the 20th Amendment to the Constitution did not address the devolution of power. Meanwhile, the second article featured the importance of the 13th Amendment to the Constitution, yet noted its ineffectiveness under the current government.

Ethics Eye

- In addition to the aforementioned sub-topics, the report also analysed ethical guidelines when reporting on the topics of Women and Minorities. The report advocates for the use of neutral terminology to prevent the stigmatisation of any individual or group, especially in relation to their gender, religion, race, ethnicity or caste.

1. INTRODUCTION

This quarterly report was produced by Verité Research (VR) for the International Research and Exchange Board (IREX). It analyses both Sinhala and Tamil language newspapers to identify the role of print media in fostering national level reconciliation. The report also contributes towards IREX's Media Empowerment for a Democratic Sri Lanka (MEND) programme by providing journalists with a comprehensive picture of reporting related to reconciliation. Moreover, it identifies ethical practices that could assist journalists and improve the overall quality of journalism.

The report is the first in a series of several reports that looks at the following topics and subtopics:

1. Transitional Justice and Reconciliation – press coverage under this topic focuses on several sub-topics such as the United Nations Human Rights Council (UNHRC), Office on Missing Persons (OMP), Enforced Disappearances Bill/Act, land-related issues, devolution of power, and constitutional reform.
2. Minorities – press coverage on minorities includes issues pertaining to justice between the state and minorities such as ethnic and religious violence/discrimination.
3. Women – press coverage on this topic documents sub-topics in relation to issues pertaining to justice between the state and women such as female electoral quotas, political participation, labour force participation, and maternity leave.

From the above sub-topics, two key areas have been selected by IREX for analysis during the reporting period of June – August 2018: (a) Office on Missing Persons (OMP) and (b) Devolution of Power. Section 2 will provide a description of the methodology followed. Section 3 will provide a brief analysis of the reporting on the three main topics (Transitional Justice and Reconciliation, Minorities, and Women), while Sections 4 and 5 will specifically evaluate the OMP and the Devolution of Power respectively. Section 6 will explore the ethical violations in reportage relating to Women and Minorities. As agreed by IREX and VR, the OMP and the Devolution of Power were selected due to the marked polarisation of their coverage in the Sinhala and Tamil press, as well as their overall significance of coverage from June – August 2018.

2. METHODOLOGY

Press reports on the Office on Missing Persons (OMP) and the Devolution of Power were monitored from June – August 2018. For this purpose, the following Sinhala and Tamil language newspapers were examined (see Table 1).

Exhibit 1

Sinhala Daily Newspapers	Sinhala Weekend Newspapers	Tamil Newspapers
<i>Lankadeepa</i>	<i>Lankadeepa</i>	<i>Virakesari</i>
<i>Divaina</i>	<i>Divaina</i>	<i>Sudar Oli</i>
<i>Lakbima</i>	<i>Lakbima</i>	<i>Thinakkural</i>
<i>Mawbima</i>	<i>Mawbima</i>	<i>Tamil Mirror</i>
<i>Dinamina</i>	<i>Ravaya</i>	<i>Thinakaran</i>
<i>Ada</i>		
<i>Anidda</i>		

These monitored newspapers include both state-owned and privately-owned print publications (In order to refer to comprehensive details on the media ownership and political affiliations of these newspapers, please refer to the Media Ownership Monitor on Sri Lanka)¹ The content on the OMP and the Devolution of Power which is relevant or considered to be relevant from these Sinhala and Tamil language newspapers is analysed through the lens of media parochialism. Using this lens, the analysis determines whether a particular news item features bias that may stem from reporting towards or against a certain ethnic/religious community in the Sinhala/Tamil language newspapers. The respective newspaper summaries of these sub-topics are chronologically listed in the Annexure of this report.

¹ <http://sri-lanka.mom-rsf.org/en/>

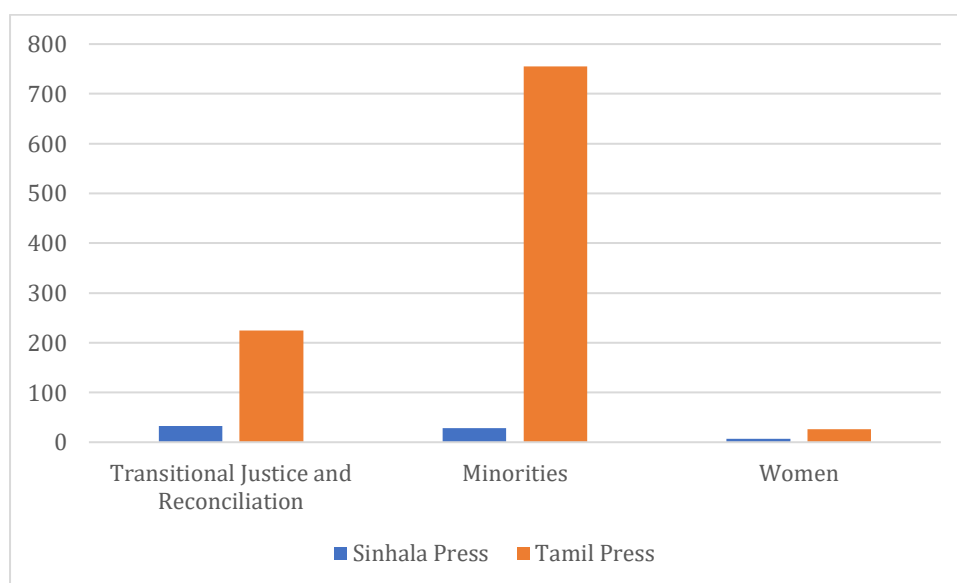
Meanwhile, by utilising the lens of media ethics in Section 5, the report also analyses press reportage monitored by VR's platform Ethics Eye. The platform primarily relies on the following ethical guidelines for the purposes of its assessment: the Code of Professional Practice by the Editors' Guild of Sri Lanka, The Associated Press (AP), EthicNet, Reuters, Poynter and the International Federation of Journalists (IFJ).² From June – August 2018, Ethics Eye monitored the following Sinhala newspapers on ethical violations relating to the topic on Women and Minorities: *Mawbima*, *Dinamina/Silumina*, *Lankadeepa* and *Divaina* (daily and Sunday editions). It particularly identified the use of sexist language in reporting which is broadly related to discrimination against women. While the Code of Professional Practice does not necessarily refer to sexist language, Ethics Eye has observed how sexist language has contributed towards the discrimination and/or objectification of women. Under the ethical issues related to the topic of reports on Women, the analysis looked at ethical violations such as: (i) references to the term 'Roomath', (ii) references to the term 'Dooshanaya', (iii) references to the term 'Ganikawa' and the (iii) use of insensitive/sexist language. Ethical violations under the topic of Minorities looked at: (iv) references to race/caste/ethnicity/religion when these factors are irrelevant to the news/story. These violations were taken into consideration as Ethics Eye advocates the avoidance of such terminology in reporting. This is further explored in the section on Ethics Eye in this report.

² The Code of Professional Practice by the Editors' Guild of Sri Lanka <http://www.pccsl.lk/sites/default/files/Code-English.pdf>; EthicNet: <http://ethicnet.uta.fi/ethicnet> collection of codes of journalism ethics in europe; Reuters: http://handbook.reuters.com/index.php?title=Main_Page; Poynter: <https://www.poynter.org/poynter-institute-code-ethics>; The Associated Press: <https://www.ap.org/about/news-values-and-principles/telling-the-story/>; the International Federation of Journalists: <http://www.ifj.org/about-ifj/ifj-code-of-principles/> and <https://accountablejournalism.org/ethics-codes/guidelines-and-principles-for-reporting-on-issues-involving-children>

3. GENERAL OVERVIEW OF PRESS REPORTS ON TRANSITIONAL JUSTICE AND RECONCILIATION, MINORITIES, AND WOMEN

From June – August 2018, a total of 1,073 articles were published in relation to Transitional Justice and Reconciliation, Minorities and Women in the Sinhala and Tamil press. As per indicated by the graph below, 224, 755 and 26 articles on Transitional Justice and Reconciliation, Minorities and Women were respectively featured in the Tamil press. Meanwhile, 33, 28 and seven articles on Transitional Justice and Reconciliation, Minorities and Women were respectively covered in the Sinhala press.

Exhibit 2



When taking the numerical coverage of these issues into consideration, there is a sharp contrast between the reportage in Sinhala and Tamil language newspapers. Through the lens of media parochialism, this gap in the reportage signifies that issues pertaining to Transitional Justice and Reconciliation, and Minorities are characterised as concerns that are largely relevant to the Tamil press. Meanwhile, comparatively less coverage on Women in both the Sinhala and Tamil language newspapers intimate that women's issues are treated as a minor point of concern in both the Sinhala and Tamil press.

Under the broader topics on Transitional Justice and Reconciliation, Minorities and Women, the two main sub-topics that were covered in the Sinhala and Tamil language newspapers during the period covered were as follows:

Sinhala

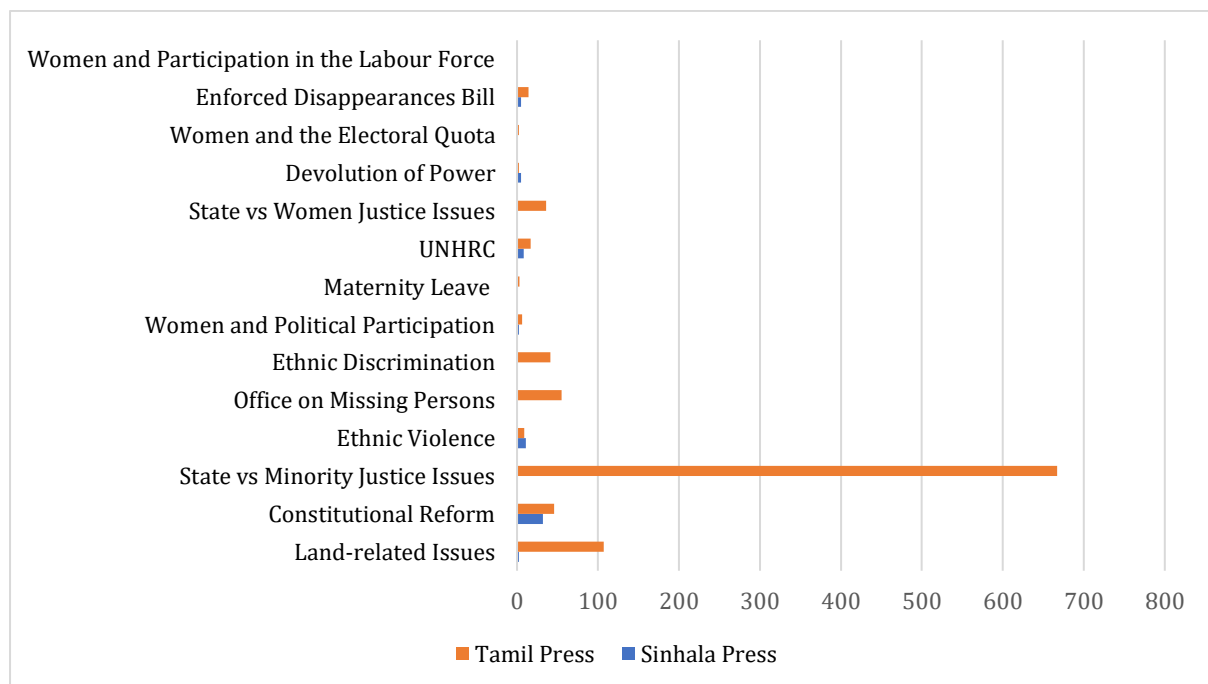
1. Constitutional reform, which includes press coverage concerning the drafting of a new constitution, and amendments to the existing one as well as decentralisation of power. (32 articles)
2. Ethno-religious violence, which concerns conflict between the Sinhala-Buddhist and Muslim communities, and the manipulation of ethno-religious fault-lines for political gain. (11 articles)

Tamil

1. State versus minority justice issues such as government appointments in the North, East, and Central zones, preservation of Tamil culture and heritage in the North, and state neglect of minority grievances. (667 articles)
2. Land-related issues such as military occupation of lands in the North and East. (107 articles)

These results are illustrated in the graph below on all the sub-topics that were covered during the reporting period:

Exhibit 3



4. OFFICE ON MISSING PERSONS (OMP)

Sri Lanka is reported to be among the countries that have the highest number of enforced or involuntary disappearances. This is following the two insurrections led by the left-wing party, the Janatha Vimukthi Peramuna (JVP), in the early 1970s and late 1980s, as well as a nearly 30-year conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the state.³ While several international organisations such as the United Nations, Human Rights Watch and Amnesty International have attempted to provide estimated figures, the exact number of enforced disappearances goes into tens of thousands and remains unknown.⁴ It is against this highly politicised backdrop that the incumbent yahapaalana government enacted the Office on Missing Persons Act, No. 9 of 2017.⁵

Initial reactions in the Sinhala press to the Office on Missing Persons (OMP) were dominated by the Joint Opposition (JO), who accused the body of being a means to appease Western interests.⁶ However the Bill to establish the OMP was eventually welcomed in the Sinhala press as part of the *yahapalanaya* (good governance) government's steps towards transitional justice in the post-war landscape.⁷ When taking the overall reportage during the monitoring period into consideration, the discussion on the OMP significantly differs from the aforementioned Sinhala press commentary as it is spearheaded by the Tamil press and is primarily in relation to protests and resistance against the OMP, as well as in terms of reparation.

