CHAPTER – VI

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Human rights has grown through the ages and gained immense importance in present times. The concept of human rights has developed to the extent wherein every individual human being seems to have received attention to his or her right of being treated with dignity at least in principle. As discussed, the traditional international law contributed to the development of various doctrines and institutions which were designed to promote and protect different groups of people such as minorities, native populations, foreign nationals, victims of large scale violations, combatants, children, women, migrants and many others. The legal principles, which arose through the international law, laid the conceptual and institutional foundation for the development of the concept of present day human rights.

Human rights, thus, in its historical evolution over the years has transformed itself where the individual human being has received increased recognition of his or her rights and obligations. The issue of human rights arises when there is a violation or denial of such rights to a person or group of persons, community, etc. Human rights evidently gained immense importance in the aftermath of the Second World War wherein millions of people were killed brutally. Although, human rights has gained immense importance in
everyday life, it cannot be assumed that violations of human rights do not occur. Massive violations of human rights continue to occur in many parts of the world, more particularly in the third world countries where internal ethnic conflict is one of the major problems. In this context, most governments continue to violate human rights on a large scale in the name of preserving the territorial integrity of their nation and further practice impunity for such actions. But the fact is that such governments have increasingly been forced by both internal and external factors to answer for such actions to the international community. In fact, this has to an extent, prevented the actions of governments to continue with such violations of human rights without being responsible for their actions in this regard. However, albeit, not all cases contribute to an improved human rights scenario, that is to say that not all governments do really respect universal human rights norms, but continue to violate human rights on a large scale with impunity. It cannot be also said that human rights are violated by governments and its agencies only, but there are many instances where non-state actors such as armed groups, revolutionaries, terrorists, liberation organizations, guerrillas, militants, extremists, insurgents, separatists, etc have been involved in such violations.

Another important aspect is that universal human rights norms or standards do not have any binding effect on non-state actors. These groups or organizations show no respect for human dignity, rights and life. Human rights violations committed by these groups are rarely reported in detail, whereas abuses committed by the state and its agencies in most cases have been published and these states receive wide condemnation. Contrary to this is the fact that human rights violations or abuses committed by non-state
actors in most cases are not revealed or widely published. This can be due to the lack of credible evidence and also because of the fear that whoever reports about such violations may be under threat from these groups or agencies.

In the present study, human rights abuses committed by the state and non-state actors in the Tamil areas of Sri Lanka have been examined. In Sri Lanka, human rights violations began since the achievement of independence from the British in the year 1948. After independence from the British, structural violence which eventually led to the ethnic conflict and the demand for separate state for Tamil Eelam by the Tamils and later by the LTTE since the late 1970s have been seen to be the major factors responsible for human rights abuses in the Tamil areas of Sri Lanka. Further, this study has also found various other factors which have contributed to the increased human rights abuses in the Tamil areas of Sri Lanka, in the context of the charges of human rights violations alleged against the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE). In this study, the role of the Human Rights Commission of Sri Lanka (HRCSL) and various Human Rights International Non-Governmental Organizations (HRINGOS) and Local Human Rights Non-Governmental Organizations (HRNGOS) in protecting human rights in the region has also been examined. The study has been divided in six chapters:

Chapter- 1 Introduction: Concept of Human Rights, discusses the evolution, concept and definition of the term ‘Human Rights’. The growth of the term is traced back to the
early Greek thought, the natural law and natural rights theory. Although natural rights was prominent in the Seventeenth Century political debates of the British, the growth and importance of modern day human rights can be seen in the French Revolution and American Declarations. However, human rights gained immense importance in the aftermath of the Second World War where millions of people lost their lives. Horrified by the devastation of life due to the Second World War, members of the United Nations (UN) took a pledge to take measures for the achievement of universal respect and observance of human rights and fundamental freedoms for all. Three years after its formation in 1945, the United Nations General Assembly (UNGA) adopted the Universal Declaration of Human Rights (December 10, 1948), where respect and observance of human rights and human dignity were declared as the foundation for freedom, justice and peace in the world. The declaration covers two international Covenants, (i) International Covenant on Civil and Political Rights (ICCPR), and (ii) International Covenant on Economic, Social and Cultural Rights (ICESCR). The Universal Declaration of Human Rights UDHR, ICCPR, and ICESCR were examined in this chapter. Further, human rights with particular reference to Sri Lanka and the provisions for the protection and promotion of human rights mentioned in the Sri Lankan Constitution were discussed. A list of various international human rights declarations, conventions, covenants and treaties which Sri Lanka has signed and ratified has been made.

