

Sri Lanka Statement at the Sub-committee on Human Rights, of the European Parliament

30 March 2009

Madam Chair, Members of Parliament, Ladies and Gentlemen,

As you are aware, Sri Lanka has been plagued for 30 years by the scourge of terrorism by one of the most ruthless groups of terrorists in the world, the LTTE, which is proscribed by many countries including the 27 Member States of the European Union. This terrorist outfit has killed political leaders, including President Premadasa of Sri Lanka and Prime Minister Rajiv Gandhi of India, 2 generations of democratic Tamil leadership from the Jaffna Mayor Alfred Duraiappah in 1975 to Foreign Minister Lakshman Kadirgamar in 2005, members of the security forces and innocent civilians, maimed, displaced and dispossessed thousands of Sri Lankans, depriving them of basic human rights, which this august body strives to defend.

As President Rajapaksa in his address to the 63rd UNGA stated, 'what the Government of Sri Lanka would not and could not do is to let an illegal and armed terrorist group, the LTTE, hold a fraction of our population, a part of the Tamil community, hostage to such terror in the Northern part of Sri Lanka and deny those people their democratic rights of dissent and free elections'. I am assured that all of you present here, would fully subscribe to that.

Madam Chair, in 2006, the LTTE, while sporadically appearing at peace talks, made an attempt to assassinate the army commander, by using a pregnant suicide bomber and then launched two large scale attacks on military positions in the North and the East as well as the deprivation of water to 65000 persons at the height of the crop season by closing the sluice gates of the Mavillaru annicut. It is only following these events that the Government resolved the legitimate right to self defence as contained even in the 2002 Ceasefire Agreement brokered by Norway. It should be noted by the Committee,

that since 1985, the Government has engaged with the LTTE in 5 rounds of negotiations, until 2006, and it was only after exhausting all avenues due to continued intransigence of the LTTE that it launched action to liberate the people of the North and the East. During the rounds of negotiations and also the ceasefire period the LTTE continued the strengthening of their terrorist arsenal and the recruitment of children unabated.

The Government's endeavour to liberate the people and the area previously dominated by the LTTE has achieved remarkable success over the past 24 months. The Security Forces successfully liberated the Eastern Province, with minimum civilian casualties and within 12 months were able to resettle 95% of the displaced in their original place of habitation and restore democracy at both local government and provincial council levels after a lapse of 20 years.

Those members of the LTTE, who broke away from the group, have embraced democratic values and joined the political mainstream. Mr S Chandrakanthan, a former child soldier, was elected to the position of Chief Minister of the Eastern Province. Mr V Muralitharan, better known by his nom de guerre of Karuna, recently joined the Government as the Minister in charge of National Integration. Despite ample opportunity to enter the democratic process, the LTTE chose not to. Instead they continued on the path of terrorizing our people, damaging our economy, bringing misery and pain into the lives of hundreds of thousands of Sri Lankans. We cannot permit them to continue any longer and deprive us of freedoms enjoyed by other citizens of the world.

It is within this context that current developments in Sri Lanka need to be viewed.

Madam Chair, no military operation to defeat terrorism in the world is conducted without difficulty to the civilian population who live in the afflicted area. In the achievement of our military dominance over the LTTE, the civilians, held at gun point by

the LTTE have been the centre of our concerns. In the past 2 months, the Security Forces have held back their strength, even at the cost of suffering casualties themselves.

The ground reality has unfortunately been disregarded in European Parliament's resolution of 12 March and makes several unsubstantiated assertions which the Government of Sri Lanka finds objectionable.

We do not need to be reminded of the responsibility towards our citizens nor of our commitments in the international arena. It is accepted by the UN Resident Coordinator in Colombo, that the figure of 2300 civilian deaths and 6500 injuries since late January this year attributed to unnamed 'credible sources' cannot be substantiated. These are the very same figures quoted by the High Commissioner for Human Rights, the International Crisis Group and also stated in the LTTE website Tamilnet. These 'anecdotal' figures are stated as fact in the European Parliament's resolution of 12 March.

The European Council, on 23 February, called for the LTTE to lay down its arms and renounce terrorism and violence once and for all, if the LTTE heeded this call, the requirement of an immediate ceasefire as urged by the EU and the Parliament will not arise. There is still opportunity for the LTTE to do so.

While the Government notes the 3mn Euros declared by the European Commission to be given to the ICRC to assist with humanitarian operations in Sri Lanka, it expresses strong objection to Commissioner Michel's statement of 19 March.

