

PETITION TO THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

Genocide, War Crimes and Human Rights Violations in Sri Lanka.

WE, as concerned Citizens of Australia, petition the Commonwealth Parliament on the plight of the Tamil People in the Northeast of Sri Lanka.

WE, are law abiding Australians, who believe in the traditional Australian values. These values require us not to remain silent when the Tamil people in the Northeast of Sri Lanka are faced with genocide and terror from the security forces and its allied paramilitary groups, acting as agents of the government.

SUBMIT AS FOLLOWS:

1. The war crimes and human rights violations committed by the agents of the government of Sri Lanka, many of which have received the condemnation of the United Nations Agencies, the International Community, Amnesty International, Human Rights Watch and other recognized Human Rights organizations, and have also been confirmed by the former Foreign Minister Mr.Samaraweera in the present government and the Leader of the Opposition, include:
 - Murder of Tamil Parliamentarians; murder, intimidation and abduction of leading Tamil academics, journalists and businessmen, with the view of stifling the voice of the Tamil People and destroying the intellectual and economic segments of the Tamil People
 - Extrajudicial killings and abduction of civilians, including students
 - Aerial bombing of the civilian population
 - Displacement of civilians from their normal habitations
 - Virtual imprisonment and starvation of residents of Jaffna by closing the only access by the A9 road, preventing the free movement of food and medicine
 - Attack on places of worship of Christians and Hindus
 - Occupation of schools, which prevents children's education at all levels and occupation of places of worship by Security Forces
 - Rape as a weapon of war.

We have attached reports relating to some of the matters referred to above from International Human Rights Organization – [see appendix A-Z](#)

2. These human rights violations and genocide are not a recent phenomenon but commenced immediately after Sri Lanka became an independent country.

2.1 Several State colonization schemes were brought into operation to settle members of the majority Sinhalese community on lands traditionally occupied by the Tamil people in the East of Sri Lanka, in order to reduce the Tamils to a minority in such colonized zones.

2.2 The constitution framed by the United Kingdom government, when independence was granted to Sri Lanka, contained Section 29, which ensured the protection of the minority community. The Privy Council held that this section was an entrenched provision which could not be repealed or amended by the Parliament of Sri Lanka. However, the Parliament of Sri Lanka thereafter abolished appeals to the Privy Council. This was followed by, what was termed a “bloodless revolution” by the government of Sri Lanka. The members, who were elected to Parliament, at a general election, were deemed to be members of a Constituent Assembly. The proceedings of this assembly were boycotted by the Tamil Members of the Parliament. This Assembly framed a new Constitution, which omitted section 29 and thereby nullified the effect of the binding order of the Privy Council.

The United Kingdom government, which had, at time of the conquest of Sri Lanka, amalgamated the Tamil Kingdom with the other Kingdoms of Sri Lanka for administrative convenience, had hoped that the Constitution it framed when it granted independence would ensure justice to the Tamil Community. History has proved otherwise.

2.3 A series of riots were initiated and encouraged by the government, causing extensive death and destruction, in order to force the Tamils to flee from their residences and occupations in the South of Sri Lanka.

2.4 Non-violent and peaceful protests by the Tamil People for over 35 years against discrimination, were met by violent reprisals by the government and several pacts solemnly entered into by the government and some Tamil political parties for minimal devolution of power, were later unilaterally abrogated by the government. These events gave rise to armed conflict and the demand for self determination by the Tamil People.

3. The genocide, war crimes and crimes against humanity committed by the agents of the Government of Sri Lanka are contrary to International Law and Conventions. They are also crimes under Chapter 8, Division 268 of the Criminal Code Act (1995) of the Commonwealth of Australia.
4. The Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, by Resolution 2625, recognized that no action would be taken which would dismember or impair the territorial integrity or political unity of sovereign and independent states only so long as they conduct themselves –
“incompliance with the principle of equal rights and self - determination of peoples and possessing a government representing the whole people belonging to the territory without distinction as to race, creed or colour.”
5. International Law also recognizes that the United Nations and the international community would bear the “responsibility to protect” in situations in which genocide, ethnic cleansing, war crimes against humanity are occurring or are imminent.