



General Assembly

Distr.
GENERAL

A/HRC/4/NGO/43
6 March 2007

ENGLISH ONLY

HUMAN RIGHTS COUNCIL
Fourth session
Item 2 of the provisional agenda

**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Written statement* submitted by the International Educational Development (IED),
Inc., a non-governmental organization on the Roster**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[27 February 2007]

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

The genocidal crisis in Sri Lanka¹

1. On 29 January 2007 International Educational Development, Inc. (IED) and the Association of Humanitarian Lawyers (AHL) submitted a letter on the genocidal crisis in Sri Lanka against the Tamil people in that country to the High Commissioner for Human Rights and the Special Advisor to the Secretary-General on the Prevention of Genocide. The situation of the Tamil people in Sri Lanka has disintegrated so seriously that the Tamil peoples, already victims of ethnic cleansing and other gross violations of human rights and humanitarian law, are at serious risk of genocide. The following paragraphs are excerpts from that letter:

“We have addressed human rights and humanitarian law in the context of this armed conflict for 24 years. . . . That the war between the government forces and the Liberation Tigers of Tamil Eelam (LTTE) is almost exclusively in the Tamil areas and would, therefore, result in some Tamil civilian casualties, does not alter our opinion that the situation is genocidal, especially considering that so many military operations are deliberately directed at Tamil civilians and that the policies as a whole aim to either kill or drive the Tamils out of their own areas if not the island.

At present time, the dire ground realities of the Tamil civilians affected by the war are worsened by steadily escalating and shrill anti-Tamil rhetoric from Sinhala government officials, leaders of the extremist Buddhist party (the JHU), and other Sinhala leaders that carries beyond the island. This also is having a negative effect on the hundreds of thousand of Tamil refugees and exiles in the diaspora . . . [and] has interfered with international solidarity for the Tamil victims. Some of the few statements made omit the fact that most of the victims are Tamil. We note with alarm the recent words of a former member of the Indian Cabinet Secretariat indicating that the government of Sri Lanka is

‘taking advantage of the silence of the international community, including India, on its policy of using its Air Force, heavy artillery and forced starvation to force the Tamils to submission.’²

We have long been shocked at the policies of Sinhala-dominated governments to encourage large-scale relocation of Sinhalas into traditional Tamil areas. In discussing the current government’s resettling of former Sinhala soldiers into areas from which Tamil civilians have recently fled, the same author writes:

‘the ultimate objective of Mr. Rajapakse’s advisors is to reduce the Sri Lankan Tamils to the status of the Red Indians of Sri Lanka kept confined to certain reserves as museum pieces. A more anti-Tamil group of hard line

¹ The Association of Humanitarian Lawyers also shares the views expressed in this statement.

² B. Ramen, “Rajapakse Bent on Dictated Peace,” in South Asia Analysis Group, Paper No. 2088 of 7 January 2007, www.saag.org.

advisors Sri Lanka has not had since the Tamils rose in revolt in 1983.”³

2. We also indicated that the day to day realities of Tamils in Sri Lanka prompts nearly daily “urgent action” type requests to essentially all the Human Rights Council’s Special Procedures that we urge supports the view that the situation against the Tamils is genocidal. We provided a brief review of some of the pressing issues under the mandates of Council’s list of special procedures: the Special Rapporteur on Adequate Housing (forced evictions and displacement of Tamil civilians); the Working Group on Arbitrary Detention (re-opening of Boosa Camp and reinstatement sections of the Prevention of Terrorism Act); the Working Group on Disappearances (the “white vans” are back); the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (military operations against Tamils civilians; Tamil politicians, civilians, aid workers being killed); the Independent Expert on Extreme Poverty (practically no food, no shelter, no livelihood for Tamils in Tamil areas; High Security Zones cover most of Tamil agricultural areas); the Special Rapporteur on the Right to Food (use of food as weapon of war against Tamils); the Special Rapporteur on Freedom of Expression (attacks on Tamil journalists); the Special Rapporteur on the Right to Health (denial of food and medicine to Tamil areas; attacks on Tamil hospitals); the Special Representative on Human Rights Defenders (aid workers assisting Tamils killed, others with restricted or no access to Tamil areas); the Representative on Internally Displaced Persons (nearly one third of Tamil civilian population in Tamil areas is an IDP, either from Tsunami or war; nearly one third of entire “Eelam” Tamil population granted asylum or in refugee camps abroad); the Special Rapporteur on Racism (the rise of overt anti-Tamil racism in Sinhala political parties and government; refusal to provide post-Tsunami aid in Tamil areas); and the Special Rapporteur on Torture (torture rampant in jails and against Tamils picked up by the “white vans”). We also indicated that the mandate of the Independent Expert of human rights and international solidarity was invoked due to the steady and shrill anti-Tamil rhetoric from numerous Sinhala government officials that is unfortunately echoed by other parties both in Sri Lanka and abroad. We indicated that the mandate of the Working Group on Mercenaries was invoked by the “Karuna Group.”

