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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 Association Bharathi
Centre Culturel Franco-Tamoul, "ECO-FAWN"
(Environment Conservation Organization - Foundation for
Afforestation Wild Animals and Nature), "Women and
Modern World" Social Charitable Centre, ABC Tamil Oli,
Abibimman Foundation, Action of Human Movement
(AHM), Action pour la protection des droits de l'homme en
Mauritanie, Africa Unite, African Agency for Integrated
Development (AAID), African Centre for Advocacy and
Human Development, African Citizens Development
Foundation, African Network of Young Leaders for Peace
and Sustainable Development, Agence pour les droits de
l'homme, AIMPO, Alliance Creative Community Project,
Alliance for Development and Population Services (ADEPS),
Alliance internationale pour la défense des droits et des
libertés, Aman against Discrimination, Amis d'Afrique
Francophone-Bénin (AMAF-Benin), Amman Center for
Human Rights Studies, Arab Society for Academic
Freedoms, Asabe Shehu Yar Adua Foundation, Asociación
Española para el Derecho Internacional de los Derechos
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* Issued as received, in the language(s) of submission only.



Association Congolaise pour le Développement Agricole, ASSOCIATION CULTURELLE DES TAMOULS EN FRANCE, Association des étudiants tamouls de France, Association des Jeunes Engagés pour l'Action Humanitaire (A.J.E.A.H.), Association des jeunes pour le développement humain et la protection de l'environnement, Association des jeunes volontaires au service du monde environnemental, Association Elmostakbell pour le Développement, Association femmes solidaires au Togo, Association Malienne de Savoir Construire (A.M.S.C.), Association mauritanienne pour la promotion des droits de l'homme, Association nationale des partenaires migrants, Association pour la Défense des Droits de Développement Durable et du Bien-être Familial (ADBEF), Association pour les Victimes Du Monde, Association Solidarité Internationale pour l'Afrique (SIA), Association Thendral, Autre Vie, Blessed Aid, Center for Africa Development and Progress, Centre for Gender Justice and Women Empowerment, Centre for Human Rights and Peace Advocacy, Centro Regional de Derechos Humanos y Justicia de Genero, Change Human's Life, CIRID (Centre Independent de Recherches et d'Iniciatives pour le Dialogue), City2000 Youth Action International, Comité des observateurs des droits de l'homme, Comité Permanente por la Defensa de los Derechos Humanos, Community Restoration Initiative Project, Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, Coordination des Associations et des Particuliers pour la Liberté de Conscience, Corporación Red Nacional de Mujeres Comunes, Comunitarias, Indígenas y Campesinas de la República de Colombia, Coup de Pouce, Dayemi Complex Bangladesh, Edfu Foundation Inc., EG Justice, Elizka Relief Foundation, Excellent World Foundation LTD/GTE, Families of the Missing, First Modern Agro. Tools - Common Initiative Group (FI.MO.AT.C.I.G), Foreningen for Human Narkotikapolitikk, Freann Financial Services Limited, Fundação de Apoio a Pesquisa Científica, Educacional e Tecnológica de Rondônia, Fundación Latinoamericana por los Derechos Humanos y el Desarrollo Social, Fundación Lonxanet para la Pesca Sostenible, Giving Life Nature Volunteer, Global Vision India Foundation, Goodness and Mercy Missions Common Initiative Group, Haitelmex Foundation A.C., Hamraah Foundation, Hape Development & Welfare Association, Idheas, Litigio Estratégico en Derechos Humanos, Asociación Civil, Inter-

Action Globale (I.A.G.), International Career Support Association, International Centre for Environmental Education and Community Development, International Federation of Medical Students' Associations, International Movement for Advancement of Education Culture Social and Economic Development, Jeunesse Etudiante Tamoule, Lazarus Union, Le Pont, Lebanese American Renaissance Partnership, Inc., L'observatoire mauritanien des droits de l'homme et de la démocratie, L'Organisation Non Gouvernementale des Cercles Nationaux de Réflexion sur la Jeunesse - ONG CNRJ, Mandala Transformation Foundation Inc., Mijoro Mandroso (Mi.Ma.), Murna Foundation, Nobel Laurate Mother Teresa Charitable Trust, Northern CCB, Ocean Lifeline Inc., Otro Tiempo México, Asociación Civil, Paz y Cooperación, Pirate Parties International Headquarters, Planetary Association for Clean Energy, Inc., The, PLURIELS, Centre de Consultations et d'Etudes Ethnopsychologiques pour Migrants, Project 1948 Foundation, Rassemblement des frères unis pour le développement socio-culturel (RAFUDESC - BENIN), Reachout and Smile Initiative for Social Empowerment, Safe Campaign LLC, Shirley Ann Sullivan Educational Foundation, Society for Development and Community Empowerment, Solidarité Agissante pour le Développement Familial (SADF), Stichting Global Human Rights Defence, Stichting Spanda, Tamil Uzhagam, Tourner La Page, Trilok Youth Club and Charitable Trust, Vadodara, United Zo Organization (USA) Inc., Vision GRAM-International, Vision Welfare Group, Women Watch Afrika, Inc., Yayasan Pendidikan Indonesia, 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.

