



PRESS RELEASE

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The ICPPG Intends to Commence Fast unto Death Demanding the UK Government to include Referral of Sri Lanka to the International Criminal Court (ICC) and creation of an International Independent Investigative Mechanism (IIIM) in the proposed UN Resolution.

London: Mrs Ambihai K Selvakumar, one of directors of the ICPPG has formally notified the UK government today of her intention to commence a hunger strike against their failure to take into account of the **“Call for Decisive Action at the 46th Session of the UNHRC”** by all major Tamil Political parties and Civil Society organisations representing the North-East of the island of Sri Lanka and the two Joint Requests submitted by more than 500 UK based organizations, when drafting the proposed Resolution to the UNHRC. In particular, she has given notice that she has decided to fast unto death unless UK government agrees to include the unanimous demands of the Tamils, namely the referral of Sri Lanka to International Criminal Court (ICC), creation of an International Independent Investigative Mechanism (IIIM) and appointment of a permanent special rapporteur within the proposed Resolution.

On behalf of the victims of Genocide in Sri Lanka, on 22nd February 2021, the ICPPG wrote to Rt. Hon. Dominic Raab MP - Secretary of State for Foreign, Commonwealth and Development Affairs, and Rt. Hon. Lord Ahmad of Wimbledon - Minister of State for South Asia and the Commonwealth, expressing serious concerns and reiterated the demands that the UK government must include referral of Sri Lanka to the International Criminal Court and create an International Independent Investigative Mechanism (IIIM) in the proposed Resolution.

The ICPPG further expressed their disappointment that despite the Tamils, victims of genocide, have called to urge the UNHRC to refer Sri Lanka to the Security Council to consider the referral to the International Criminal Court (ICC) and to establish a mechanism similar to the International, Impartial, and Independent Mechanism (or IIIM) the leaked proposed resolution (1902221HRC 46 Sri Lanka Zero Draft) none of these are taken into account.

The ICPPG shared their frustration that Rt. Hon. Dominic Raab MP, and Rt. Hon. Lord Ahmad has failed to even respond to the joint letter of 05th January 2021 and 03rd February 2021 signed by over 500 organisations that fully endorsed the “Call for Decisive Action at the 46th Session of the UNHRC” released by all major Tamil Political parties and Civil Society organisations representing the North-East of the island of Sri Lanka.

On 17th February 2021, following Mr Julian Braithwaite’s, Ambassador and Permanent Representative UK Mission to the UN’s statement on resolutions, the ICPPG wrote to the UK government and registered the deep dismay of the victims as the statement neither made any reference to the Tamil community who are the majority of victims in Sri Lanka nor addressed the desire of the victims which is the request to refer Sri Lanka to the International Criminal Court (ICC).



The ICPPG pointed out that the Sri Lankan state has perpetrated genocide on the Tamil Nation and the genocide against the Tamils continues to this very day. Through the destruction of monuments, obstruction of equality, elimination of language and history, the Tamil genocide continues unabated in Sri Lanka with impunity. Tamils are stripped of their human rights and are still seeking justice and answers, nearly 12 years since the end of the war. Genocide continues to be implemented on the Tamil Nation, through the Sri Lankan state. The current Sri Lankan Government took a step further and officially withdrew from the co-sponsorship of HRC Resolutions 30/1, 34/1 and 40/1 and walked away from HRC's accountability process. Hence, the victims are now forced to request UK government to consider the referral to the ICC since there is no other avenue to obtain justice for the atrocity crimes committed against themselves, their relatives, friends, and neighbours.

The ICPPG established that this is the same demand that Tamils across the globe have consistently repeated since the height of the Tamil Genocide in 2009. This is also the unanimous demand of all the victims including the Tamils, Muslims, and other ethnic groups in Sri Lanka.

In 2015, more than 1.5 million people around the world (70,000 in Sri Lanka) signed a petition to 'Refer Sri Lanka to the ICC'¹.

In 2019, the International Commission of Jurists said that referral of Sri Lanka to the ICC was "fully warranted"².

