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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

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on behalf of the Verts/ALE Group

European Parliament resolution on Sri Lanka

The European Parliament,

- having regard to its previous resolutions on the deteriorating humanitarian situation in Sri Lanka of 12 March 2009 and on the situation in Sri Lanka of 5 May 2009,
 - having regard to the declarations of Commissioner Benita Ferrero-Waldner on Sri Lanka of 16 June 2009 and 21 September 2009,
 - having regard to the Council conclusions on Sri Lanka of 18 May 2009,
 - having regard to the official statement of the Liberation Tigers of Tamil Eelam (LTTE) of 17 May 2009 on acknowledging that the war against the Sri Lankan government troops has come to an end,
 - having regard to the joint statement by Secretary-General Ban Ki Moon and President Rajapaksa on 23 May 2009 underlining the importance of an accountability process for addressing violations of international humanitarian and human rights law,§
 - having regard to the declaration of UN High Commissioner for Human Rights Navi Pillay on 15 October stating that the Sri Lankan Government is not responding to UN requests for an international investigation of allegations of widespread killings of civilians,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas five months after the end of the civil war opposing the Sri Lankan army and the sessionist forces of the LTTE in the north of the country, which ended with the defeat of the LTTE in May 2009, the government still forcefully retains about 260.000 Internally Displaced (IDPs) Tamils in militarily controled detention centres,
- B. whereas Camp residents are only allowed to leave the Camp for emergency medical care and usually under military escort ; whereas residents reportedly suffer under overcrowding, sanitary conditions are appalling and threaten to deteriorate further with the approaching monsoon; whereas according to an internal government report, already in July more than 35% of the children were seriously undernourished,
- C. whereas the Government denies adequate access to the camps for humanitarian and human rights organisations,
- D. whereas the Sri Lankan President promised in May that the Tamil population in the North will be allowed to return home within six months while until now only 15 000 people have been allowed to leave the camps,
- E whereas both sides in the conflict have committed serious violations of the laws of war

despite repeated denials; whereas the government shelled densely populated areas, including hospitals in the government-declared "no-fire-zones" while the LTTE used civilians as human shields and prevented them from fleeing the war zone,

- F. whereas additionally reports of serious and widespread human rights abuses during the last phase of the war have surfaced, including summary extra-judicial executions of unarmed, blind-folded Tamil prisoners by government troops,
- G. whereas the freedom of press is seriously undermined in Sri Lanka and journalists are being persecuted - including assassinations or abductions - prosecuted or expelled under Sri Lankan anti-terrorist law, as is the case for J.S. Tissainayagam who was recently sentenced to 20 years of hard labour,
- F. considering the fact that on 18th of October 2008 the European Commission initiated an investigation on the effective implementation of three Human Rights international conventions whose implementation are essential condition of the GSP+ trade facilities granted to the Sri Lankan government,
 - 1. Strongly condemns the continued internment of some 260 000 Tamils in prison camps - an act which can only be described as collective punishment - despite promises of the Sri Lankan government to allow the civilians to leave the camps;
 - 2. calls on the Sri Lankan government to take, without delay, all necessary steps to organise the evacuation of those detained in the camps until the end of the year as promised, leaving them the choice to either return home or to relocate to another area of the country, as well as the urgent delivery of humanitarian assistance to them, in line with its obligation to protect all people under its jurisdiction; emphasises the need to give the ICRC a monitoring role and share with them the lists of persons screened by the government;
 - 3. calls on the authorities of Sri Lanka to permit free and unlimited access of humanitarian organisations to the internment camps in order to provide those detained with the necessary humanitarian assistance, particularly with the imminent arrival of monsoon in the north of the country;
 - 4. calls on the government of Sri Lanka to present its long-awaited plans for a political solution to the Tamil question such as measures of regional devolution as included in the country's constitution;
 - 5. reiterates its call on the Sri Lankan authorities to allow for an independent international investigation into alleged human rights abuses in the war zone and to bring the perpetrators to justice;
 - 6. urges the government to stop the repression of the media under the anti-terrorist legal provisions and to insure that acts of violence against journalists are being fully investigated;
 - 7. insists that the Sri Lankan Government is under the obligation to apply international human right standards for the prosecution of members of the former LTTE;

8. calls on the Council and the Commission to suspend the GSP+ facilities granted to the Sri Lankan government on the grounds of long-term and serious violations of the three main UN human rights conventions, until the government has credibly proven that it has enacted the necessary reforms towards the rule of law;
9. 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.