

Ilankai Tamil Sangam, USA

Association of Tamils of Sri Lanka in the USA

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UN Human Rights Council UPR Submission on Sri Lanka

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Destruction of the Tamil Community in Sri Lanka

Summary

The Tamil community in Sri Lanka is in the process of being destroyed 'in whole and in part' by the state and its armed forces through discrimination, colonization and violence against individuals and the community itself. Under the pretext of counter-insurgency and anti-terrorism, measures are being used to eliminate an entire people.

The UN Human Rights Council must immediately set up a human rights monitoring mission in Sri Lanka and must recognize that it is entirely inappropriate for Sri Lanka to be a member of the Council while carrying out such abuses against the Tamil community. The UN Special Advisor on the Prevention and Resolution of Conflicts must take action on an emergency basis to provide protection to the Tamil civilian population from the onslaught of abuses by the Sri Lankan government and its armed forces.

Key words: ethnic cleansing, R2P, crimes against humanity, colonisation, genocide

1. The Ilankai Tamil Sangam USA represents the Tamil American community in the United States. The English translation of our name is Association of Sri Lankan Tamil Americans. Our organization has represented Tamil Americans and Tamil interests for thirty years. Most of our members are professionals who have left the island of Sri Lanka and remain in the diaspora as a consequence of the terrible violence which is being done to the Tamil community by the Sri Lankan state.
2. Since the independence of Sri Lanka in 1948, the Tamil minority has been systematically marginalized, discriminated against and weakened by the actions of the government purely on the basis of their ethnicity, language, religion and place of origin. This marginalization has been hastened by increasing violence at the hands of state and its agents: the armed forces, paramilitaries and mobs organized and empowered by government ministers.
3. Violations of human rights and war crimes in Sri Lanka over the past 50 years must be viewed not just as the violation of individual human rights, but as also as violations of the rights of the Tamil collective: systematic ethnic cleansing, crimes against humanity, and even genocide of the Tamils in Sri Lanka.

4. Tamil areas are occupied and administered by a mono-ethnic military entirely composed of Sinhalese. In Jaffna, the Tamil cultural heartland, there are 50,000 Sinhalese troops controlling 500,000 Tamils – one soldier for every 10 people. In the East, there are over 40,000 Sinhalese troops for 600,000 Tamils and Muslims. Almost no decisions of any sort can be made by the local population in the NorthEast themselves.
5. Those areas that are not occupied by the armed forces are under constant military attack – barring a few cease-fire periods – by land, sea and air with heavy armaments. There is also often a military blockade of Tamil areas with even necessities of civilian life and commerce being blocked. Counter-insurgency and anti-terrorist military tactics are regularly directed against the Tamil civilian population.
6. Tamil areas in the NorthEast are being systematically colonized by state-financed ‘development schemes’ for the benefit of southern Sinhalese settlers protected by the Sinhalese military. Areas thus colonized are then gerrymandered to majority-Sinhalese districts to dilute Tamil representation in Parliament. Colonization has been particularly vigorous in areas which divide the Tamil Northern Province from the Tamil Eastern Province. The Sinhalese population of Trincomalee, for instance, has grown over twice as fast as the Tamil population since 1950. This process of state-aided colonization is ongoing in Vavuniya, Trincomalee and Batticaloa. As an example, Sinhalese settlers have been moved into areas captured by the armed forces to the west of Vavuniya since September, 2007.
7. Tamils have been systematically driven out of their traditional homelands in the NorthEast. Since the war began in 1983, 1/3 (one third) of the original population of 3 ½ (three and one half) million Tamils have left the island. Another 500,000 have left the Tamil areas because of violence and sought a tenuous refuge in Sinhalese areas, particularly in Colombo.
8. The remaining Tamils have all been displaced at least once and most have been displaced multiple times, some as often as 15 times. 600,000 – almost one in every two - remain displaced, living in temporary shelters, in accommodations not their homes or in refugee camps, often in miserable conditions. Displacement of Tamils has occurred through Sinhalese mob violence, military and paramilitary massacres, the shelling and bombing of civilian areas, and the creation of High Security Zones.
9. The economy of the Tamil areas in the NorthEast, which was never provided development funds before the war, has been completely destroyed since. All industry is gone. Commerce is restricted by military blockades and corruption, and by the increasing poverty of the population. Agriculture has shrink due to restrictions on fertilizer and fuel, military offensives timed to the harvest, intentional destruction of crops, the creation of High Security Zones in prime agricultural land, the killing of cooperative society officers, the destruction of processing facilities and military blockades that restrict transport of goods. Fishing, the main source of protein for the population, is so hemmed in by military restrictions as to be non-existent.
10. Emergency laws, the Prevention of Terrorism Act, the military occupation of the Tamil homelands and the complete impunity of perpetrators of crimes against