A quantitative analysis on the number of reports regarding the OMP shows that 55 articles out of 1,073 articles were published in Tamil language newspapers (see Graph 1). Of these, *Thinakkural* (18 articles), the state-owned newspaper *Thinakaran* (17 articles) and *Virakesari* (12 articles) provided the greatest extent of coverage on the OMP. By contrast, one Sinhala language newspaper, *Divaina*, featured an article on the OMP. These observations are illustrated below.

³ Human Rights Watch, p.3. <https://www.hrw.org/reports/2008/srilanka0308/srilanka0308web.pdf>

⁴ The United Nations, p.17. http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/51; Human Rights Watch, p.3, 4. <https://www.hrw.org/reports/2008/srilanka0308/srilanka0308web.pdf>; Amnesty International, p.11. <https://www.amnesty.org/download/Documents/ASA3754972017ENGLISH.PDF>

⁵ Office on Missing Persons Act No. 9 of 2017.

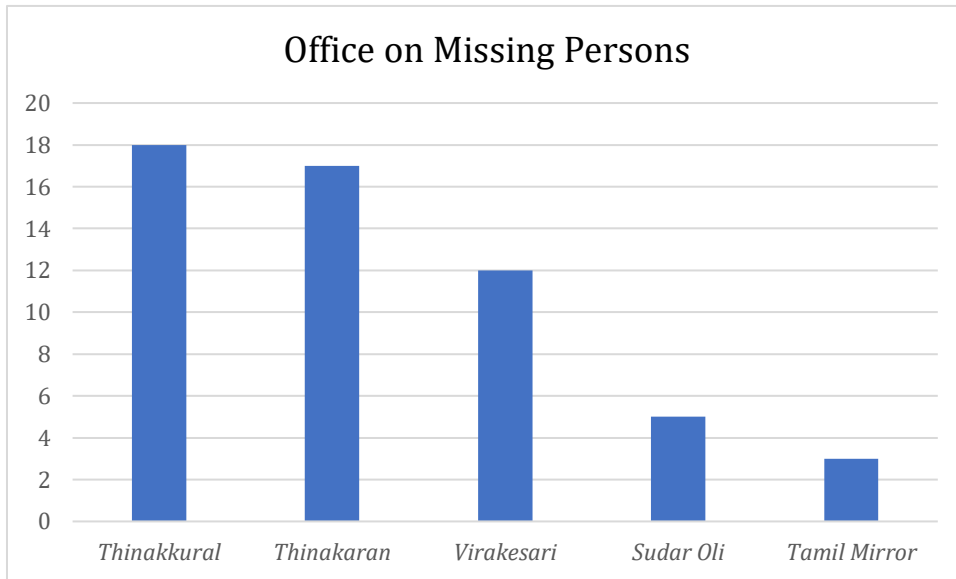
<http://www.parliament.lk/uploads/acts/gbills/english/6045.pdf>

⁶ The Media Analysis, Vol.06, #27

⁷ The Media Analysis, Vol.06, #30 & 31

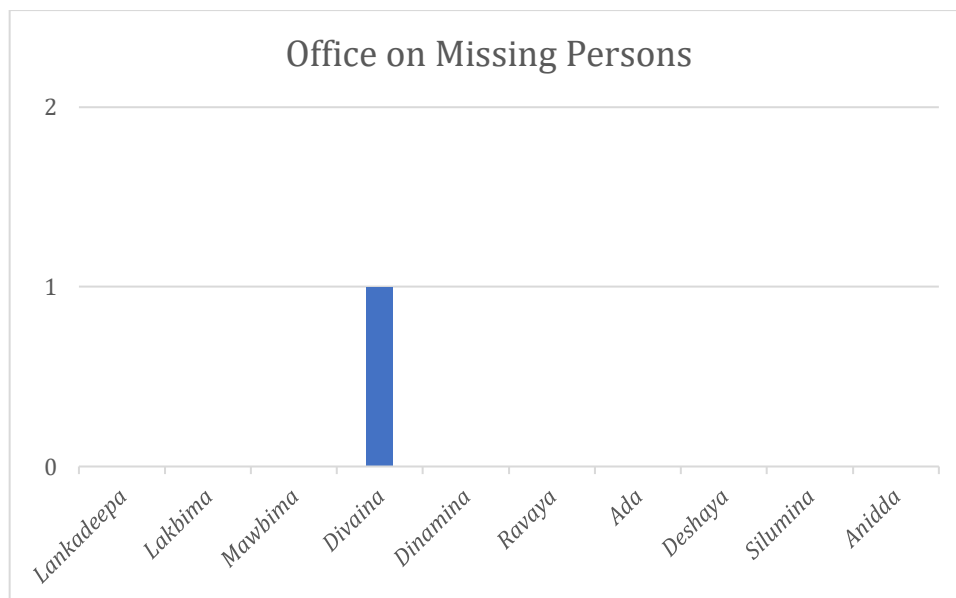
Reporting in Tamil language newspapers:

Exhibit 4



Reporting in Sinhala language newspapers:

Exhibit 5



The main areas under which the OMP was discussed in the Sinhala and Tamil press were as follows:

1. Protests against the OMP by the relatives of the disappeared. This mainly included coverage on the protests outside the (a) Uvarmali Cultural Hall in Trincomalee on 13 July 2018, (b) Veerasingam Hall in Jaffna on 14 July 2018 and (c) Kilinochchi Co-operative Hall on 15 July 2018.⁸
2. The list of 351 disappeared individuals released by the International Truth and Justice Project (ITJP).⁹
3. Suggestions to provide reparations for the relatives of the disappeared by political actors such as member of the Western Provincial Council C.Y.P. Ram, Minister of National Integration, Reconciliation and Official Languages Mano Ganesan and General Secretary of the United National Freedom Front (UNFF) Maithri Gunaratne.¹⁰

Notably, the Sinhala press' considerable silence, with the exception of one article, is a strong indicator of media parochialism, since it suggests that the OMP is perceived by the Sinhala press to be an institution having a direct bearing on the Tamil people. However, in maintaining its silence, the Sinhala press risks bypassing the relevance of the OMP for all disappeared individuals in Sri Lanka, including the numerous disappearances during the JVP insurrections.¹¹ Moreover, this lack of coverage in the Sinhala press and fairly significant coverage in the Tamil press, relates how issues reported in the Sri Lankan language press tends to be ethnicised, allowing for the persistence of divided views. The main areas under which the OMP was discussed are explored in further detail in the subsequent sections.

(i) Protests against the Office on Missing Persons (OMP)

Three protests against the OMP received significant traction in the Tamil press:

(a) Protest outside the Uvarmali Cultural Hall in Trincomalee on 13 June 2018.¹²

⁸ *Thinakkural*, June 13, p.7; *Virakesari*, June 14, p.11 and 10; *Thinakaran*, June 14, p.1 and 4; *Tamil Mirror*, June 14, p.8; *Virakesari*, 13 July, p.19; *Virakesari*, July 15, p.1, 10; *Thinakaran*, July 15, p.1, 16; *Thinakaran*, July 15, p.4; *Thinakkural*, July 15, p.4; *Thinakkural*, July 16, p.11; *Thinakaran-Arangam*, July 20, p.i; *Virakesari*, July 16, p.1, 9; *Thinakaran*, July 16, p.14; *Tamil Mirror*, July 16, p.1, 2.

⁹ *Thinakaran*, June 21, p.1, 6; *Tamil Mirror*, June 21, p.9; *Thinakaran*, June 22, p.6; *Thinakkural*, June 22, p.10; *Sudar Oli*, June 24, p.1, 2.

¹⁰ *Virakesari*, June 17, p.4; *Thinakaran*, June 17, p.1, 16; *Thinakaran*, June 17, p.1, 4; *Sudar Oli*, June 18 p.2.

¹¹ Transitional Justice in the Asia-Pacific, p.68. <https://books.google.lk/books?isbn=1107657946>

¹² *Thinakkural*, June 13, p.7; *Virakesari*, June 14, p.11 and 10; *Thinakaran*, June 14, p.1 and 4; *Tamil Mirror*, June 14, p.8.

(b) Protest outside the Veerasingam Hall on 14 July 2018.¹³

(c) Protest outside the Kilinochchi Co-operative Hall on 15 July 2018.¹⁴

Meanwhile, the protest on 2 June 2018 in Mullaitivu received minimal coverage in *Thinakaran* and *Virakesari* while *Divaina*, published one article covering this protest.¹⁵ The protest outside the Nallur temple on 7 July 2018 and nearly 500-day protest outside the Mullaitivu District Secretariat were only published in *Thinakaran* and *Thinakkural* respectively.¹⁶ Largely rendered through a minority perspective, press content on the protests focused on the negative sentiment against the OMP by the relatives of the disappeared. Common concerns of the protesters included: request for information regarding the progress of the OMP's investigations, demand to halt the OMP's requests for further testimonials from the relatives of the disappeared and permit international intervention to expedite the investigations. Headlines in *Thinakaran* and *Virakesari* such as, "We don't need compensation, we need only our children" and "Don't hurt us anymore: The relatives of the disappeared persons lament in Jaffna", which were underpinned by sympathetic tones, reiterated these deeply personalised demands.¹⁷ Alternatively, headlines such as, "Even the president could not, can you?" or "We are not ready to the trust the government", depicted the sense of injustice felt by the protesters owing to the perceived inefficiency of the OMP.¹⁸

In general, the reportage limited its focus to the protesting voices, and therefore, missing-out on a wider spectrum of voices on the OMP. This included, minimal coverage on those who spoke favourably about the OMP such as, Canadian High Commissioner to Sri Lanka David McKinnon and Illankai Tamil Arasu Kadchi (ITAK) MP M.A. Sumanthiran. Moreover, the press did not cover the relatives of the disappeared who chose to participate in the meetings of the OMP.¹⁹

Nevertheless, the prominence given to the protesting voices signified the growing scepticism towards the reliability of a domestic system of justice in the Tamil press. By delegitimising the effectiveness of the OMP, the language of the Tamil press seemed to justify the wider calls for foreign intervention. This corresponded with similar criticisms on the OMP in the Tamil press by former Deputy Minister of Telecommunication and Information Technology Praba Ganesan, human rights activist Kadhir Bharadhithasan, Dhevarasa – the father of a disappeared individual and the *Virakesari* newspaper.²⁰ Such criticism denoted the want for greater state communication and transparency on the

¹³ *Virakesari*, 13 July, p.19; *Virakesari*, July 15, p.1, 10; *Thinakaran*, July 15, p.1, 16; *Thinakaran*, July 15, p.4; *Thinakkural*, July 15, p.4; *Thinakkural*, July 16, p.11; *Thinakaran-Arangam*, July 20, p.i.

¹⁴ *Virakesari*, July 16, p.1, 9; *Thinakaran*, July 16, p.14; *Tamil Mirror*, July 16, p.1, 2.

