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Human Rights Commission of Sri Lanka

# **REPORT ON THE ONGOING INVESTIGATION INTO THE MASS GRAVE SITE IN CHEMMANI, JAFFNA**

**September 2025**

## A. Background

In February 2025, local construction workers discovered human remains within the boundaries of the Sinthupathy Cemetery while engaging in construction activities related to a new crematorium. The workers initially informed the Nallur Pradeshiya Sabha. Eventually, the local police and the Learned Magistrate of Jaffna were informed about the discovery, and the Learned Magistrate ordered an investigation under the relevant provisions of the Code of Criminal Procedure Act, No. 15 of 1979. The first phase of the investigation, which involved a pit analysis, confirmed the existence of a mass grave. The second and third phases of the investigation were launched subsequently. At the time of publishing this report, the investigation was ongoing and had led to the discovery of over 200 human remains. According to the Office on Missing Persons (OMP), this is the seventeenth mass grave officially recorded in Sri Lanka.

The Human Rights Commission of Sri Lanka (HRCSL) conducted a fact-finding mission on the ongoing investigation into the mass grave site in Chemmani, Jaffna on 3 and 4 August 2025. The HRCSL team comprised commissioners Prof. Thaiyamuthu Thanaraj, Prof. Farzana Haniffa, and Dr. Gehan Gunathilake, Director of Research and Monitoring Mr. Nihal Chandrasiri, Director of International Affairs Mr. K. Kapilan Villavarajan, and Jaffna Regional Coordinator Mr. T. Kanagaraj. The purpose of the mission was to observe the current investigation process, to engage relevant institutional actors, independent observers, and representatives of family members of disappeared persons, and to identify challenges encountered by institutional actors and family members of disappeared persons.

On 3 August 2025, the HRCSL met with the staff of the OMP and certain attorneys-at-law and civil society actors representing family members of disappeared persons. On 4 August, the HRCSL visited the mass grave site to observe the excavation and exhumation work. At the site, it met with the Learned Jaffna Magistrate Mr. Amalavalan Anandarajah, the Judicial Medical Officer (JMO) Dr. Selliah Pranavan, and the officer in charge of the preliminary investigation conducted by the Criminal Investigation Department (CID). It also visited the Department of Forensic Medicine at the Faculty of Medicine, University of Jaffna and met with JMO Dr. Pranavan and the Head of Department Dr. P.A. Dinesh Coonghe. It then observed the way the recovered human remains are being stored at the Department. The HRCSL also separately met with Prof. Raj Somadeva, the archaeological expert assigned to supervise the excavation and exhumation at the mass grave site in Chemmani.

This report details the main findings, observations, and recommendations of the HRCSL emerging from its visit and subsequent developments surrounding the exhumations and excavations at the mass grave site in Chemmani. The findings and observations are organised under specific themes: (1) the functions and initial findings of the various institutional actors; (2) the adequacy of expertise and technology; (3) the adequacy and accessibility of funding; (4) accountability and the role of security forces and law enforcement authorities; and (5) the role of the Bar, civil society, and the media.

The main finding of the HRCSL with respect to the exhumations and excavations at the mass grave site in Chemmani is as follows: **while specific institutional actors appear to be discharging their duties with commitment and care, there remains an overarching gap in capacity and**

**will among law enforcement authorities to ensure accountability for the deaths of the persons found at the site.**

The main recommendation of the HRCSL in this regard is that a **new independent institution for the investigation and prosecution of serious crimes be established.**

## **B. Findings and Observations**

### **1. Functions and Initial Findings of Relevant Institutions**

At present, the various institutional actors involved in the investigation in Chemmani relied largely on past experiences and a trial-and-error method. Several institutional actors are currently working under the supervision and direction of the Learned Magistrate of Jaffna. These include: (1) Prof. Somadeva, an archaeological expert from the Postgraduate Institute of Archaeology, University of Kelaniya, along with his team of researchers; (2) the JMO Dr. Pranavan, who possesses expertise in forensic anthropology, along with his team of medical students; (3) Scene of Crime Officers (SOCO) of Sri Lanka Police; (4) staff and workers of the Nallur Pradeshiya Sabha; and (5) a team of investigators attached to the CID.

