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## China reaffirms support for fight against terrorism - Joint Communique by China and Sri Lanka



Above: President Mahinda Rajapaksa shakes hands with the Chinese President Hu Jintao at the Great Hall, Madam Shiranthi Rajapaksa is also in the picture.

China has reaffirmed its continued support to Sri Lanka in its efforts to safeguard the country's sovereignty, national unity and the territorial integrity against terrorist forces. China welcomed the positive steps taken by the Government of Sri Lanka to reach a peaceful resolution of ethnic issues through negotiations and stated that it would not tolerate any form of terrorism and will not allow any Chinese entity to deal with the LTTE. China and Sri Lanka resolved to

fight tirelessly against the three evil forces of terrorism, separatism and extremism and to step up consultation and coordination on regional and international counter-terrorism action, states the Joint Communique issued by the China and Sri Lanka at the conclusion of President's six-day State Visit.

## LTTE attacks foreign diplomats visiting Batticaloa on humanitarian mission



Left: Brigadier Daya Ratnayake, General Officer Commanding the 23rd Division, briefing Minister Mahinda Samarasinghe and the diplomats in Batticaloa after the LTTE attack.

LTTE launched a brazen mortar attack on an international needs assessment delegation led by the Minister of Disaster Management and Human Rights, Hon. Mahinda Samarasinghe which included a group of foreign diplomats, representatives of UN, INGOs

and government officials, when they arrived in Batticaloa by aircraft at around 8.30 a.m on February 27,2007 to assess the Humanitarian assistance to IDPs and establish an effective development plan for the Eastern Province.The LTTE fired 120 mm heavy Mortar shells from the uncleared areas after the aircraft carrying the delegation had touched down at the Air Force Base and the Weber Stadium in Batticaloa.

The Italian Ambassador in Sri Lanka Hon. Pio Mariani suffered slight injuries due to a shrapnel from the mortar shell lodging in his head, when they were walking away from the aircraft after landing at the Weber Stadium. The Italian Ambassador had to receive medical treatment at the Batticaloa Hospital after the attack. Among other diplomats present at the scene of the attack were Hon. Robert Blake, the US Ambassador, Hon. Juergen Weerth, the German Ambassador, Hon. Kiyoshi Araki, Japanese Ambassador, Hon. Michel Lummaux, French Ambassador and Mr. Frederick Lyons, UN Humanitarian / Resident Co-ordinator. The US Ambassador Hon. Robert Blake was slightly hurt and did not need hospital treatment.

The delegation left Colombo early in the morning in two Air Force Helicopters i.e. MI 17 and Bell 212, and a privately owned fixed wing aircraft. The fixed wing aircraft carrying the representatives of the UN and INGOs had landed at the Sri Lanka Air Force Base in Batticaloa around 8:30 a.m. The two Air Force Helicopters carrying the foreign diplomats and government officials landed at the Weber stadium in Batticaloa around the same time.

### **Attack on foreign diplomats**

The Bell 212 Helicopter landed first at the Weber Stadium and took off soon after a few personnel had disembarked from the Helicopter. The MI 17 Helicopter then touched down at the Stadium. When the passengers were getting down from the Helicopter, LTTE commenced their shelling. Two LTTE Mortar shells fell one after the other on the Weber Stadium ground. The Hon. Minister and several Ambassadors who had by this time disembarked were walking away from the Helicopter when the shells fell. In addition to the diplomats, an official from the Ministry of Disaster Management and Human Rights, and an official from the Peace Secretariat (SCOPP) received slight injuries. The pilot of this Helicopter promptly took evasive action by steering the Helicopter away from the danger zone and landing in a safe area. The airstrip at the Sri Lanka Air Force Base in Batticaloa where the fixed wing aircraft landed received five rounds of mortar shells. Since the delegates who had travelled in the fixed wing aircraft had already got down from the aircraft at the time of the shelling, the air force personnel at the Base managed to evacuate them to safety. The aircraft however was slightly damaged.

### **Service personnel injured**

Altogether 10 other people including a school child suffered injuries due to the attack. The injured were rushed to the Batticaloa Teaching Hospital by the security forces personnel. Four police personnel, three STF personnel, and two airmen were among the injured.

### **Meeting with Civil Society in Batticaloa**

Despite the pre-emptive attacks, Minister Samarasinghe along with the Ambassadors and a large contingent of the delegation continued with the planned Town Hall Meeting in Batticaloa with civil society representatives, religious leaders including the Bishop of Batticaloa and Government officials from the area.

### **Pre-meditated attack**

It appears that the entire attack by the LTTE was pre-meditated. The LTTE had prepared themselves well in advance for this strike having been alerted by the prior publicity given to the visit. This unprovoked shelling by the LTTE again demonstrates its callous disregard for human life and limb, indifference to international opinion and increasing contempt for the diplomatic status and immunity enjoyed by the UN and foreign envoys based in Sri Lanka.

### **LTTE attempts to undermine the development of the East**

In the final analysis, this incident is not only an attack on the personnel concerned. It stands out as a carefully planned punitive attempt by the LTTE to undermine the sincere effort undertaken and carried out by the Government of Sri Lanka, with the assistance of the international community; to develop the North and East and extend humanitarian assistance to the thousands of innocent civilians who have been displaced due to LTTE sponsored terrorist activity and ethnic cleansing. Such mindless violence targeting unarmed civilians at airfields being the most recent example, justifies the overall Government defensive strategy employed to protect citizenry and weed out the evil machinations of terrorism from the life of our people.

## Presidential Commission of Inquiry (Col) and the International Independent Group of Eminent Persons (IIGEP)

The inaugural meeting of the Presidential Commission of Inquiry (Col) appointed to investigate and inquire into alleged serious violations of human rights since 1 August 2005, (including in particular the fifteen incidents stipulated in the presidential warrant of 3/11/06 and the additional 16<sup>th</sup> case) and the International Independent Group of Eminent Persons (IIGEP) appointed by the President to observe the investigations and inquiries conducted by the Commission was held in Colombo, 12-13 February 2007.

The eight National Commissioners of the COI and the eleven members of the IIGEP, (chaired by the Hon. Justice P.N. Bhagwati from India) nominated by India, Cyprus, Indonesia, Bangladesh, Japan, the UK, USA, the Netherlands, Australia, Canada, IPU and the EU, participated in the meeting. Key agencies of the GOSL including the Attorney Generals Department, the Ministry of Justice and the Ministry of Foreign Affairs were represented.

It is proposed to periodically conduct meetings of this nature with Members of the IIGEP, so that both the Commission and the IIGEP could efficaciously give effect to their respective mandates as stipulated in the respective Terms of Reference (TOR) of the two entities. The terms of reference (TOR) of the COI as well as the IIGEP were drawn up as a result of a highly participatory process spearheaded by the Hon Minister of Disaster Management and Human Rights. This involved discussions with the Attorney General and relevant government agencies, civil society, the diplomatic community, international organizations and international non-government agencies.

## Mandate of the COI

The Commission of Inquiry is empowered to:

- Cause independent and comprehensive investigations into incidents involving alleged serious violations of human rights arising since 1 August 2005, specifically including serious violations of human rights specified in the Schedule of the Warrant of the Commission. (15 incidents with the addition of a 16<sup>th</sup>)
- Examine the adequacy and propriety of the investigations already conducted pertaining to such incidents amounting to serious violations of human rights and to present a Report or such Interim Reports to H.E, as maybe appropriate containing the findings of the commission's investigations and inquiries and its recommendations matters as detailed.

Also, the COI is mandated to look into:

- The facts surrounding the incident
- The identity of the victims and the nature of their injuries
- The circumstances that led to the incidents
- The identities of the perpetrators
- The efficacy of the investigations into the incident, and recommend:

- (i) Measures to be taken against the perpetrators in accordance with the laws of Sri Lanka.
- (ii) Appropriate measures of reparation to be provided to the victims of serious violations of human rights investigated and inquired into by the COI and to their next of kin.
- (iii) Measures to be taken by the GoSL to prevent such incidents in the future

- (iv) Any other recommendations the Commission considers relevant.

## Mandate of the IIGEP

The IIGEP appointed in addition to the Commission will observe the investigations and inquiries conducted by the Commission with a view to satisfying interested parties, including next of kin and the international community, that the work of the Commission is being conducted in a transparent manner and in accordance with international norms and standards.

The IIGEP will:

- i. Observe jointly or severally the investigations and inquiries conducted by the COI, with a view to satisfying that that such inquiries are conducted in a transparent manner and in accordance with basic international norms and standards
- ii. In order to ensure that such observations could be carried out efficaciously, Members of the IIGEP shall be entitled to access all information and material the Commissioners of the COI have access to and shall through the COI and with its concurrence have access to witnesses when they are called to testify.
- iii. Bring to the notice of the Chairman of the COI and the Hon. Attorney General any corrective action that needs to be taken to ensure the transparency of the investigations and inquiries.
- iv. Submit interim reports on the functioning of the commission to H.E. the President every three months.
  - v. Submit a final report of their observations to H.E. the President prior to the expiry of three months after the issue of the final report of the COI.

## Inaugural Address of the Chairman of the COI

In his opening speech at the meeting the Chairman of the COI, Hon. Nissanka Udalgama, Retired Justice of the Supreme Court, clearly enunciated the respective roles of the two entities as follows: " *The Commission is required in terms of the Presidential Warrant to execute its mandate in accordance with the Sri Lankan law, the International Eminent Group of Persons is required to observe the investigations and inquiries conducted by the Commission, with the view to satisfying that the investigation and inquiries are being conducted in accordance with international norms and standards. The investigations and inquiries into the several incidents amounting to serious violations of Human Rights will be conducted only by the Commission, and the role of the International Eminent Group of Persons would be to observe the functions of the Commission*".

