



# General Assembly

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## Human Rights Council

### Fifty-fourth session

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Agenda item 4

### Human rights situations that require the Council's attention

## **Written statement\* submitted by ASSOCIATION CULTURELLE DES TAMOULS EN FRANCE, 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 2023]

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\* Issued as received, in the language of submission only.



## **Land Grabbing by the Sri Lankan Military for the Development of Tourism in Panaama Village**

The genocide acts against Eelam Tamils that erupted after Sri Lanka's independence from the United Kingdom of Great Britain and Northern Ireland in 1948 escalated into an armed conflict in the 1980s. The war ended in May 2009 – when the Sri Lankan military violently crushed the decades' long armed struggle led by the Liberation Tigers of Tamil Eelam (LTTE) against Sri Lankan Sinhales Buddhist governments. The conflict killed over 350,000 Eelam Tamils, displaced more than 2 million, destroyed infrastructure, and left behind wanton destruction of lives and property of the population of the Northern and Eastern Provinces.

In August 2010, a group of armed people evicted 350 families from Paanama and burnt their houses and belongings. Several villagers were injured. Later the villagers found out that the land was intended to be used for a tourism development. The evicted villagers resisted the land grab and founded an organization. Several protests against the land grab took place and several court cases were filed. In February 2015, the cabinet of ministers decided to release the land. However, the land was never handed back to the villagers. In March 2016, the villagers took matters into their own hands and occupied their land. They constructed temporary huts and started to cultivate their land.

On 17th August 2010, a group of armed men came to the villages of Raagamwela and Shastrawela in Paanama on the east coast of Sri Lanka. They forced the villagers to leave their homes, burnt their houses and belongings and occupied their land. Several villagers were injured. Altogether 350 families were evicted from their homes and 1.220 acres were in military control. They were informed that the land had been taken for security reasons.

Shortly after the eviction, the villagers founded the Paanama Pattuwa Protection Organization (PPPO) in an attempt to get their land back. As a first concrete step, they filed a complaint with the HRCSL. The HCRSL recommended handing the occupied land back to the people. However, the Sri Lankan Navy (SLN) and Air Force (SLAF) prohibited villagers returning to their land. The evicted people were homeless and deprived of their traditional livelihood as farmers and fishers. They had to find shelter at relatives' homes.

### **Tourism Development in the Occupied Land**

The region around Paanama has enormous potential for tourism development. Beautiful beaches, surfing spots and close-by national parks offer tourists many different activities.

However, tourism has not been established in Paanama so far. Nevertheless, Arugam Bay, which is situated only a few kilometres north of Paanama, is a popular tourism spot. Three years after the eviction, the villagers found out that in the occupied land a tourist hotel is being built. Pictures, taken by a local NGO, showed the ongoing construction work of a hotel. Currently, the SLN is running the Lagoon Cabanas Panama, which is offering rooms to visitors. Furthermore, the SLAF is constructing another hotel on the occupied land. Meanwhile, the villagers are still deprived of their traditional livelihood. Some of the villagers however want to offer rooms and activities to tourists themselves.

### **Protests, Court Cases, and Cabinet Decision**

The villagers filed several court cases, a fundamental rights case at the Supreme Court and several complaints with the HRCSL. The people also protested against the land grab in Paanama. The protests took place in Paanama itself, in the capital Colombo and in other tourist destinations in Sri Lanka. Because of the pressure on the newly elected government, the cabinet of ministers decided in February 2015 to release 340 acres back to the people. However, this decision was never implemented. The security forces continued to occupy the peoples' land. Therefore, in June 2017, a petition with 20,000 signatures demanding the immediate implementation of the cabinet decision was handed over to the Presidential Secretariat.

## People Occupied Their Own Land

In March 2016, the villagers took matters into their own hands. On 27 th March, with the help of the local NGO National Fisheries Solidarity Movement (NAFSO), the people of Raagamwela entered their own land forcibly. The police, navy and air force later prevented the people from entering their land. However, a Pothuvil Magistrate Court order from 30 th March that the armed forces could not prevent the villagers from entering their own land. On 7 th April, the villagers again occupied their own land and started to settle there. In May, they started to build temporary huts and to cultivate their land. Fishing in the sea however is still prohibited for the villagers. Therefore, since April 2016 the villagers have occupied their own land but the land has still not been handed over officially, one and a half years after the

## Historical Information

1800s Eelam Tamils settle in Paanama, the main village located inland.

1970s Families migrate towards the coast for agriculture and fishing. Five villages are settled, popularly referred to as 'Paanama'.

1983 The genocidal war against Eelam Tamils begins in Sri Lanka, focused in the north and east.

2000 Eelam Tamils that had to flee return to their lands and begin to grow long-term crops and build temporary houses.

2003 State authorities begin to claim Paanama villages as 'state land'. The claims continue and escalate over the next 7 years.

2009 The genocidal war against Eelam Tamils in Sri Lanka ends on 19 May.

- On 16 November the Pottuvil Police file a case against 7 individuals for trespassing on state land.

