



# General Assembly

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## Human Rights Council

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Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

**Joint written statement\* submitted by Tourner la page,  
Association Bharathi Centre Culturel Franco-Tamoul,  
Association Burkinabé pour la Survie de l'Enfance,  
Association Solidarité Internationale pour l'Afrique (SIA),  
non-governmental organizations 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.

[14 February 2017]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-04345(E)



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## **Thousands mobilize in Ezhuka Thamizh in Batticaloa, denounce genocidal ‘Sri Lanka’\***

Thousands of Tamils mobilized in Batticaloa on Friday denouncing the unitary State model of genocidal Sri Lanka currently being envisaged in the constitutional proposals in the South. The SL government in Colombo has discarded the proposals submitted in open and transparent manner by the Tamils in the North-East, the organizers of the event, Tamil People’s Council, said. The entire constitutional process has become a secretive discourse while the notorious Prevention of Terrorism Act is used to muffle the freedom of expression of Eezham Tamils in the North and East, the speakers, including Justice C.V. Wigneswaran, said in their speeches. There should be full-scale de-militarization. The 6th Amendment to the SL Constitution and the draconian PTA should be scrapped for a free and fair constitutional process to take place in the North-East.

Only a transparent process respecting the right to self-determination and the distinct sovereignty of Eezham Tamils and international investigations on crimes that have taken place in the island could ensure a positive future to all the nations and communities in the island, the organizers said.

The event was organized by the TPC, which is a diverse forum across the political parties, professionals, academics and civil society activists. At least 5,000 Tamils took part in the event. The TPC has however failed to win Tamil-speaking Muslim participation in the uprising.

Citing the failure on the part of the SL State and its international backers on delivering international investigations on Tamil genocide, crimes against humanity and war crimes in the island, the uprising named Ezhuka Thamizh, reminded the responsibility of the international community in course correcting the genocidal character of the SL State.

The unitary character of SL constitution will only uphold the genocidal character of the SL State, the organizers said. The talk of ‘federal character’ is therefore meaningless without a genuine and transparent process on the main equation to the national question, the organizers told urging Tamils across the world to edify the global community.

The uprising has received the backing of grassroots organizations in the district, particularly from the coastal and interior areas of the district.

Delegates from Trincomalee and Ampaa’rai districts also took part in the uprising joining hands with Northern Provincial Council Chief Minister Justice C.V. Wigneswaran, Tamil National Peoples’ Front led by Gajendrakumar Ponnambalam, the EPRLF led by Suresh Premachandran and the PLOTE led by Tharmalingam Sidharthan. The appearance of Batticaloa District TNA Parliamentarian S. Viyalendran on the stage sent a sharp message to fellow TNA parliamentarians from the district.

The Ezhuka Thamizh people uprising is the last chance to exert a pungent pressure on the Government for the delivery of Justice regarding people made to disappear, MPC Ananthy Sasitharan has called all people to join in the Ezhuka Thamizh, the people's uprising.

In its list of demands, the ‘Eluga Thamil’ (Tamils Arise!) rally in Jaffna, Sri Lanka, on Sept 24 included phrases that form the bedrock of Tamil nationalism – ‘Tamil nation, sovereignty and the ‘right to self-determination.’

This is because the Sri Lanka government and Tamil politicians supporting the government are deemed ineffective in preventing the Tamils’ political power base from eroding, and supporters of the rally believe that nationalism is the bulwark against such attrition.

The rally was called by the Tamil Peoples’ Council (TPC), a loose coalition of political parties, civil society organisations and religious bodies co-chaired by the chief minister of the Tamil-majority Northern Provincial Council (NPC) C. V. Wigneswaran.

“Elected representatives cannot deliver the goods unless backed by a peoples’ movement,” Wigneswaran, explaining the purpose of Eluga Thamil. The circumstances that gave rise to Eluga Thamil echoes events in the 1970s. In 1972, Sri Lanka’s Parliament, sitting as a constituent assembly, was debating a new Constitution. The Tamils, who are the minority in Sri Lanka, put forward demands for a Federal Constitution to share power with the majority Sinhalese. The Sinhalese, however, favoured a unitary state that concentrated political power in a central Parliament.

