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Beyond Compensation: The Office for Reparations and the Pursuit of Transitional Justice and Reconciliation in Sri Lanka

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Abstract: *This paper examines the evolution of reparations in Sri Lanka within the broader context of transitional justice. Focusing on the Office for Reparations (OR), it explores how reparative measures have shifted from basic compensation to more inclusive, victim-centred approaches. The study assesses the OR's policies, achievements, and ongoing challenges. Drawing on legal texts, institutional reports, and expert analysis, it argues that meaningful reparations must be transparent, inclusive, and part of a wider justice framework that includes truth-seeking and institutional reform.*

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Contents

1.0 Introduction.....	4
2.0 The Evolution of the Concept of Reparations.....	4
2.1 Post-War Compensation and International Law	4
2.2 The Emergence of Human Rights and Victim-Centric Reparations.....	5
2.3 Reparations in Contemporary Transitional Justice Frameworks	5
3.0 Application of the Concept of Reparations in Sri Lanka	6
3.1 REPPIA and the Early Attempts at Reparations (1983–2005)	6
3.2 Shift Toward a Broader Reparations Framework (2005–2015).....	6
3.3 The HRC Resolution 30/1 of 2015 and the Establishment of the Office for Reparations .	7
4.0 Assessing Reparations in Sri Lanka	9
4.1 Reliefs operative by the Office for Reparations	10
4.1.1 Livelihood Support.....	10
4.1.2 Financial Support.....	10
4.1.3 Psychosocial support	10
4.2 Principles to be Adopted in Deciding the Grant of Reparations to a Victim.....	11
4.2.1 Individual Reparations.....	11
4.2.2 Collective Reparations.....	11
5.0 Challenges faced by the Office for Reparations	12
5.1 Monetary Challenges	12
5.2 Recruitment and Resource Constraints.....	14
5.3 Bureaucratic inefficiencies.....	15
5.4 Personal Challenges.....	15
6.0 Recommendations for the Office for Reparations	16
7.0 Conclusion	17
8.0 References.....	19

1.0 Introduction

Reparations have emerged as a vital component of transitional justice frameworks, shifting from narrow conceptions of monetary compensation toward more holistic, victim-centred mechanisms that seek to acknowledge harm, restore dignity, and promote long-term reconciliation. This evolution reflects a global recognition that redress must address not only material losses but also the emotional, psychological, and communal consequences of conflict and state violence.

This paper critically examines the evolution of reparations within international law and situates Sri Lanka's efforts within that broader trajectory. It assesses the OR's performance since its inception, analyses the administrative, political, and structural challenges it faces, and considers the extent to which reparations have supported reconciliation. Drawing on institutional reports, legal frameworks, interviews, and academic commentary, the paper also proposes reforms to strengthen reparations as a meaningful tool for justice and healing in Sri Lanka's post-war context.

2.0 The Evolution of the Concept of Reparations

The concept of reparations has evolved significantly in international law, transforming from a focus on restitution for specific harms to a comprehensive framework within the process of transitional justice aimed at acknowledging and addressing the suffering of individuals and communities affected by large-scale human rights abuses. Initially grounded on post-conflict compensation, reparations expanded over time to encompass moral, symbolic, and community-based initiatives designed to foster healing and reconciliation. This evolution reflects shifts in global attitudes toward accountability, the recognition of victims' rights, and the need for restorative rather than merely retributive actions. (De Greiff, 2006)

2.1 Post-War Compensation and International Law

Historically, reparations were largely defined by inter-state compensation following conflicts, as stated in the Treaty of Versailles of 1919, which imposed reparative obligations on Germany after World War I, focused on addressing the economic damages incurred by states, rather than on the individual victims of violence or oppression (Cohen, 2006). However, this model set a precedent within international law for assigning responsibility for damages and losses, albeit between states.

The consequences of World War II marked a pivotal moment in the evolution of reparations. The Nuremberg Trials, though centred on criminal accountability, acknowledged the concept of restitution for victims of crimes against humanity. Reparations were extended to those affected by Nazi persecution, with the German government establishing compensation funds for Holocaust survivors. This shift represented a recognition within international law of the right to reparations for individuals as well as states, forming a moral and legal foundation for future reparative measures (Bazyler, 2007).

