



[Martin Caton in the Chair] — Tamil People in Sri Lanka

Motion made, and Question proposed, That the sitting be now adjourned.—(Gavin Barwell.)

9:30 am



Lee Scott (Ilford North, Conservative)

It is a pleasure to serve under your chairmanship, Mr Caton. May I ask everyone's forgiveness as, perhaps to a lot of people's delight, I am losing my voice, so I might not speak for as long as I would normally?

The timing of the debate is opportune, because the [Minister](#) of State, Foreign and [Commonwealth Office](#), my right hon. Friend [Mr Swire](#), is in Sri Lanka as we speak. He arrived this morning and is staying until Friday. Perhaps some of what we discuss will be relayed to the new Sri Lankan Government.

On behalf of everyone, whatever our political party, we should offer an apology to the Tamil community of Sri Lanka for what has happened over the years. Many people, including Government and [Opposition](#) Members, said that atrocities were taking place. Sadly, however well meaning people were and however much they wanted to act, those words were not listened to, and many thousands of innocent lives were lost, which should never have happened. The [House of Commons](#) as a whole—although I can speak only for myself, not the whole House—should say sorry for that, although we cannot replace the lives that have been lost.

Following the recent elections in Sri Lanka, we have seen a change from [President Rajapaksa](#) to President Sirisena. I am concerned, however, that the new [Government of Sri Lanka](#) have stated that they will not change the policy towards the Tamil community in Sri Lanka or demilitarise the areas in which [Tamil people](#) live.



Jim Cunningham (Coventry South, Labour)

The hon. Gentleman makes a valid point because the new President was a member of the previous Government. We have not yet seen any indications of what the new President intends to do, or whether he intends to end harassment and torture. Will the hon. Gentleman comment about that?



Lee Scott (Ilford North, Conservative)

The hon. Gentleman is right. The new President was a member of the same party as his predecessor. He then changed parties and stood against the previous President, and some of the things that have happened early in his presidency are of concern. For

example, General Sarath Fonseka, who is named as an alleged war criminal by the United Nations panel of experts—it is the UN saying that, not us—is now an important senior member of the new Government, so I have grave concerns that the names are changing, but the policies are staying the same.



Angela Watkinson (Hornchurch and Upminster, Conservative)

Given the composition of the new Government in Sri Lanka, what can our **Minister** say on his visit there to persuade them to sign up to the Rome statute establishing the **International Criminal Court**?



Lee Scott (Ilford North, Conservative)

The **Minister** needs to say, "Please honour what the UN, the **Prime Minister** of Britain on his visit to Sri Lanka, the President of America and various other **Heads of State** have asked for."

There is only one way in which there can be justice. I emphasise, as I have in many previous debates, that my role is not to say who is guilty or innocent, but we need answers about those people who lost their lives and who disappeared, and someone needs to be held accountable. The only ones who can help that to happen are the **Government of Sri Lanka**, in co-operation with an international independent inquiry and the UN.

Another important factor is that a report that is due out shortly. My hon. Friends the Members for Harlow (**Robert Halfon**) and for **Croydon Central** (**Gavin Barwell**) and **Siobhain McDonagh**, as well as many others, have said to me that they do not want to see any delay in the report that is due before the UN in the coming weeks. It is quite possible that the new Government of Sri Lanka will ask for such a delay and, on the surface, it might appear unreasonable for people such as me and my colleagues to ask for that report not to be delayed, because a delay would give the new Government a chance to co-operate. Unless they are going to co-operate fully and abide by every single rule asked of them, however, I cannot see the point of any delay. The report should be published in Geneva on schedule.



Jim Cunningham (Coventry South, Labour)

I congratulate the hon. Gentleman on securing the debate. The new Government will be aware of that report anyway, so there is no need for a delay. They would have been aware of the report even before they took power.



Lee Scott (Ilford North, Conservative)

The hon. Gentleman is perfectly correct that the new Government would have been aware of the report.

Only a political solution that recognises the rights of the **Tamil people** in Sri Lanka, including that to self-determination, can address the root cause of the conflict. The Sri Lankan constitution already provides for an autonomous assembly, much as Scotland or Wales has in the United Kingdom. That assembly should be given to the Tamils. People should have power over their own destinies. I am calling not for changes to the existing constitution, but for people to honour the existing constitution.

The change in Sri Lanka's political leadership should create a chance for the accountability process to work and help those who need justice. It should not be used as an excuse to delay that justice further and kick it into the long grass. I am fairly sure that with everything else going on in the world, the Sri Lankan Government hope that the issue will quietly go away and that people will forget about it. However, I assure the Sri Lankan Government that many Members of this House—look at the numbers present for the debate—will not forget and allow the matter to disappear. We are seeking justice for those people who no longer have a voice.

Yesterday morning, I stood in silence at the holocaust memorial, where we recognised the victims of not only Nazi persecution, but other genocides that have taken place throughout the world since the end of the second world war. I am afraid to say—it gives me no pleasure to say this—that genocide has happened. We cannot pretend that it has not happened. We are not talking about a war in which a regime tried to stop terrorism—I am the first to condemn terrorism in any shape or form by anyone—but about the women and children who disappeared, and the people who were in camps for year after year. Were they terrorists? No sane-minded person would say that they were.

The justice that is deserved and needed can be achieved only through pressure from the United Kingdom, the United States of America, Canada, France and every country—I could go on and on. Sri Lanka must heed the call of our [Prime Minister](#) and co-operate fully with the UN investigation on Sri Lanka by the [Office of the High Commissioner for Human Rights](#). Sri Lanka must also sign the Rome statute on the [International Criminal Court](#), to which 123 states are party, including the United Kingdom, to demonstrate its intent to be a good global citizen.



William McCrea (Shadow Spokesperson (Justice), Shadow DUP Spokesperson (Home Affairs); South Antrim, DUP)

I congratulate the hon. Gentleman on securing the debate. It has been reported that the new Sri Lankan Government are spending many hundreds of thousands of dollars to boost their image throughout the world. Is not the way to boost their image for them to co-operate properly with a proper investigation into what has gone on in Sri Lanka?



Lee Scott (Ilford North, Conservative)

I agree with the hon. Gentleman. I am not going to be an advert for the Sri Lankan Government, but we know from watching our **TV** sets the amount that is being spent on trying to encourage people to visit Sri Lanka and showing it as a free democratic country. If the Sri Lankan Government truly want people to visit and to show that it is a free democratic country, they should prove that by abiding by the all the rules of the United Nations.



David Simpson (Shadow DUP Spokesperson (Communities and Local Government); Upper Bann, DUP)

I am sure the hon. Gentleman agrees that Sri Lanka as a whole has made great progress commercially. There is a lot of export activity—the UK made £53 million of exports to Sri Lanka last year—so in other ways the Sri Lankan Government are making progress, but on this issue they have badly failed. We are dealing with many thousands of lives, and so, although I understand that the [Prime Minister](#) has called for co-operation, surely the onus is on us to put more pressure on the Sri Lankan Government to deal with this situation so that it does not last for a number of years, as did the situation with the holocaust, which the hon. Gentleman mentioned.



Lee Scott (Ilford North, Conservative)

The hon. Gentleman is absolutely correct, and that is why I ask the **Minister** to consider carefully the idea of vetoing future loans from the **International Monetary Fund** to Sri Lanka until the Sri Lankan Government co-operate. I am not for one second saying that if co-operation is given, that will change everything.

I know that it has been only a few weeks, but I have not seen one sign of a change in position from that of the previous Sri Lankan Government.



Angela Watkinson (Hornchurch and Upminster, Conservative)

Does my hon. Friend agree that one important thing that the Sri Lankan Government need to do is to change the constitution to allow retrospective legislation so that past atrocities can be investigated?



