

How Will Sri Lanka Be Held to Account for Tamil Disappearances, Explains Rudrakumaran

We are calling on the UN Human Rights Council, in its upcoming 57th session, to refer Sri Lanka to the ICC.

NEW YORK, UNITED STATES, August 31, 2024 /EINPresswire.com/ -- Today is another International Day of The Victims of Enforced Disappearances. Today the world recommits itself to the victims of enforced disappearance globally.

Today, we do more than just remember—we recommit ourselves to putting an end to this heinous crime. This goes beyond honoring victims; it's about standing up to the oppressive governments that use this tactic to crush entire ethnic groups.

Living in uncertainty—not knowing whether your loved one is alive or dead—is a cruelty beyond measure. Certainty, though painful, brings closure. But enforced disappearance leaves families in a state of agony, tearing at their hearts and leaving them in never-ending pain.

The UN Human Rights Committee has recognized that enforced disappearance is a form of torture. The UN General Assembly, commemorating the victims of enforced disappearance, declared: "the crime of enforced disappearance committed as part of a widespread or systematic attack against a civilian population constitutes a crime against humanity." Yet, despite these strong words, the international community remains too quiet, too willing to let these atrocities continue.

The UN Secretary-General, in his message marking the International Day of the Victims of Enforced Disappearance, said that states use enforced disappearance to spread terror in society. In Sri Lanka, this is not limited to terrorism—for the state it is used as a well-worn tool of



Outside UN in New York

genocide against Tamils before, during, and after the war.

Sri Lanka is second only to Iraq in the number of enforced disappearances according to the UN Working Group on Enforced Disappearance. The numbers are shocking—200,000 Tamils unaccounted for. Each one, a life stolen. For more than 2,000 days, Tamil mothers have been protesting every single day, demanding to know the truth about their missing sons, daughters, and husbands. Tragically, many have died without ever getting answers, and the world's indifference has only made their grief worse.

The international community, including the UN, has failed to deliver justice. The Sri Lankan government has attempted to appease bodies like the Human Rights Commission and International Monetary Fund with sham commissions and empty promises. These so-called commissions are a smokescreen, designed to fool international bodies while protecting the perpetrators. The report "Accountability for Enforced Disappearance in Sri Lanka" says that Sri Lanka has a "commission addiction," using them to hide the truth.

The Office of Missing Persons (OMP) was set up by Sri Lanka as another attempt to fool the world. Victims were not consulted in its formation; there is no participation by international experts, and the OMP is filled with the very same people involved in enforced disappearance, like the former inspector general of police. There is no requirement compelling the OMP to provide its findings to the judiciary or to the families of the disappeared. The OMP is nothing but a sham.

Sri Lanka boasts about ratifying the Convention on Enforced Disappearance, but what good is it if they haven't made it part of their own laws? What is the purpose of the convention if Sri Lanka can avoid accountability by reserving/excluding Article 31, which allows victims to seek justice by bringing their complaints to the committee appointed under the convention? The ratification of the Convention is merely another fraudulent attempt to pacify and avoid responsibility.

One of Sri Lanka's own Presidential Commissions of Inquiry ascribes 90 percent of enforced disappearances to state security forces. We still don't know what happened to LTTE leaders taken by the Sri Lankan army, or to Father Joseph and the LTTE combatants taken at the end of the war. In the report of the Expert Panel appointed by then-UN Secretary-General Ban Ki-moon, the disappearances committed at the end of the conflict constitute one of the crimes against humanity by Sri Lanka. However, since then there has been no discussion about the fate of the LTTE leaders taken by the army. The fact that there is no discourse is a moral outrage.

It's been more than fifteen years, yet not a single perpetrator has been brought to justice or even arrested. In the recent UN Report on Accountability for Enforced Disappearances in Sri Lanka, impunity is deeply ingrained in Sri Lanka. The primary reason for this is that Sri Lankan Institutions are inherently racist. This is not a question of political will; this is not a question of the ability to deliver justice. The fact of the matter is that the Sri Lankan polity is permeated with pervasive and entrenched racism. The Sinhala political culture did not, does not, and will not

allow justice for Tamils.

Our only hope for justice is from international forums and bodies. The international community is finally starting to see the truth, that there is no justice for Tamils within Sri Lanka. But the solutions they offer—universal jurisdiction and targeted sanctions—are meaningless for the perpetrators. Travel bans? Useless. These criminals don't vacation in the West. Asset freezes? Worthless. Their money is not in Western banks. Even when Sri Lankan war criminals do enter foreign countries, there is no functioning system in place to catch them. Even in the rare cases where they are apprehended, diplomatic immunity becomes their shield to escape the clutches of justice, like we saw with Shavendra Silva.

We believe the only path to bringing the leaders of the political-military establishment to justice is through the International Criminal Court (ICC). That's why we are calling on the UN Human Rights Council, in its upcoming 57th session, to refer Sri Lanka to the ICC. It's time for real accountability. It's time to bring those responsible for genocide and enforced disappearance to justice.

* HERE ARE OUR Demands

1) Parties to the International Convention for the Protection of All Persons from Enforced Disappearance must bring a complaint against Sri Lanka.

2) We urge international powers to put meaningful pressure Sri Lanka to revoke its reservation/exclusion of Article 31 of the convention.

3) And most importantly, we call on the international community to refer the situation in Sri Lanka to the ICC.

Today, we don't just remember. We act. Social media is a powerful tool, and we should aggressively use it to amplify the voices of our disappeared brothers and sisters.

Their voices may have been silenced, but ours haven't.

* 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 held four 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

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 an internationally conducted and monitored referendum to decide the political future of Tamils.

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