



GLOBAL SRI LANKAN FORUM

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PRERSS RELEASE

Sri Lanka's Office of Missing Persons – Another Trojan Horse to undermine Sovereignty & National Security

The Global Sri Lanka Forum, (GSLF) firmly believes that the introduction of the Office of Missing persons (OMP) Bill by the Yahapalana government is a blatant attempt to dilute Sri Lanka's Sovereignty and National Security. The very manner in which the Bill was rushed through Parliament amidst chaotic scenes and the stifling of counter arguments shows that its proponents were determined to enact this dangerous piece of legislation at any cost.

While the threat to the nation posed by this Bill have been articulated in detail by a number of legal and constitutional experts., the GSLF would also like to draw the attention of the Sri Lankan people to some of the far reaching powers granted to the OMP, as exemplified by the following;

- The lack of any requirement for its staff to be citizens of Sri Lanka.
- The ability to enter into agreements with foreign individuals and organizations.
- The power to raise funds from any local or international source.
- The exemption from the Right to Information Bill.
- The ability to admit statements or material which might be inadmissible in normal civil or criminal proceedings of Sri Lanka, even in contravention of the Evidence Ordinance.
- The authority to enter police stations, prisons and other state institutions without a warrant and seize or copy documentation.
- The exemption from being required to produce in court any material that the OMP considers to be confidential.
- The elevation of the offence of contempt against the OMP to the same level as contempt against the Court or Appeal.
- The near total protection of OMP officers' orders, decisions, acts or omissions from any civil or criminal proceedings in any court of law.
- The ability to suppress information on the whereabouts of a missing person from any relative of a missing person or complainant, even if the person is found to be alive, without consent of the person found alive.

These unprecedented powers could easily be used in combination with false claims of missing persons to harass, charge or incarcerate political opponents and members of the security forces using processes that bypass the normal laws of Sri Lanka. The current practice of abusing the instruments of the state to detain members of intelligence services would be legitimised by the OMP. The findings of the OMP could also be used to prosecute Sri Lankan nationals in foreign courts of law.

Our contentions are confirmed by the welcome the OMP Bill has received from the traditional opponents of a strong and unitary Sri Lanka including a number of foreign governments, the Tamil Tiger diaspora, the foreign funded NGOs and sections of the western media.



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The open ended nature of the OMP and the need to provide of compensation to relatives of missing persons is bound to become a huge financial burden to the Sri Lanka government. With many former LTTE terrorists leaving Sri Lanka using illegal means and creating new identities for themselves, the OMP can expect to be flooded with bogus complaints backed by the Tamil separatist politicians in Sri Lanka and the pro-LTTE diaspora.

Ironically, the OMP legislation was introduced by a political leadership that includes some whose tenure covered the mass scale ‘disappearances’ of Sinhala youth in the late 1980’s and the brutal massacre of 700 Police Officers after a shameless surrender directive issued by the then UNP government. The case of these missing persons have never been seriously pursued. The OMP Bill (which prioritises those ‘recently’ missing from the Northern and Eastern Provinces) is unlikely to provide any redress to many other Sri Lankans who have waited long years for justice.

Historically, Missing Persons investigations are carried out in countries that have freed themselves from years of totalitarian or fascist rule, whereas the Sri Lankan OMP could pave the way for War Crimes investigations against its own security forces in order to comply with the UN HRC resolution co-sponsored by the current government Sri Lanka.

In conclusion, the GSLF appeals to all patriotic Sri Lankans to urge their elected representatives in Parliament to withdraw or repeal this highly contentious bill at the earliest opportunity.

Ranjith Soysa

Media Spokesman

For Global Sri Lankan Forum

Global Organizations who endorsed this request:

1. Society for Peace, Unity and Human Rights in SL-VIC
2. Sri Lankan Solidarity Movement, UK
- 3 Society for Peace, Unity and Human Rights for Sri Lanka.NSW
4. Jathika Nidahas Peramuna -UK Branch
5. Sinhala Welfare Association, UK
6. Sri Lankika Ekamuthuwa-Ipswich
7. Videshagatha Sri Lankikayo Mawbima Wenuwen
8. Society for Peace, Unity and Human Rights for Sri Lanka
9. Viru Daru Diriya Fund, Vic
9. Western Australian Society for Peace, Unity and Rehabilitation in Sri Lanka
10. Sri Lanka Europe Friendship Association- Switzerland
11. Lanka Friendship Forum- Middle East.