

**Meeting with Tamil Parliamentarians representing the North and East**

Chaired by the Hon. President

18.07.2023

**Agenda Items**

<b>A</b>	Anti-Terrorism Bill	
<b>B</b>	Anti-Corruption Bill	
<b>C</b>	Truth Seeking Mechanism and the Bill	
<b>D</b>	ONUR Law	
<b>E</b>	Office for Reparations	
<b>F</b>	Granting Presidential Pardon to Prisoners involved in LTTE activities	
<b>G</b>	Office of Missing Persons	
<b>H</b>	Establishment of the National Land Commission	
<b>I</b>	Resolution of land matters through sustainable forest management	
<b>J</b>	National Plan for Archaeology	
<b>K</b>	Road Map for the Issuance of All Country Passports for Sri Lankans living in Rehabilitation Camp in South India.	
<b>L</b>	Resettlement of Internally Displaced Persons (IDPs) in North and East Provinces	
<b>M</b>	Lands to be released by the Armed Forces – Northern Province	
<b>N</b>	Devolution of Power	
<b>O</b>	Development Plan for the North	

### **A) Anti-Terrorism Bill**

The Drafting Committee will meet on 18<sup>th</sup> July to consider proposals made by the European Union and other professional bodies. Amendments suggested to the Bill will be taken up for discussion by the Committee. After appropriate action, the bill will be re-gazetted.

### **B) Anti-Corruption Bill**

Anti-Corruption Law is scheduled to be taken up in Parliament on the 19<sup>th</sup> of July for Committee Stage amendments to be approved. This will include amendments proposed by the Supreme Court in its determination.

### **C) Truth Seeking Mechanism and the Bill**

The **Interim Secretariat for Truth Seeking Mechanism** has been established and a Director General has been appointed. Applications have been called for key staff for the operation of the Secretariat for the purpose of stakeholder consultations, preparation of draft guidelines and policies until the formal mechanism can commence with the passing of the Law.

Under the Interim Secretariat, the first Civil Society Stakeholder consultation was held on July 11<sup>th</sup> with the participation of 60 CSO members at the Presidential Secretariat. Hon. Minister of Foreign Affairs chaired this meeting with the participation of Secretary to the President. The Interim Secretariat is continuing to engage other stakeholders and UN agencies in their work.

The Foreign Minister will brief the EU and other interested parties continuously.

### **D) ONUR Bill**

ONUR draft law has been drafted and sent to the Attorney General for the certificate of constitutionality. It will then be presented in Parliament. In addition, the national action plan on reconciliation drafted by ONUR will be ready to be presented to the Cabinet shortly.

### **E) Office for Reparations**

Payments of monetary relief has been granted for 203 cases of missing persons from North East Conflict amounting to Rs. 40,600,000 as at July 12, 2023.

## F) Granting Presidential Pardon to Prisoners involved in LTTE activities

1. Hon. Justice Vigneshwaran, MP and Hon. Charles Nirmalanadan, MP have requested from the Hon. President to grant Presidential Pardons to 46 Prisoners under the Prevention of Terrorism Act (these are prisoners involved in LTTE activities).

### 2. The prisoners are under following three categories;

i. Remand prisoners	21	} Convicted Prisoners
ii. Prisoners who have been imposed the Death sentence	03	
iii. Prisoners who have been imposed other sentences	22	

3. It has been decided to consider only prisoners under (ii) and (iii) categories above since the Hon. President, in terms of Article 34(1) of the Constitution, may consider any offender (prisoner) who had been convicted of any offence in any court within Sri Lanka for granting a pardon.

4. In the first instance, 22 Prisoners under category (iii) have been considered since special procedure stipulated in the proviso to Article 34(1) of the Constitution should be followed to grant a pardon to a prisoner imposed a Death sentence.

5. Accordingly, considering recommendations of the Hon. Minister of Justice, Prison Affairs and Constitutional Reforms, the Hon. President has granted approval to remit the balance sentences of 14 prisoners under category no. iii and release them.