¹⁵ *Divaina*, June 4, p.4; *Thinakaran*, June 3, front page; *Thinakaran*, June 3, front page; *Virakesari*, June 4, page 4.

¹⁶ *Thinakaran*, 8 July, p.1, 16; *Thinakkural*, 22 July, p.8.

¹⁷ *Thinakaran*, June 14, p.1, 4; *Virakesari*, 15 July, p.1, 10.

¹⁸ *Virakesari*, June 14, p.10, 11; *Thinakaran*, 8 July, p.1, 16.

¹⁹ *Virakesari*, 11 July, p.3; *Thinakkural*, 23 July, p.6.

²⁰ *Thinakaran*, 26 June, p.14; *Thinakkural*, 26 June, p.6; *Virakesari*, 28 June, p.10; *Thinakkural*, 24 June, p.29, 30; *Virakesari*, 18 July, p.20.

operations of the OMP. Only *Sudar Oli* urged the public to re-evaluate its denunciation of the OMP, since this was the only body available at present to aid investigations into enforced disappearances.²¹ However, the negative perceptions surrounding the OMP in the Tamil press was manifest. By contrast, there was a single article published in *Divaina* during the monitoring period. The scant coverage of the protests against the OMP, intimated the Sinhala press' general disinterest in the activities of the OMP.

(ii) The list of 351 disappeared individuals released by the International Truth and Justice Project (ITJP)

The International Truth and Justice Project (ITJP) released a list comprising of 351 disappeared individuals in Sri Lanka.²² In light of the list of disappeared individuals, the Tamil press published a press release by the state, limiting its coverage only to the press release. For instance, articles in *Thinakaran*, *Thinakkural* and *Tamil Mirror* featured the requests made by the Ministry of Foreign Affairs and the 'presidential commission' which looks into disappearances (possibly a reference to the OMP), for information on the 351 individuals by members of the public.²³ Meanwhile, *Sudar Oli* focused on Chairperson of the OMP Saliya Pieris's appeal to the public for any relevant information in this regard.²⁴

While the tonality of these articles was neutral, they collectively presented the viewpoint of the state. This sharply contrasts with the reportage on the protests against the OMP, which featured a general sense of dissatisfaction with the measures taken by the state.

(iii) Suggestions to provide reparations for the relatives of the disappeared by political actors

In view of the grievances faced by the relatives of the disappeared, several political actors called for the state to provide reparations. Articles published in this regard featured the voices of state actors such as member of the Western Provincial Council C.Y.P. Ram and Minister of National Integration, Reconciliation and Official Languages Mano Ganesan, who respectively requested that reparations be provided to the relatives of the disappeared and vowed to submit a cabinet paper in this regard.²⁵ Meanwhile, General

²¹ *Sudar Oli*, 4 June, p.4

²² International Truth and Justice Project. <http://www.disappearance.itjpsl.com/#lang=english> At the time of reporting, the newspaper articles documented the number of enforced disappearances by the ITJP as 351. The website link provided by the Ministry of Foreign Affairs on the number of disappearances documented by the ITJP currently lists 355 disappearances, 338 enforced disappearances and 17 missing individuals.

²³ *Thinakaran*, 21 June, p.1, 6; *Tamil Mirror*, 21 June, p.9; *Thinakaran*, 22 June, p.6; *Thinakkural*, 22 June, p.10.

²⁴ *Thinakaran*, June 21, p.1, 6; *Tamil Mirror*, June 21, p.9; *Thinakaran*, June 22, p.6; *Thinakkural*, June 22, p.10; *Sudar Oli*, June 24, p.1, 2.

²⁵ *Virakesari*, 17 June, p.4; *Thinakaran*, 17 June, p.1, 4; *Thinakaran*, 17 June, p.1, 16; *Thinakaran*, 19 June, p.4.

Secretary of the United National Front (UNFF) Maithri Gunaratne suggested the provision of a pension scheme for the relatives of the disappeared.²⁶

By taking a minority perspective into account, each of these reports utilised sympathetic overtones to highlight the hardships endured by the relatives of the disappeared. As a step towards greater rectification, headlines such as, “Compensation to the relatives of the disappeared should be given immediately” in *Virakesari*, laid emphasis on the state’s responsibility.²⁷ However, by focusing on concerted state efforts towards the provision of monetary compensation, the reportage did not take into account the response of the relatives of the disappeared. For instance, headlines such as, “We don’t ask compensation, we need our children only” during the protests against the OMP, explicitly conveyed that such a solution would not be welcomed by all the relatives of the disappeared.²⁸ Notably, only *Thinakaran* featured Minister of National Integration, Reconciliation and Official Languages Mano Ganesan’s neutral stance in mentioning the relatives’ right to either accept or reject the reparations.²⁹

Moreover, in drawing attention to reparations for the relatives of the disappeared in the North, Tamil press reports did not focus for the conception of cross-grievances i.e. common grievances shared by those in the North and South who lost individuals during the armed conflict and the Janatha Vimukthi Peramuna (JVP) insurgencies respectively. This differed from the early coverage on the OMP and enforced disappearances in the Sinhala press, which noted the JVP’s support and therefore, helped to counter Sinhala nationalist perceptions that mechanisms of transitional justice generally privilege the Tamil community.³⁰

²⁶ *Sudar Oli*, 18 June, p.2.

²⁷ *Virakesari*, 17 June, p.4.

²⁸ *Thinakaran*, June 14, p.1, 4.

²⁹ *Thinakaran*, 17 June, p. 1, 16.

³⁰ *The Media Analysis*, Vol.06, #30 and 31.

5. DEVOLUTION OF POWER

Amidst the backdrop of the state's conflict with the Liberation Tigers of Tamil Eelam (LTTE) in the late 1980s, the devolution of power became a prominent legal conversation in Sri Lanka. As a political solution to grant greater autonomy for the Tamil people, the 13th Amendment to the Constitution and Provincial Councils Act, No. 42 of 1987 was introduced via the Indo – Sri Lanka Peace Accord in 1987.³¹ The Amendment sought to decentralise power by establishing provincial councils, which would improve public participation in decision-making processes and expedite development activities in each respective province. While the Act seemingly served as a solution to the calls for devolving power, it still vested considerable power in a centralised structure. Particularly, section 31 provided for the presidential appointment of the chief secretary of the province.³²

The incumbent government's Bill on the 20th Amendment to the Constitution drew attention in the more recent conversations in the Sinhala and Tamil press on the devolution of power.³³ ³⁴ By 2017, however, the discussion on devolving power was notably dominated by the Sinhala press.³⁵ During the monitoring period, from a total of 1,073 articles, five articles in Sinhala language newspapers and two articles in Tamil language newspapers reported on the Devolution of Power. Sinhala language newspapers *Lakbima*, *Mawbima*, *Divaina*, *Ravaya* and *Ada* printed one article each. Meanwhile, Tamil language newspapers *Thinakkural* and the state-owned newspaper *Thinakaran* also featured one article each. In comparison with the reportage on the OMP, the overall reporting on the Devolution of Power was significantly lesser.

³¹ Provincial Councils Act No. 42 of 1987.

http://www.commonlii.org/lk/legis/num_act/pca42o1987264/

³² Provincial Councils Act (No. 42 of 1987) – Sect. 31.

http://www.commonlii.org/lk/legis/num_act/pca42o1987264/s31.html

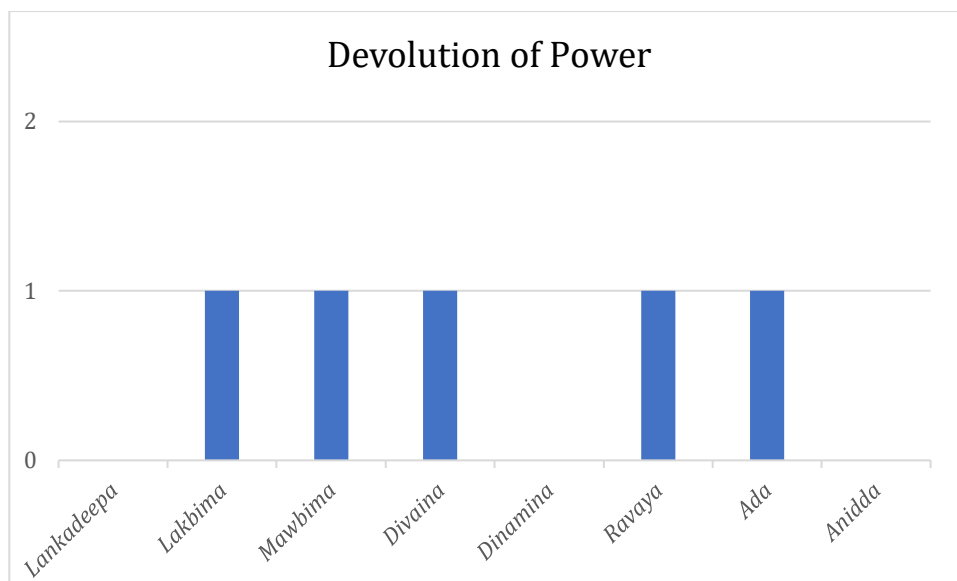
³³ See The Gap Analysis in The Media Analysis, Vol.05, #19, Vol.05, #21 & 22, Vol.05, #23, Vol.05, #25, Vol.05, #24 and Vol.07, #28.

³⁴ The incumbent government's 20th Amendment to the Constitution is related to the devolution of power. Meanwhile, the 20th Amendment to the Constitution that was presented by the JVP is related to the executive presidency.

³⁵ See The Gap Analysis in The Media Analysis, Vol.07, #28.

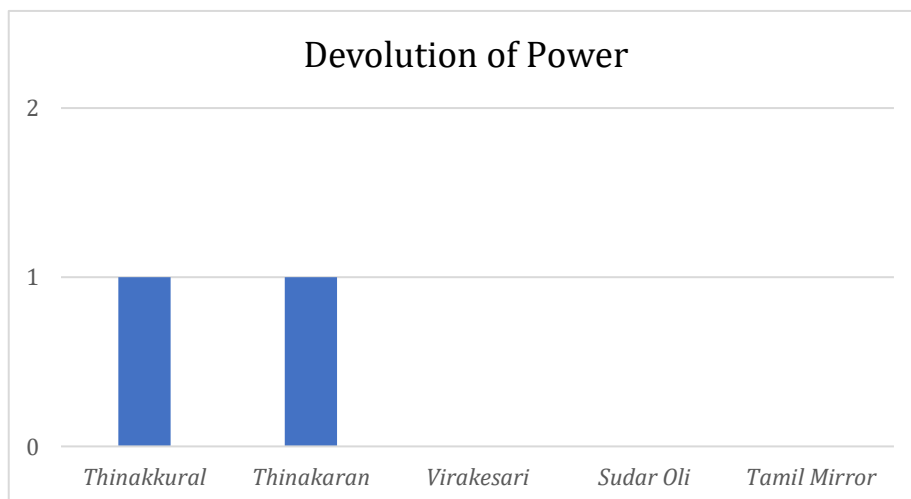
Reporting in Sinhala language newspapers:

Exhibit 6



Reporting in Tamil language newspapers:

Exhibit 7



Although the Sinhala press’ dominance of discussions on the devolution of power was reiterated in the overall coverage during the monitoring period, the content discussed differed from previous reports. For instance, in 2017, the state received widespread criticism from the Joint Opposition (JO) and civil society organisations such as the Centre for Policy Alternatives (CPA) on the grounds that the Bill was undemocratic and

countered moves to devolve power.³⁶ Meanwhile, reporting during the monitoring period discussed the Devolution of Power in broader terms than the 20th Amendment.

The main areas under which the Devolution of Power was discussed in the Sinhala and Tamil press, during the monitoring period were as follows:

1. Difficulty in devolving power under a Sinhala nationalist government headed by former Secretary of Defence Gotabaya Rajapaksa.³⁷
2. Minister of National Integration, Reconciliation and Official Languages Mano Ganesan's views on the need for the Tamil National Alliance (TNA) to join the cabinet in order for the devolution of power to materialise.³⁸
3. Discussion on the devolution of power and its relationship, or lack of, with the executive presidency.³⁹
4. Questioning the devolution of power as a solution for the Tamil people owing to its insufficiency or lack of operation under the incumbent government.⁴⁰

As the discussion on devolving power was dominated by the Sinhala press, this indicates that the issue remains a pertinent concern in the Sinhala mindset as it is interpreted as a demand solely associated with the Tamil minority and therefore, conflicting with the notion of a unitary state. The main areas under which the Devolution of Power was discussed are explored in further detail in the subsequent sections.

