

Sri Lanka's "Midnight Justice" Reinforces the Need for International Judges : TGTE

Urged to Refer Sri Lanka to the UN General Assembly similar to the Referral of North Korea

CHENNAI, INDIA, January 5, 2017 /EINPresswire.com/ --

On 24 December 2016, a Sri Lankan court acquitted all of the defendants charged with the assassination of Mr. Nadarajah Raviraj, a Member of Parliament. He was assassinated as he drove to work on 10 November 2006. His killers fired upon his vehicle in broad daylight in downtown Colombo in close vicinity to several police and security installations.

On 3 November 2015, six accused, including three naval personnel were charged with murder for the assassination of Raviraj. On 24 December 2016, a Sinhala Magistrate and a Sinhala Jury acquitted all of the accused. Manilal Waidyatilaka, the judge in the case, granted a defense request that the jury be comprised of only people of Sinhala ethnicity.

This verdict makes clear that the Sri Lankan Judiciary and the State itself are not ethnically neutral and are incapable of delivering justice for the many Tamil victims of the war crimes, crimes against humanity, and genocide.

In March 2015, the Sri Lankan Government itself co-sponsored a resolution at the UN Human Rights Council, calling for a transitional justice process with the participation of foreign judges. Thus far, the Sri Lankan Government has not taken any meaningful steps in that direction. On the contrary, it has blatantly repudiated its commitments to the Human Rights Council and has announced that there will never be any foreign judges. Sri Lanka's President, Maithripala Sirisena has previously said that there will be no prosecutions against political leaders and has expressed similar assurances to naval and military officers.

The lack of a viable, effective accountability mechanism for those most responsible for some of the worst crimes this century directly impacts integrity and credibility of international institutions such as the UN and the Human Rights Council.

The Transnational Government of Tamil Eelam (TGTE) urges the UN Human Rights Council to not be complicit in Sri Lanka's efforts to deny Tamil victims justice by granting it a further extension in the upcoming March 2017 session.

The time is long overdue for the establishment of the ad hoc international tribunal recommended by the High Commissioner of Human Rights in September 2015.

Similar to the referral of North Korea by the UN Human Rights Council to the UN General Assembly, Sri Lanka should also be referred to the UN General Assembly by the UNHRC. Consistency is important factor in ensuring the people's confidence in International Institutions.

ABOUT TRANSNATIONAL GOVERNMENT OF TAMIL EELAM (TGTE):

Transnational Government of Tamil Eelam (TGTE) is a democratically elected Government of a million strong Tamils (from the island of Sri Lanka) living in several countries around the world. TGTE was formed after the mass killing of Tamils by the Sri Lankan Government in 2009.

TGTE twice held internationally supervised elections among Tamils around the world to elect 132 Members of Parliament. It has a bicameral legislature and a Cabinet. It held its Parliamentary sittings among other places in the British and French Parliaments.

TGTE is leading a campaign to realize Tamils' political aspirations through peaceful, democratic and diplomatic means. The Constitution of the TGTE mandates that it should realize its political objective only through peaceful means.

The Prime Minister of TGTE is Mr. Visuvanathan Rudrakumaran, a New York based lawyer.

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BACKGROUND:

Tamils in the island of Sri Lanka faced repeated mass killings in 1958, 1965, 1977, 1981 and 1983 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 UN internal review report on Sri Lanka, over 70,000 Tamils were killed in five months in early 2009 and Tamil women were raped by the Sri Lankan Security forces. There are over 90,000 Tamil war widows and thousands of Tamils disappeared due the conflict.

According to this UN report, 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.

Members of the Sri Lankan security forces are almost exclusively from the Sinhalese community and the victims are all from the Tamil community.

A Buddhist Monk shot and killed a Sri Lankan Prime Minister 1959 for having talks with Tamil political leaders.

Tamils overwhelmingly voted in a Parliamentary election in 1977 to establish an independent and sovereign country called Tamil Eelam. This Parliamentary election was conducted by the Sri Lankan Government.

Transnational Government of Tamil Eelam

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