

UN Human Rights Council Challenged - Witnesses to UN Investigation Threatened by Sri Lankan Government

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In what amounts to be a direct challenge to the UN Human Rights Council (UNHRC), the Sri Lankan Government has taken a hostile attitude toward a UNHRC investigation. The UNHRC in its March 2014 Session created an investigative body on Sri Lanka to inquire into serious crimes committed in Sri Lanka during the war.

The Sri Lankan Government has threatened prospective witnesses to this UN investigation of dire consequences, including legal action, for giving evidence and the President of Sri Lanka has categorically denied access to the country to this investigative body.

<https://news.vice.com/article/sri-lankas-president-doesnt-want-the-uninvestigating-war-crimes-in-his-country>

The Sri Lankan Cabinet spokesman Mr. Keheliya Rambukwella, threatened legal action against those testifying before the UN inquiry.
<http://www.ceylontoday.lk/58-70207-news-detailun-inquiry-and-sri-lankas-response.htm> |

This explicit threat of prosecution coupled with the covert activities of “white van” abductions and “disappearances” place all potential witnesses in a precarious position.

Potential witness arrested for seeking her disappeared son:
<http://www.channel4.com/news/sri-lanka-jayakumari-arrest-missing-civil-war-ltte>

Non-cooperation by the Sri Lankan government to this UN investigation is one thing; but, persecution of potential witnesses is another.

Many Tamils who are either victims or witnesses are eager to testify to seek justice for the killing of their family members or for the mass killing of Tamils. They are intimidated by threats from the Sri Lankan Government. There are also concerns that the Sri Lankan security forces may target the relatives of witnesses who testify overseas.

“I am alarmed at threats currently being leveled against the human rights community in Sri Lanka, as well as prospective victims and witnesses” noted new UN High Commissioner for Human Rights Mr. Zeid Ra’ad Al Hussein in his

statement on September 8, 2014 at UNHRC.

"We are alarmed to learn of intimidation, threats and reprisals against all those perceived as likely to engage with and provide information to the investigation mandated by the UN Human Rights Council...", said a joint letter by six international organizations led by Amnesty International on August 27, 2014.

Source: Arab News - <http://www.arabnews.com/world/news/621586>

UNHRC should take steps to: Ensure the protection of witnesses and urge the Sri Lankan President not to harm Tamils who testify before this UN body.

UNHRC should also warn: the Sri Lankan Government of the consequences for its tactic of intimidation and persecution of potential witnesses.

UNHRC should consider: Requesting the UN Security Council to ensure witness protection for the UN war crimes investigation on Sri Lanka.

BACKGROUND:

Tamils have faced repeated mass killings since 1958 and the mass killings in 2009 prompted UN Secretary General Ban Ki-moon to appoint a Panel of Experts to report on the scale of the killings.

According to the report by this UN Panel, tens of thousands of Tamil civilians were killed and women were sexually abused and raped by the Sri Lankan Security Forces in the last few months of the war. According to the UN Internal Review Report completed shortly thereafter, over 70,000 Tamils were killed in the first five months of 2009.

These Tamils were killed due to deliberate and intense shelling and bombing of areas designated by the government as "no-fire zones", where Tamil civilians had assembled for safety. Government also restricted food and medicine for Tamils, resulting in large numbers of people dying from starvation and many of the injured dying of their wounds.

According to the UN Panel, the killings and other abuses that took place amount to war crimes and crimes against humanity. Independent experts believe that there are elements of these abuses that constitute an act of genocide.

According to May 2012 report by the British Foreign and Commonwealth Office on Human Rights and Democracy; there are up to 90,000 Tamil war widows in the North-East of Sri Lanka.

The UN Human Rights Council in March 2014 established an international war crimes investigation (OISL) to investigate these killings and the investigations have begun. Members of the Sri Lankan security forces are almost exclusively from the Sinhalese community and the victims are all from the Tamil community.

According to several sources, Tamil areas have the highest concentration of security forces in the world (Ratio: One soldier for every five Civilians).

www.ustpac.org/militarization and <http://www.srilankacampaign.org/fiveinfographics.htm>

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