



Sri Lanka since the end of the civil war

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In May 2009, Sri Lanka's long civil war came to an end, with the decisive military defeat of the Tamil Tigers (also known as the Liberation Tigers of Tamil Eelam, or LTTE). Since then, President Mahinda Rajapakse and the Sri Lankan Freedom Party-led government have both secured re-election. The authorities claim that major steps have been taken towards consolidating security and reconstructing the war-torn areas of the country, the north and east. Others argue that the record is much more mixed and that there remains a real prospect of renewed conflict in the medium- to long-term.

Sri Lanka's relationship with the rest of the world has been strongly shaped since May 2009 by allegations the army committed war crimes and crimes against humanity during the final phase of the civil war. A UN Panel of Experts reported in April 2011 that there were "credible allegations" of war crimes and crimes against humanity by both government and Tamil Tiger forces. The Sri Lankan government has established a Lessons Learnt and Reconciliation Commission (LLRC), which is due to publish its final report next month – but many doubt its independence and credibility. Some international human rights groups back the establishment of an international inquiry into the allegations. The UK government has not yet taken a firm position on this issue. For now, it awaits the final report of the LLRC. While putting itself forward as a candidate to host the 2013 Commonwealth summit, the Sri Lankan government is opposing plans to strengthen the organisation's capabilities in terms of safeguarding human rights and democracy which are due to be discussed later this week at the 2011 summit in Perth, Australia.

Sri Lanka is a relatively prosperous country by the standards of South Asia. Literacy rates (91%), life expectancy (75 years) and child mortality (1.5%) all place it in a different league in development terms to India, Pakistan, Bangladesh and Nepal. Though three decades of civil war have undoubtedly constrained its economic potential, average annual growth since 1980 has been 4.8%. The IMF's outlook for the Sri Lankan economy is relatively favourable: it currently expects economic growth of 6.6% per year during 2011-15. However, uneven growth has exacerbated already severe income inequality, with Sri Lanka's rural poor largely excluded from the country's economic development.

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Further background:

Library Research Paper 09/51 (5 June 2009), [War and peace in Sri Lanka](#)

Library Standard Note SN5225 (19 November 2009), [Sri Lanka six months on](#)

International Crisis Group, "[Reconciliation in Sri Lanka: Harder than ever](#)", Asia Report No. 209, 18 July 2011

International Crisis Group, "[Post-war progress report](#)", 12 September 2011

[Website](#) of the Lessons Learnt and Reconciliation Commission

[Speeches and statements](#) by President Rajapakse (official website)

Amnesty International, "[When will they get justice? Failures of Sri Lanka's Lessons Learnt and Reconciliation Commission](#)" (September 2011)

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1 Domestic politics

Since the end of the civil war in May 2009, President Mohinda Rajapakse and the Sri Lankan Freedom Party (SLFP)-led government have further strengthened their already strong grip on the domestic political scene. Rajapakse was re-elected president with 58% of the vote in an early election in January 2010, with the vast majority of Sinhalese voters backing him.¹ His main challenger, ex-army chief of staff General Sarath Fonseka, won the majority of votes in minority Tamil and Muslim districts. He accused the government of rigging the election and raised the stakes by declaring his willingness to testify before an international war crimes investigation, should one be established to look into the tactics and actions of the security forces during the final months of the civil war. Within two weeks of the election he was arrested and taken into military custody. He later faced a series of court martials on a range of charges and is currently serving multiple terms of imprisonment. The day after Fonseka's arrest, Rajapakse dissolved parliament and announced that elections would be held in April. In the elections, the SLFP, at the head of the ruling coalition, won 144 out of 225 seats – a decisive victory, but just short of the two-thirds majority needed to give it the power to amend the Constitution without having to appeal to opposition parties. The conduct of these elections was also criticised by domestic and international observer groups, but most acknowledged that the vote itself had been generally free and fair. A senior SLFP politician, D.M. Jayaratne, was appointed Prime Minister.

In September, following several opposition defections, the government was able to get a constitutional amendment removing presidential term limits through parliament, abolishing the Constitutional Council and giving the president powers to directly appoint officials to the judiciary, police and electoral bodies. For some, this signified Sri Lanka's slide into 'dynastic dictatorship' under the Rajapakse family (the president's brother, Gotabaya, is Minister of Defence; another brother, Basil, is Minister of Economic Development). International human rights groups have documented many cases of harassment and intimidation of journalists, human rights defenders and members of the political opposition over the last 18 months.

Since its re-election, the SLFP-led government has introduced measures which it claims are designed to stabilise the country and promote development, particularly in those areas that were heavily affected by the conflict, namely the north and east of the country. It initially lifted parts of the emergency laws that had been in operation during the civil war and then, in August 2011, announced that it would not be renewing the state of emergency that had been in effect for 30 years.