2.2 The Emergence of Human Rights and Victim-Centric Reparations

Key legal documents, such as the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966), solidified the rights of individuals and communities, laying the groundwork for reparations more specifically as a response to human rights abuses. This shift was underscored by the United Nations' (UN) adoption of the Basic Principles and Guidelines on the Right to a Remedy and Reparation in 2005, which called for effective remedies, including restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition for victims of gross violations of international human rights law (United Nations General Assembly, 2005).

By the late 20th century, reparations had become integral to transitional justice mechanisms in post-conflict societies. Truth commissions, such as those established in Argentina in the years 1983-1984, Chile in the years 1990-1991, and South Africa in 1995, emphasised reparations not only as a form of justice but also as a means to restore the dignity of victims.

Key figures such as Pablo De Greiff, the UN Special Rapporteur on the Promotion of Truth, Justice, Reparation, and Guarantees of Non-Recurrence, played an influential role in shaping the discourse around reparations in Sri Lanka and highlighted that reparations in these contexts are not merely transactional; they are an affirmation of the victims' rights and an acknowledgment of their suffering, thus contributing to the legitimacy of post-conflict governance (De Greiff, 2006). Furthermore, he emphasised that reparations should go beyond monetary compensation to include symbolic measures that acknowledge the harm suffered by victims and contribute to national reconciliation. His input helped frame reparations within a broader human rights context, moving away from the narrow focus on compensation that characterised earlier efforts under REPPA (De Greiff, 2006).

2.3 Reparations in Contemporary Transitional Justice Frameworks

In recent years, reparations continued to evolve within the sphere of transitional justice as a tool for broader social healing. Modern transitional justice frameworks highlight reparations as essential to addressing the complex legacies of conflict, as seen in initiatives like Colombia's *Ley de Víctimas y Restitución de Tierras* that was approved by the Colombian Congress on 10 June 2011. This law provides reparations to victims of conflict while also tackling the underlying issues, such as inequality in land distribution, that fuelled violence. Unlike traditional models focusing solely on direct harms, Colombia's approach demonstrates how reparations can target structural inequities, fostering long-term peace and socio-political transformation (Saffon & Uprimny, 2018). Thus, reparations can serve as both individual redress and also as a part of broader social justice mechanisms.

Today, reparations involve various forms—financial, symbolic, community-based, and rehabilitative—tailored to the unique needs of victims and the particular context of each conflict. Scholars like Radhika Coomaraswamy and Bhavani Fonseka advocate for reparations as part of a holistic approach that includes truth-telling and institutional reform, emphasising

that reparations alone cannot achieve justice but must work in tandem with other restorative mechanisms (Coomaraswamy & Fonseka, 2018).

3.0 Application of the Concept of Reparations in Sri Lanka

3.1 REPPIA and the Early Attempts at Reparations (1983–2005)

In 1983, in the aftermath of the July 1983 ethnic riots, which are widely regarded as the event that catalysed the full-scale armed conflict, the Sri Lankan government established the Rehabilitation of Persons, Properties, and Industries Authority (REPPIA) as a response to the July 1983 anti-Tamil conflict. The REPPIA Act was aimed at compensating individuals affected by the riots and subsequent civil unrest, focusing primarily on property losses and injuries caused by the ethnic violence. REPPIA's mandate was limited, as its primary goal was to provide material compensation without addressing broader issues of justice, accountability, or reconciliation (Fonseka & Jegatheeswaran, 2018).

During the early phase of REPPIA's operations, the focus remained on monetary reparations and physical rehabilitation, particularly for displaced individuals and industries affected by the conflict. However, REPPIA's effectiveness was hindered by bureaucratic delays, lack of adequate funding, and the absence of a comprehensive reparations framework that could encompass the broader social, psychological, and emotional harm caused by the conflict.

