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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**

**Joint written statement* submitted by ASSOCIATION
CULTURELLE DES TAMOULS EN FRANCE, ABC Tamil
Oli, Association des élèves et étudiants Tamouls en France,
Association des étudiants tamouls de France, Jeunesse
Etudiante Tamoule, Tamil-Style, 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.

[19 August 2024]

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



Sri Lanka: Repression of Civic Space for Eelam Tamils

Despite the end of the genocidal war against Eelam Tamils by Sri Lankan government, the human rights environment continued to deteriorate in a climate of impunity against Eelam Tamils. Serious human rights violations, such as abductions, arbitrary arrests and detention, torture and sexual violence against Eelam Tamils were still reported from Tamil eelam. Tamil's homeland remains heavily militarized; in addition to checkpoints blotting the region, the military also ran businesses, farming and development projects, and controlled civil society activity in these areas.

As a result, freedom of expression or assembly of Eelam Tamils in the Island's north and east remained very limited. Tamils land in the north and east are still dominated by the Sinhala military presence, with continued barriers for justice for the victims of genocide and conflict-related violence and their families, as well as lack of accountability and continued abuses and impunity by Sinhala security forces.

Arrest of Worshippers around Festival

In March 2024, eight Tamil Hindu worshippers were arrested by police while engaging in festival rituals and were detained for more than 10 days and allegedly abused. A magistrate released them on 19th March.

The eight were arrested at the Veddukkunaari temple near Vavuniya, a Hindu shrine that Buddhist monks, backed by the government's Department of Archaeology, say is an ancient Buddhist site. It is one of numerous temple sites in northeastern Sri Lanka claimed by nationalist Buddhist monks, frequently with the support of government agencies and the security forces.

According to HRW, the Vavuniya magistrates court had earlier ruled that the rituals for the festival of Shivaratri, the principal festival day of the god Shiva, could go ahead at Veddukkunaari. However, on the evening of 8th March 2024, police arrived and assaulted worshippers, including an opposition member of parliament. Rights activists told Human Rights Watch the detainees said they were beaten in custody and their families denied access to them for the first three days.

On the night of the festival, riot police were deployed, and police placed roadblocks preventing devotees from parking near the vicinity of the temple.

Report Highlights Unlawful Use of Weapons in Policing of Protests

A report released by Amnesty International in April 2024, highlighted how Sri Lanka's law enforcement officials engaged in the violent repression of protests and must be held accountable.

The observance of Shivarathri at the Veddukkunaari Hill Athi Sivan temple in Vavuniya North, descended into chaos today (08.03) as police violence marred the religious proceedings. Member of Parliament Selvarajah Kajendren was assaulted by Sri Lankan police, and a further 8 worshippers were arrested during the incident.

Despite the ongoing dispute over the hill, the observance of Shivarathri by locals was allowed to go ahead by the Vavuniya Magistrate's Court.

In a shocking turn of events, police personnel seized valuables estimated to be worth around 10 lakhs, including food, pongal, and Puja items, disrupting the Puja services midstream. Riot police and special task forces (STF) descended upon the temple premises, intensifying tensions among worshippers.

Women Participating in the Temple Rituals were Forcibly Removed by the Police

Additionally, 8 individuals, including members of the temple management, were arrested during the altercation. Notably, among those targeted by law enforcement was TNPf MP Selvarajah Kajendren, who was assaulted and manhandled before being recognized and released in front of the temple.

The arrested individuals have been detained at the Nedunkerni police station, with reports that some were stripped down to their underwear before being transported away.

Meanwhile, according to Amnesty International, in the Northern and Eastern provinces of the country, security forces and intelligence agencies regularly carry out surveillance, intimidation, harassment, and obstruction of largely peaceful protests that have continued to take place since 2017 by the relatives of people forcibly disappeared during the internal armed conflict in Sri Lanka.

The report found that the police used large quantities of tear gas against peaceful or largely peaceful protesters repeatedly in the same area without giving them an adequate opportunity to disperse, and without making any reasonable effort to limit risk of injury.

The police also fired tear gas grenades from behind the protesters while the protesters were trying to disperse, in breach of international human rights standards. They also repeatedly failed to take adequate precautionary measures when using tear gas, and fired into areas that had no clear exit such as near schools and on the street.

The police also used water cannon at close range against peaceful or largely peaceful protesters and in situations where protesters posed no threat to police officers and were attempting to disperse.

Tamil journalist and Chairman of the Mullaitivu Press Club Shanmugam Thavaseelan has been summoned to court later this month over a complaint filed by a Sri Lankan navy officer in 2019 after he reported on a disappearances rally in Mullaitivu.

On 20 April 2019, Thavaseelan was arrested by Mullaitivu police following a complaint filed by a navy officer attached to the Gotabaya Naval Base for reportedly obstructing his duties.

Thavaseelan was reporting on a Tamil families of the disappeared rally on 7 April 2019 when the Sri Lankan navy officer was spotted taking photographs of protestors and asked to identify himself. He was prevented from escaping by the crowds at the rally and identified himself as a navy officer. Thavaseelan had asked the navy officer to identify himself on behalf of the protesters.

Mullaitivu police were called to the scene, but after they did not turn up, the crowds escorted the officer to the nearby Gotabaya navy camp and asked personnel there to confirm his identity. Following his arrest in 2019, Thavaseelan maintained that the complaint was based on false allegations and was likely an act of revenge from the officer.

