

18 April 2006

SLDF Condemns the LTTE's Undeclared War and Calls on the Government to Protect Human Rights and Progress Towards a Permanent Political Solution

The Sri Lanka Democracy Forum (SLDF) unequivocally condemns the resumption of an “undeclared war” by the LTTE. The continuous provocation and slaughter of members of the armed forces by the LTTE when a ceasefire is being observed, has also led to the death of many civilians and places the entire civilian population at great risk. SLDF calls on the international community to continue to send strong signals to the LTTE through sanctions and other measures of deterrence as it is only to these that the LTTE appears to be responsive - until the LTTE demonstrates a genuine commitment to adhere to the Ceasefire Agreement (CFA) and cease all acts of violence including political killings and child recruitment.

Following strong pressure from the United States calling on the LTTE to go to talks in Geneva in February 2006, the LTTE had reduced the number of political killings and military attacks. However, in the weeks leading up to the second round of talks in Geneva, the LTTE has resumed its “undeclared war”. More than seventy civilians and soldiers have been killed in the last three weeks alone. And yet, the LTTE continues its brutal attacks while prevaricating with infantile complaints about the protocols for transporting its Eastern Commanders. This adamant refusal to cooperate with the Sri Lanka Monitoring Mission (SLMM) facilitation of sea transport for LTTE Commanders prompted SLMM spokesperson Helen Olafsdottir to state, "It is ridiculous. It was part of the agreement. The rebels should have read the clauses carefully. We are frustrated." Indeed, the LTTE has consistently sought to disrupt the peace process at every stage and worse, has deliberately caused the loss of hundreds of lives during the four years of the ceasefire.

Confidence Building a flawed strategy?

SLDF believes that the grave situation and continuing loss of life are inherent in the logic of the Norwegian facilitated peace process, which relied on “confidence building” measures as the foundation of a two-party peace process between the LTTE and the Government of Sri Lanka (GOSL). The CFA and the post-CFA environment should have ensured an end to political killings and child recruitment, which it could have achieved through adequate provisions for human rights monitoring and through penalties for parties that violate the CFA. That is, instead of an excessive focus on “confidence building” between the LTTE and the GOSL, the plight of civilians should have been central to the formulation and verification of the CFA. In the absence of any genuine commitment to the rights and security of civilians, the LTTE, while making token gestures to deflect international pressure, has continued to militarise civil society in the North and East by controlling social institutions, carrying out

political killings and recruiting children into its ranks. While killings and child recruitment continue - including the war crime of recruiting children below the age of fifteen - there can be no talk of “confidence building”. Indeed, “confidence building” as a conflict resolution tool in the Sri Lankan context has consistently proven to be a flawed strategy. Only concrete acts of sanctions and pressure from the international community for acts of violence that can rein in the current situation, rather than the unwarranted according of legitimacy for “confidence building” measures.

GOSL must act promptly to halt further violence against minority communities

The GOSL cannot hide behind the LTTE’s violations and hope to bolster its legitimacy. Indeed, during the last six months, there has been increasing evidence of human rights violations by arms of the Sri Lankan state. There are also credible allegations of state complicity and backing in killings carried out by Tamil armed groups including, but not limited to, the Karuna faction. The GOSL has not produced any tangible evidence or conclusions from the numerous ‘commissions of inquiry’ and investigations into these various killings and particularly those attributed to the state. Neither have there been actions against, nor removal of, officials responsible for atrocities such as the December 2005 execution-style murder of five Tamil students in Trincomalee.

The GOSL has not so far deployed appropriate measures to stop the escalation of violence in Trincomalee and offer protection to all three communities. SLDF calls upon the GOSL to identify the perpetrators of attacks against the civilian population of Trincomalee, particularly of the minority communities, and bring them to justice. Indeed Trincomalee district continues to be the flashpoint of violence, and if the GOSL cannot institute credible measures to ensure the impartial and effective administration of the law, it should consider inviting international peace keeping monitors with enforcement powers from the Donor Co-Chairs and India, to ensure the security of all three ethnic communities in Trincomalee.

The GOSL should take clear steps, such as ratification of the Rome Statute of the International Criminal Court, to demonstrate its commitment to protect human rights and to end impunity. SLDF has consistently called for independent international human rights monitors. At this critical juncture, we demand that the GOSL make clear its position on international human rights monitoring by publicly calling for United Nations or European Union-led human rights monitoring.

Call to GOSL to reaffirm commitment to permanent political solution

In the past, SLDF has called for progress in formulating a permanent political solution and a genuine commitment to reform of the state and its institutions to ensure good governance. The GOSL can no longer avoid addressing the concerns of the minorities in a meaningful manner by

pointing to LTTE belligerence.

SLDF calls on the GOSL to demonstrate its commitment to peace and the rights of its minority communities by unilaterally taking steps towards a permanent political solution. The GOSL should first publicly state its commitment to the devolution of power in a “united” Sri Lanka. It should also publicly reiterate its commitment to the Oslo and Tokyo Declarations, by exploring federalism and outlining a viable roadmap for a permanent political solution.

Finally, the GOSL should make public any consensus on the substance of the devolution of power in the spirit of the 1995 proposals, and begin a national debate on the devolution of power and mechanisms for power sharing with the minority communities of Sri Lanka.

<http://www.lankademocracy.org/documents.html#06april18>