



# 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, 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.

[11 February 2019]

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



## **OISL report 30/1, more precisely A/HRC/30/61, is seriously flawed. There was no Denial of humanitarian assistance to civilians in the conflict-zone**

Does the denial of humanitarian assistance to civilians in the conflict-zone is correct?

### **Introduction**

On 23rd March 2017, GSLF sponsored and handed over comprehensive report called “A Factual Appraisal of the OISL Report: A Rebuttal to the Allegations Against the Armed Forces” (the “Rebuttal”) to the Human Rights Officer, Asia-Pacific Section, Mr. Thomas Hunecke at the 34<sup>th</sup> Human Rights Council session negating all above allegations.

However, there is no any response from the UNHRC, especially from the outgoing UNHRHC, relating to our first submission (the “Rebuttal”) to clear the Sri Lankans from the alleged War Crimes.

### **Therefore,**

We the GSLF, take with thank this opportunity to just brief you why and how we deny the allegations and established the truth referring to the Rebuttal and various exculpatory evidence.

### **How?**

“...October 2008 to January 2009 the average shipment of food had been 3,639 metric tons per month... shipments between February and May 2009... only provided 105 MT for the whole five-month-period”

OISL report para 987, 988; Rebuttal to OISL report, para 134.

## **Denial of humanitarian assistance to civilians in the conflict-zone is another hoodwink and humbug!!!**

“The Panel completely ignores highly reliable witnesses including Neil Buhne, the UN Resident and Humanitarian Coordinator in Sri Lanka at the relevant period, and also U.S Ambassador Robert Blake, Ms. Ann Marie Imelda Sukumar, District Secretary, Mullaitivu, S. B. Divaratne, Commissioner General of Essential Services, or Amin Awad was the UNHCR representative in Sri Lanka who had first-hand knowledge of exactly how much food and medicine was transported to the conflict-zone, as well as the quantities of food and medicine that may have been kept as buffer stocks in towns close to the conflict-zone... There is no indication anywhere in the OISL report that the Panel interviewed any of the international who had participated in the CCHA meetings to ask them whether in their judgment the GOSL pursued a policy of depriving civilians in the conflict zone of humanitarian assistance.”

Rebuttal to OISL report, para 137, 150, 155

WFP had informed that there is a stock for 2009 which can be distributed”

CCHA Minutes 16th October 2008, Rebuttal to OISL report, para 137.

The Consultative Committee on Humanitarian Assistance (CCHA) was started in mid-2006, and continued until May 2009... throughout the duration of CCHA the United States of America, the European Commission along with all of the relevant UN agencies operating in Sri Lanka were represented at the CCHA... therefore the international community had access to the highest GOSL officials responsible for providing humanitarian assistance to

civilians in the conflict zone... Therefore the international attendees at the CCHA meetings would have been the best source of evidence for the Panel to find out whether the government pursued a deliberate policy of depriving civilians in the conflict zone of humanitarian assistance.

Rebuttal to OISL report, para 138, 140, 141, 142, 144.

“Mr. Neil Buhne, the UN Resident and Humanitarian Coordinator in Sri Lanka, provided an update of the Joint UN Rapid Needs Assessment Mission which went in with the 9th food convoy carrying 815 MT of food to Kilinochchi and Mullaitivu... and applauded the good work done through the Government Agent structures in delivery relief and assistance to IDPs in such circumstances and noted that they should be given a gold medal for the work done.”

CCHA Minutes for 30th January 2009, Rebuttal to OISL report, para 148.

“A shipment of food and other items is to leave tonight or on 01 April since the last shipment on 21st March”

Mr. Neil Buhne, The UN Resident and Humanitarian Coordinator, CCHA Minutes for 30th March 2009, Rebuttal to OISL report, para 148.

It quite clear that the Government has dispatched the requisite quantities of foodstuffs but if there was a shortage that was due to LTTE appropriating the food and preventing it being distributed amongst the civilians.

Rebuttal to OISL report, para 154.

“...it quite clear that there were buffer stocks under the World Food Programme to last for three months... one month's buffer stocks was available at all times... I had written instructions from Commissioner General of Essential Services to maintain food stocks for one month at all times... you can check as to how many lorry loads of paddy we recovered after the war... they sold for millions... the distribution of food was done through the Multi-Purpose Cooperative Societies... the ruses adopted by the LTTE in siphoning the food stocks from the Multi-Purpose Cooperative Societies.”

Ms. Ann Marie Imelda Sukumar, District Secretary, Mullaitivu; Rebuttal to OISL report, para 154.

“Sri Lanka was a role model to the rest of the world, in the manner in which the Government of Sri Lanka had handled the humanitarian crisis caused by the LTTE using civilians as a human shield in the theatre of war, by ensuring that uninterrupted provision of food and medical supplies reached the people.”

Mr. Amin Awad, Representative/UNHCR, Rebuttal to OISL report, para 154.

So, once again OISL has failed to establish at a standard of “reasonable grounds to believe” that the GOSL pursued a deliberate policy of denying humanitarian assistance to the civilians in the conflict zone during the period in question.

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