Chapter - II: State and Human Rights Abuses, discusses the various charges of human rights abuses alleged against the Government of Sri Lanka (GOSL) and its agencies. Protection and promotion of human rights over the years has received international
concern. This has also brought about greater concern for the better treatment of nationals within the territory of any sovereign state. It is also evident that when the treatment of nationals within the territory of any state assumes brutal forms, it constitutes massive and flagrant violations of human rights and the issue ceases to be the sole concern of the state or a nation.

The Government of Sri Lanka is allegedly charged in committing various forms of human rights abuses by the international community and various human rights organizations both at local and international levels. The charges of human rights abuses against the state range from structural violations to war crimes. These include discrimination, repressive legislations such as Prevention of Terrorism Act and Emergency Regulations, arbitrary arrests, extrajudicial killings, political killings, physical torture, involuntary or enforced disappearances, keeping the arrested incommunicado without trial for long periods, and impunity. While legislations are enacted by the Government of Sri Lanka, the execution of these laws is carried out by the security forces, special task force and police. The execution of such laws has been in most of the times beyond the jurisdiction prescribed thereby resulting in serious human rights abuses. Further, on most cases the state has remained silent with regard to such abuses committed by the security forces, special task force and police or any other state agency.

These various forms of human rights abuses seem to have occurred due to the government’s inability to address the Tamil minority’s demand vis-à-vis the Sinhalese for
equality. Since independence, Sri Lanka has been ruled by the Sinhalese majority. The Sinhalese led Government enacted discriminatory legislations namely Citizenship Act of 1948, The Ceylon Parliamentary Elections Act No. 3 of 1949 and Language Act of 1956, and standardization policy favoring the Sinhalese majority and sidelining other groups especially the Tamil minority group. The Tamils demanded equal recognition of their language and parity of status in society. But on the contrary, the government made Sinhala language the only official language. This made official correspondence for the Tamils almost impossible. Discriminations were also made on matters relating to admissions to educational institutions, employment and recruitment in civil services. Standardization of marks was also made to exclude the Tamils from getting entry into government services and educational institutions where Tamils had to score more marks. However, the Tamils under their political leadership till the early 1970s demanded redressal for their grievances through constitutional means like Satyagraha (Passive resistance) and organizing protests movements. The government responded to the above demands with repressions and violence using Sinhalese mobs in both the Tamil areas as well as in other parts of Sri Lanka. Following these events, the Tamil political leadership demanded federal autonomy in the northern and eastern provinces which are inhabited by the Tamils. These demands were also not addressed by the Government of Sri Lanka which ultimately resulted in the armed struggle against the state to achieve separate nationhood for the Tamils.

When the demand for equality and federal autonomy of the Tamils turned into a demand for separate independent state, the Government of Sri Lanka resorted to enacting
legislations such as Prevention of Terrorism Act and Emergency Regulations (PTA and ER) to suppress the demands made by the Tamils. These two legislations enabled the government forces to act with complete impunity. To a great extent, these two acts were found responsible for human rights abuses as the security forces were allowed to act with complete authority thereby causing various forms of human rights violations in the Tamil areas of Sri Lanka.

