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**THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS
APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION
OR FOREIGN OCCUPATION**

**Written statement* submitted by International Educational Development (IED), a
non-governmental organization on the Roster**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2006]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

1. International Educational Development (IED) welcomes the resumption of talks between the parties to the armed conflict in Sri Lanka. These talks, which will take place in Geneva, hopefully before the Commission begins its session, should be strongly supported by the international community as a whole. We acknowledge the efforts initiated and led by the government of Norway to find a peaceful solution to this long war. We sincerely hope that these talks take place with full recognition of both rights and duties under the Geneva Conventions and all treaty-based and customary laws of war. Without this basic context for talks, whether talks about cease fire agreements or other steps toward lasting peace, we fear that they will fail. We also hope that the talks lead to a recognition of the right to self-determination of the Tamil people and full awareness that there will be no lasting peace in Sri Lanka until the Tamil people are allowed to realize that right either within a confederated state or, if this is the only way, in a separate state.

2. It is important at the time when the parties resume dialog that the international community takes a hard look at the causes of this conflict, and carefully reviews the reasons other rounds of peace talks have failed. In this light we draw attention to geopolitical interests from outside Sri Lanka that have played a significant role in prolonging this war. Some of the States that have a role in prolonging the war have done so openly. For example, the government of India entered into the conflict with its own military. Other States' involvements have been less open, such as those that have supplied the government of Sri Lanka with weapons and a wide array of military *materiel*. The United States, however, has kept its agenda largely hidden.

3. The U.S. has substantial interests in Sri Lanka as it seeks to expand its role and power in Asia. First of all Sri Lanka has airfields, such as in Palaly, that could provide highly useful bases for the U.S. airpower. In addition, Sri Lanka has several deep-water ports that would be very useful for basing U.S. naval forces. U.S. interest in Trincomalee harbor, for example, was a major factor in the direct involvement of India in Sri Lanka beginning in 1987, as is apparent by the letter of annexure to the Indo-Sri Lanka accord of that year in which the Prime Minister of India stated that no action would take place in Trincomalee that was against the interests of India. Current discussions of widening the Palk Straights to allow large vessels to pass through are disturbing in light of U.S. interests. Other U.S. interests in Sri Lanka are its natural resources, such as titanium, and the potential for the exploitation of natural gas and petroleum. Most of the land and resources coveted by the U.S. lie in the traditional Tamil areas. U.S. economic involvement in the Tamil areas could severely impair Tamil self-determination rights.

4. Understanding the interests of the U.S. in the Tamil areas of Sri Lanka goes a long way to explaining its harsh rhetoric against the Tamils and their leadership under the Liberation Tigers of Tamil Eelam (LTTE). The U.S. appears determined to have the conflict in Sri Lanka viewed as terrorism and counter-terrorism rather than a war, and it continues to accuse the LTTE of acts, such as political assassinations, that have either been shown to have been committed by others or that have never actually been investigated at all. The constant repetition of this political rhetoric, which is so similar to the constant linkage of Saddam Hussain with the events of 11 September 2001 and Al-Qaeda, has also been echoed by other States that, apparently, support U.S. goals for the region, or unwittingly go along with it. This manifestation of a "coalition of the willing" severely impairs the possibility of a positive outcome in talks between the parties. This political rhetoric also helps to weaken still further the Geneva Conventions, viewed as

“quaint” by the current U.S. Attorney General and so terrifyingly violated in the course of military operations in Iraq. More ominously, this steady “terrorism” rhetoric could lay the foundation for direct U.S. involvement in Sri Lanka affairs on the pretext of combating terrorism. Such action would, of course, obliterate Tamil self-determination.

5. Legal scholars and non-governmental organizations have been very vocal in their support for the right of the Tamil people to self-determination. In this regard, there have been hundreds of conferences, symposia, oral and written statements at the Commission as well as in many countries. IED has participated in perhaps 30 such sessions, joined by many NGO, political figures, and other legal experts. Even the few experts unwilling to reach to the pre-colonial period to support self-determination due to “passage of time” and other practical and tactical concerns, urge that the failure, since 1949, of the Sinhala-dominated governments to afford the Tamil people basic rights in spite of negotiations with various Tamil leaders, ripens the right to self-determination as the only practical remedy for repression. The right may even ripen if, given the relative numbers of majority versus minority groups, the minority cannot effectively ever win in issues of importance to them. This, then, becomes a violation of governance rights. In Sri Lanka, in addition to the clear oppression of the Tamil minority, the Tamil people and their leadership are unable to effectively address anything of importance to the Tamil people: fishing rights, environmental concerns, or even post-Tsunami relief efforts.

6. IED cannot be certain that the planned Geneva talks will have taken place prior to the Commission as planned. If they have taken place, then the Commission must carefully review the events in light of the issue raised here. If further efforts are necessary for the talks to take place, the Commission can play an affirmative role in generating sufficient political will for the talks to take place. In any event, the Commission and the international community as a whole needs to assess properly the situation Sri Lanka in light of humanitarian law and the application of the right to self-determination and with a more complete understanding of the geopolitical interests that have long impeded resolving this conflict.
