

European Parliament resolution on Sri Lanka

The European Parliament,

- having regard to its previous resolutions on Sri Lanka of 18 May 2000⁽¹⁾, 14 March 2002⁽²⁾ and 20 November 2003⁽³⁾, its resolution of 13 January 2005⁽⁴⁾ on the tsunami disaster in the Indian Ocean and its resolution of 18 May 2006⁽⁵⁾ on the situation in Sri Lanka,
- having regard to the decision of the Council of the European Union of 29 May 2006⁽⁶⁾ to formally proscribe the Liberation Tigers of Tamil Eelam (LTTE),
- having regard to the Tokyo Conference Co-chairmen's statement of 30 May 2006,
- having regard to the appeal of 12 August 2006 by the Co-Chairs of the Tokyo Donor Conference (EU, USA, Japan, Norway) that both sides put an end to all breaches of the 2002 ceasefire,
- having regard to the statement of the Presidency of the European Union of 17 August 2006 on Sri Lanka,
- having regard to the Tokyo Declaration on the Reconstruction and Development of Sri Lanka of 10 June 2003, which linked donor support to progress in the peace process,
- having regard to the Cease Fire Agreement signed between the Government of Sri Lanka and the LTTE which entered into force on 23 February 2002,
- having regard to the Oslo Declaration of December 2002, in which the Government of Sri Lanka and the LTTE agreed to explore a solution based on a federal structure within a united Sri Lanka,
- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas, in the past few months, the situation in Sri Lanka has deteriorated miserably with hundreds of deaths, some 200 000 people displaced from their homes, 500 000 civilians in the Jaffna peninsula deprived of essential food and water supplies, and vital post-tsunami reconstruction work disrupted,

B. whereas the Sri Lanka Monitoring Mission (SLMM) has found that the LTTE was responsible for the bombing of a civilian transport bus in a land mine attack on 15 June 2006 that killed 64 people and injured more than 80 in Kebetigollewa in northern Sri Lanka and declared the incident to be a gross violation of the Cease Fire Agreement,

C. whereas the failure to seize the opportunity for the resumption of peace negotiations has diminished severely the possibility of real political progress,

D. whereas the SLMM has found that 17 aid workers employed by the French humanitarian agency Action Against Hunger had been shot dead by government forces in Muttur,

⁽¹⁾ OJ C 59, 23.2.2001, p. 278.

⁽²⁾ OJ C 47 E, 27.2.2003, p. 613.

⁽³⁾ OJ C 87 E, 7.4.2004, p. 527.

⁽⁴⁾ OJ C 247 E, 6. 10.2005, p. 147.

⁽⁵⁾ Texts Adopted, [P6_TA\(2006\)0227](#).

⁽⁶⁾ Council Decision 2006/379/EC of 29 May 2006 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2005/930/EC (OJ L 144, 31.5.2006, p. 21).

E. whereas the SLMM has been depleted and many of its monitors have been withdrawn from northern and eastern Sri Lanka following the ultimatum issued by the LTTE,

F. recalling the primacy of respect for human rights and humanitarian norms by all parties to the conflict, not only as an immediate response to the worsening situation but as a fundamental building block in a just and enduring resolution of the conflict,

G. whereas a deal to share international aid in the aftermath of the tsunami has never been properly implemented, reconstruction has been slow and there is real concern that funds may have been misappropriated,

1. Deplores the resumption of large-scale and widespread violence and the breakdown of peace negotiations; is alarmed by the deterioration of the security situation with military clashes in the east and the north; stresses that the immediate reintroduction of the nominally extant Cease Fire Agreement is essential for any progress towards a political solution and a lasting peace;

2. Condemns the daily attacks in and around Jaffna, Trincomalee and Batticaloa, which have resulted in enormous humanitarian suffering and the deaths of hundreds of civilians and military personnel; notes that the Muslim community in the east of the country has suffered disproportionately from the renewed fighting with the displacement of 50 000 people in Muttur alone;

3. Deeply deplores the murder of the 17 Sri Lankans working for the French NGO Action Against Hunger in Muttur; acknowledges the Government's initiation of a full investigation into the incident and the participation of a forensic expert seconded by the Government of Australia; reiterates its demand for effective and impartial investigations into all alleged atrocities and serious human rights violations and for the full force of the law to be brought to bear against those found to have been complicit in such activities;

4. Condemns the operation on 14 August 2006 against Mullaitivu which resulted in the deaths of 51 children and young people;

5. Welcomes the announcement by Sri Lanka's President Mahinda Rajapaksa of his intention to invite an international independent group of eminent persons as observers of investigations into abductions, disappearances and extrajudicial killings in Sri Lanka; considers the setting-up of an independent, credible and effective commission, in the interim, to be a courageous move that could break the vicious cycle of violence in Sri Lanka; recommends that the Government of Sri Lanka seek the advice of UN High Commissioner for Human Rights Louise Arbour in establishing the commission, so as to ensure its independence and effectiveness;

6. Underscores the long-term need for a wide-ranging human rights agreement between the parties and its facilitation by an effective, independent international monitoring mission, complementing the agreement on the ground, as recommended by UN Special Rapporteur Philip Alston, with unhindered access to both Government and LTTE controlled areas;

7. Emphasises the need for Government forces engaged in counter-insurgency and domestic security operations to exercise maximum restraint in accordance with international law in order to minimise any risk of innocent civilian casualties, and to behave impeccably in all their actions; recommends that the Government of Sri Lanka strengthen its National Police Force to ensure effective police investigation of all extrajudicial killings; recommends the immediate appointment of members of the National Police Commission by the Constitutional Council, as provided for by the Constitution, and that its key role in promoting and disciplining police officers be confirmed; recommends programmes to recruit Tamil and Tamil-speaking police officers, especially to work in the North and East, and programmes to train all police reservists in criminal detection and investigation;