The process involved the following functions by the relevant institutional actors:

- a) The Learned Magistrate functions as the primary decision-making authority at the site, and oversees the investigation;
- b) The archaeological expert supervises the excavation of artefacts, and the exhumation of human remains at the site;
- c) Workers of the Nallur Pradhishiya Sabha carry out manual functions such as digging under the supervision of the archaeological expert;
- d) The archaeological team members and the SOCO team members carry out key functions such as dusting artefacts and skeletal remains and carrying out the excavation and exhumation;
- e) The JMO supervises the process of storing and labelling the exhumed human remains and takes custody of the said remains, and is supported by a team of medical students;
- f) The human remains are transferred to a secure location at the Department of Forensic Medicine at the Faculty of Medicine, University of Jaffna and are analysed by the JMO for the purpose of identification and establishing cause of death;
- g) Officers of the CID conduct investigations with respect to the identities of the persons found at the mass grave site and the circumstances of their death;
- h) Officers of the Office on Missing Persons (OMP) have been afforded observer status and have supported the investigation process including monitoring progress, liaising with institutional actors, and securing resources from the Ministry of Justice.

The human remains are currently stored at the Department of Forensic Medicine, Faculty of Medicine, University of Jaffna, while the excavated artifacts are stored in the Jaffna courthouse. The HRCSL visited the Department and observed the conditions in which the human remains were stored. It is noted that the remains appear to be stored in a secure and systematic manner.

Progress with respect to the above process is reported to the Learned Magistrate in Case No. BR/433/PC/25. The Learned Magistrate has issued several orders in the course of the investigation

including granting special permission to the CID to conduct preliminary investigations and granting observer status to the OMP. The HRCSL was informed that, at the conclusion of the excavation and exhumation, the above institutional actors would convene at a case conference after which the Learned Magistrate would make further orders.

The present Learned Magistrate is a senior judicial officer who has been able to provide guidance to a complex investigation in which multiple institutions and actors are involved. It is, therefore, imperative that in the event of his promotion, his successor is adequately supported to oversee the investigation and continue along the same trajectory.

Based on the preliminary feedback of the experts working at the site, the HRCSL learnt that over 90 percent of the human remains found at the site had no form of clothing whatsoever, thereby ruling out customary burials by Hindu adherents. It was also observed that, given the positioning of the skeletal remains, including the fact that some remains were in extreme proximity to one another, and the shallow depth of the remains (on occasion, the depth being as shallow as 1.5-2 feet from the surface), there is a reasonable likelihood that the burials were unlawful and pursuant to extrajudicial killings. Therefore, if an offence is indeed disclosed at the conclusion of this stage of the investigation, a criminal investigation would be launched and progress with respect to such an investigation would need to be reported to the Learned Magistrate.

The present investigation is being supported and keenly monitored by attorneys-at-law, including members of the Bar Association of Jaffna, civil society actors, and representatives of family members of disappeared persons. Some of these stakeholders noted that, compared to previous investigations into mass grave sites, the process adopted in Chemmani had incorporated more advanced methods. For example, instead of storing human remains in polythene bags as done before, each set of remains was first stored in a paper bag, properly numbered, and thereafter placed in plastic boxes. Moreover, more sophisticated ground-penetrating radar (GPR) equipment obtained from the University of Sri Jayewardenepura was used to scan the site in Chemmani instead of regular scanning equipment used previously. At the time of its visit, the HRCSL was afforded an opportunity to observe the use of the GPR equipment at the site. It is, however, crucial that the GPR equipment is used to scan a wider area in the site as well as the surrounding area to comprehensively assess whether further human remains exist in the area.

The HRCSL found that no Standard Operating Procedure (SOP) has been formally adopted with respect to investigations into mass grave sites, including the mass grave site at Chemmani. The HRCSL was informed that a draft SOP exists but is yet to be formally adopted. It is imperative that the SOP is finalised in close consultation with all relevant experts, members of the Bar Association of Jaffna, and civil society representatives.

## **2. Adequacy of Expertise and Technology**

Many of the actors working at the site appeared to be committed to completing the investigation in a timely and professional manner. The Learned Magistrate closely monitors the progress of the investigation and liaises with the accountant of the Jaffna High Court to secure funding allocated for the investigation. The JMO has taken key steps to preserve and analyse the human remains for the purpose of identification and establishing the cause of death. Moreover, the archaeological

team headed by Prof. Somadeva has provided a considerable service despite significant challenges in terms of time and resources. Additionally, the Faculty of Hindu Studies, University of Jaffna has provided ritual and cultural burial analysis to help identify the nature of the burials.