The Chairman of the COI gave an account of the salient activities already undertaken by the Commission and implemented. These are as follows:

- a. the establishment of an office, the empanelment, from nominations sought from the Attorney General of a Panel of Counsel with appropriate professional experience to assist the Commission
- b. the preparation and adoption of a document by the Commission setting out the "Organizational Structure and the Rules of Procedure of the Commission",
- c. the process to finalize the setting up of an investigation unit headed by a Deputy Inspector General of Police and a Security Unit,
- d. the process to develop and set up a victim and witness assistance and protection scheme,
- e. initiatives to set up a Panel of Expert Consultants with experts in the fields of forensic pathology, clinical forensic medicine, forensic analysis of firearms, clinical psychology and other areas of related expertise, and
- f. the publication of notices in the media calling on the public to provide information to the Commission

## **Initial investigation**

At the meeting held on the 12<sup>th</sup>-13<sup>th</sup> February 2006, it was also decided that the first three cases listed on the schedule in the warrant will be investigated initially by the COI. These are the assassination of the Foreign Minister Hon. Lakshman Kadirgamar, PC on 12 August 2005, the killing of the 17 aid workers of the INGO Action Contre Law Fahim in early August 2006 and the alleged execution of Muslim villagers in Muttur in early August 2006 and the execution at Welikanda of 14 persons from Muttur who were being transported in ambulances. In the interim between the inaugural meeting just concluded and the next meeting the COI will obtain all relevant documentation in relation to these cases and make them available to the IIGEP.

## **The Victim and Witness Assistance and Protection Unit**

One key point to note about the work undertaken so far by the COI is that a Victim and Witness Protection Unit is in the process of being set up. This is a new concept in the Sri Lankan legal system. This is critical in terms of giving witnesses sufficient confidence in the proceedings to come forward and testify without undue hindrance, fear of reprisals, intimidation, harassment and retaliation. Presently a sub committee of the COI is deliberating on the development of the mandate, organizational structure and the rules of procedure for this Unit. A number of the IIGEP Members have indicated interest in the witness assistance and protection mechanism

## Ambassador Robert Blake commends CCHA for its efforts to address the humanitarian situation in the North and East

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The fortnightly meeting of the Consultative Committee on Humanitarian Assistance (CCHA) was held on 6 March 2007.

At the meeting, U.S. Ambassador Robert Blake and current representatives of the Co-Chairs, welcomed the systematic process that the CCHA has adopted to address urgent humanitarian issues in the North and East.

The CCHA - a high-level committee appointed to deal with issues concerning humanitarian assistance - is chaired by Hon. Mahinda Samarasinghe, Minister of Disaster Management and Human Rights. The CCHA comprises of Mr. Gotabhaya Rajapaksa, Secretary/Ministry of Defence; Mr. S. B. Divaratne, Commissioner General of Essential Services (CGES); Secretaries of the Ministry of Foreign Affairs, the Ministry of Nation Building & Estate Infrastructure Development, the Ministry of Resettlement and Disaster Relief Services, the Ministry of Health and Nutrition; a representative from the Secretariat for Coordinating the Peace Process (SCOPP); the Chairman of the Co-Chairs and Ambassador to the United States of America - His Excellency Robert O. Blake; Mr. Frederick Lyons the Resident Coordinator/Humanitarian Coordinator of the UN; heads of UN agencies; ECHO and the Consortium of Humanitarian Agencies (CHA).

The main item on the agenda was the presentation of the Report of the Joint Assessment Team to Batticaloa. The Report of the Joint Assessment Team (Batticaloa Report) was compiled following a visit to Batticaloa on 27 of February 2007. The Joint Assessment Team was led by Minister Samarasinghe and included representatives from key Government agencies, heads of UN agencies and members of the diplomatic community. The Batticaloa Report contains recommendations relating to essential supplies, health services, livelihood and the movement of civilians and is aimed at improving the humanitarian situation in the district. Some of the key recommendations contained in the Batticaloa Report are as follows:

- Ensuring a continuous supply of both nutritious and supplementary supplies to Batticaloa for Internally Displaced Persons (IDPs).
- The Government of Sri Lanka (GOSL) to continue its policy of resettling IDPs on a voluntary basis after security, infrastructure and livelihood needs are looked into by the relevant Ministries.
- Provision of uniforms, textbooks, and stationary to displaced schoolchildren, and equipment to schools.
- Implementation of temporary measures to address the shortage of doctors in the Batticaloa and Vaharai hospitals.
- Accelerated procurement of a CT scanner, the opening of an accident service at the Batticaloa Hospital and the renovation of the Vaharai Hospital.
- Renovation of highways and minor roads.
- Setting up of bus depot.
- Addressing the needs of fishermen and farmers and providing them with means to carry out their livelihood.

Two recommendations in the Batticaloa Report, namely, the supply of temporary shelters by the UNHCR and the supply of 5 buses were already implemented by the time of the meeting of the CCHA on 6 March 2007.

In addition to this, the security of IDPs and the urgent needs for the resettlement of civilians was discussed.

The CCHA also followed-up on decisions taken at the meeting held on 20 February 2006 in relation to the Report of the Joint Assessment Team to Jaffna, which recommended measures to address the humanitarian concerns in the district. Many of these recommendations have already been implemented, including:

- Sending cement to Jaffna
- Sending telecommunications repair equipment to Jaffna
- Clearing a backlog of nearly 12,000mt of mail
- Giving publicity to avenues for moving patients during curfew hours
- Provision of medical supplies and an uninterrupted supply of electricity to hospitals
- Relaxation of ban on fishing in some areas surrounding Jaffna

Follow-up of the status of implementation of recommendations in the Jaffna Joint Assessment Team Report and the Batticaloa Joint Assessment Team Report will continue to be taken up at the next CCHA meeting to be held in a fortnight.

### Humanitarian Assistance Update

An update on the supply of essential food and expansion of the distribution network.

#### Supply Update - Jaffna ( 81, 200 Metric Tons as at March 8, 2007 )

In co - ordination with the Ministry of Human Rights and Disaster Management, Ministry of Nation Building, Commissioner General of Essential Service (CGES), Sri Lanka Army, Sri Lanka Navy, Sri Lanka Air Force and Government Agent of Jaffna, the Government ensures continued transport of essential supplies to Jaffna peninsula by sea and air.

The Government has, as of March 8, 2007 transported 81, 200 MT of essential supplies and an adequate stock of fuel to the peninsula.

#### Logistics - Jaffna

About five vessels are currently being used from Colombo to Jaffna to keep stocks in Jaffna at safe levels.

Sri Lanka Air Force have employed C130 (Hercules) and AN 32 Aircrafts to transport 190 Tons (approximately) of urgently needed essential food and medicine from Colombo to Jaffna making altogether 21 flights between the period October 24, 2006 to January 17, 2007.

Essential supplies are being distributed through 523 retail outlets, 20 outlets operated by the Armed Forces, 24 MPCs, 6 outlets operated by the Jaffna District Trade Department Cooperative, 3 outlets operated by the Jaffna District Agricultural and Cooperative Society and 481 private outlets. Following these initiatives the prices of essential food items have been reduced to a considerable level.



## Peace Concert and Peace Fashion Show

This activity coordinated by the United Nations Volunteer Programme in Sri Lanka brought together USAID, Ministry of Sports & Youth Affairs, Ceylon Tourist Board, national and international volunteer organizations, the business sectors such as Sri Lanka First, Business for Peace Alliance, Sri Lankan Airways, major schools in Colombo, eminent artists Island wide, together with celebrities in the spheres of peace, sports, music, fashion and cinema locally and internationally in generating greater support for the Sri Lankan peace process.



### Peace Concert

The singing sensations Bathiya and Santhush with their auxiliary team are popular among the youth and well respected across all ethnic communities were named as Peace Ambassadors by UNV at this event and preparations have been made to launch the theme song with lyrics written in Sinhalese Tamil and English by a Tamil lyricist and composer Sri Shyamanganathan famed for trilingual compositions.



The dancing troupes of Mr. Ravibandu Vidhyapathy, Mr. Kulasiri Budhwatte and Mrs. Arunthathy Sri Ranganathan well known in the Sri Lankan artistic spheres also performed at the concert, along with members of the Sunera Foundation bringing together the talents of disabled persons, especially disabled veterans of war.



On an International level the Supermodels Dji Dieng, Anna Zee and Ana-Paula Araujo participated along together with Lando, an internationally well-known German Jazz and Pop-Violinist will sing the peace song "Malekum Salaam", the new rap peace song.





## Peace Fashion Show

'Highway to Peace' a fashion show organized by the Sri Lanka Tourist Board and the United Nations Volunteers at H2O night club showcased the latest collections from Lou Ching Wong, the Fabric Gallery, Vati fashions, Odel Unlimited, the Yoland Collection by Yoland Aluvihare Holm and a collection from the reknowned Trash label couturier Hermes Vivienne Westwood showcased his exclusive collection at the show.



Super models Dji Dieng, Anna Zee Linde Stoel and Sophie Van Hoker participated. The main objective of this event was to boost the image of Sri Lanka in Europe. Fashion TV, Vogue and Condé Nast also covered the event.



Major sponsors included Dji Dieng Management/CCR Comptoir SA, SriLankan Airlines, Galle Face Hotel, H2O, Vogue Magazine, Derana, Sunday Island, UNESCO, USAID, Odel, Lou Ching Wong, Vati Fabric Gallery, Yoland Collections and Trash Couture.