The Commissions of Inquiry into the Involuntary Removal or Disappearance of Persons (1995–2000) marked a significant step in Sri Lanka's approach to reparations by addressing enforced disappearances and engaging in fact-finding missions to provide closure and justice for affected families. These commissions, established under presidential mandate, were a response to calls for accountability and were each chaired by respected human rights advocates like Manouri Muttetuwegama, Krishnapillai Palakidnar, and Thirunavukkarasu Suntheralingam. Through regional investigations, the commissions collected evidence, examined cases, and acknowledged the state's responsibility to remedy harms suffered by families, laying the groundwork for reparative justice in Sri Lanka. By documenting cases of enforced disappearances and identifying systemic failings, the commissions highlighted the state's obligation to provide redress. Their findings underscored the importance of both individual and collective reparations, including monetary compensation, memorialization efforts, and community-based programs to rebuild trust and foster reconciliation (United States Institute of Peace, 1995).

3.2. Shift Toward a Broader Reparations Framework (2005–2015)

The 2005 election of President Mahinda Rajapaksa marked a significant shift in Sri Lanka's approach to the ethnic conflict, with his government focusing on militarily defeating the Liberation Tigers of Tamil Eelam (LTTE). Following its end, attention gradually turned to post-conflict reconstruction and rehabilitation, and reparations remained a peripheral issue.

In the immediate post-conflict period, the Lessons Learnt and Reconciliation Commission (LLRC) was established in 2010. The LLRC's mandate included investigating events during the final stages of the conflict and recommending measures for reconciliation. Among its recommendations were the need for reparations for conflict victims, including monetary compensation, rehabilitation, and reintegration of former combatants. Coomaraswamy (2015) observed that the priority as described in the implementation of the LLRC's recommendations, particularly on reparations, remained slow and inconsistent, as the Rajapaksa government was largely focused on reconstruction projects rather than on addressing human rights abuses and individual suffering.

3.3 The HRC Resolution 30/1 of 2015 and the Establishment of the Office for Reparations

A major shift in Sri Lanka's reparations policy occurred after the election of President Maithripala Sirisena in 2015 and subsequently the formation of the National Unity Government (Yahapalana) with Prime Minister Ranil Wickramasinghe, who campaigned on a platform of good governance, human rights, and reconciliation. This administration took a more progressive approach to post-conflict accountability and reparations, signalling Sri Lanka's willingness to engage with the international community on these issues.

In an address to the UNHRC in 2015, Mangala Samaraweera, then Foreign Minister, signalled a clear break from the policies of the previous Rajapaksa administration. His emphasis on reconciliation and inclusivity was a marked departure from the more combative stance of his predecessors, and it underscored the government's intention to address the grievances of all victims of the civil conflict, regardless of their ethnicity or political affiliation (Permanent Mission of Sri Lanka to the UN in Geneva, 2015).

This culminated in Sri Lanka's co-sponsorship of the HRC Resolution 30/1 in October 2015, which was a landmark commitment by the Government of Sri Lanka to pursue a comprehensive transitional justice process, including reparations (United Nations Human Rights Council, 2015). The resolution called for a range of measures, including truth-seeking, accountability, finding missing persons, and reparations. Notably, the Resolution 30/1 proposed the establishment of an Office for Reparations to administer reparations programmes independently from the government.

The Consultation Task Force (CTF), composed of 11 civil society members chaired by Manouri Muttettuwagama, was established by the Prime Minister in January 2016 to gather public opinions on proposed mechanisms for transitional justice and reconciliation, as outlined in the Resolution 30/1. The consultations discussed a range of mechanisms for reconciliation beyond the initial proposal. The CTF's Final Report is structured around four key mechanisms, with chapters dedicated to overarching issues like psychosocial support and state and societal reforms. It includes chapters on the consultation context, methodology, and public views, along with recommendations on the Office on Missing Persons (OMP), the Office of Reparations, a Truth, Justice, Reconciliation, and Non-Recurrence Commission (TJRNC), and a Judicial Mechanism. The concluding chapter outlines the CTF's recommendations based on public and stakeholder input (Consultation Task Force, 2016).

Bhavani Fonseka, a prominent legal scholar in Sri Lanka, has extensively discussed the establishment and significance of the Office for Reparations as a mechanism for transitional justice and reconciliation. Fonseka argues that the Office was created to systematically address the complex grievances from decades of conflict and emphasizes the need for an independent, transparent body to ensure that reparative measures are inclusive, comprehensive, and effectively implemented. Her work advocates for robust, sustained governmental support to the Office to enhance its efficacy and impact on affected communities (Fonseka, 2018, p.6).