However, critics argue that the government's claims and the reality on the ground are two different things entirely – noting, for example, that while the emergency laws have now been lifted, most of their provisions are simply being reintroduced under the 1970 Prevention of Terrorism Act. The Lessons Learned and Reconciliation Commission (LLRC) established in May 2010 is viewed by many, including the US and EU, as having an excessively narrow mandate, lacking genuinely independent commissioners. It also lacks enforcement powers. Some suspect that the LLRC's primary purpose of trying to deflect pressure to establish an international inquiry. The issue of war crimes and crimes against humanity allegedly committed by Sri Lankan security forces during the last phase of the civil war has continued to complicate the SLFP-led government's relations with the rest of the world (see next section below). Some international NGOs have refused to cooperate with the LLRC. It

¹ His second term formally began in November 2010.

published an interim report in November 2010; its final report is due to be published in November 2011.

Critics like the International Crisis Group also argue that many fewer civilian Tamil detainees in the north and east have been released than the government claims and that these two areas remain effectively under military control, including through the operation of 'high security zones', with NGOs needing permits to work there; and that Sinhalese people are being encouraged to move into these areas, with the goal of changing the demographic balance of forces there. The government asserts that there are continuing efforts to revive the Tamil Tigers (also known as the Liberation Tigers of Tamil Eelam, or LTTE), with diaspora interests to the fore, which means that it cannot afford to relax its guard. At the same time, it boasts that only about 1,000 out of the 11,000 rebels who surrendered in May 2009 remain in military-run rehabilitation centres. Pro-government voices point out that in local elections in March and July 2011, opposition parties defeated the SLFP: The Tamil National Alliance (TNA), which has renounced independence in favour of campaigning for greater federalism, won a large majority of councils in the north and east.² In August there was renewed low-level violence between Tamils and the security forces in these areas. The TNA also withdrew from talks with the government about future autonomy arrangements, which prompted the latter to establish an all-party parliamentary committee to propose a way forward within six months. Sceptics claimed that this tactic has been deployed before and amounted to the government kicking the process into the 'long grass'. Talks between the government and the TNA did resume in September. This followed international pressure on both parties to return to the negotiating table. But some analysts believe that the government is really just going through the motions, in particular to pacify India. The government has not yet tabled detailed proposals in response to those of the TNA, which are based on the concept of the maximum possible devolution that is compatible with the country's sovereignty.

To sum up, the performance and actions of President Rajapakse and the SLFP-led government since May 2009 remain a matter of considerable disagreement. Their supporters endorse official claims that significant progress has been made. Those who are not persuaded argue that the risk of renewed conflict is growing.

2 Foreign relations

The key issue that has shaped Sri Lanka's foreign relations since the end of the civil war in May 2009 has been that of alleged war crimes and crimes against humanity committed by the Sri Lankan security forces during the final phase of the conflict. As stated above, President Rajapakse and the SLFP-led government have established the LLRC to look into these allegations. However, the US has indicated that it might support an international inquiry if domestic Sri Lankan investigations fail to meet international standards. The British Government has been careful not to rule it out. While they have said that they will wait to see the LLRC's final report, they and other Western governments have expressed doubts about its credibility and independence.

It should be noted that war crimes and crimes against humanity allegedly committed during the final phase of the civil war by the Tamil Tigers are also of serious concern to these (and other) countries, but this issue has been less controversial and does not involve relations with another member state of the UN. The EU, US and other Western countries have all

² In local elections elsewhere, with the important exception of the capital, Colombo, the ruling UFFPA swept the board.

banned the Tamil Tigers on the grounds that it is a terrorist organisation. The bans remain in force.

The UN first became engaged when it undertook an investigation that confirmed the authenticity of a video made public in July 2009 of soldiers apparently executing Tamil Tiger prisoners.³ In March 2010 the UN Secretary-General, Ban ki-Moon, announced that he would create a panel of experts to assess whether there is enough evidence of war crimes and crimes against humanity by both sides to justify an international inquiry, should the Sri Lankan government not take steps itself to create a credible accountability process. The report was eventually published in April 2011. Efforts to agree the terms of a visit by the panel to Sri Lanka were unsuccessful. The report found that there were “credible allegations” of war crimes and crimes against humanity by both government and Tamil Tiger forces. Government shelling took a particularly heavy toll of civilians in the so-called ‘no-fire zone’, it said, and up to 40,000 people had been killed. It also stated that the LLRC failed “to satisfy key international standards of independence and impartiality.” The Secretary-General subsequently committed himself to monitoring the accountability measures being taken by the Sri Lankan Government as part of efforts to assess their credibility.

On 12 September, Ban ki-Moon formally transmitted the Panel of Experts report to the president of the Human Rights Council. No immediate action was taken by the Human Rights Council. The Secretary-General has the option of taking the report to the General Assembly and/or the Security Council if no action is ultimately taken by the Human Rights Council, where the position of the Sri Lankan government has its sympathisers. But Russia and China are highly unlikely to back an international inquiry.

