

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

Racial and caste discrimination in Sri Lanka

CERD NGO Briefing, 15 August 2016

Thank you Madam Chair,

I am delivering this intervention on behalf of IMADR. To begin with, we regret the absence of the Human Rights Commission of Sri Lanka at this Committee. Although the Commission re-gained its independence by the 19th Amendment to the Constitution in April 2015, the Government should provide them sufficient human and financial resources for its full operation with A status.

Widespread incidents of hate crimes especially by *Bodu Bala Sena* (BBS), a hardline Sinhala Buddhist group, are hardly investigated and those responsible are not prosecuted. For example, the Government has not prosecuted members of the BBS for the attack against a Muslim community in Aluthgama in June 2014, which resulted in the death of 4 persons, serious injury of nearly 80 people and destruction of properties. The manifestation of hateful messages against minorities including by high ranking State officials is rarely condemned by the Government.

Caste-based discrimination is deep-rooted in public and private spheres. The lack of State measures including the prosecution of caste-based attacks and human rights education to combat the specific discrimination has affected many aspects of life such as marriage and religious beliefs.

Now let me focus on the issues faced by Tamils of Indian origin, also known as plantation Tamils or Up-Country Tamils. Human rights of Up-Country Tamils have been continuously violated due to the structural discrimination and the lack of political will to tackle inequality. The poverty level of Up-Country Tamils is more than two times higher than the national level¹, and malnutrition of the children is common in the community.

The housing has not changed since the colonial time. People live in a “*line room*” house which does not provide a sufficient protection from the rain and cold weather nor privacy among family members. Girls and women are also exposed to the risk of sexual violence. In addition to the housing problem, the persistent issues of domestic violence, alcoholism and caste-based attacks are not sufficiently addressed by the Government.

Access to quality education remains difficult for the community. The literacy rate of the Up-Country Tamil community is 88.3% which is 6.4% lower than the national average. Female literacy rate decreases to 74.7%. Only 20.2% have a secondary education and 2.1% have a post-secondary education while the national averages are much higher.² The quality of education is poor due to the unequal resource allocation to schools in the community, which promotes the drop-out of children. The issue is well reflected in the figure that 37% of Up-Country Tamil children engage in child labour.

Despite the 2003 Citizenship Act, over 200,000 Up-Country Tamils are still not recognised due to the loss of

¹ 10.9% for Estate sector against 4.2% of the national average.

² National average rates: 52.2% for secondary education; and 20.7% for post-secondary education

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documentation in the ethnic riots in July 1983. Those without the National Identity Cards (NICs) are not only prevented from accessing basic services and security, but also they can be arrested and detained. The draconian Prevention of Terrorism Act (PTA) has been used for arbitrary arrests and detention of Up-Country Tamils because of their name and identity.

All of those difficulties contribute to the low representation of Up-Country Tamils in the public sector: only 0.31% in the central government; and 1.94% in the provincial sector. It does not reflect their composition in the population which is 4.1%.

Women and girls in the community suffer multiple forms of discrimination based on their gender, ethnicity and caste. Such intersectional discrimination is not limited to Up-Country Tamils, but also among women and girls from North-Eastern Tamils and Muslim communities.

Last but not least, inequality and human rights violations are not limited to Up-Country Tamils, but North-Eastern Tamils, Muslims and indigenous *Wanniyalatto* people also suffer discrimination which may take a different form according to each community such as internal displacement, land grabbing, enforced disappearances, arbitrary arrests and detention.

I thank you for your attention and I look forward a further discussion with you.