

Sri Lanka: Resolution 30/1 Implementation Monitor

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Sri Lanka: Resolution 30/1

Implementation Monitor

The Legal Research team at Verité Research prepared this brief.

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Sri Lanka co-sponsored United Nations Human Rights Council (UNHRC) Resolution 30/1 in September 2015. As a result, it committed to fulfilling a range of measures dealing with human rights, accountability and transitional justice. Resolution 30/1 came to represent the main features of Sri Lanka's transitional justice agenda, particularly in relation to accountability mechanisms for abuses suffered by victims of the civil war.



Source: www.meydan.tv

Resolution 30/1 contains 36 distinct commitments that fall into five broad thematic categories:

1. Transitional justice and reconciliation
2. Rights and rule of law
3. Security and demilitarisation
4. Power sharing
5. International engagement

At the 34th UNHRC session held in March 2017, the Sri Lankan government co-sponsored a fresh resolution. Resolution 34/1 reaffirms the above commitments, and requests that Sri Lanka fully implement measures identified in Resolution 30/1 that are outstanding. Subsequently, at the 40th session held in March 2019, the government co-sponsored Resolution 40/1 which reaffirms its commitments to reconciliation envisaged in Resolution 30/1 and reaffirmed in Resolution 34/1. In February 2020, the Sri Lankan government informed the Office of the High Commissioner for Human Rights (OHCHR) of its decision to withdraw from co-sponsorship of Resolution 40/1 of 2019, and its preceding Resolutions 34/1 of March 2017, and 30/1 of October 2015.¹ The Minister of Foreign Relations of Sri

Lanka cited several reasons for the government's decision. These included: (1) the commitments made were 'impractical, unconstitutional and undeliverable'; (2) it damaged the reputation of Sri Lanka in the international realm; and (3) the changes made following the co-sponsorship of Resolution 30/1 'undermined the national interest and compromised national security including weakening national intelligence operations'.² The OHCHR submitted a comprehensive report of Sri Lanka's implementation of Resolution 30/1, pursuant to Resolution 40/1, which was taken up for discussion at UNHRC's 46th session in February and March 2021. Moreover, Resolution 46/1 was adopted during this session on 23 March 2021 to establish a new accountability framework to collect, analyse and preserve evidence of international crimes committed in Sri Lanka for use in future prosecution.³

Verité Research released analyses of progress in fulfilling the 36 actionable commitments in Resolution 30/1 in June 2016, March 2017, February 2018, March 2019, February 2020 and February 2021. **This brief contains an updated analysis of progress since February 2021 until March 2022.**

The methodology of this study has been developed in an attempt to create, as far as possible, an objective basis for monitoring progress.

		Performance Indicators			
		Fully met	Partially met	Poorly met	Not met
Implementation Plan	Workable	Completed	Partial progress	Poor progress	Poor progress
	Flawed				No progress
	No plan				No progress

The methodology involves two assessments:

1. Assessment of performance indicators:

Step 1: Quantitative and qualitative assessment of progress in terms of ‘performance indicators’. Each indicator aims to capture full accomplishment of actions envisaged in a commitment. For instance, a commitment and its indicator can be devised as follows:

Commitment: Begin to issue Certificates of Absence to the families of missing persons as a temporary measure of relief

Indicator: Certificates of Absence have been issued to families of missing persons.

The assessment of progress thereafter relies on publicly available information and evidence of steps taken towards the achievement of each indicator. The assessment includes a qualitative evaluation of how complete and effective the government’s steps are in meeting performance indicators.

Step 2: Classification of all commitments into ‘completed’, ‘partial progress’, ‘poor progress’ or ‘no progress’, based on the degree to which performance indicators have been met.*

*N.B. Even if performance indicators have not been met to any degree, the commitment would be classified as ‘poor progress’ (as opposed to ‘no progress’) if it possesses a workable implementation plan. Therefore, the second assessment detailed below may retrospectively determine the final classification of a commitment as ‘poor progress’ or ‘no progress’.