In August 2010 the EU revoked Sri Lankan access to its Generalised System of Preferences plus (GSP+) scheme, under which the EU provided additional preferences (beyond standard GSP treatment) to ‘economically vulnerable’ developing countries on the grounds that Sri Lanka’s human rights record had been poor. The Sri Lankan government refused to take steps to address EU concerns.

The appointment of the new Sri Lankan High Commissioner to Australia, Admiral Thisara Samarasinghe, has caused some concern in the country, largely because some civil society groups, including the International Commission of Jurists (ICJ), have accused him of involvement in alleged war crimes during the final phase of the civil war. The Australian police are currently considering a dossier submitted to it by the ICJ.⁴ The Commonwealth Heads of Government Meeting in Perth, Australia begins later this week. The Australian Greens have called for Sri Lanka to be suspended from the Commonwealth.

There has also been controversy over Sri Lanka being a candidate to host the next Commonwealth summit in 2013. Its candidature in 2009 for the 2011 summit had to be abandoned. International human rights groups have called its candidature for 2013 inappropriate and demanded that any decision to allow Sri Lanka to host the summit future be made conditional on significant prior progress against a set of specific human rights benchmarks.

The Canadian Prime Minister, Stephen Harper, has recently started to take a more forthright position towards the Sri Lankan government and has threatened to boycott a 2013 summit in Sri Lanka if it does not do more to ensure accountability for human rights abuses during the

³ Further video footage of alleged war crimes emerged in June 2011.

⁴ “Rudd quizzed over envoy”, *The Age*, 18 October 2011

final phase of the conflict.⁵ It has been claimed that the Sri Lankan government is one of member states blocking proposals to strengthen the organisation's capacity to address human rights abuses by Commonwealth governments.⁶

On 21 October, Five Tamils accused of being members of the Tamil Tigers were found guilty by a Dutch court of running illegal lotteries and money laundering and sentenced to prison terms of up to six years. The prosecutor has claimed that, whatever the situation in Sri Lanka itself, "here in Europe they [the Tigers] are very much alive."⁷

There have been numerous recent press reports in the UK about the relationship of the former Defence Secretary, Dr Liam Fox, with the Sri Lanka government, with some arguing that he was running his own, semi-independent foreign and security policy on the country.⁸ When President Rajapakse visited the UK in December 2010, Dr Fox held a private meeting with him. Neither the Prime Minister nor the Foreign Secretary met with him.⁹ Dr Fox made a visit to the country in July 2011, giving a lecture in memory of the late foreign minister of Sri Lanka, Lakshman Kadirgamar. While there he made a courtesy call on President Rajapakse. This visit and other aspects of his involvement with the country have prompted questions from the Labour Party in parliament (see below) and the media.¹⁰ The UK Government has given assurances that no decision to permit an increase in levels of arms exports to Sri Lanka, which have been much reduced in recent years, has been taken.¹¹

Concerns have also been expressed the British authorities are not doing enough to establish the circumstances of Tamils that are being forcibly removed from the UK. The UK Border Agency apparently claimed that this had been sub-contracted to the International Organisation for Migration, which in turn said that this was not the case. The Border Agency reportedly said subsequently that the only measure being taken was to give those being removed the telephone number of the British High Commission in Colombo.¹²

Relations between India and Sri Lanka remain as complex and multi-faceted as ever.¹³ It is often stated that India has more influence over Sri Lanka than any other country. However, all too often this influence seems to produce relatively limited results, or unintended consequences. Some have been critical of India's allegedly excessive focus on the Tamil minority in Sri Lanka and its failure to raise issues that relate to democratic governance more generally. Since May 2009, India has provided much humanitarian assistance to displaced Tamils and supported development programmes with loans. India has shifted since 2009 to a more critical attitude towards the actions of the Sri Lankan government during the final phase of the civil war, saying that the April 2011 report of the UN panel of experts should be given careful consideration and arguing that there should be a credible Sri Lankan investigation into alleged war crimes.¹⁴ It also called on the Sri Lankan to lift emergency regulations. While

⁵ "In a policy shift, the Harper government presses Sri Lanka to respect human rights", *Globe and Mail*, 29 September 2011

⁶ "Release of Commonwealth report blocked by Sri Lanka", *Tamil Guardian*, 20 October 2011

⁷ "Tamil rebels 'very much alive'", *Winnipeg Free Press*, 15 October 2011; "Five jailed over Tamil financing", *The Herald*, 22 October 2011

⁸ "Maverick who muddied the official line on Sri Lanka", *Times*, 15 October 2011

⁹ "Fox's foreign policy", *Times*, 12 October 2011

¹⁰ "Liam Fox is gone: Sri Lanka has lost a friend", www.channel4.com, 14 October 2011

¹¹ HC Deb 20 October 2011 c347-354WH

¹² "Safety concerns for Tamils deported back to Sri Lanka", *Guardian*, 29 September 2011

¹³ For an in depth of relations between the two countries, see the International Crisis Group, "[India and Sri Lanka after the LTTE](#)", Asia Report No. 206, 23 June 2011

¹⁴ India refused to supply Sri Lanka with offensive weapons during the final phase of the civil war. This led to increased Chinese and Pakistani arms sales.