State agencies involvement in enforced disappearances is another issue that has raised wide attention in the local, national and international levels. On ground of enforced disappearances, the state has been criticized by many Non-Governmental Organizations. Various reports of Human Rights Non-Governmental Organizations and also the Human Rights Commission of Sri Lanka suggest that disappearances were happening frequently in these regions. These organizations have made estimates of about 30,000 official and 60,000 unofficial, of the number of disappearances in the Tamil areas.

Torture is also another charge made against the Government of Sri Lanka. Torture is an enabled tool in Sri Lanka to gather information about the Liberation Tigers of Tamil Eelam (LTTE). A list of various methods of torture has been made. Reports of various Human Rights International Non-Governmental Organizations (HRINGOs) and Local Human Rights Non-Governmental Organizations (HRNGOs) revealed that torture is used to extract information and confessions during interrogations. According to section 16 of the Prevention of Terrorism Act (PTA), any confession is prima facie (Primary)
evidence and the burden of proving that the confession was obtained through torture lies on the suspect. In some cases when it was established that those statements made by the accused was due to torture, the accused is released and awarded compensation too. But such individuals were reported to have developed neuro-psychological problems, depression, permanent physical disabilities and various other forms of physical complications. It has also been reported that torture victims range from even 14 years of age both men and women. Impunity is another issue which helps the government agencies to act without responsibility for their actions in abusing human rights.

**Chapter- III: LTTE and Human Rights Abuses**, deals with the various charges of human rights violations alleged against the Liberation Tigers of Tamil Eelam (LTTE) and a brief analysis on the growth of the LTTE and its demands. Also, a list of various armed groups which sprung up with similar demand and were later eliminated by the LTTE has also been made. This is evident through the internecine fighting that took place between these groups in the early 1970s to gain supremacy, in which the LTTE was successful. When the other groups saw that they were no longer able to fight the LTTE, they either took to mainstream politics or disbanded their groups. The LTTE grew as a byproduct of Sinhalese discriminatory policies which sidelined the Tamils. The LTTE which was earlier known as the Tamil New Tigers (TNT) comprised of unemployed Tamil youth. The Tamil New Tigers reformed as the Liberation Tigers of Tamil Eelam (LTTE) on May 5, 1976. This change was mainly due to the failure of the moderate Tamil political parties who demanded recognition of the rights of the Tamils through Constitutional means. Thus, Tamil youth thought that an armed struggle was the only way to achieve the
legitimate rights of the Tamils in Sri Lanka. The objective of the LTTE was to achieve a separate state of Tamil Eelam in Sri Lanka comprising the areas in which the Tamils were a majority mainly in the northern and eastern provinces. In pursuing this objective, the LTTE is said to have violated or abused human rights in the Tamil areas of Sri Lanka. These charges include suicide bombing, child recruitment, conscription, restricting the freedom of movement, kidnapping, political assassinations, extortion, etc. The LTTE is also charged of flouting peace talks and rejecting peaceful settlements which might have been possible if the LTTE had not pulled out of the peace talks at the most crucial times of negotiations. In pursuit of the LTTE's uncompromising commitment and demand for separate state, the LTTE had carried out series of violent activities against the state authorities and civilians. These activities are said to have contributed to various charges of human rights abuses.

In this chapter, a list of suicide missions carried out by the LTTE, one in every year has been shown (1987-2009). The LTTE’s political assassinations have also been listed in this chapter. This chapter according to various reports of Human Rights International Non-Governmental Organizations and Local Human Rights Non-Governmental Organizations revealed that the LTTE had violated various freedoms guaranteed in universal human rights instruments. The LTTE is also charged of denying peaceful existence in the region for civilians in the Tamil areas of Sri Lanka. Reports of various Human Rights Non-Governmental Organizations suggest that the LTTE had forced people into hazardous labor in the name of voluntary service or pay a sum of Sri Lankan Rupees 5000. Even children were said to have been used in hazardous military
works such as building bunkers, digging trenches during war times, etc. Human rights instruments such as the Fourth Geneva Convention provide that no one especially children and women shall be forced into military services during war times. During the final stages of the war between the Sri Lankan armed forces and the LTTE in May 2009, civilians were reportedly prevented by the LTTE from leaving the region even to those who needed immediate medical attention. It was also reported that the LTTE was using unarmed civilians as human shields against the onslaught of the Sri Lankan Army (SLA). Reports of various human rights organizations such as Amnesty International, Human Rights Watch and Asian Human Rights Commission revealed that the LTTE showed complete disregard to human rights during the final stages of the war.