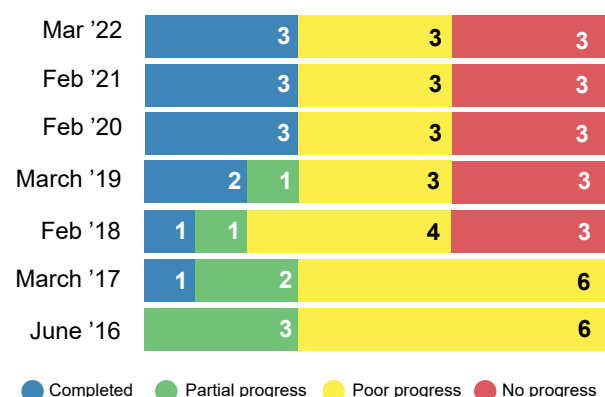
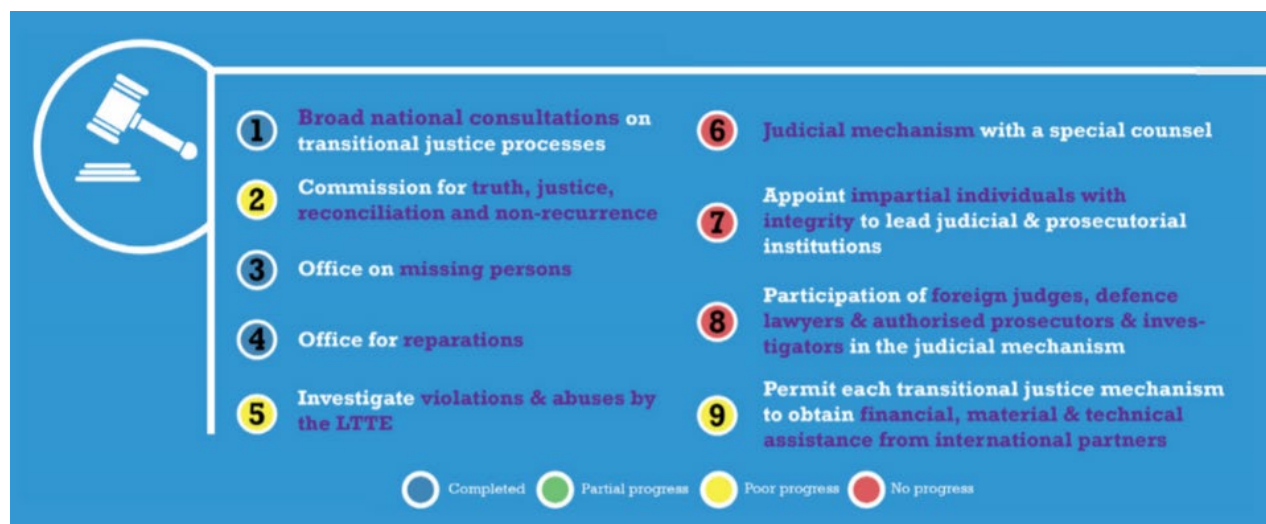
2. Assessment of implementation plans:

This assessment entails a determination of whether the commitment has an identifiable plan for implementation. Where there is a lack of a documented plan (such as a government action plan or roadmap), the existence of a plan may be verified by publicly available evidence of steps towards the commitment’s fulfilment (such as tabling legislation in Parliament or obtaining Cabinet approval for policy decisions).

The matrix above illustrates how the status of implementation of each individual commitment is classified. It also illustrates how the implementation plan pertaining to a commitment may determine its classification.

TRANSITIONAL JUSTICE AND RECONCILIATION

The government made **nine commitments** on transitional justice and reconciliation in Resolution 30/1.



The implementation status of the nine commitments on transitional justice and reconciliation remains the same since February 2021.

The commitments to establish the Office on Missing Persons (OMP) and Office for Reparations (OR) were completed as of March 2019 and February 2020 respectively. As per the budget proposal for the year 2022 the government has allocated LKR 300,000,000 to compensate families of the disappeared.⁴ The OR was allocated an estimated LKR 1,190,000,000 for 2022 under recurrent expenditure, while capital expenditure was budgeted at LKR 2,000,000.⁵ The projections under

the recurrent expenditure and capital expenditure for the years 2023 was 893,000,000 LKR and 2,500,000 LKR respectively.⁶ However, the request made by the chairman of the OMP in 2020 to include families of the missing and disappeared in any planned COVID-19 aid was not given effect by the government in the year 2021.⁷ Considering all the factors mentioned above, the commitment to establish the OMP remains at 'completed'.

