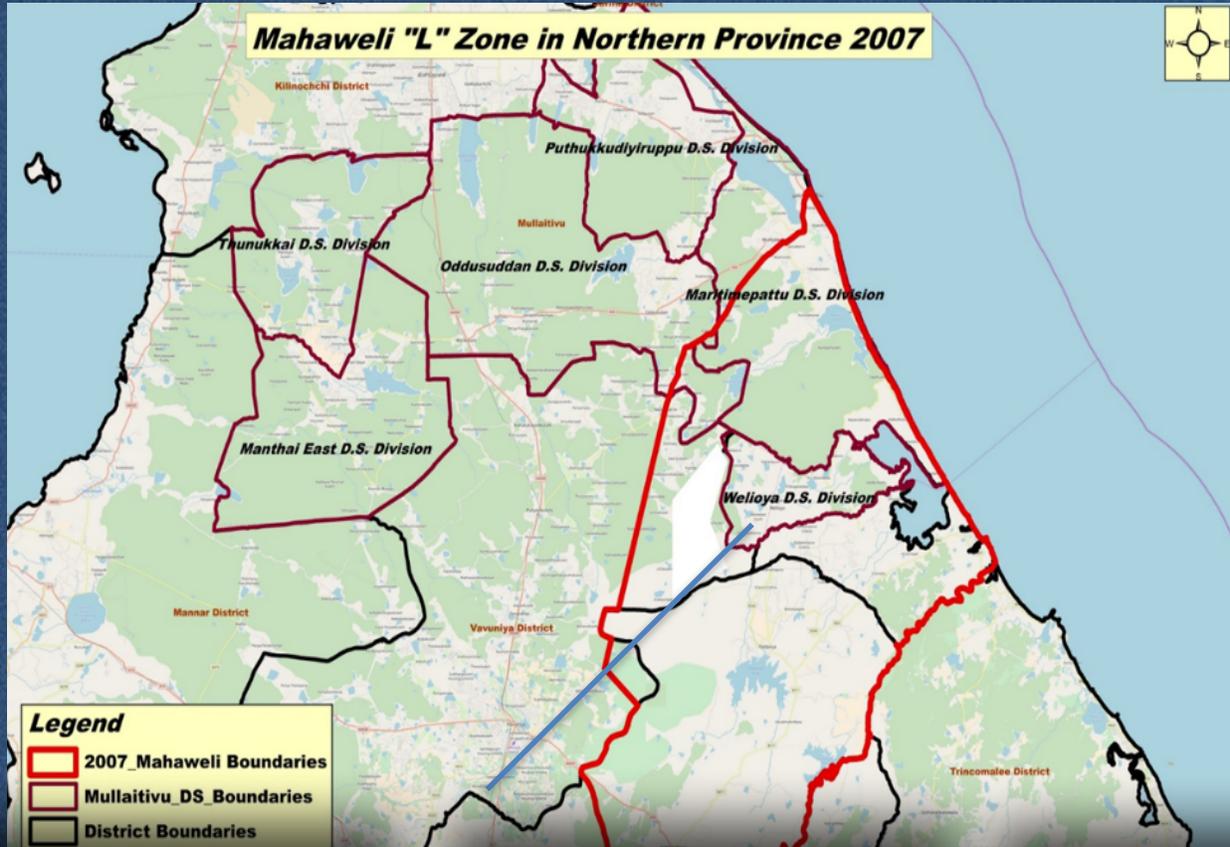


# Structural Genocide

## Continues In Sri Lanka



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# 1. Background

The Sri Lankan state has been organized as a centralized and unitary political system ever since the administrative model was established by the British in 1833. This disregarded the boundaries between the traditional homelands of mainly two nations: Tamils to the north and east, Sinhalese in the central parts, south and western coast. From the early 20th century the Sinhala political leadership pursued the development of a Sinhala Buddhist nation-state consolidating power and unifying the Sinhala speakers.

Over the course of post-independence several processes were coordinated by the state which effectively targeted Tamils. Briskly after independence constitutional legislations were employed as an ingenious means to legalize collective oppression of Tamils. Barely a year after independence, the infamous citizenship Act of 1949 was passed, which disfranchised over a million hill-country Tamils. They were Tamils of Indian ancestry who had been brought in a century earlier as indentured laborers by the colonial regime to establish the economic backbone of the island. The Official Language Act of 1956 was another discriminatory law which ensured collective marginalization of Tamil speakers by establishing Sinhala as the sole official language. Apart from discriminatory legal measures that affected the Tamil speaking people in the fields of education, employment, land ownership, religious beliefs, as well as cultural life, the Prevention of Terrorism Act (PTA) of 1979 legalized the unlawful detention of Tamils by empowering the security forces to detain anyone without trial and retain in incommunicado up to 18 months under the suspicion of "unlawful activity". Coordinated with these processes were anti-Tamil pogroms of which major ones were sporadically orchestrated in 1956, 1958, 1961, 1977, 1981 and 1983 which resulted in the massacres of thousands of Tamils. The pogroms targeted the life, liberty and property of Tamils in a coordinated manner with the tacit support of the state. From the late 1970s onwards the state adapted a well calibrated counter-insurgency war to materialize its genocidal pursuit to subjugate the Tamil nation.

