September 11, 2021

Honorable Michelle Bachelet
UN High commissioner for Human Rights
Geneva

Madam High Commissioner,

HRC Resolution 46/1 - Promoting Accountability and Reconciliation in Sri Lanka: Letter from Tamil Religious Leaders, Victim Groups & Civil Society

We the Tamil religious leaders, victim groups and civil society organizations are jointly writing this letter to update you on the current situation of Tamils ahead of your oral report on Sri Lanka to the UN Human Rights Council. We also would like to thank you for your report on Sri Lanka to the March 2021 UN Human Rights Council Session on accountability.

We work on a number of issues affecting Tamil people and as a result have faced intimidation, harassment and abuse by various intelligence services.

Since the adoption of the HRC Resolution 46/1 during the March 2021 UNHRC Session, Sri Lankan Government have ignored the requests of the Resolution and continues to commit human rights abuses against the Tamil people, including taking steps to change the demography of Tamil’s in the North and East of the island.

There is continued impunity for the war crimes, crimes against humanity and genocide committed against the Tamil people by the Sri Lankan State. Even though twelve years have passed since the mass atrocity crimes were committed against the Tamil people, there is no sign of getting justice for the victims.

COVID19 pandemic is used as an excuse to deny peaceful protests and harass Tamils from remembering their war dead and searching of the “disappeared”. While Tamils are denied remembering the War Dead, Sri Lankan Government celebrates “Victory Day” on the same date.

Tamil victim groups, human rights defenders, civil society leaders, journalists and even current and former Tamil Members of Parliament are increasingly intimidated and harassed by Sri Lankan authorities. Abusive laws like Prevention of Terrorist Act (PTA) are used as a weapon to terrorize Tamils by different intelligence agencies.

Peaceful Protest Leaders from P2P movement, families of the disappeared are harassed and intimidated:

1) Leaders of Tamil peaceful protest leaders from P2P (Pothuvil to Polihandy) movement are repeatedly harassed and intimidated by Sri Lankan intelligence services, including from Terrorist Intelligence Department (TID) and Criminal Intelligence Department (CID). These leaders are repeatedly called by these intelligence departments under the guise of “inquiry”. P2P led a week long peaceful march through traditional Tamil homelands calling to:
a) Refer Sri Lanka to the International Criminal Court (ICC) for war crimes, Crimes Against Humanity and Genocide committed against Tamil People by the Sri Lankan State and to:

b) Hold an Internationally conducted and monitored Referendum to find a Permanent Political solution for the protracted Tamil conflict, resulting in thousands of Tamils killed and disappeared. Tens of thousands of Tamils joined this rally despite intimation and threats by the Security forces and police.

2) Peaceful protests by families of the disappeared and other victim families are repeatedly harassed by Terrorist Intelligence Department (TID) and Criminal Intelligence Department (CID). They visit their homes under the guise of “inquiry” at odd hours in night and harass them and intimidate them. Most of these leaders are women and lost their husbands and children. Most of them are head of households and don’t have adult men in their household.

Demographic changes facilitated by land grabbing, annexing Sinhalese villages to Tamil districts and through militarization:

a) The Government has started to annex Sinhalese villages to Tamil districts to change demographics and to make Tamils as minority in their traditional homeland in the North and East of the Island.

For example: Attempts have been made to amalgamate 1017 Sinhalese families of Kanagawewa village from the Anurathapura District to the Tamil District of Vavunia on April 3, 2021.

b) Under the guise of “development projects,” government driven Sinhalese - Buddhist colonization (settlements) is growing in traditional Tamil areas. Several government departments - including the Mahaweli Authority, Archaeological Department, Forest Department, and Wildlife Department are used by the Government in this initiative to grab Tamil’s lands.

c) Widespread militarization in Tamil areas also facilitates Sinhalese - Buddhist colonization (settlements). According to US Think-Tank Oakland Institute, there is roughly one military member for every six civilians. It should be noted that this same military was involved committing war crimes, crimes against humanity and genocide against the Tamil people with impunity.

Plight of the Disappeared:

Thousands of Tamils have disappeared including babies and Children. UN Working Group on Enforced Disappearances stated in 2020 that the second highest number of enforced disappearances cases in the world is from Sri Lanka.

Families of the disappeared who seek their loved ones are threatened, harassed and intimidated by Terrorist investigation Department (TID), Criminal Investigation Department (CID)
and other Government intelligence agencies. Peaceful protests from these families face numerous challenges.

**Office of the Missing Persons (OMP):**

Office of Missing Persons (OMP) set up to address the disappearance is used by the successive Governments to distract the plight of the disappeared. This includes thousands of Tamils who were handed over to the Security Forces at the end of the war twelve years ago.

To make the situation worse, military personal have been appointed to this office. The same military accused to be responsible for the disappearances.

The Government’s seriousness of the OMP was recently exposed when on August 30, 2021 the Minister of Justice advised the OMP that: “forget about the guilt. If somebody is missing, don’t look for why he is missing.”

Government also ignored the calls to appoint credible international experts on disappearance to the OMP and remove Military personal and political appointees.

**Plight of Tamil Political Prisoners:**

While Numerous Tamil political prisoners are imprisoned under the Prevention of Terrorist Act (PTA) for several years without charge or trial or convicted after unfair trials, not a single Sri Lankan security force member was arrested or charged for committing war crimes, crimes against humanity and genocide against Tamil people.

**Plight of Tamil Women:**

Tamil women continue to suffer and face numerous challenges in their life since the war ended twelve years ago.

   a) International Truth and Justice Project (ITJP) in February 2017 handed over details to UN of Sri Lankan Military run “Rape Camps”, where Tamil women are being held as “sex slaves”.

   b) According to UK Foreign and Commonwealth Office report on April 2013, there are over 90 thousand Tamil war widows in Sri Lanka.

We thank you for your kind attention to secure justice for the Tamil people in Sri Lanka.

Sincerely,

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