



JAFFNA INSTITUTE FOR LAW AND POLICY

PROJECT FINAL REPORT : 'ARCHIVING FOR A POLITICAL SOLUTION AND JUSTICE'

26 November 2025

I. Introduction:

The Small Grant awarded by the Embassy of Switzerland in Sri Lanka funded a project under their small grants programme implemented by the Jaffna Institute for Law and Policy in collaboration with the Noolaham Foundation which comprised of the following two components:

- A. 'Constitutional Reform Proposals made by Tamil political parties from 1921-present: Documenting the Tamil side of the story in Sri Lanka's fractured process for a Constitutional Settlement'
- B. 'Documenting Case Briefs in relation to crimes prosecuted by the domestic courts in Sri Lanka of relevance to the debate on accountability and reconciliation'

The following were addressed as the key outcomes in the project proposal submitted by JILP:

Project A will strengthen informed Tamil participation in the constitutional reform process proposed to be undertaken by President Anura Kumara Dissanayake's Government. A complete documentation of the Tamil proposals, drafts from over the years will help Tamil Parliamentarians, civil society groups, activists to forge a proposal that builds on past work and is relevant to the current needs and aspirations of the Tamil community. Hence this project will directly feed into issue 1 (Good Governance) and issue 2 (Conflict Prevention and Reconciliation)

Project B will help document domestic court attempts at prosecuting war crimes and crimes against humanity. It will help the Institute to study what possible avenues of accountability are available through domestic courts and what is not which can then feed into the debate over finding suitable, feasible and viable routes to accountability in post-war Sri Lanka.

This final report has three sections. The first section details the project goals as stated in the project proposals and measures them against the achievements. The second section details

the project outputs and measures them against the deliverables. The third section details the work to be undertaken by the organisation in furtherance of the lessons learnt and needs identified as emanating from the project.

II. The stated goals of the project and the outcome

The stated goals of the project and the outcome is reflected in the table below:

Stated Project Goals (as detailed in the project proposal)	Achievements
<p>Project A: Document most if not all proposals made by the Tamil side (broadly understood to include political parties and militant movements) post-1977 and to make digital copies available on a dedicated portal on Noolaham.org</p>	<p>A total of 142 documents have been archived in this section. We broadened the project goal beyond the time frame proposed in the project proposal.</p> <p>The archive has been organised into the following areas:</p> <ol style="list-style-type: none"> 1. Pre-1948 documents of interests pertaining to the emergence of the Tamil National Question. 2. 1948-1970 documents of interest pertaining to the emergence of the Tamil National Question. 3. The Tamil engagement with the making of the 1st Republican Constitution 4. The Tamil engagement with the making of the 2nd Republican Constitution and constitutional reform efforts leading up to the July 1983 pogrom 5. The Tamil engagement in the Indian mediated peace process - Thimpu talks, the Indo-Lanka Accord (1983-1990) 6. The Tamil position during the Premadasa and CBK efforts. (1992-2000) 7. The Norwegian Peace Process (2000-2006)

	<p>8. Post-War efforts at resolving the National Question</p> <p>Categories 1, 2 and 3 were not envisaged by the project. However, for the archive to be complete we decided that we needed to go back further in time. The extended goals have been achieved without any further additional resources. The project, we submit, has gone over and above the intended outcome and achieved its targets.</p>
<p>Project B:</p> <p>Document 10 high profile case briefs (entire case records including evidence given) in relation to accountability for war crimes and crimes against humanity including the Krishanthi Kumaraswamy case (Jaffna), Mirusivil murder case (Jaffna High Court), Trinco 5 Killings (Trincomalee Magistrate's Court), Nimalaruban murder case (Supreme Court, Jaffna Magistrate Court). These case briefs can be legally destroyed 10 years after conclusion of the case and hence documentation and preservation of these case records is vital for accountability purposes. Where the briefs are destroyed we will contact the lawyers who appeared for them and seek to document whatever is available in their possession.</p>	<p>The project goal was to document 10 high profile case records in relation to accountability for war crimes.</p> <p>We have documented 26 such case briefs. The project, we submit, has gone over and above the intended outcome and achieved its targets.</p> <p>In addition to that we have also documented reports that have systematically looked into an emblematic case. The total documents archived in this section is 48.</p>

III. Project Outputs as Stated in the Proposal and the Final Outcome

Project outputs as stated in the proposal	Outcome
Two dedicated portal (one each for Project A and B) on Noolaham.org's website providing all documentation curated by staff attached to the Jaffna Institute.	<p>The two dedicated portals can be accessed here:</p> <p>Project A: https://www.noolaham.org/wiki/index.php/செவ்வெலவாசல்: Constitutional Reform Proposals Made by Tamils</p>
Summary guide to the documents for use by elected representatives activists, scholars and the general public	<p>For Project A we decided to sub classify the archive into 8 areas along temporal lines. This now serves as a guide to accessing the materials in an organized manner based on interest. Both portals have been organised both in 'list format' and 'grid format' and can be rearranged based on the date of the document and publisher/author. Where necessary and possible brief notes have been given about the documents. However there is no lengthy guides so as to avoid value judgments and to keep the character of the collection as an archive.</p>