*Chapter- IV: Factors Responsible for Human Rights Abuses*, has discussed the various factors responsible for human rights abuses in the Tamil areas of Sri Lanka. Having examined the various charges of human rights abuses, the objective of this chapter was to study and understand the various factors responsible for such abuses in the Tamil areas of Sri Lanka. The study revealed that the ethnic conflict and the demand for separate state of Tamil Eelam as the primary factors responsible for human rights abuses in the Tamil areas of Sri Lanka. Sri Lankan Government’s legislations such as Prevention of Terrorism Act and Emergency Regulations (PTA and ER) were also found to be factors responsible for human rights violations in the Tamil areas of Sri Lanka. It is through these two acts that impunity continues to occur in the Tamil areas of Sri Lanka. Impunity is another factor which contributes to human rights abuses in these regions. When the demands for equality of the Tamils were not redressed by the Government of Sri Lanka,
it led to the ethnic conflict between the Sinhalese and the Tamils. The conflict later led to the demand for separate state of Tamil Eelam. The response of the state to the demand for separate state of Tamil Eelam was in the form of military suppression. The above four aspects namely the suppression of the Tamils after independence from the British in 1948, the ethnic conflict, the demand for separate state of Tamil Eelam and the response of the Sri Lankan State to the demand resulted in a sphere of violence and were found to be the major factors responsible for human rights abuses in the Tamil areas of Sri Lanka.

Chapter-V: Human Rights: Major Human Rights Non-Governmental and State Organizations in Sri Lanka, discusses about Non-Governmental Organizations (NGOs), Human Rights International Non-Governmental Organizations (HRINGOs) and Local Human Rights Non-Governmental Organizations (HRNGOs). In this chapter, the role played by the Human Rights Commission of Sri Lanka and Human Rights Non-Governmental Organizations in protecting and promoting human rights in the Tamil Areas of Sri Lanka has been examined. Although there are many Human Rights Non-Governmental Organizations, five of them were selected for the purpose of the study. These organizations were selected for study as they had their offices in the Tamil areas of Sri Lanka and they are well known human rights organizations in Sri Lanka. They are, Home for Human Rights (HHR), Law and Society Trust (LST), Center for Policy Alternatives (CPA), Information Monitor (INFORM) and Consortium of Humanitarian Agencies (CHA). The study revealed that Human Rights Non-Governmental Organizations play a limited role in protecting and promoting human rights in the Tamil areas of Sri Lanka. Human Rights Non-Governmental Organizations only publish reports
on human rights violations committed by the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). Human Rights Non-Governmental Organizations have represented several cases regarding human rights violations, but they were not very successful in achieving a positive result for the victims.

In addition, the role of State human rights organization namely the Human Rights Commission of Sri Lanka (HRCSL) has been examined in this chapter. The Sri Lankan Parliament passed an Act in July 1996, (The Human Rights Commission of Sri Lanka Act No.21 of 1996) that called for the establishment of a permanent Human Rights Commission for the nation. According to this Act, the Human Rights Commission of Sri Lanka is expected to be an institution that would perform a broad range of function from investigating to mediating for protection and promotion of human rights and also advising the government for appropriate legislative procedures. The Human Rights Commission of Sri Lanka is the only organization in Sri Lanka which has the authority to visit and investigate the condition and treatment of detainees in detention centers. However, the Human Rights Commission of Sri Lanka also plays a very limited role in protecting and promoting human rights. The incapability of these organizations to protect and promote human rights in the region has also been examined in this chapter.

