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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 Association Thendral, 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.

[30 May 2021]

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



Sinhalization of Tamil Areas by Building Buddhist Shrines over Hindu Temples under Racial discrimination

For last 7 decades Eelam Tamils are under militarization with Governments of Sri Lanka have continuously destroyed the cultural and religious identities of indigenous Tamils while erecting Buddhist Viharas (monasteries) and continuing Sinhala colonization of Eelam Tamils Lands in North and East of Sri Lanka.

The current ethnic conflict in Sri Lanka ended on May 2009, between the Sinhalese (represented by the Sri Lankan Government) and the Tamils (primarily by the Liberation Tigers of Tamil Eelam) has lasted over Three decades. The catastrophic event, which destroyed the friendly relations between the two ethnic groups, occurred in July 1983.

Tamils in Sri Lanka are unite to fight against the dictatorial Sri Lankan government bent on seizing Hindu Temples to build Buddhist Viharas The Sri Lankan government has declared a religious war against Tamil Hindus, Christians and Muslims who are victims of Thirty Years-long Civil War.

Under the cloak of identifying Buddhist archaeological importance, the Department of Archeology has laid siege to historical Hindu temples and build Viharas in their places. The state machinery is being fully galvanized for this unholy purpose.

At the Kurundurmalai Adi Iyanar Temple in the Mullaitivu district, a Trident was pulled out to install a statue of Buddha. Thereafter, a Buddhist ceremony was held by monks in the presence of State Minister Vitdura Wickramanayaka. Earlier the area was cleared by the army and decorated with hundreds of Buddhist and Army flags. Hundreds of soldiers were seen participating in the ceremony. This act has caused acute pain and consternation among the Hindu Tamils. Tamil leaders have strongly condemned this act as a blatant attempt to Buddhize the traditional habitat of the Tamils. It may be recalled that President Gotabaya appointed a pan- Sinhala Buddhist Presidential Task Force in June 2020 under the chairmanship of Secretary to the Ministry of Defense Major General (Retired) Kamal Gunaratne.

This Task Force has been mandated to;

1. Identify sites of archaeological importance in the Eastern Province,
2. Identify and implement an appropriate program for the management of archaeological heritage by conserving and restoring such identified sites and antiquities,
3. Identify the extent of land that should be allocated for such archaeological sites and take necessary measures to allocate them properly and legally, and
4. Preserve the cultural value of sites of archaeological importance and promote the uniqueness of Sri Lanka, both locally and internationally, and make recommendations for the promotion of such heritages. This buddhistization under the cloak of identifying Archaeological sites (read Buddhist sites) follows the Sinhalization of the North-East since independence in 1948.

Because of state-aided colonization of Tamils' traditional habitat they have been reduced to a minority in Trincomalee (32.29%) and Amparai (17.1%) Districts. Even recently under the Weli Oya (Manal Aru) scheme, a new Divisional Secretariat has been created in the Mullaitivu District. This Divisional Secretariat consists of 18 villages comprising 3,336 families (11,189 persons). The then President Mahinda Rajapaksa personally handed over the land-permits to the Sinhalese settlers in 2015.

Since the end of the 30 years civil war a large number of Buddhist viharas, statues of Buddha and War Memorials have sprouted in the North thanks to the Sri Lankan armed forces. Various institutions of the Government of Sri Lanka make use of Acts of Parliament most of them enacted before the enactment of the 13th Amendment to the Constitution to undermine the powers conferred on the Provincial Councils on land.

The relevant Acts are: (1) Mahaweli Authority Act No. 23 of 1979 (as amended) (2) Urban Development Law No. 41 of 1978 (as amended) and Town and Country Planning

Ordinance No.13 of 1946 amended by Amendment Act No. 49 of 2000 (3) Sri Lanka Ports Authority Act No. 51 of 1979 (4) Tourism Act No. 38 of 2005 which retains sections of the Tourism Development Act No. 14 of 1968 (5) Antiquities Act No. 24 of 1998 together with the Archeological Sites of National Importance Act No. 16 of 1900.

In the past as well as at present successive governments have liberally used the Mahaweli Authority Act No. 23 of 1979 (as amended) and the Antiquities Act No. 24 of 1998 together with the Archeological Sites of National Importance Act No. 16 of 1900 liberally to both Sinhalyze and Buddhize the North-East.