(i) The difficulty of devolving power under the leadership of former Secretary of Defence Gotabaya Rajapaksa

In a report published by the alternative press, *Ravaya*, journalist Sunanda Deshapriya utilised the metaphor of a procession, or popularly known in Sinhala culture as a *perahera*, to examine the devolution of power under a government led by former Secretary of Defence Gotabaya Rajapaksa.⁴¹ Through this metaphor, the writer drew parallels between a government headed by former Secretary of Defence Gotabaya Rajapaksa and the procession. Rajapaksa was described as leading the procession/government, while Sinhala nationalist figures such as Field Marshal Sarath Fonseka, Major General Kamal Gunaratne, Leader of the National Freedom Front (NFF) Wimal Weerawansa, Leader of the Pivithuru Hela Urumaya (PHU) Udaya Gammanpila were described as following his leadership. Taking the perspective of the minority Tamil

³⁶ The Media Analysis, Vol.07, #28; Centre for Policy Alternative, 'CPA Challenges the Twentieth Amendment to the Constitution Bill'. <http://www.cpalanka.org/cpa-challenges-the-twentieth-amendment-to-the-constitution-bill/>

³⁷ *Ravaya*, June 3, p.12.

³⁸ *Ada*, June 5, p.8; *Divaina*, June 6, p.4.

³⁹ *Lakbima*, June 10, p.21; *Thinakran*, 28 June, p.7.

⁴⁰ *Mawbima*, 2 July, p.6; *Thinakkural*, 27 June, p.14.

⁴¹ *Ravaya*, 3 July, p.12.

population into consideration, the article assumed that the devolution of power could not be achieved under such a Sinhala nationalist government.

Deshapriya's assumption comes amidst speculations of Rajapaksa contesting in the 2020 presidential election. The article's critique of a Sinhala nationalistic leadership, particularly Gotabaya Rajapaksa's potential leadership, was rendered through a cynical tone and levelled at political alignments which sought to serve the wider interests of the Sinhalese majority for political gains of minority populations. These sentiments on the improbability of devolving power under Rajapaksa's leadership were however not expressed in the mainstream Sinhala press or Tamil press.

(ii) Minister of National Integration, Reconciliation and Official Languages Mano Ganesan's views on the devolution of power

Two articles bearing Minister of National Integration, Reconciliation and Official Languages Mano Ganesan's views on the need for the Tamil National Alliance (TNA) to join the cabinet in order for an 'authentic' devolution of power to materialise were published in the Sinhala newspapers, *Ada* and *Divaina*, respectively. In the absence of other political voices in the Sinhala press, and complete silence of the Tamil press with regards to Ganesan's comments, the support for devolving power was seemingly expressed in the Sinhala press to be restricted to Tamil politicians and people. Through the lens of media parochialism, such reporting may overlook broader conversations on the impact of devolution at a larger national level as well as its effects on the general populace. In view of the absence of these broader observations, the coverage on Ganesan's political perspective gave insight into how party politics in post-war Sri Lanka continues to be ethnically aligned.

(iii) The relationship — or lack of — between devolving power and the executive presidency

Press commentary on the relationship between devolving power and executive presidency, or lack of, were discussed respectively in the Sinhala newspaper *Lakbima* and the state-owned Tamil newspaper *Thinakaran*. While *Lakbima* focused on Sri Lanka's lack of leftist politics and exploitation of left-leaning concepts such as decentralisation, *Thinakaran* featured Propaganda Secretary of the Janatha Vimukthi Peramuna Vijitha Herath's statement on the Private Member's Bill on the 20th Amendment to the Constitution submitted by the JVP.

The article written in *Lakbima* identified an inverse relationship between those who advocate for executive presidency and oppose decentralisation, or the devolution of power. Such a premise was rooted in two larger criticisms. The first was in relation to the Sinhala nationalistic tendency to support a unitary state with a centralised structure, including executive presidency, so as to retain political power in the country. The second linked with the first by casting its critique on subsequent presidents, including President Maithripala Sirisena, who allegedly exploited left-leaning concepts such as the devolution of power to project semblances of socialism, yet maintained an executive presidency.

In limiting its critique to subsequent presidents however, the article did not account for left-leaning parties such as the JVP, that have openly denounced the devolution of power.⁴² As such, unlike the inverse relationship proposed by the article, the JVP's position remains a marked contrast since it not only denounces the devolution of power but also executive presidency. The *Thinakaran* article reinforced this by featuring the JVP's press for the removal of the executive presidency. Utilising an assertive tone, the JVP maintained that its Bill solely dealt with the executive presidency, thereby distancing itself from any reference to the devolution of power. These views did not gain traction in other Tamil or Sinhala language newspapers.

(iv) Devolution of power: insufficient or inoperative?

The Sinhala language newspaper *Mawbima* and Tamil language newspaper *Thinakkural* published one article each on the comments made by Leader of the Opposition R. Sampanthan and Chief Minister of the Northern Provincial Council C.V. Wigneswaran with regards to the 13th Amendment to the Constitution. Sampanthan's and Wigneswaran's views were hinged on two different critiques of the Amendment respectively: (a) that the Amendment alone is insufficient to generate a political solution for the Tamil people and (b) that the Amendment is largely inoperative under the incumbent government. The first criticism held that the 13th Amendment alone could not resolve the entirety of issues faced by the Tamil people. Meanwhile, the second criticism perceived the intrinsic value of the 13th Amendment to be a significant solution for the Tamil people, yet ineffective in terms of its implementation under the Sirisena government. While both articles were delivered by taking a minority Tamil perspective into account, the *Mawbima* article on Sampanthan's views titled, "The destiny of this country can be changed by the Tamil people", assumed a tone of confidence, whereas the tone of the *Thinakkural* article implied a sense of dejection. Akin to devolving power and the executive presidency, these views failed to gain traction in both the Sinhala and Tamil press.

⁴² The Hindu. <https://www.thehindu.com/news/international/jvp-proposes-peoples-assemblies-instead-of-devolution-of-power/article7456720.ece>

OBSERVATIONS

Using the lens of media parochialism, Sections 4 and 5 of this report analysed reportage on the Office on Missing Persons (OMP) and the devolution of power in both Sinhala and Tamil language newspapers from June – August 2018. Through this lens, the analysis sought to identify parochialism in relation to content, tone and perspective. What emerged through the coverage was the marked interest of the Tamil press with respect to the OMP, in contrast to the minimal coverage in the Sinhala press. This disparity strengthened the view that interest in reporting on the OMP is split across ethnic lines. By contrast, discussions on the devolution of power were dominated by the Sinhala press. Although devolution is generally negatively perceived in the Sinhala press and tends to cater to the notion of a unitary state, criticisms of such perceptions were published in *Ravaya* and *Lakbima*. In general, however, the reportage on the OMP and the devolution of power indicated a significant gap in the content covered by the Sinhala and Tamil language press.

6. ETHICS EYE

Ethics Eye is an online platform initiated by Verité Research in March 2016.⁴³ By monitoring factual inaccuracies and ethical violations in the local language press, the platform (operated mainly via Facebook and also on Twitter) aims to raise awareness about media ethics in Sri Lanka.

During the monitoring period, Ethics Eye identified seven ethical violations in articles pertaining to Minorities. In particular, Ethics Eye noted the use of ‘Roomath’ (beautiful), which was irrelevant to the content of the respective news item, as well as the use of ‘Ganikawa’ (prostitute) and ‘Dooshanaya’ (rape), which could add to existing negative perceptions associated with the topic on Women. The articles pertaining to the aforementioned topics of Women and Minorities were as follows:⁴⁴

1. Women

- a) References to the term ‘Roomath’ (five articles)⁴⁵
- b) References to the term ‘Dooshanaya’ (eight articles)⁴⁶
- c) References to the term ‘Ganikawa’ (six articles)⁴⁷
- d) Use of insensitive/sexist language (two articles)⁴⁸

2. Minorities

- a) References to race/caste/ethnicity/religion (seven articles)⁴⁹

Of the aforementioned 28 ethical violations, 21 violations were in relation to Women, while seven were in relation to Minorities. The two violations on the use of sexist language were only identified in reports on Women.

⁴³ Official social media pages of Ethics Eye: <https://www.facebook.com/ethicseye/> and <https://twitter.com/ethicseye?lang=en>

⁴⁴ While Ethics Eye also monitored ethical violations in relation to promoting communal violence, no articles were identified during the monitoring period in this regard.

⁴⁵ *Lankadeepa*, 12 June, inner p.3; *Divaina*, 24 June, inner p.1; *Dinamina*, 21 June, Supplement p2; *Lankadeepa*, 1 August, p10; *Divaina*, 1 August, p.7.

⁴⁶ *Divaina*, 21 June, p.3; *Mawbima*, 21 June, inner p.1; *Lankadeepa*, 28 June, p.14; *Divaina*, 26 July, p.9; *Mawbima*, 2 August, p.15; *Divaina*, 2 August, p.3; *Divaina* 8 August, p.6; *Divaina* 9 August, p. 4.

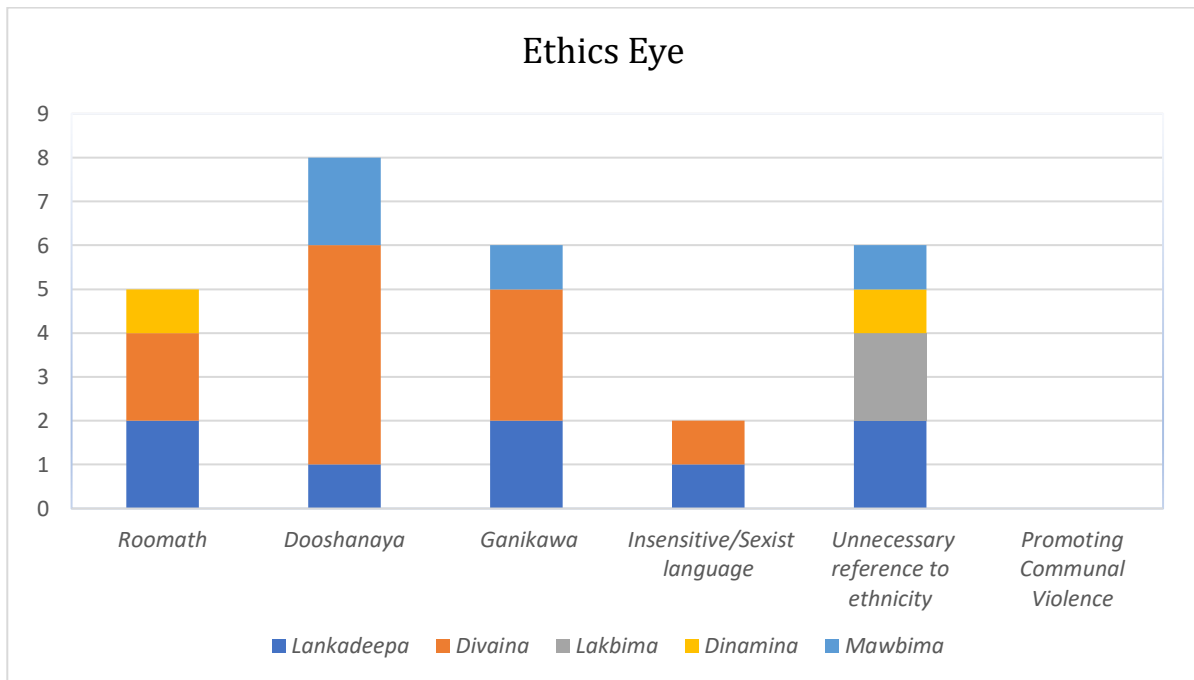
⁴⁷ *Mawbima*, 17 July, p.9; *Lankadeepa*, 17, July, Supplement p.6; *Divaina* 17 July, p.3; *Divaina*, 2 August, Supplement p.1; *Lankadeepa*, 2 August p.6; *Divaina*, 2 August, Supplement p.19.

