



பொத்துவீல் கொடக்கம் பொல்கண்டிவற  
பக்கர் பேரமுச்சு கியக்கம்

Date 08/03/2021

#P2P

Contact No

-PEOPLE UPRISING MOVEMENT-

March 8, 2021

Honorable Narendra Modi  
Prime Minister of India  
South Block  
Raisina Hill  
New Delhi 110011  
India

Dear Honorable Prime Minister,

**Appeal to India to help include Refer Sri Lanka to International Criminal Court (ICC) at the UN Human Rights Council**

Since India is a major world power, a very powerful neighbor and have very good understanding of the situation of Tamils in Sri Lanka, we are writing to appeal to you to help to Refer Sri Lanka to the International Criminal Court (ICC) by including it in the current UN Human Rights Council Resolution on Sri Lanka called "Zero Draft" dated February 19, 2021, which was jointly submitted by United Kingdom, Canada, Germany, Montenegro and North Macedonia.

These countries did not even consult the victims when they drafted this Resolution and ignored joint appeals by Tamils, before they submitted this arbitrarily drafted "Zero Draft" at the UN Human Rights Council.

Since India is a member of the UN Human Rights Council, you have all the rights to recommend to include Referral to International Criminal Court (ICC) in the "Zero Draft."

As victims and victim representatives, we are appealing to you to help to include to Refer Sri Lanka to the International Criminal Court (ICC) in the Zero Draft Resolution.

This "Zero Draft" does not meet even the basic expectations of the Tamil community who are the victims of the atrocity crimes including mass killings of Tamils and rape of Tamil women by the Sri Lankan Security Forces.

Due to the serious nature of the situation, Tamils unitedly sent a letter over a month ago to UN Human Rights Council members on January 15, 2021, urging Sri Lanka to be referred to International Criminal Court (ICC). This call was validated by tens of thousands of Tamils in a recent rally called Pothuvil to Polikandy (P2P) which was organized by the North-East Civil Societies.

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We specifically urge this request, after losing any hope of getting justice for war crimes, crimes against humanity, and Genocide committed against Tamil people by the Sri Lankan State.

Not referring Sri Lanka to ICC will not only open the doors for abusers of atrocity crimes to escape justice, but it will also embolden Sri Lankan political leaders and Security Force leaders to commit international crimes against Tamil people without any hesitation, knowing well that they will not have to face justice. We strongly urge you to seriously consider this risk Tamil people will face, if Sri Lanka is not referred to International Criminal Court (ICC).

Furthermore, the current High Commissioner for Human Rights Michelle Bachelet in her Report dated 27th January 2021 urged UN Human Rights Council Member States to take steps toward the referral of the situation in Sri Lanka to the International Criminal Court (ICC).

Also, twenty former senior UN officials, including four former UN High commissioners of human rights, nine independent UN experts and all members of the UN Secretary General's Panel of Experts on Sri Lanka jointly issued a statement on February 18, 2021 titled "Sowing the Seeds of Conflict" have called on Sri Lanka to be Referred to International Criminal Court (ICC).

"...the fact is that Sri Lanka has made its justice institutions unavailable to its own victims. We therefore echo the High Commissioner's recommendations to work with victims and their representatives to pursue justice through universal or extraterritorial jurisdiction. Existing international avenues for accountability such as the International Criminal Court (ICC) should be considered" said the report.

Some examples of international atrocity crimes committed against Tamil people by the Sri Lankan State:

- 1) According to the March 2011 Report of the UN Secretary General's Panel of Experts on Accountability in Sri Lanka stated that war crimes and crimes against humanity were committed during the final stages of the armed conflict and around 40,000 Tamil civilians were killed in the final six months of the war that ended in May 2009.
- 2) According to the November 2012 Report of the UN Secretary-General's Internal Review Panel on UN Action in Sri Lanka, over seventy thousand (70,000) Tamils were unaccounted for during the final six months of the war that ended in May 2009

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# பொக்துதல் ருநாடக்ட்டு பொல்கர்ட்டுதர

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- 3) Several were killed when Sri Lankan forces repeatedly bombed and shelled an area designated by the Government as No Fire Zones (Safe zones). Even hospitals and food distribution centers were bombed. Several also died of starvation and bled to death due to lack of medical treatment.
- 4) International Truth and Justice Project (ITJP) in February 2017 handed over details to UN of Sri Lankan Military run "Rape Camps", where Tamil women are being held as "sex slaves."
- 5) According to UK Foreign and Commonwealth Office report on April 2013, there are over 90,000 Tamil war widows in Sri Lanka.
- 6) Thousands of Tamils disappeared including babies and children. UN Working Group on Enforced Disappearances stated that the second-highest number of enforced disappearance cases in the world is from Sri Lanka.

History of false promises by the Sri Lankan Government on accountability for international crimes:

We also would like to bring to your attention that successive Sri Lankan Governments have failed to implement any of the UNHRC Resolutions, including the ones they voluntarily co-sponsored.

The previous Government not only failed to take any meaningful steps to implement the Resolution that it co-sponsored, on the contrary the President, Prime Minister and senior members of the Government have repeatedly and categorically stated that they will not implement the UNHRC Resolution.

The current new Government went one step further and officially withdrew from the co-sponsorship of the Resolutions 30/1, 34/1 and 40/1 and walked away from the UNHRC accountability process.

Furthermore, as a snub to UNHRC, only soldier who was ever punished and sentenced to death for killing civilians including children were pardoned by the current President.

Also, several senior military officials who were credibly accused of committing war crimes have been given promotions and treated as "war heroes." One officer who was named in UN reports as a suspected war criminal was promoted as a four-star General.

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We appeal to you to take our appeal seriously and include Referral to International Criminal Court (ICC) in the Zero draft Resolution.

Thank you.

Regards

Thavaththiru Velan Swamigal  
(Coordinator)

S. Sivayoganathan  
(Coordinator)

Rev. Fr. Kandaiah Jagathas  
(Coordinator)

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March 08, 2021

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