

June 18, 2009



President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President,

We, representing several human rights organizations, are writing to express our deep concern about the situation in Sri Lanka and urge you to take immediate steps to address the dire human rights and humanitarian situation in that country.

THE CARTER CENTER



Since December, during the last phase of intense fighting, tens of thousands of civilians have been killed, injured or displaced. Independent observers and media were denied access to the conflict zone. Three medical doctors who were providing independent information were arrested and held incommunicado. Even after the government claimed military victory, it denied access to camps and to the former safe zone where the final battle took place.



Despite repeated warnings by several international organizations of impending mass killings of civilians and despite strong statements of concern by you and several other world leaders, more than 20,000 civilians are reported to have been killed. The Times of London and Le Monde have published investigations, based on reliable data, and suggested that most of the civilian deaths were caused as a result of shelling by the Sri Lankan government. Thousands more were injured and the International Committee of the Red Cross was prevented by the Sri Lankan government for providing medical assistance resulting in many more civilian deaths.



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for the Advancement of Human Rights

The failure of the international community to take concrete action to protect civilians in Sri Lanka has given the green light to regimes around the world and has signaled that there is nothing that the international community will do when a government kills its own people under the cover of sovereignty.



It is now imperative that the United States assume the leadership necessary to mobilize the international community to protect the surviving civilians and to hold accountable those responsible for mass atrocities. Failure to do so would encourage governments to commit mass atrocities without fear of consequence. That is why your immediate action is important at this juncture.

We appeal to you to take steps to urgently address the plight of those in de facto internment camps and to initiate action to hold accountable those responsible for the mass killings. There are reports that some in the camps have already died from starvation or malnutrition. The United Nations

Human Rights Council has called for an emergency meeting on Sri Lanka, but a UN resolution calling for immediate and unrestricted access to the camps failed, leaving individuals there still at risk.

Plight of those in the camps

Over three hundred thousand persons who fled the conflict zone are held in government run “internment camps.” Unrestricted humanitarian aid to those held in the camps will make the difference between life and death, and yet access for the UN and NGOs to the camps continues to be hampered by the government. According to Ms. Magdalena Sepulveda, who delivered a statement on May 26, 2009, on behalf of all UN Special Procedures mandate holders: “The Government of Sri Lanka, citing security concerns, after three months continues to detain in temporary camps the more than 300,000 men, women and children who escaped fighting. This gives rise to concerns of arbitrary detention. Many have endured months of terrible conditions in the conflict zone before their present internment... We deplore that in the camps some have already died from starvation or malnutrition.” According to Amnesty International, there are consistent reports of widespread and serious human rights violations facing the displaced people, including enforced disappearance, extrajudicial executions, torture and other ill-treatment, forced recruitment by paramilitary groups and sexual violence.

Sri Lankan government has misled the international community by consistently stating that there are no more than 70,000 to 100,000 civilians at risk. This is despite statements by the UN and international organizations that there are around 250,000 civilians at risk. Now, with the civilians out of the conflict zone, more accurate number of over 300,000 came to light.

Need for International Commission of Inquiry

Human rights organizations have documented serious violations of international humanitarian law by both the Sri Lankan government forces and the Liberation Tigers of Tamil Eelam (LTTE) during this period. Despite repeated denials, government forces repeatedly shelled densely populated areas, including at least 30 attacks on hospitals, in the government declared “no-fire area” where it had urged civilians to take shelter. The LTTE violated laws of war by using civilians as human shields and by using lethal force to prevent their escape. Three Sri Lankan doctors who provided detailed information about government shelling and civilian casualties in the conflict zone to outside media and human rights organizations have also been detained merely for fulfilling their ethical duties to their patients, in a clear violation of the rules of medical neutrality.

The situation for civilians was made worse by the Sri Lanka government’s inadequate delivery of relief supplies and the government’s refusal to grant access to the region for aid agencies as required by international humanitarian law.

The Sri Lankan government’s record on investigating serious human rights abuses is poor and impunity has been a persistent problem. There have been serious ongoing violations of human rights and a backlog of cases of enforced disappearance and unlawful killings that run to tens of thousands, as described for example, in the 2008 Human Rights Watch report “Recurring Nightmare.” Despite this track record, there have been only a small number of prosecutions.


Past efforts to address violations through the establishment of ad hoc mechanisms in Sri Lanka, such as presidential commissions of inquiry have produced few results, either in providing information or in leading to prosecutions. To address abuses associated with the recent fighting, there is an urgent need for an independent, international commission of inquiry into many credible allegations of laws of war violations, including possible war crimes, by both sides, as well as illegitimate detentions.

Mr. President, we urge you to publicly call for an international commission of inquiry and to take necessary steps to achieve it. We also urge you to take steps for the full protection of internally displaced persons, including independent access to camps, former areas of conflict and to conflict-affected civilians by humanitarian and human rights organizations and the media.

Sincerely,



Mr. Larry Cox, Executive Director
Amnesty International USA



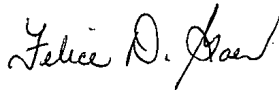
Ms. Karin Ryan, Director, Human Rights Program
The Carter Center



Ms. Jennifer Windsor, Executive Director
Freedom House



Mr. Robert Arsenault, President
International League for Human Rights



Ms. Felice D. Gaer, Director
Jacob Blaustein Institute for the Advancement of Human Rights



Mr. A. Frank Donaghue, Chief Executive Officer
Physicians for Human Rights

Cc: Secretary of State Hillary Clinton
US Ambassador to the United Nations Susan Rice