

113TH CONGRESS
2^D SESSION

H. RES. 587

Expressing support for internal rebuilding, resettlement, accountability, and reconciliation within Sri Lanka so that Sri Lankans from all ethnic and religious communities may benefit from the end of the country's 26-year civil war.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2014

Mr. HOLT (for himself, Mr. JOHNSON of Ohio, and Mr. TIERNEY) submitted the following resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Expressing support for internal rebuilding, resettlement, accountability, and reconciliation within Sri Lanka so that Sri Lankans from all ethnic and religious communities may benefit from the end of the country's 26-year civil war.

Whereas May 19, 2014, marks the 5-year anniversary of the end of the 26-year conflict between the terrorist Liberation Tigers of Tamil Eelam (LTTE), and the Government of Sri Lanka;

Whereas the people of Sri Lanka suffered greatly as a result of this conflict, the impact and aftermath of which has been felt especially by women, children, and families;

Whereas the Government of Sri Lanka established a Lessons Learnt and Reconciliation Commission (LLRC) to recommend measures to prevent the recurrence of conflict in the future and promote further national unity and reconciliation among all communities;

Whereas the LLRC report acknowledges important events and grievances that contributed to decades of political violence and civil war in Sri Lanka and makes constructive recommendations on a wide range of issues, including the need to credibly investigate widespread allegations of extrajudicial killings and enforced disappearances, demilitarize the north and the country as a whole, reach a political settlement with minority communities on the meaningful devolution of power, promote and protect the right to freedom of expression for all, including the enactment of a right to information law,;

Whereas and enact rule of law reforms;

Whereas implementation of the LLRC report's recommendations would contribute to the process of national reconciliation in Sri Lanka;

Whereas the Government of Sri Lanka, has repeatedly invoked the LLRC as a domestic mechanism to address issues arising from the war's conclusion, but has simultaneously distanced itself from many of the LLRC's final recommendations;

Whereas in the almost 4 years since the tabling of the LLRC report in Sri Lanka's Parliament, very few of its recommendations have been successfully implemented, fore-

ing the United Nations Human Rights Council in March 2014, to pass a resolution calling for the Office of the High Commissioner for Human Rights to conduct a comprehensive investigation into allegations of serious violations and abuses of human rights;

Whereas the LLRC noted that the failure of successive governments to implement the “critical recommendations of past commissions gives rise to understandable criticism and skepticism regarding Government appointed Commissions from which the LLRC has not been spared”;

Whereas the Government of Sri Lanka has made progress on resettlement of displaced persons and improvements to infrastructure in the North and East;

Whereas the United States Department of State’s 2012 Human Rights Report on Sri Lanka outlines ongoing concerns regarding landownership and property restitution, including instances where large numbers of persons have not received restitution for land that remains part of government high security zones;

Whereas the continued military presence on private lands is preventing the full resettlement of internally displaced persons who desire a return to peaceful life;

Whereas the September 21, 2013, elections in Sri Lanka for the Northern, Central, and North Western Provincial Councils were a good first step in devolving power to the provinces, though providing all councils with the ability to make their own development and policing decisions would enhance the impact of such elections;

Whereas the President of Sri Lanka committed to a political solution with implementation of the country’s 13th amendment to bring about lasting peace and reconcili-

ation in Sri Lanka as codified in the Sri Lankan Government supported 2009 United Nations Human Rights Council resolution S-11/Assistance to Sri Lanka in the Promotion and Protection of Human Rights;

Whereas negotiations on a political solution to the conflict between officials from the Sri Lanka Freedom Party and the Tamil National Alliance ended unsuccessfully in 2011 after the government walked away;

Whereas reconciliation is a long-term process that will need to be led by the Sri Lankan Government and driven by the people of Sri Lanka, including civil society and non-governmental organizations;

Whereas the removal of the country's chief justice, decreasing space for dissent, continued militarization throughout the country, and intimidation of journalists and critics of the government have created a sense of impunity and creeping authoritarianism within Sri Lanka;

Whereas there have been repeated reports of attacks on places of worship and those practicing their faith, restrictions on the media throughout Sri Lanka, and few instances in which the perpetrators of such attacks have been held to account;

Whereas there have been numerous unaddressed allegations of arbitrary detention, sexual violence, torture, and abuse of detainees by police and security forces in Sri Lanka's north and east during the end of the war, and which are ongoing and have increased after the war;

Whereas the United States Department of State's 2012 Human Rights Report on Sri Lanka also includes reports of serious human rights violations such as unlawful

killings by security forces and government-allied paramilitary groups;

Whereas progress on investigations into reports of war crimes, crimes against humanity, and other human rights violations during the conflict and promoting reconciliation would facilitate enhanced United States engagement, bilateral trade, and investment in Sri Lanka and coincide with United States policy that such commissions of inquiry have been instrumental in providing accountability and redressing wrong doing during periods of internal strife; and

Whereas the United States is home to a large Sri Lankan diaspora, including Sinhalese, Tamils, and Muslims, who have become an integral part of United States society: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) calls on the Government of Sri Lanka to
3 implement the constructive recommendations of the
4 Lessons Learnt and Reconciliation Commission
5 (LLRC) in a credible, transparent, and expeditious
6 manner;

7 (2) recognizes that the LLRC report has not
8 adequately addressed issues of accountability for
9 possible war crimes and crimes against humanity
10 that may have been committed by the Government
11 of Sri Lanka and the terrorist Liberation Tigers of
12 Tamil Eelam (LTTE);

1 (3) commends the representatives of the United
2 States on their leadership on United Nations
3 Human Rights Council Resolution (UNHRC) A/
4 HRC/25/L.1.Rev.1, adopted by the UNHRC on
5 March 27, 2014, establishing an Office of the High
6 Commissioner for Human Rights investigation into
7 allegations of war crimes, crimes against humanity,
8 and other human rights violations committed by
9 both sides during and after the war in Sri Lanka
10 and to make recommendations regarding account-
11 ability;

12 (4) recommends that the United States Depart-
13 ment of State place restrictions on entry to the
14 United States for anyone it identifies as responsible
15 for war crimes and crimes against humanity;

16 (5) encourages the Government of Sri Lanka to
17 work with and accept the support of civil society and
18 local and foreign agencies that can support the
19 causes of reconciliation and accountability, including
20 the Office of the United Nations High Commissioner
21 for Human Rights in its investigation;

22 (6) calls for the Government of Sri Lanka to
23 allow for greater media freedoms and ensure the
24 freedom and protection of the press and of religion;

1 (7) urges the Government of Sri Lanka to pro-
2 vide for freedom of movement and allow humani-
3 tarian organizations and international human rights
4 groups greater access to war-affected individuals, in-
5 cluding rehabilitated ex-LTTE cadres and those de-
6 tained;

7 (8) acknowledges the end of the war and calls
8 on the Government of Sri Lanka to prioritize the
9 process of demilitarization throughout the country,
10 including removing military involvement from civil-
11 ian administration;

12 (9) calls on members of the Tamil National Al-
13 liance to acknowledge past relationships with the
14 LTTE and make a firm commitment to reconcili-
15 ation and a long-term political solution that would
16 ensure for a peaceful and unified Sri Lanka;

17 (10) urges the government of the ruling party
18 to begin negotiations with the Tamil National Alli-
19 ance on a political solution from where those talks
20 stopped in 2011; and

21 (11) acknowledges the importance for all par-
22 ties to reach a lasting political settlement on the
23 meaningful devolution of power consistent with the

- 1 recommendations of the LLRC and acceptable to all
- 2 sides.

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