

118TH CONGRESS
2D SESSION

H. RES. 1230

Recognizing the hundreds of thousands of lives lost during Sri Lanka's almost 30-year armed conflict, which ended 15 years ago on May 18, 2009, and ensuring nonrecurrence of past violence, including the Tamil Genocide, by supporting the right to self-determination of Eelam Tamil people and their call for an independence referendum for a lasting peaceful resolution.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2024

Mr. NICKEL (for himself, Ms. WILD, Mr. DAVIS of Illinois, Ms. MALLIOTAKIS, Mr. CAREY, Mr. DAVIS of North Carolina, Ms. LEE of Pennsylvania, and Mr. JACKSON of North Carolina) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Recognizing the hundreds of thousands of lives lost during Sri Lanka's almost 30-year armed conflict, which ended 15 years ago on May 18, 2009, and ensuring nonrecurrence of past violence, including the Tamil Genocide, by supporting the right to self-determination of Eelam Tamil people and their call for an independence referendum for a lasting peaceful resolution.

Whereas May 18, 2024, marks the 15-year anniversary of the end of the 26-year armed conflict between the Government of Sri Lanka and various armed Tamil independence organizations;

Whereas the Sinhalese people and the Eelam Tamil people have lived on the island presently known as Sri Lanka for thousands of years and lived in separate and sovereign Sinhalese and Tamil kingdoms, and in 1833, the Sinhalese and the Tamil territories were merged under a single unitary administration by the British;

Whereas all major Tamil political parties united under the Tamil United Liberation Front and adopted the Vaddukoddai Resolution on May 14, 1976, asserting the right to self-determination of the Tamil nation and calling for the restoration and reconstitution of an independent, free, sovereign, secular Tamil Eelam as the solution to the Tamils, and in the subsequent election which the Tamils treated as a model referendum, the Tamil people gave their overwhelming electoral mandate for the independent, free, sovereign Tamil Eelam;

Whereas the 6th amendment to Sri Lanka's constitution, introduced in 1983, was targeted towards the Eelam Tamil people to limit their ability to advocate for their independence, and to criminalize such activity, thus the amendment infringes on the Tamils' freedom of expression which is guaranteed by the Universal Declaration of Human Rights;

Whereas, subsequent to the persistent calls by the international community to resolve the ethnic conflict, Sri Lanka, without any consultations with the Eelam Tamils, unilaterally introduced the 13th amendment to the constitution in 1987, which claimed to be a solution to the conflict but which was rejected by the Eelam Tamil political leaders as not meeting the aspirations of their people, and their homeland still remains as non-self-governing territory;

Whereas Richard Boucher, then-Assistant Secretary of State for South and Central Asian Affairs, acknowledged during a visit to wartime Sri Lanka on June 1, 2006, that “There are legitimate issues that are raised by the Tamil community, and they have a very legitimate desire, as anybody would, to be able to control their own lives, to rule their own destinies and to govern themselves in their homeland; in the areas they’ve traditionally inhabited.”;

Whereas, in a joint statement by the United Nations Secretary General and the President of Sri Lanka following the Secretary General’s visit to Sri Lanka in May 2009, Sri Lanka gave assurance to find a lasting political solution addressing the aspirations and grievances of all communities and to an accountability process for addressing violations of international humanitarian and human rights law;

Whereas the United States cosponsored the United Nations Human Rights Council Resolution, HRC 51/L.1 (2022), which emphasizes the importance of elections and referendums to strengthen the democratic process, calls upon the Government of Sri Lanka to fulfill its commitments to the devolution of political authority, and extends and reinforces the capacity of the Office of the High Commissioner for Human Rights to collect, consolidate, analyze, and preserve information and evidence, and to develop possible strategies for future accountability processes;

Whereas the January 2021 report from the United Nations High Commissioner for Human Rights warns that “Sri Lanka’s current trajectory sets the scene for the recurrence of the policies and practices that gave rise to grave human rights violations” and “Given the demonstrated

inability and unwillingness of the Government to advance accountability at the national level, it is time for international action”;

Whereas, 15 years after the end of the war, the traditional homeland of the Eelam Tamils remains heavily militarized by Sri Lanka, while Sri Lanka engages in land appropriation in Tamil territory and the destruction of Tamils’ heritage sites and war cemeteries, the root cause of the ethnic war has so far not been resolved, and Sri Lanka, despite numerous commitments, has not made enough progress toward accountability, justice, and political solution, nor has it taken sufficient measures to guarantee the nonrecurrence of the past patterns of violations against the Eelam Tamil people; and

Whereas similar conflicts have successfully been democratically, peacefully, and legally resolved by exercising the right to self-determination by the people in countries such as South Sudan, Montenegro, East Timor, Bosnia, Eritrea, and Kosovo via independence referendums with support from the United States and other countries: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) urges the United States to strengthen diplo-
3 matic channels with the Eelam Tamils and collabo-
4 rate toward peace and stability in the South Asian
5 region of the Indo-Pacific;

6 (2) urges the United States and the inter-
7 national community to advocate for and protect the
8 political rights of the Eelam Tamil people and work
9 toward a permanent political solution based on their

1 right to self-determination that is democratically and
2 peacefully approved by them through a universally
3 accepted process of independence referendum; and
4 (3) recognizes the genocide against the Eelam
5 Tamil people by Sri Lanka.

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