## G) Office on Missing Persons - Progress as at July 12, 2023

### A. Number of Complaints of Missing Persons – As of July 10<sup>th</sup> 2023

No	Description	Sub total	Total
01	<b>Total Number of Complaints / Cases received by the OMP initially</b>		<b>21,374</b>
02	<b>No. of Cases with missing military personnel/ Cases with double entries</b>		<b>6,386</b>
03	<b>The number of active complaints / Cases</b>		<b>21,374 - 6,386 = 14,988</b>
04	<b>Total number of preliminary inquiries concluded</b>		<b>3,462</b>
	In 2020	184	
	In 2021	95	
	In 2022	2,110	
	In 2023	1,073	
05	<b>Balance cases to be inquired</b>		<b>11,526</b>
	Cases reported with the date of missing between <b>2000- 2021 – Phase I</b>	<b>2,563</b>	
	Cases reported with the date of missing between <b>1980-2000 – Phase II</b>	<b>3,173</b>	
	Cases reported with the date of missing <b>before 1980 + the date is not clear – Phase III</b>	<b>5,278 + 512 = 5,790</b>	

### B. Number of Complaints of Missing Persons by Province

Province	No of Complaints (reported as missing after 2000)	No of cases Inquired – (of the complaints reported as missing after 2000)
Northern	3,656	2,065
Eastern	1,897	1,233
North Central	92	1
Western	89	65
Southern	78	90
Northwestern	75	1
Central	59	5
Sabaragamuwa	51	2
Uva	28	0
<b>Total</b>	<b>6,025</b>	<b>3,462</b>

### C. Progress made based on the inquires conducted (as of July 2023)

<b>1. No of cases Inquired as of July 2023</b>	=	<b>3,462</b>
<b>Support related to Legal instruments:</b>		
2. No of Families assisted to get Certificate of Absence	=	1,313
3. No of Families Referred to RG for COD as requested	=	239
<b>Family support:</b>		
4. No of Families assisted through OR –Revival payment	=	2,104
5. No of families assisted for banking, asset management	=	13
6. No of families referred for Household Economic Support	=	608
<b>Further investigations:</b>		
7. No of complaints referred for further investigations	=	732
a. No. of prison visits - 07		
b. No. of ongoing court cases in N&E (OMP as observer) - 13		
c. No. of cases in which OMP directly involved in N&E - 11		

#### Further Information

- a. OMP has started tracing of missing persons through the **Tracing Unit**. Expectation is to conclude at least 2-3 cases this year.
- b. Action is being taken to expedite the data entry process and complete it within 03 months. Issuance of Certificate of Absence (COA) is being expedited.
- c. OMP is also consulting with the Attorney General’s Department to work on a **Case Handling Policy** document, and outline a **framework/guide for case closure, amalgamation, and merger of multiple/double entry files/complaints.** Accordingly, OMP and AGs Department have drafted guidelines focusing on effective management of complaints made to the previous commissions and the OMP. OMP will submit the guidelines to Ministry of Justice for its endorsement by the Cabinet.
- d. OMP will train 10 new panels in July 2023. Recruitment of panel members is in progress and it is expected that these panels will start functioning from August. Therefore **a total of 24 panels will be in operation from August**. Further, OMP has planned to have a resource team per district for referral services.
- e. OMP continuously engages with the civil society on possible areas of cooperation such as providing psycho-social support/ livelihood support/building capacity and technical assistance. Three project proposals have been shared with agencies concerned with raising funds (focusing on Psycho-social and Economic supports, Data Entry and Capacity building, and legal awareness/training to victims, media, court staff, and lawyers)

## H) Establishment of the National Land Commission

- Steps are being taken to expedite the establishment of the National Land Commission and a National Land Policy. A draft National Land Commission Law has been prepared in this regard. Accordingly, Cabinet granted approval on July 4<sup>th</sup> for the draft to be further studied by the *Cabinet Sub Committee appointed for formulating a Policy Pertaining to the Alienation of State land*, and submit recommendations to the Cabinet.
- A Land Commission Policy Act will also be ready by September for the National Land Commission to be guided in their functions within the framework of the land Commission Act.