In February 2019, the ICPPG submitted a petition to the Rt. Honourable Prime Minister requesting the UK government to introduce a Resolution at the UNHRC 2020 Referring Sri Lanka to the ICC.

On 05th January 2021, a Joint Request signed by 250 organization in the UK was submitted to the UK government requesting to sponsor a resolution to create an International Independent Investigative Mechanism (IIIM) like the one established for Myanmar mandated to collect evidence of the most serious international crimes and violations of international law and prepare files for criminal prosecution. This made it clear that a meaningful International Independent Investigative Mechanism should gather evidence from the Tamils affected by the genocide whilst also making use of the information and evidence contained in the OISL Report of September 2015³. The purpose behind this was the intention to prevent systematic destruction of evidence by the Sri Lankan authorities, preserve evidence and prepare case files to the criminal standard to be presented to the ICC in the future.

On 15th January 2021, with a single voice, all major Tamil Political parties and Civil Society organisations from the North-East of Sri Lanka have advocated the referral of the situation in Sri Lanka to the ICC and any other appropriate and effective international accountability mechanisms to hear the charges of genocide, war crimes, and crimes against humanity. A joint statement referred as the "Call for Decisive Action at the

¹ <https://www.colombotelegraph.com/index.php/a-million-people-counting-want-sri-lanka-referred-to-the-icc/>

² <https://www.tamilguardian.com/content/referring-sri-lanka-icc-%E2%80%98fully-warranted%E2%80%99-says-icj>

³ <https://www.colombotelegraph.com/index.php/hundreds-of-british-tamil-organizations-unite-to-bring-a-resolution-to-create-iiim-on-sri-lanka-at-unhrc/>



46th Session of the UNHRC⁴ signed by all major Tamil Political parties and Civil Society organisations representing the North-East of the island of Sri Lanka was submitted to the UNHRC⁴.

Accordingly, on 04th February 2021, a second Joint Request unitedly signed by more than 500 organizations, was submitted to the UK government, fully endorsing the above call Tamil Political parties and Civil Society organisations from the North-East of Sri Lanka and reiterating the request for the referral to ICC⁵.

On 27th January 2021, the High Commissioner in her Report A/HRC/46/20 stated that the 2015 Office of the High Commissioner for Human Rights Investigation on Sri Lanka (OISL) documented “the total failure of domestic mechanisms”, including past presidential commissions of inquiry, to ensure accountability and examined “the deeply entrenched barriers to justice in the domestic criminal justice system, particularly for international crimes”.

When referring to her February 2020 Report, the UN High Commissioner, very clearly stated that she is “not convinced that appointment of yet another commission of inquiry will advance accountability”. She also unambiguously urged the UN Human Rights Council Member States to take steps toward the referral of the situation in Sri Lanka to the ICC⁶.

From 3rd February to 7th February 2021, despite intimidation and threats by the Sri Lankan security forces, tens of thousands of Tamils in Sri Lanka participated in the massive “Walk For Justice For Tamils (Pothuvil to Polikandy Protest P2P)” that took place in Sri Lanka and courageously reinforced their call for a referral of Sri Lanka to the ICC⁷.

The ICPPG added that it is evident that the successive Sri Lankan Governments have failed to implement any of the HRC Resolutions, including the ones they voluntarily co-sponsored in the first place. They have not only failed to take any meaningful steps to implement the Resolutions that it co-sponsored but also the President, Prime Minister and senior members of the Government have repeatedly and categorically stated that they will not implement the HRC Resolution. Several senior military officials who have been credibly accused of committing war crimes have been given promotions and treated as “war heroes.” One officer who was named in the UN reports as a suspected war criminal was promoted as a four-star General. Brigadier Priyanka Fernando who remains convicted by the British Court had been promoted for issuing slit throat death threats to the Tamils who had been peacefully demonstrating in the UK⁸.

