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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Tourner La Page, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2021]

* Issued as received, in the language(s) of submission only.



Sri Lankan successive Governments with it's genocidal security forces are on The 10th stage of Genocide.

The Tamil Elders Association of Quebec is a non-profit organization, whose mission is to serve the Tamil community of Quebec by supporting volunteer efforts to promote health and happy living to its membership base. We represent the Elder Tamil Community of Tamils in the West Island and look for opportunities to collaborate with youth-based organizations to impart wisdom and knowledge.

As most of us are direct victims of Structural Genocide in Sri Lanka, We join Tamil organizations across the world for ask Justice for Eelam Tamils and we ask to The Council Members to have Strong Resolutions for have Justice for Tamils.

Even though the war has ended about eleven years ago, Tamils are still waiting for justice for the mass atrocities committed by the Sri Lankan Government.

Sri Lankan Security forces made a structural Genocide from 1948,

In May 2010, the Sri Lankan government appointed a Lessons Learnt and Reconciliation Commission (LLRC) and promised to implement the Commission's recommendations.

The UN Panel of Experts appointed by the Secretary General, and other credible international human rights groups, criticized the LLRC due to its narrow mandate, lack of independence, and failure to meet international standards. According to a subsequent UN Report (the Petrie Report), despite some positive characteristics, the LLRC was fundamentally constrained by a mandate that did not focus on actual accountability, and by the lack of an enabling environment for judicial follow-up.

On June 22, 2010, a three-member panel was appointed by UN secretary-general Ban Kimoon to look into human rights accountability issues during the final stages of the civil war in Sri Lanka. The report of this panel of experts was handed over to Secretary General in March 2011. According to its executive summary:

In a significant evolution of its position, the Human Rights Council adopted a resolution on Sri Lanka that focused on accountability for the first time in 2012. The First UNHRC resolution on "Promoting Reconciliation and Accountability in Sri Lanka" was adopted on March 22, 2012.

As Sri Lanka failed to make meaningful progress, a third resolution was adopted in 2014, again giving time for Sri Lanka to implement its promises. While incorporating previous positions, the Council on this occasion also authorized the OHCHR to undertake a comprehensive investigation into alleged serious violations and abuses of human rights and related crimes by both parties in Sri Lanka and present its report to the Council.

The OHCHR Investigation on Sri Lanka (OISL) report was released on September 28, 2015. Its conclusions and recommendations included the following:

The findings of the OHCHR investigation contained in the present report were born out of the past failure of the Government of Sri Lanka to address accountability for the most serious human rights violations and crimes.

Twelve years have passed since the war ended. The UN, UNHRC and related agencies have made various commitments, and have adopted various resolutions. But to date, no meaningful progress has been made; war victims, refugees, relatives of the disappeared, and others continue to be affected, with no political will on the government's part to bring about a political solution, and to advance sustainable economic development in war-affected areas.

We, The Tamil Canadian Elders on behalf of the Tamils living in Canada hereby make this humble request with heavy hearts and wounded feelings, your kind attention, the wanton and preplanned malicious destruction of Mullivaikkal Memorial Monument and a scripted Memorial Stone in the night on May 12, 2021 at Mullivaikkal, in the Northern Province by Srilanka's security forces who were stationed at the site to prevent any commemoration

event by the affected Tamil victims of genocidal war from 2006 to 2009. The Memorial Stone was also stolen by the security forces and the whereabouts of it is still unknown.

The Sri Lankan authorities on Friday 8 January 2021 destroyed a monument at Jaffna University that was established to pay tribute to more than hundred thousand of Tamils killed by the Sri Lankan Genocidal military. The authorities reportedly deployed heavy machinery inside the campus to topple the Mullivaikal monument. The memorial, unveiled in 2019, was designed and constructed by locals, including those who had lost family to the massacres of 2009. Hundreds of thousands of Tamil civilians were killed during the Sri Lankan Genocidal military offensive against Eelam Tamils, led by the Rajapaksas.

We would agree that this disgusting and uncivilized act is a continuation of the genocidal agenda of Sri Lanka's governments against the Tamils since 1948 and a flagrant violation of a human right endorsed in the UN Guidelines which is the right to remember and pay respect to the dead.

- 1). The Memorial Monument was erected to commemorate the thousands of civilians killed by the security forces during the war.
- 2). It stood as a source of symbol, strength and a spring of consolation for the relatives to express their feelings and share their grieves with cries and tears all of which have been mercilessly snatched away by the Sri Lankan government.
- 3). It stood as a symbol of sacrifices of those innocents who struggled for their causes to live as equal citizens with dignity and self-respect.
- 4). Undoubtedly this heinous genocidal crime will only strengthen the resolve and determination of the Tamils to advance and intensify their struggle with more vigour to secure Accountability and Justice including political equality and human rights through International Intervention.
- 5). Above all, it was a site when the 70 year old struggle of Tamils to exercise the right of self-determination was snuffed out by the rampaging Sri Lankan security forces.
- 6). With no inkling of doubt, it can be stated that barbaric act of State terrorism has not only wounded the feelings of the entire Tamils but also destroyed the hopes of Reconciliation, Accountability, and Justice with any Sri Lankan government.

Recommendations

We would therefore earnestly request your good self to raise this important and painful matter in the Human Rights Council and United Nations as a champion of human rights to obtain justice for the victims and recommend imposing punitive measures like sanctions against Sri Lanka.

We call upon the UNHRC members and other affiliated UN agencies and member states to adopt, as a matter of utmost urgency, the following measures:

- Should take the following steps to protect the Tamil people:
 - (a) Recognize the genocide resolution passed unanimously in the Northern Provincial Council of Sri Lanka on 10th February 2015.
 - (b) Support the Resolution 30/1 which seeks an UN inquiry to investigate the genocide of the Tamil people in Sri Lanka by successive Sri Lankan Governments,
 - (c) Direct appropriate measures at the International Criminal Court outlining that the affected Tamil people have no faith in any domestic commission or inquiry.
 - Bring a Resolution in the Human Rights' Council insisting that the North-East is the traditional homeland of the Tamil people as agreed in the Sri Lanka-India Accord 1987 and urging the Sri Lankan Government to immediately stop the occupation of land in the North-East with its Military as well as Sinhala colonists. Also stop land grabbing by Central Government Departments under many ruses.

- The Council Members should work together to appoint a special Rapporteur to monitor and investigate ongoing human rights violations and repression against the Tamil people.

To the Special rapporteurs and treaty bodies experts.

- Please help us to ensure to protect human rights defenders in Sri Lanka to carry out their legitimate work, in a safe and enabling environment without fear of threats, acts of intimidation or reprisals of any kind witnesses and families seeking truth and justice, and failed to prosecute those against whom there was evidence of wrongdoing.
- All political detainees to be released or brought to justice without any further delay.

To UN Special-Adviser on the Prevention of Genocide Mme Wairimu Nderitu

We respectfully request the opportunity to brief you on the work of the Coalition of more than 3000 Tamil Organizations directly or via an online platform. In your remarks at the International Day to Commemorate the Victims of Genocide we urge you to highlight the importance of reparations for victims of Sri Lankan Genocidal Army's atrocities and encourage the Government of Sri Lanka to expedite the passing of the draft Reparations Bill. Finally, we request your Office to consider writing a report on the nexus between the non-repetition of genocide and reparations. To have a panel of discussion with Eelam Tamils Victim of Genocide in Sri Lanka

Tamil Elders Association of Quebec, NGO(s) without consultative status, also share the views expressed in this statement.