

To ask [Her Majesty's](#) Government, following the resignation of the government of the United States 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.



Lord Naseby Conservative

My Lords, it is my privilege to introduce this debate this evening. In doing so, I declare an interest in that I started the [All-Party Parliamentary Group](#) on Sri Lanka in 1975 and had the privilege of being made its honorary president four years ago.

In a sense, this evening is almost an auspicious day in Sri Lankan terms. Yesterday was the 71st anniversary of the independence of Sri Lanka, so it is no young nation—indeed, it is a very senior nation—and, in democratic terms, it is looked upon as the leading democracy in that part of the world, with regular elections, Governments changing here and there, and so far, thankfully, no sign of any dictator.

The reason for this evening's debate is very straightforward. I thought about this six months ago and realised that the UN Motions on Sri Lanka will be reviewed in March 2019—that is, next month—by the [UNHCR](#) in Geneva, and I decided to initiate a debate. It is, after all, nearly four years since the resolutions were passed, having originally been moved by the US and the UK. They were co-sponsored by the [Government of Sri Lanka](#), who welcomed help along the way.

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.

I have 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.

I have 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. Nevertheless, I think it is right to evaluate what has happened over the last four years.

I pay tribute to [Her Majesty](#)'s Government for some of the help they have given, particularly in the reconciliation process, through their [Conflict, Stability and Security Fund](#). [The HALO Trust](#) has done a wonderful job. I have visited the de-mining operation on two occasions and have seen the very careful work of a Sri Lankan individual clearing one square metre a day. It is very dangerous work and is being done beautifully, so I thank all those involved and look forward to the day in 2020 when the million-plus mines will have been removed.

[The UK](#) has also assisted in setting up the [Office on Missing Persons](#). Reflecting on the work I have done, I have noticed that more and more missing persons have reappeared. I received notification three weeks ago of a well-known Tamil activist appearing in the middle of France, complete with wife and children. I believe that this is not terribly unusual, but it is quite some time since the war ended and people are still reappearing.

[The Sri Lankan Government](#) have set up their Office for Reparations, which is useful and doing good work. They have also set up a framework for a truth and reconciliation commission. This is absolutely vital in my judgment. It means that all those who were involved have to be prepared to come and give evidence, including

members of the [LTTE](#) who have disappeared to Canada, the [USA](#) or Australia. They must be subpoenaed to attend; otherwise the process will be totally one-sided. Even in the UK, we still have people such as Mrs Balasingham who was a real activist for the LTTE in the recruitment of child soldiers.

I understand why the Sri Lankan Government believe that the judges should be Sri Lankan; I think that they are right. If nothing else, the recent argument in the Supreme Court indicated that the Supreme Court rules supreme in Sri Lanka, whatever the politicians might think. There is a new counterterrorism Act on the way; 90% of the land requisitioned during the war has now been returned to the original citizens; 880,000 displaced people have been resettled, which is a huge achievement, by any yardstick, for any country; and 12,000 former LTTE cadres have been rehabilitated and integrated back into society—I have met some of them, and they are most grateful for what was done for them.

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 co-operation, almost on a daily basis, with human rights people on the ground in Sri Lanka and the question has to be asked: what is the point of continuing with these resolutions?

It is 10 years, almost to the day, 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 it really a good use of resources for Sri Lanka to be monitored by the West almost every day? My view as president of the all-party group is: no, it is not. Frankly, I say to my noble friend on the [Front Bench](#), too easily do we forget what a good friend Sri Lanka has been to the UK over decades. When it was a colony, thousands of [Sri Lankans](#) volunteered for the two [World Wars](#). Indeed, the eighth-largest number of people who gave their lives for us in the United Kingdom were from this small island; and, as my noble friend must know, Sri Lanka was one of just seven countries to support us over the [Falklands War](#).

There is a very old adage, “Keep your friendships in repair”. Today, there is peace in Sri Lanka. You can go wherever you like. In the north, the infrastructure is repaired—that is pretty crucial—and the trains run on time. They do not run on time on the Peterborough line, I can tell you. The final proof of the normality of life are the 254,176 visitors from the UK who went to Sri Lanka in 2018—up 20%. They voted with their money and feet. I submit that Her Majesty’s Government should do the same in Geneva: recognise the good, genuine work done, show some leadership, bring closure to the UN resolution and, in doing so, make it quite clear that there were not 40,000 civilians killed—and, if it helps, I will give all the evidence I have to my noble friend on the [Front Bench](#), so that he can be totally convinced that that is indeed the case.