



EUROPEAN PARLIAMENT

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Plenary sitting

10.5.2011

B7-0328/2011

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Sri Lanka: follow up of the UN Report

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on behalf of the ALDE Group

European Parliament resolution on Sri Lanka: follow up of the UN Report

The European Parliament,

- having regard to its previous resolutions on Sri Lanka of 4 February 2009 and 12 March 2009,
 - having regard to the Second Additional Protocol, relating to the Protection of Victims of Non-International Armed Conflicts, to the Fourth Geneva Convention,
 - having regard to Rule 122(5) of its Rules of Procedure
- A. whereas in May 2009 the long-running war in Sri Lanka came to an end with the surrender of the Liberation Tigers Tamil Eelam (LTTE) and the death of their leader. The conflict ended with large numbers of Sri Lankans living as internally displaced persons especially in the north of the island country,
- B. whereas in the last months of the war intense fighting in civilian areas resulted in estimated thousands of civilian dead and injured,
- C. whereas the Sri Lankan Government has an obligation, under international law, to ensure violations of international humanitarian and human rights law are investigated and, where appropriate, prosecuted, and has an obligation to ensure redress for victims of such violations,
- D. whereas the UN Secretary-General commissioned a report in May 2010 in order to advise him on accountability process in Sri Lanka,
- E. whereas a Panel of Experts, supported by a secretariat, was appointed by UN in June, started its work in September 2010 and finalised it in April 2011,
- F. whereas the EU High Representative, Catherine Ashton, welcomed in her statement on 1 July 2010 the appointment of the UN Panel of Experts,
- G. whereas the report states potential serious violations conducted by both LTTE and Sri Lanka's military forces and proposes several recommendations,
- H. whereas Sri Lanka's government opposed to the publication of the report, questioning its content and the followed methodology in reaching the conclusions,
- I. whereas UN Secretary General stated that an investigation will be launched following the report conclusions only if Sri Lankan government agrees or UN Security Council calls for

an inquiry,

1. Welcomes the initiative of the UN Secretary General for appointing the experts panel on accountability in Sri Lanka regarding the alleged violations of international humanitarian and human rights law during the final stages of the amend conflict by both sides,
2. Salutes Ban Ki-moon' decision to publish the report on 25 April 2011,
3. Calls on the Sri Lankan authorities to respond constructively to the report and its recommendations and consequently start investigations related to alleged violations mentioned in the report.
4. Calls on the Government of Sri Lanka, in compliance with its international obligations, and with a view to initiating an effective domestic accountability process and to contribute to the already undertaken efforts for a comprehensive reconciliation, immediately to commence genuine investigations into violations of international humanitarian and human rights law committed by its military forces and the LTTE.
5. Asks for accountability of both the LTTE and the Sri Lankan Government for alleged violations of international humanitarian and human rights law.
6. Supports the Secretary-General in proceeding to establish an independent international mechanism to (i) monitor and assess the extent to which the Government of Sri Lanka is carrying out an effective domestic accountability process; (ii) conduct investigations independently into the alleged violations; (iii) and collect and safeguard for appropriate future use information provided to it that is relevant to accountability for the final stages of the war.
7. Calls on the EU High Representative, Catherine Ashton, to monitor progress towards an effective accountability process in Sri Lanka and, if no progress is made, support the establishment of a credible international investigation mechanism with a strong mandate through an appropriate intergovernmental forum, to ensure that justice is done in Sri Lanka on violence committed by both sides.
8. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the United Nations and the President and Government of Sri Lanka.