



General Assembly

Distr.: General
12 February 2020

English only

Human Rights Council

Forty-third session

24 February–20 March 2020

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by 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.

[03 February 2020]

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



Kanniya : Testimony from the ground

I am a Tamil witness of the Kanniya issue on the 16th of July, 2019. I am a human rights activist in Sri Lanka. I am a freelance photographer working in the North of Sri Lanka. I would like to remain anonymous. My observation is that in Sri Lanka, there is an increasing amount of violations where Tamils are unable to gather peacefully. I would like to write about my experience travelling to Kanniya and what happened there.

On July 16, 2019, Tamils want to gather at Kanniya, Trincomalee to show our concerns against Sinhala Buddhist indoctrination, where they are destroying our ancient Hindu temple and erecting a Vihara in its place. The Sri Lankan Army build Sinhala Buddhist Vihara wherever they have their camps or establish new Sinhala villages. Tamils travelled from the North and East on this pre-arranged date. We left early in the morning at 5:00 am from Point Pedro by bus. Normally, we arrive at 10:15 am, but on this day we reached Kanniya by 1:15 pm. There were no problems when travelling from Point Pedro through Jaffna and Mullaithivu, but as soon as we got to Thennaimavadi, Trincomalee, we've been subjected to extremely thorough searches. We were delayed by the Sri Lankan Police and Army at every checkpoint from this point. We had our vehicles and bodies subjected to intense searches, including photographs and video taping, by the army and police. Meanwhile, a Sinhalese bus that was behind us was allowed through without any checking. We had to argue with the Sri Lankan Police and Army at every checkpoint. We were discriminated and blocked by them. We were very upset about how we were treated at every checkpoint. A fight nearly started with Sri Lankan Army when we were violated for no valid reason. The Sri Lankan Army who covered their face with black fabric surrounded us, pointing their guns at us, ready to shoot. At this time someone from our group told us that there is another way to enter to Kanniya. So, we left from that place.

There was only about 150 meter to Kanniya when the Sri Lankan Army stopped us and would not let us to pass through it. But now we had to travel 9 km to reach our destination. We were happy that we reached Kanniya but we had shocking news that this Kanniya issue had become a political and religious problem.

The Police blocked the roads about 1½ KM away from the temple, showing the court injunction. The Tamils there requested permission from the Police whom set up the roadblocks to go to the temple to perform their worship rituals peacefully. But the Sri Lankan police did not allow them to go in. The police informed them that there was no-one in the temple. The court injunction was written only in Sinhala, with no Tamil translations available. Tamils refused to accept it and requested the court injunction in Tamil. Police further argued that the temple grounds is "given to the Department of Archaeology" for further investigation. This statement from a Police made the Tamils very upset. They started to argue with Police at the scene. This Kanniya seven springs is a well-known tourist place which belong Tamils historically. Tamils are very concerned that the Government of Sri Lanka requested a report from the department of archaeology. Tamils highly respect this place as spiritually significant. This place is always crowded with people from Sri Lanka as well as foreigners. Presently, Tamils are not allowed to enter there and a Sinhala Buddhist monk attempted to replace the temple with a Buddhist Vihara.

The landlord of the Temple was there, arguing with police to go into their own temple. At last, Akarthyar, the Saivite guru/priest and Ms Kokilaramani, the land owner of the Kanniya temple, were allowed to go inside. Everyone else decided to perform their rituals in the middle of the road. Both Ms. Kokilaramani and Akarthyar were verbally and physically assaulted by the Sinhalese traders, who threw hot tea on their faces and insulted them when they went in.

Upon returning, Ms. Kokilaramani spoke to the media and the public, stating that most of the people inside are rowdies. She further stated that there were at least 30 to 40 rowdies inside of the temple ready to attack them and few traders with them. It should be noted that it was well planned by the Sinhalese Police. Tamils started to argue with the Police that this is injustice for Tamils. I never understood why the Tamils are being discriminated and violated? Nothing changed from 2009. This violation on Tamils has been continuing in different ways. The Police officers who were in charge on that day ignored the Tamils and

said that “If you want to complain, go to the Police.” Tamils were threatened that they would be arrested if necessary. This made the Tamils very upset. There is no equality and justice for Tamils in their own country.¹

It should be noted that whenever Tamils gather for whatever reason, they are photographed, threaten, and assaulted in many ways. People who support the gatherings or protests receive unwanted threatening calls from unknown people, and some are arrested.

I would like to point out that on July 17, 2019, in Vavuniya district, Tamil families of the enforced disappeared who have been demanding information regarding the whereabouts of their loved ones, marked 868 days of protest with a rally through Vavuniya town. Most of the Protestors, who were Tamil Women, were intimidated by Sri Lankan Army intelligence and pictures of the protesters were taken. They continue to receive threatening phone calls.

Also, on June 29th, 2019, a disappearances activist in Vavuniya was questioned by Sri Lanka’s terrorism division. The secretary of the Vavuniya Families of the Disappeared association, K Rajkumar was questioned by Terrorism Investigation Department (TID) officials at the site of the Vavuniya protest on June 20th. Initially attempting to question Rajkumar by telephone, the TID officials appeared at the protest office after Rajkumar had refused the phone interrogation. He asked the CID for any requests for investigation to be made in writing. Rajkumar said he had been questioned for over thirty minutes, including how individual disappearance activists are going to the UN Human Rights Council in Geneva. Two others from Vavuniya were also questioned by the Sri Lankan Military Intelligence.²

In conclusion, I would like to point out that Tamils are systematically discriminated by the Sinhala Army, and are suppressed of their rights to peaceful assembly to get their justice. The Sri Lankan government is using their powers to suppress the Tamils voice for their rights and justice. The Prevention of Terrorism act is used exclusively against Tamils. Whoever is initiating the rally or peaceful gathering for their rights are being threatened under this act. Tamils and their children are violated, suppressing their rights to freedom of gathering, speech and living peacefully in their motherland.

Tamils have lost trust in the National Human Rights Commission and the Sri Lankan Human Rights Commission (SLHRC). No complaints are investigated by the National Human Rights Commission. The Sri Lankan Human Rights Commission (SLHRC) failed to take any actions on monitoring the violations of Tamils, sexual harassment in North and East, and resolution for those who are protesting to get answer for their disappeared loved ones.

We request United Nations to form a group in North and East to monitor and report the violations of Tamils and women.

Tamils should be allowed to gather peacefully together whenever they want for any reason without the supervision of the Sri Lankan Army and Police, and to ensure the participants personal security.

The army should be removed from schools and allow the children to gather freely in their schools.

We request United Nations to pressure the Sri Lankan Government to remove the Prevention of Terrorism Act which is a law used against Tamils only, and those who are arrested under this law should be allowed to prove that they are innocent.

We request the Government of Swiss to grant visas to our victims and for the human rights activists to come to the UN sessions to bring our issues to UN platform.

1

<https://www.facebook.com/Oorukai/videos/688839411543693/UzpfSTewMDAwNDY1MTg0MDc5MDoxMzMwMTUyNTk3MTQ5Nzg5/>

2 <https://www.tamilguardian.com/content/vavuniya-disappearances-activist-questioned-tid>