

# Sri Lanka is a peaceful, stable and democratically secure country

- Defence Secretary

## Part 1

It gives me great pleasure to deliver the keynote address this morning, at the 3rd Annual Defence Seminar organised by the Sri Lanka Army. I am aware that distinguished delegates and guests from 29 countries are participating in this event, alongside a large number of attendees from Sri Lanka. On behalf of the Government, I take this opportunity to welcome our foreign guests to Sri Lanka and to wish all the participants an educative and productive time at this important event. I also extend my congratulations to the Commander and the Officers of the Sri Lanka Army who have organised this event with great professionalism and skill.

This year's Defence Seminar is the third successive one organised by the Sri Lanka Army since the series began in 2011. The first Seminar centred on the lessons learnt by the Sri Lankan defence establishment in defeating the ruthless and formidable terrorist organisation of the Liberation Tigers of Tamil Eelam, or LTTE. During that Seminar, senior members of the Sri Lankan Armed Forces shared their experiences on the strategies and tactics used to defeat terrorism, and discussed their broader applicability and relevance to other nations. In 2012, the second Seminar focused on the post-war efforts to create lasting peace and stability in Sri Lanka after the war. It examined the steps taken towards Reconstruction, Resettlement, Rehabilitation, Reintegration and Reconciliation in the conflict affected parts of the country, as well as the overall development of the country at large and its prospects for the future.

## Appropriate

The theme selected for this year's Defence Seminar is "Post Conflict Sri Lanka - Challenges and Regional Stability". This is a particularly appropriate theme in the present context. Sri Lanka has had considerable problems in the last three decades. In 1983, the country suffered from riots that raged for 5 days without effective state intervention. During the 1986 to 1989 period, people were frequently abducted, tortured and killed as the country veered towards barbarism and anarchy with the second JVP insurrection. And for nearly thirty years until the end of the war in 2009, Sri Lanka suffered through the brutal terrorism of the LTTE, whose countless targeted killings, indiscriminate bombings and armed attacks killed numerous innocent civilians and led to a paralysis of day to day life. After its liberation from terrorism through the Humanitarian Operation, and with democracy being restored to every part of the island, Sri Lanka is now one of the most peaceful and stable countries in the entire world. However, there are still a number of challenges that the country faces. These challenges, together with issues that affect regional stability, are critical considerations at this juncture because of the impact they will have on the country's future.

How Sri Lanka faces its internal as well as external challenges over the next few years will influence or even determine its destiny for much longer to come.

Before discussing these challenges and regional issues, however, it is important to take proper note of where we currently stand. Soon after the war, there were a number of pressing concerns that had to be dealt with urgently. These immediate post-war challenges included:

- Accommodating and ensuring the welfare of nearly 300,000 Internally Displaced Persons
- Undertaking de-mining and the reconstruction of infrastructure and facilities Resettling the IDPs
- Rehabilitating nearly 12,000 ex-LTTE cadres and
- Reintegrating them to society.

I am pleased to note that as of today, each and every one of these challenges has been successfully dealt with. Demining of nearly 5,000 square kilometres of land and reconstruction of vital infrastructure and housing facilities were urgent tasks that the Government had to undertake to facilitate the speedy resettlement of the IDPs. As these tasks were being completed, the IDPs were resettled in their places of origin. Resettlement commenced in October 2009, less than five months after the end of the war. By August 2012, just three years and three months after war, all of the IDPs in the welfare camps, as well as a considerable number of persons who had been displaced from the North in earlier times due to LTTE activities, had returned to their homes. This is a remarkable achievement by any standard. In addition

to resettlement, great effort has been taken to ensure that these people are able to resume normal lives. Livelihood assistance programs have been launched, and material assistance has been provided through the donation of fishing gear, utilities for farming and provision of livestock and seeds for agriculture.

A survey undertaken by UNHCR Sri Lanka between November 2012 and March 2013 has demonstrated the overall success of the resettlement program. Assessing the current situation of resettled persons against the global standard of the Inter Agency Standing Committee Framework for Durable Solutions for Internally Displaced Persons; the survey found that considerable progress had been achieved under each of the eight themes of the Framework. Access to personal and other documentation without discrimination, Family reunification, and Access to effective remedies and justice had been achieved. Considerable progress had been made in areas including Safety and security, Access to livelihoods, and Participation in public affairs. Interestingly, nearly 90 percent of respondents had a high level of confidence in local civilian law enforcement, and only 29 percent had negative views on the presence of the military in their areas.