## 2. State aided colonization in East

Besides the processes mentioned above, from early on the state employed development as a means to camouflage various plans of coordinated actions to destroy in whole or part the essential foundations of the Tamil nation. These are known as state aided colonization schemes which were almost exclusively employed in the Tamil speaking regions of North and East Sri Lanka. Central to such state actions is the intent to appropriate the land and water resources of Tamils, to alter the demographic composition of their traditional homeland and to wedge the territorial contiguity between the north and eastern regions of the Tamil homeland. Even before independence, as minister of Agriculture in the State Council, DS Senanayake had started many peasant colonization schemes at high cost and with hardly any impact on agricultural output. By 1947, there were already 12 major Dry Zone colonization settlements established at a cost of over Rs.30 million and having 3,000 settlers.

It seems that for the state council economic productivity was irrelevant as discernible from the low profit and high cost of the schemes. Rather incentive for colonization was based on the growing Sinhala chauvinism which propagated a nationalistic ideology representing the Tamils as invading usurpers and the Tamil homeland as a territory to be re-conquered by the Sinhala state.

After independence in 1949, Prime Minister D.S. Senenayake inaugurated the most grandiose of the colonization projects, the Gal Oya Multi-Purpose Project in Paddipalai in the Eastern province. In 1881 only 4.66 % of the Eastern population is Sinhalese, however it is 23.15 in the year 2012. The table below clearly demonstrate how the state sponsored Sinhala colonization altered the demographic composition of The Eastern province.

Population of Eastern Province by ethnic group 1881 to 2012									
Year	Tamil		Muslim		Sinhalese		Other		Total No.
	No.	%	No.	%	No.	%	No.	%	
1881 Census	75,318	58.96%	43,001	33.66%	5,947	4.66%	3,489	2.73%	127,755
1891 Census	86,701	58.41%	51,206	34.50%	7,508	5.06%	3,029	2.04%	148,444
1901 Census	96,917	55.83%	62,448	35.97%	8,778	5.06%	5,459	3.14%	173,602
1911 Census	101,181	55.08%	70,395	38.32%	6,909	3.76%	5,213	2.84%	183,698
1921 Census	103,245	53.54%	75,992	39.41%	8,744	4.53%	4,840	2.51%	192,821
1946 Census	136,059	48.75%	109,024	39.06%	23,456	8.40%	10,573	3.79%	279,112
1953 Census	167,898	47.37%	135,322	38.18%	46,470	13.11%	4,720	1.33%	354,410
1963 Census	246,059	45.03%	184,434	33.75%	108,636	19.88%	7,345	1.34%	546,474
1971 Census	315,566	43.98%	247,178	34.45%	148,572	20.70%			717,571
1981 Census	410,156	42.06%	315,436	32.34%	243,701	24.99%	5,988	0.61%	975,251
2001 Census	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
2007 Enumeration	590,132	40.39%	549,857	37.64%	316,101	21.64%	4,849	0.33%	1,460,939
2012 Census	617,295	39.79%	569,738	36.72%	359,136	23.15%	5,212	0.34%	1,551,388

Source -Department of Census and Statistics- Sri Lanka

# 3. Targeting the North

Modeled after state procedure in the east, colonization schemes commenced in northern-central areas of the island in 1979 under the Accelerated Mahaweli Project, consequently penetrating deeper into the Tamil homeland. These schemes were strategically situated within crucial areas which ensured the territorial contiguity between the various districts of the Tamil homeland. Thereby developmental measures in Sri Lanka as observed were interrelated to larger genocidal processes targeting Tamils. These development measures had thus the ulterior motive to disrupt the demographics and territorial contiguity of the Tamil homeland in order to create conditions of life which could eradicate the essential foundations of Tamil peoples' national existence. The central Government Institutions, such as ***Mahaweli development authority, departments of Forest, Wild-Life and Archaeology*** have seized thousands of acres of lands in North and East Provinces and supporting the Sinhala colonization disrupt the demographics and territorial contiguity of the Tamil homeland.

# 4. Mahaweli Project

Thousands of Sinhalese families had been settled in the Trinco, Batticaloa and Amparai District of the Eastern Province through Mahaweli authority. Almost all provisions of the 13th amendment with respect to land have been disregarded. Through the Mahaweli 'L' System, government is in the process of doing and planning a massive Sinhala colonization in the north to alter the demographic composition of the Northern Province.

## 4.1 Mahaweli Authority

The Mahaweli Master Plan in the Dry Zone of Sri Lanka has earmarked 365,000 ha of land for development of Agriculture in 13 Systems identified under the by the Mahaweli Development Programme. It was intended to construct a series of reservoirs and hydroelectricity plants and develop a large area of land with irrigation in order to facilitate the establishment of new settlements and development of agriculture. The implementation of the Mahaweli Development Programme is a mandate of the Mahaweli Authority of Sri Lanka established in 1979 by an Act of Parliament.

The Mahaweli Development Authority's current task is to implement the envisaged project plan in the balance areas proposed by the Master plan and also Gazetted areas. This includes rehabilitating and maintenance of the irrigation network, administration of the land, enhancing the production of agriculture and the post settlement process. Further, MASL is responsible for managing irrigation water for 101,526 ha of Irrigable land in the dry zone.

