



வலிந்து காணாமல் ஆக்கப்பட்டவர்களின் உறவுகளின் சங்கம்

வடக்கு கிழக்கு மாகாணங்கள்

Association for Relatives of the Enforced Disappearances
North & East Provinces

கண்டி வீதி, கிலினொச்சி

Kandy Road, Kilinochchi

Mr. Volker Turk
United Nations High Commissioner for Human Rights Geneva,
Switzerland

30.08.2023

Dear Sir!

**Memorandum Submitted on The International Disappearance Day
on 30/8/2023**

We, the parents, family, and loved ones of those forcibly disappeared in the North and East, have been tirelessly advocating and protesting for the past 2383 days. We live in a country ranked second in the list of nations with the highest number of enforced disappearances. On this International Disappearance Day 2023, we are once again drawing global attention to demand justice.

Individuals from the Vanni region, including infants and young children, who believed false promises from the government, those handed over to authorities by their relatives, and those abducted within armed force-controlled areas, have all been forcibly and intentionally disappeared. These actions were systematically planned by the government and superior officers in the armed forces. When we demanded the return of those we handed over after the war, the government callously claimed they died during the conflict. Despite knowing these are lies, the international community remains silent.

Our Appeal to Successive Sri Lankan Governments & Our Peaceful Protests

We have appealed to successive Sri Lankan Governments, imploring them to return our loved ones or at least provide us with information about their fate. However, our pleas have fallen on deaf ears, and for the past five and a half years, we have resorted to holding peaceful protests across the North & East regions of the country. Sadly, these peaceful demonstrations have been brutally suppressed by a large number of Sri Lankan armed forces, many of whom were involved in the disappearances. The lack of accountability for the perpetrators not only allows them to escape justice but also emboldens Sri Lankan political and security leaders to commit further international crimes against the Tamil community without fear of repercussions. This fear haunts us, as we worry for the safety of our children and grandchildren who remain with



வலிந்து காணாமல் ஆக்கப்பட்டவர்களின் உறவுகளின் சங்கம்

வடக்கு கிழக்கு மாகாணங்கள்

Association for Relatives of the Enforced Disappearances
North & East Provinces

கண்டி வீதி, கிலினொச்சி

Kandy Road, Kilinochchi

us. Despite this intimidating environment, we remain steadfast in our protests. Tragically, more than 180 of our mothers and fathers who took part in these protests have passed away without ever knowing the fate of their children.

Sri Lankan Government's Deceiving Tactic by forming Office of Missing Persons (OMP)

The establishment of the Office of Missing Persons (OMP) by the Sri Lankan Government was another tactic to deceive both us and the UN Human Rights Council (UNHRC) in response to Resolution 30/1. However, it has become evident that the OMP does not genuinely aim to serve the families of the disappeared, as it implies that the missing persons went missing rather than being victims of enforced disappearance by the state. Moreover, the appointment of individuals allegedly involved in mass disappearances to the OMP further erodes victims' trust and hampers investigations. For example, on 20th May 2021, former Police Chief Jayantha Wickramaratne, in charge of three police units allegedly involved in mass disappearances at the end of the armed conflict, was appointed as a member of the OMP.

Even more distressing, those responsible for these disappearances are now appointed as responsible for this local mechanism, a breach of the principle of impartiality. The Office of Missing Persons (O.M.P.), created with international support, has proven ineffective over six years. Despite our protests, the international community insists on its use, causing us more anguish.

How can it be just or fair to allow the aggressor and villain to judge their own crimes? Would these international countries act similarly in their own situations? In Sri Lanka, acts of genocide and disappearances, primarily targeting Tamils, have occurred since 1958. In 2009 alone, over 100,000 Tamils were killed, 20,000 disappeared, and thousands more were injured. Despite this, the international community lets the murderer judge the victims. While countries like Syria and Ukraine receive immediate attendance, we are shocked by the international world's double standards.

UN's Response to OMP

Ms Michelle Bachelet, the UN High Commissioner for Human Rights (OHCHR) in her June 2021 report stated the recent appointments to the OMP and the Office of Reparation were discouraging victims' trust and hampering investigations into disappearances.



வலிந்து காணாமல் ஆக்கப்பட்டவர்களின் உறவுகளின் சங்கம்

வடக்கு கிழக்கு மாகாணங்கள்

Association for Relatives of the Enforced Disappearances
North & East Provinces

கண்டி வீதி, கிலினொச்சி

Kandy Road, Kilinochchi

To Get Justice, Refer Sri Lanka to International Criminal Court (ICC)

To achieve justice, we firmly believe that only an independent international accountability process can suffice. The recommendation of the UN High Commissioner for Human Rights to refer the situation in Sri Lanka to the International Criminal Court (ICC), endorsed by numerous UN authorities, including previous Human Rights Commissioners, Special Rapporteurs, and the UN Secretary General's Panel of Experts on Sri Lanka, should be heeded.

We are perplexed by the international community's hesitation to bring a small nation like Sri Lanka to justice, considering its ability to address human rights violations of countries such as North Korea, Syria, Russia, and Myanmar via ICC – countries that haven't endorsed the Rome Statute. Furthermore, nations and international organizations working to enhance Sri Lanka's economic condition must ensure the prevention of another human catastrophe and genocide on this soil. Making the signing of the Rome Statute a prerequisite should be demanded from the Sri Lankan government. What's left is the unfortunate consequence of over 180 parents being lost and the obliteration of "180 direct eyewitnesses," a result of the Sri Lankan government's procrastination.

Appoint an International Team to Find out about the Plight of our Loved Ones

As families of the disappeared, we advocate for the appointment of an international team of eminent persons to independently investigate the plight of our loved ones. This is the only way we can hope to uncover the truth behind their disappearances.

A permanent political solution is necessary to prevent the reoccurrence of genocide

The ongoing structural genocide and Buddhization persist in the present time in Tamil homeland. A lasting political solution for Tamil national question is essential for the existence of the Tamil people and overall harmony on the island. Any permanent political solution for the Tamil national question should have the mandate from the Tamil people through an internationally conducted and monitored referendum with internationally recognized and practiced choices for solution.

Thank you.



வலிந்து காணாமல் ஆக்கப்பட்டவர்களின் உறவுகளின் சங்கம்

வடக்கு கிழக்கு மாகாணங்கள்

Association for Relatives of the Enforced Disappearances
North & East Provinces

கண்டி வீதி, கிலினொச்சி

Kandy Road, Kilinochchi

Yours Sincerely,

President

Association for Relatives of the Enforced Disappearances – North East Provinces

Secretary

Association for Relatives of the Enforced Disappearances – North East Provinces

Contact: A. Leeladevi – Secretary

Tel: 0094778864360

Email: ared.kilinochchi@gmail.com