2010 On 17 July Paanama families are evicted by armed men. Homes and crops are destroyed and documents to prove title to land are lost. By now, 350 families are displaced and seek shelter in homes of relatives.

- On 26 July the Eelam Tamils file a complaint with the Sri Lanka Human Rights Commission, which investigates and recommends that land is returned to the Eelam Tamils.

2012 Submission made to the United Nations Human Rights Council. Eelam Tamils continues to protest and raise awareness on their eviction.

2015 On 11 February the Sri Lanka government decides to release 340 acres of land currently occupied by the air force back to the Paanama community.

- The Pottuvil magistrate determines that the community is not trespassing and orders that the land is released to the land owners.
- Paanama communities continue their struggle and try several times to return to their land.
- The Community stages a major protest with media coverage

2016 March – Some community members went back to their lands and constructed temporary shelters and started cultivating crops.

2016 May - eviction notices are issued by the Lahugala Divisional Secretariat office to some community members ordering them to vacate their lands.

2016 May - A case was filed in the court of appeal of Sri Lanka seeking the implementation of the cabinet decision on Paanama land release, and challenging the eviction notice sent to community members.

## **2016 May - A case was filed in the Supreme Court of Sri Lanka seeking the implementation of the cabinet decision on Paanama land release**

2017 July – An inquiry was conducted by the National Human Rights Commission (HRC) on the Paanama land struggle. The HRC recommended that the land should be returned to its people. During the inquiry it was revealed that the military has been occupying the grabbed land without any formal authorization. 1800s Communities settle in Paanama, the main village located inland

Mostly women engaged in farming, the loss of agricultural grounds severely affected their economic independence and overall contribution to household economy. They now either engage in daily paid wage work or do not work at all.

When families had to move to houses of friends and relatives, children found it challenging to go to school from a different house and location. Education was disrupted of most children. Mostly women engaged in farming, the loss of agricultural grounds severely affected their economic independence and overall contribution to household economy. They now either engage in daily paid wage work or do not work at all.

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### **Recommendation**

- a. Take immediate measures to demilitarize North and East and hand over lands (occupied by the military for over 35 years) to their rightful owners without any further delay. Also the Eelam Tamils of the North East must be given access to their residential and agricultural lands to engage in economic and livelihood activities
- b. Having violated international humanitarian law and engaging war crimes the Relevant UN bodies must urge the Government of Sri Lanka to sign the Rome Statute in order to ensure justice and accountability to the victims of such heinous crimes under the International Criminal Court.
- c. Endorse the Tamil genocide resolution of 2015 passed by the Northern Provincial Council in February 2015.
- d. To the 4th committee members of General Assembly: To recognize that Tamil territories are not Governing by Tamils

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ASSOCIATION DES CHRETIENS TAMOULS DE FRANCE, Alliance Internationale de Défense des Droits Humains, International Alliance for the Defense of Human Rights, ALLIANCE INTERNATIONALE POUR LA JUSTICE, French for Democracy & Human Rights, FORUM FOR THE DEMOCRACY AND HUMAN RIGHTS FRANCE FDHR, Europeans Tamils for Justice and Peace, INTERNATIONAL ALLIANCE AGAINST TAMILS GENOCIDE AND FREE TAMIL EELAM, Action des Chrétiens Pour les droits de l'homme, ALLIANCE DES JURISTES POUR LES DROITS DE L'HOMME, MAISON DES CITOYENS DU MONDE, North-East Secretariat on Human Rights, NORTH-EAST DEVELOPMENT AGENCY, ALLIANCE POUR LA JUSTICE INTERNATIONALE (AJI), CENTER FOR HUMAN RIGHTS DEFENDERS, AJACCIO HUMAN RIGHTS CENTER, TAMIL EELAM PEACE RESEARCH INSTITUTE, STUDENTS FOR HUMAN RIGHTS, ASSOCIATION DE DEFENSE DES DROITS DE L'HOMME, ASSOCIATION DES DROITS DE L'HOMME DE CHARENTE, CENTRE INTERNATIONAL DES ÉTUDES STRATÉGIQUES ET POLITIQUES, ASSOCIATION INTERNATIONALE POUR LE DÉVELOPPEMENT ECONOMIQUE ET SOCIAL DU TAMIL EELAM, CENTRE EUROPÉEN POUR LA PAIX ET JUSTICE, MEDIAS POUR LA PAIX ET JUSTICE, ASSOCIATION DES JEUNES DE LA DIASPORA TAMOUL , International Center for Peace and Justice - ICPJ, CENTRE INTERNATIONAL DE RECHERCHE SUR LA PAIX ET JUSTICE, CENTRE DE PROTECTION DE TAMIL EELAM, Action Pour l'Education au Développement Durable et aux

Droits Humains, Action des chrétiens pour les Droits Humains, ALLIANCE INTERNATIONALE CONTRE LE GENOCIDE DES TAMOULS, NGO(s) without consultative status, also share the views expressed in this statement.