## 4.2 Mahaweli Authority Act No. 23 of 1979- provisions relating to land

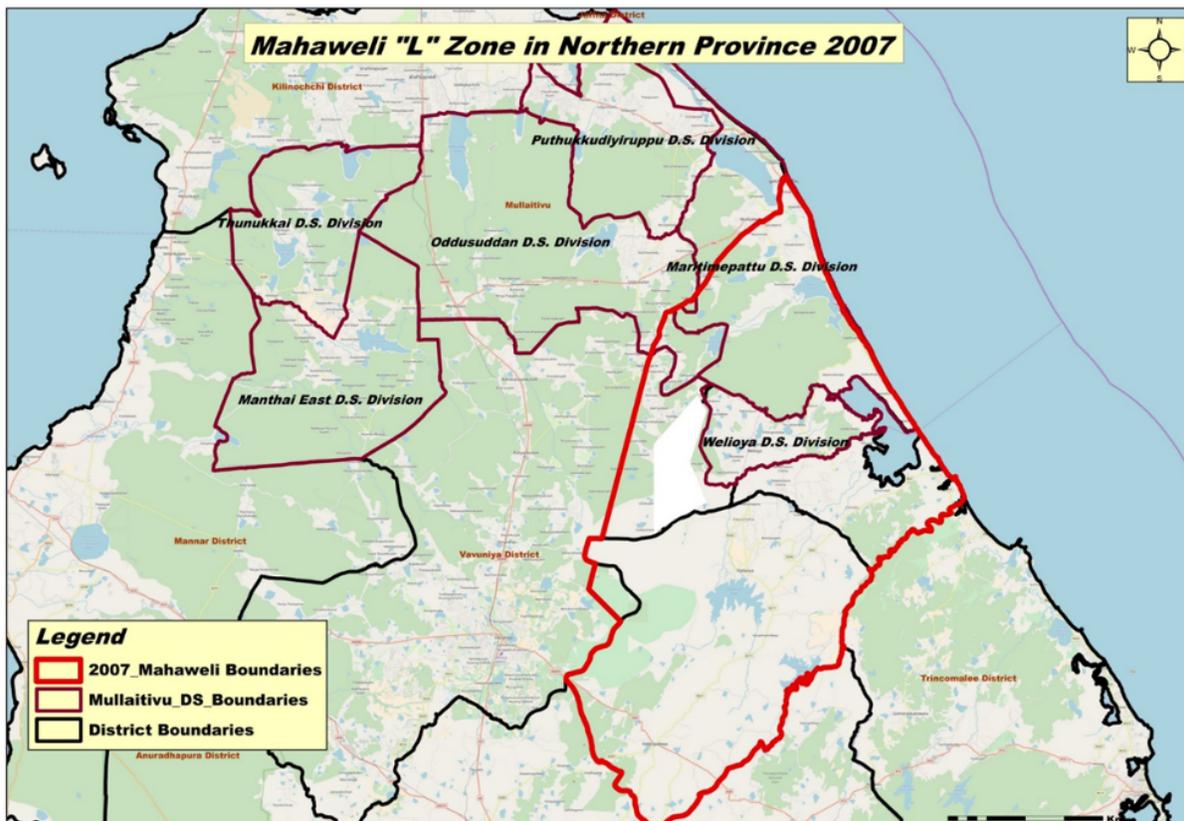
"The Minister may, with the approval of the President from time to time, by Order published in the Gazette declare any area which in the opinion of the Minister can be developed with the water resources of the Mahaweli Ganga or of any major river to be a special area (herein after referred to as " Special Area ") in or in relation to which the Authority may, subject to the other provisions of this Act, exercise, perform and discharge all or any of its powers, duties and functions." It shall be lawful for the Minister to whom the administration of this Act is assigned to exercise in, or with respect to, any special area:

- (a)The powers conferred on a Minister by paragraph (b) of the proviso to section 20 of the Land Development Ordinance;
- (b)The powers conferred on a Minister by sections 49, 51, 79 and 80 of the Crown Lands Ordinance.; and
- (c)The powers relating to special grants and leases of State land conferred on a Minister by any provision of the Crown Lands Ordinance or by any Order or regulation made thereunder.”

Mahaweli Act provisions are very clear it gives a license to the Minister in charge of the Mahaweli Authority to do whatever he likes with respect to land, disregarding the provisions of the 13th Amendment to the Constitution.

### 4.3 Mahaweli ‘L’ System and Sinhala Colonization

In the original Mahaweli master plan developed by the foreign experts, the project was not targeted the Northern Province. In 1988 through a special Gazette notification Mahaweli ‘L’ system was created and expanded through another special Gazette notification in 2007 for the exclusive purpose of Sinhala colonization of a strategic piece of merging Land of North and East Provinces, in order to wedge the North from the East to seek to permanently wedge the demographic contiguity of the northern and eastern provinces.



