

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

March 19, 2014

The Honorable Navanethem Pillay
High Commissioner for Human Rights
UN Human Rights Council
Palais des Nations
CH-1121 Geneva 10
Switzerland

Dear High Commissioner Pillay:

I am writing to express my support for a resolution at the current session of the UN Human Rights Council that includes an international investigation in Sri Lanka for crimes committed during that country's civil war. Sri Lankan government-led efforts to address these issues have proven inadequate to date, requiring a more active and urgent response by the international community. We must be united in our message to the government of Sri Lanka: the international community will remain vigilant until we see concrete and credible accountability and genuine political reconciliation.

A democratic and stable Sri Lanka that represents the aspirations of all its people is in the interests of the United States and the international community. I am concerned that if accountability and political reconciliation are not addressed in a serious and sustainable way, Sri Lanka could once again return to the divisions that have plagued the country throughout its history. I acknowledge that addressing issues of accountability following a conflict is a long term process in the best of circumstances. But it is also one that requires the political commitment of the host government, something that, as you note in your recent report, is clearly lacking in Sri Lanka.

Over the past year, this committee has noted with concern the deteriorating environment for the democratic process and human rights in Sri Lanka. While this is particularly acute in the north, there are also disturbing reports of an increasingly authoritarian approach across the South and East.

The central government squandered any good will resulting from the election of the Northern Provincial Assembly last November by limiting the ability of the leadership of the assembly to operate and produce results for their constituents. The Chief Minister has been given little latitude to implement reforms that would benefit those living in the north. The 13th amendment to the constitution, which was supposed to empower the provinces and provide for genuine political representation at the local level, provides the legal vehicle for reform and dialogue. Unfortunately Colombo has passed up the opportunity to fully implement this amendment and has not substantively engaged with the Northern Provincial Council leadership in a meaningful dialogue on political reconciliation.

Several other factors have exacerbated tensions between the central government and Northern Provincial Council leadership. First, the large presence of Sri Lankan military remaining in the north has angered the local population who see it as an occupation force that is there not to provide security, but benefit economically from the region.

Second, the civilian population in the north, particularly women and children remain disproportionately affected by the war. Access to mental health services is very limited so these individuals continue to suffer the invisible wounds of war with no relief. Despite this clear need, the provision of mental health professionals to the north has not been forthcoming. As a good faith measure, the government should increase the availability of mental health professionals in the north to address this health crisis.

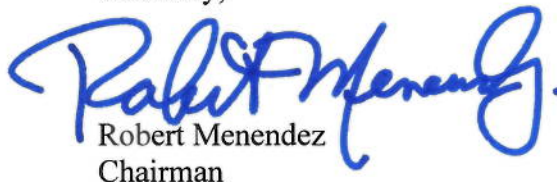
According to several indicators, Sri Lanka has grown increasingly repressive in the years since the end of the war. Minority religious communities, especially Muslims and Christians have been attacked with impunity by extremist groups over the past year, with an inadequate response from law enforcement authorities and the government.

Press freedom also continues to suffer in Sri Lanka. According to Reporters without Borders, independent journalists are repressed which has led to self-censorship among those critical of the government. According to Freedom House's rankings on press freedom, Sri Lanka ranks last among the countries of South Asia. U.S. Senate Foreign Relations Committee staff recently met with journalists in Jaffna who shared graphic accounts of attacks on newspaper printing presses and individual journalists. Until journalists are indeed free to report and provide some measure of public accountability, all of Sri Lanka's institutions -- government, judiciary, business and civil society -- will suffer.

Since 2009, the government has taken substantial steps to rebuild infrastructure in the north destroyed during the war. New bridges, roads and buildings can be seen throughout the region. This development is welcomed, should not be ignored and shows that the government is capable of taking concrete and measurable action. Development projects are not however a substitute for true political reconciliation. Until the Sri Lankan government engages in genuine reconciliation that serves to strengthen the long term stability of the country, I will support international efforts to promote accountability, political reconciliation and reform.

I want to thank you for your personal commitment to accountability and democratic reform in Sri Lanka. Your visit to the country last August helped to frame the issues for those who seek an inclusive and democratic future for Sri Lanka.

Sincerely,


Robert Menendez
Chairman