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Written statement* submitted by Survival International Ltd, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 March 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The Wanniyala-Aetto of Sri Lanka

Survival International is writing to you regarding the upcoming Human Rights Council (HRC) discussion of Sri Lanka. We would like to draw your attention to the situation of the Wanniyala-Aetto, Sri Lanka's indigenous people who are sometimes known by the pejorative term, 'Veddah'.

The Wanniyala-Aetto's current problems began in the 1950s when their land began to be opened up to outside settlers around Gal Oya. Their forests were bulldozed and their hunting grounds flooded by the Senanayaka Samudra dam. In 1983 their last forest refuge was turned into the Maduru Oya National Park because of three more dams under the Accelerated Mahweli Development Project (AMDP). They were moved to government villages and banned from entering the forest without a permit. They were forbidden from hunting and gathering in the forest that had sustained their families for generations.

Turning the Wanniyala-Aetto's ancestral land into a National Park has robbed them of their means of subsistence and of much that gave their lives meaning. Alcoholism and mental illness are now rife. Many face harassment from park guards and discrimination from the settlers who surround them.

The situation for the Wanniyala-Aetto remains particularly uncertain today because of conflicting information coming from the government, and a series of un-kept promises. In 1998, following a moving intervention by a Wanniyala-Aetto delegation at the United Nations, Her Excellency Chandrika Bandaranayake Kumaratunga, the then President of Sri Lanka, declared that the Wanniyala-Aetto had the opportunity to 'continue their traditional way of life (if they like to do so)'.

The Environment and Natural Resources Ministry was instructed to issue special Maduru Oya National Park identity cards for the Wanniyala-Aetto. Unfortunately, very few permits were ever issued leaving many Wanniyala-Aetto vulnerable to the whims of the park guards. This has led to killings, beatings and arrests for hunting in their ancestral land – despite having been promised by the country's President that they were entitled to hunt for their own subsistence.

In the latest fatal incident in March last year, a 26 year old Wanniyala-Aetto man, Tale Warige Sunila was killed by a forest guard for 'poaching' on his ancestral land in the Maduru Oya National Park. He had a permit that allowed him to be in the park, but not to hunt. However, instead of being arrested for 'poaching' he was shot dead. In recent years, three other Wanniyala-Aetto, all with permits, have been killed for hunting in their traditional forests.

The Wanniyala-Aetto are still losing their land to outsiders. In February this year, symbolically handed over title deeds for Wanniyala-Aetto land to, principally, Sinhalese farmers settled under the Mahaweli scheme. More of the Wanniyala-Aetto's land is due to be distributed to outsiders in the coming months. This loss of their ancestral land further impoverishes and marginalises the Wanniyala-Aetto, whose situation is already critical.

Many Wanniyala-Aetto have expressed the wish to return to their ancestral lands within the park. Vague promises have been made by the government but the Wanniyala-Aetto have not been allowed to go back. Under the United Nations Declaration on the Rights of Indigenous Peoples, to which Sri Lanka is a signatory 'Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired'. This right is currently being denied to the Wanniyala-Aetto who are struggling to survive without their traditional forest.

Furthermore, under the Convention on Biological Diversity, to which Sri Lanka is also party (1994), in relation to conservation, 'Each contracting Party shall, as far as possible and as appropriate: Subject to national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge innovations and practices.' Again, this is a commitment being denied to the Wanniyala-Aetto as they are arrested or even murdered, for attempting to enter their ancestral forest.

We urge you to use the opportunity of the upcoming HRC discussion on Sri Lanka to call on the government of Sri Lanka to recognise the right of the Wanniyala-Aetto to live, hunt for their own consumption, and gather forest produce in their ancestral land in the Maduru Oya National Park and to enable those who wish to return to do so. We also ask that you call on the government of Sri Lanka to ensure that those responsible for killing and harassing the Wanniyala-Aetto for entering their traditional land are brought to justice.
