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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.

[10 August 2025]

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



Sri Lanka's Mass Grave, Genocide & International Justice Prosecution Mechanism

Exposures of Mass Graves in Military Occupied Tamil Homeland during the War

Following discoveries of several mass graves in Mannar, Kokuthoduvai and other Tamil villages the Chemmani mass graves has hit the world attention as the exposure of human remains has exceeded 140 at the time of writing this Written Statement.

Chemmani Mass Grave

“The Chemmani mass grave site came to national and international attention in 1998 following the confession of a Sri Lankan soldier implicated in the rape and murder of schoolgirl Krishanthi Kumaraswamy. It has since remained a potent and painful symbol of Sri Lanka's long-standing legacy of impunity for grave human rights violations, including enforced disappearances. The renewed discovery of human remains almost three decades later at Chemmani-Siththupaththi in February 2025 highlights the continuing urgency of credible, transparent, rights-compliant and victim-centred investigations that are capable of leading to truth and accountability.” cited in the ICJ publication dated 27 July 2025. (1)

Senior International Legal Adviser of the ICJ, Mandira Sharma, quoted,

“The Chemmani exhumations represent a critical juncture for Sri Lanka's transitional justice process

We must remember that behind every set of remains lies a family that has endured unimaginable suffering. These forensic investigations must be conducted with the utmost respect for human dignity and with the full participation of families. International oversight is required to ensure that these processes meet the highest professional and legal standards that the gravity of these crimes warrants”.

While the mothers, wives, and children continue their demonstrations demanding the government about the status of their loved ones of enforced disappearance for more than 3000 days, the unearthing of human remains in Chemmani has caused them undue apprehension. The trust that they initially had on the Office on Missing Persons (OMP) had faded away as it was highly politicised.

Somaratna Rajapaksa's, the soldier convicted of raping and killing Krishanthi Kumarasamy, statement to the court in 1999 that he himself had buried between 300 to 400 bodies in Chemmani area on the orders of his seniors, implies that there will more skeletons be unearthed should the investigation in Chemmani is carried out with no intervention.

North - East Secretariat on Human Rights (NESOHR) Report on Massacres of Tamils, 1956 – 2008 (2)

This report cites 158 massacres periodically perpetrated from 1956; long before the civil war started in 1983; to 2008 each time the massacres escalated with the help of the armed forces, when it culminated in 1983 July where more than 3000 innocent Tamil people were killed, by the state sponsored criminals. To ignite the massacre and burning and looting Tamil properties and businesses, the president J R Jayawardana made the public statement at an interview with the London Daily Telegraph journalist as recited below.

“I am not worried about the opinion of the Jaffna (Tamil) people now. Now we cannot think of ‘THEM’. Not about their lives or their opinion on ‘Us’.... The more you put pressure in the North, the happier the Sinhala people will be here... really, if I starve the Tamils out, the Sinhala people will be happy...” (3)

When the executive president of the country treats the native Tamils with the “them and us” attitude, how Tamil people can have faith on the state to provide them justice and

accountability for the crimes committed on them? This is the root cause for the ethnic crisis in Sri Lanka.

158 Massacres orchestrated with cycles of violence from 1956 to 2008 followed by the genocidal war in 2009 and the continuation of land-grabs, destruction of Tamil people heritage, destroying Tamils Hindu Temples and proliferation of Buddhist structures in Tamil homeland unequivocally signify that the Sri Lankan state wanted to annihilate the existence of Tamil people in the island to make Sri Lanka a Sinhala-Buddhist nation. It is none other than Genocide.

The United Nations’s Failure to Take Timely Action in 2009 and the Consequences

It is indisputable or undeniable from numerous evidence collected by the OHCHR’s Sri Lanka Accountability Project (OSLAP), that Sri Lanka had set a bad example to the world for unscrupulous nations to follow its steps to turn world peace miserably uncontrollable.

Among many briefings made to the Security Council on “The humanitarian situation and the protection of aid workers in Gaza by Mr. Tom Fletcher, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, on 13 May 2025,” (4) Mr Fletcher added the following statements.

Quote:

“Previous reviews of the UN’s conduct in cases of large-scale violations of international human rights and humanitarian law – reports on Myanmar, 2019; Sri Lanka, 2012; Srebrenica and Rwanda, both in 1999 – pointed to our collective failure to speak to the scale of violations while they were committed.

So, for those killed and those whose voices are silenced: what more evidence do you need now? Will you act – decisively – to prevent genocide and to ensure respect for international humanitarian law?

Or will you say instead that “we did all we could?”

Unquote.

Had the UN acted in timely manner to stop the genocide orchestrated by Sri Lanka, lots of Tamil people live could have saved. If that had occurred, the UN could also have saved many thousands of lives in those rogue countries that followed the footsteps of Sri Lanka.

Reiterating Mr Tom Fletcher’s statement above, will the UN act decisively to provide justice and accountability for those killed and those voices are silenced? Will the UN take appropriate action to prevent genocide and ensure international humanitarian law prevail?

Step Forward

1. Should the UN to redress its failure and to curb-down the countries following Sri Lanka’s bad blueprint that it set at the dawn of the 21st century, it must act decisively to implement primarily the OSLAP mandates in full so that such step will pave a pathway for Sri Lanka and its perpetrators to justice as stipulated in the Paragraph 54 of the OHCHR’s Report A/HRC/57/19 dated 27 August 2024.

The Office of the UN High Commissioner for Human Rights Sri Lanka Accountability Project Mandates

Mandates in the HRC 46/1 Operating Paragraph 06 (5)

- The mandate clearly emphasises “to collect, consolidate, analyse and preserve information and evidence for developing possible strategies for future accountability processes for gross violations of human rights or serious violations of International Human Rights Law in Sri Lanka”.

- It is our concern that the mandates “to advocate for victims and survivors” have not effectively begun to the best of our knowledge.
- The mandate “to support relevant judicial and other proceedings, including in Member States, with competent jurisdiction” enables the evidence to be used to any credible judicial mechanisms in member states as well as the international criminal justice mechanisms.
- Unlike previous resolutions, both A/HRC/RES/46/1 (March 2021) and A/HRC/RES/51/1 (September 2022) have removed the time constraint to collect the evidence beyond the LLRC period (2002 to 2009).
- As this resolution allows the collection of evidence of all crimes defined by international humanitarian law and international human rights law, OSLAP should have allocated reasonable resources to collect any evidence of genocidal crimes.

These mandates have been further enhanced in the Operating Paragraph 08 of the HRC 51/1 in October 2022 (6) followed by the roll-over resolution HRC 57/1 in October 2024 (7)

2. 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.

3. 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.

The British Tamils Forum (BTF), an NGO without consultative status, also shares the views expressed in this statement.

1. <https://www.icj.org/sri-lanka-icj-urges-international-oversight-and-victim-centred-investigation-into-chemmani-mass-grave-in-compliance-with-international-law-and-standards/>
3. <https://www.colombotelegraph.com/index.php/40th-anniversary-of-black-july-1983/>
4. <https://www.unocha.org/news/un-relief-chief-calls-security-council-act-decisively-prevent-genocide-gaza>
5. <https://docs.un.org/en/A/HRC/RES/46/1>
6. <https://docs.un.org/en/A/HRC/RES/51/1>
7. <https://docs.un.org/en/A/HRC/57/19>