## The Continuation of the Ceasefire Agreement - The Commitment of the GoSL to a Negotiated Settlement



22 February 2007

The Ceasefire Agreement (CFA) remains valid until it is terminated as stipulated in the agreement. Article 4 of the CFA deals with the issues of entry into force, amendments and termination of the CFA.

### Termination:

The CFA terminates only upon notice of termination given by either Party (Article 4.4). The Party intending to terminate the Agreement should give notice of termination 14 days in advance of the effective date of termination. A reading of the terms of the CFA does not indicate any other means by which the CFA could be terminated.

### Consent to be bound:

The consent to be bound by the CFA was established through letters addressed to the Norwegian Minister of Foreign Affairs, by the two parties (Article 4.1). Such letters were signed by Prime Minister Ranil Wickremasinghe on behalf of the GoSL, and by the leader of the LTTE Velupillai Pirabakaran.

### Entry into Force:

The CFA entered into force on 22 nd February 2002, as notified by the Norwegian Minister of Foreign Affairs (Article 4.2)

### Amendment and Modification of the Agreement:

The terms of the CFA can be amended and/or modified by the two Parties. However, there needs to be mutual agreement on such amendments or modifications, which may be proposed by either Party. Unless there is mutual agreement, any such amendments and/or modifications would not be effective (Article 4.3)

### Observations

The overall objective of the GoSL at the time the CFA was signed and the LTTE as per the opening paragraph of the Preamble of the CFA is to " *find a negotiated solution to the ongoing ethnic conflict in Sri Lanka*".

The GoSL of today remains committed to finding a negotiated solution to the conflict. It does not see the conflict as an ethnic conflict, as over 54% of the Tamil people live out of the North and East provinces and the Eastern province remains multi-ethnic. Significantly the conflict is not between the Tamil people and the other ethnic groups in the country. On the contrary it is a conflict kept alive by the LTTE an armed terrorist group, who are not accepted as the sole representatives of the Tamil people.

The parties, by entering into a ceasefire, have agreed ' *to refrain from conduct that could undermine the good intentions or violate the spirit*' of the CFA

(Preamble).

It is reasonable to conclude on an analysis of the atrocious record of violence maintained by the LTTE since the signing of the CFA and in particular since November 2005, that the LTTE have not kept to the main objectives of the CFA. This is also clearly reflected in the many instances in which they have refused to participate in any negotiations with the GoSL.

The LTTE have continued to violate the CFA by numerous offensive activities. The GoSL pursuant to Article 1.3 of the Agreement, have continued to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.

The GoSL has continued to remain committed to finding a negotiated settlement as reflected in its willingness to resume peace talks with the LTTE and the other measures it is taking to find political consensus.

This Government has clearly stated and reiterated on numerous occasions that it is committed to a negotiated political settlement of the conflict and that its aim is to move the country forward to the realization of a just and honorable peace; a peace based on the principles of a true democracy and human rights. A peace that will deliver justice and fair play to all sections of the people, especially the Tamil community, in political, economic and social terms.

The Government has adopted an inclusive approach to this goal and taken a number of initiatives to facilitate the realization of a negotiated settlement. Significant among them are the initiatives to reach a political consensus, the human rights initiatives, humanitarian assistance initiatives as well as the continued efforts to fulfill all essential supplies, facilities and infrastructure requirements of the people in the North and East. The government has simultaneously given priority to developing the North and the East, .

This commitment to peace and to the objectives of the CFA is clearly reflected in the government's continued efforts to maintain the rule of law and ensure that the human rights of all citizens of the country are respected. The government is committed to striving to make this possible again in the areas currently controlled by the LTTE, where the rights of the people are gravely violated by the LTTE.

# Baseless Allegations of Abductions and Disappearances



08 March 2007

## (A) Unverified Allegations

The spate of criticism and accusations, leveled at the SL Armed Forces, the Police and the Government of Sri Lanka during recent times, for complicity in abductions and disappearances that have taken place in certain parts of the country are unfounded. Various groups and organizations, local as well as international, have raised concern over these alleged human rights violations. It is significant to note that there is no confirmation that these agencies have followed any procedures to verify the allegations. The GoSL is taken to task based mostly on hearsay and fabrication that certain elements in government agencies have had a hand in some of these abductions and disappearances.

## (B) GoSL Upholds Rule of Law

The GoSI as a democratically elected government, is committed to upholding the rule of law and the preservation of human rights, this includes the conduct of inquiries into the fate and whereabouts of missing persons including abductions. This is an ongoing and continuous process. It is not a response to the recent allegations in various fora.

However as a responsible member state of the international community the GoSI has established a series of mechanisms recently to reinforce the protection of human rights. Some of the initiatives are as follows:

- A Ministry of Human Rights and Disaster Management has been established for the first time.
- The Standing Committee on Human Rights has been reconvened. The Committee is mandated to deal with allegations of human rights violations by the Police and Armed Forces and to provide policy guidance to the GOSL on various human rights issues
  - An Inter-ministerial Committee on Human Rights was convened and meets monthly with senior members of the law enforcement agencies and relevant ministries in a concerted effort to meet problems and arrive at effective resolution without delay.
  - Selected Police stations have since 2006 been staffed with individuals who have attended Tamil teaching programmes. Retired Tamil speaking public servants and other senior members of civil society have been invited to assist. This is to enable the Tamil speaking community to approach the Police with ease and enable a better communication system.
  - The appointment of Retired High Court Judge Mahanama Tillekeratne to head a Commission to inquire into the increasing allegations of instances of abductions, disappearances and killings in Colombo and other parts of the country.
  - The appointment of a Presidential Commission of Inquiry (COI) to investigate and inquire into alleged serious violations of human rights and the International Independent Group of Eminent Persons (IIGEP) appointed to observe that the COI functions in accordance with international norms and standards.

- The re-issue of Presidential Directives on the Arrest and Detention of Persons. The directives restate the statutory authority of the Human Rights Commission of Sri Lanka to monitor the welfare of persons detained through regular inspections of places of detention and require that the police inform the commission within 48 hours of all arrests and detentions. The police must also provide relatives of persons arrested with receipts.

Sri Lanka, as a party to a number of international human rights treaties and as a member of the UN Human Rights Council, is taking every possible step to protect and preserve human rights in the country. The GoSL and the SL Armed Forces are not deterred by the attempts made by the LTTE to place the blame on the GoSL for the myriad human rights violations perpetrated by the LTTE.

[For example on 6 th October 2004, a joint Press Release issued by the International Commission of Jurists, Human Rights Watch and Amnesty International requested the LTTE to stop human rights violations, and to prove that the LTTE is both willing and capable of respecting the lives and rights of all Sri Lankans. It was also stated then, by Loubna Freih, Geneva Director for Human Rights Watch, that the 'LTTE seems to have dramatically escalated the killing of perceived Tamil opponents and is still recruiting child soldiers" - See *Peace in Sri Lanka: Obstacles And Opportunities*, 2005,p. 378. It was also stated by the University Teachers for Human Rights ( Jaffna) in August 2006, that the hapless people living in the LTTE controlled areas have been long abused and that the LTTE carries no credibility internationally (<http://uthr.org/Statements/>)

### (C ) Revelations re alleged abductions

The inquiries conducted by the Disappearance Investigation Unit (DIU) of the Criminal Investigation Department ( CID) and the relevant Police authorities and the subsequent revelations, have led to the inescapable conclusion that much of the accusations were stage managed for mere propaganda purposes. The following, which reveal the outcome of the investigations substantiate the fact that neither the Security Forces, nor the Police, have been involved, directly or indirectly, in the alleged abductions and disappearances.

It is evident that many of the cases reported below were clearly and intentionally manipulated, with the ulterior motive of gaining some personal advantage. This was in some instances to gain entry to a foreign land. In other instances, it was to avoid a Customs penalty or a consequence of not adhering to a Court order. Other cases reveal the negligence on the part of those who were allegedly abducted, of not informing their parents or guardians about their fate or whereabouts. Some others also show that underworld criminal gangs have been conveniently mistaken to be armed groups consisting of SL Army and Police personnel.

The LTTE in its endeavour to tarnish the image of the GoSL, exaggerates the human rights situation as a debilitating and hopeless one. Any group or organization, falling prey to this malicious propaganda of the LTTE, without prior inquiry, investigation or reliable verification, could as well be accused of complicity in propagating and disseminating the message and motives of the LTTE. A summary of some of the complaints and inquiries conducted by the DIU and the Police are as follows:

- 1) Complaint: The Human Rights Commission ( HRC) of Sri Lanka, by letter dated 20 th October 2006, reported the disappearance of Sivarasa Devendran of Mannipai, Sudumalai.

Comment: Inquiries by the DIU of the CID revealed that Sivarasa Devendran is presently domiciled in France. His mother, Sivarasa Parameshwari, has confirmed this position.

2) Complaint: The United Nations High Commissioner for Human Rights, by letter dated 07 th July 2006, reported the abduction of Mr. Krishnapillai Kamalanadan, the Director of the Tamil Rehabilitation Organization ( TRO) on 02 nd July 2006. Comment: Inquiries conducted by the DIU of the CID revealed that Krishnapillai Kamalanadan is presently employed in the LTTE controlled Eastern area as the Director/ TRO. Mr. Kanagasabapathy Balendran, the Senior Consultant of TRO/ Colombo Office, confirmed this.

3) Complaint: The HRC of Sri Lanka, by letter dated 28 th November 2006, reported the disappearance of Joseph Kennedy of No. 722/1, Police Lane, Ragama, on 04 th May 2006.

Comment: Inquiries conducted by the CID revealed that Mr. Joseph Kennedy was arrested by the Modera Police on 05 th May 2006 for possessing dangerous drugs. He had been fined Rs. 6,000/= by the Magistrate's Court, Maligakanda (Case No. 43358), after having pleaded guilty. Since he had failed to pay the fine, Mr. Kennedy had been in Remand Custody for sometime and released consequent to the payment of the fine. Steps are being taken to re-unite him with his spouse Nadesha Kennedy who is the complainant.