A field mission conducted between May and June this year by the United Nations Office for the Coordination of Humanitarian Affairs, or OCHA, observed that while there were still areas for improvement, the transformation of the region in such a short matter of time was praiseworthy. The report of the field mission noted "remarkable improvement in infrastructure development in many sectors including transportation, communication, roads, railways and health facilities".

It was also observed that there was no visible presence of armed military personnel in uniforms, and that the work of the military is primarily to address the "immediate and development needs of the population" including projects for "building houses, shelter, water, sanitation; scholarships for school going children and schools focused vocational training;" and organising tours for people in the North to visit the rest of Sri Lanka. These efforts are aimed at helping the civilians return to normal life in a peaceful nation.

In addition to the displaced civilians, the vast majority of the LTTE cadres who surrendered to the military during the Humanitarian Operation have also been returned to their homes after an extensive Rehabilitation programme carried out by the Government. The overall success of the rehabilitation programme can be gauged by studies undertaken by independent foreign researchers, including Dr. Kruglanski and Dr. Gelfand of the University of Maryland, College Park, who showed that even hard-core LTTE cadres have undergone a significant reduction in their support for violence as a result of the program.

## Normalcy

With the swift addressing of these immediate post-war requirements, the Government turned its attention to the restoration of normalcy. One of the first objectives in this regard was the restoration of the civil administration in the North and East. During the previous decades, while the LTTE was in control of these areas, the Government administrative machinery remained in existence but had not been able to function independently. After the war ended, the military had to undertake some of the duties of the civil administration until sufficient capacity could be built up within the system for it to function effectively without external support. As this required capacity was gradually being built up, the tasks undertaken by the military were handed over to civilian counterparts, and the involvement of the military in these administrative matters was stopped.

The post-war period saw significant shifts overall in the *modus operandi* of the Armed Forces, since there was no longer a requirement for offensive operations. The focus was more on functioning in a passive role that would ensure long term stability. Intelligence units were strengthened and expanded, and more use was made of the engineering battalions for reconstruction and national development purposes. At the same time, the military had to develop new policies and procedures for their functions relating to internal security. In the immediate post-conflict period, the military had to assume an expanded role in the maintenance of law and order for some time. However, the full responsibility for



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the maintenance of law and order has now been handed over to the Police and the military has been released from these duties.

The disengagement of the military from administrative and law and order functions has only been one of the steps towards normalisation that has been effected by the Government in the post-conflict period.

Several other steps were taken shortly after the war ended to ensure that the people in the formerly war affected areas could return to life under normal conditions as soon as possible.

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The various armed groups that had been operating in opposition to the LTTE and in support of the Government in the North and East needed to be disarmed. The Government accomplished this challenging task within a remarkably quick period soon after the war. The members of these former armed groups were encouraged to work towards the betterment of the people through democratic means. Many of these individuals are now playing an active role in politics at various levels.

Civilian properties that had been used for other purposes for many years during the war needed to be returned to their rightful owners. Some of these properties had to be occupied by the military whereas others had been forcibly taken over and used by the LTTE during the war. Action has been taken to trace the rightful owners of these properties, and most have already been returned to them.

Restrictions that had to be in place during the war for security purposes had to be removed. These included restrictions on movement on land due to the maintenance of high security zones; limitations on fishing including restrictions on outboard motors and the times and locations in which fishing could take place; as well as restrictions in the trade of certain items that could be used for offensive purposes.

All of these restrictions were removed in stages after the end of the war. The Palaly cantonment is now the only area on ground in which some security restrictions remain; but even within the cantonment, civilians have free access to the airport and the Kankasanthurai harbour.