India has played an important role in encouraging the talks that have been taking place between the Sri Lankan government and the TNA, it has been disappointed by the failure to date of the Sri Lankan government to show more commitment towards introducing greater federalism within the country, of the kind that might satisfy the autonomy demands of the vast majority of Sri Lankan Tamils. Some commentators claim that the Tamil Tigers, which remain banned in India, are regrouping in Tamil Nadu, although there appears to be little hard evidence. India has no love for the Tigers, above all in connection with the assassination of Rajiv Gandhi in 1991. Three men convicted of involvement are due to hang in India, although legal challenges continue in the courts.

The two countries have agreed to launch joint patrols in the Gulf of Mannar and Palk Bay to prevent clashes between the Sri Lankan navy and Indian fishermen in these waters. The Sri Lankan navy is still vigilant about possible support from Tamil Nadu for Sri Lankan Tamils who may wish to restart some kind of armed struggle.¹⁵ A few days ago, the Indian authorities deported to Colombo two people accused of killing an advisor to President Rajapakse in early October.

¹⁵ "Indian, Lankan navies plan maritime boundary patrolling to prevent attacks on fishermen", *Times of India*, 15 October 2011

3 Economic and development profile

Context¹⁶

Sri Lanka is a relatively prosperous country by the standards of South Asia, with GDP per capita of \$5,200 in 2010, adjusting for purchasing power. Literacy rates (91%), life expectancy (75 years) and child mortality (1.5%) all place it in a different league in development terms to India, Pakistan, Bangladesh and Nepal.¹⁷ Though three decades of civil war have undoubtedly constrained its economic potential, average annual growth since 1980 has been 4.8%.

The services sector accounts for an increasing proportion of Sri Lanka's output (60% in 2010), with telecoms, transport and financial services the main contributors. Like many lower-middle income countries, agriculture's contribution to the economy is in decline (10% of GDP in 2010), but the sector remains a significant employer (35% of the labour force) and Ceylon tea is still a trademark national export. This uneven growth has exacerbated already severe income inequality, with Sri Lanka's rural poor largely excluded from the country's economic development: at 14%, the proportion of people living on less than \$1.25 in 2003 was largely unchanged from the 1991 figure (15%).

In recent weeks it has been announced that Cairn Lanka has found natural gas reserves off the west coast of Sri Lanka.¹⁸

Prospects

Sri Lanka's long-term economic strategy is set out in President Rajapakse's election manifesto *Mahinda Chintana* (Mahinda's Thoughts). This acknowledges the unevenness of Sri Lanka's development and commits to directing public investment towards disadvantaged areas to address gaps in the country's infrastructure, and providing state support to small and medium-sized enterprises. In keeping with the country's socialist traditions, the Rajapakse government rejects the privatization of state enterprises, including "strategic" enterprises such as state-owned banks, airports, and electrical utilities. Instead, it plans to retain ownership and management of these enterprises and make them

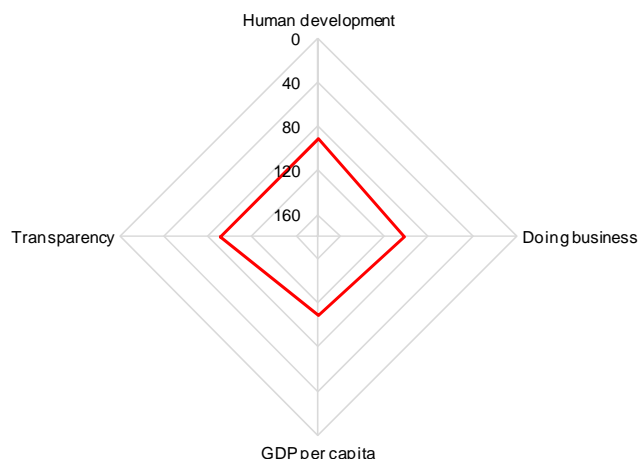
Sri Lanka in 2010: fast facts

GDP, \$bn	50
Annual average change, %, 2000-10	5.3
Population, million	20.4
Annual average change, %, 2000-10	1.0
Inflation, %	6.9
Unemployment, %	5.0
Current account balance, % GDP	-3.5
Poverty (% <\$2 per day)	39.7
Adult literacy, %	90.6
Under-five mortality, per thousand	14.7
Life expectancy, years	74.1

Note: charts show trends since 1980

Key rankings

Chart shows ranking against 181 countries, with '0' being the top/most favourably assessed country



¹⁶ Unless stated, all data is from World Bank *World Development Indicators 2011* and IMF *World Economic Outlook*, Sept 2011

¹⁷ At independence, living standards in Sri Lanka were similar to those in China, Japan, Singapore, Malaysia and Thailand. Against these comparators, the country's long-term economic performance is perhaps less creditable.

