

August 12, 2025.

1.

**The United Nations High Commissioner for Human Rights
Office of the High Commissioner for Human Rights
Palas Wilson, 52 rue des Paquis,
CH-1201 Geneva, Switzerland.**

2.

To Permanent Representatives of Member and Observer States of the United Nations (UN) Human Rights Council (Geneva, Switzerland)

Your Excellency/Sir/Madam,

Re. the 60th Session of the UNHRC – Urging International Litigation and Action on Sri Lanka

Please note that we are writing this letter to provide clear comments, which may be considered as support for the other letters sent to you on this matter, or may be read independently.

1. Demanding the establishment of an International Independent and Impartial Mechanism (IIIM) with the mandate to assess the crucial element of intent, as well as the pattern of crimes that fall under the 1948 Genocide Convention, that leads to litigation. The mandate for any investigation should cover the entire temporal jurisdiction under the Convention.

Renowned international scholars have affirmed that the crimes committed against the Eelam Tamils in their homeland in the North-East provinces of Sri Lanka must be litigated by an independent mechanism, as the actions of the Sri Lankan government demonstrate an intent to destroy, in whole or in part, the Eelam Tamil population, while systematically obstructing any investigation, thereby constituting genocide (Article II).

Eelam Tamils have appealed to the United Nations to establish an International Independent and Impartial Mechanism (IIIM) to investigate the international crimes committed against them since the first major outbreak of state-sponsored pogrom by Sinhalese mobs against Eelam Tamils occurred in **June 1956**, often referred to as the **1956 Gal Oya riots**. The IIIM will also address the longstanding agony and fate of Tamils who were subjected to enforced disappearances.

Any involvement of the Sri Lankan government in this investigation is insignificant, as the alleged perpetrators are the State and its affiliates.

The Sri Lankan state has consistently opposed any form of international investigation, while simultaneously sustaining a deliberate campaign of structural genocide. It does so under the cover of international legal protections afforded to states by the principle of sovereignty, particularly invoking Article 2(7) of the UN Charter.

Sovereignty cannot be used as a shield for international crimes, a principle demonstrated not merely in words but through concrete actions taken by the UN General Assembly, the UN Security Council, and notably the UN Human Rights Council, particularly in establishing the Commission of Inquiry on Syria to investigate international crimes.

We continue to believe that the Eelam Tamils are protected under international humanitarian law, which legitimately grants the right to call for an international investigation.

In the interest of justice, we respectfully urge that the resolution adopted at the 60th Session of the UN Human Rights Council either (a) authorises the UNHRC to establish an International, Independent and Impartial Mechanism (IIIM) under the Council's vested powers, or (b) includes a request to the UN General Assembly to establish such a mechanism. This mechanism should be mandated to determine the crucial element of intent, as well as the patterns of crimes falling under the 1948 Genocide Convention, with temporal jurisdiction covering the entire relevant period.

2. Urging Member and/or Observer States to initiate proceedings against the Republic of Sri Lanka before the International Court of Justice (ICJ) under Article IX of the Convention on the Prevention and Punishment of the Crime of Genocide, to establish that State's responsibility for the Tamil genocide, encompassing the full temporal scope of the Convention's jurisdiction.

Though several scholars and researchers from independent, recognised bodies have identified that the Sri Lankan security forces, crimes that would have been impossible without the full cooperation of the State, in which the Minister of Defence is also the Head of State, committed war crimes and crimes against humanity, we specifically refer to the findings of the Panel of Experts (UN Secretary-General's Panel, 2011), the OHCHR Investigation on Sri Lanka (OISL Report, 2015), and the UN Special Rapporteur on Torture (2007 visit), all of which have provided ample evidence of such crimes committed by the State. We believe that this concrete body of evidence should lead to judicial proceedings against Sri Lanka.

It has now been 16 years, and the Eelam Tamils continue to feel that the world merely witnessed the climax of the genocide against them, while either engaging in sophisticated genocide denial or maintaining silence, both of which have, in effect, supported Sri Lanka's continuation of structural genocide against the Eelam Tamils.

Under the treaty-based jurisdiction established in Article IX of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, one State may initiate proceedings against another for breaching its obligations under the Convention, provided that both States are parties to it. Sri Lanka acceded to the Convention on 12 October 1950 without reservations to Article IX, thereby opening the door for any country, including Member and Observer States of the UNHRC, to initiate proceedings against Sri Lanka to establish its State responsibility for genocide against the Eelam Tamils.

Therefore, we urge at least one Member or Observer State of the UNHRC to initiate proceedings against the Republic of Sri Lanka before the International Court of Justice under Article IX of the Genocide Convention to determine that State's responsibility for the Eelam Tamil genocide.

3. Urging the establishment of a team of international experts mandated under the International Protocol on Mass Grave Protection and Investigation (The Bournemouth Protocol) to oversee the protection and investigation of the ongoing mass grave excavations in Chemmani in the North of Sri Lanka.

