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இலங்கை மனித உரிமைகள் ஆணைக்குழு  
Human Rights Commission of Sri Lanka

Press Notice No: HRC/P/i/E/21/07/25

## Press Notice

### Parallel Report to the United Nations Committee on Enforced Disappearance

The Human Rights Commission of Sri Lanka (HRCSL) submitted its Parallel Report to the United Nations Committee on Enforced Disappearance ahead of the Committee's 29<sup>th</sup> session to be held from 22 September to 3 October 2025. At this session, the Committee is scheduled to review Sri Lanka's fulfilment of obligations under the International Convention for the Protection of All Persons from Enforced Disappearance ('Convention'). The HRCSL's 25-page report contained several key observations and recommendations on Sri Lanka's implementation of the Convention.

The HRCSL recalled that enforced disappearance of a person amounts to a gross violation of human rights. The phenomenon has taken place in all parts of Sri Lanka and has impacted all communities, particularly in the context of insurrections in the South and the armed conflict in the North and East. The HRCSL also recognised the important efforts of families, activists, and civil society representatives in continuously calling for truth and accountability for enforced disappearance over many years. It specifically recognised that, despite economic challenges and care responsibilities, and having to deal with threats and intimidation, women have led efforts to organise to raise awareness and to advocate for truth and accountability with respect to enforced disappearance in Sri Lanka.

The HRCSL's report detailed past and recent interventions of the HRCSL with respect to investigating enforced disappearance, monitoring places of deprivation of liberty, engaging state authorities and other institutions including the Office on Missing Persons (OMP), advocating for policy reform, and protecting and promoting the rights of families of the disappeared and civil society representatives. The report recalled the past findings of the HRCSL during special investigations and inquiries conducted in 2003, 2006, and 2012. It also presented the facts concerning the recent alleged enforced disappearance of Gonapinuwala Kapila Kumara De Silva in 2024, and its recommendations with respect to this case. Additionally, the report highlighted the challenges faced by families of the disappeared and civil society representatives, including threats and intimidation from state officials and limited progress in court proceedings.

Relying on official statistics released by the Sri Lankan state in the past, the HRCSL's report recalled the fact that over 27,000 cases of missing persons were considered by past commissions of inquiry, and that the OMP has received over 21,000 complaints relating to missing persons. The report also cited the Lessons Learnt and Reconciliation Commission's findings with respect to over 1,000 incidents of disappearances of persons after such persons had surrendered to security forces on 17 and 18 May 2009. The HRCSL's report specifically highlighted the problem of impunity in Sri Lanka. It cited official data from the early 2000s where the identification of perpetrators in over 1,600 cases and the institution of over 300 cases in the High Court ultimately led to only twelve convictions.

The HRCSL's report presented a detailed appraisal of Sri Lanka's implementation of articles 1-25 of the Convention. It specifically examined the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance Act, No. 5 of 2018 ('Enforced Disappearance Act'), which incorporates the provisions of the Convention into domestic law and prohibits enforced disappearance in Sri Lanka. The report also details the recent performance of the OMP and the Office for Reparations.

The HRCSL's report presented the following recommendations to the Sri Lankan state with respect to giving full effect to the provisions of the Convention, and to related matters:

- a) Complete investigations into the alleged enforced disappearance of Gonapinuwala Kapila Kumara De Silva under the Enforced Disappearance Act;**
- b) Establish a new permanent institution (e.g. a 'Special Office for the Investigation and Prosecution of Serious Crimes by State Officials') that is independent of regular law enforcement authorities and with broad powers to investigate *inter alia* enforced disappearance, and prosecute perpetrators;**
- c) Introduce necessary legislative reform to ensure that habeas corpus cases and cases under the Enforced Disappearance Act before the High Court are prioritised to enable their expeditious conclusion;**
- d) Include 'widespread and systematic enforced disappearance' as a specific offence under the Enforced Disappearance Act;**
- e) Include provisions in the Enforced Disappearance Act requiring relevant state authorities to take measures to assure the physical integrity of a person deprived of liberty and their ability to fully exercise their rights at the time of their release;**
- f) Formulate compensation guidelines for pecuniary, non-pecuniary, and exemplary damages for victims of enforced disappearance drawing from international standards;**
- g) Provide adequate financial resources, expertise, and technology for the exhumation of human remains at mass grave sites to ensure the preservation of evidence and effective investigation to ensure identification of deceased persons;**

- h) Conduct regular education and training programmes for police and armed forces personnel on the provisions of the Convention and the Enforced Disappearance Act;**
- i) Include the wrongful removal of children subjected to enforced disappearance, or children whose parents are subjected to enforced disappearance, or children born during the captivity of mothers subjected to enforced disappearance as offences under the Enforced Disappearance Act;**
- j) Consider issuing declarations under articles 31 and 32 of the Convention to recognise the competence of the Committee to receive individual and inter-state communications; and**
- k) Consider becoming a party to the Rome Statute of the International Criminal Court, which lists widespread and systematic enforced disappearance as a crime against humanity.**

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