Lee Scott (Ilford North, Conservative)

My hon. Friend is absolutely right. Anyone who has committed a crime has to be seen to be brought to trial for that crime. There can be no saying, "We'll excuse them because they're my mates," or, "We'll excuse them because it suits us for this not to come out." I am not going to pretend that I can give a political analysis of the forthcoming Sri Lankan elections, but my understanding is that a lot of the people who will be sitting around the table after them will not be too different from those sitting around it before them, under the previous Government. If that happens, justice must still be done.

Many hon. Members wish to contribute to the debate, so I will not speak for much longer, but I want to implore everyone to recognise one thing. Should we have done more when the atrocities were taking place? Without question, yes. Could we have done more? Yes, we could. We cannot change the past, or the tragedy and atrocities that happened, but we can build for the future to make sure that the women and children—the nieces and nephews of my constituents and the constituents of many hon. Members present—get the justice that they deserve. If we do not do that, we should hang our heads in shame. Let us all work together, whoever the **Government of Britain** are after 7 May, to make sure that the Sri Lankan Government—and, specifically, those responsible for the atrocities—do not get away with these atrocities, and that we honour the memories of those who lost their lives.

9:43 am



Siobhain McDonagh (Mitcham and Morden, Labour)

I congratulate **Mr Scott** on securing the debate at what is a really exciting time in Sri Lanka, given **Maithripala Sirisena's** stunning victory in Sri Lanka's recent presidential elections. The welcome demise of **Mahinda Rajapaksa's** regime has removed a serious impediment from the prospect of securing truth, justice and reconciliation on the island.

President Sirisena has a laudable programme for reform, and I hope that, as he has stated is his aim, he is able to lay the foundations of a

"disciplined society rich in cultural and moral values where all could live in harmony irrespective of differences".

However, Sri Lanka will be truly set on the path to a sustainable and lasting peace only if the new Government take meaningful steps on several key issues: first, they must address the allegations of war crimes and crimes against humanity arising from the end of the country's armed conflict; secondly, they must end the culture of impunity that has blighted the country for so long; thirdly, they should negotiate a comprehensive political settlement to the Tamil national question; and, fourthly, they must ensure that the rights and freedoms of all Sri Lanka's citizens are respected and protected. However, Sirisena has already rejected the mandate of the current

UN investigation into war crimes allegations in Sri Lanka and has given no indication that he would be willing to grant greater autonomy to the Tamil and Tamil-speaking Muslim areas of the north and east of the island.

I agree with the assessment of the [Sri Lanka Campaign for Peace and Justice](#) that a democratic mandate for President Sirisena

"cannot be any more a mandate for impunity than was the previous election victory of Rajapaksa. Only if he makes a firm commitment to dealing with war crimes allegations—with the support of the international community—can he hope to secure a just and lasting peace".

I therefore intend to discuss why the [British Government](#) must remain eternally vigilant with regard to the situation in Sri Lanka. International efforts to ensure accountability and reconciliation on the island deserve our full and unwavering support. With the [Office of the UN High Commissioner for Human Rights](#) close to publishing its comprehensive report on war crimes allegations, the British Government, in concert with other countries and members of the [United Nations Human Rights Council](#), must be prepared to hold the [Government of Sri Lanka](#) to account if they reject the report's findings and fail to co-operate with its recommendations.

Stephen Timms (Shadow Minister (Work and Pensions); East Ham, Labour)



I agree with the point that my hon. Friend makes. Does she agree that it is hard to understand how Sri Lanka, under its new Government, can be admitted as a full member of the family of nations, and regarded as such around the world, if it does not co-operate with the UN's work to investigate the war crimes at the end of the civil war?

Siobhain McDonagh (Mitcham and Morden, Labour)



I completely agree with my right hon. Friend.

I make no apologies for expressing my delight at seeing the end of [Mahinda Rajapaksa's](#) brutal decade-long reign. This is a man who presided over the slaughter of 40,000 Tamils at the end of the country's civil war, whose contempt for human rights and the rule of law further intensified a culture of impunity, and who led an increasingly autocratic, nepotistic and corrupt Government. Right up until the end of the election campaign, violence and threats were being meted out against his political opponents and, since his defeat, serious allegations have emerged regarding both an attempted coup to remain in power and alleged complicity in the death squads of his brother Gotabhaya, the [Defence Secretary](#). Those are yet more issues that require full, credible and independent investigation.

After years of misrule, Sri Lanka was crying out for new leadership. I applaud those who, in the face of much intimidation, voted Rajapaksa out, especially the Tamils and [Tamil-speaking Muslims](#)

who had been so badly treated by his regime. In fact, the votes from the Tamil and Muslim communities were absolutely pivotal in securing Sirisena's victory. Although Rajapaksa swept almost all Sinhala-dominated provinces, Sirisena received the support of about 80% of the Tamil vote and gained an even greater number of votes from Muslims.

I believe that the outcome of the presidential election raises two important points. First, it reaffirms the fact that Tamils warmly embrace democracy. The spurious assertions by Mahinda Rajapaksa and his Government of attempts to revive the Liberation Tigers of Tamil

Eelam in Tamil-[majority](#) areas were complete nonsense. Tamils want not a return to armed conflict, but the opportunity to live with dignity in a peaceful, democratic society. Secondly, given the support that Sirisena received from Tamils and Muslims, they have every right to expect him to engage with them constructively and to address their long-standing grievances about war crimes, human rights violations, political marginalisation and religious intolerance, among other important issues.

Sri Lanka's new leader has shown a willingness to reach out to Tamils on several issues. For example, he has removed the military governor of [Northern Province](#), who did so much to undermine the work of the provincial council, and replaced him with a civilian, Mr Palihakkara, even though it must be noted that Mr Palihakkara was a senior Government representative during the conflict and defended them against accusations of war crimes committed against Tamils. Sirisena has also stated an intention to review the seizing of Tamil land by [the army](#) and has ordered the release of some Tamil detainees against whom no case has been brought. I hope that means that the likes of Jeyakumari Balendaran, a Tamil mother of one of the disappeared who has been detained without charge for 300 days, will soon have a taste of freedom again.

Sirisena has ambitious and worthwhile plans for government. His proposals for his first 100 days in office include notable pledges to abolish the executive presidency and to restore independence to the judiciary, police and other bodies. However, he will ultimately be judged not by his words, but by his deeds. The key constitutional reforms may prove difficult to enact, given the need for a two-thirds majority in Parliament and the possibility of needing to seek the support of aggrieved Rajapaksa allies. Significantly, although Sirisena may have stated that his Government's priority will be "ethnic and religious reconciliation", it is deeply unfortunate that his 100-day plan provides no explicit measures to address the key concerns of minority communities.

It is on that issue that the [British Government](#), through their bilateral relations with Sri Lanka, and as part of multilateral organisations such as the UN, must make their voice heard. We should do all that we can to ensure that President Sirisena's Administration understand the importance that we attach to Sri Lanka's addressing the outstanding issues arising from the armed conflict and its aftermath.

A matter of days after Sirisena's presidential election victory, [Pope Francis](#) arrived on the island. Addressing the crowds at Colombo airport, [His Holiness](#) said:

"Sri Lanka for many years knew the horrors of civil strife, and is now seeking to consolidate peace and to heal the scars of those years. It is no easy task to overcome the bitter legacy of injustices, hostility and mistrust left by the conflict. It can only be done by overcoming evil with good and by cultivating those virtues which foster reconciliation, solidarity and peace. The process of healing also needs to include the pursuit of truth, not for the sake of opening old wounds, but rather as a necessary means of promoting justice, healing and unity."

I agree wholeheartedly with His Holiness's sentiments, and his statement is an implicit endorsement of the UN inquiry.

President Sirisena has spoken of how his Government intend to

"have a foreign policy that will mend our ties with the international community and all international organisations in order that we derive maximum benefit for our people."

The perfect way for him to show that he is sincere in his intentions is for his Government to accept the mandate of the **Office of the UN High Commissioner for Human Rights** and co-operate with its war crimes investigation. However, people are right to be sceptical about Sirisena's sincerity, given that he is not prepared to engage with the work of the **OHCHR** and has vowed to protect Mahinda Rajapaksa and other senior Government and military figures from possible future war crimes charges.



