

# Tamil preference-vote winner in the 2024 Sri Lankan Presidential Election

226,343 preference-votes



Former Tamil National Alliance (TNA) Parliamentarian,  
Common Tamil Presidential Candidate,  
Justice of the Peace (JP)

2024 ஜனாதிபதி தேர்தல் தமிழ்ப் பொது வேட்பாளர்,  
மேனாள் நாடாளுமன்ற உறுப்பினர்,  
அகில இலங்கை சமாதான நீதவான்

**Pakkiyaselvam Ariyanethiran**

பாக்கியசெல்வம் அரியநேத்திரன்

Date: August 8<sup>th</sup> 2025

**Mr. Volker Türk**

United Nations High Commissioner for Human Rights  
Office of the High Commissioner for Human Rights (OHCHR)  
Palais des Nations  
CH-1211 Geneva 10, Switzerland

**Re:** Follow-up to Your Letter of 5 August 2025

– Accountability for International Crimes in Sri Lanka and Mandate Limitations

**Your Excellency,**

Thank you for your letter of 5 August 2025, and for supporting efforts to address concerns raised by civil and political leaders in the North-East regarding the forthcoming report to the 60th session of the Human Rights Council (UNHRC). I value your recognition that successive governments of Sri Lanka have failed to meet international human rights standards in establishing independent, fair, and effective mechanisms, and I thank you on behalf of the victims for visiting the Chemmani mass grave exhumation site in Jaffna.

I also wish to draw attention to other mass grave sites—Thirukketheesvaram in Mannar, Kokkuththoduvaay in Mullaiththeevu, Champoor in Trincomalee, and Kokkaddichcholai in Batticaloa—among many others, linked to massacres carried out with genocidal intent in the North-East. Most date to before the Rome Statute entered into force on 1 July 2002.

While recognising your ongoing engagement, I must emphasise a serious concern: the optics of OHCHR and UNHRC promoting “complementary strategies” while relying primarily on the Government of Sri Lanka to conduct a “comprehensive process.” Given the government’s longstanding failure to deliver independent, fair, and effective mechanisms, this approach—combined with the Council’s prolonged and delayed roadmap—risks undermining victims’ trust and weakening the credibility of the Council’s commitment to accountability.

ariyampakkiyachelvam@gmail.com

**2024 Presidential Election preference-votes:**

Ampara - 9 985, Batticaloa - 36 905, Trincomalee - 18 524, Vanni - 36 377, Other - 7 864

Votes obtained in 2004 Parliamentary Elections (Seat) - 36 646  
Votes obtained in 2010 Parliamentary Elections (Seat) - 16 504  
Votes obtained in 2015 Parliamentary Elections (No Seat) - 21 304

+94 773 277774

எம்.பி வீதி, “இரதாலயம்”,  
அம்பிளாந்துறை,  
கொக்கட்டிச்சோலை

Your Excellency's response to the civil society letter has not adequately addressed the main contentious issue at the heart of the victims' demands. Perhaps the letter used somewhat obscure language. This follow-up letter seeks to make the prevailing questions unambiguous, ensuring they are placed clearly on record, and I look forward to your considered reply.

1. Accountability for genocide requires addressing both State and individual criminal responsibility at the international level. The OHCHR's complementarity approach should be re-evaluated to reflect the gravity and plausibility of the crime. While findings on crimes against humanity and war crimes warrant international prosecution, the crime of genocide has not been addressed. Although some Tamil politicians and media argue the UNHRC is ineffective—citing 16 years without progress since 2009—I disagree. The 2019 IIFFMM report on Myanmar demonstrated how an independent investigation could provide the necessary indications towards pointing out the possible existence of the element of intent, and recommend legal testing. In Sri Lanka, there is a long record of crimes and patterns of conduct capable of evidencing genocidal intent. Yet, the OISL's mandate, set by Resolution A/HRC/25/1, was narrowly restricted in both temporal and subject-matter scope, limiting its analysis to the final phase of the war and excluding earlier incidents relevant to proving such intent. Unlike Myanmar's IIMM, Sri Lanka received only the limited OSLAP, further constraining independence and scope. This leaves a significant gap. Could the Council address it through a new resolution establishing a Monitoring, Reporting, and Fact-finding (MRF) mandate with the required scope and threshold?
2. Alternatively, to avoid further delay, is there any action Your Excellency could take without the need for a fresh resolution—such as referring the matter to higher authorities, including the Secretary-General, the General Assembly, or the Security Council? I am mindful that each of these bodies operates under different admissibility and procedural rules. While keeping the Council engaged on the stronger roadmap outlined above, could these avenues be pursued in parallel within the UN system to ensure that the question of accountability is advanced without further loss of time?
3. We recognise that the prospects for an ICC referral are minimal—indeed, almost non-existent—given current international political realities, particularly in relation to the subject matter, including the analysis of the mental element of intent as mentioned above, and the necessary temporal scope covering crimes committed before 1 July 2002. However, as victims, we wish to emphasise our preference for an International Criminal Tribunal pursued through the same route, especially in light of the Rome Statute's provisions and the ICC's non-retroactivity. Many victims find the legal complexities and terminology surrounding these options confusing. Some have been told that it is not possible to demand an ICT after the establishment of the ICC. Could Your Excellency clarify whether this is in fact the case, and outline what options remain open within international law to address these crimes comprehensively?
4. The mandate of the OSLAP should be broadened accordingly—ideally into a fully-fledged International, Independent and Impartial Mechanism (IIIM) with a mandate similar to that on Syria. Could Your Excellency outline the roadmap for placing such a request before the appropriate bodies on behalf of the victims, and indicate what procedural and political steps would be required to secure its establishment?

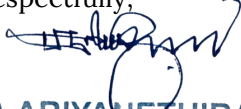
# Tamil preference-vote winner in the 2024 Sri Lankan Presidential Election

226,343 preference-votes

In closing, I wish to stress that my questions are grounded in a political mandate directly representing the will and expectations of the affected Tamils—who constitute a nation without a state of their own, and upon whom an illegitimate state sovereignty has been imposed, compounding their grievances.

I look forward to your kind and well-considered reply. My mandate, rooted in the expressed will of the affected Tamil people who entrusted me with their votes in the presidential elections of 2024, carries both moral authority and democratic legitimacy, and I trust it will be accorded the seriousness it deserves in shaping the Council's future course on accountability on Sri Lanka.

Respectfully,



**P. ARIYANETHIRAN**

(Former Member of Parliament)

Justice of Peace (Whole Island)

Reg. No 17/07/EP/WI/289

"Rathalayam"

Ampilanthurai. Kakkadichchola

ariyampakkiyachelvam@gmail.com



+94 773 277774



2024 Presidential Election preference-votes:

Ampara - 9 985, Batticaloa - 36 905, Trincomalee - 18 524, Vanni - 36 377, Other - 7 864

Votes obtained in 2004 Parliamentary Elections (Seat) - 36 646

Votes obtained in 2010 Parliamentary Elections (Seat) - 16 504

Votes obtained in 2015 Parliamentary Elections (No Seat) - 21 304

எம்.பி வீதி, "இரதாலயம்",  
அம்பிளாந்துறை,  
கொக்கட்டிச்சோலை