The HRCSL observes four major gaps in expertise and technology available for the investigation into the mass grave site in Chemmani.

First, there appears to be a dearth in the availability of expertise in forensic anthropology, i.e., the science of examining human skeletal remains to determine the identity of unidentified human remains, interpret trauma, and estimate time and cause of death. It was learnt that, apart from the JMO Dr. Pranavan, there are very few medical practitioners with expertise in forensic anthropology in Sri Lanka and that the current university curriculum does not adequately incentivise students to gain qualifications and expertise in this field. For instance, the HRCSL found that the students wishing to gain a specialty in forensic anthropology are required to gain two years of overseas training but are only offered one year of state funding and expected to find alternative sources of funding for the remaining year. As a result of this scheme, very few students opt for this specialty, leading to a serious gap in the availability of experts across several mass grave sites in Sri Lanka.

Second, there appears to be a gap in availability of an adequate number of experts in forensic archaeology, i.e., the science of using archaeological methods to recover and interpret evidence at crime scenes, such as buried human remains, to determine the circumstances of the burial. At present, there is significant dependence on Prof. Somadeva to carry out the excavation and exhumation work alongside his team of researchers within a limited timeframe and with limited resources. At the time of its visit, it became apparent to the HRCSL that this team was being placed under immense pressure to complete work in Chemmani and then travel to another mass grave site close to the Colombo Port to begin excavation and exhumation work. The HRCSL is concerned that the timeframe within which this small archaeological team is expected to complete its work is unrealistic. In this context, it is crucial that more resources are invested into developing expertise in forensic archaeology through the university system.

Third, there are gaps in the availability of technological facilities for radiocarbon dating. In particular, the HRCSL learnt that more accurate methods such as bomb-pulse <sup>14</sup>C carbon dating (used for accurately dating remains from post-1950) is not available in Sri Lanka. Therefore, accurate dating of human remains will require the transmission of samples to overseas laboratories. The HRCSL recalls that on two previous occasions, i.e., samples from the mass grave site in Matala (Case No. B/1810/12) and samples from the mass grave site in Mannar (Case No. B/232/2018), the relevant samples were sent to overseas laboratories. However, it is noted that in both these instances conventional carbon dating was used instead of the more accurate bomb-pulse <sup>14</sup>C carbon dating method, leading to dissatisfaction in the results.

Finally, Sri Lanka appears to lack cost-effective and accessible technological facilities to analyse DNA samples gathered from the human remains and to ascertain whether any samples match surviving family members of disappeared persons. In general, samples collected from crime scenes are sent to the Government Analyst's Department. In the past, samples gathered from mass grave sites have been sent overseas for independent analysis. It is recalled that samples collected during

a previous excavation and exhumation in Chemmani in 1999 following a revelation by one of the convicts in the Krishanthi Kumaraswamy Case were eventually sent to the University of Glasgow for analysis.

In any event, it is crucial that swift measures be taken to voluntarily gather DNA samples of family members of disappeared persons and securely store such samples in a 'DNA bank'. Such samples may then be relied upon to eventually compare DNA samples gathered from the human remains found at the mass grave site in Chemmani.

The HRCSL is meanwhile disturbed to learn that laboratory equipment donated to the University of Jaffna for the purpose of establishing a Clinical Genetics Unit is currently being detained at Sri Lanka Customs. It was learnt that Sri Lanka Customs is awaiting a decision on VAT exemption (which was already recommended by the Ministry of Education and requested by the University Grants Commission in May 2025) and approval by the National Medicines Regulatory Authority. The HRCSL observes that this current failure to release such crucial laboratory equipment impedes progress towards strengthening local capacity with respect to DNA analysis.

### **3. Adequacy and Accessibility of Funding**

The HRCSL is informed that investigations into mass grave sites requires special requests for funding from the Ministry of Justice. With respect to the investigation in Chemmani, it was informed that the JMO prepares the budget and submits it to the Learned Magistrate. The Magistrate thereafter requests funding from the Ministry of Justice through the High Court. Once the budget estimate is approved, the Ministry releases funds, which are transferred via the Chief Financial Officer of the High Court to the Learned Magistrate. It was also learnt that the OMP plays an important role in liaising with the relevant authorities to follow up on requests.