Madam Chair, the Sri Lanka Government has no policy of indiscriminate shelling of civilians. To the contrary, we have at all times observed extreme caution in the operational area, conscious that civilians are being used by the LTTE as a human shield. It is the LTTE that abused the 48 hour no fire period declared by the

Government to move heavy weaponry into safe zones, explode suicide bombs in welfare centres and on food convoys and continues to fire at civilians fleeing the uncleared areas. It is only last week that the LTTE targeted anti aircraft missiles on the SLAF engaged in evacuating civilians from their last strong hold in the Wann. Despite this more than 60 000 civilians to date have entered into welfare centres through the safe zones established by the Government.

The Committee is well aware that the Government has continuously met the humanitarian needs of the population throughout the duration of this conflict. WFP confirms that there are adequate food supplies. During the 12 months ending January 2009 alone 55000 metric tonnes of food and relief items were sent to the conflict zone with the assistance of the ICRC & WFP. During the month of March, the Government sent 1,219 metric tonnes of food, 3400 litres of fuel as well as stocks of 55 items of essential medical supplies. Madam Chair, we are unable, however to ensure that all of these stocks duly reach those who are most in need, as the LTTE regularly hijacks supplies delivered and releases stocks often at black market prices to the civilian population only after fulfilling its own requirement.

While it is evident that there will be difficulties, the Government rejects the assertion that the welfare centres are below standard.

We have continued to receive international rapporteurs, high level UN officials including Under Secretary General Holmes and Colombo based Ambassadors including from the European Union Member States, to observe the progress achieved and witness first hand the efforts made by the Government with the assistance of the UN and the ICRC to ameliorate conditions of civilians who have escaped the conflict. We have been swift to implement recommendations made to improve conditions for our citizens, bearing in mind the grave security concerns that prevail in the area due to infiltration by the LTTE. Tamil National Alliance (TNA) MP Vino Noharathalingam, following his recent visit to the welfare village of Kadirgamarpuram stated in the Sri Lankan parliament that

he had witnessed the manner in which, the Government is taking care of the displaced persons. He observed that the people in the welfare centre were living free of fear and that they were provided with necessary amenities under the present condition. He had also commended the vocational training programmes which had commenced in the semi permanent centres where the youth who had long been deprived of basic education by the LTTE, were being equipped with skills to face the days ahead, which translates into hope of a better future.

Throughout the years of conflict, and more recently in catering to the needs of the civilians escaping the LTTE, the Government of Sri Lanka has continuously worked with the International Community; ICRC/UNHCR/WFP and friendly governments. The assistance provided is appreciated. The Government cannot however permit the IDP centres to become 'exhibits' or to permit NGO/INGO & media to tour the uncleared area, as suggested in the resolution. The Committee may note that already, 02 UN local staff, 03 dependants and 11 NGO local staff have been subject to forcible recruitment by the LTTE in recent weeks. The UN and NGO local staff and their dependants are also being held captive with civilians in the "No Fire Zone".

The Government also notes the concerns expressed by the European Parliament in its resolution of 5 February regarding freedom of the press and alleged violations and wishes to reiterate that the Commission of Inquiry (COI) is carrying out public hearings with regard to identified cases which would enable the judicial machinery of the country expedite action against perpetrators of these acts.

I wish to draw attention that while being fully engaged with the UN System in dealing with the humanitarian situation in the North, the Government has always worked towards ensuring the overall promotion and protection of human rights. Sri Lanka is a party to seven core Human Rights Conventions and maintains regular interaction with all UN treaty bodies and has made a series of voluntary pledges to improve the human

rights situation in Sri Lanka. Sri Lanka is always ready to share with the UN, in a spirit of cooperation and goodwill, any information sought.

As we deal with the present, Madam Chair, it is also important to look ahead.

The rapid strides made in the Eastern Province, after it was liberated from the LTTE gives us confidence that this could be successfully replicated in the North. You would agree that democracy, to flourish needs to be supported by development and economic growth. It is noteworthy, that the Eastern Province, without the debilitating presence of the LTTE, has increased its contribution to the national economy from 0.2% to 3.5% and has also produced almost a quarter of the national rice harvest last year. The Government has launched an extensive development programme to reintegrate the province and its people to participate in Sri Lanka's economic growth, by allocating US\$1bn for infrastructure development and an attractive investment promotion programme to encourage businesses to locate in this area, which would provide employment and opportunity to the youth.

Sri Lanka has long since espoused the democratic way of life. We request the European Union to be partners in our courageous endeavour to rid our country of the menace of terrorism and ensure that democracy, rule of law and economic prosperity could be enjoyed by all Sri Lankans.

Thank you.