



April 25, 2021

By email

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City Clerk  
Legislative Department  
Markham Civic Centre  
101 Town Centre Boulevard  
Markham, Ontario, L3R 9W3.

Dear Sir/Madam:

Re: **Agenda item 11.1 TAMIL MEMORIAL MONUMENT on Committee meeting on April 26, 2021.**

This is to bring to your attention that the above motion be discussed in the meeting is a factually incorrect and possible violation of Canadian Charter rights and freedom

The Liberation Tigers Tamil Eelam (LTTE), a Tamil Terrorist group proscribed in Canada 2006 under *Anti-terrorism Act S.C. 2001, c. 41*, engaged in non-international armed conflict between the Government of Sri Lanka to create a mono-ethnic state (only for Tamils) in the North and East of Sri Lanka. The conflict ended May 18, 2009, destroying LTTE's military capabilities and eliminating its supreme leader and cadre.

The LTTE Tamil terrorist group has continually engaged with misinformation and disinformation campaigns against Sri Lanka. We are aware of Markham has become a hot spot for pro-LTTE activities.

It is important to note that during the 26-years armed conflict, not only Tamils, all ethnic groups, including Sinhalese and Muslims, also died and were injured. In reference to the City of Brampton Committee of Council archives, 126,235 civilians Sinhalese and Muslims were massacred, and 358 suicide attacks on civilians killed another 81,346 Sinhalese and Muslims by LTTE.

Therefore, utilizing public property to build a Memorial only for Tamils cannot be justified since the City of Markham is a home for all ethnic groups from Sri Lanka.

Further, the information presented about the Mullivaikkal monument is factually incorrect. The University authority has removed the Mullivaikkal memorial since it was posing safety issues for the university community. The structure also did not meet the building code requirement and was built arbitrarily by students prohibiting effective university land use. **Please see Figure 1.**

Then University authorities rebuilt the Mullivaikkal monument in accordance with building code and relevant regulations. **Please see Figure 2.**

Therefore, the justification for building the Tamil monument quoting the demolition of Mullivaikkal memorial does not substantiate.



**Figure 1:** Original unsafe Mullivaikkal monument built at the Jaffna University, Sri Lanka.



**Figure 2:** Rebuilt Mullivaikkal monument in Jaffna University at the same location

The City of Brampton has passed a similar resolution with the request of the Tamil group. However, Brampton residents with Sri Lankan heritage challenged the City's action with Charter violation, and a Notice of Application has been filed, Court File No: CV-21-00001483-0000. I attached the Notice of Application for your consideration.

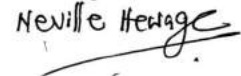
The charter applies to Canada; it includes the City of Markham. Therefore, it is safe not to discuss the council meeting on April 26 a motion schedule on Agenda item 11.1. TAMIL MEMORIAL MONUMENT until the court decides the validity of such resolutions.

We have no objection if the Tamil group builds the monument in their private property or cemetery. We do not agree to utilize public land for individualized groups' interests since it violates the City of Markham's diversity policies, including equal treatment of all ethnic groups living in harmony. This will be a bad precedent for the City of Markham.

If you need additional information, please contact our office anytime.  
I am also available at 613 612 7615.

Yours truly,

Hewage Law Group

A handwritten signature in black ink, appearing to read "Neville Hewage", with a horizontal line drawn underneath it.

Neville Hewage  
Senior Partner

Enclosed: Notice of Application – Court File No: CV-21-00001483-0000