A number of institutional actors informed the HRCSL that, despite a process for obtaining adequate funding being in place, in practice, delays are encountered in the release of funds. It was, for instance, mentioned that many of those working at the site, including archaeological researchers and medical students, work on a voluntary basis. Requests to pay researchers even a basic allowance are not processed in a timely manner. Moreover, concerns were expressed with respect to whether budget allocations would be made to hire the GPR equipment from the University of Sri Jayewardenepura for an extended period of time to scan a larger extent of the mass grave site and the surrounding area in Chemmani.

In this context, there are notable weaknesses in the timely provision of adequate funds for the investigation into the mass grave site in Chemmani. The success of the investigation is entirely contingent on the availability of funds in a timely manner. It is observed that a focal point being appointed at the Ministry of Justice, who can work closely with the OMP and officials involved in the investigation, may enable the processing of budget allocations and release of funds in a more timely manner.

#### 4. Accountability and the Role of Security Forces and Law Enforcement Authorities

##### *Historical context*

The ultimate outcome of the present investigation into the mass grave site in Chemmani must be to determine the circumstances of the deaths of the persons found in the site. If it is found that such deaths were caused due to extrajudicial killing, it is essential that the parties that were responsible for the offences are identified and held accountable through the institution of criminal proceedings.

The HRCSL notes that it is too early in the investigation process to draw any definitive conclusions on criminal responsibility. However, the HRCSL would be remiss not to make certain general observations with respect to the overarching context of mass scale disappearances that have previously taken place in Chemmani and the surrounding areas in the Jaffna District.

The HRCSL recalls that, in 2003, it appointed a Committee of Inquiry into Disappearances (CoI), which published a report on complaints received by the HRCSL with respect to disappearances in the Jaffna Region. Of the 327 complaints received, 281 complaints were inquired into. A number of complaints were received with respect to disappearances taking place in Chemmani and the surrounding areas. In a poignant illustration of the special relevance of Chemmani to the issue of enforced disappearance, the CoI's final report includes a photograph of Chemmani accompanied with the words:

A view of Chemmani from Navatkuli end where several roundups, arrests and disappearances have taken place. *It is believed that several bodies of disappeared persons are buried in this area* (emphasis added).

In its final report, the CoI concluded:

In very many cases the arrests were made in the presence of witnesses who could identify those who made the arrests. The witnesses may be family members, friends, colleagues or others who happened to be present at the time of the arrest. In these cases, we have recorded the available evidence and, in many cases, more evidence could be recorded if necessary. In many other cases the arrests were made in public round-ups in the presence of virtually every adult in the neighbourhood. In all these cases, the fact of the arrest and the fact that they were by service personnel, are unchallenged.

The CoI also noted that 'in nearly all cases they identified the institution as the army and, in a few cases, as the police'.

Without prejudice to the outcome of the present investigation, it is clear that Sri Lanka Army and Sri Lanka Police, as institutions, are *interested parties* in the outcome of the present investigation into the mass grave site in Chemmani. Therefore, it is crucial that officers from both these institutions conduct themselves with utmost care and discretion so as to avoid interfering or even giving the impression of interfering with the investigation.

The HRCSL also wishes to make certain observations about the role of Sri Lanka Army, and in particular officers involved in the gathering of intelligence. It is recalled that section 12 of the Public Security Ordinance, No. 25 of 1947 (PSO) reads:

Where circumstances endangering the public security in any area have arisen or are imminent and the President is of the opinion that the police are inadequate to deal with such situation in that area, he may, by Order published in the Gazette, call out all or any of the members of all or any of the armed forces *for the maintenance of public order in that area* (emphasis added).

The HRCSL recalls its letter to H.E. the President on 15 October 2024, recommending that the practice of calling out the armed forces to exercise police powers be reconsidered. Nevertheless, the practice of calling out the armed forces to exercise police powers continues on a monthly basis, and the latest order of the President in this respect was issued via Extraordinary Gazette No. 2451/15 dated 27 August 2025.

It is observed, however, that the powers of the armed forces under section 12 of the PSO is confined to ‘maintenance of public order’. The functions of maintaining public order in any particular area essentially involves supporting officers of Sri Lanka Police in preventing disorderly conduct and protecting public property. It does not, under any circumstance, extend to the police functions of investigating any offence.