4) Complaint: The United Nations (UN) Colombo Sri Lanka, complained to the CID that a UN staff member, Moorthy Pradeep, was abducted by two gunmen from his residence in Batticaloa on 03 rd December 2006, and had requested a ransom for his release.

Comment: Inquiries conducted by the DIU of the CID revealed that Moorthy Pradeep has been relocated in another area by the UN Office after being found in Colombo. The UN Colombo Sri Lanka withdrew the complaint.

5) Complaint: On 28 th October 2006, the OIC/Grandpass Police received three complaints to the effect that the following had been threatened over the telephone demanding ransom, and if not, to face abduction. They are:

- i. Anthony Lawrence (Date of complaint - 20 th October 2006)
- ii. Ramasamy Jayakumar (Date of complaint - 27 th October 2006)
- iii. Abdul Rasheed (Date of Complaint - 28 th October 2006)

Comment: The Officers of the Grandpass Police arrested suspects Mohomad Sarook, Abdul Hameed and Mohomad Irfan in this regard, whose complicity have been revealed. Criminal proceedings were instituted against them on 24 th February 2007 in the Magistrate's Court of Colombo (Case Nos. B 7150, 7151 and 7152). None of these suspects are connected to the Security Forces of the GOSL, but to an organized criminal gang.

6) Complaint: On 28 th October 2006, one Suppaiyah Dharmarajah of Mattakkuliya lodged a complaint at Modera Police Station to the effect that one Ms. Wijekumari Sriprabha, a boarder resident at his abode, had gone missing. This was thought to be an abduction.

Comment: Inquiries conducted by the Modera Police Station revealed that she appeared at the residence of the complainant on 08 th November 2006 stating that she had got married to a person from Wattala and had spent the last few days with him.

7) Complaint: On 21 st November 2006, Ranjini Shanthimoorthy, the spouse of Nadaraja Chandramoorthy of New Chetty Street, Colombo 13, complained to Kotahena Police Station that she received an anonymous phone call to the affect that an unknown group had abducted her husband on his way to the Embassy. Subsequently she made another statement stating that her spouse Nadaraja

Chandramoorty had returned home.

Comment: Inquiries conducted by the Kotahena Police Station revealed that this complaint had been lodged in order to obtain a certified copy of the same to apply for Visa to travel overseas. This refers to Magistrate's Court Colombo, Case No. 7904/06.

8) Complaint: Major M.D. Dassanayake of the OCC/Colombo was taken into custody by the TID of the CID for his involvement with the LTTE. He had assisted the LTTE by providing vital information regarding the movements of Senior Army Officers, including the movements of Late General Parami Kulatunga and Major T.N. Muthalif of the Military Intelligence.

Comment: Inquiries conducted by the TID of the CID revealed that he is the leader of an underworld gang that is responsible for the kidnapping of a businessman named K. Gandidasan of No. 56, York Street, Colombo 01. The victim has been released after a payment of US \$ 375,000/= by a relative of the victim who is residing in Singapore.

9) Complaint: The Australian High Commissioner of Sri Lanka complained to the CID that Mr. Nadarajah Sri Skandarajah, an Australian citizen residing at No. 61/1A, Gregory's Road, Colombo 07.

Comment: Inquiries conducted by the CID revealed that Mrs. Sri Skandarajah had lodged a complaint at Cinnamon Garden Police on 20 th July 2006 that her husband, Mr. Nadarajah Sri Skandarajah, was missing. Subsequently, Mrs. Sri Skandarajah had informed the investigators that she paid Rs. 6 million to the abductors for the release of her husband. However she declined to disclose as to how she collected this money to pay the ransom. Inquiries also revealed that the Sri Lankan Customs is conducting an inquiry against Mr. Sri Skandarajah for defrauding the GOSL to the value of Rs. 450 million by way of making a false declaration. This case is nearing completion and he is liable for a penalty of Rs. 1,350,000 million and criminal charges.

It should also be noted that in the course of the custom inquiry in 2004, Mr. Sri Skandarajah disappeared and Mrs. Sri Skandarajah, in her statement to the Sri Lanka Customs, had stated that Mr. Sri Skandarajah left saying "I am going out of Colombo" and that she thinks he is in Polonnaruwa. Based on the above mentioned facts, it could very well be inferred that this abduction/disappearance has been manipulated with the intention of avoiding the huge custom penalty.

## Civilians Under Threat



12 March 2007

Innocent civilians in the North and East were again subject to threats by the LTTE when they declared that the civilians travelling by boats between the North and East " would become a legitimate military target if they were suspected of carrying Sri Lankan troops" . The LTTE on Monday, 5 March 2007 warned civilians not to board vessels operated by the government between Trincomalee and Jaffna as it had decided with immediate effect to attack such vessels. This decision was taken by the LTTE based on their claims that "the vessels were used to disguise the transportation of weapons for a military offensive against the rebels in the North of Sri Lanka" . LTTE political head S. P. Thamilselvan speaking to the media following talks with Norwegian Ambassador Hans Brattskar, stated that "their intelligence revealed military personnel and equipment were being moved to Manaluru in order to attack Mullaithivu. Therefore the LTTE maintain that these vessels would become legitimate targets (if they carry such weapons as per their intelligence reports)" .

This warning comes at a tense time in Sri Lanka following the LTTE mortar attack on a helicopter carrying around 30 foreign dignitaries to Batticaloa, on 27 February 2007. Along with these threats, the LTTE warned that "the entire island would plunge in to a bloody war if the Government of Sri Lanka (GoSL) decides to engage its forces in an attack on Mullaithivu" .

The reasons for civilians commuting between Trincomalee and Jaffna vary between visiting their family members, attending on work related matters, medical reasons etc. and using Trincomalee as a transit point for travel to Colombo. The irony of the most recent threat is that, the commuters are predominantly Tamil civilians. This proves the LTTE's complete disregard for human life (in this instance especially for the lives of the very people they represent and claim to be fighting for) and the fundamental rights of the Tamil people by restricting their movements. Following the previous blatant attacks and threats of attacks on vessels (attempted attack on Pearl Cruise II on 11 May 2006, attempted attack on Green Ocean I on 9 November 2006, and rammed a cargo vessel 'City of Liverpool in January 2007) travelling to Jaffna, civilian charter vessels are no longer willing to provide their services to transfer civilians. The LTTE demonstrated their hideous behaviour by forcibly boarding the Jordanian merchant vessel MV FARAH 111 on 23 December 2006. These incidents led the GoSL to make a decision on humanitarian grounds to provide Sri Lanka Navy vessels and security to transfer these civilians. Based on this humanitarian action, if the LTTE were to attack these vessels, it would be an attack against civilians and a violation of Humanitarian Law. Further this warning is tantamount to a repudiation of the CFA and a direct act of aggression against the sovereignty of the nation.

The fact remains that innocent civilians bear or have borne the brunt of this conflict of over 25 years. The situation in Sri Lanka is perhaps more complex with citizens not just in the South, but particularly in the North and the East suffering under the pall of terrorism and armed conflict. The suffering of the citizens in the North and the East in particular can be attributed to terrorism and armed conflict (which has resulted in despair, trauma, loss of livelihood, among others) leaving not just them, but the entire country scarred for many generations to come. The constant cloud of fear hovers over the civilians in the country. It is accepted that in a conflict environment, normalcy cannot be restored completely. This is made significantly worse with warnings of the above kind, being made with specific reference to civilians.



## Chairman of the Presidential Commission of Inquiry



19 February 2007



The following is the address of Justice Nissanka Udalgama delivered on the occasion of the Inaugural Meeting between the Presidential Commission of Inquiry and the International Independent Group of Eminent Persons (IIGEP) held on February 12, 2007.

Inaugural Meeting between the Commission of Inquiry and the IIGEP  
 Address of the Chairman of the Commission  
 My fellow members of the Commission,  
 The Chairman and the other members of the International Independent Group of Eminent Persons,  
 Solicitor General and other members of the Panel of Counsel of the Commission,  
 Secretaries to the Ministries of Foreign Affairs, and Disaster Management & Human Rights,  
 Secretary Ministry of Justice who is also the Head of the IIGEP Secretariat,  
 Senior Additional Secretary to the President,  
 The Police Officers assigned to the Commission,  
 Senior Public Servants present here,  
 Secretary to the Commission and other officials of the Commission,  
 Ladies and Gentlemen.

It gives me great pleasure to address you today, at this inaugural meeting as the Chairman of the Commission of Inquiry appointed by His Excellency the President of Sri Lanka in terms of the Commissions of Inquiry Act, to investigate and inquire into alleged serious violations of Human Rights occurring in Sri Lanka since 1st August 2005, including in particular 15 incidents stipulated in the Presidential Warrant. This is the inaugural meeting the Commission is conducting with members of the International Independent Group of Eminent Persons (IIGEP), who have been appointed by the President to observe the investigations and inquiries conducted by the Commission. We propose to periodically conduct meetings of this nature with members of the IIGEP, so that both the Commission and the IIGEP could efficaciously give effect to their respective mandates as stipulated in the respective terms of reference of the two entities.

At the outset itself, it is with a degree of pride that I wish to state that, I feel honoured to be assisted by seven other Commissioners, who are much respected and learned senior members of our society. They come from varied professional backgrounds and represent the diverse pluralities of the Sri Lankan society. They have one thing in common, that is their respect and commitment towards the promotion and the protection of Human Rights. They also have one common qualification. That is their unblemished reputation and integrity. I am truly honoured by their association with me in this Commission.