**Chapter VI: Conclusion**, summarizes the study and highlights the major findings. It also makes some suggestions in order to prevent further human rights abuses in the Tamil areas of Sri Lanka. The following are the major findings of the study:
Findings of the Study

An analysis of various definitions made by different scholars and writers revealed that human rights are inherent in human nature and they are claims made by human beings for the better fulfillment of human development. The study also revealed that when there is large scale violation or denial of such rights it constitutes abuses of human rights.

Human rights abuses in Sri Lanka emerged immediately after the achievement of independence in 1948 where the rights of Tamil minorities were denied. Prior to independence in 1946, the Sinhalese and Tamil Political elites had agreed for a Constitutional settlement before independence. The Sinhalese upper middleclass political leadership promised for a just and fair government and power sharing on the basis of partnership and unity. After independence, the Sri Lankan Government passed The Ceylon Citizenship Act Number 18 of 1948 and franchise laws which denied a million Tamils their basic right to citizenship rendering them stateless. This was followed by their disfranchisement. In June 1956, the then Prime Minister Bandaranaike introduced a bill in the House of Representatives to make Sinhala the only official language of Sri Lanka. The Bill was supported by the Mahajana Eksath Peramuna (MEP) and the United National Party (UNP), and opposed by the Lanka Sama Samaj Party (LSSP), Communist Party (CP), Federal Party (FP) and the Tamil Congress (TC). When the Tamils in Sri Lanka saw that the agreement made between the Sinhalese before
independence was not adhered to, they demanded for recognition of their legitimate rights through Satyagraha and constitutional means. However, these demands were meted out with violence against the Tamils in both the Tamil areas and other regions in which the Sinhalese were a majority. Thus, structural violence gradually turned out to be direct violence against the Tamils in Sri Lanka. Following these events the Tamils under the leadership of the Federal Party (FP) demanded for federal autonomy for the regions in which Tamils were a majority. The demand for federal autonomy was also made through constitutional means but was suppressed with violence against the Tamils in Sri Lanka. These developments led to the feeling that the only way to achieve their legitimate rights was to demand a separate state of Tamil Eelam through armed struggle which was spearheaded by the Liberation Tigers of Tamil Eelam (LTTE) from the mid 1970s.

The above events show that since independence the conflict between the Tamils and Sinhalese gradually transformed itself into armed conflict thereby violating human rights of innocent civilians in the Tamil areas of Sri Lanka. The study revealed the following as major factors responsible for human rights abuses in the Tamil areas of Sri Lanka: (i) the ethnic conflict between the Sinhalese and the Tamils, (ii) the demand for separate state of Tamil Eelam (iii) repressive legislations such as Prevention of Terrorism Act (PTA) and Emergency Regulations (ER), (iv) complete disregard for human rights by both the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE), (v)
lack of awareness about human rights, (vi) condonation of human rights violations by the Sri Lankan Government when committed by its agencies especially within the parameters of the war against the Liberation Tigers of Tamil Eelam.

- The study revealed that it is the sphere of violence which has resulted in various forms of human rights abuses in Tamil areas of Sri Lanka. Sphere of violence in this context has four aspects namely, (i) state repression of the Tamils after Independence from the British in 1948 leading to (ii) the ethnic conflict between the Sinhalese and the Tamils in Sri Lanka which gradually transformed into (iii) the demand for separate state of Tamil Eelam for which (iv) the state responded through military suppression towards the demand.

- Although the main objectives of the Human Rights Commission of Sri Lanka are to protect and promote human rights, its activities have been found to be in favor of the government rather than protecting and promoting the cause of human rights for common citizens. The Human Rights Commission of Sri Lanka is the only organization which has the authority to visit and investigate the conditions of those in detention centers but it is not found capable of doing any appreciable work in the promotion of human rights as the Commission has to work alongside the government agencies. The Human Rights Commission of Sri Lanka can investigate and monitor human rights in the country but it has to depend upon the government agencies to implement its recommendations, thus making it
impossible to protect human rights. Moreover, the members of the Human Rights Commission of Sri Lankan are mostly Sinhalese and they carry a biased attitude towards the issue of human rights particularly in the Tamils areas of Sri Lanka.