In this context, it is imperative that officers of Sri Lanka Army refrain from any involvement in the ongoing investigations into the mass grave site in Chemmani including contacting any state official, civil society representative, or family member of a disappeared person. It is reiterated that Sri Lanka Army is, due to the historical circumstances of past disappearances in the Jaffna District, an *interested party* in the said investigations and should maintain utmost care and discretion in how it conducts itself.

### ***Role of the CID***

The Learned Magistrate has tasked the CID with conducting a preliminary investigation to gather information on the potential circumstances in which the persons found in the mass grave site perished, and to report to the Learned Magistrate. In this context, the CID has conducted interviews with relevant actors and has also participated in special initiatives upon the order of the Learned Magistrate, such as the public display of artefacts for the purpose of identifying the persons found in the mass grave site. The HRCSL was informed that the CID appeared to lack adequate Tamil-language capacity to record statements in Tamil. It was also suggested that some family members of disappeared persons were generally reluctant to engage the CID due to challenges with respect to language and the lack of trust and confidence in law enforcement authorities. When asked about language capacity, the CID’s officer in charge of the investigation informed the HRCSL that steps had been taken to include officers who are proficient in Tamil.

The HRCSL received disturbing accounts of certain law enforcement officials intimidating persons involved in the excavation and exhumation work at the mass grave site. For instance, the HRCSL learnt that members of the Jaffna Bar made submissions to the Learned Magistrate alleging that certain officers of the CID had pursued irrelevant and antagonistic lines of questioning with respect to local authority staff members and family members of disappeared persons in the course of



conducting their investigations. For instance, questions with respect to the reasons for advocating for an impartial investigation into the mass grave site and the sources of funding for such advocacy efforts have allegedly been put to those being interviewed. It is noted that such instances would further contribute towards the public's trust deficit with respect to law enforcement authorities.

### ***Complaint by journalist***

The Jaffna Regional Office of the HRCSL received a complaint (HRC/JAF/156/2025) on 7 August 2025 from journalist Kumanan Kanapathippillai with respect to his summoning by the Counter Terrorism and Investigation Division (CTID) of Sri Lanka Police to make a statement on 17 August 2025 at the Alampil Police Post, Mullaitivu.

In response to the complaint, the HRCSL called for a report from the CTID to explain the nature and purpose of the summoning. In its report dated 13 August 2025, the CTID explained that its summoning of the complainant was pursuant to 'military intelligence' received in 2023 and subsequent investigations. However, nothing in its report disclosed that the CTID held a reasonable suspicion that the complainant had committed any offence under the Prevention of Terrorism Act, No. 48 of 1979 (PTA), or any other law.

The CTID acknowledges in its report that it did not inform the complainant of the precise reasons for his summoning, nor did it inform him whether he was suspected of committing any specific offence under the PTA or any other law. It was explained that the reasons for the failure to disclose such information was that the CTID did not want to cause the complainant any 'prejudice', as it was assumed that the reasons for summoning him would become publicly known. The HRCSL is unable to accept such an explanation, as investigating officers must not withhold such information from the summoned person under any circumstances.

The HRCSL recalls that, pursuant to the directions of the Supreme Court in Fundamental Rights Application *SC (F.R.) No. 266/2023*, the Inspector General of Police (IGP) issued Circular RTM 101/CRTM 61 on 2 July 2025 regarding the duty of investigating officers to inform persons of the reasons for summoning them to make a statement in terms of section 109 of the Code of Criminal Procedure Act, No. 15 of 1979. The CTID cited the said Circular in its report to the HRCSL but proceeded to misinterpret its contents. Item V of the said Circular clearly gives discretion to the relevant officer in charge (OIC) to withhold *from a third party* the *names* of a complainant, victim, or witness where the OIC is of the view that such disclosure could cause prejudice to such a complainant, victim, or witness. This clause cannot be relied upon by the CTID to justify its failure to disclose to the complainant the precise reasons for summoning him to record a statement.

The HRCSL was informed that the CTID proceeded to interrogate the complainant on 17 August 2025. The HRCSL requested the complainant to provide a further update on the nature and duration of the interrogation and received a report on 26 August 2025. It will continue to inquire into the matter and will, upon conducting a full inquiry, issue its final recommendation with respect to whether the fundamental rights of the complainant were infringed.

