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Human rights situations that require the Council's attention

Joint written statement* submitted by the Association Bharathi Centre Culturel Franco-Tamoul, the Alliance Creative Community Project, the ANAJA (L'Eternel a répondu), the Association Burkinabé pour la Survie de l'Enfance, the Association des étudiants tamouls de France, the Association Mauritanienne pour la promotion du droit, the Association pour les Victimes Du Monde, the Association Solidarité Internationale pour l'Afrique (SIA), the L'Observatoire Mauritanien des Droits de l'Homme et de la Démocratie, the Society for Development and Community Empowerment, the Tamil Uzhagam, Tourner la page, 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.

[15 May 2017]

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

GE.17-08624(E)



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Justice Delayed is Justice Denied*

I am Rev Dr.Raj Irudaya SJ, a Jesuit Priest and Professor now serving in New Delhi as the South Asian Delegate for Jesuit Formation. I wish to request you to allow me to make a representation to the Human Rights Council in Geneva on the deplorable plight of the Tamils in Sri Lanka and urge you kindly for your right actions to restore the human rights of the Tamils in Sri Lanka.

I have been actively involved in the advocacy of human rights for the Tamils in Sri Lanka since 1983 after the pogrom of Tamils in Colombo and the south of Sri Lanka. The Jesuits have catered to the needs of the Tamil refugees since 1983 in the 110 camps spread across the Indian state of Tamil Nadu. The War without Witness ended in a brutal genocide of the Tamils in May 2009. Immediately, I was appointed the Convener of the Jesuit Forum for the Humanitarian Aid and Advocacy of the Tamils in Sri Lanka in May 2009 by the Jesuit Provincial of Madurai Province, Tamil Nadu and the Jesuit Conference of South Asia started the Jesuit Task Force on Sri Lanka, in which I was a member. The work of the task force was to look at the different possibilities of helping the Tamil victims both in terms of advocacy and providing relief.

Even before 2009 I was also involved in serving with my students some of the Tamil refugee camps located near Chennai and Dindigul through Jesuit Refugee Service (JRS), a UN ECOSOC recognized Organization.

I have visited the war-ravaged places and people in Sri Lanka in 2010 and in 2011. I have seen with my own eyes the untold devastation and destruction of Tamil lives and properties and have interacted with the war-ravaged victims. I did visit even the Manik Farms of Vavuniya in 2010 where about three lakhs of innocent Tamils were incarcerated in camps behind barbed wire fences.

Moved and affected by the relentless and atrocious violations of human rights in Sri Lanka, I was working with my Jesuit team at the advocacy of Tamils. I have organized several demonstrations with the help of like-minded movements in Tamil Nadu, inter-religious protests, human chains, public meetings, 30,000 signature campaign to UN highlighting the violations of human rights in Sri Lanka against the Tamils and pressurizing the Tamil Nadu Government to take up this issue to the Central Government of India. We also got the help of some socially conscientized Parliamentarians to raise this issue in the Indian Parliament.

I was one of the first persons to bring openly to the public awareness in Tamil Nadu through my interviews in Kumudam.com TV and my writings on the tragedy of Mulivaykaal, where the final battle was fought. The injustices and human rights violations, cunningly engineered and executed by the then Government of Sri Lanka under the Presidentship of Mahindra Rajapakse who waged this unjust war without witness in the 21st century under the garb of war on terrorism has gone unpunished so far. I have highlighted the ongoing militarization of the North-East provinces of Sri Lanka, forced Sinhalization and Buddhization in those regions to the mortal detriment of the freedom, democracy and human rights of the Tamils in these regions.

I have also advocated the cause of Tamils in Melbourne and Sydney when I was invited by Monash University for lectures on Culture and Language in August 2014.

I personally met the Parliamentarians of European Union who were part of the Delegation for Relations with India in Taj Coramandel Hotel, Chennai in January 2012 and presented to them my fact-finding report on the violations of human rights in Sri Lanka.

I have visited Sri Lanka in 2015 and 2016 and the unfortunate plight of the Tamils has not changed radically though the Government of Sri Lanka tries to impress the world with some token efforts. I am convinced that no just and humanitarian rehabilitation of the war-ravaged Tamil victims has been adequately done by the Government of Sri Lanka. The unjustly confiscated properties of the Tamils have not yet been returned to them and the occupation of the

military still continues unabatedly in Tamil areas without giving full freedom to the civil administrations of these regions.

I wish and pray that the war atrocities of 2009 in Sri Lanka, which have blatantly and defiantly transgressed the international war ethics and has resulted in the disappearance of 146,679 civilians, destruction of 160,000 houses of Tamils, 89,000 war widows, 40,000 orphaned children, 18,000 sq.km lands of Tamils forcefully occupied by the army should not disappear as a matter of history in the 21st century but the perpetrators should be brought to book. Justice and human rights at any cost should be restored to the Tamils in Sri Lanka so that the credibility of the UN is restored.

The following are the urgent needs that need to be restored to the Tamils to live a life of dignity and respect.

1. Set up an International hybrid court as recommended in the OISL report to bring the perpetrators to books
2. Recognize the Right to Self Determination of the Tamils
3. Immediately release the civilian land occupied by the Sri Lankan Armed Forces
4. Demilitarize the North and East
5. Set up the Office of the Missing Persons without any further delay
6. Investigate the use of banned weapons during the war
7. Provide adequate compensation to the Civilians affected by the war

*Assistancy Delegate for Formation - JESUIT CONFERENCE OF SOUTH ASIA, Swiss Council of Eelam Tamils (SCET), Association Le Collectif La Paix au Sri Lanka, NGOs without consultative status, also share the views expressed in this statement.