



யாழ் மாவட்ட சர்வ மத பேரவை Jaffna District Inter Religious Council

திகதி 2019.03.10
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President

Moulavi B. A. S. Sufiyan

CO-Presidents

Rev. C. G. Jeyakumar

Rev. Meegahjanthure Srivimala
Thero

Rev. Sivasri. Manokara
Kurukkal

Secretary

Rev.V P .K. Rajah
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Asst. Secretary

Mrs. J. Uthayakumar

Treasurer

Mrs. S. Sharmela

Committee Members

Rev. Chidakashananda swami

Mr. K. Nagenthiram

Mr. Anantharajah

Ms. J. Rajeeekala

Honorable Michelle Bachelet,
UN High Commissioner for Human Rights
Geneva

Honorable Madam High Commissioner,

We, the Jaffna District Inter Religious Council, one of the Districts worst affected by the war and also considered the cultural capital of the Tamils, wish to submit the following for your special concern:

1. We became aware of the term 'Transitional Justice' only through the UN Forum. It is the **solution or proposal** put forward by the OHCHR for post-war Sri Lanka. To enable the implementation of the **proposal**, the OHCHR has thus far passed two resolutions. The onus of implementing the proposal rests not only on the two parties involved in the war, but also on all parties who backed any of the warring parties in any manner. It rests also on the OHCHR which proposed it. We understand that in practice, the term 'Transitional Justice' means **accepting responsibilities**. Therefore, we expect the UN too to bear responsibility for the implementation of the said **proposal for** 'Transitional Justice'.
2. The last four years, the UN has been repeatedly giving time to the Sri Lankan Government to implement it. We request the UN to clarify to us whether this time allowance is a time of grace or a deadline or a schedule for monitoring the implementation or even a mechanism for delaying **and finally forgetting**.
3. From your report released this week, we tend to understand that it is not a period of grace but a time-schedule of making the Island of Sri Lanka perform its responsibly. Namely, according to your report, the Sri Lankan Government is to function in coordination and participation with the UN. If so, we expect that the UN will ensure the discharge of the responsibilities of the Sri Lankan Government and also of the UN.



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4. In this grave state, the UN should pressurize the Sri Lankan Government for the **opening of an office of the OHCHR in Sri Lanka** without further delay.
5. The UN should form and implement a **method of monitoring the progress** of Resolution 30/1.
6. The UN should ensure that any further time extension should be **coupled with a time schedule** of implementation.
7. If any resolution for further extension of time is made without adhering to the above safeguards, it will prod the affected people to think that the UN too is in collusion with the delaying tactics to ensure justice.
8. Only monitoring under a time schedule of implementation will move the Sri Lankan Government towards discharging of its responsibilities. Else the affected people will be forced to conclude that Transitional Justice is only a deception for procrastinating justice.
9. We wish to present the following examples to show how and where justice has been denied to the affected people during the preceding four years considered as the period of Transitional justice from the point of view of the UN.
 - I. Justice has still not been rendered to those enforced disappeared
 - II. Political detainees are still being denied justice
 - III. Lands of the civilians have not yet been fully released
 - IV. The PTA (Prevention of terrorism Act) is still in force
 - V. The allocation of funds in the budget for the Ministry of Defense is much more than for other Ministries exceeding even the aggregate of the allocations for Education and Health.
 - VI. Basic facilities have still not been provided for those who lost their life partners or livelihood
 - VII. The disabled have still not been provided for
 - VIII. Instead of appointing professionals for various positions in the war affected areas, lower rank personnel that too from outside the Tamil areas are being appointed



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10. These are only a few examples. We have avoided innumerable others to keep this presentation brief. However we wish to emphasize that the UN has the irrefutable responsibility to ensure implementation of the UN's proposals for Transitional Justice. We wish to pose the question: To whom is Justice intended? For the Court of Justice or for the Advocates? Or for the affected people? Definitely it is for the latter. Thus we wish to humbly remind you that the UN is bound in duty to prevent the affected people from losing trust in the Justice system of the UN. We pray that the resolution to be adopted this year should be such that it will promote trust in the affected population in the Transitional Justice of the UN.

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Moulavi B. A. S. Sufiyan

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Rev V P K Rajah