- The Human Rights Commission of Sri Lanka receives complaints regarding alleged abuses of human rights from groups of persons and also from individuals. The Commission investigates into such complaints and publishes its findings on various alleged human rights violations and complaints annually. Further, the Commission also sends its recommendations and findings on any human rights violation to the Supreme Court of Sri Lanka for necessary action. The Commission has no authority beyond reporting on human rights violations and recommending the Supreme Court for taking necessary action such as compensation, convicting or pronouncing a sentence on a perpetrator of human rights abuses. As such, the role of the Human Rights Commission of Sri Lanka has been found to be very limited.

- HRINGOs and HRNGOs were also found to play a very limited role in the region with regard to protecting and promoting human rights. The study revealed that HRINGOs do not have their presence in Sri Lanka except for the International Committee of the Red Cross (ICRC) which plays the only role of exchanging bodies of the deceased who were engaged in battle (GOSL-LTTE and vice-versa) or were victims in the crossfire.
• HRNGOs can only receive complaints, investigate and make suggestion and recommendations to improve the situation and also publish reports about alleged violations of human rights. They do not have any legal binding either on the LTTE or the Government of Sri Lanka.

• Human rights abuses in the context of Tamil areas of Sri Lanka could have been avoided if the Sinhalese led governments in the aftermath of independence adhered to the constitutional agreement made between the Sinhalese and the Tamil political leadership. Following the various demands of the Tamils, the government instead of addressing these issues, tried to suppress them through violence which became more counter-productive. This is evident in the anti-Tamil riots that took place in Sri Lanka (1956, 1977, 1981 and 1983).

• Further, human rights abuses could have been avoided in these regions had the LTTE agreed to a peaceful solution through negotiations. The LTTE was never willing to receive any form of solution less than that of a separate state of Tamil Eelam. The strong resort of both the Government of Sri Lanka and the LTTE to use violent methods if avoided could have minimized human rights abuses to a great extent. Following the defeat of the LTTE in May 2009 by the Government of Sri Lanka, the rights of the Tamils at present are at great risk of being violated.
as in the early years of independence. Had the LTTE agreed to federal autonomy or anything less than just separate State of Tamil Eelam, the violence and human rights abuses could have been minimized. In Sri Lanka the human rights situation would have been better if human rights international non-governmental organizations and their offices were present. When these organizations were present in Sri Lanka both the Government of Sri Lanka and the LTTE abstained to a certain extent from violating human rights which were so overt in nature after their withdrawal from Sri Lanka.

Suggestions

The study revealed various charges and factors responsible for human rights abuses in the Tamil areas of Sri Lanka. Therefore, in the light of the findings the following suggestions have been made to bring about the solution to the ethnic conflict and prevent further human rights abuses in the Tamil areas of Sri Lanka.

- After independence of Sri Lanka in 1948 the Sri Lankan State failed to accommodate the minority Tamils which resulted in the ethnic conflict between the Sinhalese and the Tamils of Sri Lanka. The ethnic conflict when aggravated compelled the Tamils of Sri Lanka to demand for a separate state of Tamil Eelam under the leadership of the Liberation Tigers of Tamil Eelam (LTTE). Following this demand, there was continued war between the Government of Sri Lanka and the LTTE which resulted in various forms of human rights abuses in the Tamil
areas of Sri Lanka. Therefore, it is suggested that the government should take necessary steps to accommodate the Tamils in granting them equal rights vis-à-vis the Sinhalese and prevent the recurrence of the ethnic conflict in the country.

