### **MANONMANY SATHASIVAM**

## Attorney-at-Law, Notary Public & Commissioner for Oaths

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24<sup>th</sup> February 2020.

#### **FAO:**

Mme. Michelle Bachelet UN High Commissioner for Human Rights, Office of the United Nations High Commissioner for Human Rights (OHCHR) Palais des Nations CH-1211 Geneva 10, Switzerland

#### BY EMAIL:

registry@ohchr.org rmungoven@ohchr.org ggagnon@ochchr.org

Dear High Commissioner,

# EXTREMETY VERY URGENT FORMAL COMPLAINT OVER THE REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS\* A/HRC/43/19

I am Mrs.Manonmany Sathasivam, Attorney-at-Law & commissioner for Oaths in Sri Lanka. I am currently serving as an Acting District Judge & Magistrate in Vavuniya, Sri Lanka. I write on behalf of the Family Members and Relative of the Enforced Disappeared in order to make a formal complaint regarding their grave concerns over your report A/HRC/43/19.

Please find the enclose complaint setting out the concern and signed by the Family Members and Relative of the Enforced Disappeared at the Annual General Meeting (AGM) of the Association for the Relative of the Enforced Disappeared in Sri Lanka which took place today (24<sup>th</sup> Feb 2020) at Vadduvakal, Mullaithivu, Srilanka.

Should you require any further information or clarification, please do not hesitate to contact me kindly acknowledge the receipt and we look forward to hearing from you.

Thank You.

Yours Faithfully,

Mrs.Manonmany Sathasivam

M. Sathasivan

Attorney-at-Law, Notary Public & Commissioner for Oaths in Sri Lank

To the UN High Commissioner for Human Rights, Mme. Michelle Bachelet registry@ohchr.org rmungoven@ohchr.org ggagnon@ohchr.org

Dear High Commissioner,

We write regarding grave concerns over your report A /HRC/43/19.

Generally, this report is heavily biased towards the Government of Sri Lanka and fails to speak for the victims.

Significantly, the report erases the Tamil identity of the victims of gross violations of human rights. The OISL report (2015, 1174) and the UN Panel of Experts (2011) clearly state that Tamils in the Vanni have faced persecution on ethnic grounds. Your report however only mentions Tamils in relation to the assassinated former Foreign Minister and the national anthem – not as a victim community who have been clamouring for justice at our peril.

The report refers to the Government of Sri Lanka having "a different approach" to the issue of enforced disappearance. This is a shameful euphemism. Why don't you say this government - and the last one - have flatly denied anyone disappeared in their custody, though we are the eyewitnesses who handed our loved ones over to the soldiers.

You write that the Office of Missing Persons has undertaken "important initiatives". We as the victim community would like to know what those are. Have they questioned Lt. Gen Shavendra Silva or General Jagath Jayasuriya over what happened to our family members who surrendered in their presence on 18 May 2009? Not one person has got any closer to the truth as a result of these "important initiatives". You highlight the Certificates of Absence but do not emphasise the need for criminal accountability for mass enforced dissapearance. Also please look at the sums involved – the families of the 250 people who tragically died in the Easter Sunday bombings are to receive Rs.265 million in compensation while we who number tens of thousands and who lost everything in the war are allocated a total of 500 mn. What does that tell you about the value attached to us?

Why do the OMP and the Office of Reparations include army officers but not former members of the LTTE? If they were balanced they would include both.

Why do you refer to the Trincomalee 11 as "youths" when only 5 were students – this is immensely disrespectful to the victim families that you don't bother to identify the victims correctly.

There is also no reference in your report to the Vishwamadu rape case victim who endured so much only to have her case overturned last year. OISL said sexual violence was

systematic and widespread – how can we feel safe if soldiers convicted of gang rape are allowed out and the victims have to run.

We urge you to do a better job of speaking for the victims and their families.

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