

ACCELERATED ACTION ON RESETTLEMENT AND HUMANITARIAN ACTION, PROGRESS ON HUMAN RIGHTS STATEMENT

9 January 2003

The Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE) held the fourth session of peace talks at the Rose Garden in Thailand 6-9 January 2003.

Deliberations were conducted in a frank and constructive atmosphere, with both parties demonstrating their conviction that the peace process must be sustained even when difficult issues are addressed.

The main focus of the parties was on the need to ensure implementation of urgent humanitarian priorities. It was strongly emphasized that the significant political breakthrough made at the third session of talks in Oslo in December 2002, at which the basic principles for a political statement were outlined, will be sustained through continued discussions on political matters. At the same time, political progress must be underpinned by tangible improvement in the daily lives of people. To this end, there is a need for more effective implementation by the parties as well as the speedy provision of funds by donor governments.

The parties recognized that the situation with regard to the High Security Zone involves major humanitarian and security concerns for both parties. Recent controversies surrounding this matter were discussed in depth. The parties did not reach agreement on the continuation of the work of the Sub-Committee on De-Escalation and Normalization (SDN).

Notwithstanding the disagreement on this particular issues, the parties emphasized the need for progress in resettling the hundreds of thousands of displaced persons. To this effect, the parties agreed on an "Action Plan for an Accelerated Resettlement Programme for the Jaffna District." As the clear majority of resettlement cases relate to areas outside the High Security Zones, the first phase of the Action Plan will focus on such areas.

The plan sets out four specific tasks and corresponding deadlines:

- A preliminary physical assessment to be completed by 7 February 2003
- The formulation of project recommendations and identification of potential implementing agencies by 14 February 2003
- The identification of available resources from appropriate funds by 20 January 2003.
- A plan to release premises presently used by the Security Forces to the original owners of intended purposed, to be submitted by 31 January 2003.

Members of the Sub-Committee for Immediate Humanitarian and Rehabilitation Needs (SIHRN), representing both the GOSL and the LTTE, will meet with the United Nations High Commissioner for Refugees (UNHCR) shortly to discuss UNHCR participation in effectuating this plan. The particular needs of the displaced Muslim population will be duly accommodated in the resettlement process.

The second phase of the Action plan will focus on resettlement of IDPs and refugees in areas within the High Security Zones, as and when they are released by the Security Forces for resettlement. For this purpose, the GOSL will carry out a review with the assistance of an internationally recognized military expert, taking into account relevant humanitarian and security needs.

Following the strong political and financial support pledged by the international community at the Sri Lanka Support Meeting held in Oslo on 25 November 2002, the parties stressed the need for moving from planning to implementation of humanitarian and rehabilitation programmes. The rapid establishment of the North East Reconstruction Fund (NERF) will be decisive for the speedy disbursement of international assistance. The parties welcomed a decision by the Sub-Committee on Immediate Humanitarian and

Rehabilitation Needs (SIHRN) to select the World Bank as the custodian of the NERF. Furthermore, the parties confirmed the SIHRN as the prime decision-making body for meeting immediate humanitarian and rehabilitation needs in the north and east. The GOSL in particular undertook to ensure that the respective roles of government institutions engaged in the north and east are properly clarified and co-ordinated with the SIHRN.

In line with the agreement on basic principles for a political settlement, in which a number of issues were identified for discussion, the parties will commence a process for discussion of human rights issues. Human rights will constitute an important element of a Final Declaration. As first steps in furthering human rights issues in the process, the parties agreed on the following:

- A schedule on human rights issues will be worked out following discussion at the next session of peace talks. For this purpose, the assistance of the agreed human rights adviser to the parties will be sought.
- An independent verification mechanism will be established for persons Mission in Action (MIA) and Involuntary Disappearances, with the assistance of the International Committee of the Red Cross (ICRC).

As a means to reinforce respect for the provisions of the Ceasefire Agreement, monthly meetings will be held between the GOSL, the LTTE and the Sri Lanka Monitoring Mission (SLMM) in order to discuss issues arising from the regular SLMM summary of total recorded complaints and violations of the Ceasefire Agreement. Mr. Fernando (GOSL) and Mr. Karuna (LTTE) will be responsible for organising these meetings and will report on progress made and any outstanding problems at each session of the peace talks.

The government expressed serious concerns related to the recent incident involving transportation of prisoners through Vanni. The LTTE gave assurances that the case will be examined and that appropriate action will be taken as a matter of urgency. More generally, the parties agreed to ask the facilitator to propose procedures to ensure rapid corrective action by the parties in cases of incidents that are or can be perceived as disrupting the peace process.

Following an agreement made at the third session of talks, a committee was established to ensure the effective inclusion of gender issues in the peace process. The terms of reference for the committee will be formulated by the members at their first meeting. The committee will be facilitated by the Royal Norwegian Government, which will seek to provide a senior Norwegian resource person and necessary financial resources. The committee will consist of the following five representatives of each party:

- LTTE: Ms. Sivahimi Subramaniam, Ms. Renuga Sanmugaraja, Ms. Mathimalar Balasingam, Ms. Sridevy Sinnathampi, Ms. Vasanthapireminy Samasundaram.
- GOSL: Dr. Kumari Jayawardena, Dr. Deepika Udagama, Ms. Kumuduni Samuel, Ms. Faizoon Zakariya, Dr. Fazeela Riyas.

The parties agreed that a Muslim delegation will be invited to the peace talk at an appropriate time for deliberations on relevant substantive political issues.

The parties confirmed that subsequent session of peace talks will take place on 7 – 10 February and 18 – 21 March 2003. The parties also agreed that additional sessions will be held on 29 April – 2 May, as well as at an appropriate time in June to be determined once dates for the International Donor Conference in Japan are established.

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