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Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Tamil Uzhagam, 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.

[23 August 2023]

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



The Situation of Enforced Disappearances in Mannar, Sri Lanka

This is testimony from Mrs. M.Uthayachandra, representing the Association of families of Enforced disappearances of the district of Mannar. She wish to adress to the United Nations High commissioner, special procedures mandate holders of Geneva and to the Country members about the current discovery of mass graves in Mannar.

Her son was take-away by the Sri Lankan military forces on the 11th of September 2008 while he was at home. Until now, his whereabouts are unknown. She is one of these mothers who is seeking for her son for all those years.

“Just in Mannar district, more than 500 of our children are made disappeared. Mannar is a district under military control. In 2007, 2008, 2009 and even 2010, Mannar was entirely under the control of military; so that means there were a lot of check points. If someone wants to come to my house, one should ask the permission to the military. So it is in this context that my was taken from home in the night saying that the will release him after a routine interrogation. But form then, I have never seen him again.

And now, we can see a lot of mass graves being discovered in Mannar and other districts. In 2016, in Thiruketheeswaram in Mannar district, a mass grave was discovered while a path was dug in order to drain water. 83 skeletons of human bodies were found out, including 26 or 28 skeletons of small children, that means from 4 years old to 16 to 17 years old. I went to see this mass grave myself. I could see a human rest of a mother who had tied a cloth bracelet that hindus tie in their hands in temples for rituals. Astonishingly this cloth bracelet has not even decomposed.

In an other human remain, I could clearly see 200 roupies note in the pocket of a man's shirt. That means it is a very recent event. But this was not well documented or investigated. No one could bring the truth in this matter.

In the same manner, there was an office of an NGO, in the name of Sadhosa in the town of Mannar. In front of this office, there was a military check point there before. Now they have built a courts of justice there. They have found there a mass grave also in this place. We have found more than 300 human bodies. After investigations, they revealed that this dated back to 200 or 300 years ago. But that is not true because there was also a Maliban biscuits packet wrap with these remains. This information came out thanks to a Tamil boy who were working in that investigation group who released this information out. Otherwise they would have hidden this Maliban biscuit wrap discovery in this mass grave.

And even recently, they have discovered another mass grave in the district of Mullaitivu. We have heard that remains of human bodies have been found too. But nothing has been done yet in formal way I think. I have not been to the spot yet.

For me, I believe that only the intervention of the international community with an impartial investigation can bring us justice. Until that Sri Lanka will lie to us and to the whole world that the skeletons found in these mass graves date back to 400 or 500 years ago. They just want to escape from justice. How can Sri Lankan government get us justice? Therefore we need the intervention of the international community.

As for the Northern Province, we know where exactly we can find mass graves even now. In every military check points, we can find systematically mass graves. Because they have taken away our children and killed them in detention and buried them right there. and now they want to hide all these mass graves by building there Buddhist temples. In parallel, they want to install in these areas sinhala families, meaning “forced colonization”. In this way, they are trying to deprive Tamil people's rights. Why should they build Buddhist temples in areas there are no Sinhalese? The answer is so obvious: it is because we are sure that there is a mass grave in that soil. We, the mothers of enforced disappearances, we are convinced of that theory.”

International Justice

Therefore, we ask for the international impartial investigation to get proper justice. For that we need international forensic experts who will do the job in a just manner. We still believe in Geneva process. It is only through this international procedure that we can achieve justice for all our loved ones made disappeared. So please allot us an expert in forensic expressly for the mass graves to discover the truth. Otherwise, we cannot find justice for us within the internal mechanism of Sri Lanka. We cannot rely on Sri Lanka. We are still on the roads protesting for the lives of our loved-ones. And it is in this context we are facing the discoveries of such mass graves that is so hard for us.

We still believe in the Geneva process. We demand SLAP of Geneva to include the mass grave issues in their mechanism and do it in a proper way. And we also need you to focus on the land grabbing issues that are interlinked so as to file an international investigation on Sri Lanka.

We call for an international investigation into the genocide in Sri Lanka and to inquire into the fate of our loved ones, because we don't have any hope in any domestic mechanisms.

Recommendations:

- a) Recognize the genocide resolution passed unanimously in the Northern Provincial Council of Sri Lanka on 10th February, 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) United Nations Human Rights 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 Tamils.
 - d) Monitor and investigate human rights violations, transmits urgent appeals and letters to Sri Lanka on alleged violations of human rights;
 - e) Undertakes country visit to Sri Lanka and to the region and engage with relevant stakeholders;
 - f) Submit reports to the General Assembly and Human Rights Council on the situation of human rights in the North and East of Sri Lanka; and
 - g) Engages publicly on issues of concern, including through press releases.
- We need to have a special session at Human Rights Council on Sri Lanka for refer the Sri Lanka to the International Criminal Court by security council.
 - 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 good self to investigate this omission and needful mention the word "TAMILS" wherever right.

To the Parliament and civile society to:

- Bring a Resolution to recognize Tamils genocide by Sri Lankan State
- In order to bring Tamils issues under the spotlight and restoring Tamil's trust in the political leadership, please organize in your country Parliament, two/three days annual session focused on the prevailing issues of Tamils. A focused discussion in the house, on the status and standards of Tamils, Tamils security.
- Organize a hearing at parliament foreign affairs committee with Foreign affairs minister

- Please Help us to ensure to protect human rights defenders in Sri Lanka to carry out their legitimate work, in a safe and enabling environment without fear of threats, acts of intimidation or reprisals of any kind witnesses and families seeking truth and justice, and failed to prosecute those against whom there was evidence of wrongdoing.

To the Special rapporteurs and treaty bodies experts.

- Please Help us to ensure to protect human rights defenders in Sri Lanka to carry out their legitimate work, in a safe and enabling environment without fear of threats, acts of intimidation or reprisals of any kind witnesses and families seeking truth and justice, and failed to prosecute those against whom there was evidence of wrongdoing.
- Please Recognize the Tamils as Victims in North and East of Sri Lanka, United Nations Human rights Council continue to not recognize who are the victims in occupied Tamils homeland.
- Condemn Sri Lanka's continued lack of cooperation with UN human rights mechanisms.

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 Organizations directly or via an online platform to have a panel of discussion with Eelam Tamils Victim of genocide in Sri Lanka

GLOBAL TAMIL MOUVEMENT, Gouvernement en Exil du Tamil Eelam, Association for Relatives of the Enforced Disappearance Vavuniya district, Association for Relatives of the Enforced Disappearance Mannar district, Association for Relatives of the Enforced Disappearance Trincomalee district, Association for Relatives of the Enforced Disappearance Kilinochchi district, Association for Relatives of the Enforced Disappearance Mullaithivu district, Association for Relatives of the Enforced Disappearance Jaffna, Association for Relatives of the Enforced Disappearance Batticaloa district, Association for Relatives of the Enforced Disappearance Amaparai district, Alliance internationale contre le génocide, ALLIANCE INTERNATIONALE CONTRE LE GENOCIDE DES TAMOULS, Alliance Internationale de Défense des Droits Humains, ALLIANCE INTERNATIONALE DES JOURNALISTES, Association Internationale Contre les Disparitions forcées, NGO(s) without consultative status, also share the views expressed in this statement.