

Sri Lanka Is Hiding Behind Economic Disaster To Avoid Accountability For Atrocity Crimes Committed Against Tamils: TGTE

"Different Responses To The Protests In The Northeast And The South Reveal The Entrenched Racism In The Sinhala Polity"

UN HUMAN RIGHTS COUNCIL, GENEVA, SWITZERLAND, June 17, 2022

/EINPresswire.com/ -- The Transnational Government of Tamil Eelam (TGTE) has alerted the UN Human Rights Council that Sri Lankan foreign Minister G.L. Peiris's statement to the Council on June 13, 2022, was aimed to mislead the Council to avoid accountability for mass atrocities Sri Lanka has committed against the Tamil people.

The TGTE urges the international community not to allow Sri Lanka to use the current economic disaster as a cover to hide its abject failure to show any accountability for war crimes, crimes against humanity and genocide perpetrated against the Tamil people, as required by previous resolutions of the UN Human Rights Council (UNHRC).

FINANCIAL BURDEN DUE TO MAINTAINING LARGE ARMY:

One of the primary reasons for the economic disaster in Sri Lanka is tremendous financial burden placed by maintaining a large army with the sole purpose of subjugating the Tamils. Even 13 years after the end of the war in the Tamil homeland there is one military person for every 6 civilians according to the California based Oakland Institute.

21st AMENDMENT TO THE CONSTITUTION:



The Sri Lankan foreign minister in his speech gave a completely false perception of the 21st Amendment to the Sri Lankan Constitution, which he claimed was introduced to “consolidate seminal democratic values enshrined in Parliament, independent institutions and salutary checks and balances on the powers of the Executive.” This is a hypocritical statement because the amendments put forward by the government do not actually act as a check on presidential powers as the President can continue to have certain government ministries under him/her and also the power to prorogue parliament. Second and most importantly in order to “consolidate seminal democratic values” the Sri Lankan society as well as its parliament should be ethnically neutral. Merely giving more powers to parliament to act as a check and balance on the presidency does not alter the character of the state. The Sri Lankan state remains as a Sinhala Buddhist fundamentalist state and will continue to remain so, even after the passing of the 21st Amendment.

DIFFERENT RESPONSES TO THE PROTESTS IN THE NORTHEAST AND THE SOUTH:

The way Sri Lankan Government has handled protests that erupted against economic mismanagement in the south by mostly Sinhalese demonstrators including at "GotaGoGama" protest base camp, show naked racism by the government and state institutions. In contrast to what routinely happens to Tamil protestors in the NorthEast, in the South when the police shot and killed a protestor in Rambukkana, the OIC of the Rambukkana police station was arrested. When the protestors at Galle Face were attacked, the perpetrators, even though they were MPs were arrested and Prime Minister Mahinda Rajapaksa was forced to resign.

Lawyers of Bar Association of Sri Lanka [BASL] stood in front of protestors to see they were not attacked by police and STF, whereas [BASL] does not turn up when protestors at Mullivaikal Memorial Day or Maveerar Naal are attacked. Sinhala journalists covering the protests were not attacked and their cameras were not forcibly taken, whereas Tamil journalists covering protests such as those by the families of the disappeared are harassed and taken for questioning by the police. Therefore, the government, its law enforcement arm and the Sinhala Civil Society have clearly demonstrated their racism through the way they handle Southern protests from the way they handle protests in the NorthEastern parts of Sri Lanka.

PREVENTION OF TERRORISM ACT (PTA):

The Foreign Minister in his speech also talked about amending the notorious Prevention of Terrorism Act (PTA), which has been categorized as a ugly blot on civilized nations by the International Commission of Jurists (ICJ). Tamils, like many international human rights organizations, want the PTA rescinded, not amended. The Foreign Minister also claims that 22 persons detained under the PTA have been released. These 22 persons were released after years in prison and having suffered torture, isolation etc. There are still others taken in under PTA who remain in custody.

The TGTE also wants to highlight those cases of Tamils arrested for unlawful assembly at

Maveerar Naal or Mullivaikal Memorial Day, or journalists arrested for covering these events arrested under PTA. In the case of the protests in southern Sri Lanka, the arrests were not made under PTA but under Emergency Laws that were soon allowed to lapse, whereas the PTA has been on and off the books since 1979. What it means is that all Tamils arrested even today are arrested for "terrorism", as also Muslims after the bombings of Easter 2019, but not the Sinhalese protesting in the South. As the Bell Emerson the U.N special rapporteur on torture, has pointed out 'the PTA disproportionately impacts on the Tamils.