Boundaries of Mahaweli L Zone

The Manalaru (Manalaru (Welioya) centred Mahaweli L Zone is under a massive infra structural development at present. It is learnt that after the ending of the war in 2009, through expansion

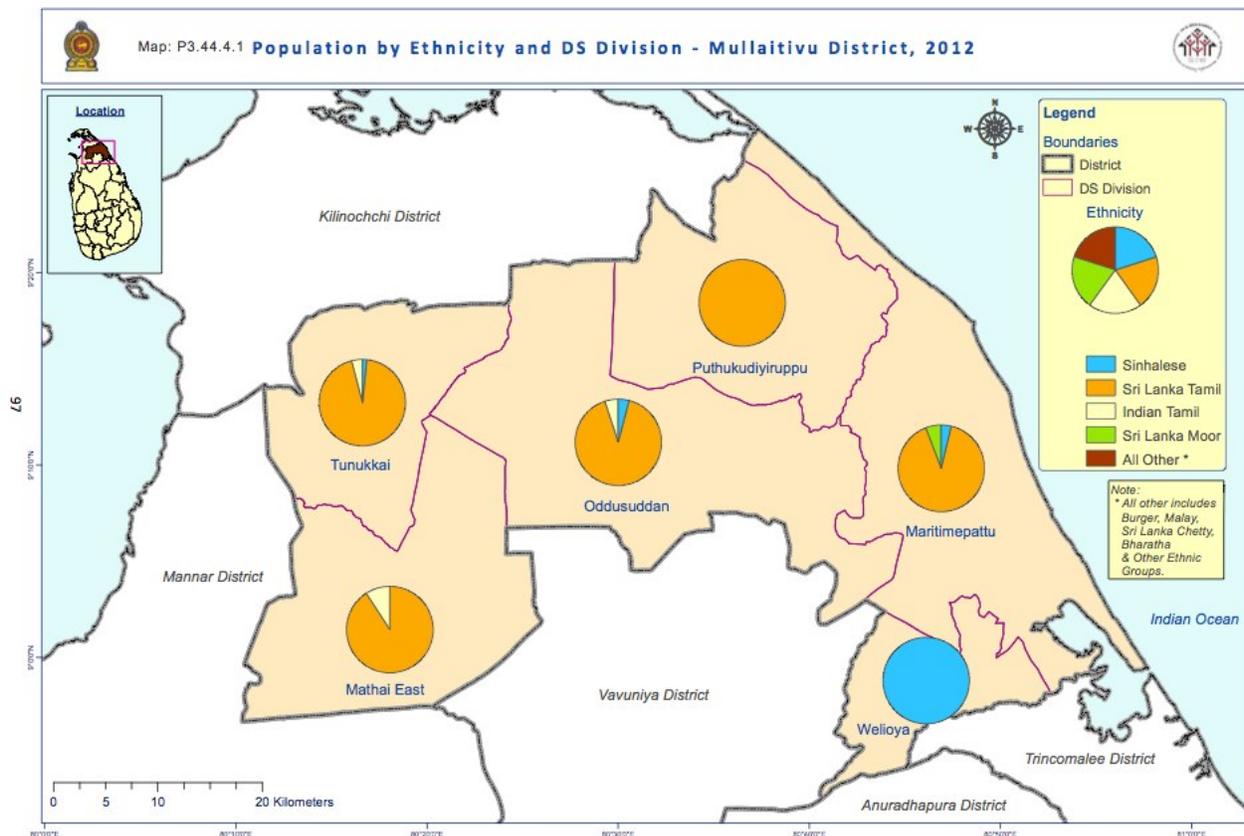
of Mahaweli project in L Zone, 6000 Sinhala families have been colonized in the Manalaru (Welioya), Vavuniya North divisions. Over 2000 acres of livelihood lands belongs to the Tamil community, displaced in 1984 also redistributed to the colonized Sinhala families. The Mahaweli Development Authority has spent over Rs.3000 million for providing development assistance in the Manalaru (Welioya) area, after the war. There is no single Tamil family benefited through the Mahaweli programme in the region. The following is the details of paddy lands redistributed to the colonized Sinhala families which belongs to the Tamil community who displaced in 1984 from the bordering villages of Mullaitivu District

	<b>Name of field</b>	<b>E x t e n t (Acres)</b>
01	Thoddakandalkulam	26
02	Sivanthamurippu	120
03	Erinchakadu	490
04	Kunchchukalveli	12
05	Untharayankulam(Nelumwewa)	264
07	Adayakaruthan	144
08	Amayankulam	239
09	Koomavadikandal	68
10	Poomadukandal	120
11	Mariyamunai	520
<b>Total</b>		<b>2003</b>

The Manalaru (Welioya) DS division in the Mullaitivu district of the Northern Province, created for the exclusive purpose of Sinhalicisation of a strategic piece of Tamil Land. The following is the population details of Mullaitivu district with the newly created Manalaru (Welioya) division. As per the department of census and statistics of Sri Lanka 7167 Sinhala people have been settled in the Mahaweli L of Mullaitivu District.

