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**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 Le Pont, 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.

[12 February 2019]

* Issued as received, in the language(s) of submission only.



Living Witness' Statement on Tamils Genocide in Sri Lanka

I ThayeesanThangarajah, aged 36, from Tamil Eelam (Sri Lanka), now living as refugee in the United Kingdom of Great Britain and Northern Ireland, I'm a living witness of the Tamils Genocide in Sri Lanka that took place in over three decades.

The facts in this statement come from my personal knowledge and experience in its entirety, in partnership with Association Thendral.

I am accusing the Sri Lankan government's well-planned act of genocide against Tamils in Sri Lanka.

In March 1996, the Sri Lankan army was starting to advance further into Jaffna and everyone was moving to the Vanni region, the last stronghold of the Liberation Tigers of the Tamil Eelam (LTTE) at that time in the North of Sri Lanka. Given my previous involvement with the LTTE, my family was worried that, if I was captured, my life would be in danger and decided to send me to the LTTE stronghold of Vanni region.

I tried to get to Vanni with my relatives. At that time the land route was blocked by the Sri Lankan army (Elephant Pass, A9 Route) and the only means of reaching Vanni was by sea. Hence, I set out on a journey to the Killali harbour with my relatives and booked a private boat. There were LTTE boats taking people to the other side but they were slow and the private boats were much faster. When we arrived at the harbour, the boat owner said that he would not be able to take us that night. The Sri Lankan army was shelling transportation vessels in the water and it just was not safe.

Until we were able to ensure a safe passage through the sea route, we headed to Mukhamalai and reached there by night. Everyone was sleeping everywhere at that time; on the streets, in the church and in any available space. The following day my uncle and I went back to Kilali to find out if the sea route was safe to travel. The boat owner said he could not take us during the day and it would have to be at night as we can use the darkness to get to safety. In the meantime, we were able to witness the dead bodies of several men, woman and children who tried fleeing the day before, were washed to shore. I came to learn that the Sri Lankan army and air force were targeting innocent people fleeing into Vanni.

During that time a military helicopter passed by shooting us and other civilians. We took cover under palm trees while the LTTE members were trying to shoot the Helicopter. During this incident, an LTTE commander identified me and inquired as to why I had left and was not fighting alongside the LTTE as they needed every possible help. I explained that I had decided to leave as I was a minor and due to other family issues.

Thereafter, he asked me to go stay with my relatives until the sea route was safe to travel. In the meantime, as I had witnessed my family members too came to know that many trying to flee were shot dead at land and sea and therefore came in search of me to Muhamalai.

Having come to realise the Sri Lankan army were raping and killing woman and children as they moved in, I decided to fight for my people and went back home with my dad who came in search of me. After returning, I pretended to go to school every day but worked as a spy for the LTTE and also took part in ambushes to prevent the ongoing genocide initiated by the Sri Lankan military right before my eyes.

In March or April, I was arrested by the Sri Lankan army and subsequently tortured and sexually assaulted. In the military camp where I was held, I witnessed over ten men hung to the ceiling upside down and tortured. In another room, a young female was held naked. I am aware of the fact that all of these detainees were not members of the LTTE. In spite of having witnessed these atrocities, I was miraculously released.

During the early 1990s, the A9 route known as the Kandy Road was occupied by the Sri Lankan military with a substantially large military camp in Elephant Pass. Due to the military presence, the LTTE members were using alternative routes, including the sea route to go to Vanni. The Tamil people too started using the sea route to cross on to Vanni and go to Colombo. Sadly, many civilians crossing this sea route were intercepted and slaughtered by the Sri Lankan military. Routinely, young girls were kidnapped and women and children including pregnant women were slaughtered by swords. At a distance of less than a kilometre from my house, I happened to see the bodies of two sisters in their fifties killed

by the Sri Lankan forces. Another woman who was too was a neighbour was killed while she attempted to journey to Colombo to see her children. For a substantial period of time, I have continued to witness innocent Tamils being killed and sexually abused. Even today I hear from my hometown that young Tamil women are trafficked into military camps for the military personnel's sexual pleasure.

As these atrocities continued, the LTTE decided to attack Poonakary and NagadevanThurai port to protect the Tamil people killed by the Sri Lankan Navy in the Kilalisea. In November 1993, the three-day battle between the Sri Lankan military and the LTTE in Poonakary ended up with 472 LTTE cadres killed and over 500 Sri Lankan military killed. I recall, one of my fiends named Mohan among the LTTE members being killed in this battle. Similarly, and LTTE captain named Yaso, who I considered as my sister too lost her life to this battle. After this raid, the Tamil people were free to cross the sea. However, during the military rule, I have witnessed, Tamil people trying to cross into Vanni being subject shelling and air attack by the Sri Lankan Military.

Such atrocities led by the government forces, encouraged me to join the LTTE in 1994 when I was 12 years old. Initially, when I wanted to join the LTTE they didn't accept me because of my age. However, I argued with LTTE commander and confirmed that under no circumstances I was going to return home but will fight and protect our people from the Sinhala genocidal criminal government. During the course of the argument, I insisted that I was not twelve but was fourteen years old and finally to my pestering they took me in. Thereafter, I was sent to a training base and after completing my training, I was forced to go to school and was not allowed to take part in any battle or ambushes. As I was disappointed by this treatment, I ran away from the LTTE camp and that is when I attempted to cross over Kilalisea en route to Vanni. Nevertheless, since the transportation was hindered and since the route was deemed to be not safe, I returned to my hometown and stayed there as a student. However, as the war between both parties escalated, I was allowed to take part in ambushes and spy on positions and movements of the Sri Lankan military.

Currently the Sri Lankan government is claiming to have won the humanitarian war against the LTTE by engaging in active genocide. The Sri Lankan government's killing of the innocent Tamil people is what motivated me to join the LTTE as I considered the LTTE's war against the government as a necessary evil to save the lives and integrity of the Sri Lankan Tamils.

For save Tamils from the past and ongoing Genocide the Council should:

I 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. I 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.

Tamil Movement (Suisse) NGO(s) without consultative status, also share the views expressed in this statement.