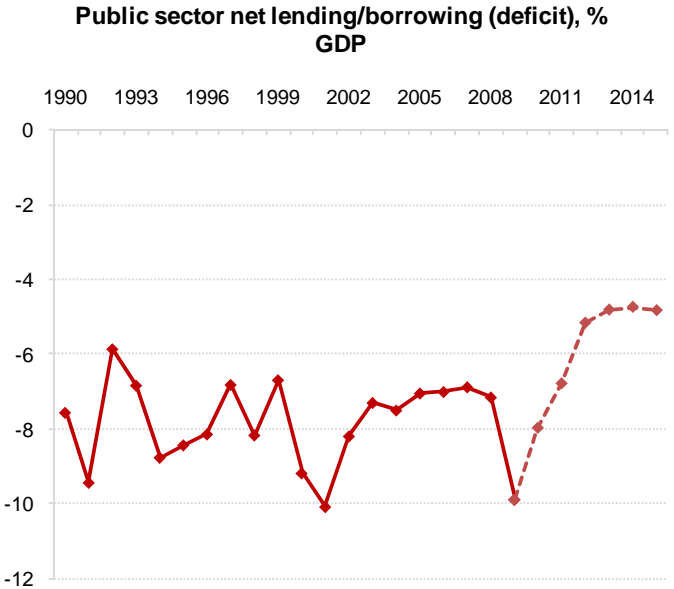
¹⁸ "Cairn strikes gas in Sri Lanka: country's first hydrocarbon discovery", *Hindu*, 3 October 2011

profitable: the Government has committed to putting the Ceylon Petroleum Corporation (CPC) and the Ceylon Electricity Board (CEB) into break-even status by the end of this year.

The IMF’s outlook for the Sri Lankan economy is relatively favourable: it currently expects economic growth of 6.6% per year during 2011-15, around the global average for developing and emerging economies; a reduction in the budget deficit; and significantly lower levels of inflation than have been observed in the past.

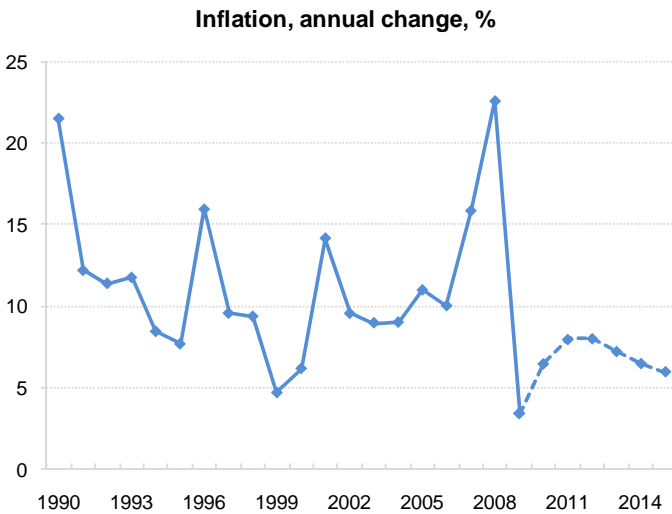
Fiscal policy issues

Sri Lanka has run persistently large budget deficits (averaging 7.8% of GDP per year between 1990 and 2009), with much of its public spending devoted to the military. The effect of this has been offset to a significant extent by high inflation (see following section), although its debt burden remains relatively high, at around 80% of GDP. The Government has plans to reduce the budget deficit significantly over the next few years, and the IMF expects it to achieve this. A key area for reform is the country’s distorted tax system, a legacy of the civil war when, in a bid to attract domestic and foreign investment, the government introduced sweeping tax concessions. In comparison to similar economies, Sri Lanka’s tax raising power has as a consequence been limited. Planned reforms involve administrative simplification and the broadening of the tax base.



Monetary policy issues

Predictably, the preoccupation of Sri Lanka’s Central Bank is managing inflationary pressure. Inflation in the past has been high, though spikes are often driven by fluctuations in global food prices, and the domestic impact of natural disasters, such as the recent floods at the start of this year.



Following the end of the civil war in mid-2009 and the approval of a \$2.6bn IMF loan programme, Sri Lanka, in common with other Asian economies, has seen a surge in capital inflows, as investors seek higher returns than those available in low-interest Western economies. This raises risks for the Sri Lankan economy, since without central bank intervention such flows can put upward pressure on the rupee exchange rate and also lead to speculative bubbles in the price of local assets. To alleviate exchange rate pressure, the Central Bank has sold

rupees and accumulated foreign exchange reserves: these stood at \$4.6bn at the end of 2009, up from \$2.5bn the previous year. On its own, such intervention increases the supply of rupees, raising the possibility of a credit boom and high inflation. Moreover, use of the Central Bank's core policy tool to control inflationary pressure, the interest rate, is complicated by the fact that rate hikes may serve to boost capital flows still further. The IMF expects Sri Lanka will cope with these pressures, and recently described its monetary policy as "appropriate".