Population details of Mullaitivu District:

	<b>D.S. Division</b>	<b>Population</b>
01	Thunukkai	10068
02	Manthai East	7,388
03	Puthukudiyurppu	24,731
04	Oddusuddan	16.319
05	Maritimepattu	30,076
<b>06</b>	<b>Manalaru (Welioya)</b>	<b>7,167</b>
	<b>Total</b>	<b>95,749</b>



#### 4.4 Mahaweli Authority supports Sinhala encroachers in Mullaitivu

Eight Sinhala encroachers including, Mr Mihindukulasooriya Rukmal Thushara Livera and Ms Salina Marian Dedunu Dias, were occupying the land belongs to Tamils. The land in question is a fishing Paadu (an area of coastal sea-bed falling within the scope of a 10-feet long draw-net). As the illegal encroachers were harassing Tamil fishers and engaged in the unlawful fishery at large-scale, the Tamil fishermen started to agitate and complain. Also, the Divisional Secretary was forced to seek the legal avenue at Mullaitivu District/Magistrates' Court in February 2017.

The defendants were arguing that the said lands were in their domain of control for a long time. Since they had deployed the area for a long time, they were now entitled to the ownership of the Paadu/land, they argued. District Judge delivered a verdict in January 2018 in favor of the application filed by the divisional secretary. However, the Sinhala encroachers continued to occupy the lands defying the order of the court. They also appealed at the Supreme Court against the decision of Mullaitivu District Court. However, their appeal was dismissed by the Supreme Court in February 2018 and Supreme Court decision was not favorable to them. Subsequent, they filed a revision case in Vavuniya high Court against the decision of Mullaitivu District Court, with the view of questioning the land authority of divisional secretary Maritimé pattu in the Mahaweli 'L' system. In 6<sup>th</sup> August 2018, the Mahaweli authority has provided new lands to the 8 encroachers. If the Vavuniya high court decision is in favor of the encroachers and the Mahaweli Authority, the land authority of the divisional secretary is questionable and the over 7000 land permits issued by the divisional secretariat will be invalid.



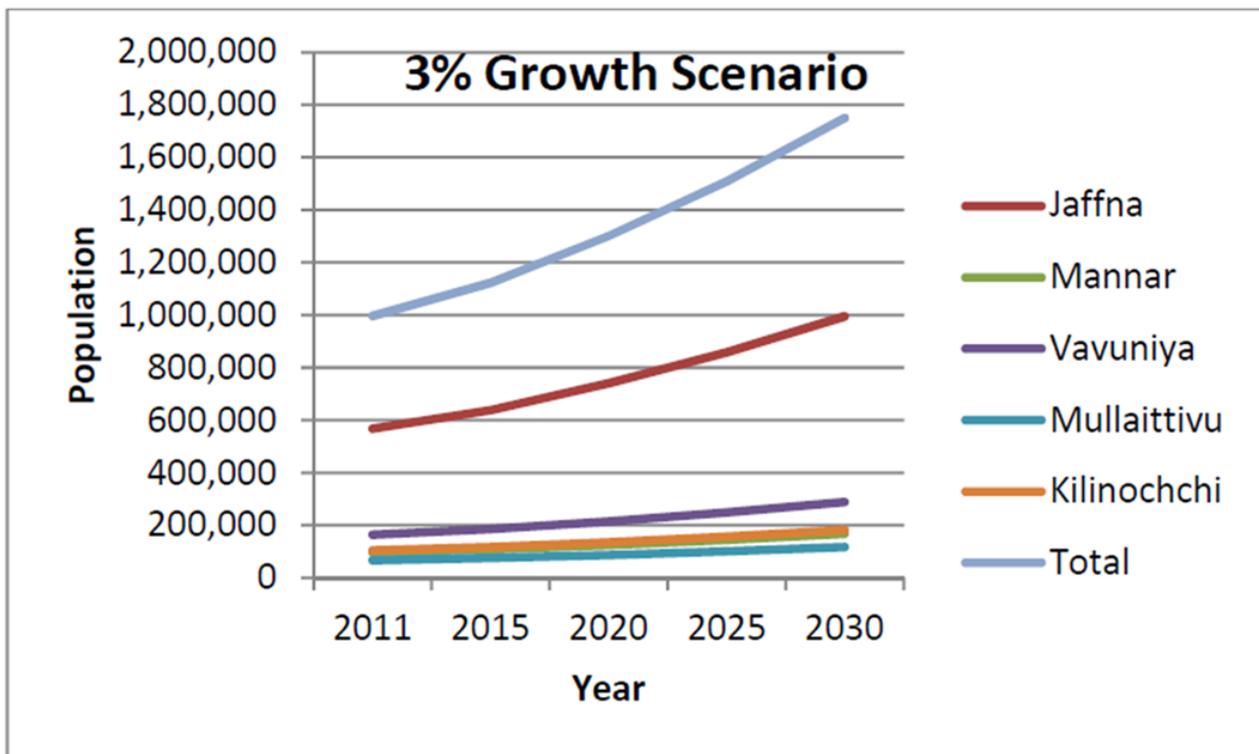
Illegal building of encroachers

#### **4.5 Proposed 'J' and 'K' Mahaweli zones in the Northern Sri Lanka**

The Mahaweli L and the proposed K and J zones are systematically planned to change the demographic pattern and contiguity of Tamils and accelerating Sinhala colonization in the North. The Manalaru (Welioya) DS division in the Mullaitivu district of the Northern Province, created for the exclusive purpose of Sinhalicisation of a strategic piece of Tamil Land in order to wedge the North from the East, has been carved out by joining territories of the Mullaitivu district as well as territories of the Vavuniya district. This has been done in such a way, so that Vavuniyaa would lose its boundary with Trincomalee and the Sinhalicised Manalaru (Welioya) will have contiguity with Anuradhapura district of the North Central Province. The Sinhala colonies in Mahaveli project seek to permanently wedge the demographic contiguity of the northern and eastern provinces. The proposed K and J zones are targeting the Mullaitivu, Vavuniya, Mannar and Kilinochchi Districts of Northern Province. If this trend continues, it is very likely that other major towns in Northern to be undertaken in the future by Mahaweli Authority which will badly affect the Tamil's heritage .