Despite widespread human rights violations by law enforcement agencies and security forces, not a single police officer or member of the army has been prosecuted or convicted for the unlawful use of force during protests in Sri Lanka in 2022 and 2023.

We call upon the UNHRC members, other affiliated UN agencies and member of states to adopt, as a matter of utmost urgency, following measures to protect the TAMIL people :

- a. Recognize the genocide resolution passed unanimously in the Northern Provincial Council of Sri Lanka on 10th February in 2015.
- b. Direct appropriate measures at the International Criminal Court outlining that the affected Tamil people have no faith in any domestic commission or inquiry.
- c. Council Members to have a new Resolution under Agenda 4 to appoint a special Rapporteur to monitor and investigate ongoing human rights violations and repression against the Tamil people.

d. We need to have a special session at the Human Rights Council on Sri Lanka for refer Sri Lanka to the International Criminal Court by the security council.

To the Special Rapporteurs and Treaty Bodies Experts

- Please help us to ensure to human rights defenders in Sri Lanka to carry out their legitimate works in safe and enabling environment without fear of threats, acts of intimidation or reprisals to the witnesses and their families seeking truth and justice and not to failed to prosecute wrongdoers.
- It is well known that the victims of genocide in Sri Lanka are Tamils in the hands of Sinhala Government and its security Forces. However, the Victims of genocide, War Crimes, and other Crimes against Humanity, naming words, Tamils has been consciously, omitted and never mentioned in any of the Resolutions of HRG and other UN reports. We therefor request you to investigate this omission and to mention the appropriate word of "TAMILS (name of the ethnic group)" wherever it's needful.

To the 4th Committee Members of General Assembly

- To recognize that Tamil Territories are not Governing by Tamils
- We strongly recommend you to bring the resolution to the Right to Self-determination of Eelam Tamils through hearing of statements from Tamil elected representatives, petitioners and dispatches visiting missions.

To UN Special-Adviser on the Prevention of Genocide Mme Wairimu Nderitu

- To highlight the importance of reparations for victims of Sri Lankan genocidal Army's atrocities and encourage the Government of Sri Lanka to expedite the passing of the draft Reparations Bill.
- To consider writing a report on the nexus between the non-repetition of genocide and reparations to have a panel of discussion with Eelam Tamils Victim of genocide in Sri Lanka.

To Special Adviser of the Secretary-General on R2P

we kindly urge to recognize the failure of United Nations to prevent Tamils from genocide and now take the Responsibility to propose appropriate measures in order to protect Tamils from ongoing genocide.

To the Parliamentarians and Civil Societies:

- We urged you to bring a Resolution to recognise the genocide of Tamils made by Sri Lankan State
- Organise a productive talk through the foreign affairs committee with the foreign affairs minister

Association Internationale Contre les Disparitions Forcées, Global Tamil Mouvement, ARED Amparai, ARED Jaffna, ARED Mannar, ARED Kilinochchi, ARED Mullaithivu, ARED Trinco, ARED Vavuniya, ARED Batticaloa, ASSOCIATION DES CHRETIENS TAMOULS DE FRANCE, Alliance Internationale de Défense des Droits Humains, International Alliance for the Defense of Human Rights, ALLIANCE INTERNATIONALE POUR LA JUSTICE, French for Democracy &

Human Rights, FORUM FOR THE DEMOCRACY AND HUMAN RIGHTS FRANCE FDHR, Europeans Tamils for Justice and Peace, INTERNATIONAL ALLIANCE AGAINST TAMILS GENOCIDE AND FREE TAMIL EELAM, Action des Chrétiens Pour les droits de l'homme, ALLIANCE DES JURISTES POUR LES DROITS DE L'HOMME, MAISON DES CITOYENS DU MONDE, North-East Secretariat on Human Rights, NORTH-EAST DEVELOPPMENT AGENCY, ALLIANCE POUR LA JUSTICE INTERNATIONALE (AJJ), CENTER FOR HUMAN RIGHTS DEFENDERS, AJACCIO HUMAN RIGHTS CENTER, TAMIL EELAM PEACE RESEARCH INSTITUTE, STUDENTS FOR HUMAN RIGHTS, ASSOCIATION DE DEFENSE DES DROITS DE L'HOMME, ASSOCIATION DES DROITS DE L'HOMME DE CHARENTE, CENTRE INTERNATIONAL DES ÉTUDES STRATÉGIQUES ET POLITIQUES, ASSOCIATION INTERNATIONALE POUR LE DÉVELOPPEMENT ECONOMIQUE ET SOCIAL DU TAMIL EELAM, CENTRE EUROPÉEN POUR LA PAIX ET JUSTICE, MEDIAS POUR LA PAIX ET JUSTICE, ASSOCIATION DES JEUNES DE LA DIASPORA TAMOUL , International Center for Peace and Justice - ICPI, CENTRE INTERNATIONAL DE RECHERCHE SUR LA PAIX ET JUSTICE, CENTRE DE PROTECTION DE TAMIL EELAM, Action Pour l'Education au Développement Durable et aux Droits Humains, Action des chrétiens pour les Droits Humains, ALLIANCE INTERNATIONALE CONTRE LE GENOCIDE DES TAMOULS, NGO(s) without consultative status, also share the views expressed in this statement.