According to the briefing note submitted by the GOSL for the 49th Human Rights Council session in January 2022, the OR had processed 5964 claims as of 31 December 2021. The OR in 2021 received a total sum of LKR 399.8 million for the payment of compensation and the entire allocation was utilized for the payment of compensation during that period.⁸

In relation to commitment number (5) above: The Attorney General on 03 August 2021 informed the Supreme Court that an investigation was launched with regard to the Aranthalawa Massacre of 1987 carried out by the LTTE. The Fundamental Rights application filed in June 2020 by Venerable Aandhaulpatha Buddhadasa Thero was called again for consideration on 03 August



2021. The petitioner identified several top-level former LTTE leaders who were involved in the massacre including Vinayagamorthy Muralitharan alias ‘Karuna Amman’ and Sivanesathurai Chandrakanthan alias “Pillayan”.⁹ The fulfilment of the commitment to investigate violations and abuses by LTTE remains as ‘poor progress’ since there are no updates on commencement of investigations into other violations and abuses perpetrated by LTTE.

In relation to commitment number (7) above, there has been no progress in appointing impartial individuals

with integrity to lead judicial and prosecutorial institutions. The President appointed Retired Supreme Court Judge Upali Abeyratne as the Chairman of the Right to Information Commission in December 2021. Justice Abeyratne was also serving as the sitting chairperson of the OMP at the time of the appointment. The appointment was criticised as it was considered as a violation of Section 12 (2)(a)(iii) of the RTI Act which requires that the chairmen should not hold any public or judicial office or any other office of profit at the time of such appointment.¹⁰ There have been no other steps taken to fulfil commitment number (7).

RIGHTS AND RULE OF LAW

The government made **fifteen commitments** on rights and rule of law in Resolution 30/1.

The infographic features a green background with a white scales of justice icon in a circle on the left. Below the icon are four colored circles representing progress levels: a blue circle for 'Completed', a green circle for 'Partial progress', a yellow circle for 'Poor progress', and a red circle for 'No progress'. The 15 commitments are listed in two columns, each with a numbered circle indicating its progress status.

Commitment Number	Commitment Description	Progress Status
1	Investigate attacks on journalists, human rights defenders, religious minorities & civil society	No progress
2	Hold perpetrators of these attacks to account	No progress
3	Prevent such attacks in the future	No progress
4	Review & repeal the PTA	Completed
5	Replace PTA with legislation compliant with international best practices	No progress
6	Sign & ratify the International Convention for the Protection of All Persons from Enforced Disappearance	Completed
7	Criminalise enforced disappearances	Completed
8	Publish previous presidential commission reports	No progress
9	Review the Public Security Ordinance	No progress
10	Issue Certificates of Absence to families of missing persons	No progress
11	Preserve all records & documentation relating to human rights violations	No progress
12	Instructions to security forces that violations of human rights & IHL are prohibited & punishable	No progress
13	Address reports of sexual and gender-based violence & torture	No progress
14	Review witness & victim protection law	No progress
15	Strengthen witness & victim protection law	No progress



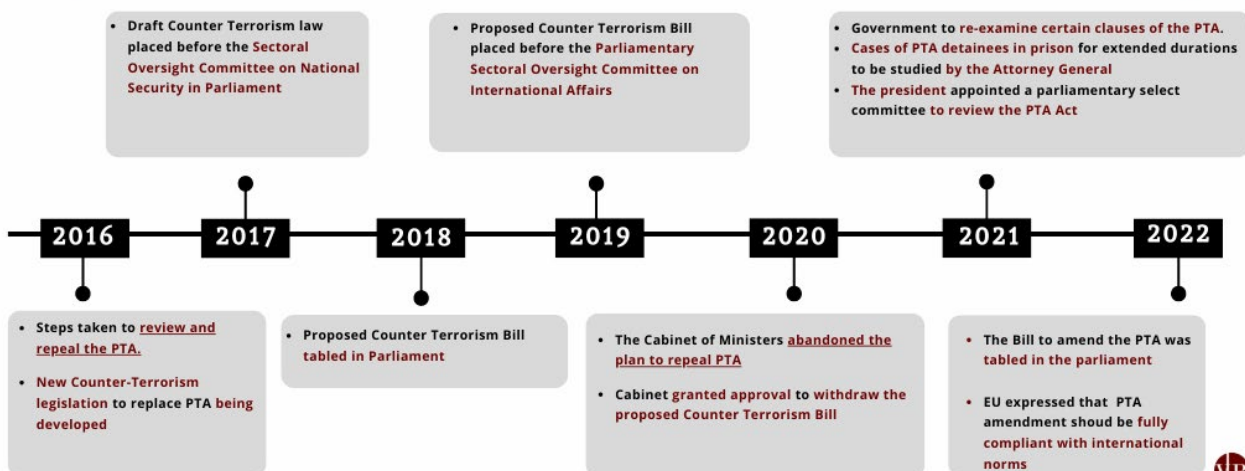
With respect to commitment number (14) above: The implementation of the commitment to review the updated victim and witness protection law remains at ‘partial progress’ since there are no updates on the proposal accepted by the cabinet in January 2021 to amend section 10 of the Act.