Mark Durkan (Shadow SDLP Spokesperson (Foreign and Commonwealth Affairs), Shadow SDLP Spokesperson (Justice), Shadow SDLP Spokesperson (Home Affairs), Shadow SDLP Spokesperson (Treasury), Shadow SDLP Spokesperson (International Development), Shadow SDLP Spokesperson (Work and Pensions); Foyle, Social Democratic and Labour Party)

The hon. Lady quoted the Pope, and the **Minister** of State, Foreign and **Commonwealth Office**, **Mr Swire**, also quoted those words about truth and reconciliation in the main Chamber recently. Does she agree that the Minister should repeat those words on his visit—not in the pastoral tone used by the Pope, but in crisp, diplomatic terms?



Siobhain McDonagh (Mitcham and Morden, Labour)

I agree with my hon. Friend. The **Minister** is in Sri Lanka at the moment and we hope he will take up the baton laid down by the Pope.

There are no legitimate reasons to delay the pursuit of truth and justice for the victims of the conflict, yet some have already called for President Sirisena to be given more time and space to deal with issues of reconciliation and accountability, given the job that lies before him. His Government have even indicated that they intend to establish yet another domestic investigation into the allegations of war crimes during the final stages of the civil war. Experience tells us where that will lead: nowhere. The **Lessons Learnt and Reconciliation Commission** that was set up in 2010 by **Mahinda Rajapaksa** was "deeply flawed" and failed to

"satisfy key international standards of independence and impartiality",

according to the **UN Secretary-General's** panel of experts on Sri Lanka. Impunity has been the rule in the country for too long and, as the UN high commissioner has said, the consequence has been that national accountability

"mechanisms have consistently failed to establish the truth and achieve justice."

It is important to remember that Sirisena is not some innocent party to the situation. He was not plucked from the purity of **opposition** to become President. He is a former ally and colleague of Rajapaksa's. He served as a **Defence Minister** during the final stages of the conflict, when tens of thousands of civilians were killed. He has also spoken out against those who have questioned the

Government's actions in the final stages of the war. In 2010, when Karu Jayasuriya MP wrote that the country should investigate "the many allegations" against it, Sirisena said the Government would identify "patriots and traitors" in the country and act accordingly. President Sirisena may also be implicated in some of the alleged crimes that took place during the armed conflict. His statement from 2010 suggests strongly that he was willing to play his part in helping to foment the culture of impunity under the rule of Mahinda Rajapaksa.

Many members of the **Government of Sri Lanka**, past and present, see the UN investigation as some pernicious attempt to damage the country and undermine its sovereignty. However, the investigation seeks only to uphold the values and precepts of international humanitarian and human rights law. Given the evidence,

it is clear that it is the only credible and independent process available that can get to the truth about what happened. To paraphrase **His Holiness**, the pursuit of truth, and the realisation of accountability and justice, are the only means by which to lay the foundation for a better future in Sri Lanka—a future where the rule of law and respect for human rights replace the culture of impunity. Without that foundation, it will be virtually impossible to reconcile the different communities on the island, and Sri Lanka will continue to suffer as a result.

In the weeks and months ahead, I therefore call on the **British Government** to undertake a number of measures. They should urge the Government of Sri Lanka to co-operate with the war crimes investigation by the **Office of the UN High Commissioner for Human Rights** and engage constructively with the **UN Human Rights Council's** concerns about the promotion of reconciliation and accountability. They should also state what the consequences would be if President Sirisena's Government continued to snub the UN process and reject any criminal investigations that arise from the findings and recommendations of the war crimes report by the Office of the High Commissioner. Given the seriousness of the issue, no measures should be taken off the table, including possible sanctions and travel bans, if Sirisena's Government fail to comply.

Stephen Timms (Shadow Minister (Work and Pensions); East Ham, Labour)



My hon. Friend makes a powerful case. Earlier, she quoted the new President's words, which indicated that he wanted to make sure that Sri Lanka made the most of its participation in a variety of international organisations to benefit the people of Sri Lanka.

Is it not the case that that ambition will be possible only if Sri Lanka starts to co-operate with the UN's work?

Siobhain McDonagh (Mitcham and Morden, Labour)



I completely and wholeheartedly agree with my right hon. Friend.

The **UK Government** should also: make a formal request that the **Government of Sri Lanka** join more than 150 other countries by finally signing the declaration of commitment to end sexual violence in conflict; place conditions on aid and inward investment into the island, specifying the need for accountability, and the promotion and protection of human rights; urge President Sirisena to publish a long-term plan, along the lines of his road map for his first 100 days in office, stipulating how he intends to address the concerns of minority communities, and to ensure truth, justice and accountability; and call on the Sri Lankan authorities to address the Tamil national question, and enter into immediate and meaningful negotiations with elected Tamil representatives and others to ensure a comprehensive and permanent political solution.

In addition, the **British Government** should request that President Sirisena, as an act of good will to the Tamil community: revoke the proscription of Tamil diaspora groups and individuals, which was implemented under the rule of Rajapaksa; call on Sri Lanka to demilitarise the Tamil **majority** areas of the island, release all political prisoners who have not been charged with any offence and revoke the draconian measures in the **Prevention of Terrorism Act**, which allows for 18 months' detention without charge; and closely monitor the human rights situation on the island, particularly in

relation to religious and ethnic minorities. I look forward to the Government's response, and I apologise to hon. Members for speaking for so long.

9:59 am



Robert Halfon (Harlow, Conservative)

It is a pleasure to serve under your chairmanship, Mr Caton, and I congratulate my hon. Friend **Mr Scott**, a near **constituency** neighbour of mine, on his constant battle to support the Tamil community. He is recognised across the House for that work.

There are not many Tamils in my constituency; I wish there were. I am taking part in the debate because I am from the Jewish faith and believe that it is my duty to help races and nations that have suffered genocide. I believe that there has been a genocide of the Tamils. I define genocide as scientific murder. The Tamils have for decades been demonised and marginalised. They have been imprisoned in camps and annihilated. I commend the **UNHCR** for its renewed efforts to appraise the situation of the Tamil community in Sri Lanka, especially after last month's regime change.

I agree that, although the Government might have changed, we should bear in mind some issues of concern that unfortunately remain, and a fundamental issue is the treatment of the Tamil community in the past and now. I will briefly speak about three matters: first, the need for Government recognition of war crimes and a show of willingness towards investigation; secondly, the need to introduce safer regulations for journalists and investigators; and, finally, the absolute necessity to scrap a repressive Act that contributes to the continuing oppression of the Tamil community.

I, along with many other hon. Members, applaud the regime change in Sri Lanka, but we must not sit back and let the current Government repeat the errors of the past. Given the fact that one of the key participants in the Government, General Sarath Fonseka, is an alleged war criminal, and the lack of a constitutional obligation for Sri Lanka to undertake war crimes investigations, there is still a huge way to go. First and foremost, the UNHCR commission must carry on investigating the civil war and exert pressure in whatever way it can on the new Government to pass new legislation on the treatment of war crimes. The actions committed during the civil war could then be appraised by a recognised court.

The continuing oppression of the Tamils, despite a few reforms here and there, is allowed to carry on unpunished because of the difficulty encountered by United Nations teams when they investigate the situation. That must stop, and we need to encourage the new Government to take the initiative on making it stop. I welcome the fact that our **Prime Minister** has already called for Sri Lanka to co-operate with the **Office of the United Nations High Commissioner for Human Rights** in Sri Lanka, and President Sirisena should heed that call, as well as signing the Rome statute of the **International Criminal Court**, to show his Government's good will on repairing mistakes from the past.

However, the efforts of the new Sri Lankan Government should extend far beyond simple recognition of the horrors on both sides of the war. They should start by improving their record on the protection of journalists. Over the past 10 years, 370 journalists have been killed

in Sri Lanka. Of those 370 cases, only 10% resulted in convictions. If Sri Lanka wants to improve its human rights record, it needs to set that straight and ensure that those very people whose mission is to denounce and investigate, to unearth and to expose, are safe enough to allow them to continue as the peaceful policemen of this world. "Je suis Charlie" applies as much in Sri Lanka as in Paris.



