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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement submitted by Pasumai Thaayagam Foundation, a non-governmental organization in special consultative status*

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 August 2025]

* Issued as received, in the language of submission only.



Gross Human Rights Violations, Mass Graves and the Need for an International Criminal Justice Mechanism for Sri Lanka(1)

High Commissioner for Human Rights' Visit to Sri Lanka in June 2025

We share our sincere gratitude to the High Commissioner for Human Rights, Mr Volker Turk, for visiting Sri Lanka in June 2025, specially to Chemmani and Trincomalee and meeting victims of war crimes, crimes against humanity and genocide.

Pursuance to the High Commissioner's interim OHCHR report (2). A/HRC/57/19 and considering further developments scrutinised by the OS LAP, the High Commissioner's visit to Sri Lanka was envisioned to enhance the new resolution at UNHRC's 60th Session. Among many gross violations of human rights quoted on the OHCHR's report, the following paragraphs need attention.

54. The international legal system offers further opportunities, including through the inter-State complaint mechanisms of the human rights treaty bodies and/or proceedings before the International Court of Justice, where provided for in relevant human rights treaties. Efforts have been undertaken by civil society organizations to request the Prosecutor of the International Criminal Court, to the extent possible, to exercise jurisdiction over relevant crimes committed in Sri Lanka. The Rome Statute of the International Criminal Court provides opportunities for States to activate the Court's jurisdiction, including by means of the formal referral of a situation by the Security Council (arts. 12–15).
64. Following the elections, the newly elected Government should – as a matter of urgency – pursue an inclusive national vision for Sri Lanka that addresses the root causes of the conflict and undertake the fundamental constitutional and institutional reforms needed to strengthen democracy and the devolution of political authority and to advance accountability and reconciliation.
65. Fundamental changes are needed to advance accountability and reconciliation and prevent future human rights violations and the abuse of power. This includes implementing significant security sector reforms, which should involve vetting to remove those implicated in serious violations, and establishing an operational and judicial framework to ensure strict compliance with human rights standards. The Government should undertake the constitutional, legal and institutional reforms necessary to comply with the country's international human rights obligations, prevent the recurrence of grave violations and strengthen democratic and devolved systems of governance. OHCHR continues to stand ready to assist Sri Lanka on this path.
66. The Human Rights Council and the individual States Members of the United Nations should continue to fill the accountability gap in Sri Lanka by supporting and utilizing the full potential of the strengthened capacity of OHCHR to undertake accountability-related work under Council resolutions 46/1 and 51/1 and helping to create the conditions and political will be necessary for undertaking meaningful accountability and reconciliation efforts in the country.

Wrap Up of the High Commissioner of Human Rights, Mr Volker Turk's Message at the End of Sri Lanka Visit (3)

- The High Commissioner's statement, "Ultimately it is the State's responsibility, and it is important that this process is nationally owned – and it can be complemented and supported by international means." is neither realistic nor leading to a clear pathway to find justice. It will give the state to let off the hook of international scrutiny and continue with historic impunity.