3. We have long noted that the government of Sri Lanka has been given extraordinary latitude by the international community. If the Tamils are to survive as a people in Sri Lanka, this must change immediately. Sri Lanka’s promise to establish the “eminent persons” team of international experts to monitor its own investigative Commission derailed potentially useful action contemplated by the Council in its 2d session. Now, four months later, such a team has yet to be put in place, and even if it were, it is doubtful it can have much impact as the government of Sri Lanka has put conditions on the team regarding what it can investigate. In particular, we stress that this team will not be able to fully investigate the genocidal crisis involving the Tamil people. On our view, this is a very obvious tactic to delay more meaningful scrutiny and action while the government pushes to annihilate the Tamils. We also note that the countries and regional organizations submitting candidates for the eminent persons team have, for the most part, demonstrated decidedly anti-Tamil policies themselves, so we are skeptical of their motives of engaging in this plan. The Council should insist on its own team, such as the teams sent to Lebanon and Sudan where there have been similar crises. Failure to do so will haunt the Council as it seeks to extricate itself from the alleged politicization of the Commission on Human Rights.

³ Idem.

4. On a number of occasions we have communicated our concerns that the geopolitical interests of other countries, in particular the United States, in the Tamil areas of Sri Lanka have been a factor in the failure to resolve this conflict.⁴ These same geopolitical interests may now be a factor in possible genocide. In this regard, we have wondered why the international community as a whole has not understood that it is encouraging a United States policy when it fails to adequately address the Tamil issue in Sri Lanka. In any case, unless it is already too late, the United Nations and its human rights defenders may be the only hope that the Tamils have to prevent their annihilation.

5. We communicated to the High Commissioner and the Special Advisor that we are aware that anyone who either criticizes the government of Sri Lanka or indicates any sympathy for the plight of Tamils will be subjected to strong complaints and accusations from the government. Two Secretary-Generals (Boutros-Ghali and Annan) have been pilloried by Sri Lankan officials, as has Alan Rock, the investigator on issue of children in armed conflict. We are also aware of attacks on Catholic Church congregations, aid providers, and a number of other people and groups who express concern for the Tamils in Sri Lanka. We view this as part of a genocidal agenda.

6. We concluded our letter quoting former Secretary-General Kofi Annan:

“Whenever civilians are deliberately targeted because they belong to a particular community we are in the presence of potential, if not active, genocide. . . .We can no longer afford to be blind to the grim dynamic. Nor should we imagine that appeals to morality, or compassion, will have much effect on a people who have adopted a deliberate strategy of killing and forcible expulsion.”⁵

⁴ The most recent written statements are E/CN.4/2006/NGO/207 and E/CN.4/2006/NGO/209, circulated at the Council’s 2d session. Please see also the briefing paper we circulated at the 2d session of the Human Rights Council. In brief, the United States has a large interest in securing Trincomalee Harbor for a US “deep water” navy base, and Palaly Airfield for an air base as part of its plan to have “strike force” capacity world wide, and to control and monitor all petroleum shipping routes from the Middle East. Trincomalee and Palaly are in the Tamil areas, so the Tamils would have to be “subdued” or removed for the US plan to be viable.

⁵ Statement to the Commission on Human Rights, Press release SG/SM/9245 of 7 April 2004.