We as members of the Commission are most pleased by the profiles of the gentlemen present here today, who have been invited by the President of Sri Lanka to function as members of the International Independent Group of Eminent Persons (IIGEP). All of you are much respected in your own countries. Your eminence in your respective fields of professional activity has earned you much reputation as being both independent and eminent. It would be our pleasure to see you observing the functions of the Commission. However, I cannot but ignore observing that the international community has not in the nomination of persons to the IIGEP considered the need to maintain a gender balance.

I wish to take this opportunity to enlighten learned members of the IIGEP of some of the salient activities already undertaken by the Commission and implemented.

Soon after the Commission and the Secretary to the Commission was appointed by the President, the preparatory work of the Commission commenced. One of the challenging tasks was to identify and open the office complex of the Commission. The Bandaranaike Memorial International Conference Hall (BMICH) being one of the most conveniently located and well equipped institutions, was identified and obtained to house the Commission. The office of the Commission has now been established and is functioning.

The Commission being mindful of the need to obtain assistance of legal counsel with appropriate professional experience, sought and obtained the nominations of the Honourable Attorney General to empanel the Panel of Counsel of the Commission. Acting on nominations of the Attorney General, the Solicitor General was appointed as the Lead Counsel of the Commission and is ably assisted by two Deputy Solicitors General, two Senior State Counsel and a State Counsel. We are much assisted by the Panel of Counsel.

Upon a consideration of the statutory provisions of the Commissions of Inquiry Act and the mandate of the Commission as reflected in the Presidential Warrant, the Commission arrived at the view that, it would be appropriate to develop and adopt a formal organizational structure for the Commission and a set of Rules. After serious thought and several rounds of deliberations, the Commission adopted a document setting out the 'Organizational Structure and the Rules of Procedure of the Commission'. A copy of document has been included in the folder which has been issued by the Commission to members of the IIGEP.

The Commission also addressed its mind for the need to recruit personnel to the Investigating Unit of the Commission. It was deemed by the Commission, that it would be appropriate for the Investigating Unit to be headed by a Deputy Inspector General of Police who possesses an unblemished character, suitably qualified and well experienced in the field of criminal investigations. With the active co-operation of the National Police Commission and the Inspector General of Police, a series of interviews were conducted. The Commission thereby identified a suitable officer to function as the Head of the Investigation Unit. His formal appointment will be made within the next couple of days. A deputy to the Unit and additional investigating officers will be selected soon.

The Commission also identified the need to develop a victim and witness assistance and protection scheme, with the view to creating a conducive environment in which victims and witnesses could provide information to the Commission, make statements and testify before the Commission without undue hindrance, fear of reprisals, intimidation, harassment and retaliation. For this purpose, it is intended to establish a Victim and Witness Assistance and Protection Unit. Presently a Sub Committee of the Commission is deliberating on the development of the mandate, organizational structure and the rules of procedure of this Unit. A Notice was published in the media calling on the public to provide information

to the Commission. In addition to routine publication in the print and electronic media, steps were taken to disseminate information through grass root level administrative structures, pertaining to the call by the Commission to provide information. There is already a response to this Notice. Further action will be taken in due course to invite the public to provide information to the Commission.

During our forthcoming discussion session, we will brief you in further detail regarding action already taken by the Commission in the furtherance of its mandate.

I am advised that, this Commission which has been established under domestic law of a sovereign nation which is required to give effect to its mandate whilst being observed by a group of international independent eminent persons, is a unique institution. Possibly, world over, the first of its kind. Whilst the Commission is required to in terms of the Presidential Warrant execute its mandate in accordance with the Sri Lankan law, the IIGEP is required to observe the investigations and inquiries conducted by the Commission, with the view to satisfying that the investigation and inquiries are being conducted in accordance with international norms and standards. I am well advised that, investigations and inquiries into the several incidents amounting to serious violations of Human Rights, will be conducted only by the Commission. As the Commission understands, the role of the IIGEP would be to observe the functions of the Commission and not to engage in alternative or parallel investigations or inquiries into these incidents.

I believe, that only a well considered understanding of our respective duties and responsibilities, could lead to a smooth functioning of the Commission and the IIGEP. Particularly due to the uniqueness of the mandates and the nature of the institution that has been established, we would indeed have to carefully develop our respective working methodologies and a joint programme of action wherein both entities (the Commission and the Observer Panel) could properly discharge their respective duties. Possibly the entirety of tomorrow's session could be devoted for that exercise.

I hope that the deliberations we engage in during this meeting will provide a sound platform for the discharge of our respective mandates efficaciously. I am confident that this Commission of Inquiry would conduct its investigations and inquiries in accordance with international norms and standards and fully discharge its mandate leading towards reports being issued by the Commission in furtherance of its terms of reference.

Thank you.

# Sri Lanka's Foreign and Security Policy: the challenge of Terrorism



13 March 2007

## **The speech delivered by the Foreign Minister Hon. Rohitha Bogollagama at the International Institute of Strategic Studies on 8 th March 2007**

Mr Chairman,  
Excellencies,  
Ladies and Gentlemen:

I am extremely happy to have this opportunity to speak at the IISS which is well known internationally for its contribution towards deepening our understanding of defence and security related issues in today's world. My predecessors have held the work of your institute in high esteem and today we have established a similar institution in Sri Lanka named after one of my distinguished predecessors, the late Lakshman Kadirgamar.

I take this opportunity to record our appreciation for the valuable advice by the IISS when we were taking the first steps in seeking to establish our Institute.

At the outset may I thank Dr Patrick Cronin, Director of Studies for the kind introduction and also Dr John Chipman, the Director-General and Mr Rahul Chaudhury for inviting me and arranging this event.

Sri Lanka's Foreign Policy in the first decade after independence was largely influenced by the post world war environment of reconstruction, reconciliation and peaceful co-existence.

In the cold war era that followed our leaders at that time favoured non-alignment with the objective of consolidating our newly regained independence and breaking away from the shackles of imperialism. The closure of British military bases at Katunayake and the port city of Trincomalee was also aimed at manifesting our commitment to this policy. Our non-alignment however, did not prevent us from constructive engagement with those very power blocs of the cold war period. We especially played an active role in multilateral fora as a founding member of the Non-aligned Movement and in the United Nations.

However as a developing country with a growing population our primary focus in the decades that followed was trade and economic relations. Obviously it remains in our interests to ensure that the fruits of economic progress are distributed as equitably as possible to all corners of our country as this would help create a domestically stable environment.

Prof F S Northedge in his book - "The Foreign Policies of the Power" - states that the Foreign Policy of any country is a product of environment factors both internal and external to it.

In this context Sri Lanka's proximity to the vast sub-continent of India on its northern flank and our vulnerability on the southern flank, given that there is no land mass from the south of the island straight down to the South Pole are key factors that have shaped our Foreign and Security Policy. Maritime security becomes a key factor for an island that is as strategically located as we are. Prof

Joseph Frankell in his treatise "The Making of Foreign Policy" expands on this by stating that the Foreign Policy of any government simultaneously will seek two inter-related objectives: enhance national security and greater economic development.

This brings me to the main focus of my presentation and that is the challenge of terrorism which has hampered the pursuit of our priorities in the last two decades. The violent terrorist activities of the LTTE in Sri Lanka which is known world wide to have pioneered the lethal art of suicide attacks against civilians now being copied by the al-Qaeda network and instilling a similar culture in innocent children has posed a serious challenge to our national security. The LTTE being steeped in violence has resulted in the loss of over 60,000 lives. In May 1991 an LTTE suicide bomber assassinated Indian Prime Minister Rajiv Gandhi.

Yet another suicide bomber in 1993 assassinated Sri Lankan President Ranasinghe Premadasa. In January 1996 they conducted a suicide mission on the Central Bank of Sri Lanka and a year later yet another similar mission occurred on Sri Lanka's holiest temple - the Temple of the Buddha's Tooth Relic in Kandy. These are only a few examples of the suicide attacks carried out by the LTTE. This terrorist organisation which claims to represent the Tamil people has in two decades of fighting killed more of their own ethnicity than any other ethnic group in Sri Lanka.

In the last Presidential elections it prevented the Tamil people in several parts of the north & east from exercising their franchise through various forms of threat and intimidation. The LTTE itself has shied away from presenting itself before its own people for election and has ruthlessly suppressed dissent among the Tamil community. Almost the entire Tamil political leadership from Alfred Duraippah, the one time Mayor of Jaffna to Appapillai Amirthalingam, the late TULF leader to Neelan Thiruchelvam and Lakshman Kadirgamar were silenced by the barrel of the gun.

The LTTE's criminal activity has transgressed our national boundaries. The IISS publication 'Military Balance 2007' refers to possible commercial links between the LTTE and the al-Qaeda movement. In fact there is evidence that the LTTE established linkages with the Mujahiddins in Afghanistan as far back as 1987. There is further proof to establish that even in 2001 an LTTE delegation travelled to Kabul shortly before nine eleven. A few weeks ago India's National Security Adviser M K Narayanan in a speech at the Munich conference on Security Policy informed that both Jihadi movements and the LTTE were relying heavily on funds from trafficking in narcotics which has doubled in recent years. The LTTE with its fleet of merchant vessels run by a front organization and established presence in the arms black market has been providing mercenary services to several other terrorist groups around the world.

Regrettably the world tends to view certain terrorist organizations with a degree of tolerance. Dispensers of terror are sometimes viewed as rebels or freedom fighters as long as they do not wreak havoc on those countries' door steps. Some countries are not too concerned about allowing terror organisations to establish front offices, organizations, lobby groups and charities based on the premise of democracy and if those activities do not impinge on their own national security.

