

# UN Urged to Refer Sri Lanka to International Criminal Court (ICC) by Tamil Families of the Disappeared

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The Association for Relatives of Enforced Disappearances in the North and East Provinces of Sri Lanka, urged UN Human Rights Council to Refer Sri Lanka to International Criminal Court. According to UN, Sri Lanka have the second highest number of the disappeared in the world.



Tamil Families of the disappeared

Following are their Requests:

- 1) Any new Resolution should not give time to Sri Lanka to implement accountability for International crimes and should be used to Refer Sri Lanka to the International Criminal Court (ICC) or to a specially created International Criminal Tribunal for Sri Lanka, for War Crimes, Crimes Against Humanity committed against Tamil people by the Sri Lankan State.. Giving time will not only entrench impunity, it will also embolden the Sri Lankan Government to intensify its abuses against Tamil people with its huge military presence in Tamil areas and its draconian laws.
- 2) To prevent recurrence of mass atrocities against Tamils by the Sri Lankan Government, conduct an internationally organized and monitored Referendum to find a permanent political solution to the longstanding Tamil national question in Sri Lanka. Lack of permanent political solution contributed to the repeated mass atrocities against Tamil people for over fifty years including in 1958, 1977, 1983 and 2009, amounting to war crimes, crimes against humanity and Genocide. Furthermore, hundreds of thousands of Tamils were killed because of their ethnic identity and scores of Tamil women were sexually assaulted and raped by Sri Lankan security forces. A permanent political solution will also help attain sustainable peace in the island and to establish stability in the region and in the Indian Ocean.
- 3) Get an update from the Office of the High-commissioner for Human Rights every six months

about the plight of 90,000 Tamil war widows, any progress in finding the whereabouts of the thousands of disappeared Tamils including babies, situation of arbitrarily imprisoned Tamil political prisoners, land grabs under different pretexts, level of military presence and any activities on accountability for international crimes. Take action if there is no progress on the above-mentioned issues.

Below Please find the full letter:

Core-Group Ambassadors for Sri Lanka  
UN Human Rights Council

Dear Core-Group Ambassadors for Sri Lanka,

Re: March 2021 UN Human Rights Council Session – Sri Lanka Resolution

We, from the Association for Relatives of Enforced Disappearances in the North and East Provinces of Sri Lanka, are writing ahead of the upcoming March 2021 Human Rights Council Session. Sri Lanka will be coming up for review in this Session as mandated by Resolution 40/1.

We would like to bring the following points to your kind attention,

1. Successive Sri Lankan Governments have failed to implement any of the UNHRC Resolutions, including the ones they voluntarily co-sponsored.
2. Sri Lanka under the previous Government co-sponsored the UNHRC Resolution 30/1 titled “Promoting reconciliation, accountability and Human rights in Sri Lanka” at the UNHRC session in September 2015, and again in March 2017 co-sponsored another Resolution 34/1, obtaining a 2-year time extension to implement the Resolution 30/1. Sri Lanka also co-sponsored a Resolution 40/1 and obtained additional two year extension (total four years of extension) to implement the 30/1 Resolution, Previous Government not only failed to take any meaningful steps to implement the Resolution that it co-sponsored, on the contrary the President, Prime Minister and senior members of the Government have repeatedly and categorically stated that they will not implement the UNHRC Resolution.
3. The current new Government went one step further and officially withdrew from the co-sponsorship of the Resolutions 30/1, 34/1 and 40/1 and walked away from UNHRC accountability process.
4. Furthermore, as a snub to UNHRC, only soldier who was ever punished and sentenced to death for killing civilians including children was pardoned by the current President. Also, several senior military officials who were credibly accused of committing war crimes have been given promotions and treated as “war heroes.” One officer who was named in UN reports as a

suspected war criminal was promoted as a four-star General.

Background:

According to the March 2011 Report of the UN Secretary General's Panel of Experts on Accountability in Sri Lanka stated that there were credible allegations that war crimes and crimes against humanity were committed during the final stages of the armed conflict between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam, and there could have been as many as 40,000 Tamil civilian deaths in the final six months. According to the November 2012 Report of the UN Secretary-General's Internal Review Panel on UN Action in Sri Lanka, over 70,000 people were unaccounted for during the final phase of the war in 2009.

Several were killed when Sri Lankan forces repeatedly bombed and shelled an area designated by the Government as No Fire Zones (Safe zones). Even hospitals and food distribution centers were bombed. Several also died of starvation and bled to death due to lack of medical treatment. International Truth and Justice Project (ITJP) in February 2017 handed over details to UN of Sri Lankan Military run "Rape Camps", where Tamil women are being held as "sex slaves."

According to UK Foreign and Commonwealth Office report on April 2013, there are over 90,000 Tamil war widows in Sri Lanka.

Thousands of Tamils disappeared including babies and children. UN Working Group on Enforced Disappearances stated that the second highest number of enforced disappearance cases in the world is from Sri Lanka. We, relatives of victims of enforced disappearances, have been fighting for justice in respect of them lasting 1420 days. With 79 parents lost up to now, we too are weakened counting the days left for us in this world.

REQUESTS::

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Genocide. Furthermore, hundreds of thousands of Tamils were killed because of their ethnic identity and scores of Tamil women were sexually assaulted and raped by Sri Lankan security forces. A permanent political solution will also help attain sustainable peace in the island and to establish stability in the region and in the Indian Ocean.

3) Get an update from the Office of the High-commissioner for Human Rights every six months about the plight of 90,000 Tamil war widows, any progress in finding the whereabouts of the thousands of disappeared Tamils including babies, situation of arbitrarily imprisoned Tamil political prisoners, land grabs under different pretexts, level of military presence and any activities on accountability for international crimes. Take action if there is no progress on the above-mentioned issues.

Thank you.

Sincerely,

Y.K. Kanagaranjini    A. Leeladevi  
President                Secretary

Cosigned by District Leaders

T. Selvarani – Ampara District

A. Amalanayaki – Batticaloa District

C. Ilankothai – Jaffna District

K. Kokulavani – Kilinochchi District

M. Chandra – Mannar District

M. Easwari – Mullaitivu District

S. Davi – Trincomalee district

S. Saroyini – Vavuniya district

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