

I, Mrs Ambihai Selvakumar, on behalf of all Tamils of Sri Lanka who are the victims of continuing genocide since 1948, plead to UK prime minister, International community, secretary general of the UN, UN high commissioner, core five countries, 47 member countries Of UNHRC to save the Tamils from continuing genocide in North and East of Sri Lanka.

Tamils across the globe pleaded with the international community and UN to stop the on-going genocide in 2009. Unfortunately, our cry fell in deaf ears and over 400000 Tamils were herded and 70,000 killed using high calibre munitions, prohibited weapons including chemical bombs, hyperbaric bombs and cluster bombs in Sri Lankan government designated in No-Fire zones. Hospitals and designated no fire zones were targeted and bombed intentionally killing vulnerable civilians including young, old and injured. The Responsibility to Protect is a global political commitment which was endorsed by all member states of the United Nations. By failing to protect Tamils despite plea from Tamils across the globe UN has failed its responsibility to invoke R2P.

Genocide of Tamils have been perpetrated on Tamil Nation by the successive governments of Sri Lanka with impunity. Systematic structural and cultural genocide continues to date in institutionalised impunity. Tamils in North and East of Sri Lanka lives in fear under oppressed genocidal government in an open prison.

If Britain had left the island as they captured Tamils would not have faced genocide and the Island of Sri Lanka would have had two great Tamil and Sinhala Nations. Unfortunately joining the three Kingdoms for administrative purpose and leaving the two Nations as one meant the indigenous Tamils becoming the minorities in number in their own country.

30 years' of Gandhian struggle lead by Thanthai Selva was crushed with violence forcing Thanthai Selva to recommend arm struggle. 30 years of arm struggle established a de facto state that was praised by even civilised countries. Tamils flourished during this time and it was crushed during 2009. Now nearly 12 years since the end of the arm struggle Tamils are left in the mercy of the genocidal government. While arbitrary detention without trials, torture, sexual violence, enforced disappearances, extrajudicial killings, mysterious death continue in Tamil Nation the perpetrators are promoted, posted as diplomats, and celebrated as war heroes.

Tamils were hopeful as we read UN High commissioners' statement and hoped justice will be served at least after 12 years to the victims of genocide. However, we were devastated and felt betrayed reading the zero draft statement that was leaked. I wish to register the deep dismay of the victims as this statement neither made any reference to the Tamil community who are the majority of victims in Sri Lanka nor addressed the desire of the victims which is the request to refer Sri Lanka to the International Criminal Court (ICC) and to create an International Independent Investigative Mechanism (IIIM) similar to that of Myanmar to deter on-going genocide.

Tamils across the globe have consistently repeated since the Mullivaikaal massacre phase of the Tamil Genocide in 2009 to refer Sri Lanka to ICC. This is also the unanimous demand of all the victims including the Tamils, Muslims, and other ethnic groups in Sri Lanka. In 2015, more than 1.5 million people around the world (70,000 in Sri Lanka) signed a petition to 'Refer Sri Lanka to the ICC. In 2019, the International Commission of Jurists endorsed this by stating that referral of Sri Lanka to the ICC was "fully warranted".

Tamils in Sri Lanka and across the globe I humbly request UNHRC 47-member state including the Core Group on Sri Lanka comprising to pass a strong resolution in the 46<sup>th</sup> UNHRC session and save the Tamils.

As our plea to save the Tamils from genocide and seek accountability fell in deaf years I hereby give you a formal notice that I will commence the fasting unto death unless the UK government and the core 6 agrees to amend the proposed resolution in the 46th UNHRC session on Sri Lanka to include the following unanimous demands of the Tamils:

To amend the Draft Resolution (1902221HRC 46 Sri Lanka Zero Draft) to be presented at the 46th UN Human Rights Council to:

1. Recommend to the UN Security Council and the UN General Assembly to take up the matter of Accountability and consider Referring Sri Lanka to the International Criminal Court (ICC) and any other appropriate and effective international accountability mechanisms to inquire into the crime of genocide, war crimes and crimes against humanity.
2. Establishes an International Independent Investigative Mechanism like the one established for Myanmar (IIMM) or to the one established for Syria, namely, the International, Impartial and Independent Mechanism (IIIM) mandated to collect evidence of the most serious international crimes and violations of international law and prepare files for criminal prosecution. A meaningful International Independent Investigative Mechanism should gather evidence from the Tamils affected by the genocide whilst also making use of the information and evidence contained in the OISL Report of September 2015 and must have a strict time frame.
3. Mandates the Office of the High Commissioner for Human Rights (OHCHR) to appoint a Special Rapporteur continue to monitor Sri Lanka for on-going violations and have an OHCHR field presence in country.
4. Recommend a UN-monitored Referendum to determine the aspirations of the Tamil people in Sri Lanka, on the basis that the North and East of Sri Lanka is the traditional Tamil home land and the Tamils have the right to self-determination.

