

Canada Urged Take the Tamil Genocide to the International Court of Justice: TGTE

"TGTE's statement came as a response to a statement made by Sri Lanka's High Commissioner disputing Ontario's Bill 104-Tamil Genocide Education Week Act"

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The Transnational Government of Tamil Eelam's (TGTE) Ministry for the Prevention of Genocide and Mass Atrocities called upon the government of Canada to take the Tamil Genocide to the International Criminal Court (ICJ).

TGTE's Ministry statement came as a response to a statement made by Sri Lanka's High Commissioner in Ottawa earlier this week disputing the factual premise of Ontario's Bill 104-Tamil Genocide Education Week Act, which was enacted on May 12, 2021.

The TGTE's statement also challenged the Sri Lankan government to release the Sri Lankan politico-military internal communications during the final stages of the war.

FULL STATEMENT:

Canada Urged Take the Tamil Genocide to the International Court of Justice (ICJ)

The Ministry for the Prevention of Genocide and Mass Atrocities of the Transnational Government of Tamil Eelam will stand by Bill 104. Bill 104, the Tamil Genocide Education Week Act enacted on May 12, 2021 states;

(1) The seven-day period in each year ending on May 18 is proclaimed as Tamil Genocide Education Week.

(2) During that period, all Ontarians are encouraged to educate themselves about, and to

maintain their awareness of, the Tamil genocide and other genocides that have occurred in world history.

The TGTE notes the statement issued by the Sri Lankan High Commissioner in Ottawa disputing the factual premise of Bill 104. Genocide is a profound issue and we do not want to trivialize it.

We also note the observation of the Department of Foreign Affairs, Trade and Development of Canada stating that “the Department of Foreign Affairs, Trade and Development clarify Canada’s official position with regard to allegations of genocide in Sri Lanka, the department can officially confirm that the Government of Canada has not made a finding that there was genocide in Sri Lanka.”

We are also cognizant of the fact that on June 19, 2019, the Canadian Parliament passed a unanimous consent motion calling for an international investigation into allegations of genocide. This motion stated inter-alia;

That the House:

Call upon the United Nations to establish an international, independent investigation into allegations of genocide against Tamils committed in Sri Lanka, including the last phase of the armed conflict in 2009.

We are also aware of the fact that Canada has not acted upon that motion and that motion remains as an empty expression of solidarity with the victims. Thus, we urge the Canadian government to refer the matter to the International Court of Justice under the Convention on Prevention and Punishment of the Crime of Genocide. We also call upon the government of Sri Lanka to cooperate on this issue and use this opportunity to establish their version of events.

In order to set the discourse in the right direction, we would like to state the following: the UN Panel of Experts appointed by the then Secretary General Ban-Ki Moon identified the following serious violations committed by the Government of Sri Lanka:

- (i) Killing of civilians through widespread shelling,
- (ii) Shelling of hospitals and humanitarian objects,
- (iii) Denial of humanitarian assistance

The above corresponds to Article II (a), (b), and (c) of the genocide convention.

UN Secretary General’s Panel of Experts on Sri Lanka also stated that “[a] number of credible sources have estimated that there could have been as many as 40,000 civilian deaths.” According to the 2012 UN internal review report headed by Charles Petrie, there are credible reports that

“over 70,000 civilians are unaccounted for” during the final stages of the war. The late Reverend Dr. Rayappu Joseph, Bishop of Mannar, said in his own report that during the final stages of the civil war 146,679 Tamils remain unaccounted for based on the Sri Lankan government’s own figures of number of residents in the area at the early stage of hostilities and the number who emerged to government internment camps at the end of the conflict. In this connection we would also like to point out that the International Court of Justice held that the massacre of 8,000 Bosnian Muslims in Srebrenica constitutes an act of genocide.

With respect to the specific intent, a component of the crime of genocide can be proved through circumstantial evidence and direct evidence. We challenge the Sri Lankan government to release the Sri Lankan politico-military internal communications during the final stages of the war. We would also like to point out that the ongoing structural genocide of the Tamil nation also establishes the specific intent of the crime of genocide during the final stages of the war.

Ministry for the Prevention of Genocide and Mass Atrocities
Transnational Government of Tamil Eelam (TGTE)

ABOUT THE TRANSNATIONAL GOVERNMENT OF TAMIL EELAM (TGTE):

The Transnational Government of Tamil Eelam (TGTE) is a democratically elected Government of over 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 thrice held internationally supervised elections among Tamils around the world to elect 135 Members of Parliament. It has two chambers of Parliament: The House of Representatives and the Senate and also a Cabinet.

TGTE is leading a campaign to realize the political aspirations of Tamils through peaceful, democratic, and diplomatic means and its Constitution mandates that it should realize its political objectives only through peaceful means. It’s based on the principles of nationhood, homeland and self-determination.

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 political future of Tamils.

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, 1977, 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 thousand Tamils were killed in six months in early 2009 and Tamil women were sexually assaulted and raped by the Sri Lankan Security forces.

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

Thousands of Tamils disappeared, including babies and children. UN Working Group on Enforced Disappearances stated in 2020 that the second highest number of enforced disappearance cases in the world is from Sri Lanka.

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.

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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