

**14 May 2024**

### **Persisting Denial of the Right to Truth, Memory and Memorialisation**

The week leading up to the 18<sup>th</sup> of May is commemorated as ‘Mullivaikkal Week’, where Tamils across the North-East memorialize the lives lost during the ruthless and inhumane executions by the Sri Lankan State during the final phase of the armed conflict. Such actions have raised concern to countless violations of international law and have fostered immense distrust in the Sri Lankan state. However, the Sri Lankan State, continues to employ tactics that suppress and stifle these memorialization events. Acts which we condemn vehemently with each passing year.

This year, the level of harassment, intimidation, threats, and arrests of those who engage in these memorialization events have reached a tipping point. On the 12<sup>th</sup> of May 2024, the Muthur Magistrate ordered that the distribution of ‘Mullivaikkal Kanji’ was punishable by injunctive order, asserting that such sharing posed a risk to public health and safety. Additionally, on the 14<sup>th</sup> of May 2024, the Kalmunai Magistrate issued an order against memorialization, asserting that it amounts to the commemoration of LTTE cadres, and could herald the return of the LTTE. Both of these claims are inaccurate. ‘Kanji’, made with rice, salt, and water, was the only food available during the final stages of the armed conflict and its distribution has now become a form of memorialization within the Tamil community.

The Sampur Police, citing the order, dragged away three women and one man engaged in the doling out of ‘Kanji’, who are now remanded until 27 May 2024. This abhorrent police behavior was conducted purposely during the nighttime to avoid public awareness and incite fear. Moreover, although two female police officers were present during the arrests, they assumed passive roles, allowing their male counterparts to engage in aggressive physical behaviour against the female arrestees. Similarly, the Periyaneelavanai Police, with the support of the Special Task Force, disrupted a memorialization event organized by the Families of the Disappeared in Amparai District. The police threatened the locals saying that the memorialization was banned. Several incidents of a similar nature have been reported across the North-East, the victims of which are afraid to disclose to the public for fear of reprisal. The safe space for memorialization in the North-East continues to shrink, and the continuation of these memorialization events should not be done at the cost of personal security.

Behind the veneer of public concern and maintaining harmony lies the real motive for the Sri Lankan State – the denial of atrocities and genocidal acts, along with the erasure of public memory. The fundamental human act of remembering the dead has, in the eyes of the state, become a threat to national security and amounted to racial and religious hatred simply because it is done by the Tamil community. This community, in effect, is being denied its right to truth, memory and memorialization because the state apparatuses refuse to reckon with the legacy of its atrocities. In this climate of denial of truth, memory, and memorialization, all of which are indispensable to reconciliation process, the State’s obstructive rhetoric is nothing short of duplicity and deception.

We, the undersigned, being mindful of the importance of safe memorialization and addressing past legacies, call on the relevant stakeholders to:

1. Urge the Sri Lankan government to cease immediately the intimidation, threats and arrests against those that engage in memorialization and to release those that have already been detained.
2. Urge disciplinary action against the officers and superior police personnel responsible for the cruel, inhuman, and degrading treatment of women during the arrests.
3. Generate extensive diplomatic field presence in the North-East during Mullivaikkal remembrance week to ensure safe environment for memorialization.
4. Extend the monitorization of the human rights situation in the North-East with the aim of providing protection through presence to victim-survivor communities against reprisal.
5. Amplify local voices from the North-East, particularly that of the victim-survivors.

### **Signatories**

1. Adayaalam Centre for Policy Research
2. Tamil Civil Society Forum
3. Jaffna University Students' Union
4. Eastern University Tamil Students' Union
5. Voice of the Voiceless
6. Association for the Relatives of the Enforced Disappearances – North and East Provinces
7. Association for the Relatives of the Enforced Disappearances - Trincomalee
8. Association for the Relatives of the Enforced Disappearances - Batticaloa
9. Association for the Relatives of the Enforced Disappearances - Ampara
10. Association for the Relatives of the Enforced Disappearances - Jaffna
11. Association for the Relatives of the Enforced Disappearances - Vavuniya
12. Association for the Relatives of the Enforced Disappearances - Mannar
13. Association for the Relatives of the Enforced Disappearances – Killinochchi
14. Association for the Relatives of the Enforced Disappearances - Mullaitthivu