⁴⁸ *Lankadeepa*, 29 July, p. 26; *Divaina* 29 July, p.8.

⁴⁹ *Divaina*, 28 June, Supplement p.1; *Lakbima*, 4 July, p.1; *Dinamina*, 4 July, Supplement p.20; *Lakbima*, 23 July, front page; *Lankadeepa*, 23 July, front page; *Lankadeepa*, 24 July, p.14

These findings are presented in the graph below:

Exhibit 8



As outlined in the Methodology, under the topic on Women, the analysis looked at ethical violations related to categories such as: (i) references to the term ‘Roomath’, (ii) references to the term ‘Dooshanaya’, (iii) references to the term ‘Ganikawa’ and the (iii) use of insensitive/sexist language. Meanwhile, ethical violations relevant to Minorities looked at: (iv) references to race/caste/ethnicity/religion where not necessary to the main content of the report.

(i) References to the term ‘Roomath’

The Sinhala term ‘Roomath’ translates to ‘beauty’ and particularly refers to the external beauty of an individual. It is often used in reports on females and bears no relevance to the facts presented in the news item. ‘Roomath’ was seen in five articles of which, *Lankadeepa* and *Divaina* published two each, while *Dinamina* published one. The articles provided coverage on stories related to: a ‘beautiful’ nurse helping a sick female on the bus, 14 ‘beautiful’ females who were reportedly posing as therapists, the murder of a ‘beautiful’ female by her partner and remanding a ‘beautiful’ female who was under the influence of alcohol.

Such reportage however contributed towards reinforcing social stereotypes imposed on females and making physiognomic value judgements. This could be seen with the reporting on the female who helped a sick individual on the bus as opposed to the female who was under the influence of alcohol. Unlike the positive tonality used in the first report

to favorably present the female, the second report's emphasis on 'Roomath' conveyed that 'misbehaviour' contradicted with the social expectations conventionally associated with 'beauty'.

Therefore, Ethics Eye maintained that the emphasis on 'Roomath' in press reports remains an ethical violation since it is irrelevant to the content.

(ii) References to the term 'Dooshanaya'

In terms of insensitive language, Ethics Eye noted the use of sexist language in three articles published in *Mawbima*, *Divaina* and *Lankadeepa* each, which saw the reports making a value judgement rather than adopting a neutral stance. While *Divaina* had five articles containing the term, *Mawbima* had two articles and *Lankadeepa* had one article. One *Divaina* article, from the aforementioned articles, also contained the term 'Kelesu' in addition to 'Dooshanaya', which translates to 'made impure'. In using the term 'Dooshanaya' or 'Kelesu', press reports risk implying that female bodies are configured as 'pure' entities which become contaminated following sexual assault/crimes. By anchoring sexual assault in such connotations of 'impurity' and 'pollution', these reports help to justify social perceptions which lessen the victim's body and create a culture of silence in publicly speaking about the realities of sexual assault. Moreover, it roots power in the assaulter and society to determine how a female's body and character is perceived, rather than granting a female any autonomy in this regard. Given the implications of using 'Dooshanaya' and 'Kelesu', Ethics Eye advocated the use of a more neutral term such as 'sexual crime'. While this is not an ethic, it is more of Ethics Eye's contribution to identifying sexist language which can be avoided when reporting.

(iii) References to the term 'Ganikawa'

Ethics Eye identified references to the Sinhala term 'Ganikawa', which translates to 'prostitute', in six articles. From these, *Divaina* published three articles while *Lankadeepa* published two articles and *Mawbima* published one article. The term 'prostitute' or 'Ganikawa' is often characterised by a history of moralistic connotations that delegitimises sex work as 'deviant' from other forms of labour. Within this context, the use of the term 'Ganikawa' also allows for the stigmatising of individuals that engage in sex work. This bypasses Section 6.4 (i) of the Code of Professional Practice, which was previously cited in the Methodology. In pressing for the use of 'sex worker' instead of 'Ganikawa' when reporting, Ethics Eye noted the possibility of distancing the value judgements associated with 'Ganikawa'.

(iv) Use of insensitive/ sexist language

Ethics Eye noted the use of insensitive/sexist language in three articles published in *Divaina* and *Lankadeepa* each, which saw the reports making a value judgement rather than adopting a neutral stance.

In the context of reporting on the sexual assault of female students, *Lankadeepa* made references to the students' 'crushed or loss of petals', following the assault, to intimate a 'loss of sexual innocence'. However, the use of such terminology was similar to the use of 'Dooshanaya' and 'Kelesu' in Section 6(ii) of the report, which lessened the female body and permitted social opinion to dictate perceptions on the female body.

By contrast, the report published in *Divaina* on the assault of a Norwegian female by the friend of a Sri Lankan cricketer claimed that the assault was unsurprising given the female's willingness to consume alcohol in the room of the cricketer and his friend. The language used in this instance contributed towards justifications of victim blaming as opposed to placing blame on the assaulter. Given the sensitivity of each report, Ethics Eye questioned the appropriateness of the language to each context and encouraged the use of more neutral language.

(v) References to race/caste/ethnicity/religion

As per Section 6.4 (ii) of the 'Code of Professional Practice', newspaper reports "must avoid publishing details of a person's race, caste, religion, sexual orientation, physical or mental illness or disability unless these are directly relevant to the story". However, Ethics Eye identified six articles which did not adhere to this ethic. *Lakbima*, *Lankadeepa* and *Divaina* published two articles each, while *Dinamina* published one article each with references to ethnicity. The content of these news items featured: the selling of drugs under the guise of selling 'saravita' by a 'Muslim' individual, the arrest of four individuals – including the young, unmarried 'Tamil' mother – who attempted to sell an infant for LKR 200,000, the arrest of a 'Tamil' individual after 15 years and arrest of a 'Tamil' individual who was involved in the smuggling of drugs.

When seen against the context of each respective news item, Ethics Eye noted that the mentioning of ethnicity was irrelevant to the content as it did not alter the stated facts. *Dinamina's* and *Lakbima's* emphasis on a 'Muslim' individual who reportedly sold drugs at a temple under the guise of selling 'saravita', could possibly contribute towards consolidating existing negative sentiments against the Muslim population which saw scores of Sinhala nationalists and Buddhist extremist groups engage in communal clashes in March.⁵⁰ Ethnicity remains a sensitive issue in Sri Lanka, following a nearly 30-year armed conflict. Drawing attention to ethnicity in media reports when ethnicity remains

⁵⁰ Aljazeera. <https://www.aljazeera.com/news/2018/03/sri-lanka-hate-speech-impunity-fuel-anti-muslim-violence-180310020253272.html>



irrelevant to the contents of the report, could help to maintain ethnic-based divisions and evaluations. As such, Ethics Eye promotes the removal of references to ethnicity if it does not alter the factual content.

OBSERVATIONS

From June – August 2018, Verité Research’s Ethics Eye platform monitored for ethical violations in the Sinhala language newspapers. The platform particularly looked at ethical violations relating to Women and Minorities such as references to ‘Roomath’, ‘Dooshanaya’, ‘Ganikawa’, irrelevant references to race/caste/ethnicity/religion and the use of insensitive language. The identification of 28 ethical violations indicated the press for improved journalistic and editorial practices in Sri Lanka. Notably, such improvements could help to minimise unfavourable representations of women, one-sided narratives as well as emphasis on ethnicities when not relevant to the content in order to facilitate the neutral reporting of news.

7. CONCLUSION

The conclusions relevant to each section covered in the report are featured below.

Office on Missing Persons (OMP)

- The comparatively greater coverage given to the OMP over the devolution of power indicates that enforced disappearance are a pressing concern discussed in the Tamil language press.
- The lack of coverage in the Sinhala language press intimates that enforced disappearances remain an ethnicised issue that is limited to the Tamil ethnic community.
- However, both the Sinhala and Tamil language press do not take the enforced disappearances during the JVP insurrections into consideration when reporting.
- The sympathetic overtones through which protests against the OMP are reported displays the general sense of distrust in the OMP by the relatives of the disappeared and the Tamil language press as well.

Devolution of Power

- During the monitoring period, coverage on the devolution of power was limited in both Sinhala and Tamil language newspapers.
- Reports on the devolution of power were mostly discussed in the Sinhala language press. These reports focused on the necessity to retain a unitary state model rather than devolving power.

Ethics Eye

- Ethics Eye noted that refraining from using sexist terms such as ‘Roomath’ or ‘Dooshanaya’ when reporting on women could help to counter the social stigmatisation of women.
- Ethics Eye also observed that refraining from mentioning an individual’s race/caste/ethnicity/religion when not directly relevant to the news content could help to facilitate neutral reporting.

8. ANNEXURE

TAMIL PRESS:

The chairman of the OMP meets relatives of the disappearance in Mullaitivu (pictorial) –

Caption- The pictures reveal the people of Mullaitivu stage a protest denouncing the sessions of the Office on Missing Persons (OMP) and the Chairman of the OMP President's Counsel Saliya Pieris interacting with the protestors.⁵¹

The people in Mullaitivu said they would not trust the OMP

Families of the disappeared from Mullaitivu boycotted a meeting with the Office on Missing Persons (OMP) on Saturday (2 June). Instead, they staged a protest outside the meeting which was held at the Mullaitivu District Secretariat. The protestors claimed they lacked confidence in the OMP because it failed to show results in finding missing persons. Demonstrators carried placards claiming they did not want to be hoodwinked any longer. Following the meetings inside the Secretariat premises, which was attended by about 60 families of the missing from Mullaitivu, the Commissioners went outside to speak with the protesting families for about an hour. The demonstrators were from both Mullaitivu and Kilinochchi. “The OMP met the families of the disappeared at Mullaitivu and engaged for one hour with protesting families who were boycotting the event,” OMP chairman Saliya Pieris said on his official Twitter account after the meetings. Several families raised concerns with the OMP about the list of surrenders at the end of the war. The government earlier promised to obtain this information from the relevant security establishment. The OMP Commissioners’ meetings were split into two, two-hour sessions, with one held at 9 a.m. and the other at 11a.m. at the Mullaitivu Divisional Secretariat. Families from Thunukkai, Manthai East, Weli Oya, Oddusuddan, Puthukuduirippu and Maritime Pattu met with the OMP Commissioners yesterday, Pieris said. All seven Commissioners of the Office on Missing Persons participated in the consultations in Mullaitivu.⁵²

The people are not confident in the OMP

It has been four years since the end of the war (2009), yet families of those disappeared are still unable to find the truth about what became of their loved ones. In turn they are unable to receive sympathy, and support of the Government and society at large. As long as these horrific crimes are not formally acknowledged, and justice and accountability are ensured, reconciliation will remain elusive. Although many commissions were set up and inquiries were made regarding the missing persons, a situation where missing persons cannot be found still prevails. Soon after the reconciliation commission was formed under the previous governments, more than 20,000 cases of missing persons, were presented to be investigated. These persons went missing during the end of the war. There were many barriers to protests being staged on missing persons under the previous regime. The police stopped hundreds of family members of disappeared persons from the North of Sri Lanka, from coming to the capital in Colombo. The families intended to hand over a petition to the UN and meet with Ms. Navaneetham Pillay. The affected people were full of hope when the current “good governance” government came into power in 2015. Set-up in compliance

⁵¹ *Thinakaran*, 3 June, front page:

https://gallery.mailchimp.com/86821d44888fd04718a41ac6e/files/52970bac-d1ae-463f-8d6b-5c1afe472d44/New_Doc_2018_09_04_10.02.32.01.pdf

⁵² *Thinakaran*, 3 June, front page.

with a recommendation of a 2015 UNHRC Resolution, The OMP was established under Act No.14 of 2016. It is the first permanent body set-up to investigate disappearances, however the office was set up about two years after the Act was passed. It started functioning only in May 2018 with members visiting Mannar to meet the victims of disappearances in that district.

Families of the disappeared from Mullaitivu boycotted a meeting with the Office on Missing Persons (OMP) on Saturday, and instead staged a protest outside the Mullaitivu District Secretariat, where the meeting was held. Despite an hour of conversation, officers of the OMP failed to convince the protesting families to abandon the protest and join the meeting. The protestors said they had no faith in the OMP and that they believed it would be pointless- having testified at several other Sri Lankan commissions previously. The protesters in Mullaitivu demanded the OMP to either secure a list containing names of those handed over to the SL military at the end of genocidal onslaught, or to bring at least 100 of those already documented as being held in secret detention.