Two panel discussions organized in Jaffna through which we disseminate the outcomes of the project to key stakeholders

The panel discussions were combined into one with two segments being woven into one programme held on 09 November 2025. Mr. K. S. Ratnavale delivered a keynote address reflecting on the argument for an independent public prosecutor based on the experience with pursuing accountability through domestic courts (the subject matter of project B). A panel discussion on the future of constitutional reforms under the present regime was organized with all major Tamil parties represented (Mr. S. Shirathan MP from ITAK, Mr. Gajen Ponnambalam MP from TNP/ACTC, Mr. Suresh Premachandran Ex MP from EPRLF and Mr. D. Sidharthan ex-MP from PLOTE). A wide cross section of the Jaffna polity attended the event including Dr. Aru Thirumurugan (one of Jaffna's foremost Hindu religious leader), Velan Swamigal, Catholic, Anglican and CSI priests, Mr. M.K. Shivajilingam former MP, Mr. S. Kajendran former MP, Mr. S. Thavarasa (EPDP), formerly Opposition Leader of the NPC, Mr. Kandiah Baskaran, CEO of IBC Tamil, Mr. J. Jeyaruban, President of the Jaffna Bar Association, Dr. T. Vigneswaran, President of the Jaffna University

	<p>Teachers Association, Prof. V. T. Thamilmaran, Formerly Professor of Law, University of Colombo, Representatives of the Families of the Forcibly Disappeared, Mr. S. Elangovan, former Chief Secretary of the Northern Province, media personalities, women activists, youth activists, civil society activists and general public. The event saw the participation of more than 250 people, the largest discussion of this nature in recent times. Prominent political commentator Mr. Nilaanthan in his weekly column for the Uthayan paper commenting about the event noted that it is very unusual that political discussions get a full house.</p> <p>At the discussion the political leaders speaking at the panel event highlighted the need for a common front/proposal representing Tamil interests at the negotiating table for a new constitution both inside and outside parliament. The leaders of the different parties jointly called for civil society including JILP to take the lead in this regard and that such an initiative will have the support of all the Tamil political parties.</p>
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IV. Lessons Learnt/ Issues / Needs Arising from the Project delivery

1. The two archives will be continuously updated. We made an open call for the public to help us building both these archives at the 09 November 2025 event which has been well received. Noolaham and JILP will continue to update the archive.
2. As highlighted above the political leaders speaking at our panel discussion on 09 November 2025 have sought our assistance to put together a process through which a common Tamil political proposal can be forged for submission to a future constitutional reform process. We are currently working on this.
3. The work that we have done on Project A makes clear that the Tamil side has time and again engaged with the State to make its position clear as to the kind of political solution that they seek. In the post-war context it can be summarised as a demand for Self-Government along federal lines within a united country. However these proposals have lacked substantial content and articulation in relation to the areas of governance where the right to self-government is sought. The issues which gave rise to the self-determination movement include education, law and order and state lands. The substantial manner in which these subject areas are to be provided for in a future constitutional arrangement has not been specified in detail in the proposals submitted by the Tamil side. This requires more attention and work.

V. Future areas of work:

Building on this project and in furtherance of our institutional goals JILP will focus on the following areas of work in the next three years:

1. Research, advocacy and public interest litigation on a) repeal of the PTA and legislation intended to replace it, b) the office of the public prosecutor c) enactment of a new constitution.
2. Research, advocacy and public interest litigation on matters relating to accountability
3. Public interest litigation targeted at widening democratic space, good governance and adherence to the rule of law in the Northern Province.
4. Capacity building of the Northern Provincial Council and Local Governments:
 - I. Capacity building for enactment of statutes for provincial councils
 - II. Capacity building for enactment of by laws in the local governments.
 - III. Drafting model statutes and by laws for adoption by the NPC and LGs.
5. Tier 1.5 and Tier 2 consultative workshops in the North and East on constitutional arrangements on specific subjects: a) State Land b) Law and Order C) Education and D) North-East Merger.

The outcome will be position papers providing different alternatives. The exercise will also consider arrangements that have worked in post conflict societies such as Northern Ireland and Kosovo. Comparative study of the Indian constitutional arrangements in relation to the same will also be considered.

VI. Acknowledgments:

We would like to thank H.E the Ambassador, the Deputy Ambassador for selecting JILP as a recipient of the Small Grants. We are particularly thankful to Ms. Justine Boillat, First Secretary for her active engagement throughout the period of the project delivery and for attending our event on 09 November 2025 and delivering remarks on behalf of the Embassy, Ms. Sushanthy Gobalakrishnan, National Programme Officer has been an exemplary pillar of support during the entire period, guiding us, providing input and making sure that we keep to our deadlines. Our thanks also to Noolaham Foundation for their active participation in the successful delivery of this project.



