



உண்மைக்கும் நீதிக்குமான போராட்டப் பேரியக்கம்

Movement for Truth and Justice

- #hunger4truth_justice -

Diaspora Civil Society Forum

புலம்பெயர் சிவில் சமூக சம்மேளனம்

PRESS RELEASE

- FOR IMMEDIATE RELEASE -

15 March 2021

London: Successful Achievements of the Hunger Strike for Truth & Justice by Mrs Ambihai K Selvakumar and declaration of formal conclusion.

Today, after 17 days of continuous hunger strike, Ms Ambihai K Selvakumar has announced she will conclude her fast after successfully getting the UN Resolution to include more than one of her 4 demands.

On 27 February 2021, Mrs Selvakumar, a British national, former civil servant of the UK Government, a dedicated human rights activist and one of the directors of the International Centre for the Prevention of Genocide (ICPPG) commenced the Hunger Strike for Truth & Justice in London, on behalf of the victims of the genocide in Sri Lanka, after giving formal notice to the UK Government. Walking on the most holy path laid by Lt. Col. Thileepan and Annai Poopathi who were known as the lamps of sacrifice within the Eelam Tamil community, she has proven the strength of non-violence and achieved her demands with their blessings. This is the first time in the history of Tamils that a non-violent hunger strike has won its goals.

Background

The Sri Lankan state has perpetrated genocide on the Tamil nation both, in the past and this very day with total impunity. Through the destruction of monuments, obstruction of equality, elimination of language and history, the Tamil genocide continues unabated in Sri Lanka. Tamils are stripped of their fundamental rights and are still fighting for justice and accountability, almost 12 years since the end of armed struggle in 2009. Although the former Sri Lankan Government's administration seemed to commit to transitional justice and accountability at previous UNHRC sessions, the current Sri Lankan Government clarified its aversion to abide its international commitments by officially withdrawing from the co-sponsorship of UNHRC Resolutions 30/1, 34/1 and 40/1. Victims of the war crimes, crimes against humanity and genocide perpetrated by the Sri Lankan state in 2009 have no alternative, but to request UK and the international community to consider referring Sri Lanka to the International Criminal Court as the last avenue to obtain justice.

In January 2021, over 250 British Tamil organisations called on the UK government to establish an International Impartial and Independent Mechanism (IIIM) to investigate Sri Lankan war crimes and the charge of genocide. That same month, in an unprecedented act of unity, major Tamil political leaders, Tamil civil society actors and Tamil victim community representatives signed a statement calling for an international accountability process, including the referral of the government to the International Criminal Court (ICC). Accordingly, on 4 February 2021, a second joint request was unitedly signed by more than 500 British organisations fully endorsing the above-mentioned calls from the Tamil Political parties and civil

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society organisations from the North-East of Sri Lanka and reiterating the request for the referral to ICC.

In February 2021, tens of thousands of Tamils and Muslims across the North-East engaged in mass demonstrations, known as 'P2P', and protested for the international community to take immediate action against the Government of Sri Lanka. Families of the disappeared also protested making similar demands. It is very concerning that none of these actions were taken into consideration, were responded to by the Foreign and Commonwealth office (FCO) of the UK Government.

After the release of the Zero draft of the proposed UN resolution, the entire victim community felt let down by the UK. On behalf of the Tamil victims, Mrs Selvakumar had repeatedly written to the UK government requesting for an amendment to the resolution to include the basic demands which were unanimously put forward unitedly by the Tamils from Sri Lanka and across the world and had also notified it of her intention to fast unto if the government failed to heed to her request. She received no response and commenced her hunger strike in desperation for justice for the victims.

