



சீ.வீ.கே. சிவஞானம்
அவைத் தலைவர், வடக்கு மாகாண சபை

கி.பி.கே. கிபஜாத்

கலைச்சி, டிரை, சலாத் கலை

C.V.K. SIVAGNANAM

Chairman, Northern Provincial Council

A9 வீதி, கைதடி (யாழ்ப்பாணம்)
A9 பாத, கைதடி (யாழ்ப்பாணம்)
A9 Road, Kaithady (Jaffna)

மின்னஞ்சல்
மின்னஞ்சல் }
மின்னஞ்சல் }
e - mail

cvkayes@gmail.com

தொலைபேசி } 021 205 7084
டிரை } 021 205 7081 (208)
Telephone

தொலை நகல் } 021 205 7084
தொலை நகல் } 021 205 7086
Fax

My No: R/88/2017/355
15.03.2017

Zeid Ra'ad Hussein Esqr

United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais des Nations

CH-1211 Geneva 10,

Switzerland.

Resolution No: R/88/2017/355

I forward herewith a copy of the Resolution No: R/88/2017/355 adopted by the Northern Provincial Council at its sittings held on 14.03.2017, for your kind attention and suitable action.

“In reference to UNHRC Resolution 30/1 Co-sponsored by Sri Lanka in September 2015 Sessions

Recalling that the Government of Sri Lanka was a co-sponsor and signatory to the Resolution 30/1 titled “Promoting reconciliation, accountability and Human rights in Sri Lanka” at the UNHRC session in Geneva in September 2015, committing itself to establish a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law, as applicable and affirming that a credible justice process should include independent judicial and prosecutorial institutions led by individuals known for their integrity and impartiality; and also affirming in this regard the importance of participation in a Sri Lankan Judicial mechanism, including the special counsel’s office, of Commonwealth and other foreign judges, defense lawyers and authorized prosecutors and investigators;



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கி.பி.கே. கிடுஞ்சுந்தரி

ஊபுத்தி, டுஜூர், சலூத் ஊபுத்தி

C.V.K. SIVAGNANAM

Chairman, Northern Provincial Council

A9 வீதி, கைதடி (யாழ்ப்பாணம்)
A9 லாடு, கைதடி (கைதடி)
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மின்னஞ்சல்
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e - mail

மின்னஞ்சல் } cvkayes@gmail.com

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தொலைபேசி } 021 205 7081 (208)
Telephone

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தொலை நகல் } 021 205 7086
Fax

Noting with concern that the Government of Sri Lanka has not taken any meaningful steps to implement its own commitment to establish an impartial credible mechanism;

Recognizing that the victimized Tamil people do not have any confidence on any domestic judicial mechanism that does not contain majority of foreign judges, lawyers, prosecutors and investigators;

The Northern Provincial Council of Sri Lanka resolves that:

- 1. The Government of Sri Lanka has not taken adequate measures to fully implement the Resolution 30/1 that it co-sponsored at the UNHRC Session in September 2015, especially with regard to the accountability, establishment of a Commission for truth, reconciliation; non-recurrence of oppression, return of lands to its rightful civilian owners and an office of reparation*
- 2. The Government of Sri Lanka has not taken any meaningful steps for a credible justice process and an accountability mechanism that it had accepted, promised and committed to the UNHRC and to the International Community.*
- 3. Since Sri Lanka being unable or unwilling to implement its own commitment, this Council calls upon the UNHRC to refer the case to an International judicial mechanism;*
- 4. This Council emphasizes that without truth, justice and an equitable political solution, neither reconciliation nor permanent peace is possible in Sri Lanka;*
- 5. This Council calls upon the UNHRC and the International Community to require Sri Lanka to agree to an International accountability mechanism, ratify the Rome Statute as recommended by the OHCHR investigation on Sri Lanka (OISL) Report of September 2015 and offer the Tamils a political solution with the Mediation of the UN;*



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கலைபதி, டிரை சலூத் கலை

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மின்னஞ்சல்
விலக்குத் தகவல்
e - mail

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உரகதை
Telephone

021 205 7084
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தொலை நகல்
லக்கல்
Fax

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021 205 7086

6. Recognizing that the Tamil People are a Distinct Nation with their traditional homeland in the contiguous North-East region of Sri Lanka, and they are entitled to self-determination, the Government of Sri Lanka must offer the Tamils an equitable political solution which at the minimum shall consist of the merged Northern and Eastern Provinces offering full and complete federalism with explicit declaration and recognition of such system in the Constitution."

Thanking You

With kind regards

C.V.K. Sivagnanam

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Chairman,

Northern Provincial Council

C.V.Kandiya Sivagnanam

Chairman

Northern Provincial Council

Copy to: Hon. Antonio Guterres, Secretary General, United Nations.