- This contradicts the Para 54 of the OHCHR's report recommending to exercise jurisdiction over relevant crimes committed in Sri Lanka citing the provisions available in the Rome Statute of the International Criminal Court to take opportunity for States to activate the Court's jurisdiction, including by means of the formal referral, under Articles 12 – 15, of a situation by the Security Council.
- The Para 64 of the OHCHR's report, emphasised "the newly elected Government should – as a matter of urgency – pursue an inclusive national vision for Sri Lanka that addresses the root causes of the conflict and undertake the fundamental constitutional and institutional reforms needed to strengthen democracy and the devolution of political authority and to advance accountability and reconciliation".
- By continuing its predecessors' stance of denial and rejecting recommendations provided by Resolutions 46/1, 51/1 and 57/1 and recommendations provided in A/HRC/57/19, the new government has conveniently ignored honouring the phrase "as a matter of urgency" of the High Commissioner, urging it to undertake the constitutional and institutional reforms to strengthen democracy and the devolution of political authority to advance accountability and reconciliation, even after 10 months it came to power.
- OHCHR and the member states need to comprehend that the JVP, the main force of the NPP government, was the catalyst for aggravating the ethnic conflict and a force behind the Rajapaksa government to commit gross human rights violations against Tamil people. JVP, the principal force opposing the Norwegian-led peace process, was instrumental in scuttling 'P-TOMS', the post-tsunami aid sharing mechanism, demerged the Northern and Eastern provinces by a court order, openly promoted a military solution to the conflict, goading the government to resume the war, recruited 1000s of Sinhala youth to join the security forces. Thus, foreseeing the new government to resolve ethnic issues is merely futile.
- The new government disguises itself under the pretext of economic reforms to easily delay any power-sharing arrangement with Tamil people. It will carry on with its ploy for the rest of its political term of 5 years, whilst protecting the perpetrators of war crimes, crimes against humanity and genocide.
- Under the portrayal of "Clean Sri Lanka", the NPP Government is orchestrating an anti-corruption agenda, while hoodwinking the international community to avoid resolving the island's persisting ethnic issues that the High Commissioner prioritised in Paragraphs 64 to 66 in the OHCHR Report reiterated above.
- The High Commissioner's wrap-up message echoed the intention of establishing justice and accountability as Sri Lankan State responsibility, either through the domestic and/or hybrid criminal prosecution mechanism, is very much of our concern.
- Allowing the oppressors to decide the fate of justice for the oppressed reflects a profound failure of responsibility on the part of the UN, after prolonging its process for 16 years and spending an enormous amount of time and money on assigning the Office of the OHCHR's Sri Lanka Accountability Project.
- At the time of writing this Statement, they have unearthed 118 human remains, a significant increase from 19 in June 2025 at the time the High Commissioner was in Chemmani. A mother who was lamenting in front of the High Commissioner in Chemmani passed away on the following day after suffering from psychological trauma. This is the enduring situation of mothers, wives and children of the enforced disappeared victims in Sri Lanka.
- While the growing body of evidence continues to highlight deeply troubling patterns, the ongoing delay has caused significant psychological distress for victims of gross human rights violations. In this context, the High Commissioner's apparent openness to entrusting the Sri Lankan government with greater control over the accountability process is deeply concerning. Such an approach risks undermining justice and may inadvertently signal impunity rather than accountability.

- The Sri Lankan state will use this opportunity to insulate itself from the genuine international process, to deny the heinous crimes of the state overtly or subtly, to diffuse any substantial pathway towards justice.
- This was how the Maithripala-Ranil government hijacked the international process in September 2015 by agreeing to cosponsor a “hybrid mechanism” but dragged on for years until it lost momentum and made sure the resolution was finally shelved. It is a typical example of the Sri Lankan state’s ploy.
- Amid years of harassment, surveillance, and intimidation of the victims’ community, demonstrations demanding the whereabouts of their loved ones have continued. The OMP has come to be seen by many Tamils as another symbol of duplicity.

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The foregoing implies that Tamil people have faith only in an international independent justice mechanism to deliver the truth and justice to victims of atrocity crimes in Sri Lanka. Hence, we would urge member states to formulate a new resolution to:

- Request the General Assembly to initiate steps towards establishing an international criminal justice mechanism for Sri Lanka (i.e., the ICC, the ICJ or an ad hoc international tribunal) to provide justice for victims without further delay as a means of breaking the impasse that has persisted for the last sixteen years to stop Sri Lanka obliterating evidence and losing more eyewitnesses to age.
- Strengthen and extend the evidence collection mechanism with additional power and resources.
- In addition to the UNHRC process, we call on UN Member States to participate in bringing a suit against Sri Lanka to the International Court of Justice (ICJ), entailing Sri Lankan state responsibility for grave crimes against humanity and genocide committed against the Tamil people.

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1. This statement is endorsed by the British Tamils Forum (BTF).
 2. <https://docs.un.org/en/A/HRC/57/19>
 3. <https://www.ohchr.org/en/statements-and-speeches/2025/06/turk-ends-mission-sri-lanka>