



August 17, 2025

To:
Permanent Representatives of Member and Observer States
United Nations Human Rights Council
Geneva, Switzerland

Re: Sri Lanka's Rejection of UNHRC Resolutions and the Urgent Need to Uphold Eelam Tamils' Right to Self-Determination and Ensure Justice and Non-Recurrence

Your Excellencies,

We jointly write to express our grave concerns regarding Sri Lanka's continued rejection of the United Nations Human Rights Council (UNHRC) process and the lack of meaningful accountability for the crime of genocide committed against the Tamil people during and after the armed conflict that ended in 2009. Despite repeated calls from the international community, Sri Lanka consistently continues to deny justice and violate the fundamental human rights of the Tamils.

We also wish to register our profound disappointment with the UNHRC's actions and activities over the last 16 years since the brutal end of the ethnic war, which have not offered any tangible results towards accountability so far.

Continued Impunity and State Repression

To date, there has been no credible investigation or prosecution of war crimes, crimes against humanity, or genocide. The Sri Lankan state, through its military, continues to occupy Tamil lands, execute demographic changes, and systematically destroy the cultural and religious identity of the Tamil homeland, including war memorials. These actions are part of an orchestrated and coordinated campaign aimed at transforming the island into a mono-ethnic Sinhala-Buddhist state.

Chemmani Mass Grave Discoveries (2025)

As of August 7, 2025, over 140 human skeletons—believed to be Tamil civilians, including women, children, and infants—were exhumed from Sinthupaththi, which forms part of the infamous Chemmani site in Jaffna. The Chemmani area has long been known as a major Sri Lankan military outpost associated with the enforced disappearance of large numbers of Tamil civilians since 1995. This site was first identified in 1998 through the confession of Army Corporal Somaratne Rajapakse in court, who alleged that 300–400 bodies had been buried there under military orders and that there were 16 other similar mass burial sites. While only 15 bodies were exhumed in 1999, further investigations were halted. Amnesty International urged a full inquiry in June 1999, but

no action followed. The rediscovery of this site by a construction crew this year reaffirms the urgent need for independent international forensic investigations.

Failure of the UNHRC Process

Since 2009, the UNHRC has adopted multiple resolutions (S-11/1 in 2009, 19/2 in 2012, 22/1 in 2013, 25/1 in 2014, 30/1 in 2015 with a hybrid court, 34/1 in 2017, 40/1 in 2019, 46/1 in 2021, 51/1 in 2022, 57/1 in 2024) aimed at promoting reconciliation and accountability. However, Sri Lanka has consistently refused to comply, and no meaningful progress has been achieved. The absence of an in-country UN fact-finding mission constitutes a serious omission in fulfilling the international community's obligations under the Genocide Convention and customary international law to investigate and prevent genocide. Recent initiatives, including the OSLAP mission, have failed to examine the systematic and intentional group-targeting of Tamils, thereby perpetuating impunity for crimes under international law. These failures have severely undermined the Tamil community's confidence in the UNHRC process.

Unaddressed Tamil People's Right to Self-Determination

The core political issue—the Tamil people's right to self-determination—remains unaddressed. While the UNHRC has called for internal investigations and accountability, it has notably refrained from explicitly naming the Tamil people or calling for international investigations. Furthermore, the UNHRC has not demanded an immediate halt to the ongoing genocide or addressed specific state-led actions targeting Tamils, such as demographic alteration of the Tamil homeland through land grabs, the destruction of cultural heritage, the abusive application of the Prevention of Terrorism Act (PTA), and the indefinite detention of Tamil political prisoners without trial.

The Tamil people's democratically elected governing body, the Northern Provincial Council, unanimously adopted a resolution on February 10, 2015, titled *Sri Lanka's Genocide Against Tamils*, urging both the UNHRC and the UN Security Council to refer Sri Lanka to the International Criminal Court. On September 11, 2018, the Council unanimously adopted another resolution calling for a UN-conducted and UN-monitored referendum to determine a permanent political solution for the Tamil people.

Calling for Decolonization-Based Remedy through the Fourth Committee (Special Political and Decolonization)

We urge the UNHRC to recommend that the question of the Eelam Tamils be referred to the Fourth Committee of the UN General Assembly, which addresses decolonization and the right to self-determination. This is a formal request from the Tamil people to invoke the UN decolonization framework. It is based on a historically and legally grounded claim of improper decolonization when the British gave independence to the Sinhalese in 1948, but not to the Tamils.

The Tamil people of the North-East of the island had an independent sovereign kingdom prior to European colonization, which began with the fall of the Jaffna Kingdom in 1619. Under Portuguese, Dutch, and early British rule (1619–1833), the Tamil and Sinhala countries were administered separately. However, in 1833, the British unilaterally merged the distinct Tamil and Sinhala territories into a single unitary administration, without the consent of the Tamil people—a merger that laid the groundwork for majoritarian domination and the ethnic war to follow.

When the British granted independence to the Sinhalese in 1948, they handed over power to the Sinhalese without seeking any mandate from the Tamils, carrying out an improper and incomplete decolonization process that failed to uphold the principle of self-determination for the Tamil nation.

A relevant precedent can be found in the Mauritius case before the International Court of Justice (ICJ). In 2019, following a request from the UN General Assembly, the ICJ held that the UK's decolonization of Mauritius in

1968 was unlawful and that the process was not lawfully completed. The Court ruled that all UN Member States must cooperate to complete decolonization. This case underscores that when a people's right to self-determination is denied through improper colonial arrangements, the UN has both the authority and the responsibility to address it through the Fourth Committee and, where necessary, seek an advisory opinion from the ICJ.

Our Request for Actions

In light of the above, we urge the Member States of the UNHRC to adopt a renewed and principled approach to justice and accountability by taking the following actions:

1. Support **international forensic investigations into all suspected mass grave sites** in the Tamil homeland, with the participation of UN-accredited forensic experts and officials of the OHCHR Sri Lanka Accountability Project (OSLAP), with an extended mandate to include genocide.
2. Recommend the establishment of a **Special Tribunal for Sri Lanka** through the UN Security Council, with a mandate to investigate and prosecute international crimes committed against the Tamil people since 1974.
3. Recommend to the UN General Assembly, through its Fourth Committee (Special Political and Decolonization), that the **Tamils' homeland be recognized as a Non-Self-Governing Territory** under international law.
4. Recognize the **right to self-determination of the Eelam Tamil people** and recommend that the General Assembly and the Security Council take steps to facilitate a UN-conducted and monitored **independence referendum** in the Tamil homeland.

We firmly believe these steps are essential to delivering long-overdue justice, securing a lasting political resolution, and ensuring non-recurrence of past atrocities.

Thank you for your attention and consideration.

Sincerely,



Meena Ilancheyan
President, Tamil Americans United Political Action Committee

On behalf of the following US Tamil American organizations:

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CC:

Mr. Volker Türk, High Commissioner for Human Rights, OHCHR, Palais Wilson, Geneva
Mr. António Guterres, Secretary-General, United Nations, New York
The Fourth Committee (Special Political and Decolonization), United Nations, New York