



# General Assembly

Distr.: General  
10 February 2022

English only

---

## Human Rights Council

Forty-ninth session

28 February–1 April 2022

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 ABC Tamil Oli,  
Association Bharathi Centre Culturel Franco-Tamoul,  
ASSOCIATION CULTURELLE DES TAMOULS EN  
FRANCE, Association des étudiants tamouls de France,  
Association Thendral, Jeunesse Etudiante Tamoule, Le Pont,  
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.

[6 February 2022]

---

\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



## **Human Rights Council is urged to Protect Eelam Tamils from Genocide and Eelam Tamil's Rights to Self-Determination**

ABC Tamil Oli, in partnership with Reformed Global Tamil Forum (RGTF). (1) , is submitting the following situation report of Eelam Tamils for the entire duration of 74 years of Sinhala occupation and the twenty-six-year-old war in between Eelam Tamils and Sri Lanka's armed forces. The war ended in May 2009 with the defeat of the Liberation Tigers of Tamil Eelam. In the course of that war, conservative estimates indicate that over 147,000 Tamil civilians died, as many as 70,000 in the last few weeks alone, as a result military operations directed at them, while in detention, by assassination, and by starvation and illness due to government blockades of civilian supplies to Tamil areas.

We stressed the Responsibility to Protect (R2P), the duty to prevent genocide and mass atrocities, obligations under the Geneva Conventions regarding civilians and other aspects of treaty-based and customary humanitarian law. While former Secretary-General Annan, Four High Commissioners (Robertson, Arbour, Pillay, Zaid Hussein), and a number of other mandate holders spoke out strongly as the situation got more and more dire, there was, as the request from civil societies. The successive resolutions adopted at the Council for last 12 years are, in our view, the nadir of UN action in the field of human rights.

Tamil Human rights defenders (HRDs), Tamil Journalists as well victims in North and East of Sri Lanka continued to suffer attacks and intimidation throughout 2021. Impunity for attacks and threats against Tamils HRDs, labelling HRDs as 'terrorists' or traitors, the campaign against HRDs in the State media and linking these to sessions of the UN Human Rights Council have significantly increased the risks involved in defending human rights in Sri Lanka. This submission focuses on incidents in 2021. Several Tamil HRDs have been forced to limit their work, maintain a low profile, or seek protection abroad. HRDs working in the North and East are particularly vulnerable to persecution and often lack access to the limited protection available to HRDs in the South.

More than Thirteen years after the end of the conflict, draconian emergency and anti-terror laws remain in place. Tamil victims, Tamil Journalists, Tamil political opponents and Tamil human right defenders continue to be harassed, and public institutions and the rule of law eroded. ... Meanwhile the north of the country has been militarised, with the army controlling all aspects of daily life. Political activities have been suppressed and killings, disappearances and sexual violence remain frequent.

On January 19, 2022, following a meeting with the United Kingdom of Great Britain and Northern Ireland's Minister for South Asia, Honourable Tariq Ahmad, the People Uprising Movement ("P2P") released two letters detailing the ongoing plight of Tamils in Sri Lanka and their demand for self-determination.

On January 30, 2022, a large public rally was held in Jaffna, Sri Lanka, calling for a political solution which recognizes Tamil Nation, its sovereignty, and its right to self-determination. On February 4, 2022, the protesters demanded an international mechanism to investigate the Tamil genocide; justice for the families of the disappeared; unconditional release of political prisoners; and removal of the Prevention of Terrorism Act (PTA). A similar rally was held in Mullivaikkal on the same day to mark Sri Lanka's 'Independence Day' as a "Black Day for the Tamil nation".

Due to the existential threat that the Tamil people are facing from the Sri Lankan government, all the major Tamil diaspora organizations have arrived at a "Common Position" as a basis to resolve the national conflict on the island of Sri Lanka. In the "Common Position", we have put forward the following urgent requests to the international community and the United Nations Human Rights Council (UNHRC):

1. An internationally conducted and monitored Referendum that allows people living in the north-eastern region of the island of Sri Lanka (Northern and Eastern province) prior to 1948 and their descendants to find a democratic, peaceful, and permanent political solution that meets Tamil people's aspirations.

2. An interim International Protection Mechanism in the north-eastern region of the island.
3. The Repeal of the Sixth Amendment to the Sri Lankan Constitution.
4. The referral of the situation in Sri Lanka to the International Criminal Court with respect to genocide, crimes against humanity and war crimes, and legal action against Sri Lanka before the International Court of Justice under the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention against Torture.

In the upcoming UNHRC review of Sri Lanka, we trust that you will take into consideration the above requests and endeavor to promote these urgent needs of the Tamil people in the island of Sri Lanka.

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

1. Take the following steps to protect the Tamil Nation:
  1. Recognize the genocide resolution passed unanimously in the Northern Provincial Council of Sri Lanka on 10-th February, 2015.
  2. Direct appropriate measures at the International Criminal Court outlining the reality that the affected Tamil Nation has no faith in any domestic commission or inquiry and hence, it demands an international judicial inquiry.
  2. Bring a Resolution in the UN Human Rights' Council insisting that the North-East is the traditional homeland of the Tamil Nation as agreed in the Sri Lanka-India Accord of 1987 and urging the Sri Lankan Government to immediately stop the occupation of Tamil land in the North-East by its Military and Sinhala colonists. Also, stop the grabbing of Tamil lands by the various Sri Lankan Government Departments using several disguises.
  3. Council Members to have a new Resolution under Agenda 4 to appoint a special Rapporteur to monitor and investigate the ongoing human rights violations and repression against the Tamil Nation :
    - a. Monitor and investigate human rights violations
    - b. Undertake country visit to Sri Lanka and to the region and engage with relevant stakeholders.
    - c. Submit reports to the UN General Assembly and the UN Human Rights Council on the situation of human rights in the North and East of Sri Lanka.
    - d. Engage publicly on other issues of concern, which includes press releases.
3. Have a special session at the UN Human Rights Council on Sri Lanka for referring Sri Lanka to the International Criminal Court by the UN 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 your 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.
- And organise to monitoring the political, social, economic and educative situation in the Territories under Sri Lankan military occupation.

### **To UNSG Advisers**

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

We respectfully and kindly request the opportunity to brief you directly or via online platform the collective work of more than 7200 Tamil Organisations. 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 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.

---

Organization without ECOSOC status Reformed Global Tamil Forum (RGTF), NGO(s) without consultative status, also share the views expressed in this statement.

Reformed Global Tamil Forum, Inc. was incorporated as a not-for-profit organization in the State of New York in the United States of America in the year 2020. Eight (8) prominent Tamil organizations from USA, Canada and Europe joined this registered organization in the year 2021.