

# Sri Lanka: International Monitoring Panel Established to Ensure that Tamils Receive Justice

*A Booklet published*

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For Booklet please visit: [http://tgte-us.org/pressrelease/Monitoring\\_Panel\\_v5\\_with\\_ble.pdf](http://tgte-us.org/pressrelease/Monitoring_Panel_v5_with_ble.pdf)

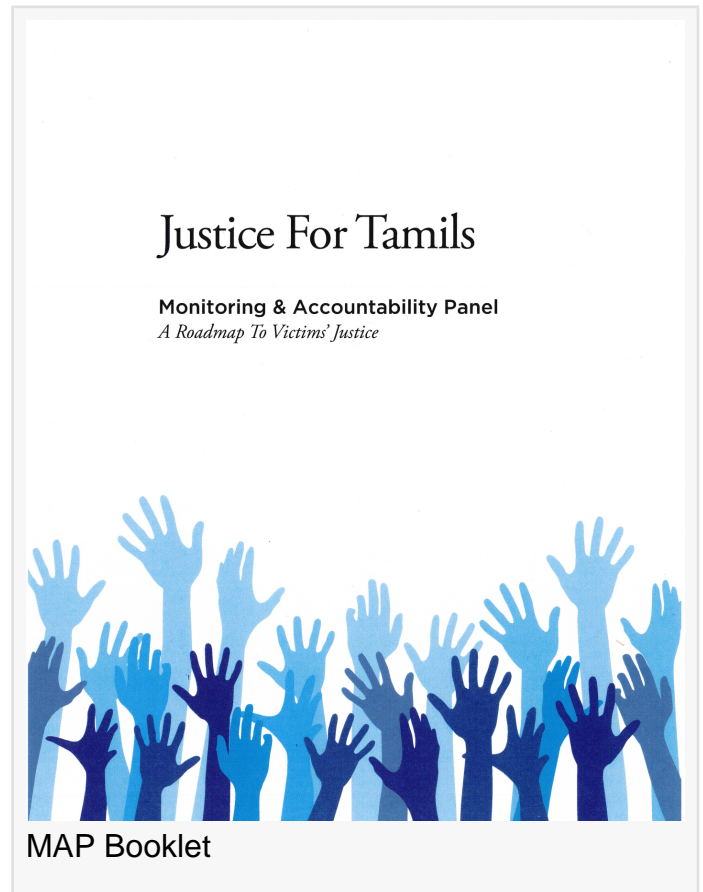
Dear Friends,

I am writing to inform you of an important step that Transnational Government of Tamil Eelam (TGTE) has taken to ensure that justice is done for the killing of over 70,000 Tamils and rape of Tamil women by the Sri Lankan Security forces.

The UN Human Rights Council at its 30th Session passed a Resolution calling on the Government of Sri Lanka to establish a domestic mechanism with the participation of foreign judges to investigate the international crimes - namely genocide, crimes against humanity and war crimes - committed before, during and after the Mullivaikal massacre.

Because the Sri Lankan state is not ethnically neutral coupled with the fact that the crimes were committed by the Sri Lankan state itself, Tamils from the island of Sri Lanka and across the globe called for an international investigation as demonstrated by the 1.6 million signatures in the "Million Signature Campaign," conducted by the TGTE in 2015. While we continue our campaign for an international investigation, we also have to utilize the UNHRC Resolution to push for the participation of international judges in a judicial capacity and also to expose the duplicity of the Sri Lankan state.

TGTE has established an International Panel consisting of renowned legal experts called 'The Sri Lanka Monitoring and Accountability Panel' (MAP) [www.war-victims-map.org](http://www.war-victims-map.org) to monitor the UN mandated accountability process and to ensure that Sri Lanka does not take steps to evade or blunt the UN Resolution calling for the investigation of these killings. Sri Lanka, the master of sham commissions, is conniving to create sham trials as the next step in their culture of impunity. The Sri Lankan government's repeated statements that investigation is necessary to clear the names of the Sri Lankan armed forces clearly establishes to any reasonable person that the outcome of the proposed domestic investigation has already been determined.



The UNHRC Resolution said the ‘credibility of the processes of truth-seeking, justice, reparations and guarantees of non-recurrence’ depends on involving victims in their design and implementation and that ‘international expertise, assistance and best practices’ must be used.

It is our duty to assure that the voice of the victims is not drowned out by the noise of the Sri Lankan state.