## I) Resolution of land matters through sustainable forest management

- Environmental organizations had obtained an injunction order from the Supreme Court against the provisions in the Joint Cabinet Memorandum submitted on October 12, 2020 on the release of residual forest lands by a special committee.
- At the discussion chaired by Hon. President on May 10<sup>th</sup> 2023 on state land problems, instructions were given to demarcate forest conservation and wildlife conservation areas based on the 1985 land use maps and to complete the proposed programme before end July. Accordingly, discussions were held with the Hon. Attorney General on the injunction issued by the court in relation to the transfer of residual forests to the Divisional Secretaries.
- Consequently, a Cabinet Memorandum on “Resolving land matters through sustainable forest management” was submitted on 08.06.2023 to obtain approval to enforce the release of residual forest lands via an inter-ministerial committee and approval was granted for same. Further, the Ministry of Wildlife and Forest Resources Conservation has requested legal advice from Hon. AG regarding the withdrawal of the interim order.
- In the meantime, a database has been prepared focusing on the 1985 landuse maps, current landuse patterns and the proposals of the Divisional Secretaries related to the lands managed by the Forest Department in all districts of the North and East.
- **Maps containing information related to the districts will be available for viewing by Hon. Members of Parliament in the relevant District Secretariats from July 20<sup>th</sup> for a period of 02 months. The contact details of officials will be available for the Hon. MPs. (The Table of contact details is attached).**

## Details of District officials Hon. MPs may contact for viewing of District Maps

Electoral District	Officials	Name	Contact No	District MPs
Jaffna	Govt. Agent - Jaffna	Mr.A.Sivabalasundaran	777456465	Hon. Douglas Devananda MP
	Addl.GA (Land) - Jaffna	Mr.K.Srimohan	776033312	Hon. Angajan Ramanathan MP
				Hon. C.V.Wigneswaran MP
				Hon. Dharmalingam Sitharthan MP
				Hon. M.A.Sumanthiran MP
				Hon. Sivagnanam Shritharan MP
				Hon. G.G.Ponnambalam MP
		Govt. Agent - Kilinochchi	Mrs.R.Ketheswaran	773184119
	Addl.GA (Land) - Kilinochchi	Mr.S.Muralitharan	776539952	Hon. Suren Rahavan MP
Wanni	Govt. Agent - Mannar	Mrs.A.Stanley De Mel	779677733	Hon. Kulasingam Dhileeban MP
	Addl.GA (Land) - Mannar	Mr.Y.Paranthaman (Act)	706599078	Hon. Selvam Adaikkalanathan MP
	Govt. Agent - Mullaitivu	Mr.K.Umamaheswaran	714471128	Hon. Charles Nirmalanathan MP
	Addl.GA (Land) - Mullaitivu	Mr.K.Gunapalan	772487292	Hon. S.Noharathalingam MP
	Govt. Agent - Vavuniya	Mr.P.A.Sarathchandra	718088083	
	Addl.GA (Land) - Vavuniya	Mrs.Sulojane Kugan	774492129	
Trincomalee	Govt. Agent - Trincomalee	Mr.B.H.N.Jayawickrama	773658560	Hon. R.Sampanthan MP
	Addl.GA (Land) - Trincomalee	Mr.S.Suthakaran	718242482	
Batticaloa	Govt. Agent - Batticaloa	Mrs.K.Pathmarajah	718178371	Hon. S.Chandrakanthan MP
	Addl.GA (Land) - Batticaloa	Mrs.S.Srikanth	771528938	Hon. S.Viyalendiran MP
				Hon. S.Rasamanikam MP
				Hon. G.Karunakaram MP
Digamadulla	Govt. Agent - Ampara	Mr.C.Abeywickrama	718113785	Hon. T.Kalaiarasan MP
	Addl.GA (Land) - Ampara	Mr.V.Jegatheesan	776967229	