⁴ <https://www.lankanewsweb.net/79-human-rights/76513-tamil-parties-call-for-decisive-action-at-46th-session-of-unhrc>

⁵ <https://www.namathueelanadu.com/?p=18756>

⁶ <https://www.tamilguardian.com/content/un-human-rights-chief-urges-council-‘explore-all-possible-avenues’-accountability-sri-lanka>

⁷ https://www.einnews.com/pr_news/535441814/massive-tamil-p2p-rally-reinforces-call-for-referral-of-sri-lanka-to-international-criminal-court-icc-tgte

⁸ <https://www.army.lk/news/brig-priyanka-fernando-new-director-real-estate-quartering-assumes-office>



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Archaeological sites are taken over by the Sri Lankan army to extinguish the Tamil national heritage and destroy the history of the Tamil homeland⁹. As stated above, Through the destruction of monuments, obstruction of equality, elimination of language and history, the Tamil genocide continues unabated in Sri Lanka.

Most significantly, the ICPPG informed the UK government that it continues to receive credible evidence that the torture and sexual abuse against the Tamils in Sri Lanka continue to take place on a systematic and the widespread manner by the security forces in an attempt to instil fear and keep the Tamil community under suppression. After carefully interviewing and investigating the torture victims presented by the ICPPG, the special investigation team appointed by the UN OHCHR concluded that OHCHR they have received credible information about cases of abduction, unlawful detention, torture, and sexual violence by Sri Lanka security forces, which allegedly took place in 2016 to 2018. Accordingly, on 08th February 2019, the High Commissioner for Human Rights, in her annual report A/HRC/40/23 expressed her serious concern that "A preliminary assessment of the information received indicates that there are reasonable grounds to believe that accounts of unlawful abductions and detention and of torture, including incidents of sexual violence against men and women are credible, and that such practices might be continuing in northern Sri Lanka. Such allegations should be the subject of prompt, effective, transparent, independent, and impartial investigations. In the past, the Government has condemned any act of torture, and indicated that any allegation of torture would be properly investigated and prosecuted. OHCHR is not aware of any investigations undertaken to date into the above-mentioned allegations"¹⁰.

A survey of the Sri Lankan press conducted by the Journalist for Democracy in Sri Lanka (JDS) reveals at least 50 abductions have been reported in the media in 26 months. Most of these incidents involved Tamil victims and the security forces were the alleged perpetrators. They occurred during 2016, 2017 and the first half of 2018. That is equivalent to two incidents a month and nobody knows how many more go unreported by victims or the media¹¹. It is very unfortunate that the Colombo based NGOs and the mainstream media in Sri Lanka conveniently chose to ignore this apparent evidence of abduction and torture.

The ICPPG also reported that since the above OHCHR investigations in 2018, the ICPPG has documented at least 100 cases of torture and sexual abuse of Tamils which took place between 2019 and 2021. Most of the cases are corroborated by the forensic medical evidence as well as other independent corroborating evidence. A significant number of them managed to escape, fled Sri Lanka, and sought asylum in the UK. It is also noteworthy that the majority of them were found credible and genuine victims by either the Secretary of State or the British Judges and subsequently granted refugee status in the UK. The most recent victim documented by the ICPPG was in November 2020 who was abducted after participating in the Tamil Memorial Day. The youngest victims are aged between 11 and 15 who were stopped at the checkpoints on the way to school and subjected to sexual exploitation almost daily for years. The ICPPG has also received an incredible number of reports of an increasing number of the mysterious death of Tamils. The fact that most of the bodies were found with torture injuries, it leads to the serious suspicion that were abducted,

⁹ <https://www.tamilguardian.com/content/all-sinhala-task-force-sri-lanka%E2%80%99s-%E2%80%98archaeology%E2%80%99-east>

¹⁰ https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/40/23

¹¹ <http://www.jdslanka.org/index.php/news-features/human-rights/810-sri-lanka-two-abductions-reported-every-month>



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tortured, and executed in order to prevent them from escaping from Sri Lanka and testifying against the security forces. The ICPPG has also received reports of abductions in January and February 2021 which the ICPPG is working on to verify. Subject to the consent of the victims and under strict confidentiality protocols, the ICPPG expressed its wiliness to share these cases with UK government and/or any other relevant authorities to confirm the on-going torture, failure of the domestic mechanism to prevent these and the urgent requirement to refer Sri Lanka to the ICC.