In relation to commitments (4) and (5) above: In June 2021 the President appointed a parliamentary select committee to review the PTA. The Cabinet approved the proposed amendments to the Act, and the amendments were subsequently gazetted on 27 January, 2022.¹¹ The Prevention of Terrorism (Temporary Provisions)

(Amendment) Bill was tabled in the parliament on 10 February 2022 by the Foreign Minister and was passed in Parliament on 22 March 2022. Accordingly, the commitment to review and repeal the PTA remains at ‘poor progress’. However, if the government takes steps to meaningfully repeal the PTA in the next review cycle this can be upgraded. (See Figure 1: Government’s progress in implementing the commitment to review and repeal the PTA (2016 – 2022)).

The commitment to replace the PTA with legislation compliant with international best practices remains at ‘poor progress’ as the proposed PTA Amendment fails to comply with international best practices. The proposed PTA amendments do not define the term ‘terrorism’.¹² The new amendment to the PTA¹³ allows the detention of a ‘suspect’ for up to a year without charge or trial. Additionally, the amendment fails to impose a duty on law enforcement officials to notify a suspect of the reasons for detention at the time of the arrest. Further, the amendment allows confessions to be admissible as evidence.¹⁴ These provisions violate international human rights norms. The European Parliament in June 2021 adopted a resolution against Sri Lanka urging the government to repeal the PTA. They also suggested that the

UNHRC Resolution 30/1: Commitments on Prevention of Terrorism Act (PTA) - Timeline



Source: Verité Research, Sri Lanka: Resolution 30/1 Implementation Monitor, Statistical and Analytical Review No. 1 - 6

Figure 1: Government’s progress in implementing the commitment to review and replace the PTA (2016 – 2022)



European Union should temporarily withdraw Sri Lanka's access to the GSP+ trade scheme. Accordingly, in February 2022, the EU expressed that the Sri Lankan government should take further steps to make the PTA fully compliant with international norms.¹⁵

The status of the commitment to review the Public Security Ordinance remains at 'no progress'. In August 2021, the President declared, through a gazette, a state of emergency under section 2 of the Public Security Ordinance. In the same gazette, the President issued emergency regulations to manage essential food supply/services.¹⁶

There has been little progress in investigating attacks on journalists, human rights defenders, religious minorities, and civil society. The case against former Admiral of the Fleet Wasanna Karannagoda—in relation to the kidnapping and forced disappearance of 11 teenagers from Colombo—has been suspended. Karannagoda was identified as the 14th suspect in the case. On 4 August 2021, the Attorney General informed the Colombo Permanent High Court Trial-at-Bar that the indictment against Karannagoda would be withdrawn.¹⁷

In November 2021, an Additional Solicitor General informed the Court of Appeal that the Attorney General had decided to withdraw the charges against Karannagoda based on a confidential report provided to the Attorney General by an Additional Solicitor General. The Attorney General was instructed by the Court of Appeal to submit the confidential report to Court on 02 November, 2021.¹⁸ On 09 December, 2021, the President appointed Karannagoda to the post of governor of the North-Eastern Province.

Meanwhile, there has been an overall deterioration in the Rule of Law.¹⁹ On 24 June, 2021, the President issued a presidential pardon to former parliamentarian Duminda Silva, who was found guilty of the 2011 murder of Bharatha Lakshman Premachandra and sentenced to death in 2016. A High Court Trial at Bar issued the verdict, which was later upheld by a five-judge bench of the Supreme Court in 2018. On 18 July, 2021, the President appointed Duminda Silva as the chairman of the National Housing Development Authority.²⁰ This presidential pardon drew criticism from international and national organizations as it was considered as a violation of the rule of law.²¹ Given the overall environment, progress on fulfilling commitment number (1) under Rights and Rule of Law has remained at 'poor progress' since February 2021.

SECURITY AND DEMILITARISATION

The government made **seven commitments** on security and demilitarisation in Resolution 30/1.