The presence of military camps and troops in the North had to be reduced. This was done gradually after the end of the war. The number of camps as well as troops in this region has been reduced dramatically. Although the military remains in this region for strategic security reasons, it mostly engages in development work to win the hearts and minds of the people. The full responsibility for law and order has been handed over to the Police with the establishment of more and more police stations in the North and East and the recruitment of more Tamil speaking Police personnel to serve in these areas.

## Rehabilitation

Another step in the normalisation process following the war was dealing with those who had been detained for involvement in LTTE activities. Most of the detainees were released into rehabilitation. A very few numbers of hard-core cadres who had been involved in LTTE activities at a higher level remained in detention centres for prosecution.

A comprehensive database of all those in detention was created and access to this database was enabled through police stations. Lawyers and family members of the detainees were provided access to the detention centres, as were officials of agencies and relevant organisations such as the ICRC and the Human Rights Commission.

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However, in August 2011, after two peaceful years had passed since the end of the war without any terrorism related incidents, the Government repealed these regulations.

Alongside the return to normalcy, steps had to be taken by the Government to address the various allegations that were being made by various parties during and after the war about what took place in its last stages. The primary allegation concerned the number of civilian casualties that were supposed to have taken place during this period.

## Enumeration

Various people started making various claims about the number of casualties, which ranged from 7,000 to more than 40,000 people killed. Hardly any of these estimates referred to any sources, and most completely ignored independent and credible sources that reported figures very much to the contrary.

The Government was therefore very keen on addressing this issue in a rigorous and transparent manner. In 2011, the Department of Census and Statistics carried out an "Enumeration of Vital Events" for the Northern Province of Sri Lanka.

The Enumeration was conducted between June and August 2011, with field data being collected in July. The

enumerators were Government servants from the Northern Province, all 2,500 of whom were Tamil and Muslim officials. Apart from the gathering of usual census data, the enumerators paid attention to the vital events that had taken place in the North from 2005 to 2009, with a particular emphasis on the deaths that took place in the last stages of the war. The Enumeration Report shows that according to the reporting of the next of kin, 7,896 deaths occurred due to unnatural causes from January to May 2009. This number includes:

- LTTE cadres killed in action;
- Civilians killed by the LTTE whilst trying to escape into Government controlled areas;
- Civilians who were detained and killed by the LTTE for other reasons;
- Civilians forcefully used for combat and related activities by the LTTE;
- Civilians who died as a result of crossfire;
- Civilians who had been reported as dead but who may have escaped or illegally migrated overseas;
- Deaths reported but not during the Humanitarian Operation for the purpose of claiming compensation; and
- False reporting.

It is also worth bearing in mind that at the start of the Humanitarian Operation, the LTTE had approximately 30,000 cadres. By its conclusion, nearly 12,000 had surrendered to the Armed Forces. LTTE transmissions intercepted, LTTE documents recovered, LTTE graveyards discovered, and LTTE publications and posters indicate a large number of cadres were killed in action during the early stages of the Humanitarian Operation.

It is also possible that many bodies were unrecovered during this period. However, the most intense battles were fought after Puthukudiyirippu. During this period, it was impossible for the LTTE to recover the bodies of its cadres or give any indication of its casualty figures. It is also worth noting that unlike a conventional military, the LTTE was a terrorist group that did not have a proper procedure of recruiting and maintaining its cadres. Most of the time its cadres used aliases instead of proper names. Some of them did not fight in uniform. As a result, it is difficult to establish with certainty the number of cadres killed. In this context, it is also worth bearing in mind that the military lost nearly 6,000 of its personnel in combat during the Humanitarian Operation. Close to 20,000 more were injured. This gives an indication of the intensity of the battles that took place during this period.

## Whereabouts

In addition to the deaths that were said to have occurred, the Enumeration of Vital Events shows that 2,635 persons were reported as untraceable. These numbers were reported because the parents and next of kin of the missing persons were not able to recover their bodies or obtain information about their whereabouts. Further investigations have already been carried out with regard to 2,360 of these cases. These investigations have established beyond doubt that 1,625 were instances of forced recruitment by the LTTE. It is also a fact that an unknown number of persons left Sri Lanka through illegal means during the last stages of the war, and are presently resident in other countries.

However these countries have not yet divulged their details to the Government. There are only 26 instances of people who are reported by the next of kin as having surrendered to Security Forces and subsequently disappeared.

