

The statement below is a result of a meeting held on 28th July organized by the Centre for Equality and Justice (CEJ) with Civil Society Organisations and human rights activists to assess the way forward for reparations in Sri Lanka, with a special emphasis on reparations for women.

We, the undersigned individuals and organizations from civil society express our grave concern regarding the future of transitional justice and reconciliation, particularly in relation to the responsibility of the Government of Sri Lanka to provide individual and collective reparations to aggrieved parties.

In the context of the change of administration, the global pandemic, and the impending global economic crisis, it is vital that the country continues the provision of reparations in accordance with the Office for Reparations, Act No. 34 of 2018, without undermining any progress that has been made so far.

We urge the Government of Sri Lanka to expedite the provision of reparations recognising the State's obligation to respect, secure, and advance the inherent dignity, and equal, and inalienable human rights that are undeniably linked with the right to an effective remedy. It is imperative that we recognise the scheme for reparations as an essential component of the rights of all Sri Lankans to an effective remedy, irrespective of race, religion, language, caste, sex, political opinion, place of birth or any such grounds.

It is vital that the administrative and procedural barriers that obstruct the efficiency of the Office for Reparations are inquired into and effectively addressed. In this light, we request the Government of Sri Lanka to facilitate the provision of reparations by adopting mechanisms to swiftly grant necessary approval of the Cabinet of Ministers to the policies developed by the Office for Reparations.

We urge the Government of Sri Lanka to consider reparations as a form of justice and recognise that 'justice delayed is justice denied'.

We encourage the Government of Sri Lanka to constructively raise awareness of the general public through mobile clinics as the current levels of access to the services of the Office for Reparations remain low.

In this general context, we encourage the government to:

- Broadly interpret and apply the provisions of the Office for Reparations without limiting it only to the provision of monetary compensation;
- Adopt measures to grant other forms of reparations that have been expressly provided for in the Act;
- Explore forms of reparations that have not been expressly provided for in the Act and consider the possibility of their implementation through the adoption of a purposive and humanitarian approach to reparations;

- Assess what pockets of geographical areas and communities of Sri Lanka remain without reparations due to the lack of knowledge or awareness, geographic locations, the time period that has passed since the violation or loss, and/or due to them belonging to particularly vulnerable groups such as the estate community or internally displaced persons;
- Announce with clarity that the services of the Office for Reparations are not limited to the period of the armed conflict and that it covers riots, insurgencies, and conflicts that have arisen before and after the armed conflict;
- Conduct more outreach activities around the country through the Office for Reparations and efficiently provide reparations to affected communities and persons;
- Develop strategies to ensure that female heads of households have access to sustainable income generating options and are granted job security under measures adopted by the Office for Reparations to compensate for other losses they have suffered;
- Sensitize the officers of the Office for Reparations and other government entities on the grievances of the aggrieved parties ensuring that all officers are sensitized to gender concerns;
- Ensure that all types of aggrieved parties including those who have faced any form of sexual violence have access to the Office for Reparations;
- Guarantee that the requirements of those accessing the Office for Reparations are treated with confidentiality and that women are provided with necessary counselling and mental healthcare services when needed;
- Ensure that women who seek services from the Office for Reparations are not retraumatized through the narrations of their suffering and ensure that women-victims are dealt with in a humane manner where their dignity is upheld;
- Provide training on gender sensitivity to all members of staff of the Office for Reparations;
- Ensure that the staff of the Office for Reparations, inclusive of its regional centres, are proficient in the official languages of Sri Lanka;
- Decentralise the work of the Office for Reparations to ensure ease of access to aggrieved parties from all over the country;
- Promote and facilitate access to the Office for Reparations particularly amongst women;
- Ensure that there are State sponsored mechanisms to promote within the general public the view that the Office for Reparations is equally accessible to all communities of Sri Lanka;
- Ensure that particularly vulnerable groups such as female heads of households (FHHs), persons with disabilities are treated with dignity and respect and are efficiently provided with reparations sought;
- Clarify the policy of the Office for Reparations concerning military widows and families of military personnel who have died or disappeared during the armed conflict;

- Guarantee that other State entities such as the police and armed forces are sensitised regarding reparations and that aggrieved parties are provided police reports through expedited processes when such reports are necessary for applying for reparations;
- Clarify the stance of the Office for Reparations concerning female ex-combatants who have been rehabilitated and reintegrated into society;
- Declare the policy of the Office for Reparations concerning families of civil servants/ government servants who have lost their lives while on duty during the armed conflict;
- Consolidate the services that are provided by the Office for Reparations and the Office on Missing Persons to the families of disappeared persons;
- Assess how affected women envision memorialisation of lost loved ones with a view to display peace and harmony, as distinct from the militarised notions of memorialisation promoted by men;
- Recognise that sites of memorialisation should be promoted as spaces for victims' engagement with the reparation process;
- Ensure that adequate reparations are provided to those who have been confined to camps of the displaced at any given point of time during the armed conflict;
- Acknowledge women's contribution to sustainable peace, conflict-resolution, and reparations;
- Ensure that the Office for Reparations also provides reparations for women who have lost land and property during conflict contexts in Sri Lanka; and,
- Facilitate the memorialisation of lives lost and pain suffered in the past through the Office for Reparations without discrimination on the basis of race, religion, ethnicity, sex or any other such criteria, ensuring that the fundamental right to equality guaranteed by the Constitution of Sri Lanka is adhered to in the work of the Office for Reparations.

We call on the Government of Sri Lanka to effectively utilise the Office for Reparations to address past harms and to pave the way for reconciliation in Sri Lanka focusing on justice and the inherent right of all humans to an effective remedy.