



# General Assembly

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## Human Rights Council

### Fortieth session

25 February–22 March 2019

Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

## **Written statement\* submitted by African Green Foundation International, a non-governmental organization in special consultative status**

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

[10 February 2019]

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\* Issued as received, in the language(s) of submission only.



## **Now is the time for Sri Lanka to stand on its own two feet**

Through AGFI, GSLF would like to present extract of the speech made by Lord Naseby before the House of Lords in the United Kingdom of Great Britain and Northern Ireland.

On the 05<sup>th</sup> February 2019 Lord Naseby a Member of the House of Lords asked the UK Government, following the resignation of the government of the United States of America from the United Nations Human Rights Council where they co-sponsored with the United Kingdom Resolution 30/1 in 2015 and Resolution 34/1 in 2017, in regard to Sri Lanka, and given the progress made towards many aspects highlighted in the resolutions, what assessment they have made of whether to annul or withdraw those resolutions.

There are two resolutions: one was adopted in September 2015 and the other in March 2017. The key point about them is that they promoted reconciliation, accountability and human rights in Sri Lanka. The cause was really the war in Sri Lanka, and the end of that war has resulted in Eelam being something that nobody in Sri Lanka, other than the Tamil Tigers, really wants. Certainly it is not wanted today and it is not wanted by India. However, unfortunately the UN received the Darusman report, which indicated that 40,000 civilians had been killed.

Lord Naseby has done a great deal of research. Nearly three years ago I made a request under the Freedom of Information Act and secured the publication of Colonel Gash's dispatches to the United Kingdom. I have 40 pages of them here, some of which have been totally redacted, and I shall quote from one this evening. It is the dispatch of 16 February 2009 and concerns 400 IDPs being transferred from the fighting area to Trincomalee. Colonel Gash writes:

"The operation was efficient and effective, but most importantly was carried out with compassion, respect and concern. I am entirely certain that this was genuine—my presence was not planned and was based on a sudden opportunity".

There are many more references in the dispatches to the fact that it was never a policy of the Sri Lankan Government to kill civilians.

He has one other reference that I think is useful. It comes from the University Teachers for Human Rights, which is essentially a Tamil organisation. It says:

"From what has happened we cannot say that the purpose of bombing or shelling by the government forces was to kill civilians ... ground troops took care not to harm civilians".

There is a host of other references but I shall quote one more:

"Soldiers who entered the No Fire Zone on 19th April 2009 and again on the 9th and 15th May acted with considerable credit when they reached ... civilians. They took risks to protect civilians and helped ... the elderly who could not walk. Those who escaped have readily acknowledged this".

Again, that provides proof.

Interestingly, the US has now withdrawn from being a sponsor. My personal guess, following some inquiries, is that the US Government now assess that the Sri Lankan Government have done a huge amount to meet the UN requirements, so they see very little purpose in prolonging what is in effect almost a policing surveillance of the actions of another sovereign state which is now 71 years old.

He further stated that it is nearly four years since these resolutions were passed; being originally moved by the USA and the UK and co-sponsored by the Government of Sri Lanka who welcomed help. Specifically, two resolutions were adopted by the UNHCR in September 2015 & again in March 2017. The resolutions were entitled 'Promoting reconciliation, accountability and human rights in Sri Lanka'.

The motivation for the alleged need for the resolutions at all was the very heavy lobbying by that section of the diaspora in the USA, UK and Canada who in their heart of hearts still wanted an independent state 'Eelam'. They had lost the war when the LTTE Tamil Tigers

were finally defeated on the battlefield on May 18<sup>th</sup> 2009. It was no secret that many of those lobbying had been closely associated with the LTTE Tamil Tigers indeed some were actual members.

Lord Naseby's reading was that they wanted to see some sort of revenge against the leadership of the democratically elected Government who according to the Diaspora and their media friends had carried out War Crimes in particular the alleged killing of 40,000 Tamil civilians in a genocide along with a host of other allegations. We now know from the UK military attaché that the real numbers of civilians killed were about 6,000 and furthermore the Sri Lanka armed forces took real trouble to look after the fleeing Tamil Civilians.

Interestingly the USA has recently withdrawn from being a sponsor. Lord Naseby's guess is the US Government assess the Sri Lanka Government has done a huge amount to meet the UN requirements, so sees little purpose in prolonging what is in effect almost a policing surveillance of the actions of another sovereign state now 71 years old.

The UK government has been helpful in the reconciliation process through its Conflict, Security and Stabilisation Fund. Halo Trust have done a wonderful job helping with clearing the near 1 million mines left by the Tamil Tigers. Lord Naseby's said he had visited Halo in action twice and marvelled at the painstaking, dangerous work of a Sri Lanka operative clearing a square metre a day.

The UK have assisted in setting up the Office of Missing Persons. he reflects that hundreds if not thousands of Tamil Cadres or sympathizers vanished abroad claiming asylum or were just winkled out through Tamil Nadu in India or wherever. Even recently a whole activist Tamil family believed missing came to light in France.

The Sri Lanka government themselves has passed an Act to establish an Office for Reparations and a proposal to establish a Truth and Reconciliation Commission.

In reality, Sri Lanka has taken positive steps on the four pillars of transitional justice-truth, reconciliation, accountability and guarantees of non-recurrence which must be taken into account by the Human Rights Council. Add to this the continuing cooperation Sri Lanka has maintained with UN Human Rights mechanisms and the international community, The Question has to be asked what is the point of the continuation of this resolution.

It is just ten years since the end of the war. Surely now is the time for closure and to let this proud Country stand on its own two feet.

Is this really a country that has to be monitored by the West almost every day.

Lord Naseby's view as President of the All Party British Sri Lanka Parliamentary Group is NO.

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Global Srilankan Forum Exco. and Global Srilankan Forum United Kingdom NGO(s) without consultative status, also share the views expressed in this statement.