Mark Durkan (Shadow SDLP Spokesperson (Foreign and Commonwealth Affairs), Shadow SDLP Spokesperson (Justice), Shadow SDLP Spokesperson (Home Affairs), Shadow SDLP Spokesperson (Treasury), Shadow SDLP Spokesperson (International Development), Shadow SDLP Spokesperson (Work and Pensions); Foyle, Social Democratic and Labour Party)

I endorse, exactly, what the hon. Gentleman has said about journalism. In addition to the journalists who have been killed, of course, many others have been attacked and threatened, and many have had to flee. Surely one of the best indicators that Sri Lanka had turned a corner would be for some of those journalists who have had to absent themselves to be able to return.



Robert Halfon (Harlow, Conservative)

The hon. Gentleman, who does so much in Parliament for human rights, is absolutely right. The right of return for Tamils and those who have been oppressed, to live freely, would be the biggest evidence that the regime had really changed.

Finally, and perhaps most importantly, the new Sri Lankan Government need to repeal the terribly oppressive **Prevention of Terrorism Act**, which allows the police to hold a suspect for 18 months on motives as light as suspicion of connection to unlawful activity. Such a vague and liberticidal law largely contributes to the abuses in human rights and must be stopped. I urge the **British Government** to harry the Sri Lankan Government on that. I hope that the **Minister** will respond on that point.

We must encourage the Tamil minority in their struggle for self-determination. As the representatives of a country that has always upheld the values of human life and freedom, we cannot let the new Sri Lankan Government carry on the repression and errors of the past. The Tamils deserve international recognition of the genocide of their people, and I ask the Minister to comment on that. They deserve their right of self-determination, and to be treated equally before the law.

10:06 am



Jim Shannon (Shadow DUP Spokesperson (Health), Shadow DUP Spokesperson (Transport), Shadow DUP Spokesperson (Human Rights); Strangford, DUP)

It is a pleasure to speak on this matter, Mr Caton. I congratulate **Mr Scott** on introducing it and thank him for giving us all the opportunity to debate it. As he rightly mentioned in his introductory remarks, this is the anniversary of the Holocaust, so our discussion of these important matters coincides with Holocaust memorial events. As my party's spokesperson on human rights and equalities, I am pleased to contribute to the debate. I have a passionate interest in human rights, and I hope that the debate will enable us to be part of the change that is so

desperately needed throughout the world. That is the importance of it.

Sri Lanka offered asylum to a considerable number of refugees even though it is not a signatory of the 1951 refugee convention. The **UNHCR** co-operates with the Government, as well as with **NGOs** and other stakeholders, to protect, assist and find durable solutions for refugees and other people of concern. The UNHCR's involvement in Sri Lanka dates back to 1987 when the organisation was invited by the Sri Lankan Government to facilitate large-scale repatriation of Sri Lankan refugees from

India. In 1990, just as its activities were to be wound down, the UNHCR was requested to expand its protection and assistance to include not only the refugees immediately under its mandate, but the people displaced internally by the abrupt resumption of Sri Lanka's ethnic conflict.

The Tamil rebels, known as the **Liberation Tigers of Tamil Eelam**, began an uprising in 1983, after complaining of discrimination against the then minority Tamil community. Horrendous atrocities were committed in the conflict by the **LTTE** by and Government troops. Thousands upon thousands were killed and thousands are still missing. The numbers are enormous. Although the conflict ended in 2009, the improvements made in northern Sri Lanka tend to be more superficial than real. My hon. Friend **Dr McCrea** made the point that the Government are spending money on the way things look outwardly, rather than looking at the internals and changing things on the ground. I would like to see that happen as well.



William McCrea (Shadow Spokesperson (Justice), Shadow DUP Spokesperson (Home Affairs); South Antrim, DUP)

The House is united in wanting the truth about what happened in Sri Lanka. There should be no hiding place for any person, even those in elevated office. However, do not the **United Kingdom Government** need to be careful of accusations of hypocrisy, given that in **Northern Ireland** we have a Deputy First **Minister** who was part of the **IRA** army council, which, with his leader, **Gerry Adams**, ordered the slaughter of the Protestants along the border? Yet there has been no investigation of that, and when we ask about an investigation—people seem to be in elevated office—we are told the books are closed.



Jim Shannon (Shadow DUP Spokesperson (Health), Shadow DUP Spokesperson (Transport), Shadow DUP Spokesperson (Human Rights); Strangford, DUP)

I thank my hon. Friend for that salient point, on which we can all agree.

Since the end of the 25-year campaign, \$3 billion has been spent on economic and infrastructural development in northern Sri Lanka. As Alan Keenan, the Sri Lanka project director at the **International Crisis Group**, noted, the situation in northern Sri Lanka has improved “in some ways”, but

“the government has made too much of large infrastructure and development projects, which it is able to show off to the international community, and not enough of the situation on the ground”—

as my hon. Friend said, and as we all adhere to and understand.

I remain extremely concerned about not just the discrimination against the **Tamil people**, which seems to be ongoing, but the risk of sexual violence to women—as **Siobhain McDonagh**

mentioned, and which is so important—and the persecution of Christians. There are concerns from some members of the Tamil community that the Government are undertaking a practice of “Sinhalisation” of the area. Many Sinhalese fled the north due to the atrocities being carried out by the **Tamil Tigers** during the civil war. Some have returned, and there are concerns about the number of Sinhalese coming to the area. Estimates have suggested that there are 150,000 Sinhalese soldiers in the Vanni.



Gregory Campbell (East Londonderry, DUP)

My hon. Friend is outlining a litany of issues that need to be addressed, but does he agree that another matter

is that almost 6,000 persons are still reported missing in the area? That needs to be addressed not just internally, but internationally.



Jim Shannon (Shadow DUP Spokesperson (Health), Shadow DUP Spokesperson (Transport), Shadow DUP Spokesperson (Human Rights); Strangford, DUP)

I thank my hon. Friend and colleague for that intervention. In **Northern Ireland**, we have experienced the disappeared, although in much smaller numbers, but every one of those people is still important. When the number is multiplied to 6,000 missing persons, the magnitude is incredible. This is a technical detail, but I wonder whether the Minister will address it as it is important. In Northern Ireland, we have been able to find some of the bodies of the deceased and have an expertise in doing that. Perhaps that expertise could be loaned in some way to Sri Lanka to enable the remains of the disappeared to be returned to their families, because that heartbreak is very real for every one of those 6,000 families.

At one soldier for approximately every five civilians, the ratio of soldiers to civilians is considered one of the highest in the world. Given the figures, it is unsurprising that people are concerned by the so-called Sinhalisation.

The conflict saw a large number of men and boys either killed or disappeared—a generation lost—and there are 89,000 war widows in north and east Sri Lanka alone. Given the high military presence in the country, there are concerns that those women are more vulnerable to sexual harassment and violence. Although the Sri Lankan military are held in high admiration in the south of the country, for many in the north, especially in former **LTTE**-controlled areas, the army is still the enemy.

That fear and dislike of the military are vindicated by very credible allegations of human rights violations, including rape and sexual and emotional abuse of women. Tamil women are also vulnerable to sexual violence, because they are often coerced into sexual relationships with Sinhalese soldiers, sometimes for the promise of marriage and sometimes for money. That continues to be a serious problem in Sri Lanka and, for many women, sexual harassment is simply accepted as a way of life, but that should not be the case. We need to change that mindset and we must do all that we can to help the **Office of the UN High Commissioner for Human Rights** to stop rape and sexual assaults.

Another concern I must express, because this issue is very close to me, is the persecution of Christians in Sri Lanka. We must not let the opportunity to mention that issue today pass us by. Buddhists make up 70% of the population. That is followed by Hinduism at 12%, Islam at 8% and

Christianity at 8%. In northern Sri Lanka, the [majority](#) of people are Hindu, but there is a large Christian population living there, too. The persecution of Christians has escalated in recent years, with the rise of militant Buddhist nationalist groups in Sri Lanka. More than 250 churches have been destroyed or damaged in sectarian violence. That is unacceptable, and that must be stated in this Chamber today.



