



பொக்துதல் ருதாடக்கல் பொல்கண்டிதலுதர

பக்கர் பேரமுச்சி இயக்கல்

#P2P

-PEOPLE UPRISING MOVEMENT-

Date 19/01/2022

Contact No

Jan 19, 2022

To:

Lord Ahmad of Wimbledon

Prime Minister's Special Representative on Preventing Sexual Violence in Conflict and
Minister of State (Minister for South and Central Asia, United Nations and the
Commonwealth)
United Kingdom

Dear Lord Ahmad

P2P people uprising movement thank you for meeting with us during your visit to Sri Lanka. As we had limited time during our meeting to discuss the numerous challenges our community faces every day in all facets of life, we are writing to you to outline our key concerns.

Despite the armed conflict coming to an end over a decade ago the Tamil in Sri Lanka has continued to face hardship and human rights violations daily under successive governments.

Whilst the cost of living crisis and the economic woes Sri Lanka faces may appear to be a recent phenomenon for the world, it has been the reality for the Tamils for the past decade due to militarisation and draconian restrictions Sri Lankan security forces continue to apply on the Tamil population. Sri Lanka continues to confiscate land belonging to Tamils in the Northeast, displacing native residents, disrupting lives and suppressing economic activity, and in the long term forcibly changing the demography of the Tamil homeland.

Despite the UK and you at various times calling on Sri Lanka to repeal the Prevention of Terrorism Act, the country has continued to use it to intimidate and imprison Tamils without due process and many Tamils continue to languish in Sri Lankan prisons under this law that breaches international conventions.

Tamils unitedly sent a letter to UN Human Rights Council members on January 15, 2021, urging Sri Lanka to be referred to International Criminal Court (ICC). This call was validated by tens of thousands of Tamils in a recent rally called Pothuvil to Polikandy (P2P) which was organized by the North-East Civil Societies.

Furthermore, the current High Commissioner for Human Rights Michelle Bachelet in her Report dated 27th January 2021 urged UN Human Rights Council Member States to take

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steps toward the referral of the situation in Sri Lanka to the International Criminal Court (ICC).

Also, twenty former senior UN officials, including four former UN High commissioners of human rights, nine independent UN experts, and all members of the UN Secretary General's Panel of Experts on Sri Lanka jointly issued a statement on February 18, 2021, titled "Sowing the Seeds of Conflict" have called on Sri Lanka to be Referred to International Criminal Court (ICC).

"...the fact is that Sri Lanka has made its justice institutions unavailable to its own victims. We, therefore, echo the High Commissioner's recommendations to work with victims and their representatives to pursue justice through universal or extraterritorial jurisdiction. Existing international avenues for accountability such as the International Criminal Court (ICC) should be considered" said the report.

However, the international community, including the United Kingdom failed to act on these calls. This inaction not only enabled the abusers of atrocity crimes to escape justice but also embolden Sri Lankan political leaders and Security Force leaders to commit international crimes against Tamil people without any hesitation, knowing well that they will not have to face justice. We continuously and strongly urge you to seriously consider this risk Tamil people are facing and take the necessary steps to refer Sri Lanka to International Criminal Court (ICC).

Disappointingly, the UN HRC process has failed the Tamil community. Six years on, the process has not led to any tangible progress towards accountability or justice. This has emboldened the Sri Lankan state and security forces to continue their human rights abuses against the Tamils with impunity. The intimidation and targeted attacks on activists and human rights defenders have escalated in recent times, some activists being found dead in suspicious circumstances. The families of the forcibly disappeared who continue to protest calling for answers have long been a target of the Security forces in continue to be subjected to sexual harassment and violent attacks.

We also would like to bring to your attention that successive Sri Lankan Governments have failed to implement any of the UNHRC Resolutions, including the ones they voluntarily co-sponsored.

The previous Government not only failed to take any meaningful steps to implement the Resolution that it co-sponsored, on the contrary, the President, Prime Minister, and senior

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members of the Government have repeatedly and categorically stated that they will not implement the UNHRC Resolution.

The current new Government went one step further and officially withdrew from the co-sponsorship of the Resolutions 30/1, 34/1, and 40/1 and walked away from the UNHRC accountability process.

Furthermore, as a snub to UNHRC, the only soldier who was ever punished and sentenced to death for killing civilians including children were pardoned by the current President.

Also, several senior military officials who were credibly accused of committing war crimes have been given promotions and treated as "war heroes." One officer who was named in UN reports as a suspected war criminal was promoted as a four-star General.

We view the above activities of Sri Lanka as not disparate acts against the Tamils, but as coordinated efforts aimed at structural genocide. As long as Sri Lanka remains a unitary state with absolute powers in the hands of the Sinhala politicians, the structural genocide of Tamils will not stop. We do not believe a solution based on the 13th amendment or similar provisions will lead to long-lasting peace.

Given Sri Lanka's long history of international atrocity crimes committed against Tamil people by the Sri Lankan State:

- 1) According to the March 2011 Report of the UN Secretary General's Panel of Experts on Accountability in Sri Lanka stated that war crimes and crimes against humanity were committed during the final stages of the armed conflict and around 40,000 Tamil civilians were killed in the final six months of the war that ended in May 2009.
- 2) According to the November 2012 Report of the UN Secretary-General's Internal Review Panel on UN Action in Sri Lanka, over seventy thousand (70,000) Tamils were unaccounted for during the final six months of the war that ended in May 2009
- 3) Several were killed when Sri Lankan forces repeatedly bombed and shelled an area designated by the Government as No Fire Zones (Safe zones). Even hospitals and food distribution centers were bombed. Several also died of starvation and bled to death due to lack of medical treatment.

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4) International Truth and Justice Project (ITJP) in February 2017 handed over details to the UN of Sri Lankan Military run "Rape Camps", where Tamil women are being held as "sex slaves."

5) According to UK Foreign and Commonwealth Office report on April 2013, there are over 90,000 Tamil war widows in Sri Lanka.

6) Thousands of Tamils disappeared including babies and children. UN Working Group on Enforced Disappearances stated that the second-highest number of enforced disappearance cases in the world is from Sri Lanka.

and continuing intransigence towards achieving accountability, we call on your good offices to re-evaluate the United Kingdom's approach to its bilateral relationship with the country and:

1) As recommended by the United Nations Human Rights High Commissioner, Ms. Michelle Bachelet, apply sanctions and take legal action against human rights violators with Sri Lanka using domestic laws and universal jurisdiction and also take steps to refer Sri Lanka to International Criminal Court (ICC).

2) As a voting member of the International Monetary Fund (IMF) call for not only economic reform but state structural reform that leads to the rights of all Peoples of Sri Lanka being protected and in turn lead to stability and economic prosperity.

3) Work with international partners to find a political solution based on the Tamil People being able to exercise their democratic rights to self-determination. As a guarantee that the Genocide that took place against Tamils is not repeated, a permanent political solution should be found by getting the wishes of the Tamil people through internationally conducted and monitored referendum.

Thank you

Regards

Thavaththiru Velan Swamigal
(Coordinator)

S. Sivayoganathan
(Coordinator)

Rev. Fr. Kandaiah Jagathas
(Coordinator)

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Note: Please refer to attached documents for P2P Pleads and demands

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