



# General Assembly

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## Human Rights Council

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Agenda item 3

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

## **Written statement\* submitted by Association Thendral, 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]

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



## **Sri Lanka's Undeclared War on Eelam Tamils: Killing of Raviraj Nadarajah**

Nadarajah Raviraj, 44, Jaffna district Tamil National Alliance (TNA) parliamentarian was shot in Colombo around 8:30 a.m. Friday. The MP succumbed to his wounds at Colombo National Hospital. A lawyer turned politician, former mayor of Jaffna, Mr. Raviraj, elected twice, has been an outspoken parliamentarian who voiced against the extra-judicial killings and forced disappearances in NorthEast and Colombo. The parliamentarian took part in a demonstration against the Sri Lanka Army shelling in Vaharai where 47 Tamil civilians, Internally Displaced from Trincomalee, were killed.

The shooting took place near the MPs residence at Manning Town, Narahenpitiya in Colombo when unknown gunmen riding a motorbike shot at him while he was preparing to drive his car. The MP had returned home around 8:20 a.m. from participating in a Derana TV interview program between 7:00 am to 8:00 a.m. Mr. Raviraj passed away at 9:20 a.m., according to Dr. Hector Weerasinghe at the hospital. His bodyguard was pronounced dead on admission.

Raviraj appeared in the Sri Lankan Supreme Court, Court of Appeal and in High Courts of Ampara, Batticaloa, Vavuniya, Trincomalee, Jaffna and elsewhere in the south. His Law Firm, Raviraj & Associates, specialised in cases under Prevention of Terrorism Act, and Emergency Regulations. Raviraj also worked as a human rights lawyer in Colombo, Home for Human Rights, from 1984 to 1990 and from 1993 till 1997 before embarking on a political career, first appointed as Deputy Mayor of Jaffna Municipal Council. He joined the Tamil United Liberation Front (TULF) in 1987, became Central Committee Member in 1990 and the party's legal advisor in 1998. He was appointed as a member of political bureau of the party in 2000. Raviraj was appointed Mayor of Jaffna 2001 and appointed as administrative secretary of the party. He was elected as Member of Parliament for Jaffna District in 2001 general elections and re-elected in 2004.

During the last few months Raviraj participated in the Civil Monitoring Committee (CMC), working with Mano Ganesan MP (Colombo District), Vasudeva Nanayakara MMC, Dr. Vickramabahu Karunaratne, and Appapillai Vinayagamoorthy to monitor extra judicial killings, abductions and disappearances. Raviraj MP has participated in conflict resolution workshops hosted by Institute of Federalism in Switzerland, Conrad Aedeaur Foundation in Germany and Peace Institute in Austria among others.

Mr Nadaraja Raviraj was a great man. He possessed rare characteristics. He is not the one to be pushed and pulled around for personal gains. He had a deep affection for the Tamil homeland and its people. He is an exceptional politician. He was brave and he possessed a purity of heart. His youthful energy with all of the above stole the hearts of all who came in contact with him.

His clarity and level of consciousness about the freedom struggle was born by observing the tragic living conditions of the Tamil people. This awareness inevitably pushed him on the path of freedom struggle. Along this path he whole heartedly accepted the Liberation Tigers of Tamil Eelam and their goals and served the nation. He contributed on several fronts in this freedom struggle.

As a parliamentarian he worked tirelessly for the Tamil nation. He spoke loudly to the world about the Sinhala Buddhist chauvinistic state terror. He shattered the false propaganda of the Sinhala state infusing his arguments with his legal expertise. He stood firm and fought injustice in the face of threats from paramilitary violence.

### **Tamil MP's family awaits justice but hopes**

Five people accused of killing Nadaraja Raviraj were cleared of the charges late last year; family to file appeal on Tuesday

Three years ago, a Sri Lankan court had cleared five men, including the three Navy officers, who were accused of assassinating Nadaraja Raviraj and his bodyguard on a busy

thoroughfare in Colombo in November 2006. An all-Sinhalese jury said eyewitness testimony identifying the suspects was “insufficient”.

## **Fear and distrust**

Few have doubts about who killed Mr. Raviraj. “You just walk down the road and ask common people, they will tell you,” said his wife, in a matter-of-fact way. During investigation, Sri Lanka’s CID and Attorney-General’s Department gave evidence citing the State Intelligence Service’s involvement in the murder. A former police constable who turned state witness claimed that former Defence Secretary Gotabhaya Rajapaksa paid renegade LTTE commander Karuna Amman — who was later Minister in Rajapaksa’s government — a substantial sum for the murder.

