

Joint Appeal for UN Action

CONTACT: mkshivaji@yahoo.com

September 10, 2021

H.E. Michelle Bachelet
The United Nations High Commissioner for Human Rights (OHCHR)
Palais des Nations
CH-1211 Geneva 10, Switzerland

Dear High Commissioner,

Justice for Tamils in Sri Lanka

On behalf of the victimized Tamil people in Sri Lanka, we would like to jointly bring the following issues to your attention. Although the war ended in 2009, the Tamil people are still waiting to hear about their missing family members that surrendered to the military. The Tamils are still waiting to get justice for the Genocide that was committed against them and awaiting resolution to the root cause of the ethnic war which is the political solution based on their rights to self-determination.

The March 2011 Report of the UN Secretary General's Panel of Experts on Accountability in Sri Lanka stated there could have been as many as 40,000 Tamil civilian deaths during the final phase of the ethnic war in 2009. According to the November 2012 Report of the UN Secretary-General's Internal Review Panel on UN Action in Sri Lanka, over 70,000 people were unaccounted for. The Report by the Bishop of Mannar the late Rev. Dr. Rayappu Joseph, stated that over 146,679 Tamil people were unaccounted for during the end of the war in 2009.

The Northern Provincial Council of Sri Lanka has repeatedly called for international investigation and adopted unanimous resolutions calling for referral to the International Criminal Court to the crime of Genocide and, also calling for permanent political solution to the Tamils via UN monitored referendum.

Sri Lankan governments and its leaders have repeatedly and habitually engaged in pattern of deception and reneged on their agreements, promises and commitments to the Tamil leaders, International Community, and the UN. Having co-sponsored UNHRC Resolution 30/1 in September 2015, and obtaining time extensions twice by co-sponsoring two more resolutions in March 2017 and in March 2019, Sri Lanka unilaterally withdrew from all these resolutions in February 2021 demonstrating that they had no intentions in implementing the resolutions.

The anti-Tamil activities of Sri Lanka began immediately after the independence of Sri Lanka from the Great Britain in 1948. Nearly a million Tamil people that were brought from India by the British to work in the tea estates were made stateless and more than half of them were repatriated to India while it took another 50 years for the rest to get Sri Lankan citizenship. Sinhala Only Act was enacted in 1956 that made the Sinhala language as the sole official language which was later modified in 1958. Systematic government sponsored Sinhalese settlements began in 1950s with the goal of destroying the identity of the traditional homeland of the Tamils. The policy of "Standardization" was introduced in 1971 to curtail the number of Tamil students to the universities. In 1981, the Sinhalese police and military with directions from the government Ministers burned down the Jaffna Public Library, which was the center of Tamil literature and heritage, with about hundred thousand irreplaceable palm-leaf manuscripts, historical documents, and books. The anti-Tamil pogroms were carried out in 1956, 1958, 1977, 1981, and 1983 by the Sinhalese mobs assisted or orchestrated by the Sinhalese leaders and government forces, when thousands of innocent Tamil civilians were mercilessly massacred. All these illustrate the deep-rooted intention of Sri Lanka against the Tamil people since 1948.

More than 12 years after the end of the ethnic war, the Tamil region is still being occupied by the Sri Lankan armed forces and the Tamil people are continuing to be oppressed while the government of Sri Lanka is systematically involved in land-grab, destruction and desecration of Hindu temples, and setting up of Sinhalese settlements with the intention of changing the demography of the Tamils' traditional homeland.

The UNHRC system of justice has failed the Tamil people in the last 12 years. The Tamil people are fast losing hope, and we call upon your active engagement to ensure justice to the victims to avoid setting a bad precedent by the UN system of justice in the modern world order.

We, therefore, jointly request your urgent attention to the following:

1. As your office is engaged in collecting and consolidating evidence as per the UNHRC Resolution 46/L.1 of March 2021, we request you to submit these evidences to the prosecutors of the International Criminal Court and explore legal avenues.
2. We firmly believe that in addition to the war crimes and crimes against humanity, the crime of Genocide has been committed against the Tamil people by Sri Lanka, and we call upon you to look into evidences for the specific crime of Genocide and submit to the ICC.
3. We call upon you and your office to work with the UNHRC member countries and the UN Security Council towards referring the international crimes committed by Sri Lanka to the ICC.
4. The UN must consider taking immediate and urgent action to:
 - a. Halt the land-grab and Sinhalese settlements in Tamil region.
 - b. Remove the Sri Lankan armed forces from the Tamils' private land.
 - c. Reemerge the Northern and Eastern provinces as per the Indo-Lanka Accord of 1987, and conduct the provincial council election to ensure that the Tamils have democratic voice.
 - d. Remove the Prevention of Terrorism Act by Sri Lanka and release all those who were charged or detained under PTA.
5. The UN must take immediate and urgent action to coordinate a UN conducted and monitored referendum for the people in the North-East region of Sri Lanka to democratically determine the permanent political solution that can guarantee non-recurrence of past pattern of violence against the Tamil people, offer them remedial justice and free them from oppression and occupation.

Thank you.

Sincerely,



Mrs. Ananthi Sasitharan
Secretary General - Eezha Thameizhar Suyadchi
Kazhakam, Former Minister of Women's
Affairs, Social Services and Co-operative -
Northern Provincial Council



M.K. Shivajilingam
Former Member of Parliament,
Former Member of Northern Provincial Council