Proposed artificial Population growth in The North by Mahaweli

<b>Mahaweli J Zone based on Parangi Aru and Pali Aru Reservoir</b>	
Existing Irrigation Area	2,875 ha
Proposed Area	19,918 ha
Total Area	22,983 ha
<b>Mahaweli K Zone based on Kanagarayan Reservoir</b>	
Existing Irrigation Area	13,198 ha
Proposed Area	7,854 ha
Total Area	21,052 ha



# 5. Department of Archaeology supports Buddhist colonization in North and East.

Archaeology Department of the unitary State with a motive to permanently Sinhalicise the Tamils' home land have the supreme power to declare archaeology sides and reserves without consulting the provincial authorities. After 2009, the department declared a large number of archaeology sides in the North and Eastern provinces through publishing special gazette notification, however none of them are declared based on the transparent research or consultations. Most of the archaeology sides in the Tamils homeland are declared with hidden agenda of Buddhist colonization.

## 5.1 Antiquities Act No. 24 of 1998

The Director-General of Archaeology may with the approval of the Land Commissioner, or If approval is refused by the Land Commissioner, with the approval of the Minister to whom the subject of State lands is for the time being assigned, declare, by notification published in the Gazette, any specified area of that land to be an archaeological reserve for the purposes of this Ordinance. Any area of State land reserved for archaeological purposes before the date on which this Ordinance comes into operation, whether by notification in the Gazette or otherwise, shall be deemed to be an archaeological reserve declared under the provisions of this section.”

## 5.2 Archaeological Sites of National Importance Act No. 16 of 1900

Act is hereby declared, for the purpose of the Ninth Schedule to the Constitution, to be of national importance. The Minister may, by Order published in the Gazette, declare any other archaeological activities, sites and remains not described in the First Schedule to this Act, or any antiquities to be of national importance.” These Acts have been enacted after the 13th Amendment to the Constitution came into force. Not only any piece of land, but even any activity such as excavation is now considered to be an archaeological site of national importance! As of late, many areas in the North and East have been declared (national) archaeological sites.

Recently archaeological department identified hundreds locations in the Northern Province. Followings are the summary of archaeology sides/ “ancient monuments” declared after the war in 2009.

Gazetted Date	Total number of “ancient monuments” declared after 2010	Numbers of “ancient monuments” from North and East	%
17 May 2013	44	22	50%
16 August 2013	170	101	59%
7 May 2015	56	09	16%
24 March 2016	67	35	52%
<b>Total</b>	<b>337</b>	<b>167</b>	<b>49.55%</b>

The archaeological department is trying to manipulate the history and declare some ancient Tamils' cultural and religious locations as Buddhist temples and protected areas. The followings are few examples such as Kurunthoor-malai Saiva temple in Mullaitivu, Vedukku-naa'ri hill-top Saiva temple in Vavuniya North and Neeraaviyadi Pillayar Temple in Chemmalai East Mullaitivu.



### **5.3 Kurunthoor-malai Saiva temple in Mullaitivu**

The extremist Sinhala Buddhist monks, barred from erecting a controversial Buddha statue under cover of so-called conservation work in Kurunthoor-malai in Mullaitivu in September 2018, have approached the Magistrate's Court in Mullaitivu to nullify an interim order issued following the dispute. The officials of the Archaeology Department and the Police in were backing the latest move of the monks regarding the hilltop of Kurunthoor-malai. The case was taken for hearing at Mullaitivu Magistrate's Court. The lawyers representing the monks and the Archaeology Department argued that the monks had the right to proceed with the "conservation" work as the State had already gazetted the site as "Gurunda Asokarama". They also said that the Archaeology Department had "outsourced" the conservation work to the monks. The Tamil lawyers who represented the villagers produced relevant documents of the lands in question. Presenting the documents to prove ownership of the lands by Tamil villagers as far back as 1892 during the times of the British rule, they argued that Saiva temples of Tamil village deities existed at the locality for centuries. There was no knowledge of a Buddhist temple at the location in recent history, they said. Had there been a Buddhist temple at the locality in the

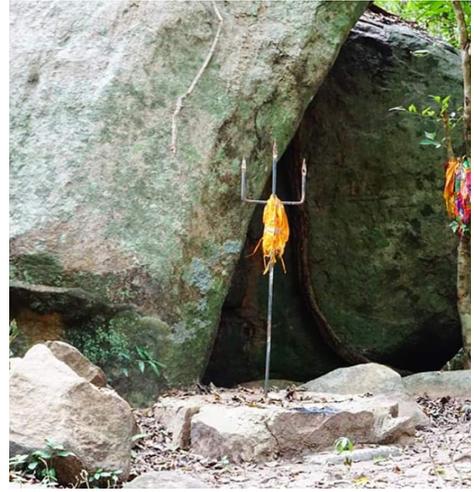
ancient times as being claimed by the monks today, it should be the responsibility of the Archaeological Department to establish it first as a scientific fact. How the monks could come with a new statue before such fact has been established correctly.