The Office for Reparations Act came into force on 22 October 2018 (Office for Reparations Act, 2018), and the Office of Reparations (OR) was operationalized with effect from April 2019 with the appointment by the President of 5 members on the recommendation of the Constitutional Council. As Dhara Wijayatilake, Chairperson, Office for Reparations, observes;

“It’s provisions went beyond merely providing for monetary relief measures. It articulated the basis for granting relief and the macro-level expectations. In its preamble, it stated that the Constitution of Sri Lanka recognizes the inherent dignity and the equal and inalienable human rights of all Sri Lankans and recognizes the obligation of the State to respect, secure, and advance these rights. It also stated that a comprehensive reparations scheme which is anchored in the rights of all Sri Lankans to an effective remedy will contribute to the promotion of reconciliation for the well-being, and security of all Sri Lankans including future generations” (Wijayatilake, 2025).

The OR’s mission includes granting reparations to victims of the armed conflict in the Northern and Eastern provinces, as well as those affected by political unrest, civil disturbances, and enforced disappearances. This policy broadens the scope of reparations to include not only compensation but also psycho-social services, livelihood support, restitution of land rights, and administrative relief. These measures are framed not as acknowledgments of wrongdoing but as part of the state’s duty to protect its citizens. Despite these advancements, the OR’s role is largely administrative, acting primarily as a fund distributor, while the Office on Missing Persons (OMP) plays a more active role in determining the eligibility for reparations. This dynamic underscore the segmented nature of transitional justice efforts, where different agencies address specific aspects of reparations and reconciliation (Report on Accountability for Enforced Disappearances in Sri Lanka, 2024).

Sri Lanka’s establishment of the OR also aligns with broader governmental efforts to address residual post-conflict issues. Alongside providing reparations, the government has pursued measures such as rehabilitating ex-combatants, resettling displaced persons, demining the Northern and Eastern regions, and releasing private land to its original owners. These initiatives reflect a broader strategy to address the socio-economic and psychological impacts of the conflict while fostering healing and national reconciliation (Ministry of Foreign Affairs, 2024).

It is noteworthy that reparations in Sri Lanka have evolved to encompass not only the victims of the long-standing armed conflict but also those affected by the Easter Sunday attacks in 2019. The Office for Reparations has introduced a fund specifically aimed at supporting the

victims of these tragic events, recognizing their need for compensation and support as part of the broader transitional justice framework. This initiative reflects a growing understanding that reparative justice must address a wider range of grievances and injustices within society (Sunday Times, 2024).

Furthermore, victims of the 2022 civil disturbances were also to receive reparations. The Office for Reparations has paid approximately Rs. 1.13 billion in compensation to citizens affected by the civil disturbances and political violence of 2022. This includes 301 cases related to immovable property and 76 cases related to movable property (Fernandopulle, 2025).

In January 2023, the OR was mandated by the Supreme Court to establish a Victim Fund to receive monies ordered by the Supreme Court to be paid by respondents in Fundamental Rights litigation, and to formulate a scheme for disbursements and to make grants therefrom. Schemes to provide grants to families of those who died, to persons injured, to children for secondary school education support, to students for tertiary education support, and to vulnerable elders were formulated, and disbursements were made from the Victim Fund. All of these tasks have been handled and details can be accessed via the OR website. Reports on monies credited to the Fund and disbursements made are also periodically submitted to the Supreme Court (Wijayatilake, 2025).

4.0 Assessing Reparations in Sri Lanka

Forms for reparations in Sri Lanka have been provided over the years by entities such as REPPIA, the Ministry for Disaster Management, and the Resettlement Authority, addressing victims of both man-made and natural disasters. These reparations reflect the state's recognition of the need to support victims with relief, compensation, rehabilitation, and restitution.

