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Agenda item 2

**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 the Association Bharathi Centre Culturel Franco-Tamoul, 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.

[14 February 2017]

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

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Sri Lanka – Right to Equality and Human Life*

Sri Lanka – Right to Equality and Human Life

The Sri Lankan government has been on a continued effort to portray a picture of harmony being reinstated under their reassurance efforts after the government change in 2015. This for the matter of fact is not the ground reality. The Sri Lankan state machinery has deployed negligible care to implement law, court orders, protect rights of its own citizens living in the Northern and Eastern parts of Sri Lanka. The continued ploy to dodge requests from International community on the Post war situation is now becoming more conspicuous.

Sinhalisation and Cultural sabotage

The civil war erupted for the reasons of Tamils oppression, denial of rights and equality, ill treatment of Tamil people and sabotage to the culture, livelihood of Tamils, and Non Acceptance of various governmental agreements. These reasons are sprouting again much more vehemently against Tamils now. The Northern territories are lands with wide range of Temples, churches, that are centuries old. The racist Sinhala government has destroyed a lot many of them are in a continuous attempt to mull over more such structures, lands through violent non military upsurges (racist Buddhist radicals).

Monks and Mobs

In a recent incident(12th November 2016 – press article quoted in reference) in the Eastern district of Batticola, the Buddhist monk Ampityia Sumanarathna Thero along with a mob of Sinhalese attempted to take over a private land of 9 acres that belongs to Tamil people. The land was traditionally used for agriculture and had a small temple alongside the peepal tree for several decades. The monk has been on the run with many such instances throughout the district where he attempted to install ‘Stupas’ (Buddhist religious structures) and claimed the presence of such structures earlier before the war which was never the case.

In that incident, when the Village administering Tamil officer intervened and requested him to obey court orders that prohibited him to install such Buddhist structures with falsified claims, the monk turned violent and started abusing the officer. The monk threatened to kill the officer, yelled and brawled at the officer with his mob. The monk was just a whisk away from physically attacking the Tamils present in the place despite the presence of media and senior police officials.

The monk categorically remarked that he would smash the Tamils and would kill them if they try to stop him from encroaching land areas through court orders. Excerpts of his threat in Sinhalese, translated to English as follows:

“You are a bloody dog. You are a Tamil Grama sevaka (Village Officer). My blood boils when I see you. You have been filing cases in the court against Sinhalese. Stop filing cases against Sinhala. If you succeed in ousting even one Sinhala from their place, I will end your rule. I will smash you. This is my last warning to all of you. I am sparing you just because of the uniformed men around. I will smash you to death”.

Mute spectators

The senior police officials who arrived to the spot hardly pacified the monk and did not utter any words than saying ‘Ok’, ‘alright’. There was not a word of stern message to the monk to stop behaving like the way he did and there was no proper attempt to stop him as well. There was not an apology as well from the police department to those who were bullied by the unruly monk. This was despite the presence of media present in the location. The monk clearly showed his intentions and wanted to send a message of threat to the entire island nation. After all the threats were made, the police acted like solving the incident and the monk walked away with this mob threatening to come back and repeat.

Other Incidents

The monks, despite court orders and directions, have been continually attempting to forcefully instate Buddhist religious structures in the Tamil inhabited areas. The Sinhala officers are exercising a careless attitude towards such incidents and the Tamil officers are threatened. The same is happening in lot many places and in one such incident, a lady Tamil Police officer was threatened and brawled at, by a Buddhist monk in the same district. The higher Sinhala officers were mere spectators as usual and dispersed only the officer from the spot instead of taking action against the Monk.

Law and Court Orders

As per the court stay order issued on 16th November 2016, the monk has been prohibited to enter lands near A5 Badulla highway to install Buddhist stupas. The order is to protect harmony of people, reinstate the rights of Tamils in their place as per the 1979, 15th section of Sri Lankan laws, article 106, division 'a'. Per the Order, the monk has further been instructed

- i) Not to organize procession on the street
- ii) Not to host protests in the open
- iii) Not to trespass into private lands and attempt to build structures or install any stupas/plant trees

On breaching the order, the court has also persuaded the Police to take necessary action against the monk to ensure law and order, protect peace and tranquility in the region.

Concerns expressed

The Tamil members from the political fraternity have expressed deep concerns over such incidents and are urging the authorities to act on the offenders. Such events spark tensions and create problems in the harmony between ethnic groups. The leaders have to run places to be on spot to ensure that the encroachment activities are not successful by the Buddhist monk with breach of laws. The Tamil communities, with limited media spread and voice in the country have filed their concerns over such incidents.

State of Fear

The people in the North and the East, apart from extreme militarization are undergoing agony and pain from these non government actors who intervene in the livelihood of Tamils. People are under constant threat and fear of such attacks, loss of lands and their long standing places of cultural importance. The people groups along with their Tamil leaders are staying alert and awake, see for instances every now and then and rushing to the spot for requesting the police to ensure implementation of court orders. The entire order of things in the island nation is only a dictated script of the Sinhala domination.

References

Ampitiya Sumaranathna Thera threatening Tamil Village Officer

<https://www.youtube.com/watch?v=I72zclUHnn4>

Tamil politician reading out the Court Order and requesting action from police

<https://www.youtube.com/watch?v=VZ35O6hc37o>

Press article – Colombo Telegraph

<https://www.colombotelegraph.com/index.php/you-tamil-dog-i-will-kill-you-buddhist-monk-tells-grama-sevaka-in-batticaloa/>

*Collectif La Paix au Sri Lanka, Swiss Council of Eelam Tamil (SCET), NGOs without consultative status, also share the views expressed in this statement.