



# 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**

## **Written statement\* submitted by the Association Bharathi Centre Culturel Franco-Tamoul, 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.

[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).

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## **Rape against Tamil : Sri Lanka's Security forces Weapon\***

On February 26th 2013, Human Rights Watch (HRW) released a report on sexual violence perpetrated on Tamil detainees by Sri Lankan security forces. The 140 page report, titled "We will teach you a lesson – Sexual Violence against Tamils by Sri Lankan Security Forces", contains 75 cases of Tamil men and women who were tortured and sexually abused repeatedly by Sri Lankan forces. The HRW report further indicates that these cases are but examples of a much broader pattern in the abuses perpetrated by Sri Lanka's security apparatus.

"The sexual violence that we are talking about in this report, it is not random, it is not some criminal element engaging in violence. There is method in it. It's deliberate, it's premeditated. This is coercive, designed to intimidate, to instil fear, to extract information, sometimes to extract confessions... This is a deliberate policy," David Mepham, UK director of HRW.

He further stated an independent international investigation needs to take place in Sri Lanka to probe allegations of such abuses. Mr. Mepham said that while HRW was of the view that "systematic human rights abuses have been perpetrated by the Government of Sri Lanka against elements of the Tamil population" [1].

Before 2009, the prominent organizations like HRW that were carrying out the public discourses were focussing more on blaming the LTTE on 'child soldiers', 'forcible recruitment' etc and had little or no focus on the systematic rapes committed by the Sri Lankan army. With the recent admission of a UN official to HRW that "a large number of women fleeing from the conflict areas during the peak of fighting were sexually assaulted" and that "The abuse was extensive, causing a large number of civilians to flee back to the theatre of conflict to escape the abuse," [2] even the allegation that the Tigers were using civilians as 'human shields' falls on weak grounds.

Rapes against Eelam Tamils have been used by the Sinhalese in riots, pogroms, police and military operations ever since the Sinhalese took to power and gained a constitutionally sanctioned monopoly over violence in the colonially created unitary state. After the onset of the Eelam Tamil liberation struggle, if there was one period where the rapes dropped to the lowest levels, it was after Pirapaharan's LTTE crippled the Sri Lankan military in the Unceasing Waves operations and effectively challenged the Sinhala monopoly over violence through its de facto state. After the internationally aided counterinsurgency operation against the LTTE which led to its military defeat in May 2009, along with a massacre of epic proportions in Tamil history, the Sinhala army went on an orgy of rape of the remaining Tamils, civilians and LTTE cadres alike. The abuses in the IDP camps, aptly described by some as "Concentration Camps", have been well documented by numerous sources.

A cruel logic for the rapes can be that they were war time 'excess' as has known to happen in many wars across the world. But facts on the ground show that it is precisely in the 'stabilized', 'post-conflict' Sri Lanka that the vulnerability of Eelam Tamil women to sexual abuse has reached levels hitherto unheard of in their history [3]. Indeed, many of the cases in the HRW report are post-2009 and HRW personnel claim that these are but samples of a much larger problem.

One of the authors had already written about the ideology behind rape in united Sri Lanka. [4] The ideology of a 'united Sri Lanka', Sinhala colonization and militarization of the Tamil homeland, requires rape of Eelam Tamils as a practice for it to sustain itself. Rape of Tamils is ingrained both in the neurotic-pathological desire of Sinhala nationalism to penetrate and possess the Tamil homeland and in the political economy of the Sinhala military apparatus that colonizes it. HRW is right to note that rape of Tamils was deliberate and methodical. However, HRW would have been closer to the ground reality had it recognized this systematic rape as a weapon of genocide.

Tamils knew of the strategy of sexual violence used by the Sri Lankan military, its extent and its nature. Several Tamil activists, in the island, from Tamil Nadu, and in the diaspora, have been stating much before the so-called end of the war in 2009 that rape was used as a weapon of genocidal war by the Sri Lankan state forces. This author has in possession 60 handwritten affidavits made in 2006 by Tamil political detainees describing in detail the very violent

sexual assaults on them by both male and female Sri Lankan armed forces. Another commentator in the video clip, Dr Elumathy Karikalan, was disappeared by the Sri Lankan military after she walked out of the war zone.

