



Recommendations: United Kingdom

Sri Lanka's human rights violations and genocide forced many Tamils to leave the island. More than 936,000 people from Sri Lanka, the vast majority being Tamils, fled Sri Lanka during the war, from 1983 through 2009. In 2008 and 2009, 44 countries—including Australia, Canada, New Zealand, the United States, and those in Europe—received 19,591 asylum applications from people from Sri Lanka.¹ Of those, 3,270 were lodged in the UK.² All these numbers undercount the reality, as they do not include those who entered countries through other channels or during the ceasefire period.



On behalf of the hundreds of thousands of Tamil victims and survivors of 2009, PEARL urges you to join the growing international movement to recognize that Sri Lanka is responsible for genocide against the Tamil people in 2009. Policymakers in Canada, France, India, Italy, New Zealand, the UK, and the US have already recognized the genocide against the Tamil people. In the UK, PEARL calls on the following branches and levels of government to:

Members of Parliament / All-Party Parliamentary Groups (APPGs)

- Introduce and/or support motions that:
 - Recognize that Sri Lanka is responsible for genocide against the Tamil people in 2009, and
 - Call for the establishment of an international criminal justice mechanism to investigate international crimes, including genocide, and, if appropriate, prosecute those most responsible.
- Ask the Foreign Secretary to request a genocide determination by the Foreign, Commonwealth & Development Office (FCDO), including an explanation of the decision.

¹ Refugee Council, *Sri Lanka: Human Rights and Return of Refugees*, at 8 (Dec. 2001), https://www.refugeecouncil.org.uk/wp-content/uploads/2019/03/srila_ret.pdf (UNHCR estimated that 917,000 Sri Lankans, the vast majority Tamils, fled Sri Lanka from 1983 through 2001); UNHCR Division of Programme Support and Management, *Asylum Levels and Trends in Industrialized Countries 2009: Statistical Overview of Asylum Applications Lodged in Europe and Selected Non-European Countries*, at 15 (Mar. 23, 2010), <https://www.unhcr.org/4ba7341a9.pdf> (19,591 asylum applications lodged in 44 countries).

² UNHCR Division of Programme Support and Management, 18-19.

- Ask the Foreign Affairs Select Committee to investigate whether genocide occurred, and if genocide is found, require the UK government to respond with:
 - Its views on genocide determination, including an explanation of the decision, and
 - What actions it will take regarding the responsibility of Sri Lanka (and alleged Sri Lankan perpetrators) for genocide against the Tamil people in 2009.
- Make public statements, including on social media, that:
 - Sri Lanka is responsible for genocide against the Tamil people in 2009, and
 - Call for the establishment of an international criminal justice mechanism to investigate international crimes, including genocide, and, if appropriate, prosecute those most responsible.

Government, including via Foreign, Commonwealth & Development Office (FCDO)

- Noting the Sri Lankan government's failure to criminalize genocide or ratify the Rome Statute of the International Criminal Court (ICC), the absence of an international criminal justice mechanism with jurisdiction, and the lack of political will or jurisdiction of third-party states:
 - Carry out a genocide determination, and if genocide is found, publicly acknowledge that Sri Lanka is responsible for genocide against the Tamil people in 2009.
- Make public statements, including in response to relevant parliamentary questions and on social media, that:
 - Sri Lanka is responsible for genocide against the Tamil people in 2009, and
 - Call for the establishment of an international criminal justice mechanism to investigate international crimes, including genocide, and, if appropriate, prosecute those most responsible.
- Authorize ministry officials to make public statements that Sri Lanka is responsible for genocide against the Tamil people in 2009.
- Take action to hold Sri Lanka formally responsible for genocidal acts, such as torture, under relevant international treaties, which may involve bringing a claim to the International Court of Justice.
- Ask the UN's Sri Lanka Accountability Project (OSLap) to expressly consider genocide in its analyses of evidence, based on UN human rights investigations' standard of "reasonable grounds" and without determining individual responsibility for genocide; and if genocide is found, ask OSLap to:
 - Explain its decision and make public its analysis, and
 - Publicly acknowledge that Sri Lanka is responsible for genocide against the Tamil people in 2009.
- Introduce and/or support UN Security Council resolutions to refer the situation in Sri Lanka to the ICC.
- Urge the UN Security Council to refer the situation in Sri Lanka to the ICC.

- Pursuant to Article 14(1) of the Rome Statute of the ICC, submit a State Party referral of the situation in Sri Lanka requesting that the Office of the Prosecutor investigate alleged crimes against humanity (deportation, deprivation of the right to return, and persecution) that began in Sri Lanka and continued into the UK since 2002.

Attorney General's Office and Ministry of Justice

- Apply national and universal jurisdiction, as relevant, to investigate war crimes, crimes against humanity, genocide, and torture and, if appropriate, prosecute those most responsible.

Mayors

- Make public statements, including on social media, that:
 - Sri Lanka is responsible for genocide against the Tamil people in 2009, and
 - Call for the establishment of an international criminal justice mechanism to investigate international crimes, including genocide, and, if appropriate, prosecute those most responsible.
- Urge your Members of Parliament, the FCDO, and the Ministry of Justice to implement the aforementioned recommendations.

Members of City Councils

- Introduce and/or support resolutions that:
 - Recognize that Sri Lanka is responsible for genocide against the Tamil people in 2009, and
 - Call for the establishment of an international criminal justice mechanism to investigate international crimes, including genocide, and, if appropriate, prosecute those most responsible.
- Make public statements, including on social media, that:
 - Sri Lanka is responsible for genocide against the Tamil people in 2009, and
 - Call for the establishment of an international criminal justice mechanism to investigate international crimes, including genocide, and, if appropriate, prosecute those most responsible.
- Urge your Mayor, Members of Parliament, the FCDO, and the Ministry of Justice to implement the aforementioned recommendations.