Trade¹⁹

Sri Lanka's trade policy is relatively open, and protective tariffs have been progressively dismantled. Gross exports account for around 25% of GDP, and total trade is worth 55% of GDP, in line with the South Asia regional average. The country is a significant net importer, with a trade deficit in \$5.1bn in 2010.

Imports come predominantly from India and South East Asia and consist of intermediate goods such as oil (\$2.1bn in 2010), electrical machinery (\$648m in 2010) and textiles (\$584m in 2010). Its principal exports are clothing (40% of its \$8.2bn-worth of exports in 2010) and coffee, tea and spices (accounting for a further 18%), much of which goes to the US and Western Europe.

In 2010, Sri Lanka was the 89th most important export destination for the UK (£129m of exports), and the 52nd most important source of imports (£707m of imports).

4 Selected UK parliamentary answers and official statements

1) HC Deb 12 October c398-99W

Emma Reynolds: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the government of Sri Lanka on the independence of the Lessons Learned and Reconciliation Commission; and what assessment his Department has made of the prospects that the Commission will meet the deadline of November 2011 to produce its final report. [73466]

Alistair Burt: We share international concern about the credibility of the Lessons Learned Reconciliation Commission's (LLRC) process. In my calls with the Sri Lankan Foreign Minister and during the visit of the Secretary of State for Defence, my right hon. Friend the Member for North Somerset (Mr Fox), we encouraged the Sri Lankan Government to use the LLRC to address past allegations effectively. The LLRC was originally due to report in November 2010, later extended to May 2011. Now we await its final report on 15 November 2011.

Emma Reynolds: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Sri Lanka on protection for witnesses and victims appearing before the Lessons Learned and Reconciliation Commission. [73467]

Alistair Burt: Sri Lanka does not have a functioning witness protection system and the Lessons Learnt and Reconciliation Commission (LLRC) did not establish any separate procedures. Unidentified plain-clothed individuals reportedly photographed civilians who testified during its public hearings, which ran from August 2010 to March 2011.

¹⁹ Trade data is from [UN COMTRADE](#) database, except for UK trade data (final paragraph), from [UKtradeinfo Overseas trade statistics](#)

Despite this, a number of affected civilians gave evidence. The majority were concerned about locating disappeared and missing relatives.

Our high commission in Colombo raised concerns with the Sri Lankan Government over witness protection for those appearing before the LLRC on a number of occasions and continues to follow closely the Commission's work.

2) HC Deb 10 October 2011 c3

Greg Hands: I join the Secretary of State in his tribute to the dead. May I also tell him that he has our full support, not least in deepening our security ties with south Asia? Will he use this opportunity to explain to the House his involvement in Sri Lanka?

Dr Fox: I shall be delighted to do that, especially in front of so many Members with a new interest in defence.

In 1996, when I was a Minister in the Foreign Office, I worked on what became known as the Fox agreement, which was part of the early peace talks in Sri Lanka. In recent years I have been attempting to work again for reconciliation in that country, and to encourage investment in it. As I said when I spoke there recently, there will be no future for Sri Lanka unless all citizens, whatever their gender, religion or ethnic origin, are treated in the same way and allowed to realise their full potential.

Paul Uppal: I thank my right hon. Friend for the sterling work he has done in respect of Sri Lanka. Will he elaborate on the work that he has done in relation to the Sri Lanka Development Trust, and specifically on the work that Ministers have done in that regard?

Dr Fox: As I have said, the point of involvement in Sri Lanka is to create greater stability which will contribute to stability in the region. I was particularly keen to see a mechanism for investment that could reduce some of the regulatory restrictions imposed by the Sri Lankan Government, on the basis that a proportion of the profits would go into social projects that would benefit ethnic minorities. I still hope that that project will succeed, and give it my full support.

3) HL Deb 5 October 2011 c1129-30

Asked by Lord Kennedy of Southwark

To ask Her Majesty's Government what representations they have made concerning the holding of the 2013 Commonwealth Heads of Government Meeting in Sri Lanka.

Lord Wallace of Saltaire: My Lords, the Commonwealth Heads of Government Meeting in 2009 decided that Sri Lanka should host in 2013. We, together with other Commonwealth members, urge Sri Lanka, as host, to demonstrate its commitment to upholding the Commonwealth values of human rights, good governance and the rule of law. A key part of that will be to address long-standing issues about accountability and reconciliation after the recent conflict. We have made that clear, and we expect to see progress by the end of the year.