The families of the victims in Jaffna and Kilinochchi said only an international investigation, conducted through a credible mechanism beyond the parameters of the so-called sovereignty of the genocidal state of Sri Lanka, could enforce the SL State to come up with proper responses to establish the fate of their missing kith and kin.⁵³

The OMP comes under the State Minister Fowzie

The Office on Missing Persons (OMP), which was under the President, has been gazetted under National Unity and Coexistence State Minister A. H. M. Fowzie. Issuing an Extraordinary Gazette on Thursday, President Maithripala Sirisena has assigned the OMP to State Minister Fowzie for administrative purposes. The OMP was previously under the purview of the President as he is also the National Integration and Reconciliation Minister. The Gazette to operationalise the OMP was signed by the President in September 2017. The seven Commissioners of the OMP commenced its outreach programme with meetings in Mannar and Matara in May. OMP is to meet families of the disappeared and civil society in Mullaitivu, Puthukuduirippu, Maritime Paththu, Thunukkai, Manthai East, Weli Oya and Oddusudan today.⁵⁴

"OMP should get the list of names of those surrendered to the military and released" - Siva Shakthi Anantha

The Office on Missing Persons should get the list of the missing persons from the forces and release it, instead of stating that they are prepared to release it when a letter of appeal is sent to them. Sivashakthi Ananthan, further commenting on the OMP chairman Saliya Pieris PC's abovementioned statement, said that the Paranagama Commission received testimonies from over 23,000 persons related to missing persons. The testimonies received from the relatives of the missing persons was because they want their loved ones back. The list was not released upon the appeal made by the courts nor from the records entered in the Pranagama Commission. The names of missing persons have also been registered with the International Red Cross, the Human Rights Commission, and the Sri Lanka Red Cross. The government and the armed forces have the list of the missing

⁵³ *Virakesari*, 4 June, p. 4.

⁵⁴ *Thinakkural*, 4 June, front page.

persons during the end of the war. The OMP should get the information from them and release it.⁵⁵

"We do not have list of names of those who disappeared"

The OMP has stated that there are no details about the missing persons or detained prisoners from the final stages of the war. The information about the missing persons and detained prisoners that was allegedly available to be revealed is a false news. The Chairman of the OMP Saliya Pieris stated that he cannot deliver any false promises or information regarding this complex issue. The only motive of the OMP is to support the families of the missing persons and to take immediate actions to find the Missing persons.⁵⁶

Request made at the OMP to find Arjun Mahendran

There are complaints filed at the OMP to find the Former Governor of the Central Bank Arjun Mahendran immediately. The Secretary of the Youth service of PVU filed this complaint on the day before yesterday. He also stated that the silence of the Prime Minister regarding this issue is dubious. The Supreme court has issued a verdict to arrest Arjun Mahendran. The OMP has promised to supply information regarding the issue.⁵⁷

The OMP requested to find Arjun Mahendran

Pivithuru Hela Urumaya has requested that the OMP to find the former Governor of the Central Bank Arjun Mahendran. The Secretary of the Youth service of PVU has requested the OMP to investigate details on Arjuna Mahendran who has been accused of involvement in the bond scam issue. There is currently no information published regarding this issue.⁵⁸

The objective of the Office on Missing Persons will be achieved in the short term

(Commissioner Ganabathipillai Venthan) – The OMP will function with the aim of earning the trust of all communities, Commissioner Ganabathipillai Venthan said. He stated that the government has a short time to work on matters of missing persons. He also emphasised that the OMP will not only investigate the disappearances from the North, but also disappearances in the South. He sought the people's support to make this task a success. He agreed that despite being established some time ago, the OMP is still not able to provide solid information on missing persons. The misinformation given by previous institutions was one of the reasons for this inability, he said. Further, he hopes that in the future, the change in government will not affect the activities of the OMP. ⁵⁹

A meeting at the Office of Missing Persons today

The Office on Missing Persons (OMP) has informed that the next meeting of the OMP will be held today (13 June) at Trincomalee's Uvarmalai Hindu Cultural Hall. The OMP held its

⁵⁵ *Thinakkural*, 5 June, p. 10.

⁵⁶ *Thinakkural*, 7 June, p. 6.

⁵⁷ *Sudar Oli*, 8 June, p. 3.

⁵⁸ *Thinkkural*, 8 June, p. 6.

⁵⁹ *Virakesari*, 12 June, p.5.

initial meetings in May. The meetings were held in the Mannar, Matara, and Mullaitivu districts. The commissioners of the OMP are scheduled to meet relatives of disappeared persons at 9.00 am, journalists at 2.00 pm and civil society representatives at 2.00 pm.⁶⁰

The OMP has three meetings today at Trinco

The Office on Missing Persons (OMP) informed that its next meeting will be held today (June 13) at Trincomalee's Uvarmalai Hindu Cultural Hall. The OMP held its initial meetings in May. The meetings were held in the Mannar, Matara, and Mullaitivu districts. The commissioners of the OMP are scheduled to meet relatives of disappeared persons at 9.00 am, the journalists at 2.00 pm and civil society representatives at 2.00 pm.⁶¹

“Even the president could not, can you?” Ask the families of disappeared persons in Trinco

The families of disappeared persons questioned why the President appointed the OMP after claiming there are no disappeared persons in Sri Lanka. They also questioned how the OMP plans to deliver justice to the community when the president could not. The Families of Disappearances (an association) for the Trincomalee District protested relegating the meeting between the commissioners of the Office on Missing Persons (OMP) and the relatives of the disappeared Yesterday (13th of June). President's Council Saliya Pieris, the chairman of the OMP and commissioners Major General Mohandhi, S.K. Liyanage as well as Mirak Raheem, Jeyadeepa Punniyamoorththi, and Venthan Kanapadhipillai were present at the meeting. In this context, relatives of the disappeared admitted that they were frustrated by giving testimonials before numerous commissions and that they will resist the OMP. Amid the protest, members of the OMP spoke to the protestors. President's Council Saliya Pieris, the chairman of OMP said that he respects the protest and that the suspicion of the OMP is reasonable. He went on to say that the Office's past has been a reason for the distrust and these doubts should be clarified through discussions. He convinced the protestors that the OMP has come to meet them to ask their valuable opinions to help them. The meeting was held inside the hall while some people were protesting outside.⁶²

“We don't ask for compensation, we need only our children”: Protest at Trincomalee yesterday

The Families of the Disappeared (an association) for the Trincomalee District protested, resisting the meeting between the commissioners of the Office on Missing Persons (OMP) and the relatives of the disappeared Yesterday (13th of June). President's Counsel Saliya Pieris, the chairman of OMP and commissioners Major General Mohandhi, S.K. Liyanage and Mirak Raheem, Jeyadeepa Punniyamoorththi, Venthan Kanapadhipillai were present at the meeting. In this context, relatives of the disappeared admitted their frustrated at

⁶⁰ *Thinakaran*, 13 June, p. 23.

⁶¹ *Thinakkural*, 13 June, p. 7.

⁶² *Virakesari*, 14 June, p, 11, 10.

giving testimonials before numerous commissions and that they will resist the OMP. Further, they questioned why the OMP was established since the President claimed there were no disappeared persons in the country. They are not seeking compensation from the OMP, rather they needed their children back. While they were protesting, the members of the OMP spoke to the protestors. President Council Saliya Pieris, the chairman of OMP said that he respects the protest as suspicion of the OMP is reasonable. He said that the Office's past has been a reason for the distrust and these doubts should be clarified through the discussions. He convinced the protestors that the OMP has come to meet them to ask their valuable opinions to help them. The meeting was held inside of the hall while some people were protesting outside.⁶³

⁶³ *Thinakaran*, 14 June, p. 1, 4.

The matter on Disappeared persons: Office is established to provide justice to the affected persons

Responding to a question by a journalist at Trincomalee Hindu Cultural Hall on 13 June, President's Counsel Saliya Pieris, the chairman of the Office on Missing Persons (OMP) said that OMP is not established to satisfy Geneva but to provide justice to the affected people. The Chairman PC Saliya Pieris and five commissioners, namely Major General Mohandhi, S.K. Liyanage, Mirak Raheem, Jeyadeepa Punniyamoorththi, Venthan Kanapadhipillai were present at this occasion. We have already held consultations at Matara, Mannar, and Mullaitivu. Trincomalee is the fourth district that we are holding consultations in, he stated. Further, he explained that they have organized these consultations to know the opinions of the affected people and gather information from them. According to the shared opinions and information we shall do our duty, this is our main objective, he said.⁶⁴

A protest against the meeting with representatives of the Office on Missing Persons Thambalagamam Correspondent

Chairman of OMP and the commissioners Major General Mohandhi, S.K. Liyanage Mirak Raheem, Jeyadeepa Punniyamoorththi, Venthan Kanapadhipillai came for the meeting. In this context, relatives of the disappeared stated that they were frustrated by giving testimonials before numerous commissions and that they will resist the OMP. While they were protesting, the members of the OMP spoke to the protestors. President's Counsel Saliya Pieris, the chairman of OMP said that he respects the protest and that suspicion of the OMP is understandable. He said that our past has been a reason for the distrust and these doubts should be clarified through the discussions. He convinced the protestors saying that they have come to meet them to ask their valuable opinions to help them. The meeting holds inside of the hall while some people are protesting outside⁶⁵

A protest against the Office of Missing Persons (Abdulsalam Yaseem, Vadamalai Rajkumar and Pon Anantham)

The Families of Disappeared persons protested resisting the meeting between the commissioners of the Office on Missing Persons (OMP) and the relatives of the disappeared on 13th of June at Trincomalee District. OMP held its initial meetings with the families of disappeared persons in last May. The protesters, the relatives of the disappeared informed that they were frustrated with giving testimonials before numerous commissions and they resist the OMP.⁶⁶

⁶⁴ *Thinakaran*, 14 June, p. 3,4.

⁶⁵ *Thinakkural*, 14 June, 2018, p. 6.

⁶⁶ *Tamil Mirror* 14 June 2018, p. 8.

The Disappeared: The UN's Special list comes out

The list of the disappeared persons about whom an immediate investigation is necessary, has been released by the UN group for the disappeared. The list includes the names of 500 disappeared. The list reinforces the immediate investigations, tracings and the protection of the disappeared. The chairman of the UN group for the disappeared, Suyela Janina said that the list has been released considering the pain of the relatives of the disappeared.⁶⁷

Compensation to the relatives of disappeared should be given immediately

Western Provincial Council Member C. Y. P. Ram said that the president and prime minister should directly be involved in formulating a new special mechanism to solve the problems of the relatives of the disappeared immediately. He reiterated that the proposed compensation for the relatives of disappeared should be given immediately.⁶⁸

A Cabinet paper to speed up the reparations for the disappeared

The Minister of National Coexistence, Reconciliation, and Languages Ministry, Mano Ganeshan said that taking the financial difficulties faced by the relatives of the disappeared into consideration, he is going to submit a Cabinet Paper to speed- up the reparations for them. Further, he said that the reparations process will not affect the activities of the Office of Missing Persons and both activities will be processed in parallel. Further, he said that it is an individual's right to either accept the reparations or reject it. The reparations, in any way, will not be treated as the price for the life of the disappeared, he explained.⁶⁹

The Matter on disappeared: A special mechanism is needed to solve the problem

Northern Provincial Council Member C.Y.P. Ram said, thousands of persons have disappeared in a systematic manner during the riot, insurgencies, and the war. Relatives of the disappeared have given testimonials to the various commissions as their relatives surrendered at the last stage of the war and disappeared, he said. Further, he said that the state is accountable on this matter. He requested the state to establish a special mechanism to solve the problem of the disappeared.⁷⁰

The matter on disappearance: when the despondency of the people will be gone?

⁶⁷ *Virakesari*, 17 June, p. 1, 10.

⁶⁸ *Virakesari*, 17 June, p.4.

⁶⁹ *Thinakaran*, 17 June, p. 1,16.