This MAP shall undertake independent monitoring from a victims’ perspective and offer us advice and recommendations on the transitional justice mechanism in Sri Lanka. This advice will help victims become meaningful ‘stakeholders’ in the process.

We have been fortunate to recruit five internationally renowned legal experts and a consultant to serve on the MAP. They have the gravitas to maintain a watchful eye on Sri Lankan Government and expose any failings to meet the international obligations contained in the UN Resolution. The credentials of these experts are contained in this booklet. TGTE has pledged to provide a monthly honorarium to the members of the Panel for their services.

The Government of Sri Lanka is using its State patronage and its vast resources to its advantage in interpreting as well as blunting the UN Resolution.

Since the Tamils do not have such State patronage at present, it falls on members of the Tamil nation to come forward as an equal counterweight to the Sri Lankan State to ensure that justice is delivered to the Tamil people.

Thus, I appeal to you to donate funds towards this project to ensure its success.

No justice, No peace.

Thank you.

Yours sincerely,

Visuvanathan Rudrakumaran, Esq.  
Prime Minister  
Transnational Government of Tamil Eelam (TGTE)

Expert Panel Nominated to Monitor Transitional Justice Mechanisms from Victims’ Perspective: TGTE

The Transnational Government of Tamil Eelam (“TGTE”) has nominated a panel of five legal experts to monitor the design and implementation of the transitional justice mechanisms in Sri Lanka, including the judicial measures to investigate and prosecute war crimes, crimes against humanity and genocide (“Monitoring Accountability Panel” or “MAP”).

Following the Report of the OHCHR Investigation on Sri Lanka, dated 16 September 2015, and the UN Human Rights Council Resolution on ‘Promoting reconciliation, accountability and human rights in Sri Lanka,’ dated 1 October 2015, the Sri Lankan Government undertook to establish accountability mechanisms to address the crimes committed during the Sri Lankan armed conflict. These will include a special criminal court with foreign judges and prosecutors.

The MAP will provide independent monitoring, advice, and recommendations, focusing on the effectiveness of accountability measures from a victims’ perspective. It will also consider issues of fair trial and due process for suspects and accused persons. The views and recommendations of the Panel will enable victims and other stakeholders to participate more effectively in the process and

thus enhance the legitimacy of the measures.

The MAP shall formulate its opinions independently - irrespective of party political considerations or the agenda of any specific group (including the TGTE) – according to the interests of fair justice, applying international standards and best practices. The initial mandate of the Panel shall run from November 2015 to December 2016. Further detail of the Panel’s mandate can be found in the attached Terms of Reference.

The Members of the Monitoring Accountability Panel have been selected for their legal expertise in international criminal law and human rights, national war crimes courts, and regional criminal cases. The Panel Members (in alphabetical order) are:

- 1) Marie Guiraud (France)
- 2) Peter Haynes QC (UK)
- 3) Richard J Rogers (UK)
- 4) Heather Ryan (USA)
- 5) Justice Ajit Prakash Shah (India)
- 6) Geoffrey Robertson QC will act as a consultant to the Panel, providing additional independent advice.

Please donate in support of this transnational justice project: [www.tgte-us.org](http://www.tgte-us.org)  
For information contact: [maptgte@gmail.com](mailto:maptgte@gmail.com)

2008 - International Independent Group of Eminent Persons withdrew their participation in the Sri Lankan Presidential Commission of inquiry into several high profile massacres citing state bias and interference.

2009 - Amnesty International releases a scathing report titled “Sri Lanka: 20 years of make believe” evidencing the lack of judicial independence and transitional justice in past Commissions of Inquiry.

2011 - UN Panel of Experts report states up to 40,000 Tamil civilians killed in final phase of war.

2012 - UN Internal Review Panel “Petrie” report states up to 70,000 Tamil civilians killed and “Systemic failure” of UN.

2015 - Approximately 1.6 million Tamils around the world signed a petition requesting Sri Lanka to be investigated and prosecuted by the International Criminal Court (ICC).

\* UN Human Rights Commission calls for international inquiry on Sri Lanka via a hybrid mechanism.

\* President Sirisena who was also acting Commander of armed forces during final 2 weeks of war has taken strong position that no international judges would be allowed in any future judicial mechanism inquiring into war crimes.

\* Several army commanders including Sarath Fonseka have been promoted following the change in government.

\* UN allows Sri Lanka once again to investigate its own crimes against wishes of victims.

\* Who will monitor now?

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