Lord Kennedy of Southwark: I thank the noble Lord for his response. Given the devastating UN report on the final days of the war which has been submitted to the Human Rights Council of the UN, alleging that war crimes were committed, does he

accept that the British Government should go to Perth and state clearly that, until those matters are looked into properly and investigated independently, it would be wrong for Sri Lanka to host the Commonwealth Heads of Government Meeting in 2013?

Lord Wallace of Saltaire: My Lords, I am aware that the Canadian Prime Minister has been reported as saying that Canada will not go. I have looked carefully at what he said, and he actually said that if there was not an improvement, it was unlikely that he would go. We all have to be concerned that at this stage with doing everything we can to ensure that the process of reconciliation within Sri Lanka continues to move forward.

Lord Dholakia: My Lords, does the Minister agree that it would do a lot of good for the Commonwealth Heads of Government to meet in Sri Lanka, particularly when countries such as Britain and South Africa have a lot to offer when there are serious allegations of excesses during a war? Should we not recommend the peace process in Northern Ireland or the Truth and Reconciliation Commission in South Africa as a means of bringing peace to that troubled island?

Lord Wallace of Saltaire: We are all aware that some atrocities were committed on both sides during the conflict in Sri Lanka, and it would be extremely good to have an independent investigation of them. The Sri Lankan Government have set up their own investigation into this-I forget its full name-although there are some doubts about how independent it is. We continue to press for a thorough and independent investigation.

4) Westminster Hall debate on “human rights on the Indian sub-continent”, HC Deb 15 September 2011 c1250WH passim

Full text available via this [link](#)

Extracts from the speech of Alistair Burt, the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs:

[..] Few parts of the world are as important to the promotion of our values and our interests as south Asia. The region's giant, India, is the world's largest democracy—vibrant, pluralistic, secular and multi-ethnic—but it has faced significant problems with domestic insurgency, communal violence and caste discrimination. Some of the toughest human rights challenges in the region are exacerbated by the dispute between India and Pakistan. The latter country, which has only recently come under civilian rule, is facing arguably the greatest existential threat from terrorism of any nation in the world. To the north and south, Nepal and Sri Lanka continue to grapple with the legacies of decades of destructive insurgency. Bangladesh is affected more than almost anywhere else by the pressures of population, poverty and climate change. The smallest country in the region, the Maldives, is the world's newest democracy [...]

[...] I thank hon. Friends for raising various issues relating to Sri Lanka. I assure the House that I have a regular and very frank relationship with Foreign Minister G. L. Peiris. We discuss all the significant issues that have been raised today. The allegations of war crimes and other human rights violations committed by both sides in the military conflict are of great concern to us. The UK has consistently made its position clear: Sri Lanka needs to address accountability through an independent, thorough and credible process that meets international standards and allows the people of Sri Lanka to move towards reconciliation and lasting peace and security.

Sri Lanka has faced enormous challenges during the many years of war and its aftermath. Its Government have made important progress in some areas. We hope that

all those displaced by the conflict who have returned to their home areas will be resettled in permanent accommodation in the near future. De-mining and reconstruction of key infrastructure in the north is progressing. However, just as it is fair to note progress, so it is fair to note that it has not been complete everywhere and that serious challenges remain, as I saw when I visited Jaffna earlier this year.

Steve Baker: Will my hon. Friend give way?

Alistair Burt: No. My hon. Friend will have an opportunity to speak in a moment.

We believe that further action is required to make peace sustainable. In particular, minority political grievances need to be resolved, the mechanisms for protecting and promoting human rights need strengthening, and Sri Lanka's communities must collectively deal with the legacy of such a long conflict. Sri Lanka has begun to address some of these issues. We hope that the Government will set out their view of a political solution to the causes of the conflict and rapidly demonstrate their commitment to resolving minority concerns sustainably. The LLRC report, which will be published in November, must set out clear steps towards accountability in respect of allegations of war crimes.

Under international law it is the primary responsibility of the state concerned to investigate and, where necessary, prosecute credible allegations of violations of international humanitarian and human rights law. Experience has shown that countries that take concrete action to address conflict issues through a process of truth, justice and reconciliation are more likely to achieve long-term peace. By corollary, those that do not take such action will not achieve peace. We want to see Sri Lanka take those actions. While we share international concerns about the credibility of the LLRC, it is a Sri Lankan-led process and we want the Sri Lankan Government to use it to address allegations effectively and allow their communities to live and work together.

The international community can also provide support to Sri Lanka. The comprehensive report of the UN panel of experts is most welcome, and we welcome the UN Human Rights Council's consideration of those recommendations. We understand that this, and the disturbing Channel 4 footage, on which I made some fairly straightforward comments at the time, will be considered by the LLRC before it produces its report in November. It is a step in the right direction that we wish to encourage.