Although the nature of the CTID's investigation did not appear to have any overt connection with the mass grave site in Chemmani, the HRCSL observes that the timing and circumstances of the

summoning of the complainant gives rise to serious concerns. The said journalist was, at the time of his summoning, in the process of documenting and reporting on the progress of the investigation into the mass grave site in Chemmani. In fact, the HRCSL learnt that the said journalist also publicly reported on the HRCSL's visit to the mass grave site on 4 August 2025, merely days before he was summoned by the CTID to record a statement.

While the HRCSL recognises the duty and function of the CTID to impartially investigate all persons reasonably suspected of having committed any offence, and to contribute towards the protection of public security in the country, this duty and function must at all times be carried out in good faith. It is crucial that law enforcement authorities respect the rights of persons – including journalists – to the freedom of speech and expression guaranteed under article 14(1)(a) of the Constitution.

### ***Alternative approach with respect to accountability***

Given the above circumstances, the HRCSL is compelled to observe that the current continued involvement of regular police officers in the investigation into the mass grave site in Chemmani is likely to prejudice the outcome of the investigation. This observation is by no means intended to cast aspersions on individual officers of Sri Lanka Police who may very well be committed to conducting investigations impartially. However, the overall circumstances in which certain officers of Sri Lanka Police have conducted themselves raises serious concerns, and it would be in the best interest of the investigation if an alternative approach is considered.

It is also recalled that past attempts at relying on the regular channels of investigating and prosecuting complex offences involving mass grave sites, and the abduction or killing of persons on a mass scale, have not produced satisfactory results. For instance, in 1994, a mass grave site in Sooriyakanda – believed to contain the remains of school children from Emblipitiya who were abducted and murdered in late 1989 – was discovered. Despite perpetrators being tried for and convicted of offenses such as abduction and wrongful detention, they were never charged with murder, as the remains were never definitively identified as belonging to the disappeared school children. The HRCSL also recalls that according to Sri Lanka's Second Periodic Report to the Committee against Torture in 2004, a special unit in Sri Lanka Police called the 'Disappearance Investigation Unit' had carried out investigations into 3,615 cases of disappearance, of which 2,462 were completed. Most of these cases were then closed on the advice of the Attorney General. 376 cases were filed before the High Court, but only *twelve* resulted in convictions.

Therefore, the HRCSL recalls and reiterates its recommendation made on several occasions that Sri Lanka requires a permanent 'Office for the Investigation and Prosecution of Serious Crimes by State Officials'. Such an office should be independent of regular law enforcement authorities and vested with broad powers to investigate *inter alia* enforced disappearance and extra-judicial killings allegedly committed by members of the security forces or law enforcement authorities, and to prosecute perpetrators.

## **5. Role of the Bar, Civil Society and Media**

Members of the Bar, civil society organisations, and the media play a crucial role in monitoring progress with respect to the investigation into the mass grave site in Chemmani and supporting state institutions. The HRCSL wishes to commend the Learned Magistrate, as well as the JMO, the archaeological team, and the OMP in promoting a transparent environment in which stakeholders could monitor progress and make valuable contributions. The HRCSL notes in particular the valuable role played by the members of the Bar Association of Jaffna, and civil society representatives, including those from the Centre for Human Rights and Development, in monitoring the work at the site and making applications during the proceedings before the Learned Magistrate. There are positive examples of improved practices emanating from suggestions made by such stakeholders. For instance, the HRCSL was informed that the practice of using paper bags to store skeletal remains to avoid moisture build-up and the growth of mould and bacteria was adopted following suggestions made by such stakeholders.

The media, and in particular the Tamil language media, has closely followed the progress of the investigation. At the conclusion of its visit to the mass grave site in Chemmani, the commissioners of the HRCSL answered several questions presented by media personnel. The HRCSL affirmed the freedom of speech and expression of media personnel covering the investigation and requested such personnel to report on the investigation responsibly and with due regard to the heightened emotions of the community. It was separately intimated to the HRCSL that some reports, particularly on social media, were inaccurate and were unhelpful in terms of enabling the institutional actors to perform their duties effectively. For instance, the HRCSL was informed that social media sites featured human likeness images generated by using artificial intelligence (AI) tools to analyse the skeletal remains. Such AI-generated images are unlikely to be helpful and may only succeed in stirring emotions with respect to the current investigation.