Tamils permit the extrajudicial executions, disappearances, rape, torture in custody, detention without trial, incommunicado detention, indiscriminate arrest and harassment to which large numbers of Tamils have been routinely subjected. In 2007, 2,500 Tamils were killed and 2,000 disappeared.

11. Most of the extrajudicial killings and disappearances are not carried out by 'shadowy, unknown forces,' but by paramilitaries directly under the control of the armed forces in counter-insurgency efforts to both eliminate all Tamil activists and leaders of any sort and to terrify the remaining population into passivity. The ability of the community to maintain itself is consciously being destroyed. All local efforts at self-improvement are prevented and anyone attempting such is the first to be killed. Journalists reporting on the genocidal situation and humanitarian workers assisting the affected are also being deliberately targeted, to the point where Sri Lanka is one of the most dangerous places in the world for these essential mechanisms of civil society.
12. Institutions which contribute to the well-being and sustenance of the civilian population have been systematically destroyed and never re-built. Hospitals, schools, houses of worship, community centers, markets, cooperative societies, bus and train stations, roads, water, sewage and irrigation systems, electrical grids, etc. are all decrepit or destroyed. Teachers, doctors and government servants (all of whom are government-appointed) are in short supply in the Tamil northeast, while they are in excess in the Sinhalese south. Donor-funded projects are used to strengthen and protect colonists, the military and its paramilitary clients. The remaining physical structures of Tamil institutions, including schools and hospitals, are deliberately occupied by the armed forces to prevent their unencumbered use by civilians.
13. Indicators of the well-being of the population in the Tamil homelands have plummeted since 1983. Infant mortality has quadrupled, while one in every two Tamil children is now malnourished. Illiteracy has risen as school attendance has decreased - in a community that values education above all else. The proportion of children continuing on to higher education has fallen. The proportion of those living in poverty and unemployment has increased significantly. Overall social indicators on the island have risen in the meantime, partly because the central government does not include the worst-affected areas of the NorthEast in its statistics.
14. Assistance to the war- and tsunami-affected, the displaced and those living in poverty has been hampered by government and military obstruction. Even when the government declares that there is no blockade of the Tamil areas, as Pres. Kumaratunge did in 1994, the armed forces prevent free access. Today, obstruction of access to both local, national and international agencies and NGOs is rampant. The main aid vehicle of the Tamil diaspora, the Tamil Rehabilitation Organization, has been outlawed, its funds frozen, its offices looted and bombed and its workers abducted and killed.
15. The freedom of movement of the Tamil population has been drastically curtailed. The need for special passes and permissions, regulations about registration at police stations, the photographing of all households in Tamil areas, etc. are means of restricting free movement. National identity cards are often confiscated, which

- then prevents all movement for those individuals. Roads to the main cultural and population center of Tamils, the Jaffna Peninsula, are closed, which allow access only by sea and air to 600,000 people. Permission from the armed forces is required to leave the peninsula. Movement into and out of the Vanni is supremely difficult, even for those in need of medical attention. In addition, the innumerable checkpoints throughout the island are directed almost completely against the Tamil population and constitute a major impediment to free movement.
16. In the current situation, in which the continued existence of the Tamil people as a community in our traditional homelands is ever more in doubt and when there is an assault and occupation of our homelands by the full force of - by population - the largest, most expensive military in Asia, every mechanism of the United Nations must be mobilized to protect the Tamil civilian population from destruction. The Responsibility to Protect our people in the Tamil areas of Sri Lanka must be activated to ensure our very survival.
 17. As a first step, the UN Human Rights Council must immediately set up a human rights monitoring mission in Sri Lanka and must recognize that it is entirely inappropriate for Sri Lanka to be a member of the Council while carrying out such abuses against the Tamil community.
 18. In addition, the UN Special Advisor on the Prevention and Resolution of Conflicts must mobilize the international community on an emergency basis to provide protection to the Tamil civilian population from the onslaught of abuses by the Sri Lankan government and its armed forces.