- Enacting Legislations such as, The Prevention of Terrorism Act and the Emergency Regulations, by the Government of Sri Lanka has resulted in various forms of human rights abuses such as arbitrary arrests and detentions, torture and extra-judicial killings, etc, in the Tamil areas of Sri Lanka. Further, some provisions of these two legislations enabled the security forces to dispose the bodies of those who died whilst in custody or during interrogation. Therefore, it is suggested that some provisions in the Prevention of Terrorism Act and the Emergency Regulations should be removed or repealed so that arbitrary arrests and detention and extra-judicial killings will be prevented. It could also prevent statements obtained through torture whilst in custody to be accepted as *prima facie* evidence.

- As total lack of awareness with regard to human rights and its related issues was found among the people living in the region, it is suggested that efforts to educate them through human rights awareness programmes will help in protecting their rights from being violated. Further, including human rights as a subject in the curriculum of Schools and higher education will promote awareness about their rights among the people living in the Tamil areas of Sri Lanka. Besides these measures, local human rights non-governmental organizations could play a very
important role in educating people in the Tamil areas by conducting open air programmes by screening movies and documentaries relating to human rights.

- Human rights abuses were committed by the security personnel in the Tamil areas of Sri Lanka because they did not have sufficient knowledge on issues relating to human rights. Therefore, it is suggested that imparting human rights education and their psychological makeup during training period can go a long way in protecting human rights before being posted.

- Human Rights International Non-Governmental Organizations do not have their offices in the Tamil areas and also in the other regions of Sri Lanka. Therefore, it is suggested that the Government of Sri Lanka, create an atmosphere that would be conducive to allow the human rights international non-governmental organizations to have their offices in the Tamil areas and other parts of Sri Lanka whereby they would be able to function independent of any governmental or external interference. This will help such organizations in documenting human rights abuses and bringing the matter to the attention of the international community.

- Sri Lanka has signed and ratified most of the important international human rights instruments like the International Covenant on Civil and Political Rights (1980), Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment (1994), etc. Although, Sri Lanka is party to most of the important international human rights instruments, human rights are violated more
particularly in the Tamil areas of Sri Lanka by the government and its agencies which shows non-adherence to these international human rights instruments. Therefore, it is suggested that the international community pressurize the Government of Sri Lanka take necessary steps to adhere to the principles established in the international human rights instruments.

- As the Government of Sri Lanka and its agencies practiced impunity even in cases where human rights violations were proved, no legal or corrective measures were seen to have been meted out on those caught violating human rights. Thus, it is recommended that the government take strong measures to stop impunity for human rights violations committed by its agencies. It is also suggested that any individual, security personnel, or any governmental organization, found guilty of violating human rights should be dealt as per the human rights law.

- The standardization policy in Sri Lanka was found to be discriminatory in nature. This policy enables the Sinhalese to procure admissions in educational institutions and into civil services or any other government employment by scoring lower percentage of marks vis-à-vis the Tamils in Sri Lanka. Thus, it is suggested that the Sri Lankan Government make necessary provisions to enable the Tamils of Sri Lanka to have equal opportunity without discrimination in admissions to educational institutions and employment in government services.

- The Unitary State Structure of Sri Lanka has been found to have curtailed the minority aspirations of development, equal rights and equal representation in the
Sri Lankan society. In the light of this, it is suggested that the Sri Lankan Government change the Unitary State Structure into a federal or quasi-federal form of government by which the minority aspirations for their equal rights, representation and development is realized adequately.

- During the final war between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam since 2005 till May 2009, all infrastructure, such as educational institutions, hospitals, etc, were closed down or destroyed due to heavy fighting and shelling of the region leaving millions of Sri Lankan Tamils homeless without any basic necessities such as water, food, shelter, etc. Therefore, the Government of Sri Lanka should speed up rebuilding infrastructure in the region including rehabilitation process, developmental and educational works, hospital and health care, etc. Further, it is important that the Government of Sri Lanka take all precautionary measures to detect and remove landmines placed by the LTTE in the region at the earliest to prevent human casualties and make the region conducive for secured living.