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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.

[22 August 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Land grabs in the Tamil homeland on the Island of Sri Lanka

Pasumai Thaayagam Foundation (Green Motherland) wishes to draw the attention of the UN Human Rights Council (UNHRC) to the alarming trend of land grabs in the Tamil homeland in North and East Sri Lanka. Pasumai Thaayagam Foundation calls upon the UNHRC to take steps to stop the Sri Lankan government from seizing Tamil land and destroying Tamil heritage in violation of international law as well as human rights norms and principles. In particular, Pasumai Thaayagam Foundation urges the UNHRC to appoint a Special Rapporteur to investigate the systematic land grabs in the traditionally Tamil areas of Sri Lanka.

Sri Lanka has orchestrated ongoing land grabs in the predominantly Tamil North and East since independence in 1948. Today, during the post-war period, state-assisted land grabs have dramatically escalated. These land grabs have had political, cultural, and environmental implications as well as serious socioeconomic consequences for the Tamils dispossessed of their lands.

Sri Lanka's seizure of Tamil lands—initially carried out under the pretence of promoting agricultural development in the Eastern Province—continues unabated through the use of various tactics, which have included creating High Security Zones and Special Economic Zones, building religious structures alien to and unused by the native Tamils, and instigating ethnic riots.

For example, in 1949–1950, the government inaugurated the Galloya Settlement scheme in Batticaloa District and the Allai Kanatalai settlement scheme south of Trincomalee District for the purpose of altering the demographics of the Tamil homeland. Consequently, the Sinhala population in the Eastern Province is 41 times larger than it was in 1901 (growing from 8,778 to 359,136), while the Tamil population is only six times larger than it was at the beginning of the last century (growing from 96,926 to 617,295). This has resulted in substantial demographic changes: the percentage of Tamils in the Eastern Province has fallen from 55.8% in 1901 to 39.7% in 2012; during the same timeframe, the Sinhala population has increased from 5.1% to 23.2%.¹

As a consequence of state-instigated ethnic riots and armed clashes between the Liberation Tigers of Tamil Eelam (LTTE) and military, a number of traditionally Tamil villages in the Eastern Province have been forcibly taken over, confiscated or destroyed since 1983. For example, nearly twenty villages in Batticaloa District² and another five villages in Ampaarai District³ have been destroyed. In addition, Tamil residents within the Poarathēevupattu District, Koaralaippattu North District, and Koaralaippattu South District

¹ Data taken from the analysis of a series of articles written by Sinnathurai Varatharajan, former lecturer in Economics at the University of Peradeniya. These articles appeared in the magazine "Kalingam," in the issues July-August 2012, September-October 2012 and November-January 2013.

² Affected villages in Batticaloa District include Mayilanthanai, Meeraavoadai, Ki'n'niyadi, Puluddumaanodai, Thaanthaamalai, Sinnavaththai, Vaakarai, Tho'nithaaddamadu, Thiyaavaddavaan, Oamadiyaamadu, Ka'n'napuram 35th colony, Valaiyi'ravu, Ea'raavoor, Saththurukko'ndaan, Ve'l'laamaichcheanai, Pullumalai, Vadamunai, Kokkaddichoalai, Makizhadiththeevu.

³ Affected villages in Ampaarai District include Veeramunai, Thangkavealaayuthapuram, Karavaahu, Thiraaykkeani, Udumpanku'lam.

Secretary's administrative areas⁴ were evicted in order to implement well-planned colonisation.⁵

Out of the island's 65,619 km², Tamil people historically inhabited 18,880 km² in the North and East. However, since May 2009, defence forces have forcibly occupied more than 7,000 km² (37%) of the land previously owned by Tamils.⁶

In a number of instances, land confiscated by Sri Lanka for wartime High Security Zones are now renamed as Special Economic Zones. For instance, within a few weeks of the Gazette Notification, the Government declared the Sampoor area of Trincomalee District a High Security Zone (HSZ) in May 2007, thus prohibiting thousands of residents from entering the restricted territory. Soon after, the government allocated and nominated the surrounding region as a Special Economic Zone (SEZ), which precluded Tamil residents from making claims to the land. Five thousand acres of this land have been allocated for a coal power plant,⁷ which will cause serious environmental damage to the coral reefs along the Eastern coast as well as pollute the air and water in the vicinity.

Another aspect that must be addressed is the right to food, which is a fundamental human right. This right is implicated alongside the right to development—both of which are violated by state-sponsored land grabs. By forcibly occupying farming land and replacing civilian local farmers with military personnel—who have been sent to these Tamil lands on the pretence of sending reinforcements for farmers—Sri Lanka has robbed the Tamil people of the ability to feed itself. Instead, the state has an obligation to ensure that local populations can sustain themselves. Moreover, the Sri Lankan state is encouraging and incentivizing land sales that support demographic and socioeconomic changes. These structural alterations in Sri Lanka have clear ethno-political dimensions.

Due to these political and socioeconomic consequences, land grabs constitute serious structural violence, which, if left unaddressed, could threaten the chances of achieving a sustainable peace. Structural violence, with its associated consequences—such as violence mass atrocities, demographic changes, militarisation of Tamil territories, forcible evictions, internal displacements, extinction of cultural values of Tamils, denial of food, livelihood disasters, and irreversible damages to the environment—will lead to a complete ethnic cleansing of the Tamils from their traditional homeland.

In light of these dangerous and existence-threatening consequences, the illegal occupation and colonisation of the Tamil homeland must stop immediately. Remedial actions must be taken regarding the land grabs of Sri Lanka's Tamils under the existing international

⁴ Tamils have been evicted from Chinnavaththai, Oamadiyaamadu, and Vadamunai, which are in the Poarathievupattu District, Koaralaippattu North District, and Koaralaippattu South District Secretary's administrative areas, respectively.

⁵ Extracts from the book "Destroyed Tamil villages," authored by Tamil National Alliance (TNA) former parliamentarian S. Jeyananthamoorthy. The book, published in March 2008 in Colombo, discusses the origin of the border villages of Tamils in Batticaloa-Ampaa'rai districts, their characteristic features, the general pattern of life of the residents of these villages also provides details regarding when and by whom these hamlets were destroyed.

⁶ Excerpt from a statement tabled in Parliament by Tamil National Alliance (TNA) parliamentarian M. A. Sumanthiran on 07 July 2011. http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=38085

⁷ For more details, please refer to the following articles: Fonseka, B and Raheem, M (2009). "Trincomalee High Security Zone and Special Economic Zone". Centre for Policy Alternatives September 2009. Available from <http://cpalanka.org/wp-content/uploads/2009/11/Trincomalee%20High%20Security%20Zone%20and%20Special%20Economic%20Zone.pdf> Nafso (2012). "Sampoor: Facts vs. hype on Sri Lanka's 'post war recovery'." Published by Journalists for Democracy in Sri Lanka on 20 August 2012.

regime. Even though Sri Lanka is not a signatory to many international treaties concerning humanitarian law or the Rome Statute, it is still bound by customary international law.

Against this backdrop, the UNHRC has a huge responsibility according to international humanitarian law and international human rights law to use the appropriate diplomatic, humanitarian, and other means to stop this systematic structural violence of human rights.

This issue must be given utmost attention by the UNHRC during its 24th session in September 2013. We urge the UNHRC to take actions to stop the land grab of Tamils and bring justice through international law.
