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

Written statement* submitted by the Association Burkinabé pour la Survie de l'Enfance, 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.

[13 February 2017]

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

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Eelam Tamil ongoing Genocide*

As the 34th UNHRC is set to begin in Geneva by the end of February 2017, Sri Lanka is set the face the HRC which had passed a resolution, A/HRC/RES/30/1 Promoting reconciliation, accountability and human rights in Sri Lanka on 1st October 2015. The Tamil Film fraternity which is the third largest Film Producing Unit in India is concerned with the latest developments and we are compelled to look back as the Tamils in Sri Lanka's erstwhile war zones continue to suffer in silence without any recourse. On the other hand the Sri Lankan government on the promise of GOOD GOVERNANCE is set to get out scot free abdicating its responsibility towards the Tamils.

As one of the longest civil war ended in Sri Lanka in May 2009, the sufferings of the Tamil civilians continue. Their miseries were unparalleled in recent history as more than 320,000 civilians were displaced from their places of origin since November 2007 till the end of 2012. Today, new permanent military cantonments are dawning the north as the Tamil areas are fortified by the armed forces. There are also instances of the soldiers being encouraged to marry local Tamil girls with a long term plan of wiping out the Tamil race, a la Kosovo-Bosnia strategy!, leading to change in the demographic pattern of the north.

No-fire zone violations

Government security forces are implicated in "unlawful killings carried out in a widespread manner against civilians" including ethnic minority Tamil politicians, aid workers and journalists. The security forces used brutal torture, including rape, especially when former LTTE members and civilians were detained after fighting ended.

Not a single perpetrator of sexual violence related to the armed conflict is so far known to have been convicted. Many attacks in the war's last phase — when the army surrounded the LTTE in a 300-square-kilometre slice of jungle in the northeast where 400,000 people were trapped — appear to have violated international law.

Violations were especially prominent with "repeated shelling by government forces of hospitals and humanitarian facilities in the densely populated no-fire zones declared by the government. Witnesses gave harrowing descriptions of the carnage, bloodshed and psychological trauma of bombardments in which entire families were killed.

The UN investigation, set up in March 2014, said there was a "systemic weakness in addressing these crimes especially when the military or security forces are involved".

As Sri Lanka's government begins a path towards reconciliation and addressing the atrocities of the past, Tamils in the war-torn Jaffna province are still struggling to rebuild their lives. The predominantly-Hindu region was the scene of some of the heaviest fighting between government forces and the Liberation Tigers of Tamil Eelam (LTTE), a Freedom fighters group commonly known as the Tamil Tigers.

Up to 200,000 people died in the country's decades-long civil war, which ended with the Tamil Tigers' defeat in May 2009. Residents say while reconstruction has advanced in parts of Jaffna, the majority of Tamils in surrounding villages remain in poverty after losing their land and livelihoods.

Tamil under Occupation

Fishermen and farmers are the worst affected, Practically all of the fishermen have lost their gear and their boats, so they are unable to restart because to start fishing in a proper way they need boats which they can't afford. Hundreds of acres of land in the north, which is very fertile land, are in the high-security zone. Farmers have been deprived of cultivation because they are unable to go to their land.

The current government has released few occupied land to the Tamil people, But that is not enough, People are still waiting for the day that they get back their land. Even if they go to their land, their houses are gone, they have to start afresh. Water is also a problem because largely people have been depending on ground water wells. Such wells are either damaged or covered with rubble, which means they have to dig new wells.

At same time the new Government continue to Colonizes Eelam Tamil land, and continue to build let of Budhist Bihari on Tamils Lands and also military continue to rule the Locale Economie.

The presence of these soldiers are a curse on to the Tamils as the original symbols of the Tamil are now being replaced by the victorious Buddha, dotting all the street corners, new Buddhist temples are a common sight where only the soldiers re Buddhists. All the Tamil sign boards and directions are replaced by Sinhala boards which can be read only by the soldiers.