⁷⁰ *Thinakaran*, 17 June, p. 1, 4.

The people in North have been involved in numerous protests and rallies seeking a response about their disappeared relatives. The people who surrendered to the military at the last stage of the war are missing and no information about them is available. The relatives of the disappeared have been lamenting for years and requesting the previous government as well as the current one to provide a suitable response on this issue. Many people in the South are under the impression that all disappeared persons were members of the Liberation Tigers of Tamil Ealam but that is not the true. Civilians also had gone missing and this has been officially proved by their relatives. In this context, the Minister of National Co-Existence, Reconciliation, and Languages, Mano Ganesan said that he is going to submit a cabinet paper to speed- up the reparations and further declared that the investigation process and the reparation process will be held at same time.⁷¹

Provide details of the disappeared, the presidential commission requests

The International Truth and Justice Project (ITJP) published a list of disappeared persons which includes the names of 351 persons. The President's Commission on Disappearances requests all persons to share any information on any person listed. The chairman of the commission released a statement in this regard. According to this statement, the Ministry of Foreign Affairs in Sri Lanka declared the list published by the ITJP has drawn its attention. The Office on Missing Persons (OMP) was established in 2016 by an Act which was enacted in 2016 and amended in 2017. The OMP is considered a permanent and independent institution which has a range of duties and mandates. Some of its responsibilities include, to seek the whereabouts of the disappeared, protect them, clarify the situations of disappearances, provide recommendations to the relevant authorities and provide remedies for the victims, etc. The Ministry of Foreign Affairs requests all persons to share any information on disappearances with the OMP.⁷²

Share the information regarding the disappeared persons

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⁷¹ *Thinakaran*, 19 June, p. 4.

⁷² *Thinakaran*, 21 June, p.1, 6.

⁷³ *Tamil Mirror*, 21 June, p. 9.

Ilamparidhi, one of the disappeared, was an important figure of the Liberation Tigers of Tamil Ealam (LTTE) (BBC)

The International Truth and Justice Project (ITJP) revealed, according to eye witnesses an important figure of the LTTE, Sinnaththamby Mahalingam alias Ilamparidhi was confined within barbed-wire fences and then removed from there. Further, ITJP informed that witnesses are able to prove that Ilamparidhi's wife and three children were also seen and disappeared later on. The Ministry of Foreign Affairs in Sri Lanka declared that the list published by the ITJP has drawn its attention. The said list includes the names of 351 persons including the children. The Office on Missing Persons (OMP) was established in 2016 by an Act enacted in 2016 and amended in 2017. The OMP is considered a permanent and independent institution which has a range of duties and mandates. These duties include, to seek the whereabouts of the disappeared, protect them, clarify the situations of disappearances, provide recommendations to the relevant authorities and provide remedy for the victims, etc. The Ministry of Foreign Affairs requests all persons to share any information on disappearances with the OMP. Also, it requests to share any information on any disappeared among the forces and police officers with the OMP.⁷⁴

The state requests to share information on disappearances (Foreign Affairs Ministry)

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Sri Lankan state uses the disappearance as a weapon: Dhevarasa says at the international advocates' conference in Chennai

An international advocates' conference was held in Chennai, headed by the retired judge of the Supreme Court of India, Ariparanthaman to bring attention against the genocide of Tamils in Sri Lanka and to demand investigations on the issue. Dhevarasa a father of a disappeared son from Vavuniya expressed the concerns of the families of disappeared. He emphasised that the families of the disappeared have been involved in a protest for over a year. He said though the war ended publicly, a silent war, namely a genocide

⁷⁴ *Thinakaran*, 22 June, p. 6.

⁷⁵ *Thinakkural*, 22 June, p. 10.

remains in Sri Lanka. The relatives of the disappeared still believe that their loved ones are alive and search for them, he emphasised. He asserted that the Sri Lankan state has used the disappearance as its weapon during the Janatha Vimukthi Peramuna (JVP) insurgencies and during the war. Many of the disappeared persons were found in mass graves as skeletons. The present government used the issue of disappearance as a tool to receive the votes of minorities. We voted for the current regime with a hope of getting a solution to the issue of disappearance; but nothing happened, he said. He said that there are so many eye witnesses who can elaborate the incidents and give evidence on the disappearances. Such eye witnesses are to be protected as a national asset and their statements should be recorded as soon as possible. Nevertheless, none of this has taken place to protect the eye witnesses, he alleged. The victims do not have trust in OMP and domestic investigations. The relatives of the disappeared are still waiting for their loved ones.⁷⁶

The OMP requests additional information from the ITJP

The chairman of Office on Missing Persons (OMP), President's Counsel Saliya Pieris requested additional information from the International Truth and Justice Project (ITJP) which published a list of disappeared persons. This list contains the names of 351 persons. Further, the OMP requested all persons to share any information on any person listed.⁷⁷

The OMP could not find even a single person

Addressing a media briefing on 24 June at Vavuniya, the executive director of the Presidential Special Task Force on Development, and former deputy minister Praba Ganesan said that Office on Missing Persons will not find a single disappeared person. He said he has been engaged in protests for years against the disappearances and inaction of the government. He alleged that prime minister Ranil stated that there are no disappeared persons in Sri Lanka- they might have died or departed to a foreign country. In this context, they have established the OMP. He said that the OMP was a mere whitewash. Further, he alleged that state has established the OMP to tick a checklist.⁷⁸

The OMP could not even find a single disappeared person: (Praba Ganesan)

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⁷⁶ *Thinakkural*, 24 June, p. 29, 30.

⁷⁷ *Sudar Oli*, 24 June, p. 1, 2.

⁷⁸ *Thinakaran*, 26 June, p. 14.

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The State does not understand the mentality of the relatives of the disappeared: Human rights activist Kadhir Bharadhithasan, says

A human rights activist from the Batticaloa district, Kadhir Bharadhithasan said that the state does not realise the mentality of the victims of disappearance. He said that despite the numerous commissions of inquiries appointed by the successive governments of the past, nothing happened. The issue of disappearance has a long history which started in 1983s. He pointed- out the failures of the state to implement the recommendations given by the International Amnesty Council to address the issue. There was a law during the presidency of Chandrika Bandaranaike Kumaratunge requiring details of arrests to be shared with the suspect's relatives. But this law has not been implemented, he alleged. Further, he suspects hindrance to the functioning of the Office on Missing Persons (OMP) has been made.⁸¹

Eight regional OMP offices in North and East

The Chairman of the Office on Missing Persons (OMP), Saliya Pieris informed that eight regional OMP offices will be established in the North and East. The relatives of the disappeared persons can hand over the information about the missing persons to the regional offices.⁸²

We are not ready to trust the government; international community should provide solution

A protest was organised by the relatives of the disappeared persons was held on 7 July in front of the Nallur temple. The protestors said they don't trust the OMP as well as the current government. They demanded international participation and investigation into

⁷⁹ *Thinakkural*, 26 June, p. 6.

⁸⁰ *Tamil Mirror*, 26 June, p. 4.

⁸¹ *Virakesari*, 28 June, p. 10.

⁸² *Thinakkural*, 1 July, p.5.

the issue of enforced disappearance. They claimed, although they protested for 500 days continuously, the government did not respond.⁸³

Give a chance to the Office on Missing Persons

The Canadian Ambassador David McKinnon visited Mannar on 10 July on a two days visit. He met the Mannar District Citizens Committee members. He requested the people to understand the objectives and the mandates of the Office on Missing Persons (OMP). He requested the people to provide a chance to OMP to prove their efficiency in functioning.⁸⁴

⁸³ *Thinakaran*, 8 July, p. 1,16.

⁸⁴ *Virakesari*, 11 July, p.3.

No comprehensive data about the missing persons

Addressing a media briefing organised by the parliamentary journalist on 10 July in Colombo, the chairman of the Office on Missing Persons (OMP), Saliya Pieris said that there was no comprehensive data on missing or disappeared persons in Sri Lanka.⁸⁵

The OMP Session is at Veerasingam hall

The Government Agent of Jaffna district, N. Vedhanayagan said that a meeting is to be held on 14 July at Veerasingam Hall between the relatives of the disappeared persons and the commissioners of the Office on Missing Persons (OMP).⁸⁶

The Issue of disappearance

The Office on Missing Persons (OMP) announced that it will start an inquiry about the disappeared persons who disappeared after they surrendered to the military. The OMP further announced that it will conduct investigations based on the details given by the relatives of the disappeared persons. However, the chairman of the OMP said that they should have a proper system of investigation and they can't investigate the forces suddenly.⁸⁷

Don't hurt us anymore: The relatives of the disappeared persons lament in Jaffna

The relatives of the disappeared persons were engaged in a protest on 14 July, in front of the Veerasingam Hall in Jaffna to show their resistance to the Office on Missing Persons (OMP). The frustrated victims said that the OMP will not grant justice to them. The victims said they have been waiting for justice for nearly ten years, yet nothing has happened. They said that they don't trust the OMP and that they need international investigation. Though the chairman of the OMP talked to the people and said that OMP will function without bias, the victims did not listen. They requested the government not to hurt them anymore.⁸⁸

It is difficult to find the disappeared persons

Addressing the meeting of the Office on Missing Persons (OMP) on 14 July at Veerasingam Hall in Jaffna, the chairman of the OMP said, finding the disappeared persons is a difficult task. However, he declared that he would not cheat the victims by giving false promises. He said that he will act without bias. Further, he said that five regional offices will be established in the North and East so that victims can handover their details to the regional offices.⁸⁹

⁸⁵ *Sudar oli*, 11 July, p.2.

⁸⁶ *Virakesari*, 13 July, p. 19

⁸⁷ *Thinakkural*, 13 July, p. 1, 5.

⁸⁸ *Virakesari*, 15 July, p.1,10.

⁸⁹ *Thinakaran*, 15 July, p.1,16.

People protest against the OMP in Jaffna

The relatives of the disappeared persons engaged in a protest on 14 July, in front of the Veerasingam Hall, Jaffna to show their resistance to the Office on Missing Persons (OMP). The frustrated victims said that the OMP will not grant justice to them. Though the chairman of the OMP talked to the people and said that the OMP will function without bias, the victims did not listen.⁹⁰

Relatives resist the Office of Missing Persons

The relatives of the disappeared persons engaged in a protest on 14 July, in front of the Veerasingam Hall, Jaffna to show their resistance to the Office on Missing Persons (OMP). The frustrated victims said that the OMP will not grant justice to them. The victims said that they have been waiting for justice for nearly ten years, yet nothing has happened. They said they don't have trust in the OMP and they need an international investigation. Though the Chairman of the OMP talked to the people and said that OMP will function without bias, the victims did not listen.⁹¹

The OMP and the political will

The war affected people have been waiting for justice for decades. They hoped that the “good governance” of the current government would give solutions for their problems. However, the Tamil community's problems remain, and nothing was changed. The land occupation, justice for the war crimes, the issue of disappearance, the release of political prisoners and the reparations for affected people are emerging problems for the minority. None of them were addressed properly though a few steps have been taken to release lands. The government established the Office on Missing Persons to address the issue of disappearances. However, the victims are not ready to trust the Office as they have seen the failure of such offices in the past. The government should try to understand the feelings of the victims. The government should fulfil its promises as it has an inherent duty to provide justice for its own citizens, it should not merely try to tick the international community's checklist.⁹²

An international investigation is needed: The relatives of disappeared protest against the OMP

The relatives of disappeared persons staged a protest on 15 July, in front of the District Cooperative Hall in Kilinochchi to show their resistance to the Office on Missing Persons (OMP). The frustrated victims said that the OMP will not grant justice to them. The victims said that they have been waiting for justice for nearly ten years and nothing happened. They said that they don't have trust in the OMP and they need an international

⁹⁰ *Thinakaran*, 15 July, p.4.

⁹¹ *Thinakkural*, 15 July, p.4.

