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**Racism, racial discrimination, xenophobia and related
forms of intolerance, follow-up and implementation
of the Durban Declaration and Programme of Action**

Written statement* submitted by African Green Foundation International, 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 2019]

* Issued as received, in the language(s) of submission only.



UN Rapporteur on Minority Rights in Sri Lanka

I wish to draw attention of the readership to a news item that appeared in 'The Island' newspaper on 31st October under the title 'UN calls for commitment to minority rights' reporting some of the views expressed by UN Rapporteur Izsak Ndiaye who had apparently undertaken a ten days' mission to this country recently. It was also reported that Ndiaye will submit a detailed report to the UN Human Rights Council in May 2017 in this regard. I wonder whether the UN conducts surveys on all countries in the world which have minorities among their populations? Why is it that she chose to make a ten day visit particularly to the tiny island of Sri Lanka in this connection? Is it because she was asked to visit Sri Lanka because the UN had received reports that minorities are treated particularly badly in this country only? In any case, did she refer her findings to the Sri Lanka government, to get their feedback to seek their reactions before she advised the government? Had she done that, it may have acquired more credibility.

The news item reports that she had consulted a large number of minority representatives across the country including Sri Lankan and Up Country Tamils, Muslims, Hindus, Burghers, Christians, Telugus, Veddhas and Sri Lankan Africans." It may be noted that the UN Rapporteur has gone to the extent of meeting even the miniscule minorities such as Thelugus and Sri Lankan South Africans but had not consulted the Sinhalese and Buddhists who being the majority and who are conceived probably as the 'tormentors' or the community that deny the Rights of Minorities in this country. Does that not show that she was working with an inbuilt bias against the majority community? She could have asked them why they are ill-treating their Minorities and got their mind set, in order to help this country to shed this anomaly. Had she done that, it would have given the unconsulted majority an opportunity to give their point of view. That would have given them an opportunity to inform her how their own Rights are denied by some of the major Minorities. They may have told her that they are deprived of the right to purchase or own lands in the Jaffna peninsula, that some of them had their busses stoned when they had visited the peninsula. They would have told her of the hostility of the Tamil Minority they experienced when some of them visited that area. They would have also told her of how some thousand odd Sinhala students in the Jaffna University were assaulted recently and how these students are deprived of their University education as a result. She may have also learnt that over 50,000 Sinhalese who were driven away from the Northern Province due to the Tamil insurgency, now living as IDPs, are denied return to their lands some of which are grabbed by Tamils. They would also inform her that how some of the Tamil leaders and others demolish Buddhist shrines and cut down their Bo trees and also how the Buddhist Monks in these temples are intimidated to leave the area. I do not think this kind of thing happens even in Tamilnadu to other Indian communities.

They will also tell her of how the Muslim Minority is harassing the Buddhists having a mosque illegally in the Dambulla Temple sacred area declared under the Cultural Triangle Heritage Project and setting up mosques in other areas. If a census of the places of worship belonging of different religions is done it would reveal their number will exceed religious requirement by each Minority religionists more than that of the majority. They will tell her how the Muslims have forcibly and illegally occupying a stone cave used by Buddhist Monks at Kuragala since 3rd Century B.C. for meditation. They will also tell her how lands of some ancient Buddhist temples in the Eastern Coastal sea board are encroached upon by the Muslims and are obstructing Buddhist Pilgrims from visiting them. She would also be told how a group of Muslims in Mannar led by a Muslim politician stoned the Magistrate Court not tolerating a decision given by a Magistrate who happened to be a Tamil.

Buddhists would also have told Nadiaye how their numbers are dwindling owing to unethical conversion of Buddhists and even Catholics by the new Evangelists, mainly by their strategy of aggression of 'Church Planting' among other methods. It is significant that even the Cardinal of this country has expressed his protest against this aggressive conversion campaign.