5) HC Deb 7 September 2011 c709W

Andrew Rosindell: To ask the Secretary of State for International Development what recent discussions he has had with the Government of Sri Lanka regarding the humanitarian situation in that country. [68868]

Mr Duncan: The Secretary of State for International Development, the right hon. Member for Sutton Coldfield (Mr Mitchell), has not had any recent discussions with the Sri Lankan Government. The British high commission in Colombo regularly discusses the humanitarian situation with the Sri Lankan Government and monitors progress on the ground, which has greatly improved since the end of the military conflict in May 2009. The Department for International Development (DFID) is currently providing £3 million of de-mining assistance to allow those displaced by the conflict to return to their home areas. The high commission also meets with other donors in country, including multilateral organisations to which the UK makes a contribution.

6) HC Deb 20 July 2011 c1144W

John Mann: To ask the Secretary of State for Defence whether he had discussions in an official capacity on (a) defence industry sales and (b) war crimes allegations concerning the Sri Lankan army during his visit to Sri Lanka in July 2011. [66944]

Dr Fox [*holding answer 18 July 2011*]: The United Kingdom has consistently called for an independent and credible investigation to address allegations of war crimes committed by both sides during in the conflict. During my visit I emphasised that the Sri Lankan Government should engage constructively with the UN Panel report's recommendations and through their own Lessons Learnt and Reconciliation Committee initiate credible action to address the concerns including those highlighted by the UN. Defence exports were not a topic of discussion during the visit.

7) “**Honest friends**”, opinion editorial by Alistair Burt, 28 June 2011

The events of the past weeks have brought uncomfortable focus onto the last days of the conflict in Sri Lanka. Allegations made in the media have recalled memories of a distressing time in Sri Lanka's history.

Let there be no doubt that for the UK the end of the military conflict, and the removal of terrorism as a daily threat to the lives of the Sri Lankan people is without question a good thing.

The UK and the world watched in agony as Sri Lanka suffered over 25 years of civil war. The barbaric tactics of the LTTE, who pioneered modern day suicide bombing and forcibly recruited child soldiers, were brought to an end. The plight of many thousands of displaced people after the war reminds us of the human cost of such conflicts. It is because of the strength of relations between our two countries that we care so deeply about events in Sri Lanka. This relationship has been forged over many years and spans not just history, but also areas such as trade, education, family and sporting links. Only this month our cricket teams are competing against each other in a spirit of friendly sporting rivalry.

I visited Sri Lanka in February and saw for myself the undeniable progress that has been made since the end of the war, including the construction of new roads and bridges to help open up the North. In Jaffna I saw the efforts being made to resettle those displaced, including the practical challenges which they are overcoming, such as the need for infrastructure and livelihood support. Whilst there is still much to do in a number of areas, there is no doubt that the future of Sri Lanka is hopeful, if the present opportunity is fully grasped.

But our experience and the experience of many countries across the world is that a peaceful and secure future cannot come without addressing the pain of the past. The foundation for reconciliation has to come from honesty about the violence of 2009. History has shown this in Northern Ireland and the UK is well aware of the difficult decisions governments have to make – including in recognising that however abhorrent the tactics of terrorists, the conduct of their own side may not have been above criticism. In the case of Sri Lanka, this means looking again at the last weeks of the conflict in May 2009.

We have seen allegations of war crimes in the detailed accounts in the UN Panel of Experts report, and in documentary footage authenticated by independent experts. The former indicates that civilians lost their lives through widespread shelling by the Army of hospitals and humanitarian objects and that the LTTE used civilians as a

human buffer and killed those who attempted to flee. The UK government is deeply concerned about these allegations.

The evidence which has so far come to light is enough to lend credibility to the claims that war crimes were perpetrated by both sides in the conflict in those difficult days. It is not for me to judge where this evidence should lead: that is for the full and independent inquiry that I and Sri Lanka's other friends have been calling for.

Our concern is based on a desire to see reconciliation genuinely effected for the good of all Sri Lankans. This will only come from an independent, comprehensive and credible inquiry, which confronts the allegations and comes to an honest conclusion about them. An inclusive political solution, which addresses the underlying causes of the conflict, would further advance peace.

The Sri Lankan government has said that the Lessons Learnt and Reconciliation Commission (LLRC) will report in November. We note the timetable it has set itself and have been clear that we also believe that progress on accountability must be made by the end of year. It is important that the LLRC's work and report reflects international standards, established through similar post-conflict reconciliation bodies, in order to give the findings maximum credibility and lay this painful time in history to rest.

I have made this point in public statements this month because the UK wants an open and honest relationship with Sri Lanka. An honest friend would not stand aside and remove the need for difficulties to be confronted.

The future holds much for Sri Lanka. Its economy is growing, tourism is flourishing and visitors are struck by the warmth and friendliness of its people. We want Sri Lanka to use its natural advantages to be a model of stability in the region and show its international friends that it can successfully put the past behind it. We are looking forward to supporting Sri Lanka to find lasting peace and security, built on foundations of true reconciliation.

In this context, see also a [response](#) by the Director, Policy Research & Information, of the Presidential Secretariat of Sri Lanka.