However, the efforts have often lacked a comprehensive, cohesive approach. Notably, following the 2004 tsunami, several assistance schemes were implemented, but similar initiatives were not sustained or replicated after the end of the ethnic conflict, leaving reparations fragmented. The LLRC (2011) discussed restitution and compensatory relief but suggested these be routed through existing institutions like REPPIA rather than establishing a comprehensive reparations framework (Centre for Policy Alternatives, 2018).

The OR was mandated to provide both individual and collective reparations, which extend beyond monetary compensation. These reparations are implemented following a *cohesive policy framework and clear guidelines* approved by the Cabinet of Ministers. The rationale behind the creation of the OR lies in the need to acknowledge and address the grievances of all affected communities, recognizing that both parties in the conflict were implicated in serious allegations. The institution seeks to facilitate a balanced approach to transitional justice, offering redress to victims from all sides while fostering a narrative of reconciliation and healing across the nation. This approach underscores the importance of impartiality and inclusivity in addressing the legacies of conflict and underscores the state's commitment to a comprehensive process of transitional justice (Fonseka & Jegatheeswaran, 2013).

Furthermore, the OR was tasked with designing and implementing a reparations program that is inclusive, victim-centered, and responsive to the needs of those affected by the conflict. Its mandate includes identifying eligible beneficiaries, determining the types of reparations to be provided, and ensuring that the reparations process is transparent, fair, and participatory (Office for Reparations Act, 2018). According to the policy and guidelines of OR, it expected to provide relief on *Livelihood support, compensating financial support, Restitution of Land Rights, Provision of Housing, Development of Community Infrastructure, Administrative relief, Psychosocial support and Measures to advance unity, reconciliation and Non recurrence of violence* (Office for Reparations,2021)

4.1 Reliefs operative by the Office for Reparations

4.1.1 Livelihood Support

The Office for Reparations (OR) has initiated several livelihood support programmes to empower affected individuals and communities to achieve economic stability and self-sufficiency. These initiatives prioritize using locally available resources to facilitate new entrepreneurial ventures, particularly among vulnerable groups such as internally displaced families and women-headed households. In 2024, these programmes included skill development projects such as fibre-based brush production, candle making with financial literacy training, palmyra leaf handicraft production, and broomstick manufacturing. (Office for Reparations Annual Report, 2023)

For example, the "Light for Life" project trained 25 women in Jaffna in candle making and financial literacy, enabling them to recycle raw materials like used paraffin wax for sustainable production. Similarly, the "Colouring Hands" initiative focused on women in Mannar, providing resources and training for Palmyra product manufacturing and financial management (Office for Reparations Annual Report, 2023)

4.1.2 Financial Support

The Office for Reparations (OR) continued to provide monetary relief in 2023, adhering to a transparent process. The primary focus of these compensation efforts was addressing claims related to three crises: the North-East conflict, the 2019 Easter Sunday attacks, and the 2022 civil disturbances and political violence.

4.1.3. Psychosocial support

IOM has introduced non-clinical trauma awareness and psychosocial support through community-based structures. These efforts are designed to contribute to community healing and enhance resilience against future stressors. By mobilizing local mechanisms, IOM seeks to prevent the recurrence of conflict and violence, fostering a more cohesive society. (International Organization for Migration,2020)

4.2 Principles to be Adopted in Deciding the Grant of Reparations to a Victim

The principles for identifying individual and collective reparations in Sri Lanka are outlined in Section 27 of the Reparations Act, which defines these two categories of reparations based on the nature of the beneficiaries—whether individual victims or affected communities as a whole. (Office for Reparations Act, 2018)

4.2.1 Individual Reparations

Individual reparations are intended to address the specific rights and needs of a person who has been directly harmed by conflict-related violations. Section 27 of the Act defines individual reparations as measures designed to provide effective remedies and benefits to aggrieved individuals. (Office for Reparations Act, 2018)

These reparations include, but are not limited to, the following criteria:

- *Material Benefits* provided to the individual as a form of restitution for their losses.
- Low-interest loans or micro-finance programs for livelihood restoration.
- *Educational, training, and skills development programs* on enhancing the individual's qualifications, skill sets, and opportunities for employment and economic independence.
- *Welfare services* that may include psychosocial support, legal aid, or other forms of social assistance to help the individual reintegrate and recover from the harm caused by the conflict.
- *Measures of Restitution* include the provision of land and housing, enabling the victim to regain lost assets or be provided with new housing as part of a restorative process.

