

TAMIL CENTRE FOR HUMAN RIGHTS - TCHR/CTDH
CENTRE TAMOUL POUR LES DROITS DE L'HOMME
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Official declaration of Eelam war IV by Sri Lanka!

Today, the Tamil Centre for Human Rights, in association with other Human Rights organisations, Institutions, Human rights defenders and many others around the world mark the 58th anniversary of the Universal Declaration of Human Rights – UDHR, which opened up the pathway to many conventions, covenants and declarations to promote and protect human rights world-wide.

Some countries have ratified major human rights covenants, yet persistently and flagrantly violate even non-derogable rights, in grave breach of their obligations under international human rights and humanitarian law. This is an urgent concern of all who work for the human dignity of all.

Since Sri Lanka's independence in 1948, ruling governments have used the “**state of emergency**” for more than thirty-five years, as one of their weapons against Tamil people.

The draconian **Prevention of Terrorism Act (PTA)** was first introduced in Sri Lanka in 1979, by J R Jayawardena. The Act gives unlimited powers to the security forces to violate human rights with impunity, and was intended to suppress the Tamil demand for Right to Self-Determination.

After decades of failed non-violent protest against massive discrimination meted out to Tamils, the Tamil people had exercised and articulated their right to self-determination in the General Elections of 1977, in which they voted overwhelmingly for a separate state.

Although the PTA was installed under the pretext of curbing the beginning Tamil militancy, it led to the arrest, torture and killing of thousands of innocent Tamils, with impunity, by the security forces. The Act allows the use of confessions under torture as admissible in evidence, frequently Tamil detainees being forced to sign papers in Sinhala, a language many of them do not even know.

The PTA has been consistently condemned over the years by various VIPs in the United Nations and many other international human rights organisations as contrary to accepted principles of Rule of Law and failing to meet international human rights standards.

There has been massive and systematic abuse of human rights in Sri Lanka:

* **Due to Sri Lankan state terrorism** : over 79,000 Tamil people have been killed or “disappeared”; more than 12,500 women raped and killed; more than 2500 buildings religious places of worship (Churches and Temples) have been destroyed in aerial bombings and artillery shelling and billions of rupees worth of material damage has been caused.

* **As a result of well planned ethnic cleansing by the Sinhala State over many decades**, nearly 800,000 people have been internally displaced in the North East and more than 500,000 Tamils have sought political asylum in Europe and other countries.

Through the mediation of Norway, the Ceasefire Agreement - CFA was signed by the Liberation Tigers of Tamil Eelam (LTTE) and the government of Sri Lanka on 22 February 2002. Under article 2.12 of the CFA operations and arrests under the PTA were to cease.

During the Ceasefire period, the military and security forces could not make use of the PTA as systematically as before. “Our hands are tied, but our eyes are open” members of the security repeatedly said to cultural and political activists, as they pursued their civic activities in the relative calm of that period. The security forces were not permitted to make arrests under the PTA, but they noted who the civil society organisers were. These people are now under immediate threat.

On 6 December 2006 the government of Sri Lanka re-instated the PTA, thus making it crystal clear that it has withdrawn from the CFA – tantamount to an official declaration of Eelam War IV by Sri Lanka.

In the last session of the Human Rights Council-HRC, even though the Sri Lanka Government lobbied and avoided a Resolution, seven member countries of the HRC: Australia, Canada, Finland (representing the EU), Japan, Netherlands, Switzerland, United Kingdom, and some INGOs including Action Contre la Faim, raised concerns about the situation in Sri Lanka.

Furthermore, several countries including USA, UK, Australia, France and many other European countries have declared Sri Lanka unsafe for tourists to visit.

We sincerely hope that the International Community will take serious note that even though officially the government has not started Eelam War IV, when one considers the massive military onslaught on the Tamil people since Mahinda Rajapakse came to power a year ago, the killings and torture starting all over again, is equivalent to a declaration of war.

Within the last ten months, 1250 Tamils including humanitarian workers, journalists, parliamentarian, academics and others have been abducted and killed in the North East and the other parts of the Island. There is an economic embargo to the North East and its impact on the people in those areas, especially in Jaffna and Vaharai is devastating, causing starvation and death. Hundreds of thousands have been displaced. Aerial bombings and strafing are instilling widespread fear into the people, including children and women, and killing many.

As we write, an aerial bombing on 9 December has reportedly killed at least 14 Tamil civilians including a six-month old baby.

This is TCHR's urgent message for the immediate attention of the international community, on this International Human Rights Day, 2006. It is a warning signal - what is occurring is a silent ethnic cleansing.

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