OFFICE OF THE MISSING PERSONS (OMP):

Sri Lanka's Foreign Minister in his statement to the Council also stated that "Office of Missing Persons (OMP) has met 83% of persons invited for panels of inquiry as part of the verification process." But his own President has stated that "all the missing are dead". According to the BBC's January 20, 2020, report: "Sri Lanka's President has acknowledged for the first time that more than 20,000 people who disappeared during the country's civil war are dead. Gotabaya Rajapakse made the remark in a meeting with the UN Envoy in the Capital, Colombo. Steps would be taken to issue death certificates for those missing, a statement from his office said." (Source: <https://www.bbc.com/news/world-asia-51184085>). This news was also widely covered in several international media including New York Times and The Hindu. Despite this, Sri Lankan Foreign Minister is continuing to perpetrate this fraudulent claim, that the Office of Missing persons is actively working to find a solution regarding the disappeared. TGTE calls upon the UN Human Rights Council members and the President of the Council to make the Sri Lankan Foreign Minister accountable for his false statements.

OFFICE OF REPARATIONS:

Further, the Foreign Minister in his speech stated that the Office of Reparations was allocated 53 million Sri Lankan rupees (equivalent to approximately \$148 thousand dollars) in addition to 759 million Sri Lankan rupees (equivalent to approximately \$2 million dollars). We would like to point out that material reparations alone cannot heal sufferings and the trauma to which the victims are subjected. As European courts and the Inter- American Court have stated "effective remedy entails thorough and effective investigation and measures for non-recurrence. Monetary handouts alone will not alleviate the existential despair."

TERRORIST LIST:

The Foreign Minister in his speech stated that "The list of designated individuals, groups and entities under the United Nations Regulation No.1 of 2012 is being reviewed. As of now 318 individuals and 04 entities are proposed to be delisted. This is a continuing exercise." This is not only a continuing exercise, it is a continuing joke. In 2014, the Sri Lankan Government designated 424 individuals and 16 groups as "terrorist entities." In 2015, the Sri Lankan Government played with the number, sanctified and removed 8 groups and 259 individuals from the list. GOSL again in 2021, played with the numbers and added 7 more groups and banned 389 individuals as

“terrorist entities”. The Foreign Minister’s latest statement before the UNHRC shows that they continue to play this game.

This Sri Lankan Government’s number game demonstrates the abuse of U.N Regulation No.1 of 2012. The Sri Lankan Government’s game also undermines the credibility of the U.N itself. Unfortunately, the continuing designation of the LTTE as a “terrorist organization” by some foreign powers, in spite of the absence of any violent incident since the end of war 13 years ago, has enabled the government of Sri Lanka to continue to play this game.

CONTINUING ABUSES AGAINST TAMIL PEOPLE: .

The huge military presence of the Sri Lankan armed forces in Tamil areas contributes to continuing the Sri Lanka states effort to destroy the identity of the Tamils. It also contributes to the human rights abuses faced by the Tamil people. For example, recently the military and police attacked Tamils protesting the building of a Buddhist Temple on an ancient site that as originally a Hindu Temple, despite a Court order preventing such actions. A Tamil Member of Parliament was also injured in the attack.

With racism rife in Sinhala civil society and government, Tamils need protection more than ever. Protection can be there only if there is an end to the impunity of the Sri Lankan politicians and military personnel for their crimes against the Tamils. The UNHRC can help to end impunity by demanding full accountability for mass atrocities by the Sri Lankan state.

And as the IMF, World Bank and other multilateral organizations, and governments get ready to help restructure Sri Lankas foreign debt they should first advise the Sri Lankan government to downsize the military and remove it from the Tamil homeland. Multilateral institutions and governments should also use their leverage to make funding to Sri Lanka dependent on ensuring Sri Lanka's accountability for mass atrocities.

REQUEST TO UN HUMAN RIGHTS COUNCIL:

In conclusion, TGTE also reiterates the call made by the U.N High Commissioner for Human Rights, Honorable Michelle Bachelet, on January 12th, 2021, to refer Sri Lanka to the International Criminal court (ICC). This call was subsequently endorsed by all four former UN high Commissioners for Human Rights, four former high officials of the UN, nine former special Rapporteurs who had visited and written reports on Sri Lankan, and all three members of the UN secretary- General’s panel of experts on Sri Lanka.

The Tamil victims expect the Human Right’s Council, at its next session in September when resolution 46/1 expires, to take a decisive action towards accountability.

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.

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