

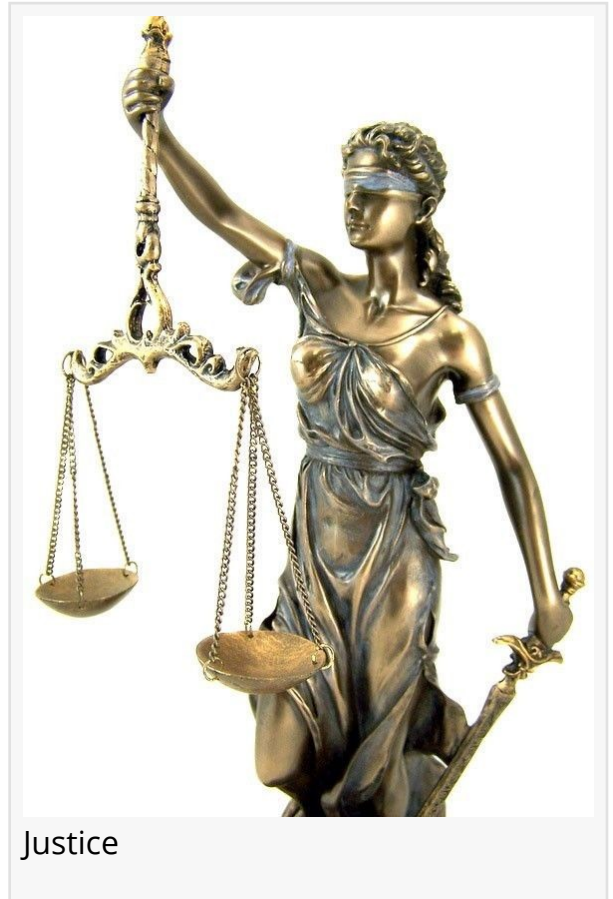
TGTE Marks World Day for Int'l Justice with Calls for Victims' Rights & End to Sovereign Immunity for Grave Crimes

This combination of international inaction and limited jurisdiction deals a lethal blow to achieving international justice

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In recognition of World Day for International Justice, the Transnational Government of Tamil Eelam (TGTE) calls on the international community to advance international justice by prioritizing victims' rights and ending domestic sovereign immunity for grave international crimes, namely genocide, war crimes, crimes against humanity, using rape as weapon of war, and torture.

With respect to victims' rights, TGTE specifically renews its call for the United Nations Office of the High Commissioner for Human Rights to recognize and uphold the Right to Know and the Right to Truth by granting victims of international crimes perpetrated by states access and reproduction rights to information gathered by the UN.



Justice

"The present mechanisms for international justice are controlled by states, which mostly act according to their own interests. Thus, a true honoring of international justice requires creating a different avenue by which victims themselves can be in the driver's seat of justice. The right to know and right to know the truth make this possible," said TGTE Prime Minister Visvanathan Rudrakumaran.

TGTE's Victims-Driven International Justice (VDIJ) initiative, launched in April 2019, asserts the Right to Know and Right to Truth under international law of Tamil victims of state crimes committed during the final phase of the Sri Lanka's armed conflict in 2009 access to review and obtain information gathered by the UN, such as by the Office of the Secretary-General and the High Commissioner for Human Rights, in the course of their many independent investigations into international crimes committed in Sri Lanka.



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Visivanathan Rudrakumaran

The 2012 UN Panel of Experts Report on Sri Lanka estimates that at least 40,000 Tamils died at the hands of the state. When the disappeared are included, the Tamil death toll tops 100,000 men, women, and children. Former UN High Commissioner for Human Rights Zaid Al-Hussein stated in his report that Sri Lankan state crimes against Tamils were “systemic.” He also noted, “Importantly, the report reveals violations that are among the most serious

crimes of concern to the international community as a whole.”

“The UN has in its possession evidence war crimes, crimes against humanity and genocide as well as widespread rape and sexual violence, forced disappearance and torture perpetrated against Tamils in Sri Lanka more than 11 years ago, yet the UN and its Member States—many of which will make pronouncements about their commitment to international justice today—has failed hold any of the perpetrators of these crimes accountable,” noted Rudrakumaran. “States can right this wrong by exercising universal jurisdiction, a critical part of the international justice fabric.”

As part of its VDIJ initiative, TGTE has also engaged the services of a respected international lawyer who has led the investigation and prosecution of several international criminal cases. He and his team, with the assistance of Tamil lawyers, will review information obtained under the Right to Know and Right to Truth and assemble dossiers of evidence. The third component of TGTE’s VDIJ initiative entails work with and support Tamil victims living in those countries and human rights organizations working on their behalf to commence domestic prosecutions for international crimes with universal jurisdiction. Over 90 UN member states have provisions in their laws for private prosecutions by victims.

“Any day commemorating international justice must acknowledge the system’s failures as well as its successes. One of those failures is in prioritizing the victims. Another one is upholding sovereign immunity when it comes to states. Sovereign immunity in domestic tribunals cripples international justice. This is especially true when it comes to international crimes perpetrated by states,” Rudrakumaran said.

“This combination of international inaction and limited jurisdiction deals a lethal blow to achieving international justice,” Rudrakumaran added. “That is why TGTE is calling for the end of sovereign immunity for grave international crimes in domestic tribunals. The international community found a way to end sovereign immunity for crimes committed by businesses. If sovereign immunity can be removed for commercial activities, then of course it should be removed for international crimes. This step would immediately and profoundly strengthen international justice.”

TGTE also marks World Day for International Justice on Friday, July 17th, the day 22 years ago that 120 countries, excluding Sri Lanka, adopted the Rome Statute, which created the International Criminal Court (ICC), by calling on the international community to refer Sri Lanka to the ICC and calling on at least one state party to the Genocide Convention to bring Sri Lanka before the International Court of Justice (ICJ).

Like many UN Special Rapporteurs before him, in his May 2020 report on Sri Lanka delivered to the UN Human Rights Council during its 44th session this month, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association Clément Nyaletsossi Voule noted, "Indeed, at this point, no progress has been made domestically in addressing impunity for past human rights violations committed during the conflict."

"As TGTE has said many times before, there is no room for justice for Tamils in Sri Lanka. Sri Lanka is both unable and unwilling to hold state perpetrators of atrocity and related crimes against Tamils accountable," Rudrakumaran said.

"Situations like Sri Lanka are why international justice exists. I appeal to the international justice community to use and augment all avenues available to once and for all deliver international justice in the island of Sri Lanka. On this World Day for International Justice, it serves us well to remember that international justice must be utilized and enforced for it to survive."

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