The HRCSL observes that members of the public, and particularly family members of disappeared persons, have a right to know about the progress of the current investigation into the mass grave site in Chemmani. It is crucial that all media personnel covering the investigation be permitted to perform their duties without undue interference by law enforcement officials. For instance, the summoning of journalist Kumanan Kanapathippillai by the CTID while he is actively and prominently covering the investigation warrants close scrutiny, as such acts are likely to have a chilling effect on media freedom in general.

## **C. Recommendations**

In view of the foregoing findings and observations, the HRCSL presents the following recommendations to the relevant state authorities.

### **To the Hon. Minister of Justice:**

- 1. Initiate a process through which a Standard Operating Procedure for conducting investigations into mass grave sites can be developed in close consultation with all relevant experts, including attorneys-at-law and civil society representatives, and**

formally adopted. The SOP should also contain the responsibility to issue regular official updates to keep stakeholders informed of the progress of the investigation.

2. **Appoint a focal point at the Ministry of Justice to expeditiously process budget requests, allocations, and disbursements, and to work closely with the OMP and all state officials involved in the investigation into the mass grave site in Chemmani to ensure timely access to resources.**
3. **Take immediate steps to provide resources for the use of GPR equipment from the University of Sri Jayewardenepura to scan a wider area in the mass grave site as well as the surrounding area to comprehensively assess whether further human remains exist in the area.**
4. **Take steps to prioritise the completion of the investigation in Chemmani when securing and allocating key human resources such as archaeological research teams. Develop a pool of available archaeological experts to support excavations and exhumations at multiple mass grave sites.**
5. **Seek and secure relevant expertise and technological facilities, including from overseas, for the purpose of credibly and independently analysing DNA samples gathered from the human remains found at the mass grave site in Chemmani.**
6. **Take steps to establish a ‘DNA bank’ in which DNA samples of family members of disappeared persons can be voluntarily obtained and securely stored for future comparison purposes.**
7. **Seek and secure relevant expertise and technological facilities from overseas for the purpose of credibly and independently dating the human remains found at the mass grave site in Chemmani, and specifically securing the use of the bomb-pulse <sup>14</sup>C carbon dating method.**
8. **Take steps to implement the above-mentioned recommendations with respect to all other investigations into mass grave sites in Sri Lanka.**
9. **Ensure that all necessary support with respect to the present investigation into the mass grave site in Chemmani is provided to the successor of the present Learned Magistrate in the event of his promotion.**
10. **Take steps to establish a permanent independent ‘Office for the Investigation and Prosecution of Serious Crimes by State Officials’ with broad powers to investigate *inter alia* enforced disappearance and extra-judicial killings allegedly committed by members of security forces or law enforcement authorities, and to prosecute perpetrators. The HRCSL is prepared to present a detailed concept paper on the nature and functions of the proposed new office.**

**To the Inspector General of Police:**

- 11. Issue directions to the CID to refrain from intimidating any state functionaries or family members of disappeared persons, including pursuing irrelevant and antagonistic lines of questioning during the course of any ongoing investigation.**
- 12. Issue directions to the CTID to:**
  - a. Strictly conform to the IGP's Circular RTM 101/CRTM 61 dated 2 July 2025 when conducting investigations (i.e., to clearly inform a person of the reason for which they are summoned to give a statement); and**
  - b. Refrain from misusing investigative powers to summon media personnel who are covering the investigation into the mass grave site in Chemmani, except in clear instances where there is a reasonable suspicion of a specific offence.**

**To the Hon. Minister of Defence, and the Commander of Sri Lanka Army:**

- 13. Issue clear orders to officers of Sri Lanka Army to refrain from any involvement in the ongoing investigations into the mass grave site in Chemmani, including contacting any state official, civil society representative, or family member of a disappeared person.**

**To the Hon. Minister of Higher Education:**

- 14. Take steps to review the current training requirements pertaining to medical students gaining a speciality in forensic anthropology, and consider limiting the number of years required for foreign training in this subject to one year inclusive of state funding for the entire year.**
- 15. Formulate a plan to incentivise and develop local expertise in forensic archaeology through the university system.**

**To the Hon. Minister of Finance:**

- 16. Consider directing the Inland Revenue Department to issue a VAT exemption notice to Sri Lanka Customs to enable the release of vital laboratory equipment donated to the University of Jaffna for the purpose of establishing a Clinical Genetics Unit.**