In relation to commitment number (3), the military has continued to be engaged in civilian functions. Following the detection and spread of COVID-19, 25 senior army officers were appointed by the Presidential Secretariat to coordinate and facilitate measures in relation to COVID-19 in January 2021. The official website of the Sri Lankan Army marked the commencement of work of these appointed officers in April 2021. Each responsible officer conducted a district coordinating conference with the district secretaries and stakeholders responsible for conducting preventive measures.

In November 2021, the Sri Lanka Army was assigned to implement the government’s policy on organic fertilizer. The project was initiated with the participation

of women soldiers in the East.²² In December 2021, the Army Commander General Shavendra Silva announced that the National Operations Centre for Prevention of COVID-19 Outbreak (NOCPCO) was converted to the National Operations Centre for Green Agriculture with effect from December 2021.²³

Accordingly in January 2022, military forces were utilized to implement the government initiative on organic farming.²⁴ On February 03 the Sri Lanka Air Force undertook paddy harvesting in support of low-income farmers in Morawewa in Trincomalee.²⁵ The Army would be involved in the 1st Phase of this initiative where 93 acres would be harvested, and 3 acres of each family will be harvested free of charge. The 2nd and 3rd phase of the project would be completed in the Knaugahawewa and Ampara areas. In January, Agriculture Minister Mr. Mahindananda Aluthgamage stated that the President deployed the Army to promote organic farming since he believed that officials were not supportive of the green agriculture concept.²⁶

In August 2021 the President appointed retired Army Major General MDSP Niwunhella to the position of Commissioner General of Essential Services, to coordinate the supply of paddy, rice, sugar and other consumer



goods. The Commissioner is empowered to issue orders to the District and Divisional Secretariats and appoint deputy or assistant commissioners to carry out the task.²⁷

These developments indicate that there is continuous involvement of security forces in civilian activity. Hence, the status of implementation of the commitment to end military involvement in civilian life has been assessed as 'poor progress'.

In relation to commitment number (06) to restore normality to civilian life: In November 2021, there was an increase in the number of checkpoints and roadblocks that were placed in Mullaitivu ahead of Maaveerar Naal by Sri Lanka's security forces.²⁸ The police also filed applications under the PTA, clauses of the Penal Code and COVID-19 Health Guidelines to obtain orders preventing the commemoration of Maveerar Naal and Martyrs Day in Magistrates Courts in Jaffna, Kilinochchi, Mullaithivu, Mallakam, Point Pedro and Chavakachcheri. The Magistrate Courts in Mallakam, Point Pedro and Chavakachcheri rejected the applications filed by the police and directed the police to only take actions if COVID-19 regulations were violated. The Mullaitivu Magistrate's Court modified the order to enable remembrance ceremonies that do not include LTTE symbols or images.²⁹

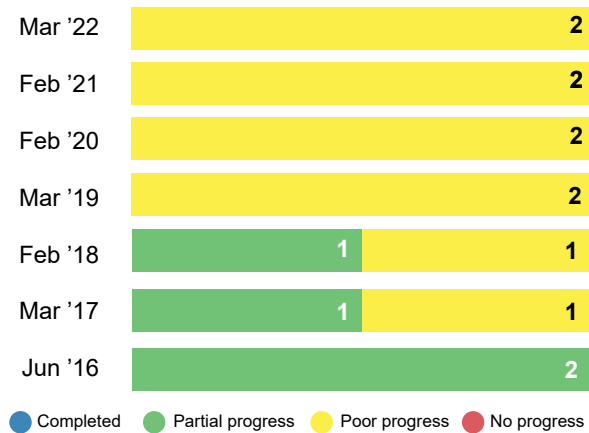
The military continues to engage in commercial activity, including in running resorts and stores.³⁰ The Military

has built camps and bungalows on private property allocated for resettlement in Valikamam North, Jaffna District. The public, however, has been refused access to these lands on numerous occasions.³¹ Accordingly, progress in implementing the commitment to restore normality to civilian life remains at 'poor progress' this year.