Among other things, Izsak Ndiaye had observed that Efforts by the Government to implement good and inclusive governance must include guarantees that minorities become

part of decision making process and have a place in the state and provincial administration” I wonder whether Ndiaye did not come to notice that that the system already in place in this country ensures that. It is because of this system is operating that Tamils and Muslims are already members of the Cabinet. The Leader of the Opposition is a Tamil. The chief Minister of the Northern Provincial Council is a Tamil. Similarly, the Chief Minister of the Eastern Provincial Council is a Muslim. The Chief Justice is a Tamil. There are so many members in the Provincial Council system and Courts of Justice in Northern and Eastern Provinces operate in Tamil. Education in schools and universities is available in all three languages, Sinhala, Tamil and English. What other arrangements would Ndiaye recommend?

She pinpoints among some other irritants to minorities disappeared persons, return of occupied land, release of security related detainees, demilitarization, which must be addressed urgently.” In order to urgently address the problem of ‘disappeared persons’ the Government had already in place a Disappeared Persons Commission under an eminent Ex-Supreme Court Judge who was looking into some 19000 complaints. The UNHRC wanted that stopped. Could we be told why?

In regard to security related detainees”, as far as we know these are persons arrested for serious Terrorist criminal activities. Whoever could be released were rehabilitated and released. Could Azsak tell us whether such a phenomenon exists in any other part of the world? Would Azsak Ndiaye recommend that Terrorists held by the US at Guantanamo prisons also to be released calling them security related detainees”? Even if she did, would the U.S. government comply?

As regards ‘demilitarization’ she should explain why only one particular province out of nine provinces in this country need be ‘demilitarized’? Like any other country in the world Sri Lanka too accommodates her armed forces in different parts of her country which is her prerogative.

If their presence in the Northern Province is threatening particularly to the Tamils how is it that the Military presence is not threatening to 56% of the Tamil population who are living outside the Northern Province where there are many Military camps? Does that happen in any other country in the world? U.S. troops are placed even outside that country without any threat to any other country. Even India there is no protest by 72 milion Tamils against presence of Indian Military camps and training establishments in Taminadu. How come?

When it comes to caste based discrimination” observed by Azsak Ndiave yet prevalent in some sections of our society, there appears to be some substance judging by two recent articles in ‘The Island’ newspaper written by a Jaffna University academic, Prof. Rajan Hoole who says that he is troubled by the persistence of caste considerations when it comes to appointments to its academic cadres there. Even so, I do not think the situation there as terrible as prevalent in Tamilnadu pertaining to what the Dalit caste is subjected to, which is taken as normal in that country. However, that does not seem to worry her as much as what is happening in Sri Lanka.

We could agree with Ndiave however that Educational curriculum must ensure teaching about Sri Lankan diversity as a source of strength and about different cultural ethnic and religious identity of its population groups to foster deeper understanding.” I think this kind of education is indispensable not only to children but adults too, urgently, judging by the conduct of the Chief Minister of Northern Province who very recently organized in Jaffna a demonstration in Jaffna called Elugu Thamil” meaning ‘Rise up Tamils’ attended by about 25,000 people the object of which seems to be the opposite of what Nadiave exhorts here. However, some of what is preached by her is already in practice nationally. She should take note of the fact that the important festival days of all religions are observed as public holidays in this country and that the Deepavali Festival of the Hindus is annually held at the President’s House. I wonder whether Ndiaye had come across this kind of phenomenon happening in any other country in the world which ideally uphold Minority Rights?

The precociousness of the national papers in this county in their sensitivity to communal issues is such that any of these newspapers are unlikely to carry this article of mine for the fear of being alleged that that it would violate the sensibilities of Minorities. (Reference - *Sugath Samarasinghe*)

Global Srilankan forum excom- GLSF UK, GLSF Australia, GLSF Poland, GLSF UAE, GLSF Ireland, GLSF Canada, GLSF Switzerland, GLSF Russia. NGO(s) without consultative status, also share the views expressed in this statement.