[11 February 2019]

Genocide of Tamils in Sri Lanka

Genocide of Tamils in Sri Lanka

This resolution provides an overview of the evidence demonstrating successive Sri Lankan governments' genocide against Tamils. We respectfully request the United Nations Office of the High Commissioner for Human Rights Investigation on Sri Lanka to investigate the claim of genocide and recommend appropriate investigations and prosecutions by the International Criminal Court.

Sri Lanka's genocide against Tamils began with the island's independence. Since then, Tamils across Sri Lanka, particularly in the North-East, have been subject to gross and systematic human rights violations, culminating in the mass atrocities committed in 2009. Sri Lanka's historic violations includes over 60 years of state-sponsored anti-Tamil programs, massacres, sexual violence, and acts of cultural and linguistic destruction perpetrated by the state. These atrocities have been perpetrated with the intent to destroy the Tamil people, and therefore constitutes as genocide.

From 1948, the Citizenship Act has stripped citizenship from the Tamil community and rendered them stateless, successfully perpetrating further genocide against Tamils. This extensive evidence demonstrates that these acts constitute four of the five enumerated genocidal acts in the Genocide Convention.

Historical Genocide

A series of anti-Tamil programs, fabricated rumors about Tamil violence against Sinhalese, began with the passage of the Sinhala Only Act, and the Official Language Act (1956). At the urging of Sinhalese nationalists (June 5, 1956), a Sinhalese mob attacked Tamil demonstrators protesting peacefully the Sinhala Only policy, and pillaged Tamil businesses in Colombo. When the news reached Gal Oya (June 11–16), Sinhalese mobs, who were galvanized by false rumors about Tamil-initiated violence, injured over 100 Tamils, killed circa. 150 and destroyed Tamil-owned properties. Police passively chose to not intervene and stop violence; thus illustrating the government's intent to destroy the Tamil people.

Nonviolent, protests by Tamils increased over the next two years. In May (1958), Buddhist monks and other Sinhala nationalists organised anti-Tamil programs throughout Sri Lanka (May 22–27) in the North Central Province, Central Province, along the west coast, and eventually the Northern and Eastern Provinces. The Prime Minister spread false information about Tamil-initiated atrocities to incite violence against Tamils in Sinhalese dominated areas. Estimates indicate that 300 Tamils were killed, over 1,000 were injured, and 200 women were raped in the 1958 program.

From August 12–20 (1977), innocent Tamils were attacked on the train as a result of false information. Approximately 300 Tamils were killed, over 1,000 were injured, and 25,000 were displaced within the time Prime Minister Jayewardene took office. He stated that the deaths were regrettable but a natural reaction to separatism and furthermore arrogantly issued a challenge to Tamils (August 18): "if you want to fight, let there be a fight; if it is peace, let there be peace." (Hansard, Vol. 23, No. 2, Col: 246.) Jayewardene's victim-blaming furthers the argument that the government intended to commit genocide in response to the increasingly popular Tamil resistance.

The most horrific anti-Tamil programs, known as "Black July" (July 23–30, 1983) involved state-sponsored Sinhalese mobs attacking Tamils and destroying their properties across the country. False rumors that the Liberation Tigers of Tamil Eelam infiltrated Colombo resulted in the massacre of Tamils by Sinhalese mobs who wanted to sure there was no LTTE presence. The mobs targeted and located Tamils using voter registration lists, damning evidence of the government's instigation of these attacks. Over 3,000 Tamils were killed, 500 women were raped, 8,000 homes and 5,000 businesses were destroyed, and

about 500,000 Tamils fled the country. In addition, as part of this program, over 37 Tamil political prisoners detained at Welikada Prison were killed by Sinhalese prisoners on July 25. The survivors say that the prison officers facilitated these murders by letting the Sinhalese prisoners have their keys.

Just prior to Black July (July 11), President Jayawardene stated: “I am not worried about the opinion of the Tamil people. ... now we cannot think of them, not about their lives or their opinion ... Really if I starve the Tamils out, the Sinhala people will be happy.” (J.R. Jayawardene, President of Sri Lanka, Daily Telegraph, July 1983.) This statement by the head of state clearly indicates the government’s intent to destroy the Tamil people through any means necessary.