Raviraj’s murder was not totally unexpected. Following his legal practice and through his years as a Tamil National Alliance (TNA) parliamentarian, Mr. Raviraj’s “peace politics”, which engaged the majority Sinhalese on the Tamils’ perspective, made those in power uneasy. He would take to national television, speaking in broken Sinhala with little inhibition and reaching out to the majority community in their own language, winning admirers among them. “He did not know fear,” his daughter recalls. He was used to frequent telephone threats.

A week before the murder, Ms. Raviraj received a call. She vividly remembers the voice at the other end asking: “Are you ready to wear a white sari? Warn your husband.” She immediately called her children to her room, showed them a diary with some phone numbers and said: “If anything happens to appa [father] or me, reach out to these people.”

On the morning of November 10, 2006, Praviinaa was sitting in her grade ten classroom when the physical education teacher walked in and asked the class teacher that she be excused. Praviinaa was taken to the principal’s room. “I saw the principal standing near the phone, her palm covering her mouth. I knew something was terribly wrong.”

Lieutenant Commander Chandana Prasad Hettiarachchi alias 'Navy Sampath' was in remand custody over the abduction of the eleven Tamil youth from 2008 to 2009, who were held in navy bases at Trincomalee and Colombo before being almost certainly murdered. He was also wanted in connection with the 2006 murder of Tamil National Alliance parliamentarian Nadarajah Raviraj.

Though Hettiarachchi has skipped bail and evaded arrest after he was initially held in 2018, Colombo Fort Magistrate Ranga Dissanayake decided to grant bail once more on December 31 2019.

The release of the main suspect in the abduction case comes after the election Sri Lanka’s new president Gotabaya Rajapaksa in November 2019. Rajapaksa has repeatedly spoken out against prosecutions of Sri Lanka soldiers and vowed to release those who have been jailed for human rights violations.

Ms. Raviraj’s lawyer will appeal against the Colombo High Court’s order. “Not because I have high expectations of my husband’s murderers being brought to justice. But it is to express our deep disappointment at the judgment,” Ms. Raviraj said, adding that the government need not have opened the case if it was not committed to a just outcome. “Why did they?”.

Echoing her disillusionment and anger, Praviinaa said: “If you do take it up, do something right about it... not having him around to see me graduate, or to pick me up late from a party all these years... it feels terrible.”

"A democratic voice of Tamils has been silenced in Sri Lanka's capital today," said Selvam Adaikalanathan, fellow TNA MP who charged that resourceful Tamil politicians, journalists and activists are being systematically killed in Sri Lanka. "Raviraj tirelessly worked to improve the conditions of the people living under economic embargo to relieve the humanitarian catastrophe. He had a convincing way of dealing with even the crude bureaucracy of this failed state," Mr. Adaikalanathan said. "He fought from their platform. His voice in the Sri Lankan Parliament, and in South, where injustice and oppression originate, was much feared."

"By silencing the democratic voices of the Tamils, the Sri Lankan military and its paramilitaries such as the EPDP will not be able to silence the Tamil struggle," the MP added.

We are disappointed that the Sinhala society could not give him the space for free political expression and the GOSL could not provide necessary security that he deserved. We demand an impartial investigation into his assassination and those responsible be indicted.

As long as we have unidentifiable paramilitary personnel moving inside Colombo with impunity this kind of killings will not cease. This is a threat to human rights, peace and the democracy of this country. We pledge to continue our work for peace and human rights in his memory. We express our deepest condolences to the family members.

We ask this Council to:

1. Direct appropriate measures at the International Criminal Court outlining that the affected Tamil people have no faith in any domestic commission or inquiry
2. Accept the Right to Self Determination of the Tamils
3. Conduct a referendum in the North and East
4. Demilitarize the entire North

We ask to the special rapporteur on Extrajudicial, Summary or Arbitrary Executions Undertakes country visits to examine the situation of extrajudicial, summary or arbitrary executions in the respective country, and to formulate recommendations to the Government and other actors on upholding the right to life;

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Gouvernement en Exil du Tamil Eelam, GLOBAL TAMIL MOUVEMENT, NGO(s) without consultative status, also share the views expressed in this statement.