- Following completion of legal proceedings related to withdrawal of the interim order given by the Supreme Court, the proposals presented at the divisional secretariat level are to be considered by the Inter-Ministerial Committee.
- A Committee chaired by Secretary to the President and comprising Secretary to the Prime Minister, Additional Secretary - Presidential Secretariat Northern Province Coordination Office, Conservator General of Forests, Director General of Wildlife, Director General Mahaweli and the relevant District Secretaries will examine and facilitate matters relating to land.**

## **J) National Plan for Archaeology**

- Department of Archaeology and the Central Cultural Fund have been informed that land demarcation and excavation work all over the country should be done according to a National Plan.
- Director General of Archaeology has been instructed to prioritize and plan excavation work, identification of sites and how they should be carried out etc.
- Where any site is identified for excavation, there should be a report on such from the Director General of Archaeology to Secretary to the Ministry, and the Minister will submit such report to the Cabinet. Where excavations are on-going in certain sites, the Department should take action to provide a status report of the work done every six months.
- Accordingly, an action plan will be presented by the Archaeological Department for the activities related to the identification of the areas to be conserved and proper acquisition.



**K) Road Map for the Issuance of All Country Passports for Sri Lankans living in Rehabilitation Camps in South India**

- a. Department of Immigration and Emigration has received a list of **2,678 Sri Lankans living in Rehabilitation Camps in South India.**
- b. Of the above 2,678, those with both a Sri Lankan Birth Certificate and National Identity card can be issued all country passports.

**Following is the timeline to issue all country passports to the same.**

<b>Activity</b>	<b>Allocated Time</b>
Obtaining the birth certificate through the Sri Lankan Mission in India and verification with the Registrar General's Department.	3 Weeks
Obtaining applications through the Sri Lankan Mission	4 Weeks
Checking the applications and granting approval	3 Weeks
Insurance of all country passport	2 Weeks

A decision has to be taken to issue all country passports to the rest of the list of Sri Lankans living in Rehabilitation Camp in South India.

## **L) Resettlement of Internally Displaced Persons (IDP) in North and East Provinces**

This report is on the progress, key accomplishments, and updates with special reference to the reintegration of IDPs especially focusing on resettlement, reintegration and reunification process in post conflict circumstances.

The Presidential Secretariat Northern Province Coordination Office was established with the purpose of assisting to the IDPs who have been affected due to conflict for the following purposes:

- To improve access to national protection and humanitarian assistance for IDPs in the North and North-East of Sri Lanka;
- To extend the capacity of the government, NGOs and displaced communities to respond to displacement and bring about lasting solutions.
- To stabilize displaced communities and provide conditions for solutions.
- To facilitate the return and reintegration of displaced populations, with particular attention to vulnerable groups.
- To advocate for the implementation of policies that protect the rights of the displaced and other victims of the conflict.
- To minimize internal displacement and provide alternatives to flight from regions of instability.

People who were internally displaced due to the internal conflict of the North and East were accommodated in Welfare Centers and some of them living with their friends and relatives are gradually resettled after restoration of normalcy to their places of origin. Such people have been provided all basic amenities and services by the respective district and divisional administration in coordination with stakeholders including INGOs and NGOs.

Following the resettlement of a majority of people with housing and livelihood support, the current status of IDPs of the Northern and Eastern provinces is appended below on District basis.

### **Northern Province**

Of the 05 Districts in the Northern Province, IDP resettlement remains only in Jaffna and Kilinochchi Districts.

