



வடக்கு மாகாண சபை  
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Northern Provincial Council



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Date } 30<sup>th</sup> August 2016

The Sri Lankan State machinery has subjected several thousands of Eelam Tamils from the North and East and from other provinces, to forcible disappearance in the past.

They were all subjected to forcible disappearances because they worked for the freedom of Eelam Tamils.

There were those who subjected for white-van abductions, those missing after arrest and detention and those who were handed over to the Sri Lankan military in front of their families at the end of war as the families were witnessing the peaceful hand over following the announcement by the military. We are the relatives of these persons who have been subjected to forced disappearances.

It is the Sri Lankan State, which has subjected them to forced disappearance as most of these acts have been carried out by the military apparatus.

But the Sri Lankan State is not prepared to provide answers to the questions on the whereabouts of the victims to their kith and kin.

The Sri Lankan State is engaged in delaying response and buying time. It is trying to transform the grave issue into a minor issue. It is trying to deviate from the core issue by providing some assistance and through issuing certificates as missing persons.

We are fully aware that the Justice System in this island is not going to deliver justice on such matters. There are mass graves that have surfaces in Mannar and in Pallappai in Vadamaradchi in Jaffna as well as in several other places in the North-East. Instead of investigating these, the Sri Lankan Police and the Colombo-centric State institutions have all been engaged in deviating and distracting the issue.

The current and former Presidents of the Sri Lankan State, who have been the executive presidents of the State affairs are answerable and accountable on the issue of forcibly disappeared persons.





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**தொழில்நுட்ப அமைதி 11710**  
**Northern Provincial Council**



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As the Commander-in-Chief of the State armed forces, paramilitaries, police force and other auxiliary outfits the Executive presidents are ultimately responsible, accountable and answerable to the crimes that have taken place during their terms.

The victims were made forcibly disappeared because they were engaged in the activities for the liberation of Eelam Tamils. But, some even don't want to use the identity Tamil when talking about the issue of forcibly disappeared persons.

The State, its Executive Presidents, the Armed Forces and the entire State machinery have been engaged in State Terrorism against Tamils.

The truth, beyond all doubts, is that this State Terrorism has carried out a genocidal war against Tamils.

The victims were made forced disappeared and their issue still being subjected to cover-ups, distortions and deviations is to conceal the main crime of genocide. The reluctance of admitting the truth concerning the forcibly disappeared is directly connected to the denial of genocide.

The Sri Lankan State brought out 6th Amendment and made the political aspiration of Eelam Tamils into a crime and as a result State Terrorism was born.

There are also other State actors who failed to admit the State Terrorism of the Sri Lankan State, but took a one-side stand by declaring the Tamil side as Terrorists. These State actors are also accountable and are complicit in the genocide against Tamils. This is why there are also engaged in diluting the burning issue and are aiding the Sri Lankan State to continue to deviate from real accountability.

While recognizing most of the crimes as War Crimes, these international actors refuse to call the Tamil prisoners as Prisoners of War. This also indicates a serious shortcoming in the existing International Law and the Human Rights regime.

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Northern Provincial Council



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While the International Community is reluctant to regard the Tamil-speaking prisoners as Prisoners of War, the Sri Lankan State which engaged in State Terrorism is refusing even the status of Political Prisoners to the Tamil-speaking prisoners and detainees.

Therefore, the struggle for accountability on forcefully disappeared persons is a struggle against international injustice as well as it is being a struggle against the State that engaged in State Terrorism and genocide. It is precisely therefore it is a betrayal to the victims if we avoid their collective Tamil identity.

Even the international non-government organizations dependent on external States for their funding have transformed the struggle into a money-making industry serving different agendas of the involved States. It is disappointing to see their deviations and this has raised several new questions.

Former Sri Lankan President Chandrika Kumaratunga Bandaranaike is currently leading the State office for reconciliation. In 2004, she came with an apology to the victims of 1983 Black July anti-Tamil pogroms that were carried out during the times of UNP government. When she came with the apology, she compared the crime with what happened in Nazi Germany. In her own words: "I believe honestly that what happened in 1983, the attitudes that led up to it, and the consequences are similar to what Germany suffered in the 1930's and 40's".

Her apology came 21 years after the crime. 12 years have now passed since her apology. But, she is yet to take accountability for the grave crimes committed under her rule. This is an example to illustrate the pathetic state of so-called reconciliation in the Sri Lankan context.

Not only as a former President, but also as a Sinhala woman who had lost her husbands to bullets, I have a message to Mrs Chandrika Kumaratunga, as a victim who handed over my husband to the Sri Lankan Army and is still searching for him.

If the current and former presidents are serious about reconciliation, they should first stop calling the genocidal war as a humanitarian war. They should officially recognize the Tamil struggle as a liberation struggle and those who participated in it as freedom fighters without any qualms or reluctance.





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We can only start reconciliation from a position that those who were made to disappear were not terrorists.

Those who have faced similar situations in other countries have recognized it. But, when they come here, they seek to condition us and demand us to abandon our dignities while failing to condition the Sri Lankan State. So our message to those International Actors is also the same.

Be it civil society or those who talk only about individual human rights, or those who only talk about the customary international law, they should first get it that collective rights are important in human rights. Equality on the basis of identity and recognition of that equality is important for the collective rights.

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