We note that the spread of false rumors to incite violence against a group is an act of genocide as exemplified through historical events Nazi Germany, Rwanda, and the former Yugoslavia. The Sri Lankan government has used false information as a tool to organize Sinhalese mobs in committing genocide against Tamils.

Black July is marked as the beginning of war in Sri Lanka. This Council notes that the ethnic conflict had however already begun. Both overt and covert acts of state terrorism by successive government regimes, often pursuant to the draconian Prevention of Terrorism Act, translated into systematic and widespread extrajudicial killings of Tamils. The atrocities against Tamils include over 50 separate massacres of civilians before 2008: targeted assassinations of political, civil and community leaders; enforced disappearances; torture; use of sexual violence as a tactic of war; severe restrictions or bans on food and basic medicine; and forced displacement, including coastal communities from the NorthEast Provinces.

The Vanni genocide (2008-09) had previously been rehearsed in the Eastern Province. On 28 August 2006, the Sri Lankan military began a multi-pronged offensive against the LTTE’s administered region stretching from Sampoor to Vaharai. This heavy shelling forced civilians to move towards Vaharai. The UN reported that the Sri Lankan government first restricted international aid agencies and journalists from entering the area, and completely barred food and medical supplies from reaching the IDPs. Presumed safe areas such as schools and hospitals also came under heavy gunfire resulting in thousands of Tamils killed due to the shelling, their untreated wounds and/or starvation. On 19 January 2007, the Sri Lankan military entered Vaharai with little resistance and began the process of colonizing the entire region.

During the war, government military forces engaged in deliberate aerial, artillery, and naval bombardment of civilian areas and also used prohibited weapons and ammunitions, such as cluster bombs. According to UN estimates, 70–100,000 Tamil civilians were killed over the course of the 27-year-long war. The large scale and severe nature of the genocide also forced many Tamils to flee the North and East Provinces and seek refuge in Tamil Nadu and Western countries.

Recent Genocide

The Sri Lankan government intentionally corralled Tamils into the so-called No Fire Zones (2009), in a calculated and deliberate attempt to destroy as many Tamils as possible. According to the U.N. Report of the Secretary-General’s Panel of Experts on Accountability in Sri Lanka, the Sri Lankan government: “[S]helled on a large scale in three consecutive No Fire Zones, where it had encouraged the civilian population to concentrate, even after indicating that it would cease the use of heavy weapons. It shelled the United Nations hub, food distribution lines and near the International Committee of the Red Cross (ICRC) ships that were coming to pick up the wounded and their relatives from the beaches. It shelled in spite of its knowledge of the impact, provided by its own intelligence systems and through notification by the United Nations, the ICRC and others. Most civilian casualties in the final phases of the war were caused by Government shelling.”

At the end of January 2009, government forces were killing approximately thirty-three Tamil people each day, with these casualties increasing to 116 people per day by April 2009. According to the Permanent People's Tribunal on Sri Lanka, this toll surged, "with an average of 1,000 civilians killed each day until May 19, 2009." In a submission to the Lessons Learnt and Reconciliation Commission, the Bishop of the Mannar Catholic Diocese, Rt. Rev. Dr. Rayappu Joseph, stated that according to the Government Secretariats, the population in the Vanni region in early October 2008 was 429,059. However, only 282,380 people emerged from the Vanni into government-controlled areas, according to UN OCHA 2009 statistics. Thus, over 146,679 people in the Vanni are not accounted for after the 2009 atrocities.

Resolved that,

We call The obligation to prevent and punish genocide under the Genocide Convention is not a matter of political choice but a binding custom under international law. We urge the Human Rights Council members to seek a resolution for refer Sri Lanka to the Security Council.

The UN Security Council should refer the situation in Sri Lanka to the International Criminal Court for prosecutions based on war crimes, crimes against humanity, and genocide.

This Council urgently calls upon the international community to create conditions suitable and sustainable to protect the Tamils of the NorthEast Provinces in Sri Lanka from genocide.

It is accordingly vital that Sri Lanka's historic violations against Tamils, in addition to the 2009 attacks, are addressed through an international mechanism in order to combat Sri Lanka's institutionalized impunity. This international intervention, coupled with action to promote the respect of human rights, is necessary to ensure a sustainable future for self-determination, peace, and justice, in Sri Lanka and for the Tamil people.

This Resolution is an Resume of the Resolution taken on 22 February 2015, by Nothern Provincial Council in Sri Lanka, which was administred by Justice Canagasabapathy Visuvalingam Vigneswaran.

Tamil Movement And more than 3000 NGOs across the world NGO(s) without consultative status, also share the views expressed in this statement.