Obviously, the state is using the Archeological Sites of National Importance Act to dislodge or forcibly shut-down Hindu temples under the guise that they occupy Buddhist sites.

The above Kurunthur Iyanar temple is a typical example. In close proximity at Kumulamunai is another temple called Vedukkunari Adi Lingeswarar temple.

The Department of Archeology with the support of the Army has commenced excavations claiming that there is a ruined Kurundaseva Buddhist temple buried under. The excavations were initiated by Minister Vidura Wickremanayaka, Minister of State for National Heritage, Archeology and Rural Sculpture Development. He was accompanied by the Sri Lankan Army, Prof. Anura Manatunga, Director General of the Department of Archeology and Jagath Ratnayake, Commander of the Mullaitivu Defense Forces, Secretary to the Ministry of Archeology.

At this time a Buddha statue was brought to the Kurundurmalai for worship before excavation work was commenced. Another Archaeological excavation for another shrine at Padalaikallu near Thannimurippu Pond started recently.

In the east, the appointment of the Archeological Heritage Management Task Force has energized Sinhala nationalists and they are on spree to hurriedly fence archaeological sites and livelihood zones. The Task Force has identified thousands of hectares of land as Buddhist heritage remains in Thiriyai, Kutchaveli, Kumpuruppiddy and Thennamaravadi and taken over. The lands have been vested in 7 Buddhist organization for Buddhist worship for 30 years according to a gazette notification. Tamil Hindus have gone to the courts to stop the seizure of their lands that include farms and homes.

The Ven. Ellawala Medhananda Thero, a member of the Archeological Heritage Management Task Force stated that the team has examined and identified 2,000 sites as Buddhist heritage. This poses an ominous threat not only to Hindu places of worship but also to lands belonging to Hindu Tamils.

In short, many historical Hindu temples are under siege by the different agencies of the government and has declared virtual 'holy war' against Hindus and their places of worship.

United and concerted action by Hindus all over the world is urgently needed to halt the large scale buddhistization and colonization of lands belonging to Hindu Tamils.

Across the Tamil homeland in the North-East, there have been sustained efforts by the Sri Lankan state to colonise alter archaeological and demographic makeup of traditional Tamil areas. Following a presidential gazette, the formation of an all Sinhala task for archaeology in the east has allowed for the department to confiscated Tamil land and in turn, build new Buddhist shrines.

Alongside the intense military presence in the North-East, it is common for the military who have established camps on confiscated Tamil land to build large Buddhist Shrines within them or in the near vicinity. This practice has been intensifying alongside state support also being given to Buddhist religious practices in the North-East whilst Hindu, Christian and Muslim practices are limited or observed under heavy surveillance.

Last year, a senior Buddhist monk who sits on the all Sinhala archaeology task force, earmarked 2,000 sites in the eastern province for 'archaeological' examination. Tamils have voiced their fears about further appropriation of land by the state through the task force, as the task force with the full support of the state will be allowed to 'identify the extent of land that should be allocated for such archaeological sites and take necessary measures to allocate them properly and legally'.

Our organization had documented more than 238 cases of attacks against Tamils who are victims of occupied Sri Lankan military, intimidation of and violence against Hindu Priest, and Catholic priests and Tamil peoples during their faith exercise by Sri Lankan security forces, and obstruction of worship services during the year 2020.

Recommendations:

Human Rights Council should;

Direct appropriate measures at the International Criminal Court outlining that the affected Tamil people have no faith in any domestic commission or inquiry.

To have a new Resolution under Agenda 4 to appoint a special Rapporteur to monitor and investigate ongoing human rights violations and repression against the Tamil people.

United Nations Special rapporteur on Religious believe should Consistently and accurately monitor violations against religious minorities. While certain communities have civil society organisations which have been documenting and compiling lists of violations on an ongoing basis, others do not – in particular, Tamils from Hindus and Christians.

Gouvernement en Exil du Tamil Eelam , GLOBAL TAMIL MOUVEMENT ASSOCIATION DES CHRETIENS TAMOULS POUR LA PAIX ET JUSTICE, Centre Bishop Rayappu Joseph pour la Justice et la paix, NGO(s) without consultative status, also share the views expressed in this statement.