

The Honorable John F. Kerry
218 Russell Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Richard Lugar
306 Hart Senate Office Building
United States Senate
Washington, DC 20510

26 February 2010

Dear Chairman Kerry and Ranking Member Lugar:

The Tamil American Peace Initiative (TAPI) writes again to thank you for your strong support for a positive path forward on Sri Lanka. In your leadership capacity on the Foreign Relations Committee and to follow-up on the December 2007 report issued by your committee (entitled "Sri Lanka: Re-charting U.S. Strategy After the War"), we would encourage you to consider holding a hearing on the situation in Sri Lanka as a first step towards examining ways to slow Sri Lanka's rapid democratic decline. TAPI would like to express our strong concern about the direction of Sri Lanka following the January presidential election.

Since the civil war in Sri Lanka ended in May 2009, we believe that the Government of Sri Lanka has squandered countless opportunities to make real progress towards building a lasting peace and advancing reconciliation. We, like many watching Sri Lanka, understood that the presidential election was a hurdle to be crossed before the much-needed change on the island could be advanced. We were hopeful that some elements of the reconciliation that were promised to the United States, to the Secretary General of the United Nations, and to the international community by the Government of Sri Lanka would come to pass once their mandate was endorsed.

But it is now clear to us that the re-elected Rajapaksa government is still fighting a war instead of building a peace. Since President's re-election, a pattern of behavior has established facts on the ground that cannot be ignored. Our specific concerns include the following:

- Hundreds of thousands of internally displaced persons (IDPs) and other Tamils lacking government-issued IDs were excluded from the voting for the presidential election and will similarly be excluded for the upcoming parliamentary elections.
- The Government of Sri Lanka has made no moves to address any of the voting problems in advance of the parliamentary voting, including the lack of ability to register, lack of access to polling places, and lack of government-issued identification, among other issues. If the parliamentary elections are held in this climate, the Tamils and Sri Lanka's minorities will be further, and more severely, disenfranchised precisely when the difficult work that will determine their futures is begun.
- The continued arrest and detainment of journalists and members civil society, as well as a crackdown on the use of the internet, has reinforced the government's lack of respect for free speech and dissent in the post-conflict period.
- The status of hundreds of ex-combatants is still uncertain, and no process has been formally established to either levy charges against them or see them tried, which establishes a poor precedent for justice in a volatile environment.
- Past attempts by the Government of Sri Lanka to investigate war crimes on either side of the conflict lend no confidence that crimes that occurred in the later part of the fighting will be investigated objectively and in a manner that will provide justice or reconciliation.

- The lack of access to the former conflict areas by international observers and the media continues to raise concerns about the status of IDPs and basic rights and freedoms.
- Rather than developing a framework to resolve the substantial land disputes in the former conflict areas, the Government of Sri Lanka has pursued commercial contracts leasing this land to foreign agricultural, industrial, and tourism conglomerates.
- The February 8th arrest and detainment of defeated presidential candidate Sarath Fonseka and his subsequent treatment and lack of access to due process indicate the beginning of a new wave of crackdowns against those the government perceives as their challengers.
- The Sri Lankan government continues to expand its non-civilian military capabilities, including a new \$300 million loan from Russia to purchase new weapons systems, even while it continues to borrow and rely on aid to address basic humanitarian needs. This raises concerns about the prioritization of peace, and exactly who the government believes it is still fighting against.

With these recent developments in mind, we hope you will consider holding a hearing in order to hold the Government of Sri Lanka accountable for their promises of change and their duties of reconciliation and good governance. All the people of Sri Lanka have suffered much from the war, and they equally now deserve the opportunity for peace and prosperity. In addition, we have also attached a letter we recently sent to Secretary of State Hillary Clinton regarding the International Monetary Fund loan to Sri Lanka, for your review. TAPI hopes you agree that the Government of Sri Lanka must work to meet the basic benchmarks they laid out for themselves.

We appreciate your consideration of our request to hold a hearing to review the situation in Sri Lanka following the presidential election, and look forward to working with you in the coming months.

Sincerely,

Attachments:

Letter to Secretary Clinton regarding IMF Funding to Sri Lanka