Referring to paragraphs 3 & 4 of point number 1, it becomes evident that any investigation conducted under the patronage of the Sri Lankan state is inherently biased. The case of Chemmani, a mass grave site, stands as stark evidence of the abduction, torture, killing, and

burial of Eelam Tamil civilians. The skeletal remains reveal that the victims included children, even infants.

There is credible evidence that state-sponsored apparatuses, including the tri-forces and police, were responsible for massacring and clandestinely burying Eelam Tamil civilians. These atrocities were carried out under the pretext of the “Global War on Terrorism,” despite the affected community’s efforts to defend themselves against state-sponsored genocide. The Chemmani mass grave is a stark example, providing concrete proof that the intent extended beyond counter-terrorism measures, aiming, at least in part, to eliminate an identified group of Eelam Tamils. This evidence strengthens the case supporting allegations of genocide against the Eelam Tamil people.

In Sri Lanka’s recorded judicial history, there have been instances where evidence of extrajudicial killings was either concealed or erased — the case of Mohomed Thajudeen is one such example. This troubling pattern raises serious concerns about the integrity of domestic investigations. There is no indication that such practices have ceased, and the Tamil community has reasonable grounds to fear that the Chemmani case may meet a similar fate. Media reported that in September 2023, one of the Tamil judges, from Mullaitivu in the Northern part of Sri Lanka, resigned from his position and fled Sri Lanka, citing serious threats to his life and immense stress. His resignation was triggered by pressure related to sensitive cases, including one involving an archaeological site, and a reduction in his security, underscoring the lack of safety and judicial independence within the system.

In light of these facts, we urge the UN Human Rights Council to include in its resolution a provision calling for the establishment of an independent team of experts, with the Bournemouth Protocol mandate, to oversee and supervise the ongoing excavation at the Chemmani mass grave site, as well as to facilitate international intervention in the litigation process.

4. Demanding that, in its Resolution, the Human Rights Council include a strong call to halt the enactment of any current or future amendments and laws that are inconsistent with international human rights and humanitarian protection conventions.

The 6th Amendment was enacted on August 8, 1983, to Sri Lanka’s Constitution flagrantly violates the International Covenant on Civil and Political Rights (ICCPR - entered into force on March 23, 1976) by criminalizing the peaceful advocacy of self-determination, effectively serving as the precursor to the Prevention of Terrorism Act (PTA). It strips elected representatives of their mandates and imposes severe civic disabilities solely for holding a political opinion. This Amendment denies the Tamil people their right to freely determine their political status under Article 1, suppresses democratic dissent protected by Article 19, and obstructs political participation guaranteed by Article 25, while disproportionately targeting one community in breach of Article 26. By closing all democratic avenues for addressing the Tamil national question, the 6th Amendment entrenches structural discrimination, in direct contradiction to Sri Lanka’s binding international obligations.

However, the Sri Lankan State has only agreed to repeal the PTA without addressing the root cause of these draconian measures, the 6th Amendment, which enables the creation of similar repressive laws like the PTA in the future. Moreover, there is no clear deadline for repeal, resulting in delays that allow the PTA to remain a tool of repression and fear. More precisely, in the PTA application, the Eelam Tamil civil and political activists, human rights defenders, journalists, rightful owners of the lands encroached by the Military, and the ordinary people are in a situation where fear prevails.

The Sri Lankan **ICCPR Act of 2007 and the Online Safety Act** have faced criticism for being an incomplete and inconsistent implementation of the principles of the ICCPR. Its enforcement primarily rests with the police, which has led to biased interpretation and application against different communities, including Tamils, Muslims, and Sinhalese.

We strongly urge the UN Human Rights Council to include in its resolution to halt 6th ammendment and a clear and firm demand that Sri Lanka repeal the draconian PTA within a specified and enforceable timeframe; call for the revocation of any legislative efforts to reintroduce or recast provisions of the PTA with more dangerous clauses; and urge the prevention of the enactment of any similar laws or constitutional amendments, including the repeal of primary laws such as the 6th Amendment, that are inconsistent with international human rights and humanitarian protection conventions. Further, we demand the cessation of laws and policies that promote Sinhalese colonization in Eelam Tamil regions, threaten peaceful coexistence, and facilitate the renaming or seizure of lands under state control.

In conclusion, it is strongly urged that the 60th Session of the Human Rights Council incorporate in its resolution the following measures:

1. **Establishment of an International Independent and Impartial Mechanism (IIIM)** with a mandate covering the full temporal jurisdiction under the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide*.
2. **Initiation of proceedings against Sri Lanka at the International Court of Justice (ICJ)** by Member States and/or Observer States, following their obligations under international law.
3. **Activation of the Bournemouth Protocol** with the international panel of experts to ensure independent oversight and supervision of the ongoing excavation of the Chemmani mass grave.
4. **Suspension and prohibition of the enactment** of any current or future legislative measures inconsistent with international human rights and humanitarian law obligations

Thank You.

1) Bishop C. Noel Emmanuel
Bishop of Trincomalee.

Fr. Emmanuel



2) திருத்தி அகற்றல் அமைதி

பெரியபாளையம் அமைதி.