#### **5.4 Vedukku-naari hill-top Saiva temple in Vavuniya North**

The hill of Vedukku-naa'ri is located in a jungle area 2 km close to Olu-madu village. Ancient Tamil villages, Pan-ku'lam and Naavaladi, are also located very close to the hill, but mostly abandoned since the late 1940s. However, the people from Olu-madu have continuously maintained their connection to Vedukku-naa'ri hill. There are remains of ancient tanks and other constructions at the foothills of Vedukku-naa'ri. Rock inscriptions connected to Tamil-Brahmi script is also preserved at least in two places in the hill, one 3 meters above the ground level and the other 30 meters above. The inscription at the highest elevation is somewhat fragmentary.

The Tamil people in the area worship God Siva as their village-deity since times immemorial with seasonal rituals such as 'madai' and 'anna-thaanam' at the foothills. The native people believe the hilltop was a place of the Tamil kings in the ancient times. The Archaeology Department has prohibited Tamils at Oldumadu village of Vavuniyaa North from accessing 157-meter-high hill called Vedukku-naa'ri. The issue became a hot topic on 10 August 2018, a day before the annual religious ritual of Aadi Amaavaasai (the new moon of the Tamil month July-August) observed in remembrance of the ancestors by the Hindus. The Police blocked the Pooaari (non-Brahmin priest) of the village-deity, based on a complaint made by the Archaeology Department on 07 August 2018. The police has instructed Pooaari and the villagers to keep away from the hilltop. Only after the repeated pleas, they were allowed to access their temple once on 11 August 2018. The cultural affairs ministry of Northern Provincial Council had allocated 450,000 rupees to construct a detachable steps ladder to enable the pilgrims and devotees to reach the hill-top. The Archaeology Department and the Police did not allow the people to fit the ladder at the locality. A team of technicians from the Archaeology Department were deployed to copy stone inscriptions found at the disputed heritage site of Vedukku-naa'ri hill-top in Vavuniya. The members of the group were claiming that they had come following special requests from the District Secretary of Vavuniya, and the secretariat of the President Maithiripala Sirisena Two armed Special Task Force commandos and two police officers were providing 'security' to the technicians to carry out the recordings in the last week of February 2019. It is important to note multiple attempts to put up Buddha statues have been witnessed in Vavuniyaa North and Mullaitivu in the recent months.



### 5.5 Neeraaviyadi Pillayar Temple in Chemmalai East Mullaitivu

The occupying military in Chemmalai East installed a small Buddha statue at the Neeraaviyadi Pillayar temple compound in 2009 and facilitated a Buddhist monk to stay in the Neeraaviyadi Pillayar temple compound from 2013. An extremist Buddhist monk, Kolamba Medhalankara Thera, staying with the support of Army's 593rd Brigade at Naayaru is operating with the thinking of establishing a huge Buddhist temple compound in the area with the blessing of the archaeology department. Earlier, in 2013 Neeraaviyadi Pillayar temple area is declared as the archaeology site by the department without any transparent research or field visit.

Further, the director general of archaeology, in a press meet recently indicated that there was a 2000 year old Buddhist temple in the area. However, the people of Chemmalai and surrounding villages confirmed there was no Buddhist temple in the vicinity ever since. The Tamil people in Chemmalai have been protesting against the repeated attempts by the Archaeology Department to bring survey department officials to demarcate the planned expansion of the Buddhist temple establishment. Neeraaviyadi is an ancient village with traces of heritage artefacts. It is a coastal hamlet located on a narrow sandbar, which is sandwiched between the Naayaru lagoon and the sea in Maratimepattu division of Mullaitivu district.

Kolamba Medhalankara Thera recently started massive construction work at Neeraaviyadi Pillayar temple compound and established big Buddha statue without any approval from relevant local authorities in the encroached land. The monk have some letter issued by the Archaeology Department in Sinhala, which stated he is authorized to engage the construction of the temple, however Archaeology Department is not empowered to give approval to construct the building. The matter is before the court now.



## Untitled Map

Write a description for your map.



## 6. Department of Forest and Department of Wild-Life

The Sri Lanka's departments of Forest and Wild-Life have seized thousands acres of lands in North and East. Departments of Forest and Wildlife conservation have emerged as the most aggressive agents seizing lands of Tamils in North and Eastern Provinces. Over 15,000 acres of lands belongs to poor farmers have been absorbed into the so-called sovereignty of the Departments of Forest. Department of Wild-Life Conservation is the second largest agent of land grab in the province. It has seized thousands acres of public lands as well as lands of private owners. Forest Department is refusing to release more than thousands of agricultural and residential lands that belonged to Tamil people. However, they are facilitating deforestation in boarding villages of Mullaitivu and Vavuniya for Sinhala colonization.

