



February 17, 2009

His Excellency Mahinda Rajapaksa  
President of Sri Lanka  
c/o Embassy of the Democratic Socialist Republic of Sri Lanka  
2148 Wyoming Avenue, N.W.  
Washington, D.C. 20008

By Mail and Fax  
(202)232-7181

Dear Mr. President:

We write as Members of the *Tom Lantos Human Rights Commission* (TLHRC) in the United States House of Representatives to urge the immediate and complete evacuation of the roughly 250,000 civilians who are trapped in and around Puthukudiruppu village as a result of the fighting between the Sri Lankan Government forces and the Liberation Tigers of Tamil Eelam (LTTE) terrorist group. Given the horrific toll the fighting has already taken on the civilian population, the only viable mechanism for such an evacuation is one which is conducted by and monitored through international entities, such as the International Committee of the Red Cross (ICRC) or relevant United Nations agencies.

As Representatives of the United States Congress, we are painfully aware of the evils of terrorism. Following the 9/11 attacks on our country, the United States has undertaken unprecedented efforts to fight global terrorism wherever it occurs, and has long stood with your country in the fight against the Tamil Tigers terrorist organization.

However, as Members of the United States Congress, which has provided \$32.7 million in donations for the World Food Program in Sri Lanka and \$7.4 million in direct foreign assistance to Sri Lanka in FY 08, as well as \$978,000 in International Military Education and Training (IMET) funding in FY 08, and \$7.4 million in Section 1206 DoD Authority funding for FY07, we urge you to immediately and fully live up to your obligation as a sovereign state under international law and to protect your civilian population. The Internally Displaced Persons (IDPs) and civilians who are trapped in the fighting are overwhelmingly ethnic Tamils, which the Sri Lankan government has always claimed as its citizens, not as its enemy.

The Tamil Tigers and the Tamil civilian population are confined to a small area in and around Puthukudiruppu village of about 100 square miles, and the Sri Lankan forces are closing in on them from all directions. Intense fighting is taking place, including attacks on the only functioning hospital in an ostensible Tamil Tiger-controlled area, prompting its closure. There are numerous and credible reports of a large number of civilian deaths and severe food crisis in this area, including a January 27, 2009, news release from the International Committee of the Red Cross which reported that:

“Hundreds of people have been killed and scores of wounded are overwhelming understaffed and ill-equipped medical facilities in Sri Lanka’s northern Vanni region, following intensified fighting between the Sri Lanka Security forces and the Liberation Tigers of Tamil Eelam (LTTE). People are being caught in the crossfire, hospitals, ambulances have been hit by shelling and several aid workers have been injured while evacuating the wounded. The violence is preventing the International Committee of the Red Cross (ICRC) from operating in the region...The terrified population is in need of protection, medical care and basic assistance.”

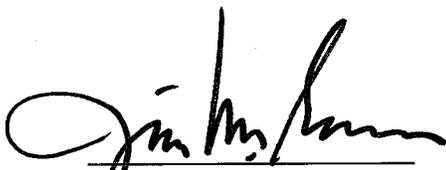
According to Amnesty International:

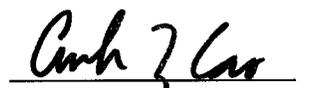
“Sri Lankan forces screen civilians who have fled the Tamil Tiger area, and have detained several people in police custody. Given past experience, there are credible fears that those confined in transit centers could be vulnerable to enforced disappearances or extrajudicial executions, as well as increased targeting of persons, including arbitrary detention and harassment on an ethnic basis. There have been reports of several hundred cases of disappearance in Sri Lanka since 2006, many of them in government-controlled areas.”

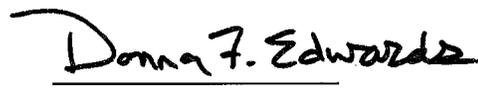
Mr. President, in this fight—as in any armed conflict—the Sri Lankan government and its military forces are bound by international law. *Jus in Bello*, the law of war, includes, but is not limited to, the Geneva Conventions, which bestows a special role to the ICRC in the protection of civilians during armed conflicts so as to prevent exactly those incidents that are now described as commonplace in daily reports from Sri Lanka. As your friends and allies in the fight against terrorism, we cannot stand idly by when international protections are violated by either side. The ICRC and the United Nations must immediately be granted full access to the area of conflict, and must be allowed to devise, monitor and implement the immediate and safe evacuation of the estimated 250,000 civilians from this war zone.

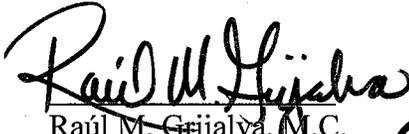
We look forward to your response.

Sincerely,

  
James P. McGovern, M.C.  
Co-Chair, TLHRC

  
Anh “Joseph” Cao, M.C.  
Member, TLHRC

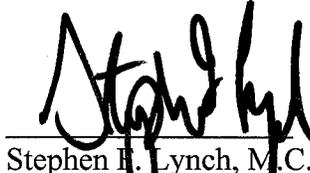
  
Donna F. Edwards, M.C.  
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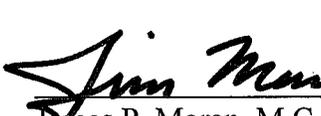
  
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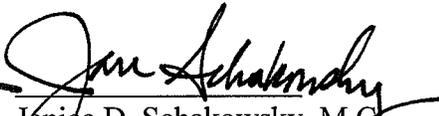
  
Keith Ellison, M.C.  
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cc: Hillary Rodham Clinton, U.S. Secretary of State