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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Proclamations & C., by the President

P. S. No. : CSA/7/8/14.

**BY HIS EXCELLENCY MAHINDA RAJAPAKSA
PRESIDENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

Seal

MAHINDA RAJAPAKSA.

TO :

1. Justice Seyed Ishrat Imam Esquire
(Retired Judge of the Supreme Court)
2. Dhammika Kithulgoda Esquire
3. Atapattu Liyanage Bandula Kumara Atapattu Esquire
(Retired Judge of the High Court)

Greetings :

WHEREAS, several human skeletons have been found on the 26th of November 2012 whilst excavations were being carried out in close proximity to the kitchen in the General Hospital premises in Matale and in carrying out further inspections and excavations up to the 12th of February 2013 it has been possible to unearth 155 human skeletons or thereabouts,

Whereas, no definitive facts have been revealed as to whose skeletons they were and how such persons have come by their deaths and during which period they were buried.

And whereas, it has become necessary to identify by whom and during which period and in what manner the bodies that relate to the said human skeletons were buried, whose skeletons they were and how such persons have come by such deaths.

And whereas, it has become necessary to ascertain whether such human bodies came to be buried as a result of an illegal act or acts and if so ; whether any person or persons are responsible.

And whereas, I am of the opinion that it is in the interest of the public security and welfare to conduct inquiries in order to determine what measures should be taken to ensure that there will be no recurrence of such alleged acts in the future.

Whereas I am of the view that it is necessary that a Commission of Inquiry be appointed to investigate and report on matters hereinafter referred to.

Now therefore, I, Mahinda Rajapaksa, President of the Democratic Socialist Republic of Sri Lanka 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. Justice Seyed Ishrat Imam Esquire
(Retired Judge of the Supreme Court)
2. Dhammika Kithulgoda Esquire
3. Atapattu Liyanage Bandula Kumara Atapattu Esquire
(Retired Judge of the High Court)

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

1. To identify during which period the aforesaid human skeletons and/or the bodies related thereto were buried ;
2. To identify whose human skeletons are those referred to above ;
3. To identify during which period and in what manner they had come by their deaths ;
4. If they had come by their deaths following an illegal act or acts.
 - (a) Adequate cogent factors or evidence that would lead to identification of the person or persons responsible ;
 - (b) Legal action that could be instituted against the person or persons who are found to be responsible ;
 - (c) Measures that should be taken to ensure that there will be no recurrence of such illegal act or acts in the future ;
 - (d) If there is any reasonable relief to be granted as an obligation on the part of the government to the parents, spouses and dependants of those identified as having come by their death.

And I do hereby appoint you the said Justice Seyed Ishrat Imam Esquire, Retired Judge of the Supreme Court 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 six months from the date of this warrant a report thereon under your hand, setting out the findings of your inquiries, and your recommendations relating thereto.

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 on this Twentieth day of June, Two Thousand and Thirteen.

By order of His Excellency,

LALITH WEERATUNGA,
Secretary to the President.