8. Reiterates its condemnation of the appalling abuse of children through the recruitment of child soldiers, which is a war crime, and calls on all rebel groups to stop this practice, to release those whom they are holding and to make a declaration of principle that they will not recruit any children in the future; urges the Government of Sri Lanka to put into place legal measures to prevent and criminalise the practice; welcomes the appointment of Ambassador Alan Rock of Canada as a Special Advisor to Radhika Coomaraswamy, UN Special Representative for Children and Armed Conflict, to conduct a fact-finding mission to Sri Lanka on this issue;
9. Condemns the intransigence of the LTTE leadership over the years, which has successively rejected so many possible ways forward, including devolution at the provincial level or Provincial Councils; devolution at the regional level or Regional Councils; as well as the concept of a federation with devolution at the national level;
10. Expresses its concern that elements on both sides of the divide in Sri Lanka are intent on conflict and insists, for the sake of all the people of Sri Lanka, that they pull back from the brink;
11. Calls therefore for an immediate, comprehensive and verifiable end to hostilities, including political assassinations and suicide bombing, and calls on Prabhakaran and Karuna to resume peace negotiations on a constructive basis with the Government of Sri Lanka without delay;
12. Calls for respect for human rights and humanitarian norms by all parties to the conflict, not only as an immediate response to the worsening situation but as a fundamental building block in a just and enduring resolution of the conflict;
13. Calls on all parties to the conflict to guarantee the security of the SLMM at all times; regrets the LTTE's insistence on the withdrawal of EU nationals from the SLMM; commends the departing Danish, Finnish and Swedish monitors for their invaluable work; supports Iceland and Norway for increasing the number of monitors they each provide to the SLMM and expresses the hope that the SLMM will be able to perform its duties without fear of hostile action; calls on the Council to provide financial or technical support for any measure that could make up for the loss and to adjust the SLMM equipment to match the challenges of its task;
14. Calls on the Government and the LTTE to grant unhindered access for humanitarian aid workers, UN organisations and truce monitors to all parts of the country and to ensure their security;
15. Calls on the Government of Sri Lanka to clearly set out what the requirements are for NGOs to be active in the North and East and to speed up the process of issuing work permits for international staff working with NGOs, ensuring that the process is efficient and transparent;
16. Whilst the LTTE remains proscribed, calls upon EU Member States and the wider international community to take robust and determined action actively to investigate the agents of the LTTE; considers that this should include a properly enforced travel ban to inhibit movement of recruiters and couriers; the arrest and repatriation of those involved in terrorist support activities; confiscation of assets associated with the LTTE, such as its commercial shipping fleet; freezing of suspect bank accounts; and closing companies or undertakings associated with the LTTE; consideration can be given to lifting proscription if there is an effective ceasefire, an end to terrorism and resumption of serious negotiations on a constructive basis;
17. Notes the closure of the Tamil Rehabilitation Organisation in the UK and the current investigations into the Tamil Rehabilitation Organisation and the World Tamil Coordinating Committee offices in the United States and Australia;

18. Insists that more effective measures be taken by all governments of EU Member States to prevent the indoctrination and intimidation of Tamils resident in their countries and the extortion of money to fund LTTE activities;

19. Reiterates its call, as an immediate gesture of goodwill, for both sides to cease the use of anti-personnel landmines and to assist in their removal and, to this end, calls on the Government of Sri Lanka to set an example by signing the Ottawa Convention banning the use of such mines and on the LTTE to sign the Geneva Call 'Deed of Commitment';

20. Notes the decision of two Tamil political parties, the Ceylon Workers Congress and the Up-Country People's Front, to join the governing coalition;

21. Calls on the Government of Sri Lanka, the United National Party and other parties to agree to work in close cooperation to take robust action against terrorism and to address legitimate Tamil grievances, and to come forward with a bold gesture of reconciliation towards the Tamil peoples of Sri Lanka; considers that a major step in creating the right framework for such action would be early revision of the Constitution of Sri Lanka, as one of Asia's longest-standing democracies, to define the state as a secular, democratic republic in which all religions are respected;

22. Welcomes President Rajapaksa's expressed commitment to 'maximum devolution' for the Tamil peoples and calls for this to be given substance; accordingly, urges the work of the All Party Representative Committee to be expedited in order to produce realistic and acceptable proposals within weeks rather than months, which would win the hearts of the Tamil communities in the interests of an agreed solution; reiterates the Co-chairs' statement of 30 May 2006, calling for the Government of Sri Lanka to 'show that it is ready to make the dramatic political changes to bring about a new system of governance which will enhance the rights of all Sri Lankans'; calls on the Government of Sri Lanka and the Co-Chairs to reiterate the Tokyo Declaration, and the LTTE to abide by it;

23. Expresses concern at the impact of the renewed conflict on reconstruction and the delivery of international aid, noting that although the EU has allocated almost EUR 125 million in post-tsunami humanitarian and reconstruction aid for Sri Lanka, the enduring political gridlock on the 'Post-Tsunami Operations Management Structure' continues to delay the release of a further EUR 50 million in aid, hindering vital reconstruction work in the north and east of Sri Lanka; notes also the decision of the Asian Development Bank to reschedule some funding and the difficulties in taking forward many infrastructure projects;

24. Supports the current action plan of the UN Office for the Coordination of Humanitarian Affairs for the benefit of the displaced population;

25. Calls on the Council, the Commission and the Governments of the Member States to redouble their efforts to help bring a stable and just peace to Sri Lanka and restore security and prosperity;

26. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the United Nations, the Government of Norway and the other Co-Chairs of the Tokyo Donor Conference, the President and Government of Sri Lanka and other parties to the conflict.