

Sri Lanka seeks constructive dialogue with UN High Commissioner for Human Rights

The Government of Sri Lanka wishes to remain fully engaged with the UN High Commissioner for Human Rights, Ms. Navanethem Pillay and her Office in addressing any particular issues of concern relating to human rights. This desire has been conveyed in a letter from Foreign Minister Rohitha Bogollagama in response to a Statement issued by the Human Rights Commissioner's Office on 13 March 2009. It may be recalled that during the telephone conversation between the Secretary General of the UN, Ban Ki-Moon and President Mahinda Rajapaksa on 17th March 2009, it was agreed that the Foreign Minister would make a formal response on behalf of the Government of Sri Lanka to the above Statement.

In his letter to the UN Human Rights High Commissioner, Minister Bogollagama has appreciated her recognition of the brutal and inhuman treatment of civilians by the LTTE, who are being held hostage as human shields, and resorting to shooting at them as they try to flee to the safety of Government controlled areas, as well as the forcible recruitment of civilians, including children, as soldiers. The Minister has in particular noted the High Commissioner's observation that "the brutal and inhuman treatment of civilians by the LTTE is utterly reprehensible, and should be examined to see if it constitutes war crimes". Referring to the recent incidents of forcible recruitment of two UN national staff members and their family members by the LTTE, he vehemently condemned such actions as constituting grave violations of International Humanitarian Law, which should make it clear to the UN and the international community at large that the LTTE is a ruthless terrorist organization, which is well established.

Expressing his concern over the reference in the UN Statement that "more than 2,800 civilians may have been killed and more than 7,000 injured since 20th January, many of them inside the no-fire zones" that has been attributed to "credible sources", which have not been divulged, the Minister questioned the credibility and authenticity of the information, presumably gleaned from local UN staff and some NGO local staff, given the fact that such staff are compelled to subscribe to the LTTE agenda for their own survival.

Minister Bogollagama attributed the overwhelming success of the current humanitarian mission of the Sri Lankan security forces in liberating the people from the brutal reign of terror of the LTTE to the strict adherence by the security forces to the Government's zero tolerance policy on civilian casualties. Troops deployed in the operational areas are reminded of the Executive Order (Presidential directive) to avoid causing civilian casualties, before they embark on any given mission.

It is well known that the LTTE's present combat strategy entails the deliberate blurring of the distinction between civilians and its cadres, including the forcible induction of civilians, not only able bodied men, but also women, young girls and boys and even the elderly, into their combat ranks and sending them to the frontlines to fight the Government troops. Civilians who have fled the conflict zone have disclosed that in recent days, the LTTE has in utter desperation, stepped up its recruitment drive at the rate of over 100 civilians daily into its fighting ranks and putting them in harm's way on the frontlines.

Also as part of this strategy, the LTTE has deliberately positioned its artillery guns and heavy weapons amidst the civilian population in the Government declared No-Fire Zone (NFZ) along the Mullaitivu coast, and directing fire at the security forces. Despite these provocative attacks using civilians as a cover, the security forces have maintained maximum restraint by not resorting to retaliatory fire, precisely in order to protect the lives of the innocent civilians. The Foreign Minister noting that such restraint has come at a very heavy price in terms of Sri Lankan soldiers getting killed and maimed, categorically rejected the assertion in the UN High Commissioner's Statement that many of the civilians killed have been inside the no-fire zones.

In this context, he recalled the Statement of 05th March 2009 of the UN Secretary-General in which he has drawn attention to this matter and had called on the "LTTE to remove its weapons and fighters from areas of civilian concentration, to cooperate in all humanitarian efforts calculated to relieve the suffering of civilians, and to immediately cease recruitment of children". In these circumstances, Minister Bogollagama highlighted the most urgent need of the hour was for the UN and the international community to exert greater pressure on the LTTE to allow the civilians, freedom of movement, in order to enable them to move to the safety and protection afforded in the Government controlled areas.

The Minister, pointing out that the LTTE has never admitted suffering battle-field casualties, especially in this final and decisive phase of military operations, stated that it is quite obvious that several hundred LTTE combatants have been killed in confrontations in the operational areas with the security forces, since January 2009. Therefore, it is highly likely that the LTTE cadres killed in action could be shown off as civilian casualties.

The Foreign Minister also questioned the veracity of the figure of "more than 7,000 injured" and asserted that up to 18th March 2009, only 4,120 civilians including 2,635 sick and injured persons, as well as 1,485 accompanying carers have been evacuated by sea with the assistance of the ICRC. It is therefore self-evident that the persons accompanying the sick and wounded would have been accommodated only after ensuring that all sick and wounded

persons in the conflict zone had been taken on board. Thus, the figure of 7,000 injured is a gross exaggeration.

Minister Bogollagama underscored the overwhelming support of the people of Sri Lanka for the Government's present military engagement to wipe out terrorism from the country, manifested by the popular mandate of over 70% support for the ruling party at the recent Provincial Council election. In conclusion, he reiterated the Government's commitment to maintain an open and constructive engagement with the UN High Commissioner for Human Rights, in a spirit of cooperation and goodwill.

Ministry of Foreign Affairs
Colombo
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