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Northern Provincial Council



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Northern Provincial Council
Jaffna, Sri Lanka
September 14, 2015

The Member Countries of the UNHRC & the UN High Commissioner for Human Rights
United Nations Human Rights Council
Geneva, Switzerland

Dear UNHRC Member Countries, and the High Commissioner,

Re: Accountability, Justice, and Non-Recurrence in Sri Lanka

We the undersigned elected members of the Northern Provincial Council in Sri Lanka would like to jointly request you to consider the following that is related to accountability, justice, and non-recurrence in Sri Lanka.

The Tamil people in Sri Lanka have suffered tremendously for the last 67 years ever since the island got its independence in 1948, and today more than ever, counting on the UN and the International Community to give them justice and assure their protection. The Tamil people have been subjected to Genocide and massacres, their churches and temples have been destroyed, their lands have been taken away, their rights have been denied, and they have been oppressed and occupied. The injustice against the Tamils continues even today, at this very moment.

The Northern Provincial Council in Sri Lanka unanimously passed the "Sri Lanka's Genocide Against Tamils" resolution in February 2015, providing historic proof for the Genocide of Tamils, and urging the UN to properly investigate the crime. Similarly, two weeks ago on September 01, 2015, another resolution was passed by the Northern Provincial Council, citing reasons why a domestic process would be a travesty of justice. The resolution specifically called against any judicial mechanism instituted by the Government of Sri Lanka, and called on the International Community to set up an international criminal tribunal on Sri Lanka.

On behalf of the victimized Tamil population, we would like to respectfully request you to consider the following to be included in the upcoming UNHRC Resolution:

1. The judicial process must be international and under the control of the UN. The Tamil people request the UN to recommend the referral to the International Criminal Court or to an international special criminal tribunal for Sri Lanka.

Mushmugilan

[Signature]

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2. The judicial process must have the jurisdiction to handle all international crimes, including Genocide.
3. In consultation with the victims, the UN must be in charge of selecting the judges, prosecutors, and other officials for the judicial process. The UN also must ensure protection of the witnesses.
4. Sri Lanka had promised to the International Community to release the full details of those surrendered, but so far has failed to provide any info on them. The UN must require Sri Lanka to provide data on at least the 12,000 missing persons, and at least the 6000 within those several thousand LTTE members and their family including children, that surrendered to the Sri Lankan military, and unaccounted for so far.
5. The UN must require Sri Lanka to become signatory and ratify the Rome Statute of the International Criminal Court to act as deterrence and ensure legal avenues against any recurrence.
6. The UN must offer technical assistance and require Sri Lanka to accept a UN mediated political solution towards finding a permanent political solution that can address the root cause of the war and prevent recurrence.
7. The UN must require Sri Lanka for a time-bound withdrawal of military from the North-East region, and return all private lands to the rightful owners.
8. The UN must require Sri Lanka to free all those Tamil political prisoners that are in prisons.
9. There must be a follow up during the March 2016 UNHRC Session to evaluate the progress of the process related to Sri Lanka.

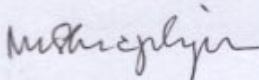
If Sri Lanka has genuine intention of cooperating with the UN, and genuinely interested in accountability, justice and permanent political solution, it must show willingness and progress to the International Community and to the UN. The Tamil people hope that the UN and the International Community obtain unambiguous commitment from Sri Lanka to fulfill these.

The victimized Tamil people are counting on you, the UN, and the International Community towards finding justice, protection and non-recurrence.

We seek your assistance. We seek your help. Above all, we seek your protection and assurance against recurrence.

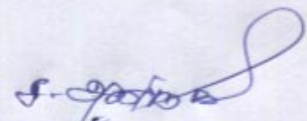
Thank you.

Sincerely yours,



M.K. Shivajilingam
Member of Northern Provincial Council
[Former Member of Parliament, Sri Lanka]

M. K. SHIVAJILINGAM
MEMBER OF NORTHERN PROVINCIAL COUNCIL
FORMER MEMBER OF PARLIAMENT
SRI LANKA



Ananthi Sasitharan
Member of Northern Provincial Council
President, Organization for the Relatives of Missing and
Surrendered Personals

Mrs. Ananthi Sasitharan
Provincial Council Member,
Northern Province,
Sri Lanka.