



ஒ ட் டா வா த மி ழு ஒ ன் றி ய ம்
OTTAWA TAMIL ASSOCIATION
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Not for profit Organization: 936728-4

Est: 2014

Tamil victims of the disappeared deserve justice

We, the Ottawa Tamil Association would like to bring to your humble attention for appropriate steps regarding Sri Lanka's continuing defiance to honor and respect the UNHRC Resolutions and Recommendations while proceeding to commit Human Rights violations against Tamil people in Sri Lanka.

In a 2010 Report, Human Rights Watch concluded that Sri Lanka has "An appalling record of Enforced Disappearances with more than 20,000 disappearances in the 1980s and 1990s".

According to 2009 Report of the Working Group on Enforced or Involuntary Disappearances, there was 5651 outstanding cases of disappearances of Tamil civilians in Sri Lanka.

UN Expert Panel "pinpointed to credible allegations that the Sri Lankan government breached the Prohibition on Disappearances under International Human Rights Law. It also stated that the credible allegations indicated that disappearances were a wide spread practice in Sri Lanka during and after the final stages of the war.

The UN Expert Panel concluded "that credible allegations support a finding of the crime against Impunity of disappearances".

Sri Lankan government's Lesson Learnt Reconciliation Commission (LLRC) concluded that "the government is duty bound to direct the Law Enforcement Authorities to take immediate steps to ensure that those allegations are properly investigated into and perpetrators brought to justice".

The reported disappearances have mostly occurred at the surrender and screening sites and internally displaced camps. Enforced disappearances of persons are considered as a crime against humanity which is a severe deprivation of fundamental rights.

The Office of the Missing Person's Act (OMP) passed by the Sri Lankan government in 2016 led to the set up of an Office "To take all necessary steps to search and trace missing persons including those missing as victims of abduction, persons missing in action or in connection with armed conflicts, political unrest and civil disobediences including conflicts of North and East, to know the circumstances in which persons missing and the fate and whereabouts of such missing persons, clarify the circumstances in which such persons were missing and their fate, to identify proper avenues to redress which such missing persons for their relatives may have recourse".



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Section 18(2) of the Act provides complete impunity to those who were alleged to have carried out the disappearances by stating that “The findings of the OMP shall not give rise to any civil or criminal liability”.

The Office of Missing Persons is in effective only an information gathering institution without providing accountability and justice to the victims. As such it is a hollow and futile exercise of deception to the thousands of victims.

It is to be noted that several hundreds of relatives of disappeared particularly the mothers of victims have been staging a sit- in protest campaign at Vanni in the North of Sri Lanka(The Tamil Home Land) for more than three years while their cries and appeals have so far not reached the ears and eyes of State authorities and government including foreign states. It is unlikely their pleas will ever be heard and investigated for proper action.

In conclusion, we wish to state that the Udalagama and Paranagama Commissions appointed by the Sri Lankan government received more than 55,000 complaints including oral statements of the victims of the disappeared. However, as usual the OMP's findings and Reports are still lying intact without concrete action or any follow up against the alleged perpetrators of enforced disappearances mostly the security personnel. As aptly described, Sri Lanka will continue to perceive the policy of impunity viewing also it's rejection and discarding of all UNHRC and UN Resolutions and Recommendations passed since 2015.

We therefore humbly request your good office to consider and do the needful to redress the long standing grievances of the victims of the disappeared thereby upholding accountability, justice and rule of law.

Thanking you for your attention and Corporation.

With best regards,

Yours Sincerely,

Sathi Nannithamby

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