4.2.2 Collective Reparations

Collective reparations, as defined in Section 27, aim to provide remedies and benefits to groups or communities that have been collectively harmed by conflict-related violations. These reparations are designed to address the broader societal and communal impacts of conflict, benefiting groups rather than individuals. (Office for Reparations Act, 2018)

Examples of collective reparations include:

- Creation of memorials or other *forms of remembrance* for deceased persons, recognizing the collective suffering of the community.
- *Large-scale infrastructural projects* that benefit the community, such as roads, healthcare facilities, or public utilities, which help restore and enhance the community's well-being.
- *Community-wide educational initiatives* and skills development programs aimed at improving social cohesion and economic prospects.
- *Community Development Programs* designed to address the collective needs of the community, such as community centers, agricultural programs, or local development schemes.

5.0 Challenges faced by the Office for Reparations

Despite the significant improvements made by the Office for Reparations (OR) in Sri Lanka's pursuit of transitional justice, several challenges persist, hampering the OR's ability to fully implement its mandate.

5.1 Monetary Challenges

5.1.1 North-East Conflict

The data on monetary reparations provided by the Office for Reparations (OR) highlights significant achievements but also underscores several challenges in the efficient and equitable distribution of reparative relief. Between 2018 and 2023, the OR processed 32,925 cases for victims of the North-East conflict, disbursing approximately Rs. 1.98 billion in compensation.

Year		2018	2019	2020	2021	2022	2023	Total
Number of cases	Monetary relief for Death and Injury	1,850	195	520	453	78	76	3,172
	Monetary relief to Loss/Damage to Property	13,465	3,589	1,935	5,504	2,193	3,067	29,753
Total number of cases for each year		15,315	3,784	2,455	5,957	2,271	3,143	32,925

Year		2018	2019	2020	2021	2022	2023	Total
Amount paid (LKR. Million)	Monetary relief for Death and Injury	153.7	15.31	46.2	41.1	31.1	19.3	306.8
	Monetary relief to Loss/Damage to Property	109.2	239.3	131.9	351.3	332.2	511.7	1,675.8
Total amount paid for each year		262.9	254.7	178.1	392.4	363.4	531.0	1,982.7

Source: Office for Reparations. (2023). *Annual Report 2023*.

5.1.2 Easter Attacks 2019

Additionally, 806 cases related to the 2019 Easter attacks received reparations totalling Rs. 300.86 million. While these figures reflect the OR's commitment to providing relief, several systemic issues hinder the realization of comprehensive and effective reparative justice.

Year		2019	2020	2021	2022	2023	Total
Number of cases	Monetary relief for Death and Injury	707	0	2	3	7	719
	Monetary relief to Loss/Damage to Property	34	46	1	3	3	87
Total number of cases for each year		741	46	3	6	10	806

Year		2019	2020	2021	2022	2023	Total
Amount paid (LKR Million)	Monetary relief for Death and Injury	273.684.5	0	300.0	1,925.00	3,500.0	279.409.5
	Monetary relief to Loss/Damage to Property	10.7	4.8	5,000.0	665.8	172,690	21.4
Total amount paid for each year		284.4	4,894.8	5,300.0	2,590.8	3,672.6	300.8

Source: Office for Reparations. (2023). *Annual Report 2023*. Government of Sri Lanka

However, the demand for reparations continues to rise, as evidenced by the increasing number of cases submitted in recent years, particularly for property damage. For example, monetary relief for property damage from the North-East conflict accounts for the majority of funds disbursed, with Rs. 1.67 billion allocated between 2018 and 2023. Despite this, the OR's budget remains constrained, creating a backlog of unresolved claims.

The 2024 report from the United Nations High Commissioner for Human Rights (OHCHR) noted that approximately Rs. 2.4 billion had been granted to 9,169 families as of mid-2024. However, without disaggregated data on beneficiaries, such as women-headed households, it

is difficult to assess whether funds are reaching the most vulnerable populations effectively (OHCHR, 2024).