By this they have demonstrated insensitivity and indifference to the fact that terror at the national level is inextricably inter-linked to terrorism at the international level.

Since the problem of terrorism is global, any measures to effectively counter this menace requires inter-state bilateral cooperation. For instance to discharge obligations clearly imposed on states under international law and the elimination of all activities within a territory of one state which are of terrorist leanings and

are directed towards the carrying out of terrorist activity in other states, bilateral cooperation in this area is vital.

This obligation also covers acts which though seemingly legitimate are clearly directed towards sustaining terrorist activity in other states such as fundraising, which are ultimately channeled for the purpose of purchasing of arms etc.

The obligation under international law is emphasized in unequivocal terms in the UN Declaration on measures to prevent international terrorism contained in Resolution 49/60.

"States guided by the purposes and the principles of the Charter of the United Nations and other relevant rules of international law, must refrain from organizing, instigating, assisting or participating in terrorist acts in territories of other States or acquiescing in or encouraging activities within their territories directed towards the commission of such acts".

The LTTE's capacity to engage in terrorist activities in Sri Lanka is mainly due to the continued flow of funds to the LTTE war chest even from the UK, through which the procurement and smuggling of illicit arms have been sustained.

Expectedly funds collected by the LTTE overseas continue to have a destabilising effect on Sri Lanka. This is manifest both in terms of supporting terrorist activities in Sri Lanka and precipitating the displacement of people internally and externally. The people so displaced who go abroad continue to be exploited by the LTTE to extort money, creating a vicious and self-supporting cycle of intimidation, arms smuggling and terrorism. In addition the LTTE is engaged in money laundering, credit card fraud, money transfer through couriers and a range of other illegal activities.

Former UN Secretary-General Kofi Annan has described terrorist groups which capitalize on the nexus between drug trafficking and gun running as representing a supra-national subversive threat to peace and security within and among nations.

There is also a clearly evident relationship between collection of funds in foreign countries and the promotion by the LTTE of the outflow of asylum seekers into western countries. The LTTE needs a considerable population of asylum seekers abroad in order generate sufficient funds through extortion.

There are several examples cited in the Human Rights Watch report titled "Funding the Final War" on the manner in which funds are collected in the UK and Canada. There is no difficulty in finding evidence of these activities as this report and recent television documentaries have shown.

What is new and significant in this is the fact that the fundraisers now openly list the LTTE as one of the organizations through which funds can be channeled for humanitarian purposes. It is significant to note that none of the fundraisers ask the donors to channel their contributions to any of the recognized humanitarian organizations such as the ICRC and other respected INGOs.

They always request donations to be channeled to LTTE fronts like the British Tamil Association (BTA) here in the UK. Most often the governments and foreigners who contribute to these organizations have no substantial proof as to how these funds are used. Some internet providers have circulated more direct and serious messages "urgent appeal for money for missiles - contribute generously to LTTE". This openly acknowledges what the fundraising is for, with community radio and TV stations, places of religious worship are also being used openly for propaganda purposes in Europe.

Continued fundraising abroad through which terrorist activities in Sri Lanka are being sustained by the LTTE, has become a major factor militating against government's search for a political solution on the basis of extensive devolution of power to address the grievances of all groups comprising the country's citizenry. The activities of the LTTE abroad have also received considerable publicity in Sri Lanka. There is therefore a growing public opinion against the impunity with which the LTTE conducts its fundraising activities and their propaganda work directed at sustaining terrorism in Sri Lanka.

Public opinion in Sri Lanka is that therefore the government should take the strongest possible measures to eradicate terrorism with or without external support.

As we are aware post nine eleven the LTTE was listed as a terrorist organization both in the UK and USA and subsequently in 2006 by the European Union. However there has not been any significant decline in the fundraising and blatantly flagrant propaganda activities. This leads us to the conclusion that proscription like any other domestic law has to be implemented.

Firstly by enacting national laws and then their application, for which purpose considerable resources need to be allocated by states on whose soil the LTTE operates openly and freely. There has also got to be above all the will to prioritise such action.

The international community in this instance must translate their goodwill shown towards Sri Lanka into practical action rather than spin rhetoric. Like poverty, terrorism anywhere is a threat to humanity everywhere. It should be defeated if democracies are to survive.

Despite the challenge posed by this most ruthless terrorist group, the Government of Sri Lanka is aware of its obligations to respect the rule of law and the need to address the grievances of the affected minorities. This is the reason we remain committed to a negotiated political settlement. After President Mahinda Rajapaksa was elected, he took a new approach towards the peace process.

He established an All Party Conference and has obtained the support of most of the political parties with a view to reaching a consensus on a political settlement.

Already the All Party representative committee has reached the final stage of its deliberations and is shortly due to publish its proposals on devolution of power to address the grievances of all groups. Military action has been resorted to in a targeted manner only to ensure the safety of the innocent civilian population.

The challenge before us however remains; the LTTE stubbornly refuses to sit down for talks.

After two rounds of negotiations with representatives of our government it walked out of the talks without any basis and has continued its campaign of terror and be intransigent.

I hope during the discussion that will follow my presentation that I can enumerate further the need for a collective global response to terrorism, whatever its origin or particular brand and to explain the government's sincere commitment to resolve the crisis peacefully. Sri Lanka is one of Asia's oldest functioning democracies where respect for human rights and the rule of law is a high priority.

We sincerely hope that the LTTE too will realize the futility of violence and decide to transform into a democratic entity where every citizen will have the freedom to choose their leaders and manner of governance. The LTTE needs to

transform from being a fascist dictatorship to a democratic one, whilst the state needs to transform into a devolved entity. The latter process has already begun and the onus is on the LTTE to transform itself since the patience of the majority of our people is fast running out.

The international community should for its part assist the Sri Lanka Government in bringing about a home grown solution in keeping with ground realities and use its leverage with the LTTE, which has an extensive network in those countries.



## Peace in Sri Lanka and the role of the international community



Speech delivered by Hon. Rohitha Bogollagama, Minister of Foreign Affairs,  
at Chatham House on March 9, 2007.

Madam Chairperson,  
Excellencies,  
Ladies and Gentlemen:

I consider it a great privilege to have this opportunity to deliver this address at the Royal Institute of International Affairs. Chatham House as we all know is a place steeped in British history and has for many decades now, served as a premier forum for discussion on world affairs. I thank you Madam Chairperson for the kind words of introduction and also convey my appreciation to the Director of Chatham House and his staff for inviting me here today.

Ladies and Gentlemen: Sri Lanka unlike many other independent states that emerged from colonial rule did not become victim of single party or military dominated undemocratic regimes. In over five decades of independence we have grown into becoming a functioning democracy with a vibrant multi-party system. Elections are held regularly through a system of proportional representation that is extremely accommodating of minority representation. Our Parliament is representative of all groups. Although the Sinhalese people comprise over 73% of the population, our Constitution guarantees equal rights to all groups regardless of their numerical strength. In fact Sinhala and Tamil are the two official languages of Sri Lanka, and the Constitution also guarantees freedom to every individual to practice a religion of his choice. This ethnic and religious harmony has existed amongst our peoples not just in the post independence period but throughout our two thousand five hundred years of recorded history. The very fact that Buddhists and Hindus have been travelling on pilgrimage to places like Kataragama in the south and Nagadipa in the north is a demonstration of this aspect. In fact when elections were held to the Legislative Council of Ceylon in 1911 and a Sinhalese and Tamil candidate stood for election, the minority candidate was chosen by a majority of the Sinhalese instead of their candidate. Today 54% of the Tamil population in Sri Lanka live in the south, which is predominantly populated by the Sinhalese. In many parts of the country such as the western, central and eastern provinces, the populations of Sinhalese, Tamils and Moors are almost in equal number and have peacefully co-existed for several centuries in this manner. We are one of those few countries in which the major religious festivals of all the major faiths are observed as national holidays and are celebrated by the entire country.

Successive governments since independence have been sensitive to the needs of all communities in a heterogeneous society such as ours. Time and again various forms of legislation have been enacted to safeguard the rights of all communities and tangible efforts have been made to redress genuine grievances of all communities within the democratic framework.

It is most unfortunate however, that in the last three decades, our people have fallen victim to an aggressive armed campaign launched by a terrorist organization called the LTTE. The activities of this organization have taken an enormous toll on the lives and livelihoods of the Sri Lankan nationals. Over 60,000 people have died and many more have been displaced in one of the most violent armed campaigns human history has seen. The LTTE claims to be the sole representative of the Tamil people in Sri Lanka. Yet it has killed more Tamil people than those of any other ethnic community. It has ruthlessly suppressed dissent and killed almost every moderate Tamil political leader from Appapillai Amirthalingam, former Leader of Opposition In Parliament to Neelan Thiruchelvam, a distinguished Constitutional Lawyer and Member of Parliament of the Tamil United Liberation Front, who made a significant contribution in formulating a constitutional framework for devolution of power to name a few. As well as all those political leaders who sat down to discuss peace with them, most notably Indian Prime Minister Rajiv Gandhi and Sri Lanka's President Premadasa.

It may also be recalled that one of my distinguished predecessors who has addressed you here at Chatham House, the late Hon Lakshman Kadirgamar was assassinated by the LTTE in August 2005 whilst the ceasefire agreement was in place. At the last Presidential elections the LTTE prevented the Tamil people in parts of the north and east from exercising their franchise through various forms of threat and intimidation. The LTTE has steadfastly refused to demonstrate their claim to be the representative of the Tamil people by entering the democratic process and participating in elections in an environment where other political parties could also participate. According to the UNICEF the LTTE has conscripted 18,000 children and used them as cannon fodder. Just last month the UN Security Council Working Group on Children and Armed Conflict called for targeted measures against the LTTE as a repeater offender for non-compliance with commitments given to the UN Special Rapporteur on Children and Armed Conflict.