William McCrea (Shadow Spokesperson (Justice), Shadow DUP Spokesperson (Home Affairs); South Antrim, DUP)

As I am sure my hon. Friend would agree, the persecution of Christians is an important issue that the [Minister](#) should be raising with the Sri Lankan Government in the meetings he will be having.



Jim Shannon (Shadow DUP Spokesperson (Health), Shadow DUP Spokesperson (Transport), Shadow DUP Spokesperson (Human Rights); Strangford, DUP)

I hope that the [Minister](#) has taken note of that important issue. Through our own churches in

Northern Ireland, and across the United Kingdom, we have missionary contacts in Sri Lanka and we are aware of what is taking place—the persecution, the destruction, the abuse and, in some cases, the injury and murder of those who have Christian beliefs.

Although the constitution guarantees religious freedom while favouring Buddhism, minority Protestants have experienced violent persecution, as well as discrimination in employment and education, which is also unacceptable. Sri Lanka is ranked No. 44 on the [Open Doors](#) world watch list.

Last year, there were 60 incidents in which Christian services and prayer meetings were disturbed and disrupted, in church buildings and in private homes. Sri Lanka has a small group of expat Christians, mainly in Colombo, and a large group of traditional and recognised churches, both Catholic and Protestant. Non-traditional Protestant churches as well as converts from a Buddhist background face the most persecution. Although there are plenty of churches in the capital Colombo, the picture completely changes in more rural areas. Most Christians meet in house churches and are forced to keep a low profile. As one pastor in the central highlands said:

“If I had put a cross on the building, they would have killed me.”

That can never be tolerated in any society and certainly not in Sri Lanka.

We need to ensure that what is happening stops. I know the Minister is interested in the matter and that we will be assured by his response, but he and the Government need to work with the [Office of the UN High Commissioner for Human Rights](#) to stop the persecution of minority religious groups, including Christians, as well as stopping sexual and physical violence against women.

10:16 am



Bob Blackman (Harrow East, Conservative)

I apologise for being late, Mr Caton—I was in an unexpectedly lively [Delegated](#)



Legislation Committee, so I was delayed. I rise to support my hon. Friend **Mr Scott** in his debate and to raise some issues on Sri Lanka that I hope were not mentioned in his introductory speech or in the other speeches that have been made.

We should face up to the fact that we are talking about a ferocious, bloody civil war over a 30-year period. The **LTTE**, in particular, eliminated all **opposition** among the Tamil community and were responsible for a whole series of war crimes. It was a terrorist organisation with its own air force, army and navy, making it almost unique, I believe, among terrorist organisations. At the end of that war, which was unexpected and extremely bloody, the LTTE was eliminated, but the Sri Lankan Government and the defence forces, who were also responsible for war crimes during the war, are still around. They have to answer for the crimes that they created, and the crimes against the **Tamil people**.

At the end of the civil war, thousands of individuals—civilians or boy soldiers—surrendered with their religious leaders and went into camps. Allegedly, those camps are empty and everyone who went into them has come out, yet thousands of people are missing. I have constituents who have raised with me the names of individuals who surrendered—they have the names, the dates and the times. They surrendered with their religious leaders, yet they are missing. They are lost. They are gone.

During my visit to Sri Lanka some two-and-a-half years ago, I presented the list to Government Ministers and said, "Where are these people? You took them in, yet they are missing. They are gone, and their relatives want closure." No answer came, because there is no answer, but if those people were eliminated—murdered—those were war crimes, so the Sri Lankan Government and the individuals responsible have to answer the questions. They should submit themselves to proper scrutiny. We have an opportunity, through the election of the new Government, for a clean slate and to open up what happened at the end of the civil war, in particular, to public scrutiny and to the United Nations through a proper independent inquiry. If the individuals fail to answer the questions, that opportunity will be lost and the new Government will be stained in the same way as the previous Government was by that issue alone.

I take the view very strongly that the human rights issues in Sri Lanka are vitally important. The first duty of any Government is to protect the external borders, but the second duty—arguably equally important—is to protect the right of minorities to live, work and play within a suitable environment. Clearly, that has not happened in Sri Lanka, so there is an opportunity there. There is also an opportunity for Britain.

One of the things that I am particularly concerned about when I look at the security position in Sri Lanka is this. In the south of Sri Lanka—this is an island on a key sea lane and a key air route for the world—we have allowed a situation to develop in which the Chinese have invested heavily in an airport with runways that will take very heavy traffic, including military traffic, and in a deep-sea port right on what are, for the world, key strategic lanes. China now controls those air lanes and sea lanes on the edge of India. That is a threat, I believe, to western civilisation and our links to the east.

The Sri Lankan Government have questions to answer about why that situation has been allowed to happen. Will they continue their relationships with China, or extend the hand of friendship to the rest of the Commonwealth and back to Britain? We have a historical role. The Tamils want to work. They want to feed their families. They want the opportunity to develop their land. There is an issue

about ensuring that arrangements are made between India and Sri Lanka over the fishing rights just north of Sri Lanka, where traditionally the Tamils have fished; they are not able to currently because of the problems there.

There is another issue on which Britain historically has a role. During the civil war, millions of land mines were laid in Trincomalee and around the areas of the east. They were put in by both the **Tamil Tigers** and the Sri Lankan defence force. There are no maps, and there is a project that will last years under current arrangements. Individuals are identifying where those mines are and digging them out by hand, which is extremely dangerous.

As the land is reclaimed, Tamils go back to farm it. Immediately the land is clear, the opportunity is available for people to grow crops, harvest them and ensure that they can feed their families. However, our project seems to be dragging on year after year. There is still an opportunity, I believe, for Britain to take a lead in investing more money in clearing the mines more quickly,

so that the Tamil people can farm their land as they traditionally have for hundreds of years.



Jim Shannon (Shadow DUP Spokesperson (Health), Shadow DUP Spokesperson (Transport), Shadow DUP Spokesperson (Human Rights); Strangford, DUP)

There are 150,000 Sinhalese soldiers in the north of Sri Lanka. The ratio of soldiers to civilians is 5:1. Some of the soldiers could be used to oversee the mine clearance. Does the hon. Gentleman believe that discussions along those lines would also be helpful for the Government?



Bob Blackman (Harrow East, Conservative)

The hon. Gentleman is absolutely right. The key point is co-operation and getting the job done. At the moment, the estimate is that it will last years. In the meantime, the land cannot be used and people are starving as a result. Clearly, that cannot be allowed to continue.

Let me explain one of the things that I found astounding on my visit. Yes, the Sri Lankan Government have put in infrastructure. They have put in highways, bridges and so on, which improve links. I have to say that the roads between Colombo and Kandy and beyond will stand much more improvement to facilitate sensible transport across the island so that goods and services can be exported; that is how Sri Lanka will thrive and grow. The opportunity is there, and new houses have been built, but in those new houses people end up camped on brick floors. No furniture and no decent facilities are provided; it is just the bare bones. Clearly, there needs to be investment in the provision of decent bedding, furniture and kitchen facilities for the Tamils who live in those houses.

Jim Shannon mentioned the issue of minorities: Christians, Muslims and the **Tamil people**. There is a rise in radical Buddhism. There has been a problem on the island of Buddhists killing, and sacking churches and Hindu temples. The new Sri Lankan Government must put a stop to that immediately. That should be one of the demands that we make.