Demands

In her statement, Mrs Selvakumar maintained that she will not break her fast until one of the following demands are met:

1. Recommend to the UN Security Council and the UN General Assembly that Sri Lanka be referred to the International Criminal Court and take steps to effectively investigate charges of war crimes, crimes against humanity, and genocide.
2. Establish an International Independent Investigative Mechanism (IIIM), akin to those established for Syria and Myanmar, which mandates the evidence is of international crimes and human rights violations be collected and prepared for criminal prosecutions. A meaningful IIIM must have a strict time frame.
3. Mandate that the Office of the High Commissioner for Human Rights (OHCHR) appoint a Special Rapporteur to continue to monitor Sri Lanka for on-going violations and have an OHCHR field presence in Sri Lanka.
4. Recommend an UN-monitored Referendum to determine the aspirations of the Tamil people in Sri Lanka, on the basis that the North-East of Sri Lanka is the traditional Tamil homeland and the Tamils have the right to self-determination.

Achievements

The last two weeks have been a gruelling process. Mrs Selvakumar has refused to take any food or medication and consumed only water, in her courageous and noble quest for justice for the tens of thousands of Tamil victims of the genocide by the Sri Lankan state.

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Her demands have been echoed by Tamils all over the world, who rallied behind Mrs Selvakumar in an unprecedented wave of support. Social media platforms were filled with Tamils, both from the younger and older generation, sharing her message and supporting her demands. Across the Tamil homeland, and around the world, including in Tamil Nadu, Canada, France, many solidarity rallies and hunger strikes took place. Relatives who have been searching their enforced disappeared loved ones for over a decade paid tribute to Mrs Selvakumar's brave sacrifice, as she forcefully articulated the pain and suffering of the Tamil Nation as it continues its struggle for justice and self-determination.

Mrs Selvakumar's show of resistance did not fall on deaf ears. As she held her protest, politicians from across the globe sent messages of support and solidarity. Both of Britain's leading opposition parties acknowledged that the proposed UN Human Rights Council Resolution "fails to rise to the challenge" of accountability in Sri Lanka and needed to be "comprehensively" rewritten. On 10 March 2021, Lord Ahamed of Wimbledon formally responded to Mrs Christy Nilani, the media coordinator of the ICPPG, in writing and made the following admission:

"In regard to establishing an International Independent Investigative Mechanism, we agree on the importance of preserving information and evidence gathered so far. Our draft resolution therefore requests OHCHR to consolidate, analyse and preserve this information so it can be used in future accountability processes. This will build on the work of previous resolutions, including the 2014 resolution which mandated a comprehensive OHCHR Investigation on Sri Lanka (OISL)".

As a result, substantial changes were made to the resolution text, which were introduced by the UK through constructive and unified efforts by an energised diaspora. Although the resolution has again failed to recommend a referendum or the referral to the ICC, it admitted the failure of domestic mechanisms (Op para 5) and proposed a creation of an independent mechanism to collect, analyse and preserve evidence for the purpose of advancing accountability and assisting the judicial process (Op para 6). Despite the deficiencies in the mechanism, it must be accepted that it is indeed a unique independent mechanism which is the second demand of Mrs Selvakumar. In addition, the resolution has also proposed enhanced monitoring system (Op para 16) which serves the purpose of a permanent special rapporteur which is the third demand of Mrs Selvakumar. Given more than one of her demands had been granted within the final draft of the resolution, her campaign has succeeded in achieving its goal and set a new positive example to Tamil community. Success of this also gives hope to non-violence means of struggle to achieve their goals.

In addition, she has also succeeded in galvanising a new generation of Eelam Tamils worldwide to take up and continue the struggle for liberation. She has inspired many non-Tamil youths making them believe in civil liberty and human rights.

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Her courageous protest and her unwavering commitment to the struggle will always be remembered.

We take this opportunity to thank her for her courage in leading the Tamil community in a positive path and to express gratitude to the UK government for honouring at least some of the demands of the Tamil victims of genocide. We also thank the organisations and people who fully endorsed this campaign, provided their relentless support, and contributed to turning it into a historical victory. This is a victory for the Tamils across the world and we request your continued support to take forward our struggle for our rights in a united and non-violent manner until we achieve our free homeland.

Thank you.

Support Team
Hunger Strike for Truth & Justice

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