The LTTE has engaged in ethnic cleansing even before it was evidenced in Bosnia, by driving out the Muslim and Sinhalese people from the north and east and compelling them to live in refugee camps. The challenge of successive governments in the last three decades therefore has been how to face up to this threat and challenge without compromising the normal democratic rights of the people at large. How does a democracy respond to the challenge of terrorism? The avowed aim of which is to seek the division of the country through the creation of a separate state.

Successive governments have proposed several models for devolution of power as a means to address the grievances in particular of the Tamil and Muslim people in the north and east. Many select committees were appointed in the past and extensive devolution of power involving the drafting of a new Constitution were proposed. At present the All Party Representative Committee set up by the All Party Conference that was established only a month after President Mahinda Rajapaksa was elected to office has reached an advanced stage in its deliberations on constitutional proposals for devolution of power and these proposals are due to be published next month. The majority of Tamil and Muslim political parties have favoured the proposals and agreed to discuss them with the Government but the LTTE has continued its campaign of violence and withdrawn unilaterally from peace negotiations.

Further, it has annihilated any Tamil leadership which ventured to work at these proposals. The LTTE itself has never presented any proposals except its demand for a separate state. They have continued to ignore that the demand for a separate state is not viable given the position of a majority of the peoples of Sri Lanka, thereby our government, the stated position of the Indian government as well as that of the international community.

In spite of the LTTE being banned in the USA, UK, EU, Canada, India and other countries seeking the same action, many individuals who have tried to portray the LTTE as a liberation movement have failed to address the LTTE as being almost entirely a military organization with no political wing like the IRA for instance. They also forget that whenever the LTTE did enter into negotiations they did so due to pressure from either the international community or the need to regroup following military reversals.

Ladies and Gentlemen: careful study of peace negotiations in the past with the LTTE has showed that two issues have dominated the agenda. One, the demand for concessions on the ground such as withdrawal of armed forces, access to strategic locations which though disguised as confidence building measures were really aimed at giving them advantage for more aggressive armed strikes against the security forces. The other has been their demand for an interim administration to achieve what they have so far failed to achieve militarily namely establishing their absolute hegemony both politically and militarily over the entire north and east. Many political analysts have viewed this demand for an interim administration without a peoples mandate as a step towards their goal of achieving a separate state and an option that totally ignores the will of the people. It may also be noted that though the LTTE has participated in negotiations with the government from Thimpu right down to Geneva in October last year, they have clearly demonstrated a reluctance to engage in a meaningful discussion on core political issues.

In 2002 the LTTE entered into a ceasefire with the government at that time having sensed the global mood against terrorism following nine eleven incidents. Although the ceasefire resulted in a sharp decrease in violence and the LTTE initially engaged in negotiations, they subsequently withdrew from talks. Throughout the period of the ceasefire they continued to train their cadres, smuggle in weapons and gradually encroached into what the CFA referred to as "government controlled areas" and consolidated in their earlier held and new strategic positions. These accumulated violations of the ceasefire amounting to 3827 according to the Monitoring Mission have for over a period of time subverted the Ceasefire Agreement itself. The corresponding violations on the part of the security forces reported to be 346 demonstrate its responsible behaviour, more so to protect the innocent civilian population.

The LTTE has made every effort through its well oiled international propaganda machine to accuse our government of carrying out an armed campaign against them. I wish to reiterate at this forum that our government is firmly committed to a peaceful negotiated political settlement of the grievances of all communities in the country. We have engaged the Royal Norwegian Government to facilitate the peace process and also secured the support of the Co-chairs of the Tokyo Donor Conference comprising, the US, EU, Japan. We are open to negotiations with all parties, including the LTTE and it is for this reason that we have suspended the proscription. Looking around at other similar situations, I believe this is significant, considering for instance the UK continuing its proscription on the IRA.

The desire for peace is not solely on the part of the Government, it is the desire of the many thousands of people caught up daily in the cross-fire of war. The Government therefore has the inherent right to protect and safeguard the sovereignty and territorial integrity of Sri Lanka and to liberate the innocent peace loving Tamil people who have been held captive by the LTTE, and have been forced to part with their children whom they forcibly conscript into their movement. The characteristic of the LTTE has been its unchanging agenda of totalitarian power, rejection of political pluralism and the rule of law and its lack of concern for the people caught up in the conflict.

Contrary to LTTE propaganda it is the government that provides and distributes food, medical aid, shelter, and education through our local authorities with the assistance of non-governmental organizations to all peoples in the north and east and this too despite numerous obstacles. It was only recently that the LTTE attacked a privately owned ship which was unloading government food supplies at the Point Pedro harbour in the north. However the government remains committed to protect its people and calls upon the LTTE to renounce violence and enter the democratic path.

In the face of this intransigence on the part of the LTTE the Government has been sensitive to the concerns of the people in the rest of the country who feel that a totally conciliatory approach would only encourage the terrorists to continue its campaign of violence. In the UK all political parties refrained from making Northern Ireland a political issue in their domestic politics. However the situation is different in Sri Lanka and any attempt to seek to resolve the conflict ignoring the will of the people would be counter productive as has been demonstrated in previous elections. Therefore we have to be realistic in our approach.

Text book theories on negotiating peace cannot be applied. Even sophisticated peace deals brokered by the most powerful world power the USA such as the Norwegian initiated and US brokered Oslo Agreement between Israel's Labour government and the PLO leadership which carried all the classic features of an elite peace deal failed due to the absence of a political dialogue between the Likhud party and the Labour party on this issue. We all know the consequences of this - Prime Minister Rabin was assassinated and at the subsequent elections the Opposition party campaigning on an anti-peace platform came to power. Therefore violent conflicts such as ours cannot be resolved hastily. It is for this reason that President Mahinda Rajapaksa after his election to power in November 2005 summoned an All Party Conference to seek the views of all political parties with the view to developing a broad consensus on devolution of power.

However the steps taken by our Government to address the grievances of all communities will not as has been outlined by me persuade the LTTE to transform itself into a political organization and seriously engage in negotiations as long as it continues to fundraise abroad. It is here that the role of the international community becomes crucial. The LTTE's criminal activity has transgressed our national boundaries. The International Institute for Strategic Studies, London in its publication 'Military Balance 2007' refers to commercial links between the LTTE and the al-Qaeda movement. In fact there is evidence that the LTTE established linkages with the Mujahiddins in Afghanistan as far back as 1987. There is further proof to establish that even in 2001 an LTTE delegation travelled to Kabul shortly before nine eleven. A few weeks ago India's National Security Adviser M K Narayan in a speech at the Munich Conference on Security Policy informed that both Jihadi movements and the LTTE were relying heavily on funds from trafficking in narcotics which has doubled in recent years.

The LTTE with its fleet of merchant vessels run by a front organization and established presence in the arms black market has been providing mercenary services as well as training to several other terrorist groups around the world. It has pioneered the appalling art of suicide bombing long before the al-Qaeda movement. In fact the al-Qaeda attack on the 'USS Cole' in Yemen in October 2000 bore identical resemblance to the LTTE attack on the Sri Lankan naval vessel MV Uhana off the coast of north Sri Lanka two months before. The precision and targeting of the hull by al-Qaeda operatives in Yemen was almost identical to the strategy used by the LTTE sea tigers in the preceding month.

In countries such as the UK where the LTTE raises a bulk of its finances, the fundraising has graduated from mere extortion from the Tamil diaspora to commercial activities that include telecom services through preferred calling cards,

credit card frauds at petrol stations and news agencies run by their operatives, money transfer agencies, registered charities and companies that operate under various nom de guerre as well as blatant propaganda events such as a demonstration in Hyde Park last year where an 18 foot portrait of the LTTE leader was blatantly displayed together with the carrying of his photographs on placards, in spite of it being listed as a terrorist group here in the UK.

The LTTE war budget is estimated at US \$70 million. Almost 60% of this is believed to flow from Europe according to recent studies. This clearly demonstrates that the problem of terrorism is global and that any measures to effectively counter this menace that is destabilizing our country and destroying our people, requires inter-state bilateral cooperation as well as initiatives at a multilateral level. The resolutions of the Security Council including resolution 1373 (2001) on Suppression and Financing of Terrorism and Security Council resolution 1624 (2005) on Incitement of Terrorism and the International Convention for the Suppression of Financing of Terrorism provides a solid legal basis for such cooperation in combating unlawful financing resorted to by terrorist groups.

Fen Osler Hampson in his book 'Nurturing Peace: why peace settlements succeed or fail' has referred to "self-sustaining patterns of hostility and violence". Getting parties to the negotiating table and building momentum towards an agreement are enormously difficult exercises. What dissuades this exercise is when financial sustainability of an organization prevents it from exploring other options that may eventually result in its transformation.

The LTTE's capacity to engage in terrorist activities in Sri Lanka is mainly due to the continued flow of funds to its war chest from countries in the west including the UK, through which the procurement and smuggling of illicit arms have been sustained. Expectedly funds collected by the LTTE overseas continue to have a de-stabilising effect on Sri Lanka. This is manifest both in terms of supporting terrorist activities in Sri Lanka and precipitating the displacement of people internally and externally. The people so displaced who go abroad continue to be exploited by the LTTE to extort money, creating a vicious and self-supporting cycle of intimidation, arms smuggling and terrorism. Former UNSG Kofi Annan has described terrorist groups which capitalize on the nexus between drug trafficking and gun running as representing a supra-national subversive threat to peace and security within and among nations.