All in all, there is an opportunity with the new Government. My right hon. Friend the **Prime Minister** was absolutely right to go to the **Commonwealth Heads of Government** meeting in Sri Lanka and to demand the opportunity to visit Jaffna and the areas of the east and see things at

first hand so that he could make the demands for human rights for the people of Sri Lanka. The opportunity is there, as we extend, hopefully, the hand of friendship to Sri Lanka, to say, "We want to be friends and support Sri Lanka, but it is vital that you open yourselves up to scrutiny over the war crimes that were committed, that we find out what happened to the individuals who are missing and that the individuals responsible for the decisions and actions are held to account." Until that happens, there will be this lingering suspicion and the demands will continue. The people who have left Sri Lanka and made this country their home rightly demand answers.

The opportunity is there. I hope that the response from the [Minister](#) will deal with those demands. When the [Minister of State](#), my right hon. Friend [Mr Swire](#), returns from Sri Lanka, we will, we hope, get a report saying, "Actions have been taken, actions have been demanded of the new Government and we have good news." I am not holding my breath,

because in this case there has been no history of transparency or encouragement, but the opportunity now exists.

10:26 am



John McDonnell (Hayes and Harlington, Labour)

I, too, thank [Mr Scott](#) and my hon. Friend [Siobhain McDonagh](#) for their dogged pursuit of this issue over the years. I am also grateful for their work in the all-party group for Tamils.

The reality is that we have been here too many times. There have been too many of these debates, to be frank, and limited movement. We were here when the last onslaught on the Tamil community took place and 40,000 people died. We were here when, as [Bob Blackman](#) said, the disappearances started in earnest, and also when the ethnic cleansing of the Tamil areas started.

There has been some movement. The establishment of the [OHCHR](#) investigation was a significant breakthrough. Let us congratulate people on their contribution. The [UK Government](#) made a significant contribution to enabling that to happen, as did our current [Prime Minister](#). I am grateful for that. Rajapaksa's losing the election was also a significant advance. It was a brutal regime and if there is an investigation, he will have a lot to answer for. He may well come before the [International Criminal Court](#) at some stage.

All the speakers so far have treated the election of President Sirisena with some caution, and I agree that we cannot get carried away. He has at least acknowledged that crimes took place under the state and that there is an issue that needs to be investigated. However, the non-co-operation with the international investigation is, for me, the key issue. There has been the offer of a domestic inquiry, but to be frank, many see that as just a diversionary process. It is impossible to see how it can be regarded as independent and effective or how it can secure the confidence of the [Tamil people](#) in particular, but also the international community. That is why the real question today is how we can secure the new President's co-operation with the international investigation.

This was mentioned by my hon. Friend the Member for Mitcham and Morden, but I want to come to it more straightforwardly. I believe that our best weapon for securing that co-operation is our economic influence. Nothing has worked until we have threatened the withdrawal of economic co-operation. Some 36% of Sri Lanka's exports go to the [EU](#). That is worth €3.5 billion. Sri Lanka has a trade surplus with the EU of €1.1 billion. It is given preferential treatment by the EU and is part of the generalised scheme of preferences, which allows it to pay no or very little duty.

For those reasons, I believe that the UK, within the EU, has immense influence. We should set a deadline for the new President to co-operate with the international investigation; if agreement is not reached by that deadline, we should place on the agenda discussion within the EU of the withdrawal of Sri Lanka's status in the general preferential agreement. I do not say that lightly, because no one wants to inflict economic harm on another population. At the same time, I do not see any other way in which we can secure co-operation. The inquiry may lay the foundation stones for the future

that we all want to see in Sri Lanka—one of peace and justice for the entire population.

The investigation is central, but I reiterate my support for the issues that others have raised: the need for an end to detention without due process, an end to the ethnic cleansing of Tamil areas, an end to the harassment of the Tamil population and an end to the use of sexual crime against women, which has been so prevalent in recent times. The international investigation should be part of the reconciliation process, which involves moving towards a general, agreed constitutional settlement that recognises the rights of the Tamil people, trying to bring back normality to Tamil areas and implementing the demilitarisation that has been called for.

Our message for President Sirisena is that we want to work with him in co-operation. However, unless a deadline is set for such co-operation, particularly with the UN investigation, I believe that we should seriously consider sanctions. In our role as UK parliamentarians, we should send a message to the President that we are not going away, and that we will continue our search for peace and justice using whatever parliamentary mechanisms and influence we have.

10:31 am



Kerry McCarthy (Shadow Minister (Foreign and Commonwealth Affairs); Bristol East, Labour)

I congratulate **Mr Scott** on securing the debate. It is not the first time that we have debated this matter, although it is notable that there is more consensus in the room than there has been on previous occasions. We have heard from hon. Members about various minority groups in Sri Lanka, and **Jim Shannon** talked about the persecution of Christians. There is also an issue with the Muslim minority community in Sri Lanka and, indeed, people from the **majority** community suffer such things as repression and false arrest. However, as today's debate is about the **Tamil people** and the impending report, I will confine my comments to that.

As we have heard, the **Minister** of State, Foreign and **Commonwealth Office**, **Mr Swire**, is in Sri Lanka. I understand that the joint chair of the all-party group on Sri Lanka, my hon. Friend **Mr Love**, was also due to go out on 27 January, although I do not know whether that is a coincidence. I hope that the **Minister for Europe**, when he responds to the debate, will be able to tell us a little bit more about his fellow Minister's visit and with whom he will be meeting. I echo the comments of those who have said that it would be helpful if the **Minister of State** made a statement on his return from Sri Lanka, or wrote to those hon. Members who attended this debate, to tell us what has been achieved. At this time of great uncertainty, caution has rightly been expressed about what the result of the presidential elections will mean for Sri Lanka, so it would be useful to hear the Minister's first-hand take on what he has seen there.

It is to be hoped that the presidential election marks the beginning of a new era for Sri Lanka, but we should not accept the argument that it is time to draw a line under Sri Lanka's past and move on, as some people have suggested. There has been too much injustice, especially towards the Tamil people, for that to be appropriate. It is imperative that the UN investigation

continues and reports to the **UN Human Rights Council** in March, and the election of a new President should not be used as a reason to delay that. Labour called for an international inquiry in 2011, so we welcomed last year's decision of the Human Rights Council to launch an investigation.

President Rajapaksa repeatedly failed to comply with successive Human Rights Council resolutions. He also failed to deliver the necessary independent investigation, and he even failed to implement the recommendations of his own **Lessons Learnt and Reconciliation Commission**, weak though that was. That was why we were so concerned by the coalition's delay in supporting UN action and the refusal to use the **Prime Minister's** attendance at the **Commonwealth Heads of Government** meeting as leverage. We felt that the movement towards a proper, comprehensive UN inquiry were unnecessarily delayed by the **Prime Minister** accepting Rajapaksa's assurances that he would investigate. We know that Rajapaksa set up a three-man inquiry, but I do not think that that will lead to particularly positive outcomes. Indeed, the new President may disband that inquiry.

There have been positive indications that President Sirisena will lead a Government who are very different from that of his predecessor, but there is ambiguity over the UN investigation and efforts to secure accountability and justice for everyone in Sri Lanka. As has been said, the new President was a member of the Rajapaksa Government and served as **Defence Minister** during the final stages of the civil war, and my hon. Friend **Siobhain McDonagh** expressed doubts about his commitment to action and with regard to his complicity in past acts. Reports during the election campaign indicated that he, too, rejected the UN investigation. Since then, the **BBC** has said:

"The new president...disowned Mr Rajapaksa but vowed not to allow him to be hauled before an international war crimes court."

The **Tamil Guardian** stated this week:

"The new government, around President **Maithripala Sirisena**, has expressed its firm commitment to protect any Sri Lankan citizen who fought against the **Liberation Tigers of Tamil Eelam** from facing international justice."

The President's senior adviser is meeting the United Nations high commissioner for human rights this week and the **Sri Lankan Foreign Minister** was reported as saying that the Government would take action against perpetrators if there was evidence of war crimes. Those are positive signals, but there are mixed messages about whether the Sri Lankan Government will accept the conclusions of the UN investigation, whether they will work with international judicial mechanisms and whether members of the previous Government or the military will face justice in Sri Lanka. The Sri Lankan Foreign Minister has said of the allegations:

"Whether those are war crimes or whether such crimes amount to genocide or not will have to be decided by a domestic inquiry."

