

TGTE's UK Parliament Event: "The Genocide Convention at 70 - Where the Promise to 'Prevent and Punish' Goes Ignored"

Convenes Multilevel Stakeholders and Calls to Action on Sri Lankan Tamil Genocide

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To commemorate the 70th Anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, Transnational Government of Tamil Eelam (TGTE) convened on December 10th an esteemed panel of speakers and guests at the UK Parliamentary Complex in London to discuss the bridgeable gap between the purpose and functionality of the Genocide Convention to date, especially when it comes to accountability.



The seminar, "The Genocide Convention at 70: Where the Promise to 'Prevent and Punish' Goes Ignored," also detailed actionable steps that the international community can take to hold Sri Lanka accountable for the Tamil Genocide it carried out during the final stages of the armed conflict nearly ten years ago.

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To give meaning to the Convention as it relates to Sri Lanka, we urge one of the States party to the Genocide Convention to bring legal action against Sri Lanka in the International Court of Justice.”

Visuvanathan Rudrakumaran

“We chose this theme to emphasize that prevention and punishment are interdependent. Impunity lays a fertile ground for atrocities to transpire, as the very creation story of the Genocide Convention itself attests,” TGTE Prime Minister Visuvanathan Rudrakumaran said at the event via Skype.

Additional speakers at the seminar represented a wide range of stakeholders, including UK parliamentarians Siobhain McDonagh and Gareth Thomas, human rights legal luminaries Peter Haynes QC, Richard Rogers, Human

Rights Lawyers Alex Prezanti, and Kim Renfrew, Ambihai Seevaratnam one of the Directors of the International Center for Prevention and Prosecution of Genocide (ICPPG), Sabapathy Kirishanth, a member of the Tamil Youth Organization (TYO).

Richard Rogers, who helped to draft the second international judgement for genocide, said in his remarks that while the Genocide Convention has been very successful in highlighting the existence and specificity of genocide and in creating a stigma around this type of crime, it has

been less effective in preventing genocide. He further said that what we really need is greater determination from states to act fast when early signs of genocide become apparent. If the dream of Lemkin is to be realized, and we are to avoid more genocides, powerful states must put self-interest to the side and work together to prevent the genocide, considered the "crime of crimes," Mr. Rogers added.

Alex Prezanti, Representative of victims of international crimes in Ukraine, Cambodia and Georgia, and currently representing an accused charged with genocide at the Khmer Rouge Tribunal, said in his remarks, "There is one positive takeaway from the Khmer Rouge Tribunal for Sri Lankan victims. It is that even if it takes years, justice may eventually come." He further said that robust documentation and preservation of evidence of international crimes is essential and must continue.

Peter Haynes, lead legal representative for victims at special tribunal for Lebanon, said that since 1948, International Criminal and Humanitarian Law (ICHL) have become a real thing. However, he said, the mantra to end impunity has not become real on any objective analysis. He said the trouble was that the expectations of the ICHL were too high. What is imperative is political will to investigate. He noted the work of ICC prosecutors and domestic prosecutors in Canada and France. He said that international justice in itself cannot make everything right. Bringing justice to victims is a laudable concept, but justice means more than a prison sentence. ICHL has only started to wrestle with concepts such as reparations and legacy, and with the greatest respect...not very effectively. He concluded his remarks by saying that genocide was a difficult charge to prove, and also a difficult label for a country to live with.

Ambihai Seevaratnam of the ICCPG emphasized the importance of genocide victims providing evidence. This evidence is not only critical to punishing perpetrators of genocide, but also to the more basic and yet equally difficult task of getting the international community to recognize genocide by name wherever it occurs.

Sabapathy Kirishanth offered insight into the Tamil diaspora youth perspective, stating that his generation had a clear understanding of the Tamil struggle for justice and accountability and was committed to the cause. Mr Kirishanth also noted that he and his peers saw the Tamil struggle not as one to be confined to courtrooms, but rather as a larger endeavor to preserve the Tamil people's historic narrative and the truth about the history of Tamil Eelam as an independent and sovereign nation.

"There is no word other than genocide which can capture the magnitude and atrociousness of the crime committed against the Tamil people. The political reason for not recognizing the Mullivaikaal atrocity as genocide is that under the traditional justice paradigm, as demonstrated by the opinions of African human rights tribunals and the Canadian Supreme Court with respect to Quebec, an entity that was subjected to genocide has a right to establish an independent state under the principles of self-defense and self-preservation. The transitional justice paradigm also states that establishing an independent state can be justified under its fourth pillar of reparations and nonrecurrence," Prime Minister Rudrakumaran said. "Presently, many States prefer to keep Sri Lanka as one entity than to devise a political arrangement that will ensure the physical security of the Tamils," he added.

TGTE Prime Minister Rudrakumaran also issued a call to action to States:

"To give meaning to the Convention as it relates to Sri Lanka, we call upon one of the States party to the Genocide Convention to bring legal action against Sri Lanka in the International Court of Justice. In many instances, as is the case with Sri Lanka, it is not just individuals but the whole state apparatus that is used to commit this heinous crime. In other words, the states themselves commit this crime," Mr. Rudrakumaran said. "We also call upon States to amend their Foreign Sovereign Immunity Act by removing immunity for States and to bring legal action against States for genocide in their domestic tribunals."

The event also highlighted the developing success of TGTE 's signature campaign "Refer Sri Lanka to ICC," which has garnered nearly two million signatures to date. Activists collecting support were presented at the event with certificates of recognition.

Mr. Pathmanabhan Manivannan, TGTE's Minister for Human Rights and Prevention of Mass Atrocities, closed the evening with a vote of thanks.

Add your name to the "Refer Sri Lanka to the ICC" signature campaign here: <http://www.tgte-icc.org/>

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. Its based on the principles of nationhood, homeland and self-determination. 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 two chambers of Parliament: The House of Representatives and Senate and a Cabinet.

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

TGTE seeks that the international community hold the perpetrators of war crimes, crimes against humanity, and genocide against the Tamil people to account. TGTE calls for a referendum to decide the Tamils 'political future.

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