In a completely independent effort to track the missing persons in the North, UNICEF, together with the Probation and Child Care Commissioner of the Northern Province and the Government Agent of Vavuniya, launched a family reunification project soon after the war.

A total of 2,564 tracing applications were received by July 2011. 1,888 of these applications were about missing adults, and 676 about missing children. 64% of the parents of missing children reported that they had been recruited by the LTTE. This study independently confirms our findings.

At the same time, it is very important to keep in mind that a military confronting a non-state actor using asymmetric warfare strategies has an incredibly difficult task to perform. A terrorist organisation has no compunctions about safeguarding civilian lives.

In fact, the LTTE relentlessly put civilians in harm's way by using them as a human shield and to increase international attention to the war. This was primarily in the hope of attracting external intervention that would

subvert the on-going Humanitarian Operation.

The ground realities that the Sri Lankan military faced in this context are widely ignored. The

LTTE deliberately and repeatedly launched artillery and mortar attacks on the military from No Fire Zones. It also encamped and fought from civilian areas and installations including hospitals. These are complexities that those who make allegations against the Sri Lankan military are sometimes unaware of.

Given the Government's clear commitment to address all issues relating to accountability, a Lessons Learnt and Reconciliation Commission was instituted in May 2010 to examine all matters connected with the war.

This Commission obtained submissions from people all over the country during an 18-month period, after which it published a comprehensive report. The Commission concluded that there was no deliberate targeting of civilians on the part of the Sri Lankan military, although it found that the LTTE was responsible for numerous violations of international humanitarian law. The Commission also outlined a number of constructive recommendations that the Government is committed to implementing through a comprehensive and time-bound National Action Plan. It is hoped that the process of national reconciliation will be assisted by the implementation of these recommendations.

It must be noted that a lot has been said, particularly internationally, on the subject of reconciliation in Sri Lanka. Unfortunately, much of what is said, has been negative, and lacks a holistic, perspective grounded in the realities of post-war Sri Lanka.

Reconciliation is a process. Like all processes it takes time to accomplish. Demanding overnight results is counterproductive. For a very long period of time, most of the people in the North and parts of the East of Sri Lanka lived under the total control of the LTTE. There were no democratic freedoms in the areas under LTTE dominance. There was no space for dissent. The LTTE did not allow any alternate viewpoints.

All opposition voices were swiftly and ruthlessly silenced. The people in those areas were brainwashed with LTTE propaganda. An entire generation grew up without any experience of normal life. They were separated and isolated from the rest of the country; they were taught to hate and fear the Sri Lankan state. Some took up arms against the state willingly. Despite the success of the Welfare camps, despite the speed of resettlement, and despite the far-reaching nature of the rehabilitation and reintegration program, it is not easy to ensure speedy reconciliation in this context.

At the same time, it has to be acknowledged that much remains to be done by all parties, including the Government, to ensure that national reconciliation is achieved. It is of the utmost importance that all Sri Lankans move into the future together as one nation, without unnecessary fragmentation into groups based on ethnicity, religion, caste or place of origin. The most essential task of the Government in this regard is to ensure that all Sri Lankans have the same opportunities, and unobstructed access to state services, and that they are empowered to seek better futures for themselves in a peaceful, stable and rapidly developing democracy.

In this regard, one of the most crucial steps towards the restoration of normalcy in the North and East was the revival of the democratic process through the restoration of elections and the return of political plurality. Under the direction of His Excellency the President Mahinda Rajapaksa, Provincial Council elections were held in the Eastern Province even before the Humanitarian Operation had ended.

Local Authority elections were held for the Jaffna Municipal Council and Vavuniya Urban Council as early as August 2009.

The Presidential Election and General Election were both held throughout the country in 2010. Local authority elections held island-wide in 2011 saw free and fair elections throughout the North and East for the first time in decades. In the areas formerly dominated by the LTTE, people exercised their franchise without fear for the first time in a generation.

*Text of the Speech delivered by Secretary to the Ministry of Defence Gotabaya Rajapaksa at the Defence Seminar 2013 on September 3, 2013 at the Galadari Hotel in Colombo.*

To be continued