While the three Tamil women noted above were able to document and describe the sexual violence in the safety of Vanni under the LTTE in 2006, today no Tamil living in the island has the safety to record them. After marginalising the Tamil women activist through the genocide of the Tamils, organizations like HRW, however, through their vast resources are able to gather and record these thus monopolising the human rights reporting of the Tamils.

The latest attention to the sexual violence against Tamils by the organizations like HRW after neglecting this issue for years is a good example of how these organizations remain loyal to the power centres and selectively focus on the discourses of the masses in their service to the power centres. In this case, the need of the power centres to change the government in Sri Lanka.

Carolyn Nordstrom who had carried out extensive field work in war zones writes, “Rape stands as a powerful example of physical assaults that are intended to carry deeper, supraphysical, impacts. I have listened to hundreds of accounts of rape, and few focus primarily on the physical pain. It is the emotional trauma, the social shame, and the violation of humanity that is conveyed most strongly in these accounts. What makes rape so grievous an act isn’t just the assault against the body, but the attacks against family, dignity, self-worth, and future. I have seen women suffer tremendously, even die, in difficult childbirths. I have seen devastating vaginal infections women have carried for months, even years, on front lines devoid of medicines. The physical pain involved in these is often as severe as that suffered in rape, and the grief over the deceased and the infirm as great as any war casualty. But these don’t invoke the horror of rape and the intent that underlies such aggression.” [5]

Kevin Gerard Neill also commenting on sexual violence perpetrated against women during war writes “Like any rifle or shell, rape in war assumes the level of being a weapon. It serves a specific military purpose. Putting aside for a moment the unforgivable defiling of an individual woman, rape in war achieves the goal of demoralizing and intimidating the side of the victim. It wounds identity and pride. And, in a traditional society, rape will likely be internalized by the victim, her family and, in the end, by the community in which she lives. In this manner, raping the women of a defeated people or nation becomes part of the effort to destroy them.” [6]

Abjectness, in effect, is worse than being objectified because the person is made to feel that they are a polluted object or a despicable thing. The women rape survivors know that they were raped not just because they were women, but because they were Tamil women. Unlike other rape victims, the appearance of PTSD in such women is marked by anxiety about their sense of identity as well because they were defiled by an enemy whom their kith and kin are fighting to preserve their identity. The individual trauma is experienced by those subject to abuse also as cultural trauma, leaving psychological scars on the subject, their families and the community, thus preventing them from creative political participation. The climate of Sinhala omnipresence and dominance perpetuated by the Sri Lankan state in the occupied Tamil homeland only accentuates this trauma. Which is why the argument that the abuses committed by the SL state apparatus should not be seen as individual human rights violations or as ‘sad stories’, as is the fashion with some liberal bleeding hearts, but rather as part and parcel of an intended genocide of a protracted nature.

As noted by the disappeared Dr Elumathy Karikalan in the video clip noted above, on the part of the Tamils at large too, a substantive social change is expected. Vietnamese resistance led by the Vietminh, noticing the stigma that the women raped by American troops faced from their society, declared rape survivors as national heroines. Considering the extent of sexual violence perpetrated in the occupied homeland of Eelam Tamils both during the war and after, Tamils world over should also consider dramatic changes to their social approaches to rape and torture survivors.

## References

[1] [‘Sexual violence against Tamils is premeditated, deliberate’: HRW UK Director](#)

[2] “We Will Teach You a Lesson: Sexual Violence against Tamils by Sri Lankan Security Forces”, Human Rights Watch Report, 2013, p7

[3] Former LTTE cadres are in a particularly vulnerable position. See [“Genocidal sex abuse of ex-LTTE female cadres becomes routine in North and East”](#)

[4] [“Ideology behind military rape in ‘United Sri Lanka’”](#) by Karthick RM

[5] Carolyn Nordstrom, “Shadows of War: Violence, Power, and International Profiteering in the Twenty-First Century”, University of California Press, 2004, p63

[6] Kevin Gerard Neill, “Duty, Honor, Rape: Sexual Assault Against Women During War” in Journal of International Women Studies, Vol. 2, Issue 1, Nov-2000, p47

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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.