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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 Association des étudiants tamouls de France, 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.

[22 August 2023]

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



14th Anniversary of Sri Lanka's Mullivaikkal Tamil Genocide Remembrance Day: International Community Should Recognize Eelam's Genocide

Tamils across the world observed the 14th year of Mullivaikkal: Tamil genocide remembrance day on Thursday, 18 May 2023 in more than 48 countries.

This was the day of mourning of indiscriminate killing of more than 169,000 innocent Tamil people in short period of 6 months, ended in May 2009, and other genocidal crimes since 1948 orchestrated by the Sri Lankan state with the cooperation of its allied countries under the guise of wiping out terrorism from the island.

Global Tamil Movement with support of more than 13800 organizations across the world by exposing Sri Lankan state's genocide against Eelam Tamils, and underlying intention of making Sri Lanka a mono-ethnic (Sinhalese), mono-religious (Buddhist), and mono-linguistic (Sinhala) country by exterminating indigenous Eelam Tamil with facts and figures at the UNHRC is an on-going process, with support from Tamil Rights activists and victims. The cycles of violence inflicted on Eelam Tamils since the United Kingdom of Great Britain and Northern Ireland's failed Decolonization process in Sri Lanka.

Taking note of the written statement under reference A/HRC/40/NGO/248 and A/HRC/40/NGO/218 submitted by Association Bharathi Centre Culturel Franco Tamoul, and Global Tamil Movement, during the 40th Session of Human Rights Council with support of 118 ECOSOC accredited NGOs.

Taking note of the written statement under reference A/HRC/48/NGO/138 submitted by Association Bharathi Centre Culturel Franco Tamoul, and Global Tamil Movement, during the 48th Session of Human Rights Council with support of 192 ECOSOC accredited NGOs.

Taking note of the written statement under reference A/HRC/51/NGO/225 submitted by Association Bharathi Centre Culturel Franco Tamoul, and Global Tamil Movement, during the 51st Session of Human Rights Council with support of 9671 NGOs, including 241 ECOSOC accredited NGOs, Calls for New UN Human Rights Council Resolution to Protect Tamils from genocide, to name a special rapporteur for Sri Lanka and to Recognize Tamils Rights to self-determination.

Noting the Resolution passed by the Legislative Assembly of Tamil Nadu in India on March 27, 2013 calling for a United Nations Security Council-backed Referendum and for an impartial, international and independent probe for the alleged war crimes and genocide in Sri Lanka.

In February 2015, the Northern Provincial Council in Sri Lanka passed a resolution that demanded a UN inquiry to investigate the genocide of the Tamil people by the Sri Lankan government. In May 2018, the Second International Conference on 'Tamil Nationhood and Genocide in Sri Lanka' was hosted in Ottawa by Canadian Tamil organizations. A resolution released at the end of the conference resolved that only an independent international investigation into the charge of genocide can be acceptable.

Bearing in mind the Resolution passed in the Canadian Parliament unanimously on June 19, 2019 "calling upon the United Nations to establish an international independent investigation into allegations of genocide against Tamils committed in Sri Lanka."

Last year on May 18, 2022, the Canadian Parliament adopted the following unanimous consent motion "This House acknowledge[s] the Genocide of Tamils in Sri Lanka and recognize[s] May 18th of each year as Tamil Genocide Remembrance Day." On January 10, 2023, Canada imposed sanctions on former Sri Lankan President Gotabaya Rajapaksa and President Mahinda Rajapaksa. Mahinda Rajapaksa was President, and his brother Gotabaya Rajapaksa was the defence minister, during the final onslaught of Sri Lanka's war on Tamils in 2009.

Fourteen years have passed, and still, there is a long way to go for justice for the crimes of genocide. Tamil Diaspora in the United Kingdom of Great Britain and Northern Ireland, France, Belgium, Germany, Denmark, Finland, Sweden, ... has also requested their parliament to follow the leading role that Canada takes in human rights and justice. On Nov 9, 2022, in the United Kingdom of Great Britain and Northern Ireland House debate, MPs called on the Government to take the vital step of finally recognizing the crimes committed against the Tamil population as genocide. Only once that has been achieved will the United Kingdom of Great Britain and Northern Ireland be truly honoring our human rights commitments. On May 15, 2023, a list of organizations and over 900 supporters started to request the British government to officially recognize Tamil genocide. Similar efforts are also taking place in the United States of America by the Tamil diaspora. We look forward to justice via global courts either ICJ, ICC, or special tribunal in the future.

The “Tamil Genocide Education Week Act,” passed by the government of Ontario, proclaims the seven-day period in each year ending on May 18 as ‘Tamil Genocide Education Week’.

On February 20, 2017, women-led families of the disappeared began protesting by the roadside in Kilinochchi to demand answers regarding the fates and locations of their loved ones. Most of their children and family members were handed over to the Sri Lankan military at the end of the war in 2009, and they still do not know the whereabouts of their family members. Over 160 Tamil parents have died while protesting for their forcibly disappeared family members with no answers, and no justice. They protested for over six years on the roadside of Vanni hoping for justice.

