



US★TPAC

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## International Day of the Disappeared 2017, Are they alive?

The British Tamils Forum (BTF) and the US Tamil Political Action Council (USTPAC) today commemorate the International Day of the Disappeared that gives the opportunity for us to draw attention to those who have been forcibly disappeared and to show solidarity with their loved ones.

Tens of thousands of Tamils have been disappeared in Sri Lanka, primarily at the hands of the state's security forces and allied paramilitaries. According to Amnesty International, Sri Lanka has a backlog of 60,000 to 100,000 cases of enforced disappearance from all communities since the late 1980s<sup>1</sup>, approximately 20,000<sup>2</sup> of which are Sinhalese according to Presidential Commissions and the rest are Tamils.

“Since 1994 various commissions have documented that there are about 65,000 people missing or not found to be dead,” Chandrika Kumaratunga, a former president and head of the government's reconciliation office, told reporters in 2016.<sup>3</sup> Following a visit to Sri Lanka in 2015, the UN Working Group on Enforced Disappearance noted that **Sri Lanka has the second highest number of unresolved cases under its consideration.**

Thousands of Tamils comprising rebel cadres, civil servants and community activists surrendered to the Sri Lankan security forces at the end of the war in 2009, and their whereabouts not known to date, 8 years later. The Sri Lanka government's own statistics show that 146,679 Tamils remain unaccounted for since the end of the war, Rev. Dr Rayappu Joseph, the Catholic Bishop of Mannar noted in his statement to a government commission on January 8, 2011<sup>4</sup>. The Paris-based Tamil Centre for Human Rights documented 26,840 Tamils who were disappeared from 1979 to August 2007.<sup>5</sup>

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<sup>1</sup> Amnesty International: 'Sri Lanka: Refusing to Disappear, Tens of Thousands Missing; Families Demand Answers,' February, 2017 <http://reliefweb.int/sites/reliefweb.int/files/resources/ASA3754972017ENGLISH.PDF>

<sup>2</sup> Human Rights Watch, 'Recurring Nightmare: State Responsibility for "Disappearances" and Abductions in Sri Lanka' <https://www.hrw.org/reports/2008/srilanka0308/2.htm>, accessed Aug. 29, 2017

<sup>3</sup> <https://in.reuters.com/article/sri-lanka-rights-idINKCNOYU277>

<sup>4</sup> <http://www.srilankaguardian.org/2011/01/lrc-submission-by-catholic-diocese-of.html>, accessed Aug. 29, 2017

<sup>5</sup> [http://sangam.org/2007/11/Killed\\_1956\\_2007.php?uid=2619](http://sangam.org/2007/11/Killed_1956_2007.php?uid=2619), accessed Aug. 29, 2017

These numbers demonstrate the enormous scale of the suffering for a small community, the uncertainty surrounding the facts involved and the urgent need for information and resolution.

The UN Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment, Mr. Juan E. Mendez said at the end of his visit to Sri Lanka in May 2016, "We heard estimates ranging from 16,000 to 22,000 pending cases of missing persons from the time of the conflict and its immediate aftermath. Disappearances need to be resolved. Experience shows that disappearances almost always facilitate torture of the most horrifying kind to occur, and the prolongation of uncertainty about the fate and whereabouts of the disappeared constitutes cruel, inhuman and degrading treatment for their next of kin. That is why we hope to see an operative Office of Missing Persons soon that will conduct serious and profound investigations into each case."<sup>6</sup>

The Tamil community has begun to protest the inaction on finding the facts on the fate of their loved ones. Protests, some of which have lasted now for 200 days, are ongoing throughout the Tamil areas in the north east, even in the face of harassment by the omnipresent security forces. These voices must be heard. Some of the protesters met Sri Lankan President Maithripala Sirisena on 12th June 2017. The President promised to release the lists of those who surrendered or were detained at the end of the war, the prisoners in secret detention centres and the detainees under the Prevention of Terrorism Act (PTA). To this day, the promise has not been fulfilled.

Eight years on, the families of the disappeared and dead desperately need to know what happened to their loved ones and why.

It is the responsibility of all of humanity to ask the question from their own governments and the UN, where are the disappeared? "Are they Alive?"

BTF and USTPAC demand that the Sri Lankan government immediately:

1. Operationalize the Office of Missing Persons for action according to a time-bound plan, allow the OMP to access foreign expertise and funding, mandate the release of all available information to next of kin and institutionalize a judicial mechanism for dealing with perpetrators.
2. Release a comprehensive list of all those held in all forms of detention and allow lawyers and family members regular access to them.
3. Incorporate the UN Convention on the Protection of all persons from Enforced Disappearances into domestic law.

We call on the governments of the world and on the United Nations in pushing for a full resolution of all the cases of disappearance in Sri Lanka, including the truth, reparations and justice for the suffering families who beg to know the fate of their loved ones.

BTF and USTPAC join the people and organisations the world over demanding that the Sri Lankan state account for the people who had been forcefully disappeared.

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<sup>6</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19943>

**About USTPAC:** USTPAC is a US-based Tamil advocacy group advocating for a cessation of ongoing human rights abuses in Sri Lanka, accountability for crimes committed during and after the civil war, and a political settlement to address the root causes of the conflict. Since 2009, it has worked for these goals with the US Government and UN Human Rights Council.

**About BTF:** British Tamils Forum exists to harness the skills and the knowledge of the members of the forum, well-wishers and significant others including mainstream decision makers in the UK with the aim of alleviating the sufferings of the Tamils community in the Island of Sri Lanka and to further their right to self-determination within a democratic framework underpinned by international law, its covenants and conventions.

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