There is also a clearly evident relationship between collection of funds in foreign countries and the promotion by the LTTE of the outflow of asylum seekers into western countries. The LTTE needs a considerable population of asylum seekers abroad in order generate sufficient funds through extortion. There are several examples cited in the Human Rights Watch report in 2006 titled "Funding the Final War" on the manner in which funds are collected in the UK and Canada. We are cooperating with the UK on issues such as countering human smuggling and the re-admission of unlawful persons present in the territory of the UK with the full knowledge that the presence of such persons provide a ready reservoir for the unlawful fundraising activities of the LTTE, often through recourse of extortion.

I therefore take this opportunity to emphasise how much the return of the LTTE to serious negotiations depends on the cooperation of the international community. One can no longer afford to distinguish between Islamic and non-Islamic terror groups or corrigible and incorrigible terrorist groups when they are all part of a global network. I sincerely hope our discussion at the end of this presentation will give me an opportunity to further illustrate my thesis.

## Moving Sri Lanka's Peace Process Forward; Sri Lanka Government Policy and the role of the International Community



### **Hon Foreign Minister Rohitha Bogollagama's Speech at the Center for Strategic and International Studies (CSIS) on March 19, 2007**

I consider it particularly fitting that today we are engaging in this dialogue as to how Sri Lanka's peace process could be moved forward and how the international community could help to achieve that objective. For, we are on the threshold of the Sri Lanka Freedom Party (SLFP), which constitutes the major partner of the ruling coalition, presenting the government's proposals aimed at granting maximum devolution of power, while maintaining the unity of Sri Lanka. These proposals will be placed before the All Party Representative Committee (APRC), which has been the vehicle through which Sri Lanka, under the leadership of President Mahinda Rajapaksa, has sought to move the peace process forward. This Committee consists of representatives of the political parties represented in parliament, including the main opposition United National Party, and a number of Tamil and Muslim parties.

Over the past 13 months the APRC has gone through a painstaking process with the aim of evolving a 'southern consensus' to devolve power. As a result, very soon, after considering the views of all stakeholders, Sri Lanka will place before the people a comprehensive political proposal, for their approval. What is most important to note is that any consensus the APRC eventually reaches would possibly be the broadest ever reached in the Sri Lanka's history of power sharing.

### **Reflection of government commitment**

The presentation of these proposals will effectively debunk theories expressed in some quarters that the Sri Lankan Government was seeking a military solution to the conflict in Sri Lanka. It reconfirms the government's firm belief, that the conflict in Sri Lanka cannot be solved through military means, and that while the security forces must not shy away when the basic needs of the people are interrupted or the territorial integrity of the country is threatened, it is the responsibility of a representative government to meet such challenges.

It is in similar vein that the current administration in Sri Lanka has sought to overcome the temporary hardships being caused to sections of the population currently displaced from those areas liberated from the LTTE. The Government has been careful to ensure that civilians would not get caught in the cross fire. This was evident in its recent operation to liberate Vaharai, where approximately 34, 000 civilians voted with their feet, by moving to the areas controlled by Sri Lankan forces, before the LTTE were dislodged from Vaharai.

Together with the international community, through the Consultative Committee on Humanitarian Assistance (CCHA), the government is making every effort to restore normalcy in the conflict affected areas in the shortest possible time frame. Ironically, it is apparent that redressing the needs of the civilians in these areas has become a problem to the LTTE, which as most of you know well, led to their decision to target a group of Western Ambassadors accredited to Sri Lanka,

including the US Ambassador, who were visiting Batticaloa on a humanitarian mission, as partners of the CCHA process. In fact, the main purpose of that visit was to assess the humanitarian relief requirements in Vaharai, in the Eastern Province, which followed a successful similar needs assessment undertaken by the CCHA in the Jaffna Peninsula.

In a meeting with UN Secretary-General Ban Ki-Moon at the UN Headquarters in New York earlier this week, I called on the international community including the UN, to join in complementing the Sri Lanka Government's efforts in uplifting the economic standards of the people of the Eastern Province. As I noted, the re-development of the Eastern province could serve as a model for post-conflict peace building and development.

In addition to ensuring that humanitarian assistance is provided to the civilians, who have been displaced, the government has also taken concrete measures to address concerns of alleged human rights violations, showing its firm commitment to address human rights issues as a parallel process.

The Commission of Inquiry constituted by President Rajapaksa to investigate into alleged human rights violations and the eleven member International Independent Group of Eminent Persons (IIGEP) appointed to observe the functions of this Commission of Inquiry, which held its first meeting in Colombo last month, are reflective of this commitment.

The appointment of the IIGEP is a unique arrangement by a country faced with alleged violations of human rights and the Government has taken this bold initiative, because it has nothing to hide and it is firmly committed to ensure that such violations should not go unpunished. I would like to emphasise that while it is making all efforts to address concerns of alleged human rights violations, the government will take preventive measures and will remain responsible and accountable.

### **Pre-requisites**

In moving towards a negotiated political settlement to the conflict, the government's approach is guided by four broad principles. First, the proposals are firmly rooted in democracy, justice, and equality. Second, they are also responsive to the constitutional realities that any democracy must respect, and therefore is framed in a manner that could meet possible legal challenges that could arise. Third, they seek to empower people, uphold pluralism and recognize the fact that there are many voices within the Tamil community that are rational, devoid of parochial interest and vested agendas. Fourth, above all, in contrast with previous constitutional processes aimed at solving the conflict, whatever consensus reached would not be intended to appease the LTTE or to treat symptoms of a malaise, but to get at the root of the disease.

This is a healthy development, because we are well aware that the history of political negotiations with the LTTE is replete with bitter memories. I have personally experienced this having participated in the last two rounds of negotiations with the LTTE in February and October 2006. The LTTE stands guilty of having single-handedly wrecked five attempts of peace negotiations in 1985, 1987, 1989/90, 1994/95 and in 2002/03. One could reasonably come to the conclusion that the organisation has neither the will nor the capacity to negotiate a political settlement to the conflict and merely engages in political rhetoric as a means of achieving their objectives of a separate mono-ethnic state by resorting to force of arms.

### **Why should we expect to succeed this time?**

Given the history of Sri Lanka's conflict resolution, the question could be asked

why the current exercise in constitution crafting is likely to succeed this time, when so many similar previous exercises failed. I would suggest that the present 'moment' constitutes a rare confluence of favourable elements.

First, unlike on previous occasions when the LTTE could have claimed that engaging in negotiations with southern leaders was futile, as they were incapable of evolving a southern consensus, today it is hard to deny the fact that President Rajapaksa has been able to muster the broadest possible political coalition in recent Sri Lankan political history and is well poised for achieving the Southern consensus to offer maximum possible devolution without adversely affecting the unity and territorial integrity of the country.

Second, the main opposition party, the United National Party led by former Prime Minister Ranil Wickremesinghe, during whose period the ceasefire with the LTTE came in to being, is on record as having assured support of his party for a meaningful political settlement.

Third, the recent military operations in the East have shattered the aura of invincibility of the LTTE and have demonstrated to the LTTE very clearly that a military victory is not possible and that if there is any genuineness about their desire to serve the Tamils, the only way it could be done is through negotiation.

Fourth, never before has the LTTE been so internationally isolated as it stands today - proscribed in India, the U.S., the UK, the EU and Canada; its leader Prabhakaran and a number of top leaders being sentenced to death for the assassination of former Indian Prime Minister Rajiv Gandhi, and its agents arrested and taken to court by several countries including the U.S., for engaging or seeking to perpetuate acts of international terrorism. Unlike in some periods in history when the perpetration of terrorism to meet political goals was condoned, today, there is zero tolerance for its use under any circumstances.

#### **What role could the international community play?**

As the Sri Lankan polity moves towards bringing to a conclusion the process of evolving a political settlement to the conflict in Sri Lanka, a special responsibility is cast upon the international community to play its role.

This is an opportunity Sri Lankans hope that the international community would not miss, debating semantics and ignoring the reality. The mistake made by some members of the international community in taking too long to recognise that the Tigers were no 'freedom fighters' but a group of ruthless terrorists, must not be repeated.

#### **What then must the international community do?**

In the first instance, the international community should once again seek to prevail upon the LTTE to return to the negotiations and to negotiate in good faith. It should be made clear to the LTTE that they should respond in a time bound fashion with specific targets and not seek to use such an opportunity to merely buy time or to score tactical advantages. Above all they must join the democratic political mainstream. After all there are several militant groups that have successfully made this transition.

Whether the international community would succeed in convincing the LTTE is hard to tell. The often stated concern is that the LTTE knows no other means of conduct but arms struggle and its leader Velupillai Prabhakaran would not dare seek to come out and live in the open. An additional question gaining currency today is whether sustaining war is more lucrative for the LTTE given their vast network of ships and communications, illicit commercial pursuits such as arms and human smuggling and money laundering, has taken precedence over their stated political goal of achieving Eelam. The international community must push the LTTE to make this choice, and make it now.



## **SCOPP Mandate**

Coordinate the implementation of decisions of the Government of Sri Lanka (GOSL) on the Peace Process

Liaise with the Sri Lanka Monitoring Mission (SLMM) and the Norwegian facilitators

Monitor the Ceasefire Agreement (CFA) between the GOSL and the Liberation Tigers of Tamil Eelam (LTTE)

Provide research and logistical support to the GOSL delegation during political negotiations between the GOSL and the LTTE

Liaise with government ministries, institutions, armed forces and the Police, UN agencies, international humanitarian organizations and national and international NGOs on matters pertaining to the Peace Process

Monitor the free movement of people and goods to and from the uncleared areas

Communicate issues relating to the Peace Process to the national / international media and the public through its Communications Division

Provide logistical and technical support to the National Advisory Council on Peace and Reconciliation (NACPR)

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