

Canadian Academics for Tamil Rights

Statement on the Crisis in Sri Lanka

We are writing to express our grave concerns about the humanitarian catastrophe unfolding in the “safe zone” in the Vanni region of Sri Lanka. Most independent observers estimate that more than 200,000 Tamil civilians, many already displaced multiple times, have been under siege in the tiny coastal strip with at least 50,000 still there. Confirmed reports indicate that more than 4000 civilians, including 700 children, have been killed since January 2009.

Displaced persons who have managed to flee the fighting have been placed in *de facto* detention camps by the Sri Lankan government where they are denied freedom of movement, in contravention of international standards. There are over 40,000 displaced people being held in 13 sites in the Vavuniya District in overcrowded conditions without adequate access to healthcare, food and water. There are reports of rape, torture and killings in the camps (Medico International, Germany, April 16, 2009). Civilians who are suspected of LTTE ties have been taken into government custody, leading to fears of enforced disappearances and extrajudicial killings, tactics the government and its allied militias have employed in significant numbers over the past few years (Amnesty International, ASA 37/004/2009).

Recent artillery attacks by Sri Lankan forces have indiscriminately targeted civilians and civilian objects, in contravention of international humanitarian law. There are credible reports that the Sri Lankan army may be using illegal cluster bombs as well as thermobaric bombs in the safe zone with high civilian casualties. There have been more than two dozen incidents of artillery shelling or aerial bombardment on or near hospitals, in flagrant violation of the Geneva Conventions. The presence of wounded combatants in hospitals does not turn them into legitimate targets. Deliberately attacking a hospital is a war crime. At the same time we deplore the LTTE's forcible recruitment of civilians, including children, for untrained military duty and for labour in the combat zones as well as its practice of forcing civilians to retreat with its forces, deliberately preventing civilians under its effective control from fleeing to safety. Nevertheless, violations of the laws of war by one side to a conflict do not justify violations by the opposing side. They do not permit the indiscriminate use of force by the Sri Lankan forces in response (Human Rights Watch, 20 February 2009).

The overall human rights situation in Sri Lanka has deteriorated dramatically since the current government assumed power in 2006. The Sri Lankan government has utilized the “war on Terror” as a cover to systematically destroy all democratic processes and institutions. Sri Lanka was ranked 165th out of 173 countries in the ‘Reporters Without Borders’ 2008 press freedom index, the lowest ranking of any democratic country. Political opponents and journalists with critical views are subject to threats, intimidation and assassination. The culture of impunity has been institutionalized. In an effort to shield its own actions from public scrutiny, the Sri Lankan government has barred most humanitarian agencies, independent observers and

journalists from the conflict zones. As a result there is a lack of timely information about the situation of the trapped civilians as well as severe shortfalls in humanitarian assistance.

The government of Sri Lanka continues to justify its actions as necessary to achieve an imminent victory over “Tamil terrorism.” However, as long as the human rights of the Tamil minority are subject to systematic violation, the conflict will persist and the LTTE will garner support from Tamils in both Sri Lanka and the diaspora, despite its proscription by various Western countries, including Canada.

There is a critical need for international solidarity in the face of this immediate catastrophe. We believe that the government of Canada has a special responsibility to act to bring about an end to violations of international law and to make a significant contribution to a political resolution of this conflict. As host to the largest Tamil diaspora outside of Sri Lanka, Canada should assume a proactive role in promoting and supporting efforts aimed at resolving the legitimate grievances of the Tamil people including recognition of their right to self-determination. The world-wide Tamil diaspora is strongly represented and plays an important role in the life of many of our cities; their concerns should be our concerns too.

The previous government supported an advisory role for the Canadian Forum of Federations in Sri Lanka while the current government appointed a representative to the International Independent Group of Eminent Persons (IIGEP) with a mandate to observe investigations into human rights abuses (the IIGEP withdrew from Sri Lanka in March 2008 in the face of Sri Lanka’s failure to meet even the basic minimum standards in probing rights abuses). Canada is uniquely positioned to reactivate and support such constructive forms of engagement.

We therefore call on the Government of Canada to:

- Work with both parties to the conflict to implement an immediate and comprehensive ceasefire.
- Urge the International community and the UN to take responsibility for the protection of Tamil civilians.
- Urge the UN Security Council to authorize timely and decisive measures to halt mass atrocities in the Vanni region of Sri Lanka, including the dispatch of a special envoy to the region, and the creation of a commission of inquiry into crimes under international law committed by any person or entity.
- Demand that the government of Sri Lanka remove restrictions imposed on access to the conflict zone for humanitarian workers and media and permit international observers in the detention camps.
- Demand that the LTTE allow civilians to continue to leave the conflict area.

- Initiate internationally mediated efforts aimed at achieving a durable political solution to the conflict in Sri Lanka.

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