



[Seventh Parliament -First Session]

No. 3 (3).]

ADDENDUM TO THE ORDER BOOK No. 3
OF
PARLIAMENT

Issued on Thursday, May 12, 2011

NOTICE OF MOTIONS FOR WHICH NO DATES HAVE BEEN FIXED

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Hon. Ravi Karunanayake
Hon. Palitha Range Bandara
Hon. Lakshman Kiriella
Hon. (Dr.) Jayalath Jayawardana
Hon. R. Yogarajan
Hon. Palitha Thewarapperuma
Hon. Nirosan Perera
Hon. Abdul Haleem

Hon. Eran Wickramaratne,— Select Committee of Parliament to inquire and report on what Legal Provisions, Kumaran Pathmanathan is held in custody and the charges are to be framed against him and other matters,—

Whereas Shanmugam Kumaran Tharmalingam alias Selvarasa Pathmanathan, alias Kumaran Pathmanathan more commonly known as “KP” has as per the announcement of the Government of Sri Lanka on the 7th of August, 2009 being in its custody for over an year now;

And whereas “KP” is on Interpol’s most wanted list for various charges including arms smuggling and criminal conspiracy;

And whereas he is also wanted by India’s law enforcement agencies in connection with the assassination of former Indian Prime Minister Rajiv Gandhi in 1991 and for violation of the Terrorist Act and the Indian Explosive Act;

And whereas he is implicated both directly and indirectly in several terrorist attacks in Sri Lanka including the attack on the Sri Maha Bodhi and the Temple of the Tooth Relic;

And whereas he was the procurer of arms for the Liberation Tigers of Tamil Eelam (LTTE);

And whereas he ran a global network of LTTE offices which were engaged in its weapons procurement, logistics and money laundering operations;

And whereas he was known to operate a shipping company which was involved in shipping arms and ammunition for the LTTE;

And whereas he is also said to have orchestrated several Bank robberies in Sri Lanka;

And whereas he was engaged in equipping the LTTE with an arsenal of weapons;

And whereas he is alleged to be in control of a vast amount of assets including 19 ships and bullion belonging to the LTTE;

And whereas a statement issued by the LTTE on 21st July, 2009 declared him the Leader of the LTTE;

And whereas UN Statement says that the LTTE have committed atrocities killing innocent people;

And whereas the Government says that the “KP” was the person who internationally collected money to finance the LTTE activities;

This Parliament resolves that a Select Committee of Parliament be appointed to inquire and report on the following :

- (a) Under which legal provision KP is being held in custody;
 - (b) Whether it is intended to frame charges against KP, and if so —
 - (i) Under what law he be charged,
 - (ii) What offences be included in the charge sheet,
 - (iii) When it is proposed to file charges against him, and
 - (iv) In which Court such charges be framed;
 - (c) Whether requests have been made for his extradition and if so, which countries have made such requests and whether it is proposed to extradite him;
 - (d) The fate and location of the assets of the LTTE which were in the possession of “KP” with particular reference to bullion and ships;
 - (e) The Select Committee should also address itself to the question whether any official or officials are guilty of treacherous conduct and dereliction of duty in holding “KP” without proceeding against him under the laws of the country.
2. (a) That the Committee and its Chairman shall be nominated by Mr. Speaker.
- (b) That notwithstanding the provisions of Standing Order 95, the Committee shall consist of not more than twenty one (21) Members.

3. That the Committee shall have the power to,—
 - (a) fix its quorum;
 - (b) send for persons, papers and records, may order any person to attend before Parliament or before such Committee, and to produce any paper, book record or document in the possession or under the control of such person;
 - (c) verify or otherwise ascertain by the oral examination of witnesses and examine witnesses upon oath or affirmation which the Chairman of the Committee or a person specially authorized for that purpose may administer;
 - (d) obtain the services of Specialists and Experts in the relevant fields to assist the Committee; and
 - (e) make interim reports from time to time and to sit notwithstanding any adjournment of Parliament.
 4. The Committee shall make its Report within One Year of the date of its first sitting or such other or further time as Parliament may grant.
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