With respect to commitment number (07) full participation of local populations, including representatives of civil society and minorities, in these efforts: The Minister of Justice appointed a new board of directors for the Office of the National Unity and Reconciliation (ONUR) in February 2021. Kushan De Alwis, PC was appointed as the Chairman of the ONUR, while Sunil Kannangara was appointed as the Director General. Prof Susirith Mendis, Prof Rizvi Hasan, Prof M M A D S J Niriella, and Samantha Ratwatte, PC make up the Board of Directors. Attorney-at-law Thushari Suriyarachchi was appointed as the Additional Director General.³² The ONUR committee conducted their first annual conference in January 2022 and issued a statement on inter community faith.³³ Additionally, there is no publicly available information pertaining to any initiatives undertaken by the committee to coordinate with CSOs or minorities to conduct programs on reconciliation. As such, the commitment remains at 'poor progress' for the past seven years.

POWER SHARING

The government made **two commitments** on power sharing in Resolution 30/1.



In relation to full implementation of the 13th Amendment to the Constitution, there has been continued delay in holding provincial council elections. In October 2021, the government indicated that it will hold provincial council elections in early 2022, after undertaking reform of the electoral system.³⁴

On 14 May 2021, Members of Parliament were appointed to a parliamentary select committee to identify appropriate reforms for Sri Lankan election laws and electoral systems.³⁵ On 10 February 2022, the parliamentary select committee discussed holding local government elections under a mixed system, with elements

of the first past the post system (FPTP) and the proportional representation system (PR).³⁶ The committee also held discussions between the parties present regarding the selection of the representatives under each system.

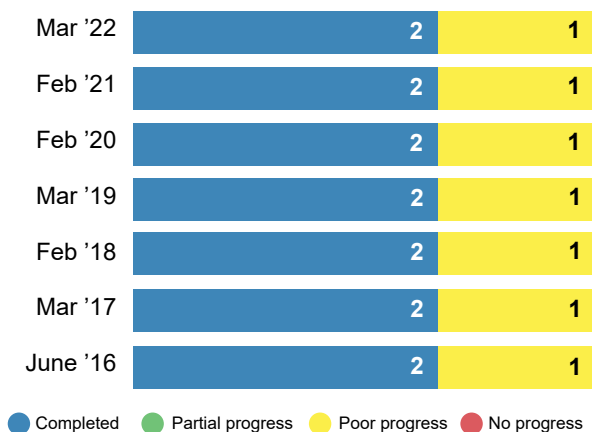
However, beyond these discussions, there has been no further progress towards holding provincial council elections. As such, the implementation status of this commitment remains ‘poor progress’.

In relation to the commitment on a political settlement through Constitutional reform, in May 2021, the government stated that the report by the nine-member expert committee on the formulation of a new Constitution is expected in July 2021.³⁷ In October 2021, Foreign Minister G. L. Peiris stated that the draft of Sri Lanka’s new Constitution has been completed and it is expected to be ready for Parliament’s approval by early 2022.³⁸

The President in January 2022 while delivering his policy statement announced that the recommendation of the expert committee on the proposed new Constitution will be submitted to the cabinet of ministers as well as parliament.³⁹ However, it is unclear if the new draft Constitution includes any reforms with regards to power sharing at this stage.

INTERNATIONAL ENGAGEMENT

The government made **three commitments** on international engagement in Resolution 30/1.



With respect to commitments number (2) and (3) under International Engagement, there is continued engagement between the government and OHCHR, and with special procedure mandate holders. Thus, these two commitments have been completed since June 2016. The Government of Sri Lanka extended standing invitations to all thematic special mandate holders in December 2015.⁴⁰ As requested by the government on 17 August 2020⁴¹ the UN Special Rapporteur on contemporary forms of slavery, Tomoya Obokata, visited Sri Lanka from 26 November to 03 December 2021.⁴²

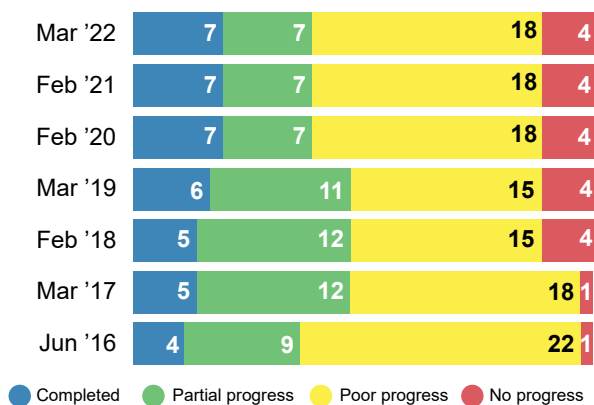
The government’s progress in implementing the recommendations in the OHCHR investigation report on Sri Lanka (commitment number (1) above) remains at ‘poor progress’. One of the OHCHR report’s recommendations was to appoint impartial members with integrity to

the HRCSL through the Constitutional Council. However, the appointment to the HRCSL has become susceptible to politicization as a result of the 20th Amendment. Jagath Balasuriya resigned from his chairman post of the Human Rights Commission in October, 2021. In December 2021, retired Supreme Court Judge Rohini Marasinghe was appointed at the chairperson of the HRCSL following the approval of the nomination made by the President to the Parliamentary Council.⁴³