The new Government in Sri Lanka are reportedly in the process of establishing a domestic mechanism.

At such an early stage in his presidency, we cannot dismiss the possibility that President Sirisena is genuinely committed to delivering accountability. Indeed, we hope that he recognises that a successful, meaningful domestic mechanism would demonstrate his departure from his

predecessor's approach. I reiterate that no domestic

approach can halt the UN investigation, which must fulfil the mandate set out in last year's resolution on promoting reconciliation, accountability and human rights in Sri Lanka. Regrettably, the Rajapaksa Government denied the UN investigators visas to visit Sri Lanka. In the final few weeks of the investigation, President Sirisena has the opportunity to demonstrate to the international community that he will lead a very different Government. I trust that the UK is doing everything possible to encourage his co-operation with the UN. Needless to say, it will be crucial that the Sri Lankan Government accept the final report and work with the UN on its recommendations.

We are all aware of the reports of intimidation and reprisals suffered by human rights defenders and others in Sri Lanka. What is being done to try to secure the safety of **Sri Lankans** who give evidence to the UN investigation or any domestic inquiry? The report by the high commissioner in September noted several concerns about Sri Lanka's Assistance to and Protection of Victims of Crime and Witnesses Bill, which was submitted to its Parliament last August. Worryingly, the **Foreign Affairs Committee** has noted that the **Foreign Office** was not able to clarify whether the human rights defenders, journalists and others who met the Prime Minister in November 2013 had been targeted. I hope that the Minister will be able to update us on the steps that the Foreign Office took to protect those Sri Lankans and monitor their ongoing safety.



Lee Scott (Ilford North, Conservative)

Does the hon. Lady agree that arresting people who are giving evidence is not in any way helpful or beneficial to an investigation, and that the new **Government of Sri Lanka** must put an immediate stop to that? Anyone who gives evidence to such an investigation should be able to do it freely and in an unfettered manner.



Kerry McCarthy (Shadow Minister (Foreign and Commonwealth Affairs); Bristol East, Labour)

I absolutely agree, and there is nothing I can add. The hon. Gentleman makes his point very powerfully. The fact that such precautions and safeguards are necessary highlights the fact that our concerns about Sri Lanka should not be confined to what happened during the civil war. This is not something under which we can draw a line. As successive Human Rights Council resolutions have documented, there were ongoing concerns about human rights, democracy and the rule of law in Sri Lanka that **President Rajapaksa** failed to address. Indeed, in many ways, his conduct exacerbated those issues.

The new President's pledges during the election campaign to correct those concerns were a significant factor in his success. His commitments to end nepotism and corruption, to restore the independence of the judiciary and to repeal the 18th **amendment** are welcome. It is also crucial that he seeks to work with the Tamil community and to repay the faith it invested in him during the election. For Tamils it is about not just the UN investigation, but addressing the injustices that they have suffered since 2011 and the publication of the **LLRC** report.

As the high commissioner's September update to the Human Rights Council noted, the Rajapaksa Government proscribed a number of Tamil diaspora groups as terrorist organisations. The new President must take positive

steps to safeguard freedom of expression, to deliver justice regarding the enforced disappearances,

to end the arbitrary arrests, to ensure that freedom of religion is respected and to ensure that Tamil and Muslim minorities are protected. Demilitarisation will also be key, especially in the north. As my hon. Friend the Member for Mitcham and Morden said, the President's decision to replace the governor of the northern province with a civilian has been taken as a positive signal of intent and an indication that he is listening to the **Tamil National Alliance**. I hope that will continue. I also hope the **Minister** is able to update us today on discussions relating not only to the UN investigation, but to compliance with Human Rights Council resolution 25/1 more generally, and to agreeing the outstanding requests for visits by UN special procedures mandate holders.

As my hon. Friend the Member for Mitcham and Morden mentioned, it is notable that President Rajapaksa repeatedly refused to sign up to the **Foreign Office's** preventing sexual violence initiative, despite the efforts of the **Prime Minister** and the previous **Foreign Secretary** to persuade him to do so. These are very early days, of course, but do the Government think that the new President will be any more receptive? Will the Foreign Office and the Leader of the House, who is still responsible for the **PSVI**, pursue that initiative with the new President as soon as possible?

Will the **Minister for Europe** also update us on the **FCO's** work with the **Home Office**, following the previous Foreign Secretary's assurances last June that he would investigate claims that failed Tamil asylum seekers who were returned to Sri Lanka by the Home Office had been subjected to torture and sexual violence? I know that this is not the Foreign Office's direct responsibility, but I hope that he is able to assure us that the election result will not lead to automatic assumptions by the Home Office that Tamils are now safe to return to Sri Lanka.

Although the conduct of the election this month was an improvement on previous years and there seems to have been a smooth and peaceful transition of power, there were nevertheless reports of intimidation and harassment during the campaign, and reports that the new Government will investigate an alleged coup plot. It will be helpful if the Minister could provide his assessment of reports on efforts to investigate voter intimidation, and on the prospects for free and fair parliamentary elections later this year. I believe that those elections will be held in late May or June, so there is not much time to ensure that that happens.

We hope that the new President will be able to put Sri Lanka firmly on the path towards peace and democracy. He will have the full support of the international community if he chooses to do so, but he must also demonstrate a willingness to engage with international partners. We all await the UN report in March and hope that it proves instructive in finally delivering accountability and justice for everyone in Sri Lanka. I hope that the Minister is able to update us on the Government's preparations for the 28th session of the Human Rights Council and on their plans to monitor compliance and carry the report forward. Fundamentally, the aim for this year cannot simply be the publication of the UN report. The aim must be justice, accountability and meaningful progress for not just the Tamil community, but all Sri Lankan people.

10:43 am



David Lidington (The Minister for Europe; Aylesbury, Conservative)

I congratulate my hon. Friend **Mr Scott** on securing the debate. I note the contributions of Members on both sides of the House and thank them for taking part.

The debate is timely, coinciding as it does with the visit to Sri Lanka by the **Minister** of State, Foreign and **Commonwealth Office**, my right hon. Friend **Mr Swire**, although that timeliness inevitably means that there are limits to what I am able to say. We will know a lot more and be

able to make a clearer assessment of the new Sri Lankan Government after his meetings today and tomorrow. He hopes to see the President, the [Prime Minister](#), the Foreign Minister and the new governor of the northern province, and he intends to travel to the north to meet the [Chief Minister](#) and representatives of Tamil political parties, engage with internally displaced persons and talk to journalists. He is making a point not only of talking to the Government, but of trying to see for himself the situation on the ground in the north and talking to people there from the Tamil minority, who will be able to give him a first-hand view of the current situation and their hopes and expectations for the future.

Of course, we await the publication of the report from the [Office of the United Nations High Commissioner for Human Rights](#), which is due to be presented to the Human Rights Council in March. The Government do not know what that report will say or what its recommendations will be. We await the report's conclusions and recommendations on some of the issues raised in the debate, such as whether what happened in Sri Lanka should be classed as genocide, which, as my hon. Friend [Robert Halfon](#) knows, carries legal, not just political, implications.

The new Government's commitments are promising. They have said that they will end the executive presidency within 100 days; restore the independence of key institutions, including the judiciary and the police; reinstate media freedoms; end Sri Lanka's international isolation; and return powers to the provincial councils. We have seen some early positive signs of progress, such as replacing the military governor of the northern province with a civilian, but I stress that these are early days, which is precisely why my right hon. Friend the [Minister of State](#) wanted to go to Colombo and the north of the island as soon as possible to meet the new Government and urge them to continue living up to the high expectations of the people of Sri Lanka and the international community and to make his own judgment on what the Government intend to do. We will not ignore the challenges that Sri Lanka faces, including the challenges faced by Tamil communities in the north and east of the island. There are many challenges, including the settlement of internally displaced people.