The burial grounds of the LTTE men who had died in action have all been razed to the ground and at many places the army has bulldozed and built its own complex like the one in Koappaay. The war heroes cemeteries located at Kagnchikudichcharu in Ampaarai district, Thaandiyadi, Tharavai, Kandaladi and Maavadi Munmaari in Batticaloa district and Aalangkulam, Iththikkulam, Verukal, Uppaaru and Paalampoaddaaru Trincomalee district were destroyed after the SLA occupied LTTE held areas in the East in 2006 and 2007. In Vanni, there were at least ten War Heroes Cemeteries. The cemeteries were located in Aandaangkulam, Aadkaaddiveli and Pandivirichchaan in Mannaar, Kanakapuram and Muzhangkaavil in Kilinochchi district, Uduththurai in Vadamaradchi East of Jaffna district, Eachchangkulam in Vavuniyaa and four at Vanni-vizhaangkulam, Visuvamadu, Alampil, and Mulliyavalai of Mullaiththeevu district. The Sri Lanka Army bulldozed the Heroes Cemetery at Visuvamadu between March and April 2009.¹

There is a heavy military presence in Mannar district particularly in recently resettled areas of Manthai West, Madhu and Musali divisions.

This is so in the entire Jaffna peninsula that has over 50,000 security personnel in addition to the police who are also armed, for a population of 626,000 Tamil people. This is 01 soldier plus police for every 12 people in Jaffna.

Appointments and transfers to important positions in the civil administration including crucial areas such as healthcare and education etc. are controlled and monopolized by politicians, completely by passing the official procedures.

Many who have been “resettled” are living in makeshift shelters without jobs and little government assistance. The army is entrenching itself as a permanent occupation force in the war-ravaged North and East of the island.² The establishment of high security zones has cost the Tamil fishermen dearly as fishing is the most important occupation for the Tamils in the coastal areas. The fishing harvest recorded as 48,000 metric tonnes in 1983 in the north decreased to 2,300 metric tonnes in 2008³

Those who have been released from undeclared and unspecified custody, for all those youth who were held under custody and are still under custody, are illegally held not been brought before a court of law, to be detained or remanded under the law of the land. Even after release some are under threat at times.

The war may be over but the rhetoric’s of people in power continues and it is manifested by the submissions of successive Sri Lankan governments at the UNHRC and misguide the world about the prospects of peace under the post Mahinda Rajapakse era.

¹<http://www.lankasrinews.com/view.php?2b35QsX4b43z96ae4b43CWdce2bh3CS3cd3XlpG2e0d15MvDce0212DI0cd3sksBd0>

² <http://www.wsws.org/articles/2010/jun2010/sril-j22.shtml>

³ <http://print.dailymirror.lk/opinion1/39248.html>, dtd 25/03/2011

The Tamils remain secluded, hunted for their past deeds and are made to feel not just insecure but also isolated by the International community. The government has steadily safeguarded the interest of the Sinhalese and Buddhists at the expense of the Tamils. The economic recovery of the Tamils has not been reaped by the Tamils but by businessmen from the south. The construction of Buddhist places of worship in a land where Buddhism is nonexistent is a reminder to every Tamil that he is subjugated to ruling Sinhala elite. No amount of economic package or recovery can substitute the legitimate claim for political and civil rights for the Tamils.

It is here that we make an earnest appeal to the UNHRC to respect the sentiments of the Tamils in Sri Lanka, Tamils in Tamil Nadu and world over apart from the Human Rights respecting communities around the world and continue with its engagement with the Sri Lankan government to

1. Accept the Right to Self Determination of the Tamils
2. Recognize the Tamils as a Nation
3. Unify the North and East of Sri Lanka as one administrative unit
4. Conduct a referendum in the North and East
5. Demilitarize the entire North
6. Pay adequate compensation to the War affected Tamils
7. Release all the Political prisoners
8. Repeal the PTA.

These concrete steps if initiated by the UNHRC will go a long way in helping the Tamils to regain their confidence on the UN systems which allowed the Sri Lankan government to carry out Genocide against the innocent Tamils.

*Swiss Council of Eelam Tamils (SCET), NGO without consultative status, also shares the views expressed in this statement.