



HOUSE OF COMMONS
CHAMBRE DES COMMUNES

Canadian Leadership Towards a Peaceful Tomorrow for Sri Lanka

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Introduction

This report is a call to action for the Government of Canada to use its influence to put an end to the tragic fighting, rampant human rights abuses and discrimination in aid distribution throughout Sri Lanka.

The author of this report journeyed to the country in the Spring of 2005 to view the conditions on the ground, meet government officials and talk with everyday Tamils, Sinhalese and others.

Canada has pledged or distributed \$124 million for Tsunami relief and reconstruction. It is time for our country to use this money as leverage to press for peace, human rights and a return to the ceasefire and negotiations.

Thanks are owed to the dozens of Tamil and Sinhalese Canadians (particularly those living in Nepean, Ontario) who provided input on this report. The High Commissioner from Sri Lanka, W.J.S. Karunaratne, also deserves thanks for agreeing to meet and skillfully explain his government's position.

(NOTE: The contents of the report represent the opinion of the author as a Member of Parliament and not those of Canada's New Government or the Treasury Board.)





Overview

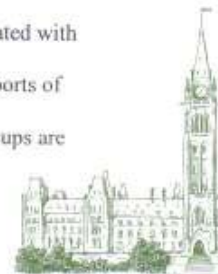
In the last few months Sri Lanka has experienced a large escalation in combat operations and human rights violations perpetrated by both Government forces and the LTTE. The fighting has added tens of thousands of people to the number of displaced persons in the country thereby worsening the humanitarian crisis. In addition, international tsunami reconstruction aid has been unevenly distributed across the country; with Tamil areas denied their fair share of resources.

The evidence collected for this report indicates that both the Sri Lankan Government and the LTTE bear some responsibility for this tragic situation.

Government

On May 10th, the American assistant Secretary of State for South and Central Asian Affairs announced that the United States was stopping some aid to Sri Lanka due to the worsening civil war and human rights situation. The Secretary pointed to concerns with freedom of the press and abductions and killings. Great Britain also decided in May to withhold \$3 million in debt relief aid as a result of human rights infractions by the government.

In the north, Amnesty International Reports "The Jaffna Peninsula remains isolated with a lack of food, dwindling medical supplies and severe restrictions on travel. Reports of political killings and enforced disappearances by the government and armed groups are re-emerging and increasing. A climate of impunity persists".

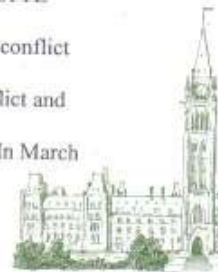




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In Amnesty International's country report for 2005, it said that there were a number of extra-judicial killings by the government's security forces. There were also numerous reports of police torture in custody despite an August 2004 statement from the National Police Commission that it was a top priority to address the problem. In November 2005 the UN Committee against Torture expressed "continued well-documented allegations of widespread torture and ill-treatment as well as disappearances mainly committed by the State's police forces". Often in the past, the government has announced internal investigations into the disappearance of suspects in custody that have amounted to very little (both Amnesty International's position, and members of the local Tamil population). In January of this year, the Sri Lankan government announced the creation of the Victim and Witness Protection Unit of the Commission of Inquiry and the International Independent Group of Eminent Persons to look into issues of Human Rights abuse. While this step was welcomed by the international community, concerns remain about the ability of the commission to protect witnesses and its independence from the government given certain provisions in the commission's terms of reference. In a significant step, on March 7th of this year, the Sri Lankan government acknowledged some defense personnel might be involved in the abductions, killings and disappearances.

In April of this year, Human Rights Watch said that "both the government and LTTE have shown a brazen disregard for the safety and well-being of civilians" as the conflict has intensified. They also claim that the government is using the escalating conflict and anti-terrorism laws to interfere with freedom of the press and to stifle criticism. In March





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of this year Human Rights Watch claimed that the government-allied Karuna faction is recruiting children into the military.

Amnesty International's South Asia Director has stated that it seems the Karuna forces are operating with the complicity of Sri Lankan authorities as they battle the LTTE.

LTTE

2006 saw the resumption of major military operations, the first since the ceasefire of 2002. Between February 2002 and the end of 2005 the Sri Lankan Monitoring Mission (SLMM), the organization led by Norway to monitor the ceasefire, reported 3500 violations. Most of these violations were committed by the LTTE, and many involved violence and intimidation against civilians. During the same period, UNICEF documented 4,347 cases of child recruitment by the LTTE.

A relative state of calm in the East following the ceasefire was broken when LTTE's eastern commander, known as Colonel Karuna, broke away from the LTTE in April 2004. He is now believed to be a government ally. The LTTE has sought to regain control through a violent crackdown. The violence has continued to escalate, especially in the Batticaloa region. The number of displaced persons in this area is now estimated to be 120,000.

On February 23rd of this year the LTTE declared that they would continue their armed struggle for statehood and that the ceasefire was useless.





Recommendations

Human Rights and Security

- 1) The Foreign Affairs Minister, the Honourable Peter Mackay, should at the earliest occasion forcefully condemn the human rights record of all parties involved in the conflict in Sri Lanka, including the present government.
- 2) Canada should advocate for, and participate in, an international human rights monitoring mission under the auspices of the UN High Commissioner for Human Rights. This mission should be completely separate and independent from the government of Sri Lanka and the LTTE, and should issue public findings.
- 3) The Foreign Affairs Minister, the Honourable Peter Mackay, should at the earliest occasion forcefully condemn the recruitment of children and LTTE's use of terrorism as a tool to advance its cause, recognizing that the LTTE is a listed organization in Canada.
- 4) The Canadian Embassy in Colombo should be provided the resources and mandate to work with the Norwegian government to revive the ceasefire and peace talks.





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- 5) The Canadian government should press all parties within Sri Lanka to return to the peace process and honour the ceasefire agreement.

Development and Reconstruction

- 6) Canada should protest the government's threat that it will cut off aid to displaced persons fleeing battle areas.
- 7) The Canadian government should direct existing aid envelopes to the approximately 155,000 persons who have been displaced by fighting between the LTTE and the government.
- 8) Canada should conduct a full audit of Canadian Funds contributed to Sri Lanka to ensure that the funds were spent accountably, effectively, and equitably in reconstruction projects across Sri Lanka. The audit should give special attention to the degree of reconstruction in areas with large Tamil populations.
- 9) The Canadian government should use its own experience as a decentralized federation to assist the Sri Lankan government in moving towards a decentralized federal model with autonomy and rights for ethnic and religious minorities.





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