**a)Jaffna District:** Remaining IDPs to be Resettled (No. of Families) - 2311

<b>1. In Welfare Centers /Camps</b>	<b>2. With Friends and Relatives</b>
136	2175

**i) Priority is given to resettle the 136 families who live in Welfare Centers in Jaffna.**

Number of Welfare Centers in Jaffna - 15	
Total No.of Families in Welfare Centers / Camps -136	
Description	No.of Families
<b>Action Taken to Resettle *</b>	<b>106</b>
Land Provided. Housing is on going	10
Housing will be provided	08
Land Purchased but not provided	06
To be relocated at Palaly North (Land cleared)	71
Land Identified and ready to Purchase	02
Land Identified to Purchased(Allocation Received)	09
<b>Action To Be Taken *</b>	<b>30</b>
Own Land in HSZ	09
Landless	21

**\* NGO Assistance to Provide for 106 Families in Welfare Centre in Jaffna**

Organization	No.of Temporary Shelters	No.of Toilets	No.of Wells
<b>Offer Ceylon</b>	<b>20</b>	<b>20</b>	-
<b>Rahama</b>	<b>25</b>	<b>5</b>	<b>5</b>

For IDPs living in welfare centers, all facilities are provided for their well-being, schooling for their children, welfare facilities and access to economic activities and also protection of their rights and privileges.

**\*\* Action to be taken to Resettle the 30 IDP families in Welfare Centers in Jaffna**

- Release of lands from the occupation of Military
- Lands purchased from government funds
- State land has been identified near the coastline for fishery community.
- A discussion with NGOs and INGOs has been held to request for assistance to provide shelter facilities, water, sanitation and livelihood support for the IDPs.

**ii) Actions taken to Resettle IDPs Living with Friends and Relatives in Jaffna**

As their lands are located in the center of the Army, Navy and Police Headquarters area, when legal acquisition was initiated, a case was filed in the Supreme Court. However as these families live within or adjoining Thelipallai divisional area, the divisional administration has taken steps to provide all basic facilities. Their rights are also protected irrespective of their IDP status.

## **b)Kilinochchi District**

There are no IDP families living in Welfare Centers in Kilinochchi. However 182 families remain with their friends and relatives in the Peninsula. 177 IDPs live in Pachchilaippalli Division, under the GN divisions of Iththavi, Mugamalai and Vempodukerny where demining is in progress. Demining agencies such as MAG, DASH and Halo Trust who are currently engaged in the demining process have agreed to prioritize their work and release the land in order to resettle the IDPs in their places of origin.

Similar to the Jaffna District, people from this area are also provided facilities and have their rights protected irrespective of their IDP status.

	<b>DS Division</b>	<b>GN Division</b>	<b>No.of to be Resettled families</b>	<b>Current Problem delaying resettlement</b>	<b>Action for resettlement</b>
01	Karachchi	Malayalapuram	02	Army Occupied	
		Kanagambikaikulam	02		
		Thiruvaiaru	01		
02	Pachchilaippalli	Iththavi	02	Land mines	Clearance works on going
		Mugamalai	44		
		Vempodukerny	131		
Total			182		

## **Eastern Province**

Of the 03 Districts, IDPs are present only in Trincomalee and Ampara Districts and they live with their friends and relatives. There no Welfare Camps in the Eastern Province.

### **1. Trincomalee District**

In Trincomalee District, 39 families belonging to Kinniya Divisional Secretariat live with their friends and relatives. A land has identified to resettle them, and policy level agreement has been reached with the Land Reform Commission for the use of this land.

<b>No</b>	<b>DS Division</b>	<b>GN Division</b>	<b>Number of families to be resettled</b>	<b>Action for resettlement</b>
01	Kinniya	Upparu	39	Land identified and submitted for approval of Land Reform Commission

Earlier, there were 55 IDP families in Kinniya Division but this number has declined due to reasons such as death, receipt of assistance from other housing programmes and refusal to resettle due to their elderly status and the need to live with their children.

## 2. Ampara District

No	DS Division	GN division	No. of Families	Actions being Taken
01	Pothuvil	Kanakar Kiramam Urani	204	Land Issuing programme (Land Kachcheri) has been held for 125 families. Arrangements are being made to hold Land Kachcheris for rest of the families.

Due to constraints of budgetary provision for housing and facilities, a request has been made to bi- lateral agencies for assistance for the IDPs.

