

## **Trichy Declaration**

### **The Quest for Peace in Sri Lanka**

- 1) OfERR is an organisation of Ceylon Tamil Refugees providing relief and rehabilitation to over 76,000 refugees in Tamil Nadu, south India since 1984, and to over 50,000 internally displaced persons in Ceylon since 2004.
- 2) Since the signing of a Cease Fire Agreement (CFA) between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) on 22 February 2002, OfERR has regularly expressed its concern to both parties for the need for a negotiated settlement to the conflict requiring a wider range of stakeholder participants including refugees, displaced people and civil society actors.
- 3) In its *Nallayan Declaration* of 2003, OfERR has argued for an integrated as well as an inclusive approach to any peace process requiring the resettlement of refugees and displaced people with a clear commitment to restorative justice at both the material and social levels through reparations and a Truth and Reconciliation Commission (TRC) to promote a meaningful healing process in all segments of Ceylonese society.
- 4) Five years on from the Cease Fire Agreement (CFA), a fresh outbreak of sustained fighting between both parties in the last six months has created a wave of civilian suffering across north-east Sri Lanka. Over 220,000 people have been displaced, almost 12,000 have fled to India and over 3,600 have died in fighting in 2006, the majority of them civilians.
- 5) The situation has been further complicated with the emergence of a third armed actor, the Tamileelam Makkal Viduthalai Puligal (TMVP) led by former LTTE Eastern Commander, Karuna, who supports the government. This has tilted the military balance in favour of Sri Lanka's armed forces. The CFA exists now in name only and the prospects for peace seem further away than ever.

- 6) The losers, as ever in the current situation, appear to be Sri Lanka's civilian population, condemned to mass displacement and a humanitarian crisis. Ominously, human rights abuses such as abductions, extra-judicial killings, torture, disappearances and child recruitment are proliferating, with allegations against the Security Forces, the LTTE, the Karuna faction and other armed groups.
- 7) The government has established a Presidential Commission of Inquiry with an Independent International Group of Eminent Persons to address fifteen cases of serious human rights violations. While this is a welcome and significant step to address the climate of impunity in the country, it only addresses a select few past violations.
- 8) Sri Lanka has a poor record on impunity despite the many thousands of disappearances and extra-judicial killings in previous years, successive governments have been demonstrably unwilling to put in place specific measures to counter the climate of impunity and address the deterioration of the human rights situation.
- 9) OfERR supports the call for a UN Human Rights Monitoring Mission to address the human rights crisis and deter future human rights abuses. Such international monitoring will also assist the humanitarian situation.
- 10) While addressing the humanitarian and human rights crisis, OfERR believes, a military de-escalation and a move towards a political solution is of urgent importance. The current climate in the country promoting a military solution both within and outside the government is counter productive.

- 11) The USA and other aid donor states participating in Sri Lanka's Development Forum meeting in Galle on 29 January 2007 urged the government to halt the increasing violence saying that there was no military solution to the conflict.
- 12) President Rajapakse in his address to the Development Forum argued that the deliberate escalation of LTTE attacks on civilians, public property and the security forces left the government no option but "to liberate people who are victims of terrorism."
- 13) After the success of the Sri Lankan army in the east, many political analysts believe that the government will not pursue a political solution because it believes that there will be no international consequences if it pursues a military option.
- 14) Success in the east has blinded Colombo's military establishment to the human and financial cost of any military solution. It will be long, painful and cost thousands of lives and still may not be conclusive.
- 15) There is now a real opportunity, OfERR believes, for Mr Rajapakse's government to show statesmanship and offer an acceptable political solution to the Tamil people that also seems reasonable to the outside world.
- 16) Ceylon Tamil refugees in south India and across the world want to return in safety and dignity to a homeland that recognises their right to be active citizens in a participatory democracy where all of Sri Lanka's social and ethnic groups have a part to play in deciding their own destiny.
- 17) OfERR believes that the most credible step towards addressing the Tamil community's grievance and aspirations is to offer the Tamil people a durable political solution through the devolution proposals to be tabled shortly by the All Party Representative Committee (APRC) established by the government.

18) A report by the Experts Committee, commonly referred to as the Majority Report, has already provided important policy guidelines to the APRC on issues related to:

- Power sharing and Devolution
- Autonomous Zonal Council and Indian Tamil Cultural Council to meet the aspirations of the Tamils of Indian Origin
- Protection of the people with specific reference to Individual and group rights
- Confidence building measures among all the communities
- Safeguards against secession

We welcome the report for its emphasis on the devolution of power and power-sharing at the centre.

19) We the refugee community in south India believe that the APRC process must be given a chance to provide the basis for a credible political solution to the present conflict. We continue to watch events closely with great hope and expectation. But in doing so, we are aware that reconciliation will not occur in a vacuum.

20) The government must also develop mechanism to consult the local populations, particularly those vulnerable communities affected by the conflict, on the substance of the proposals as well as provide a clear roadmap for implementation of the proposals.

21) In that context, the APRC should take close cognisance of the views of 100,000 refugees living in the camps of India and include our concerns in the report.

22) We believe that it is vital that any final settlement should endorse the geographical and linguistic contiguity of a merged North and East province as a homeland for Tamils This can create the confidence that there can be a

reasoned alternative to the violence that has submerged this question for over 30 years.

- 23) The wide dissemination and discussion of these issues will do much more to win Tamil hearts and minds than a further deadly episode of serial warfare, military occupation and civil repression.
- 24) It is essential at this critical juncture that the government lead by example. In proposing political solutions to the ethnic question, it must also rise to the challenge of promoting and protecting the human rights of ALL of its citizens.
- 25) The government must think ahead. How it wins the war is as important as winning itself. The struggle is not only for the soil of a territorial state but for the souls of its inhabitants.