Another recommendation in the OHCHR report was to review all cases of those detained under the Prevention of Terrorism Act (PTA) and either release or bring them to trial. The PTA remains in force. In June 2021, President Gotabaya Rajapaksa pardoned 94 prisoners, including 16 people convicted under the PTA.⁴⁴

As noted in our earlier report, prominent lawyer Hejaaz Hizbullah was arrested and detained for ten months, without charge, under the PTA, for his alleged involvement in the Easter Sunday Attacks.⁴⁵ Since his arrest in April 2020 he was produced before a Magistrate for the first time on 18 February 2021 for offences under the PTA and the International Covenant on Civil and Political Rights Act, No. 56 of 2007.⁴⁶ He was granted bail by the Court of Appeal in February 2022 after 22 months of detention.⁴⁷ Ahnaf Jazeem, a poet from Mannar, who was arrested under the provisions of the PTA in May 2020 was released after 18 months on bail on December 2021.⁴⁸

RESOLUTION 30/1: OVERALL STATUS OF IMPLEMENTATION



The overall status of the government’s implementation of the 36 commitments has seen no change since February 2021 (See Annex 1 for implementation status since 2016). Seven years after co-sponsoring Resolution 30/1, the Sri Lankan government has fulfilled only seven out of 36 commitments on human rights, accountability and transitional justice. These commitments are to:

- (1) Engage in broad national consultations on transitional justice processes;
- (2) establish the Office on Missing Persons;
- (3) establish the Office for Reparations;
- (4) sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearances;
- (5) criminalise enforced disappearances;
- (6) continuation of engagement between the Government of Sri Lanka and the OHCHR; and
- (7) cooperate with special procedure mandate holders.

There are seven commitments that remain partially fulfilled, including: (1) review of the witness and victim protection law; (2) releasing previous Presidential commission reports; and (3) issuing of Certificates of Absence to families of missing persons.

The progress of most commitments remains at ‘poor progress’. For instance: (1) the commitment to restore normality to civilian life; (2) investigate attacks on journalists, human rights defenders, religious minorities, and civil society; (3) hold perpetrators of these attacks to account; (4) prevent such attacks in the future.

The commitments to set up a judicial mechanism with a special counsel and foreign participation to investigate violations of human rights and international humanitarian law has remained at ‘no progress’ since February 2018. The government did not make any progress in its commitment to review the Public Security Ordinance, since 2015. As such, it has remained at ‘no progress’ throughout the last seven years.






At the 48th session of the UNHRC in September 2021, the government noted that it will continue to investigate and prosecute the perpetrators of the terrorist attack on Easter Sunday in 2019 complying with due process of law. The Foreign Minister acknowledged the challenges in achieving progress on the entire range of issues relating to accountability, reconciliation, human rights, peace and sustainable development. However, the government has rejected the possibility of any external initiatives purportedly established by Resolution 46/1.⁴⁹

Implementation Status (June 2016 to March 2022)

Category	Commitment	Implementation Status						
		June 2016	March 2017	Feb 2018	March 2019	Feb 2020	Feb 2021	Mar 2022
	Engage in broad national consultations on transitional justice mechanisms	Partial progress	Completed	Completed	Completed	Completed	Completed	Completed
	Establish an Office on Missing Persons	Partial progress	Partial progress	Partial progress	Completed	Completed	Completed	Completed
	Establish an Office for Reparations	Poor progress	Poor progress	Poor progress	Partial progress	Completed	Completed	Completed
	Give each mechanism the freedom to obtain financial, material and technical assistance from international partners, including the Office of the High Commissioner	Partial progress	Partial progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Establish a commission for truth, justice, reconciliation and non-recurrence	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Accountability and reconciliation for the violations and abuses committed by the Liberation Tigers of Tamil Eelam	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Establish a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law	Poor progress	Poor progress	No progress	No progress	No progress	No progress	No progress
	Independent judicial and prosecutorial institutions led by impartial individuals of integrity	Poor progress	Poor progress	No progress	No progress	No progress	No progress	No progress
	Participation in a Sri Lankan judicial mechanism, including the special counsel's office, of Commonwealth and other foreign judges, defence lawyers and authorized prosecutors and investigators	Poor progress	Poor progress	No progress	No progress	No progress	No progress	No progress