While the international community continues to delay and deny justice for the mass atrocities and acts of genocide committed by the Sri Lankan state, it continues to silence and suppress Tamil diaspora voices through a criminal counter-terrorism lens by extending the listing of the Liberation Tigers of Tamil Eelam (LTTE) as a terrorist organization. This continuous listing, one that has persisted for over a decade since the end of the war in 2009, undermines and infringes upon the fundamental civil liberties of Tamils in the diaspora communities. Delisting the LTTE as a terrorist organization is key to protecting Tamil civil liberties, including the right to advocate for Eelam Tamils’ right to self-determination under international law.

Presently, Sri Lanka’s occupation of the Tamil homeland has led to the continuation of human rights violations against Tamil civilians. Sri Lankan armed forces’ intimidation and surveillance of Tamil journalists and activists are rampant. Cemeteries of Tamil war heroes have been destroyed and commemoration events are impeded. The Sri Lankan government simultaneously builds Buddhist stupas in the Tamil homeland as part of its cultural genocide of the Tamil people. Furthermore, the Sri Lankan military and navy obstruct income-producing industries such as agriculture and fisheries, further eroding the economy of the Tamil community.

In order to set the discourse in the right direction, we would like to state the following: the UN Panel of Experts appointed by the then Secretary-General Ban-Ki Moon identified the following serious violations committed by the Government of Sri Lanka: (i) Killing of civilians through widespread shelling, (ii) Shelling of hospitals and humanitarian objects, (iii) Denial of humanitarian assistance. The above corresponds to Article II (a), (b), and (c) of the genocide convention.

In 2012, a United Nations panel report of the Secretary-General’s Internal Review Panel on United Nations Action in Sri Lanka reported war crimes and the failure of the UN in genocide investigation. The Tamil Diaspora has been calling for a Nuremberg-like Tribunal to prosecute the leadership of the Government of Sri Lanka (GOSL) accountable for the crime of genocide, war crimes, and crimes against humanity and also requesting Canada to help bring the Sri Lankan state to the International Court of Justice (ICJ) for Sri Lanka’s genocide against Tamils.

13800 organizations jointly urge the international community to work towards a broader recognition of the Tamil genocide and play an active role in bringing the Sri Lankan government and its officials to the International Court to dispense justice to the Eelam Tamils.

We urge the international community to follow the right actions by Northern Provincial Council, Tamil Nadu State Assembly, The Catalanian Parliament, Canada to work towards a broader recognition of the Tamil genocide and play an active role in bringing the Sri Lankan government and its officials to the International Criminal Court to dispense justice to the Eelam Tamils.

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.

To the 4th committee members of General Assembly

- To recognize Eelam Tamil as Non-Self-Governing Territories

To UNSG Advisers

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

We respectfully request the opportunity to brief you on the work of the Coalition of more than 13800 Tamil Organizations directly or via an online platform. In your remarks at the International Day to Commemorate the Victims of Genocide we urge you 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. Finally, we request your Office 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 the Responsibility to Protect to recognize the failure of United Nations to prevent Tamils from genocide and propose appropriated measures to protect Tamils from genocide.

Advocates for Justice and Human Rights, Advocates for Peace and Human Rights, African Heritage Foundation Nigeria, AGARAM, AGARAM TRANSLATION SERVICES (AGARAM TS), Agence Internationale des Droits de l'Homme, AGIR POUR LA SOLIDARITE EN AFRIQUE (A.S.A.), AIDE CITOYENNE ET DEVELOPPEMENT CONCERTÉ, AJACCIO HUMAN RIGHTS CENTER, ALLIANCE DES JURISTES POUR LES DROITS DE L'HOMME, Alliance internationale contre le génocide, ALLIANCE INTERNATIONALE CONTRE LE GENOCIDE DES TAMOULS, Alliance Internationale de Défense des Droits Humains, Alliance Internationale des Objectifs du Développement Durable, ALLIANCE INTERNATIONALE POUR LA JUSTICE, Alliance internationale pour la liberté de Tamil Eelam, Alliance of Lawyers for Human Rights, ALLIANCE POUR LA JUSTICE INTERNATIONALE (A.J.I.). ALLIANCE POUR UN DEVELOPPEMENT DURABLE ET SOLIDAIRE (ADDUS). ASSE : ACTION DE SOLIDARITE ET DE SOUTIEN AUX ETUDIANTS, ASSOCIATION BOURGUIGNONNE DES ETUDIANTS AFRICAINS - ABEA, ASSOCIATION CARITATIVE ETUDIANTE POUR LA JEUNESSE, ASSOCIATION CULTURE FEMMES, ASSOCIATION D'AIDE ET DE DEVELOPPEMENT A LA CIVILITE VOLONTAIRE A.D.C.V., NGO(s) without consultative status, also share the views expressed in this statement.