Even after 8 years from the end of the war, Tamil people are not in receipt of proper Justice with regard to, people made disappear, eurrendered and the political prisoners. Disapeared's family members are attending courts with regard to people who disappeared and people made to disappear, but there is no any solution from the locale mechanism.

You may be aware of the Fast undertaken by the relatives of those who are Missing and those Political Prisoners in incarceration opposite Vavuniya Police Station. For more than 5 days they have not consumed any water let alone food. Many are quite old had looking for their relatives.

On earlier occasions too I had written on behalf of fasting persons and Your Excellency was pleased to take steps in that regard though nothing concrete came about in the long run.

Current Sri Lankan Government came into power inter alia with the goodwill and franchise of Tamil people. There were considerable expectation when Maithiri Sirisena was elected as President. Generally his Government opined that the PTA must be withdrawn, that Political Prisoners must be given an Amnesty, that immediate steps must be taken to inquire into the fate of Missing persons and so on.

The Office of Missing Persons is presently only in name. It has no teeth. Even if it starts functioning in earnest the Panel of Inquirers cannot take effective steps against Military suspects. They need to forward their views to the Courts, consequently resulting in heavy delay. Many peoples are waiting for a Justice.

Following the presidential and parliamentary elections in 2015, a national unity government was cobbled together, pledging to work according to principles of good governance. Although in the opposition, the Tamil National Alliance (TNA), the largest Tamil parliamentary party, provides the government support, especially on matters of national reconciliation.

Good governance, however, has not delivered nothing to Tamils, either in protecting their rights or ensuring security. Sections of the Tamil population that believe this is due to the eroding power base of the Tamils were an important element that called for Eluga Thamil.

One of many weapons wielded by successive governments in Sri Lanka to diminish the Tamil political power base has been changing demographics in the Tamil-dominated Northern Province, where Tamils are 88 percent, and in the Eastern Province, where Tamils and Tamil-speaking Muslims are a majority.

Changing demographics were underway by the 1950s, principally through the state-sponsored settlement of Sinhalese – known as colonisation schemes – in areas where Tamils were the numerical majority. It was believed that Sinhala settlers would vote to ensure fewer Tamil legislators would be elected from these areas, thereby reducing Tamil representation in Parliament. It would also give local government control to Sinhalese. Moreover, large pockets of Sinhalese could threaten the physical security of Tamils through riots and pogroms. This strategy continues even today.

Demographic changes through settlements have been compounded by two other projects. One is using the almost exclusively ethnic Sinhala military to undermine civic life in the Tamil areas. This is by the military holding large areas of land both private and public. Although some land is being returned to Tamils, it is at a much slower rate than desired.

The second strategy is for the military to own businesses, ranging from wayside kiosks to hotels in Jaffna. This has led to frequent complaints by Tamil entrepreneurs that they face unfair competition. Further, militarisation has disempowered civilians from taking charge of their lives.

Holding on to land and running businesses within a militarised environment has led to the continuation of an unstable society with large numbers of internally displaced persons (IDPs) and an unsure future for entrepreneurs who want to

invest in the North. These conditions make populations politically apathetic, as well as serves as an important push factor for outward migration. This, in turn, negatively affects the Tamil political power base.

This is why Tamils feel they are not in control of their politics and asserted the right to self-determination at the Eluga Thamir rally.

The Eluga Thamir rally challenged 'Buddhisisation' by emphasising the 'Tamil nation'. Nationalism is certainly controversial, but a mass of people live in northern Sri Lanka are bound by ties of language, culture and shared history. That doesn't deny differences exist within Tamil society based on caste hierarchies, religious differences and patriarchy. But faced with attacks on social coherence by the introduction of cultural symbols they disapprove, Tamils have turned to nationalism as a bulwark.

As in the 1970s, Tamils believe that a way to minimise adverse changes in demographics, social coherence and insecurity is through a Federal Constitution where at least a modicum of control could be retained by Tamils in the North and East with Tamil-speaking Muslims by sharing power.

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\*Collectif La Paix au Sri Lanka, Swiss Council of Eelam Tamil (SCET), NGOs without consultative status, also share the views expressed in this statement.