⁹² *Thinakkural*, 15 July, p. 6.

investigation. Though the chairman of the OMP talked to the people and said that OMP will function without bias, the victims did not receive that message well.⁹³

The relatives of disappeared protest against the OMP in Kilinochchi

The relatives of the disappeared persons staged a protest on 15 July, in front of the District Cooperative Hall in Kilinochchi to show their resistance to the Office of Missing Persons (OMP). The frustrated victims said that the OMP will not grant justice to them. The victims said that they have been waiting for justice nearly for ten years and yet nothing happened. They said that they don't have trust in the OMP and they needed an international investigation. Though the chairman of the OMP addressed the people and said that OMP will function without bias, the victims were not happy.⁹⁴

It is impossible to find the disappeared persons immediately

Addressing an Office on Missing Persons sitting on 14 July in Jaffna, the chairman of the OMP, President's Counsel Saliya Pieris said that the OMP will function without biases. He said that the OMP will give priority to the disappeared persons who directly surrendered to the forces. He pledged that the OMP will operate without any political interferences. Further, he pledged that the OMP will conduct deep investigations. However, he admitted that the process of finding the disappeared persons is very complicated and difficult; therefore, it is impossible to find them immediately.⁹⁵

Is Transitional Justice possible in Sri Lanka?

The Office on Missing Persons (OMP), an elements of transitional justice mechanisms was established by the government. However, the victims do not accept the OMP as they don't have trust in the mechanism. The relatives of the disappeared persons protested to show their resistance to the OMP sittings in Kilinochchi, Jaffna, Trincomalee, and Mullaitivu. The OMP was established after a significant delay. Though the officials at the OMP reiterate and reinforce that they will carry out unbiased investigations, they could not get the victims' support for the OMP. The victims questioned the OMP officials as to how they can find the disappeared persons as the president and prime minister have said there are no disappeared persons in Sri Lanka. The victims were frustrated with improper translations of their testimonials, and the unbiased questions of the previous commissions of inquiry. Since the OMP does not have power to prosecute against perpetrators, how we can say that the OMP has more power than the other commissions. Though transitional justice is a process where the victim centred approach is crucial, the opinions and suggestions of the victims were not considered when establishing the OMP. On one hand the people protest for getting justice and on the other hand they have filed

⁹³ *Virakesari*, 16 July, p. 1, 9.

⁹⁴ *Thinakaran*, 16 July, p. 14.

⁹⁵ *Thinakkural*, 16 July, p. 11.

habeas corpus petitions in the Court. Also, the protection of the witnesses who testimony before the Office is questionable. The justice for the minority is denied as it is delayed.⁹⁶

If the disappeared persons are not alive, what had happened to them?

Addressing a media brief, Tamil National Alliance parliamentarian E. Charles Nirmalanathan stated that the people lost their hopes on the Office on Missing Persons (OMP) after the government declared the disappeared persons are not alive. He requested the OMP to find out either where the disappeared persons are, or what happened to them? He said that the United National Party and the Freedom Party will never act in a manner that impacts Buddhism or the military. He further questioned that since the OMP does not have power to punish the perpetrator how the people can trust the OMP.⁹⁷

The sad exposure of the people who lost their relatives

The relatives of the disappeared persons have conducted protests resisting the sittings of the Office on Missing Persons (OMP). On 14 July, when the OMP arranged a meeting at Veerasingam Hall in Jaffna, the relatives of the disappeared persons protested and said that the OMP will not give them a solution. The chairman of the OMP, Saliya Pieris PC tried to convince the protestors that the Office will investigate without biases and provide justice to the victims. However, the protestors (relatives of the disappeared persons) were not convinced. The victims are fed up with the failure of various commissions appointed to investigate the issue of disappearances. Their request on the list of those who surrendered was also neglected by the government. They alleged that the OMP is a mere reporting institution and it does not have powers to punish the perpetrators.⁹⁸

How can we believe?

Relatives of the disappeared persons who were protesting for nearly 500 days in front of the Mullaitivu District Secretariat said they are going to change their model of protesting as they were ignored by the government. They said though they are changing their model of protest they will not waive their protest until they find solutions for the problems. They said they are hoping to change their protest model to get the attention of the international community and to get the contribution of others to their protest. They said they will organise a protest on 30th of every month. They said that they have been denied justice for decades and they will not waive the protest till they get a proper solution. Further, they said as they have seen the continuous failure of various commissions established in the past, they don't have trust in the Office on Missing Persons (OMP). The OMP does not have the power to punish the people how it could provide justice? They questioned. Further, they said that as the president established the OMP and appointed the commissioners, he will never allow the soldiers to be investigated or punished, they

⁹⁶ *Virakesari*, 18 July, p. 20.

⁹⁷ *Virakesari*, 19 July, p.16.

⁹⁸ *Thinakaran-Arangam*, 20 July, p. 1.

cannot trust the operations of OMP. They said that they believe only international participation could get a solution to their problems.⁹⁹

The attempts to vanish the OMP

The contribution of the relatives of the disappeared persons is crucial to the effective operation on Office of Misusing Persons (OMP). It is a Sri Lanka's obligation to carry out the functions of OMP. The OMP is not only for the North and East. Therefore, as citizens of Sri Lanka we all should extend our support to establish the OMP. While the people have their right to protest to show their grievances and disappointments, they don't have the right to stop other people who are willing to participate in the sittings of OMP. The people who resist the OMP, indeed neglect the Geneva resolution as the OMP was one of the outputs of a Geneva resolution. The politicians should lead the victims in the correct path instead of making political advantages from them. The government may use the resistance as defense in Geneva for not establishing the other mechanisms saying that the victims did not accept the first mechanism that was established.¹⁰⁰

The OMP's functions

Media Spokesman of the Tamil National Alliance and Parliamentarian M. A. Sumanthiran informed the media about the progress of the operations of the Office on Missing Persons (OMP). He said the OMP is not resisted by all victims; but there are few victims who don't have trust in the mechanisms established by the government. He affirmed that a significant number of the relatives of the disappeared persons depend on the OMP for the solutions to their problems. He said that those people who trust the OMP participated in the OMP sittings. He stated that as the OMP starts functioning, the victims might believe its process and will accept it.¹⁰¹

What is the point if the Office cannot punish the culprits?

Northern Province Chief Minister C.V. Wigneswaran said that the Office on Missing Persons (OMP) is not an office which could meet the expectations of the people. He emphasised that as said in the Paranagama Commission report, the government should give the punishment to the perpetrators. Furthermore, he said no action was taken in addition to the arrest of 2000 persons arrested under the Paranagama Commission report. He pointed out that since the OMP does not have authority to punish the culprits, it would not meet the expectations of the people.¹⁰²

⁹⁹ *Thinakkural*, 22 July, P.8.

¹⁰⁰ *Thinakkural*, 22 July, P. 31.

¹⁰¹ *Thinakkural*, 23 July, p.6.

¹⁰² *Thinakaran*, 2 August, p.14.

SINHALA PRESS:**Opposition against the Office on Missing Persons in Mullaitivu**

Protests against the members of the Office on Missing Person. Several protests were carried out by various organisations outside the Mullaitivu Divisional Secretariat against the Office on Missing Persons on 2 June. The protestors clearly stated that they have no faith in the activities carried- out by the Office on Missing Persons. The chairperson of the above commission, President's Counsel, Saliya Pieris and the other members met the protestors and explained the activities and services carried out by the Office on Missing Persons. However, the relatives of the missing persons who took part in the protests clearly stated that the Maxwell Par anagama Commission which was formed during the Rajapaksa government commented more on this matter, they were not capable of creating any positive changes.¹⁰³

¹⁰³ *Divaina* June 4, page 4.

The following is the press coverage on the devolution of power:**SINHALA PRESS:****Gotabaya's procession (by Sunanda Deshapriya)**

The procession is ready. The whip crackers and the drum beaters who lead the procession are already on the road. When one looks at the leading whip crackers, it is not hard to surmise the direction towards which the procession is heading. Admiral Sarath Fonseka and Major General Kamal Gunaratne lead the procession, while Wimal Weerawansa and Udaya Gammanpila are blowing the trumpets. If it is such, persons such as this would become the ministers of Gotabaya Rajapaksa's government, it is not necessary to elaborate on what is about to happen. One major element characterises the politics of all these people, which is the denial of a political solution based on the devolution of power for the Tamils in this country.¹⁰⁴

Actualisation of the Division of power will happen once T.N.A joins the cabinet (By Amity Maduranga)

According to the Minister of National Reconciliation, Mano Ganesan, the actualisation of the division of power will take place in the country once the TNA joins the cabinet. Though similar invitations were extended by present and former presidents and prime ministers, the TNA has not responded to these invitations. After the present regime implements the new constitution, a separate power dissolution system will be adopted in the North-East area. However, he suggested that before this procedure, a power dissolution should take place within the central government.¹⁰⁵

In order to initiate the actual separation of power, TNA should accept cabinet portfolios (By Sujeewa Thathsara)

National reconciliation minister Mano Ganesan stated that the true devolution of power will take place in the country after the Tamil National Alliance has joined the government and obtained cabinet portfolios. The minister further stated that not only the incumbent president and the prime minister, but also the previous presidential candidates have been invited to join the government. The Minister added that a separate, devolved power would be created in the North and the East after the passage of the constitution, which would have had to devolve power.¹⁰⁶

Left turning upside down (by Wickramabahu Karunanayake)

It is common that people who oppose devolution tend to support the executive presidency. The common Sinhalese belief is that the best method of displaying Sinhalese authority in Sri Lanka is by appointing a powerful executive power. Therefore, these

¹⁰⁴ *Ravaya*, June 3, p 12.

¹⁰⁵ *Ada*, June 5, p. 8.

¹⁰⁶ *Divaina*, June 6, p. 4.

people are blindly trying to use the constitution to create an authoritarian regime. Today, it is represented by President Sirisena. The President has identified the attempt to maintain executive power while implementing a weak devolution of power as a programme of the left.¹⁰⁷

The destiny of this country can be changed by the Tamil People (By Lakshmi Jayakody)

“The Tamil community can change the destiny of this country. Even at the dawn of independence, the ethnicity-related issues of Sri Lanka were not solved. Demanding for 50-50 representation without the right to take independent decisions is a mistake. Most of the Sinhalese in the South do not maintain an extremist and racist ideology in this regard. The 13th Amendment which was brought forward as a solution to the grievances of the Tamil community cannot be accepted. The Tamil youth armed themselves with weapons because of the injustice the Tamil community had to face. It was understood on both national as well as international platforms that the Tamil people are facing problems. Therefore, countries such as USA, Canada, India, Australia, and the EU aided Sri Lanka to end the war. The LTTE was banned in these countries. This form of assistance helped Sri Lanka to defeat the LTTE easily. We promised the international community that supported us, that the problems faced by the members of the Tamil community will be settled. However, at present this international responsibility has been ignored.” Stated the Leader of the Opposition, R. Sampanthan.¹⁰⁸

TAMIL PRESS:

Devolution slips

If the provincial councils were allowed to utilise the powers and authorities given through the 13th Amendment under Indo- Sri Lanka agreement, the problems of the Tamils would have been solved smoothly. Unfortunately, according to Chief Minister Wigneswaran, the provincial council powers are given by one hand and taken by another hand. However, there was an expectation that the current government will implement the proper devolution of power, but the expectation was watered down after end of three years of the “good governance”. Though the government has taken a few steps to enact a new constitution and pave the way for a solution to the ethnic problems, nothing has happened concretely. As the previous government, the current government also neglects the problems of Tamils. Though Sri Lanka co-sponsored the resolution at United Nations

¹⁰⁷ *Lakbima*, June 10, p.21.

¹⁰⁸ *Mawbima*, 2 July, p.6.

Human Rights Council (UNHRC), it did not implement it. Finally, no positive sign shows that the problems of Tamils will be addressed.¹⁰⁹

No power devolution in the 20th Amendment: JVP Campaign Secretary Vijitha Herath

The Campaign Secretary of Janatha Vimukthi Peramuna (JVP) Vijitha Herath asserted that there is no devolution in the 20th Amendment they submitted to the parliament. He alleged that though President Sirisena promised to abolish the executive presidential system, he did not do it so far. The people also demand a new constitution which cannot be brought immediately. Therefore, we have submitted the 20th Amendment, he explained. He reiterated that the 20th Amendment does not have power devolution clauses.¹¹⁰

¹⁰⁹ *Thinakkural*, 27 June, p. 14.

¹¹⁰ *Thinakran*, 28 June, p. 7.