Attached is my full demand that are also the comprehensive appeals made by diaspora communities and Tamils in Sri Lanka, Civil societies, civil and political leaders made from Sri Lanka.

I extend my plea to the international community, human rights organisations and the media across the globe to save the Tamils from continuing genocide and support our minimum demand. I trust "The world suffers a lot. Not because the violence of bad people. But because of the silence of the good people." I plead with all the noble souls and the media to break your silence and save Tamils.

Thank you!

Mrs Ambihai Selvakumar

27 February 2021

## Hunger Strike for Truth & Justice

### Four Demands

**UPON** the Core Group on Sri Lanka acknowledging that there is no prospect for accountability in Sri Lanka by way of its own domestic mechanisms or through hybrid mechanisms<sup>1</sup>

**UPON** fully endorsing the “*Call for Decisive Action at the 46th Session of the UNHRC*” released by all major Tamil Political parties and Civil Society organisations representing the North-East of the island of Sri Lanka dated 15<sup>th</sup> January 2021<sup>2</sup>,

**AND UPON** fully supporting all the Demands outlined by the “*Pottuvil to Polikandy (P2P) Protest*” conducted by the North and East Civil Society Form dated 07<sup>th</sup> February 2021<sup>3</sup>,

### CALL UPON THE UK GOVERNMENT

To amend the Draft Resolution (1902221HRC 46 Sri Lanka Zero Draft) to be presented at the 46<sup>th</sup> UN Human Rights Council to:

1. Recommend to the UN Security Council and the UN General Assembly to take up the matter of Accountability and consider **Referring Sri Lanka to the International Criminal Court (ICC)** and any other appropriate and effective international accountability mechanisms to inquire into the crime of genocide, war crimes and crimes against humanity.
2. Establishes an **International Independent Investigative Mechanism** like the one established for Myanmar (IIMM)<sup>4</sup> or to the one established for Syria, namely, the International, Impartial and Independent Mechanism (IIIM)<sup>5</sup> mandated to collect evidence of the most serious international crimes and violations of international law and prepare files for criminal prosecution. A meaningful International Independent Investigative Mechanism should gather evidence from the Tamils affected by the genocide whilst also making use of the information and evidence contained in the OISL Report of September 2015 and must have a strict time frame.
3. Mandates the Office of the High Commissioner for Human Rights (OHCHR) to appoint a Special Rapporteur continue to monitor Sri Lanka for on-going violations and have an OHCHR field presence in country.
4. Recommend a UN-monitored Referendum to determine the aspirations of the Tamil people in Sri Lanka, on the basis that the North and East of Sri Lanka is the traditional Tamil home land and the Tamils have the right to self-determination.

**DECLARE**, that the Hunger Strike for Truth & Justice will not be brought to an end at any circumstances, unless and until, at least one of the demands were fulfilled by the UK government.

Mrs Ambihai Selvakumar

27 February 2021

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<sup>1</sup> <https://www.gov.uk/government/speeches/un-human-rights-council-45-statement-on-behalf-of-the-sri-lanka-core-group>

<sup>2</sup> <https://www.tamilnet.com/art.html?catid=13&artid=39967>

<sup>3</sup> [https://www.tamilguardian.com/sites/default/files/Image/pictures/2021/North-East/210209%20-%20Final\\_P2P\\_Demands/210209%20-%20Final\\_P2P\\_Demands.pdf](https://www.tamilguardian.com/sites/default/files/Image/pictures/2021/North-East/210209%20-%20Final_P2P_Demands/210209%20-%20Final_P2P_Demands.pdf)

<sup>4</sup> <https://www.ohchr.org/EN/HRBodies/HRC/IIIM/Pages/Index.aspx>

<sup>5</sup> <https://iiim.un.org/mandate/>