சட்டத்துக்கும் கொள்கைகளுக்கும்மான யாழ்ப்பாணக் கற்கை நிலையம்
JAFFNA INSTITUTE FOR LAW AND POLICY

**அரசியற் தீர்வும் – பொறுப்புக் கூறலும்
ஒரு எண்ணிம ஆவணக் காப்பக அறிமுக நிகழ்வு**



09.11.2025 (சூரியிற்றுக்கிழமை)



மாலை 4.00 – 7.30 மணி



யாழ் ரில்லோ விருந்தினர் விடுதி - முதற் தளம்.

சிறப்புக் கருத்தரை

பொறுப்புக்கூறலும் சுயாதீன வழக்குத் தொடுனர் தொடர்பிலான விவாதமும்

திரு. K.S. கிரத்தினவேல்

சிரேஷ்ட சட்டத்தரணி,

நிறைவேற்றுப் பணிப்பாளர், Centre for Human Rights & Development

கலந்துரையாடல்

**தற்போதைய சூழலில் அரசியலமைப்பாக்கக் செயன்முறையில்
தமிழர் அணுகுமுறை எவ்வாறு தீருத்தல் வேண்டும்?**

திரு. கஜேந்திரகுமார் பொன்னம்பலம்

நாடாளுமன்ற உறுப்பினர்,
தலைவர், தமிழ்த் தேசிய மக்கள் முன்னணி

திரு. சிவஞானம் சிறிதரன்

நாடாளுமன்றக் குழுத் தலைவர்,
இலங்கைத் தமிழரசுக் கட்சி

திரு. தருமலிங்கம் சித்தார்த்தன்

முன்னாள் நாடாளுமன்ற உறுப்பினர்,
தலைவர், தமிழீழ மக்கள் விடுதலைக் கழகம்

திரு. கரேஸ் பிரேமச்சந்திரன்

முன்னாள் நாடாளுமன்ற உறுப்பினர்
செயலாளர் நாயகம், எழுமக்கள் புரட்சிகர விடுதலை முன்னணி

கலாநிதி. குமாரவழுவேல் குருயான்

நிறைவேற்றுப் பணிப்பாளர்,

சட்டத்துக்கும் கொள்கைகளுக்கும்மான யாழ்ப்பாணக் கற்கை நிலையம்

அறிவுரை

எண்ணிம ஆவணக் காப்பக பங்காளர் : நூலகம் நிறுவனம்

அனைவரையும் அன்புரிமையுடன் அழைத்து நிற்கின்றோம் !



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JAFFNA INSTITUTE FOR LAW AND POLICY

Launch of a Digital Archive on a Constitutional Settlement of the National Question & Accountability

📅 09.11.2025 (Sunday) 🕒 4.00 PM - 7.30 PM

📍 Jaffna Tilko City Hotel (First Floor)

Keynote Address

**The Search for Accountability and the Proposal for
an Independent Public Prosecutor**

Mr. K.S. Ratnavale

Senior Attorney-at-Law

Executive Director, Centre for Human Rights and Development

Discussion

**What Approach Should the Tamil Community take to
Constitutional Reforms under the Current Circumstances ?**

Mr. Gajendrakumar Ponnambalam M.P

Member of Parliament

President, Tamil National People's Front

Mr. Sivagnanam Shritharan M.P

Parliamentary Group Leader,

Iankai Tamil Arasuk Katchi

Mr. Dharmalingam Sidharthan

Former Member of Parliament,

Leader, Peoples' Liberation Organization of Tamil Eelam

Mr. Suresh Premachandran

Former Member of Parliament,

Secretary General, Eelam People's Revolutionary Liberation Front

Dr. Kumaravadivel Guruparan

Executive Director,

Jaffna Institute for Law and Policy

Moderator

Digital Archive Partner: Noolaham Foundation

ALL ARE WELCOME !

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Annexure 2: Photographs from the event:



Mrs. Ranjithamalar, CEO of Noolaham Foundation



Ms. Justice Boilatt, First Secretary, Embassy of Switzerland in Sri Lanka



Mr. K. S Ratnavale, Senior Lawyer delivering the Keynote address



Panel discussion. Left to Right: Mr. D Sidharthan, Leader of DTNA, Mr. S. Shritharan MP, Parliamentary Group Leader, ITAK, Mr. G. G Ponnambalam MP, Leader, TNPF, Suresh Premachandran, General Secretary, EPRLF



Mr. S. Thavarasa, formerly Opposition Leader, NPC



A Catholic Priest posing a question during the discussion.



Mr. Kandiah Baskaran, CEO of IBC Tamil, Reecha Pvt Ltd presenting his thoughts.



A section of the audience



A section of the audience



A section of the audience



A section of the audience



A section of the audience



Dr. K. Guruparan, ED, JILP addressing the audience.