Kerry McCarthy (Shadow Minister (Foreign and Commonwealth Affairs); Bristol East, Labour)



I am pleased with what the [Minister](#) has to say about the visit to Sri Lanka by the [Minister of State](#), Foreign and [Commonwealth Office](#), [Mr Swire](#), particularly that he is going to the north. [The Minister](#) may be coming on to this, but when will we hear about the right hon. Gentleman's visit? Will he be able to write to MPs or give a written ministerial statement?

David Lidington (The Minister for Europe; Aylesbury, Conservative)



I will ensure that my right hon. Friend is aware that Members on both sides of the House have expressed great interest in his visit and hope that there will be full communication when he gets back. I will leave it to him to decide whether he wants to meet Members who are particularly concerned or to offer either a written statement or letters to Members who have taken part in the debate. I undertake that there will be transparency, and I am sure that he will want to ensure that Members who have maintained a long interest in Sri Lanka are fully briefed on his conclusions after his visit.

The challenges faced by the Tamil community include the settlement of internally displaced people, land issues, militarisation and the need for an overall and enduring political settlement. My right hon. Friend the [Prime Minister](#) saw those issues for himself during the [Commonwealth Heads](#)

of Government meeting in November 2013. He was the first foreign leader to visit the north of Sri Lanka since as far back as 1948. The Government continually raised those issues, including, most obviously, human rights abuses, with the former Sri Lankan Government, and we will continue to raise them in all our dealings with the new Sri Lankan Government.

The recent vote was clearly a vote for change; I say that in answer to **Kerry McCarthy**. Our judgment is that the result on the day reflected the will of the Sri Lankan people, but we note the view of Commonwealth observers that there was an inadequate electoral and legal framework and an unequal pre-election environment, which meant that the nature of the election contest fell short of key international benchmarks for democratic elections. We hope that Sri Lanka and its new Government, with the support of the international community, will address those shortcomings ahead of future elections.

The new Prime **Minister** has committed himself in Parliament to implement the 13th **amendment** to devolve more powers to provinces, including policing powers, and we welcome the new Government's moves to reach out to the **Tamil National Alliance** to discuss Tamil issues. We encourage both sides to work together to reach a political settlement.

President Sirisena's manifesto committed him to a number of actions that would benefit the **Tamil people** economically through education and better governance. For example, he made commitments to provide better access for Tamil students to science education, improve relief to displaced people, put in place a democratic civil administration in the north and south of the island, put a stop to racial and religious hatred, and take steps to promote reconciliation between communities. I acknowledge that it is still early days. The important thing is that those public commitments have been given, and we are keen to talk to the Sri Lankan Government about how they propose to translate those manifesto commitments into practice.

We want to strengthen ties between the UK and Sri Lanka. We have a strong shared history through our people, education and trade, and we stand ready to support the new Government as they implement ambitious reforms. We will encourage them to make progress on human rights, and we welcome their early commitments on media freedoms, the protection of religious minorities and the restoration of judicial independence. We also

have very high on our list of priorities for our conversations with the new Sri Lankan Government the need for a lasting political settlement for the north, and a credible domestic reconciliation process, along with accountability for alleged violations and abuses of human rights during what was, as has been said in the debate, a long and bloody 30-year conflict.

I think the UK's position is well understood, and unless we see progress in those areas of policy the reality is that Sri Lanka will not be able to thrive as the strong, peaceful and inclusive nation that everybody in the House would wish it to be.

The UK joined an **EU** heads of mission statement on 2 January calling for the elections to be peaceful, credible and transparent, and we encouraged the previous **Government of Sri Lanka** to ensure that international observers were invited. During the election campaign, officials from our high commission in Colombo travelled around the country, co-ordinating closely with counterparts from other foreign embassies and with local election monitoring groups. We also provided a grant of £128,000 to a range of independent election observation groups to ensure that the elections could be monitored as thoroughly as possible.

On the question of the **UN Human Rights Council**, we remain firmly committed to making progress on Sri Lanka through the **UNHRC**. We strongly supported the March 2014 UNHRC resolution that called for Sri Lanka to make domestic progress on human rights and reconciliation, and to establish an international investigation of alleged violations and abuses of international law by both sides during Sri Lanka's conflict. My hon. Friend **Bob Blackman** pointed out that the most serious allegations have been made about the approach taken by the Government of the former President, **Mahinda Rajapaksa**, but we must not blind ourselves to the fact that the **Liberation Tigers of Tamil Eelam** remains a proscribed terrorist organisation in this country, and for good reason, given its history.

My right hon. Friend the **Prime Minister**, in his statement of congratulations to President Sirisena, encouraged Sri Lanka to co-operate with the UN investigation, and my right hon. Friend the **Minister of State** will repeat that message this week when he meets Sri Lanka's leaders face to face. He will ask the new Government to engage with the UN High Commissioner for Human Rights and the international investigation, and to take serious steps to establish credible domestic reconciliation and accountability processes. We will wait to see how Sri Lanka moves forward, given that those matters were part of the new Sri Lankan Government's early plans.

I do not want to pre-empt the report of the **Office of the UN High Commissioner for Human Rights**, and it would be wrong to make comments that prejudged its recommendations. Once that report is available, we will study it carefully, along with our analysis of whatever steps the Sri Lankan Government take between now and then. The **OHCHR** report should be, in its own right, an important contribution to reconciliation. It will help to establish the truth for those who seek it—the families of the thousands of missing civilians, especially the missing children. We hope that the report will help to heal the wounds of the conflict, and help people to move on.

In response to **Jim Shannon**, who asked about missing persons, the experience of **Northern Ireland** will certainly be relevant to the work that needs to be done in Sri Lanka to try to establish what happened to those whose fate is unknown. There is also, tragically, experience elsewhere in Europe—in Bosnia and Herzegovina, and in Cyprus, particularly that of the Committee on **Missing Persons** in Cyprus—that could be of value to the authorities in Sri Lanka and the international agencies as the work on Sri Lanka's missing persons progresses.

I agree with what was said about the need to press the Sri Lankan Government to stop the persecution of Christians, Muslims and other religious minorities. It is important that the rights of all minorities in Sri Lanka are fully respected.

In response to the question from the hon. Member for **Bristol East** on asylum claims, I can tell her that the policy has not changed as a result of the election in Sri Lanka. It remains the case that each asylum claim is assessed on its merits, and in line with the test laid down in the UN convention on refugees and in our domestic law.

Britain is Sri Lanka's largest export market in the EU; we have an important trading relationship and we are Sri Lanka's third largest trading partner by value. In 2013, bilateral trade was nearly £1 billion. While that trade weighs heavily in Sri Lanka's favour, last year Britain saw an increase of 14% in goods and services exported to Sri Lanka, and our relationship continues to rebalance in the UK's favour. Many British people visit Sri Lanka each year. Between 22,000 and 42,000 British tourists may be in Sri Lanka at any one time, and about 6,000 British people are long-term residents. Also, we are a major education provider in Sri Lanka through the **British Council**, which has more than 200 staff delivering services across the country, including teaching English to more

than 12,000 students each year at British Council teaching centres in Sri Lanka.

We have been pleased to be involved in demining projects in Sri Lanka. Between 2010 and 2015, we provided £5.1 million to support mine clearance, which allows people in the north to return home to their land. I will ensure that my colleagues at the **Department for International Development** hear what has been said in **Westminster Hall** this morning about the need for that work to continue. We have also supported community policing projects, women's refuges, tsunami recovery work and much more. This country is committed to the people of Sri Lanka in helping them on their journey towards a prosperous and inclusive nation.

The new Sri Lankan Government represent a new opportunity for the Sri Lankan people and for UK-Sri Lankan relations, and we must give them a chance to show that they are indeed willing to deliver on their ambitious programmes for change and reconciliation. If we are asked, we will be ready to support them in that work. I hope that the early visit to Sri Lanka by my right hon. Friend the Minister of State sends a strong signal of the UK's intentions. We want a constructive relationship that benefits both our countries and all our people, but we will not retreat from British values of promoting democracy, good governance and respect for human rights and the rule of law.