**Priority is given for families based on the number of members per family and the period of their displacement.**

## **M) Lands to be released by the Armed Forces –Northern Province**

1. Total land area in Jaffna district is approx. 253,283 Acres. Land occupation by security forces in 2009 was 26,812.17 Acres (Army 25,293.82 Acres, Navy 480.35 and Air Force 1038), comprising 2,488.31 Acres of state land and 24,323.86 Acres of private lands, amounting to 10.58 % of the total area.
2. Presently, 90% - 92% of lands occupied by the security forces and police in 2009 have been released from time to time. Accordingly, **22,918.56 Acres have been released (state 817.09 Acres and private 22,101.47 acres)**.
3. Present occupation of land by security forces and the police is **3754.06 Acres** (state 861.62 and private 2892.44) **(Army 2609.22, Navy 459.3, Air Force 660.32, police 25.22 Acres)**.
4. Further, the release of lands is planned under following categories with the consent of the Army, Navy, Air Force and Police.
  - a. **Lands that can be released Immediately** Army and Navy have identified **1.36 Acres in Jaffna**, while Army has identified **12.66 Acres in Kilinochchi** and **20 Acres in Mullaitivu**. There is no change in land usage of the Air Force.
  - b. **Lands that can be released in 3 - 6 Months** Army has identified **52.90 Acres** in Jaffna district. No change in Navy and Air Force land usage.
  - c. **Lands that can be released temporarily for specific purposes, agriculture and seasonal crops**. Army has identified a land strip of approx. **289.30 Acres** from SF (J) Army Cantonment - Palaly (PAC). There is no change in land usage of the Navy and Air Force.
  - d. **Lands that cannot be released** A board headed by a Major General was appointed on July 5<sup>th</sup> 2023 by the Commander of Army to study which lands in Northern Province can be further released. Board proceedings are ongoing, and the report will be submitted on or before 22nd July 2023.

## **N) Devolution of Power**

### **1. Implementation of 13<sup>th</sup> Amendment**

- a. Constitutional Amendment to safeguard the full powers of the Provincial Council under List 1 (with the exception of Police Powers)  
and
- b. To include specified functions in List III in the Provincial Councils List subject to agreement amongst Political Parties in Parliament.

### **2. Bills to be presented to Parliament**

- a. Appointment of Divisional Secretaries
  - b. Give effect to the powers of the Provincial Council in respect of Education List 1 Schedule iii
  - c. Bill to establish Provincial Boards for Vocational and Technical Training
  - d. Bill to empower the Provincial Councils to establish Universities
  - e. Bill to empower the Provincial Councils to undertake Agricultural modernization and all agricultural grass root services.
  - f. Bill to establish Provincial Tourism Promotion Board
  - g. Bill to raise the limit for industries of national importance from Rs. 1 million to Rs. 250 million in the Industrialization Act.
  - h. A Bill to establish District Development Councils adhering to the 13<sup>th</sup> Amendment.
3. Some of the subjects and functions devolved to the Provincial Councils are still administered under the Central Government. Legislation may be required to ensure that such subjects come under the purview of the Provincial Councils.

## **O) Development Plan for the North**

1. Find investments for renewable energy potential of the northern province and the consequent production of green hydrogen and ammonia. Availability of green hydrogen will increase the attractiveness of the Port of Colombo.
2. Pooneryn New Town should be the Center for the renewable energy economy.
3. Water for the North Program
  - i. Poonekery Tank
  - ii. River for Jaffna (bringing in fresh water to Jaffna Lagoon and increasing the water capacity of the Iranamadu Tank)
  - iii. Small Tanks renewal program.
4. Development of the KKS Harbor.
5. Development of the Vauniya and Palaly Airports.
6. Ferry Service connecting Northern Province and South India.
7. Investment Promotion Zones in KKS, Paranthan and Mankulam.
8. Tourism in the North
  - i. Developing Tourism in the Northern Province, Jaffna, Mannar
  - ii. Developing Cruise Tourism, includes Mannar Fort, the Islands, KKS Port, Vadamarachchi.
9. Promotion of Coconut Cultivation in Vanni.
10. Promoting Jaffna as a University Town.