Category	Commitment	Implementation Status						
		June 2016	March 2017	Feb 2018	March 2019	Feb 2020	Feb 2021	Mar 2022
	Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance without delay	Completed	Completed	Completed	Completed	Completed	Completed	Completed
	Criminalize enforced disappearances	Poor progress	Partial progress	Partial progress	Completed	Completed	Completed	Completed
	Release previous Presidential Commission reports	Completed	Completed	Completed	Partial progress*	Partial progress	Partial progress	Partial progress
	Issue certificates of absence to the families of missing persons as a temporary measure of relief	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress
	Issue instructions clearly to all branches of the security forces that violations of international human rights law and international humanitarian law are prohibited and punishable	Poor progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress
	Review the updated witness and victim protection law	Poor progress	Poor progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress
	Review and repeal the Prevention of Terrorism Act	Poor progress	Partial progress	Partial progress	Partial progress	Poor progress	Poor progress	Poor progress
	Replace it with anti-terrorism legislation in accordance with contemporary international best practices	Poor progress	Partial progress	Partial progress	Partial progress	Poor progress	Poor progress	Poor progress
	Investigate attacks on journalists, human rights defenders, members of religious minority groups and other members of civil society	Poor progress	Partial progress	Partial progress	Partial progress	Poor progress	Poor progress	Poor progress
	Take steps to prevent such attacks in the future	Partial progress	Partial progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Hold perpetrators of such attacks to account	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress

Category	Commitment	Implementation Status						
		June 2016	March 2017	Feb 2018	March 2019	Feb 2020	Feb 2021	Mar 2022
	Develop a comprehensive plan and mechanism for preserving all existing records and documentation relating to human rights violations and abuses and violations of international humanitarian law, whether held by public or private institutions	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Address all reports of sexual and gender-based violence and torture	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Strengthen the witness and victim protection law	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Review the Public Security Ordinance	No progress	No progress	No progress	No progress	No progress	No progress	No progress
	Accelerate the return of land to its rightful civilian owners	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress
	Resumption of livelihoods	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress
	Increase training and incentives focused on the promotion and protection of human rights of all Sri Lankans	Poor progress	Poor progress	Partial progress	Partial progress	Partial progress	Partial progress	Partial progress
	End military involvement in civilian activities	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Introduce effective security sector reforms	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Restoration of normality to civilian life	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Full participation of local populations, including representatives of civil society and minorities, in these efforts	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress

Category	Commitment	Implementation Status						
		June 2016	March 2017	Feb 2018	March 2019	Feb 2020	Feb 2021	Mar 2022
	Ensure that all Provincial Councils are able to operate effectively, in accordance with the thirteenth amendment to the Constitution of Sri Lanka	Partial progress	Partial progress	Partial progress	Poor progress	Poor progress	Poor progress	Poor progress
	A political settlement by taking the necessary constitutional measures on the devolution of political authority	Partial progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress
	Continuation of engagement between the Government of Sri Lanka and the High Commissioner and the Office of the High Commissioner	Completed	Completed	Completed	Completed	Completed	Completed	Completed
	Cooperate with special procedure mandate holders	Completed	Completed	Completed	Completed	Completed	Completed	Completed
	Implement the recommendations contained in the report of the Office of the High Commissioner	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress	Poor progress

*VR's previous assessment of government progress in fulfilling this commitment overlooked the government's incomplete disclosure of reports by the Paranagama Commission, and that reports of some other CoIs (including the CoI into the Matale mass graves) are yet to be released publicly. The implementation status was accordingly amended in March 2019.

- 1 Website of the Permanent Mission of Sri Lanka to the United Nations, '43rd Session of the Human Rights Council – High Level Segment Statement by Hon. Dinesh Gunawardena, Minister of Foreign Relations of Sri Lanka on 26 February 2020', 26 February 2020, at <https://www.un.int/srilanka/news/43rd-session-human-rights-council-%E2%80%93-high-level-segment-statement-hon-dinesh-gunawardena> [last accessed 8 February 2021].
- 2 *ibid.*
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