5.2 Recruitment and Resource Constraints

In an interview conducted with an officer from the OR, the researcher observed that the cadre of staff at the office is drawn from the same pool as the staff established under the Rehabilitation of Persons, Properties, and Industries Authority (REPPIA) in 1983. As a result, the recruitment process for the OR has been constrained by the existing grading and salary schemes inherited from REPPIA, which limits the ability to hire highly qualified professionals (Office for Reparations, personal communication, 12 November 2024).

This structure has led to difficulties in attracting experienced staff members with specialised knowledge in transitional justice, reparations, and victim-centered policy design. Consequently, the efficiency and output of the OR are hampered, as the office struggles to build the capacity required to manage the complexity of reparations effectively. The lack of specialised expertise among the OR staff is particularly challenging given the office's ambitious mandate, which includes not only financial compensation but also psychosocial support, community-based reparations, and long-term reconciliation efforts.

Additionally, the inability to offer competitive salaries or develop specialised grading systems for new recruits limits the OR's capacity to attract and retain professionals with the necessary expertise in legal frameworks, human rights, and conflict resolution. This gap in human resources affects the office's ability to fully implement reparative policies in a manner that aligns with international standards and best practices, further delaying the positive outcomes expected by the affected communities.

OR also faces difficulties in managing the sheer volume of claims and the administrative burden associated with verifying and processing these claims. The centralization of reparations services within a single office in Colombo makes access difficult for victims in remote and conflict-affected areas. This has led to significant delays in the disbursement of reparations, creating frustration among victims (Fonseka & Jegatheeswaran, 2018).

Moreover, the OR's collaboration with other state institutions, such as the Ministry of Justice and provincial administrative bodies, remains inconsistent, leading to bottlenecks in decision-making processes and the implementation of reparative measures. The absence of clear operational guidelines further exacerbates these inefficiencies, as there are often disparities in how claims are processed depending on geographical and administrative jurisdictions (Fonseka & Jegatheeswaran, 2018).

5.3 Bureaucratic inefficiencies

The Livelihood Programme, which aims to identify families in greatest need of reparations, has been particularly affected by the bureaucratic inefficiencies between the OR staff and officers of the Divisional Secretariats, which hinders the effective identification and delivery of reparative measures.

The officers working at the Divisional Secretariats are responsible for identifying eligible beneficiaries but often fail to communicate effectively with the affected communities or travel to remote areas to assess needs first-hand. As a result, the OR struggles to properly identify families that are most in need of reparations, thereby impeding the timely and appropriate delivery of reparative services. Without regular and on-the-ground assessments, the OR cannot ensure that collective reparations, which are meant to address community-wide needs, are appropriately targeted and distributed.

Another issue arising from this bureaucratic challenge is the failure to update the beneficiary lists on an annual basis. As a result, there are instances of overcompensation, where individuals who no longer qualify for reparations continue to receive benefits, while others who are newly eligible may not be included. This systemic flaw highlights the inefficiency in the database management system and the lack of coordination between the OR and Divisional Secretariat officers.

Political intervention is also a complicating factor in this process. There are concerns that local political pressures sometimes influence the identification and prioritization of beneficiaries, further distorting the reparations process. The politicization of beneficiary selection can lead to favouritism and the uneven distribution of reparative measures, undermining the fairness and transparency of the process.

5.4 Personal Challenges

The challenges faced by widows of conflict in Sri Lanka extend beyond emotional trauma; they often encounter social and economic hurdles that hinder their ability to remarry or have children. The stigma associated with being a widow, particularly in conservative communities, can result in social isolation, making it difficult for these women to form new relationships. This societal pressure not only impacts their personal lives but also increases their economic vulnerability, as many may struggle to support themselves and their families without the additional income a spouse could provide (Office for Reparations, Personal Communication, 12 November 2024).

Furthermore, the psychological burden of losing a husband can lead to a reluctance to engage in new familial relationships, as they fear repeating past losses. This complex scenario of emotional, social, and economic factors poses significant barriers to the reintegration of widows into society, highlighting the need for comprehensive reparative measures that address

not just financial compensation but also social support and community reintegration initiatives (Office for Reparations, Personal Communication, 12 November 2024).

