



High Commissioner

Democratic Socialist Republic of Sri Lanka

HCL/POL/1B

26 February 2010

Rt. Hon. William Hague MP
House of Commons
London SW1A 0AA

Your Excellency

I read with interest your address at the closing session of the Global Tamil Forum (GTF) held at the House of Commons a few days ago. It is certainly not my intention to question your right or the wisdom in presenting the point of view of the Conservative Party at the GTF. However, this letter is inspired purely by my desire to further strengthen the existing relations that existed between the two countries. I do not wish those relations to be impaired by the machinations of the GTF.

I do not know whether you are aware the disclosed intention of the GTF. It has been said that the GTF has been established for the purpose of:

1. Using all resources available to the Tamil diaspora to establish the Tamil people's right to self-determination and their right to re-establish their nationhood which was taken away by force from them by the succeeding colonial powers including the Sri Lankan government.
2. Help empower Tamil people in Sri Lanka to take control of their destiny and clearly formulate and promote the benefits of freedom for all in the pursuit of sustainable growth and prosperity in the self-governing nation of Tamil Eelam.

It is in that context I wondered the appropriateness, when your goodself sought to congratulate the establishment of the GTF which unites the diaspora from around the world. You have been heard to very eloquently articulate the contribution made by the Tamil community and the natural affinity between the Tamils in Britain and the Conservatives. There are about 100,000 Sri Lankan Sinhalese living in this country who are mostly professionals and do not impinge on the social benefits that are on offer by the benevolence of the British Government. The Sinhalese themselves make a significant contribution here and that far out weighs the contribution of the Tamil people.

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You have mentioned that you were saddened by the loss of innocent lives, as the military reached its final stages and that you share the pain and anguish of members of the Tamil community in this country and around the world. The Tamil Tigers have been waging a bloody war for 30 years. They introduced a culture of suicide bombing which has now spread throughout the world. They introduced a culture of cyanide capsule from which so many young men and women succumbed to their deaths during the conflict. Prabhakaran however was cowardly, that he did not bite the cyanide which he introduced to the Tamil fighting cadres. The loss of innocent lives is something that my Government would dispute before any forum. Even though various international organisations and NGOs claim innocent lives were lost, my Government followed a zero casualty policy. The final push against the LTTE was in the larger interest of 19 ½ million people who have suffered for nearly 30 years and in a society where civilian life was most vulnerable. We urge these International NGOs and other organisations, instead of making frivolous and unsubstantiated allegations to provide any specific instances of violations.

You have also raised the issue of the people in the Camps. It is common knowledge that they were housed in those camps when they fled from the LTTE stranglehold with no where to go and it was not our seeking that the civilians suffered under the LTTE control. Resettlement of the civilians was a very arduous and complicated process. The Government needed to first ascertain the identity of the civilians who escaped from the LTTE controlled areas. This had to be done in conjunction with the various Government agencies and the Registrar of Persons. Once the identity is established, then it became necessary to identify the ownership of the property the civilians were claiming. That again was a long process. My Government spared no efforts in accelerating this process. The remaining 70,000 people will be resettled no sooner the remaining 255 square km is de-mined. That process is underway. Nevertheless they are of course free to leave and live wherever they wish. When your goodself urges the Government to allow them to leave, it sends out the wrong signal that they are being held against their will.

In your address you had also mentioned that you strongly urge President Rajapaksa's Government to resolve the political issues that remain and take immediate steps to address the concerns of the Tamil people and those of other minority groups. You also mentioned that meaningful political reform and reconciliation should be an urgent priority. I want to make it abundantly clear that the Tamil and Sinhalese people in Sri Lanka live in amity and brotherhood. As a matter of fact, more than 50% of the people living in Colombo are Tamils. Constitutional mechanisms in the form of the 13th Amendment has been promulgated and it is the intransigence of the LTTE that prevented its implementation. After the elimination of the LTTE from the Eastern Province, the 13th Amendment devolving regional autonomy is in place. A former child soldier is now the Chief Minister and there is a fully functional Provincial Council. This political process would be replicated in the Northern Province, once the situation returns to normal after the de-mining and resettlement of all the Tamil people are complete.

You have mentioned that there should be a full independent inquiry into alleged war crimes committed by both sides of the military conflict. This statement of both sides now appears to be a misnomer as the LTTE does not exist. But I can say with responsibility that there had been no war crimes committed by the security forces and if there is any evidence of any specific instances of war crimes being committed, we would urge those who are in possession of evidence to present it and my Government will undertake an

inquiry and such inquiry would be a thorough independent investigation consisting of people of integrity. We are not devoid of people of integrity.

You have also raised the issue of the arrest and detention of General Fonseka. The Army Act enacted in the year 1949 allows a process that has been put in motion by the Sri Lanka Government. Any finding by a Military Court could be challenged in the Court of Appeal by way of writ and thereafter in the Supreme Court by way of an appeal. The lawyers of repute, integrity and ability appear for General Fonseka.

We are somewhat disturbed that you associate with the decision of the European Commission in suspending or denying the GSP+ concession. Your Excellency is probably unaware that 2 million people or 10% of Sri Lanka's population live on the GSP+ and the breadwinners in every household is a woman. The withdrawal of the GSP+ will affect and hurt the poorest of the poor, the international NGOs have been so fervently seeking to protect.

You have also raised the decision of the Commonwealth to deny Sri Lanka's bid to host the Heads of Government meeting in 2011 due to human rights concerns. This campaign was led by the Government of UK and other Governments which are ill-disposed to the Sri Lanka Government. I just want to place on record that during the Falklands crisis when a resolution was moved in the General Assembly of the UN condemning the invasion, Sri Lanka was one of the 11 countries which voted against the resolution, not to mention the fact that Sri Lanka was also a signatory to the London Declaration.

Your Excellency has also wished the GTF every success in its endeavours, to bring about positive change in Sri Lanka and that considerable resourcefulness and the energy of the Tamil diaspora will be crucial in this task. It is legitimization of separatism in Sri Lanka.

Yours sincerely



Justice Nihal Jayasinghe
High Commissioner

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From: H.E. Justice Nihal Jayasinghe
 High Commissioner

09.03.10