

HUMANITARIAN LAW PROJECT
International Educational Development
8124 West Third Street, Suite 105
Los Angeles, California 90048
Email: ied@igc.org

**General Assembly
Human Rights Council
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-eighth session
Agenda item 2**

**Statement of International Educational Development, Inc.,
A non-governmental organization on the Roster
(Secretary-General's list)**

International Educational Development is pleased by the attention by the Sub-Commission to military operations directed at medical facilities, transport and personnel entitled to protection as expressed in its resolution 2005/2. We are also pleased by the attention to other persons entitled to protection from military operations as expressed in its resolution 2005/12.

The widespread attacks on medical facilities in Falluja Iraq in November 2004 invoked strong condemnation by the High Commissioner and prompted the head of the British Red Cross to comment on the potential demise of the Geneva Conventions and humanitarian law. Due to the utter contempt of the Geneva Conventions and human rights law shown by these attacks, our organization joined the Association of Humanitarian Lawyers in submitting a Petition against the United States to the Inter-American Commission on Human Rights of the Organization of American States. Unfortunately, the United States does not seem to be deterred by international condemnation of these attacks and continues to target protected medical facilities and personnel in Iraq. This needs to be condemned by the Sub-Commission.

While we welcome the action undertaken by the Human Rights Council in regards to attacks on protected facilities and persons under the Geneva Conventions and humanitarian law as a whole in Lebanon, the Council has not called for action regarding several other conflicts in which targeting of protected facilities and persons is equally serious. One of these is the conflict in Sri Lanka, where since the elections in November there has been the worst levels of fighting since the 2002 Cease Fire Agreement. In the past few weeks, the level of fighting has increased dramatically, as have the numbers of military operations of the government armed forces flagrantly targeting protected facilities and persons. For example, on 6 August 2006 17 humanitarian aid workers from the French NGO Action Contre le Faim were brutally massacred in the government-controlled areas in Trincomalee, prompting 3 independent experts of the Council

(H. Jilani, human rights defenders; P. Alston, extrajudicial, arbitrary and summary executions; J. Ziegler, the right to food) to issue a press release on 11 August 2006 in which they state: “the deliberate targeting of humanitarian workers is a serious violation of the basic principles of international and humanitarian law and the Declaration of Human Rights Defenders.” Also on 6 August 2006, several members of the Sri Lanka Monitoring Mission narrowly escaped attacks from the government forces in Maavil Aaru. On 9 August 2006 government forces attacked an ambulance belonging to Nedunkerni hospital killing a doctor, 2 nurses and the driver. On 15th of August, the government forces deliberately bombed a girl’s orphanage killing 60 girls and wounding 120 who were between the ages of 15 and 18. An attack on St. Philip Mary church in Allaipiddy left 15 dead and more than 100 injured.

Since the renewed fighting, there are more than 100,000 newly displaced, many without food or water. UNICEF and the UNHRC report the continued blockage by the government forces of urgently needed aid to the rapidly increasing numbers of displaced, prompting the UN officer in Sri Lanka to express concern. UNHCR reports that of the over 40,000 newly displaced in Muttar, more than half are women and children, but in a statement on 8 August 2004 indicated they were not allowed access.

The situation of Tamil civilians is made much worse because so many Tamils are still displaced by the Tsunami and because most of the international aid raised on their behalf was not allowed to be delivered. For example, the American Red Cross, that received hundreds of thousands of \$\$US for Tsunami victims in Sri Lanka, was told by US authorities that they could not distribute it in the Tamil areas. The Sri Lankan government also severely restricted aid to the Tamil Tsunami victims, only allowing aid raised by the Tamil diaspora and then restricting that as well. In addition to the hundreds of thousands of Tamil refugees who have sought and obtained asylum outside of Sri Lanka, the current figures of internally displaced indicates nearly 1/3 of the entire Tamil population is displaced or in exile.

We have long indicated to the Sub-Commission that the United States geopolitical interests in ports and airfields in the Tamil areas has been a major impediment to resolving this long conflict and we invite you to consult our written statements in this regard that we submitted to both the Sub-Commission and the Commission. In light of this we were alarmed by recent pronouncements in Colombo and elsewhere by high State Department officials: in our view the US has given the government of Sri Lanka a “green light” to undertake actions that violate humanitarian law under the pretext that due to the unabated demonization of the Tamils by Sri Lankan and US authorities, no one will dare defend them, and in any case, no one will be able to do anything about it. However, because now the UN independent experts, UNICEF and UNHCR have spoken up, and because the UN is in a process to reform its work, we hope that the Sub-Commission, which as rightly undertaken to address attacks against medical and other protected persons in time of war, will inform the Council of its concerns regarding Sri Lanka and the situation of the Tamil people and will request that the Council act.