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27th September 2009

Ms Heidi Hautala
President, Subcommittee Human Rights
European Union.

Dear Ms. Hautala:

We appeal to the EU not to continue its preferential tariff arrangement with Sri Lanka because of their grave violations of international law, the laws of war and human rights law.

We submit that Government of Sri Lanka's (GoSL) horrendous and continuing violations of international human rights and humanitarian laws, with virtually absolute impunity, render it ineligible for such preferential treatment.

Professor Boyle has argued Sri Lanka's violations of international law in several articles published as a booklet (electronic copy attached; booklet separately mailed), and Tamils Against Genocide has catalogued the evidence of Sri Lanka's violations in the following two documents:

- Model indictment against Maj. Gen. Sarath Fonseka, and Gotabaya Rajapakse presented to the U.S. Justice Department details violations up to January 2009. (6Mbyte: Link - <http://www.tamilsagainstgenocide.org/Docs/Final800pIndictmentDocument.pdf>)
- Legal action, filed in the District Court of District of Columbia, USA against IMF, contains additional violations until March 2009 (attached).

We are confident that the EU has also independently gathered comprehensive information to show that the Sri Lanka has committed, and is continuing to commit war crimes, including genocide against the Tamils.

We submit that the GoSL, with its almost totally Sinhalese armed forces and its mercenary paramilitaries, is engaged in a deliberate state policy of genocide of the Tamil people—as indeed publicly declared by the Army Commander that “Sri Lanka belongs only to the Sinhalese” and by Sri Lanka's President Rajapakse, in his victory speech, that "there are no more minorities in Sri Lanka."

If the EU were to continue its preferential tariff arrangement for Sri Lanka, it would be actively facilitating and supporting Sri Lanka in its crimes, and funding the forced detention of civilians, the expansion of the oppressive security apparatus, and the ethnic cleansing of traditional Tamil areas.

The EU has now to decide how far it will sacrifice Sri Lanka's victims, and its principles and commitment to the system of international human rights and humanitarian laws and accountability which has been painfully built up over many decades, because what is at issue is not just Sri Lanka but the survival and viability of that system itself.

What the EU does now on Sri Lanka becomes exceptionally important, given the failure of the UN system to uphold international human rights and humanitarian laws --- as witnessed by the Resolution on Sri Lanka approved by the UN Human Rights Council in May, the repeated failure of the Security Council even to place Sri Lanka on its agenda, and finally the abdication of moral and diplomatic leadership by the UN Secretary General.

We submit that there is only one option available for the EU, i.e., not to extend its preferential tariff arrangement with Sri Lanka.

Respectfully,

Signed.
Director, TAG