



# Plantation and Up-country Tamils

## SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES

During its first review in 2008 Sri Lanka received two recommendations concerning minorities. The recommendation to ensure Up-Country Tamils all civil rights, including the right to vote, was noted while the recommendation to ensure no discrimination against ethnic minorities was accepted. The number of minority rights recommendations increased up to seven in the second review, concerning issues such as; safeguarding equal treatment and human rights for all religious denominations, participation of Sri Lankan Muslims in decision making process, participation in reconciliation processes and integration in economic, social and cultural efforts; and dissemination of the National Action Plan in all the official languages and to all ethnicities.

Over two UPR cycles, no recommendations have explicitly mentioned indigenous peoples or plantation

## NATIONAL FRAMEWORK

Their history of indentured work and statelessness has left the Malaiyaha Makkal (Up-country Tamils) amongst the most excluded segments of Sri Lankan society. They are descendants of Tamil labourers who were brought from India during the colonial period to work in Tea estates. They are the least paid workers in the country. Levels of poverty among them are higher and levels of education lower compared to the majority population. They also suffer from inadequate access to land, housing, and water. Their access to public services is also constrained. As a consequence, they are exploited as workers and more prone to human and natural disasters.

According to the data from the Household Income and Expenditure Survey, 75.9% households in the Estate sector have a toilet exclusive to the household compared to the national average is 89.9%). Only 67.4% of estate sector households have a source of drinking water within the premises while the data for Urban and Rural sectors is 92% and 79.6% respectively.

Nearly 60% of the workers of tea estates live in 'line rooms', which not only bring stigma but most of which are cramped and very old.

### CHALLENGES

### IMPACT

Risk of exclusion from reconciliation process

On-going conversations around truth, reconciliation, justice, and reparations have not taken into account the history of systemic violence faced by the community for almost 200 years. Issues of economic exploitation and structural violence has affected the community for far longer than the length of the war and are thus excluded from the reconciliation process.

Lower wages

Up-country tea estate workers are among the workers receiving the lowest wage in Sri Lanka. This has resulted in high levels of poverty, malnutrition and low levels of education.

### CHALLENGES

Inadequate access to land and housing

Up-country estate sector workers have lived in small 'line rooms' for generations. Proposals are placed to allocate 7 perch land (177 sq.m) for each family, yet this programme is still under way . These houses lack access to safe drinking water, toilets and other sanitary facilities.

Limited access to public services

The legacy of this community being governed by companies rather than the state is reflected in the Pradeshiya Sabha Act of 1987. It restricts state and local authorities from providing certain infrastructural development services to Up-Country communities living in Estates.

### IMPACT

### RECOMMENDATIONS

1. Consult the up-country Tamil population in the reconciliation process on a frequent basis and in a meaningful manner
2. Ensure that the Up-country Tamil estate workers receive a reasonable salary equal to workers in other sectors.
3. Implement the proposed scheme to allocate at least 10 perch land for each Up-country Tamil estate family.
4. Amend laws and regulations to enable Up-country Tamil estate workers to have equal access to public services.
5. Take steps to provide sufficient health and sanitary facilities and drinking water supply systems to Up-country Tamil estate workers.