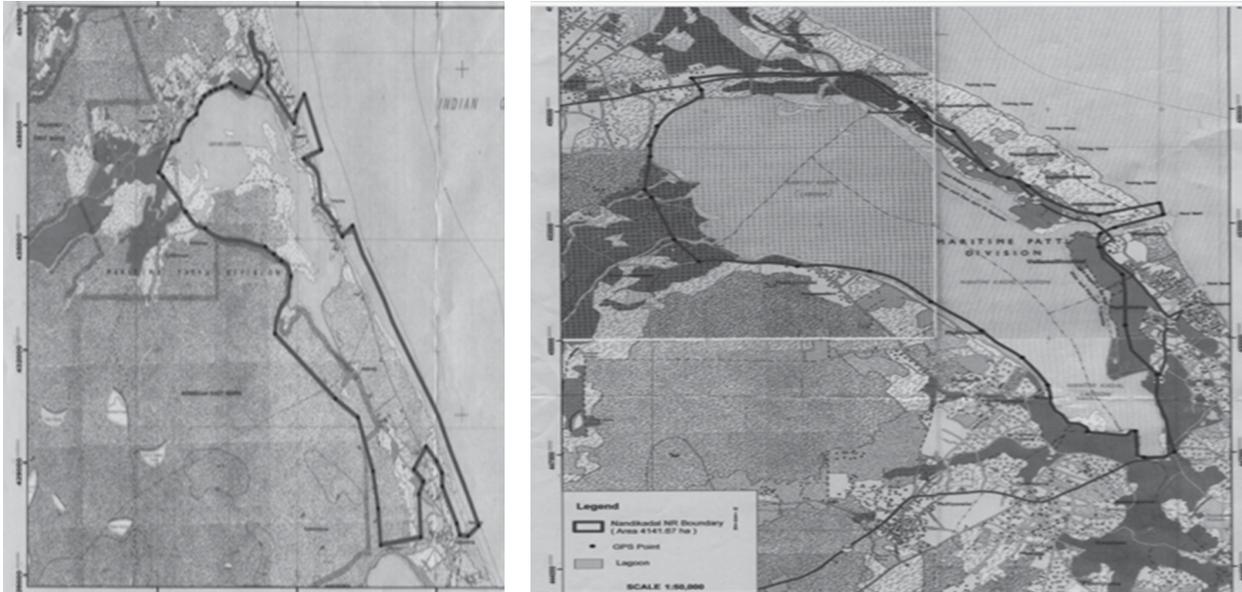
Land Claimed by Forest which belongs to Tamil people in Northern Province:

	District	Land Claimed by Forest which are documents already issued to Public - Extent (Ac)
01	Mannar	11,361.5
02	Mullaitivu	507
03	Vavuniya	763
04	Kilinochchi	1,495
	<b>Total</b>	<b>14,126.50</b>

Forest Department is refusing to release agricultural and residential lands that belonged to Tamil people. However, they are facilitating deforestation in boarding villages of Mullaitivu and Vavuniya for Sinhala colonization.

### 6.1 Nanthikkadal and Nayaru nature reserves by the department of Wild-Life

Thousands of fishing families of Mullaitivu District are depending on the Nanthikkadal and Nayaru lagoons for their livelihood. However, recently both lagoons are declared as the nature reserves by the government. This will badly affect the income generation and Livelihood of the poor fishing families. The Sri Lanka's departments of Forest and Wild-Life have seized thousands acres of lands in North and East.



## 7. Structural Genocide Continues

It has been documentarily proved central Government Institutions, such as Mahaweli development authority, departments of Forest and Wild-Life have directly and indirectly supporting the Sinhala colonization and marginalize the Tamils to alter the demographic composition of their traditional homeland and to wedge the territorial contiguity between the north and eastern regions of the Tamil homeland. Archaeology Department of the unitary State manipulation the history with a motive to permanently Sinhalicise the Tamils' home land .The objectives of these interventions would be the disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of Tamils.

# 8. People mobilizes against structural genocide

Around 5,000 Tamil-speaking people of all walks of life mobilized on 28 August 2018 in one of the biggest protests to take place after 2009 in Mullaitivu. The entire district was brought to a standstill as private businesses were shut down in support of the action. The rally was assembled by a spontaneously formed civil action group titled, “Anti-Mahaweli Tamils' Heritage Forum” (AMTHF).



The organizers presented the six demands in a letter addressing the SL President Maithiripala Sirisena politely. The six concrete demands are as follows:

1. Mahaweli projects within the limits of the Northern Province should be scrapped;
2. The land permits issued to encroaching fishers from South in Kokkulaay, Kokkuththoduvaay and Karunaaddukkeani should be withdrawn;
3. The lands of 2,000 Tamils, who were evicted from their village in 1984 should be handed back to them.
4. The SL Archaeology Department, which is seizing the sites of heritage at wanton from Tamils to distort the history, should be restrained.
5. The Sinhala colonization, de-linking the territorial contiguity of the North-East, should be stopped forthwith.
6. The ban on livelihood activities in the lagoons that are unilaterally declared as natural-reserves by Colombo, should be lifted.