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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 855/18 — 1995 ජනවාරි මස 25 වැනි බදාදා — 1995.01.25
No. 855/18 — WEDNESDAY, JANUARY 25, 1995

(Published by Authority)

PART I : SECTION (I) — GENERAL

Proclamations & c., by the President

P. O. No. SP/6/N/191/94.

L.D.B.—65/44(v)

BY HER EXCELLENCY CHANDRIKA BANDARANAIKE KUMARATUNGA PRESIDENT OF
THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

SEAL

CHANDRIKA BANDARANAIKE KUMARATUNGA.

To : 1. Thirunavukkarasu Suntheralingam Esquire,
2. Marnickam Dutton Jesuratnam Esquire, and
3. Hitihamy Mudiyanseelage Senaratna Banda Madawala Esquire.

GREETINGS :

WHEREAS allegations are being made that persons were involuntarily removed from their places of residence in the Central Province, North Western Province, North Central Province and Uva Province by persons unknown, or that persons have disappeared from their places of residence in such Provinces and that the whereabouts of the persons alleged to have been so removed or to have so disappeared are not known :

AND WHEREAS it has become necessary to ascertain the truth of such allegations, to recommend measures to prevent the occurrence of such alleged activities, and to take proceedings according to law against any person or persons found to be responsible therefor :

AND WHEREAS I am of opinion that it would be in the interests of public safety and welfare that inquiries should be held to ascertain whether any person or persons were so removed or have so disappeared, and if so, whether any person or persons were responsible therefor and to determine what measures should be taken to prevent such alleged activities in the future :

AND WHEREAS it appears to me to be necessary to establish a Commission of Inquiry to investigate and report on the matters hereafter mentioned :

NOW THEREFORE, I, CHANDRIKA BANDARANAIKE KUMARATUNGA, President reposing great trust and confidence in your prudence, ability and fidelity, do, in pursuance of the provisions of Section 2 of the Commissions of Inquiry Act (Chapter 393), by these presents appoint you, the said—

1. Thirunavukkarasu Suntheralingam Esquire,
2. Marnickam Dutton Jesuratnam Esquire, and
3. Hitihamy Mudiyanseelage Senaratna Banda Madawala Esquire.

to be my Commissioners to inquire into and report on the following matters :

- (a) Whether any persons have been involuntarily removed or have disappeared from their places of residence in the Central Province, North Western Province, North Central Province and the Uva Province at any time after January 1, 1988 ;
- (b) the evidence available to establish such alleged removals or disappearances ;
- (c) the present whereabouts of the persons alleged to have been so removed, or to have so disappeared ;
- (d) whether there is any credible material indicative of the person or persons responsible for the alleged removals or disappearances ;
- (e) the legal proceedings that can be taken against the persons held to be so responsible ;
- (f) the measures necessary to prevent the occurrence of such alleged activities in the future ;
- (g) the relief, if any, that should be afforded to the parents, spouses and dependents of the persons alleged to have been so removed or to have so disappeared ;

and to make such recommendations with reference to any of the matters that have been inquired into under the terms of this Warrant.

AND I further name you Thirunavukkarasu Suntheralingam Esquire to be the Chairman of the said Commission ;

AND I do hereby authorize and empower you, the said Commissioners, to hold all such inquiries and make all other investigations, into the aforesaid matters as may appear necessary, and require you to transmit to me within four months from the date hereof, a report or interim reports thereon under your hand, setting out the findings of your inquiries, and your recommendations ;

AND I do hereby direct such part of any inquiry relating to the aforesaid matters, as you may in your discretion determine, shall not be held in public ;

AND I do hereby require and direct all public officers, and other persons to whom you may apply for assistance or information to render all such assistance and furnish all such information as may be properly rendered and furnished in that behalf ;

AND I do hereby declare that the provisions of section 14 of the aforesaid Commissions of Inquiry Act shall apply to the Commission :

Given at Colombo, under the seal of the Democratic Socialist Republic of Sri Lanka, this Thirtieth day of November, One Thousand Nine Hundred and Ninety Four.

By Her Excellency's command,

K. BALAPATABENDI,
Secretary to the President.

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