Additionally, there is widespread scepticism and distrust toward the government's reparations efforts, largely due to the political dynamics surrounding transitional justice in Sri Lanka. This distrust, combined with a lack of proper outreach by the OR, discourages many victims from coming forward to claim reparations.

Implementing reparations in a post-conflict society often involves balancing the competing interests of different groups. For example, while some victims may demand justice and accountability, others may prioritise material compensation or symbolic recognition. Ethical considerations require that these competing interests are carefully balanced in a way that respects the diverse needs and perspectives of victims. This may involve a combination of different reparative measures that collectively address the various dimensions of harm suffered (Walker, 2016).

6.0 Recommendations for the Office for Reparations

6.1 Increase Budget Allocation and Funding Sources

The OR should advocate for increased budgetary support from the government to address the growing demand for reparations and reduce the backlog of unresolved cases. Diversifying funding sources through partnerships with international organizations and donor agencies could also alleviate financial constraints.

6.2 Implement Beneficiary Data Disaggregation

The OR should establish a robust system for collecting and analyzing disaggregated data on beneficiaries, including gender, socio-economic background, and geographic location. This will ensure that reparations are equitably distributed, particularly to vulnerable groups such as women-headed households, and help align with international best practices for transparency and inclusivity.

6.3 Strengthen Administrative Processes

Streamlining administrative procedures for claim processing and fund disbursement is essential. Introducing a centralized digital platform for managing applications and tracking case statuses can reduce delays and improve communication between stakeholders. Periodic training for staff on efficient administrative practices and reparative justice frameworks is also recommended.

6.4 Expand Non-Monetary Reparative Measures

While monetary relief is critical, the OR should enhance its focus on non-monetary reparations such as livelihood support, psychosocial rehabilitation, and community-based initiatives. These

measures address the broader socio-economic and psychological needs of victims and contribute to sustainable reconciliation.

6.5 Engage Communities and Civil Society Organizations

The OR should foster partnerships with community leaders, civil society organizations (CSOs), and victim advocacy groups to improve outreach and understanding of reparative programs. Regular consultations with affected communities can ensure that reparations are victim-centered and responsive to local needs.

6.6 Address Political Interference and Bureaucratic Inefficiencies

The OR must work toward greater institutional independence by advocating for reforms that limit political interference in decision-making processes. Simplifying coordination with Divisional Secretariats and other agencies through clear guidelines and accountability mechanisms can reduce bureaucratic bottlenecks.

6.7 Monitor and Evaluate Programme Effectiveness

The OR should establish a monitoring and evaluation (M&E) framework to assess the effectiveness of reparative programs regularly. Key performance indicators (KPIs) should include timeliness, equitable distribution, and beneficiary satisfaction. Lessons learned from these evaluations can inform policy adjustments and improve program outcomes.

6.7 Raise Awareness and Build Public Trust

Awareness campaigns highlighting the OR's mandate, programs, and achievements can help build trust among victims and the public. Transparent reporting of activities and outcomes will further enhance credibility and confidence in the reparations process.

By addressing these recommendations, the OR can strengthen its reparative programs, align more closely with transitional justice principles, and contribute meaningfully to reconciliation and peacebuilding in Sri Lanka.

7.0 Conclusion

As this paper has shown, the OR's effectiveness is hampered by insufficient funding, outdated staffing structures, bureaucratic inefficiencies, and inconsistent coordination with provincial and local authorities. There is also a significant trust deficit between affected communities and the state, fuelled by past failures, limited outreach, and the politicisation of victim identification processes. These issues risk undermining the credibility and transformative potential of reparations in Sri Lanka. Without sustained political commitment, adequate resourcing, and institutional independence, the OR may fall short of fulfilling its mandate.

Nonetheless, the OR provides a critical foundation upon which future reparative initiatives can be built. Strengthening its operational capacity, improving transparency, and enhancing

community engagement are essential to realizing its full potential. Most importantly, reparations must be embedded within a broader transitional justice framework that includes truth-telling, accountability, and institutional reform. Only then can reparations contribute not merely to compensation, but to the deeper processes of healing, acknowledgement, and reconciliation that are essential for a just and peaceful post-conflict society.

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