In summary, considering the above, the ICPPG stated that it strongly believes that that the UK government will no doubt appreciate the necessity to refer Sri Lanka to the ICC and take the essential steps. On behalf of the victims from Sri Lanka, the ICPPG respectfully requested the UK government to assure us that the resolution which you have kindly agreed to present at the UNHRC in March 2021 does include a provision to refer Sri Lanka to the International Criminal Court (ICC) and to create an International Independent Investigative Mechanism (IIIM).

The UK government failure to respond to any of the above demands and its failure to take into account of any of the demands put forward unitedly by the representatives of the victim community has led the victims feel that they are betrayed by the UK. Hence, the ICPPG has been asked by the victims to take action on their behalf. Accordingly, the ICPPG has been forced to commence the hunger strike without any other option and the final notice had been sent today.

The ICPPG also calls upon all the Tamil Diaspora Organisations and other Human Rights Organisations to support and show your solidarity to our hunger strike in demand to the UK government to ensure that the Resolution to be presented by the UK at the UNHRC in March 2021 MUST include Referral of Sri Lanka to the International Criminal Court (ICC) and to create an International Independent Investigative Mechanism (IIIM).

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About the ICPPG:

The formation of the International Centre for the Prevention and Prosecution of Genocide (ICPPG) in London was initiated by Transnational Government of Tamil Eelam (TGTE). The ICPPG, however operates as an independent body, serving all people who have been affected by or threatened with genocide. Its immediate focus remains the genocide that occurred in Sri Lanka. The ICPPG remains as an International Non-Governmental Organisation and an Independent Legal Body and one of our primary objectives is to collect evidence against perpetrators of genocide and work towards justice, peace and reconciliation¹².

The operational strategy was designed under the guidance of Professor Muthucumaraswamy Sornarajah LLB (Ceylon), LL.M (Yale), LL.M, PhD, LLD (London) is CJ Koh Professor at the Faculty of Law of the National University of Singapore. He is Visiting Professor at the Centre for Human Rights, London School of Economics. He was the Tunku Abdul Rahman Professor of International Law at the University of Malaya at Kuala Lumpur. He was Head of the Law School of the University of Tasmania, Australia. He studied law at the University of Ceylon, the London School of Economics, King's College, London and the Yale Law School. He remains as an independent advisor and we to operate with his blessings.

We began assisting the Nations Human Rights Council (UNHRC) investigations on Sri Lanka by submitting testimonies and organising victim interviews in 2014. In its resolution [A/HRC/25/1](#) adopted in March 2014 on "Promoting reconciliation, accountability and human rights in Sri Lanka", the UNHRC requested the UN High Commissioner for Human Rights to "***undertake a comprehensive investigation into alleged serious violations and abuses of human rights and related crimes by both parties in Sri Lanka during the period covered by the Lessons Learnt and Reconciliation Commission (LLRC), and to establish the facts and circumstances of such alleged violations and of the crimes perpetrated with a view to avoiding impunity and ensuring accountability, with assistance from relevant experts and special procedures mandate holders***". The Council requested the High Commissioner to present an oral update at its twenty-seventh session and a comprehensive report on the investigations at its twenty-eighth session. In accordance with this mandate, the UN High Commissioner for Human Rights established the OHCHR Investigation on Sri Lanka (OISL), based in Geneva¹³. The final report of the OISL commission was published in September 2015 confirming the serious violations, abuses of human rights and war crimes committed by the Sri Lankan authorities¹⁴. In the basis of this report, we continue to work with international prosecutors with a view to bringing criminal and civil prosecutions.

¹² <http://icppg.org/about/>

¹³ <https://www.ohchr.org/en/hrbodies/hrc/pages/oisl.aspx>

¹⁴ https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/.../A.HRC.30.CRP.2_E.docx