



## PEOPLE FOR EQUALITY AND RELIEF IN LANKA

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### PEARL Demands Justice for Genocide Against Tamils

(Washington, D.C.; December 10, 2018)—Following yesterday's International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime, PEARL remembers the victims of Sri Lanka's genocide against the Tamil people and demands justice.

Sri Lanka's "slow genocide" against the Tamil people started in 1948, when Sri Lanka gained independence. Consecutive Sinhala-dominated governments played to their Sinhala-Buddhist nationalist majorities and met decades of non-violent Tamil protests with state violence. "Black July" 1983, the largest of the post-colonial anti-Tamil pogroms, was tantamount to genocide, with Sinhala mobs killing more than 3,000 Tamils. The government provided voter registration lists to Sinhala mobs so they could identify and attack Tamils. The violence lasted for over one week and destroyed 5,000 shops and 8,000 homes. The Sinhala mobs also raped hundreds of Tamil women.

Almost three decades later, in the final phases of the war, the government deliberately understated the Tamil civilian population to limit incoming necessary food and medical supplies. Meanwhile, the military deliberately shelled "No Fire Zones" as well as raped and sexually mutilated many Tamil women. Under President Mahinda Rajapaksa, pro-government doctors performed wartime forced abortions on Tamil women and government health workers forced Tamil women to use surgically implanted birth control in the post-war period. All aforementioned crimes are illustrative of Sri Lanka's killing and non-killing acts of genocide against the Tamil people.

Under the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), adopted 70 years ago on December 9, every state must prevent and punish acts of genocide. Unfortunately, states have failed to fulfill their legal obligations with respect to genocide in Sri Lanka. No credible judicial mechanism, let alone criminal accountability, exists to redress Tamil victims. Nearly ten years after the war ended in mass atrocities, states failed not only to stop the genocide and keep their promise of "never again," but also to recognize and punish these crimes as "genocide." PEARL remains disappointed by states' failure to hold Sri Lanka accountable, as seen again in the aftermath of President Maithripala Sirisena sacking Prime Minister Ranil Wickremesinghe and replacing him with former President Rajapaksa, who holds the greatest responsibility for atrocity crimes. Instead of addressing the increased dangers faced by Tamils if Rajapaksa returns, states (as well as international NGOs and media outlets) shifted their focus to the "constitutional crisis," effectively discounting Tamil victims of genocide. Importantly, Rajapaksa's return to power is a direct consequence of the "good governance" regime's policy of protecting war criminals and preventing criminal justice.

When states fail to punish genocidaires, they ignore the object and purpose of the Genocide Convention. Punishment of genocide is necessary to guarantee non-recurrence and end impunity. As a first step, PEARL calls on states to officially recognize the mass atrocities of Black July and 2009 as "genocide." We further urge states to impose sanctions on Sri Lanka until it establishes a special judicial mechanism with foreign judges, prosecutors, and lawyers to investigate and prosecute atrocity crimes, including genocide, since the start of Black July. We also encourage states to exercise universal jurisdiction to ensure justice in the absence of domestic action. States must fulfill their legal obligation under the Genocide Convention and punish the perpetrators of Sri Lanka's genocide against the Tamil people.