3) Bishop of Mannar —

4) Vicar General, Jaffna —

Very Revd. Fr. P. Josephdas Jebaratnam
VICAR GENERAL
Diocese Of Jaffna
Bishop's House Jaffna, Sri Lanka

05) Prof. K.T. Ganeshalingam

Letter to the Commissioner for UNHRC and M&O States of UNHRC

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Letter to the Commissioner for UNHRC and M&O states of UNHRC

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Fr. M. Sathivel.
Christian Solidarity Movement

REV. DR. A. CONBUICOUR OMV
Trincomeale.

Rev. Z. Nandana Saparamadu
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Rajkumar Rajeevkanth
Solidarity movement for people's struggle

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AHRC.
Trincomeale, Sri Lanka.

Mr. K. Lavakusarasa
Coordinator
AHRC
(AHAM HUMANITARIAN RESOURCE CENTRE)
Eastern Province, Trincomalee

Justice C.V. Wigneswaran
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First Chief Minister of the Northern Provincial Council
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Ex Member of Parliament for Jaffna District
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M. K. SHIVAJI LINGAM
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V. Manivannan

V. MANTVANNAN I.L.B.
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T.N.

Thiagaraja Nirosh
Chairman
Valikamam East Pradesiya Saba
Puttur

A. B. N. S. N. S. N. S.



G. O. L. S.

The Organizer
The Voice of The Voiceless

P. Arul Vandana -
Social Activist

Arul

சுவிட்சர்லாந்து அமைதி
பண்ணைகம்
சுவிட்சர்லாந்து.

செ. கண்ணகிசுந்தரி,
தஞ்சாவூர் மருத்துவ சங்கம்
வலிவடங்க, தென்னிந்தியா.

S. Ananthi
Mrs. Ananthi Sasitharan
Secretary General
Eezha Thameizhar Suyadchi Kazhakam
Former Minister of Women's Affairs
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கொசப் அம்பிரம் அனாசியஸ் -

கொசப் அம்பிரம் அனாசியஸ்
பயிற்சி
பதிவு எண்: JF/VN/VOL/2023/01

கொசப் அம்பிரம் அனாசியஸ்
பதிவு எண்: JF/VN/VOL/2023/01

மயிலிட்டி கிண்டிபுத்தூர் சங்கம்
J/246, J/248, J/251
JF/VN/VOL/2023/01.

கொசப் அம்பிரம் அனாசியஸ்

கொசப் அம்பிரம் அனாசியஸ்
பதிவு எண்: JF/VN/VOL/2021/94

பி.என். அருண். பி.என். அருண்.

தலைவர்,
பல்கலைக்கழக உழியர் சங்கம்
யாழ்ப்பாணப் பல்கலைக்கழகம்
யாழ்ப்பாணம்

யாழ்ப்பாணப் பல்கலைக்கழகம், தென்னிந்தியா

SUBRAMANIAM JEEVASUTHAN

Subramaniam Jeevasuthan

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பல்கலைக்கழக உழியர் சங்கம்
யாழ்ப்பாணப் பல்கலைக்கழகம்

N. Anantharaj

former Secretary, Valvettiturai Citizen Committee

N. Anantharaj

N. Anantharaj
B.A (Hons), M.A.
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SLPS, SLEAS

Nirmalanathan Mary Rengini

Missing person Organisation.

N. Mary, Rajin

Sirakulal Amalgam (organizer)
Sojeevan Tharmaratnam

J. Rajin

கனகம் -

சிறை மாற்ற முயற்சி காண

உட்காண உதவியும்.

மருத்துவ இலக்கண
யாழ்ப்பாணம் -

Dr. K. Kanakam

கனகம் -

தமிழர் கனகம் பண்பாட்டு உதவியும்.

சிறை மாற்ற

உதவியும்.

சிறை இலக்கணமும் -

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கனகம் - N.V. Kanakam உதவியும்.

சிறை இலக்கணம் அறிவிப்பும் சிறை இலக்கணம்

உதவியும் -


தமிழர் உதவியும் மாற்றும், யாழ்ப்பாணம்.

கனகம்.

உட்காண சிறை மாற்ற முயற்சி காண
உதவியும், மருத்துவ இலக்கண, யாழ்ப்பாணம்.

Dr. Kanakam

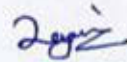
Letter to the Commissioner for UNHRC and MRO States of UNHRC

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1. தலைவர் தயவுசெய்து கீழ்க்,

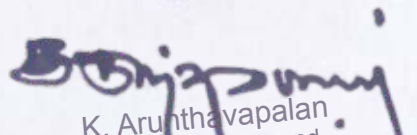
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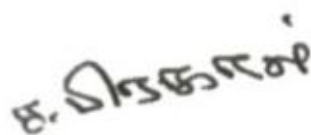


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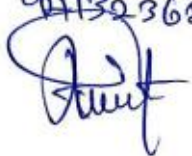
P. Ariyanethiran
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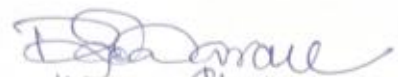

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