



பிரித்தானிய தமிழர் பேரவை  
British Tamils Forum



Global Tamil Forum  
உலகத் தமிழர் பேரவை



நியூசிலாந்து தமிழ்ச்சங்கம்  
New Zealand Tamil Society



உலகத் தமிழ் அமைப்பு  
World Tamil Organization, Inc.

February 14, 2015

The Honorable Zeid Ra'ad Al Hussein  
United Nations High Commissioner for Human Rights  
Office of the High Commissioner for Human Rights (OHCHR)  
Palais Wilson, 52 rue des Pâquis  
CH-1201 Geneva, Switzerland

Dear High Commissioner Zeid:

On behalf of a network of Tamil organizations around the world, we write to you in regards to the OHCHR Investigation on Sri Lanka (OISL). We are grateful to you for your strong leadership pursuing accountability for past atrocities in Sri Lanka and ending ongoing human rights abuses against the Tamil community. We respectfully urge you to continue this principled and strong leadership.

The Human Rights Council's (HRC) dedication to the universality of human rights was very clear when it established the OHCHR investigation. The work of the OISL is tremendously important in bringing accountability for past atrocities, setting a benchmark for the issues that need to be addressed, and giving hope to the victims who have waited years for the truth to be validated.

The largely free, fair and peaceful election of President Sirisena on 8 January 2015 was an important step for Sri Lanka's democratic development. While we welcome any efforts that improve the democratic development of the island, we feel strongly that this does not negate or change the need for an internationally-led accountability process. The mass atrocities that transpired in 2009 were not a singular event, but rather an especially heinous manifestation of the decades-long oppression Tamils have suffered. Our community has been and continues to be systemically disadvantaged by Sri Lankan institutions of

power. The OISL investigation and timely release of a strong and credible report are critical steps towards addressing this deeply rooted injustice. We have heard repeated promises of internal accountability measures, but to date there have been no credible domestic investigations. We do not think President Sirisena's mention of a domestic process is sufficient to believe this would change. While President Sirisena's election was a step toward democracy and he has made some initial strides in this area, the fact that he was the acting Defense Minister during a portion of the period in which the atrocities were committed leaves the victims with no hope or trust on any domestic mechanism to seek accountability and justice.

Some have pointed to President Sirisena's mention of a domestic accountability process as sufficient reason to postpone or even cancel the OISL's work. The apparent call for a postponement became clear following Senior Advisor Jayantha Dhanapala's meeting with you in Geneva on 29 January 2015, and from statements by Foreign Minister Mangala Samaraweera in Washington and New York. This is extremely troubling, as any change in the OISL's work would be a major blow to justice and accountability, and would bring into question the neutrality of the OHCHR.

The Northern Provincial Council on February 10<sup>th</sup> unanimously adopted a resolution brought by its Chief Minister, Justice C.V. Wigneswaran making a well researched case that the Tamils in Sri Lanka have been subjected to genocide by successive Sri Lanka governments. The Resolution urged the OISL to investigate the charge of genocide against Tamils, and unequivocally called for the timely release of the OISL report and further OHCHR mandated actions including referral to the ICC. Our organizations representing the 1-million strong Tamil Diaspora forced out of Sri Lanka due to the conflict, and having lost tens of thousands of relatives, fully endorse the call by the Northern Provincial Council, and urge you to release the OISL report in March 2015 as originally mandated. President Sirisena's election and short tenure do not negate the need for a timely release. The UN stands as the standard bearer of human rights. Therefore, any recommendations within the OISL report should serve as the baseline and driving force to guide a credible accountability process.

Moreover, the victims and perpetrators are looking to the report as the first – and only – credible accounting for what happened during the final period of the war. To amend that will crush the hope and expectations for justice, as well as play into the hands of the perpetrators who will see this as an opportunity to evade justice.

The failure of the UNHCR to release its report in March would set a terrible precedent for the United Nations. The 2012 UN Internal Review Panel, chaired by Charles Petrie, concluded that, "the events in Sri Lanka mark a grave failure on the UN to adequately respond to early warnings and to the evolving situation during the final stages of the conflict and its aftermath, to the detriment of hundreds of thousands of civilians and in contradiction with the principles and responsibilities of the UN." Since the report, the UN has made strides to address its grave failure. A postponement of the report would be a treacherous step backwards for the organization.

The global Tamil community welcomes President Sirisena's progress on replacing military leadership with civilian leaders in the North, welcoming back some exiled activists and journalists, and offering to resettle internally displaced persons. However, Tamils still await the demilitarization of the North and East, the return of Tamil land acquired by the government, constitutional protections for Tamil language and culture in their traditional homeland in the NorthEast, empowering of the Tamil provincial bodies to serve its people without barriers from the Colombo government, and, most vitally, the attainment of a fair political settlement. We encourage you and other global leaders to welcome President Sirisena by both commending the steps he has taken and at the same time also outlining past challenges and ongoing abuses, setting

assertive and credible benchmarks for domestic progress, and providing assistance and oversight to ensure these benchmarks are met. Sri Lanka cannot develop as a pluralistic, democratic and stable country if one - or any - of its communities live with substandard access to democratic institutions and without full protection of the law.

After decades of subjugation, the Tamil community needs international leaders to ensure that Sri Lanka is truly starting a new chapter of governance, justice and truth. The timely release of the OISL report is a clear step towards both accountability and reconciliation in Sri Lanka.

We, the global Tamil community, stand in partnership with you and all who fight for human rights to bring justice, honorable peace and prosperity to Sri Lanka.

Sincerely,



Dr. Karunyan Arulanantham  
President [email: karulmd1@gmail.com]  
US Tamil Political Action Council (USTPAC)

**The following organizations endorsed this joint letter to High Commissioner Zeid:**

- 1) Australian Tamil Congress (ATC) Reginald Jeganathan, Chairman
- 2) British Tamil Conservatives (BTC) Dr. Arjuna Sivanathan, President
- 3) British Tamil Forum (BTF) V. Ravi Kumar, General Secretary
- 4) Centre for War Victims and Human Rights (Canada) Anton Philip, Chairman
- 5) Federation of Tamil Sangams of North America (USA) Naanjil Peter, President
- 6) Global Tamil Forum (GTF) Dr. Rev. S.J. Emmanuel, President
- 7) Ilankai Tamil Sangam (ITS, USA) Dr. Rajaram Kandasamy, President
- 8) New Zealand Tamil Society (NZTS) Dr. Siva Vasanthan, President
- 9) People for Equality and Relief in Lanka (USA) Tasha Manoranjan, JD, Executive Director
- 10) South African Tamil Federation Karthigasen Moothsamy, President
- 11) Swedish Tamil Forum (STF) G. Jeganmohan, President
- 12) Tamils Against Genocide (TAG, UK/USA) Janani Jananayagam, Director
- 13) Tamils For Labour (United Kingdom) Sen Kandiah, Chairman
- 14) United States Tamil Political Action Council Dr. Karunyan Arulanantham, President
- 15) World Tamil Organization (WTO, USA) Thillai Kumaran, President