

State-sponsored Sinhhalization of the North-East





People for Equality and Relief in Lanka (PEARL) is a Tamil advocacy group, based in Washington D.C. and registered as a 501(c)3 non-profit organization in the United States. PEARL advocates for human rights, justice and a political solution for Tamils in the North-East of Sri Lanka.

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March 2022

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Acknowledgments

We would like to honor the resilience of the brave Tamil protestors and land defenders who have continuously resisted the GoSL's efforts to dismantle the communities and demographics of the North-East. Through protests and acts of memorialization, Tamils in the North-East have always upheld the existence of the Tamil nation, and demonstrated the power and potential of Tamils' right to their land, their culture, and their self-determination.

We would like to express our gratitude to Open Society Foundations (OSF) for funding our independent research and reporting on the ongoing state-sponsored Sinhalization occurring in the Tamil-speaking North-East of Sri Lanka. In addition to this report, OSF supported us with the 'Sinhalization of the North-East' series in which we published four case-study reports on the historical displacement of Tamils, the growing militarization and Buddhization of Pulmoaddai, Kokkilai, Seruwila-Verugal, and Kankesanthurai.¹

PEARL would like to thank the many contributors to this report. In particular, we would like to thank: Vivetha Thambinathan; V.S. Thanancheyan; S.F. Winslaw; Johnathan Subendran; Mario Arulthas; Archana Ravichandradeva; Anji Manivannan; Tasha Manoranjan; and Dr. Vino Kanapathipillai. We would also like to extend a special thank you to Jessica Boulet for her invaluable support in editing this report, and to all the many contributors who remain unnamed due to ongoing security reasons. This report would not have been possible without your support.

¹ Please find infographics of all four reports attached as Appendix 1 copies of the 'Sinhalization of the North-East' series.

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Glossary

Black July – Anti-Tamil pogroms that occurred from July 23 – July 27, 1983.

Buddhisization – The deliberate, state-sponsored efforts to change a traditionally non-Buddhist area to make it more Buddhist, through the addition of Buddhist temples, statues and other structures and/or settlement of Sinhala Buddhists.

Colonialism (European) – Imposition of governmental, political, and commercial rights over local inhabitants, without their consent and sometimes without their knowledge, by an outside power, often through violent repression and justified by religious, racial, and ethnocentric ideas. *Settler colonialism* is a form of colonialism in which the outside group seeks not only to exploit local peoples, lands, and resources, but also to erase and replace local inhabitants and culture by establishing themselves as the rightful inhabitants.

Eelam – A Tamil name for the entire island, used commonly in Tamil, including in historic artifacts, in the names of several current Tamil political parties and in the Tamil version of Sri Lanka's national anthem. Tamil Eelam is the name for the North-East, the Tamil-majority region of Eelam and what is traditionally referred to and claimed as the Tamil Homeland. Tamils from the North-East are often referred to as "Eelam Tamils."

GoSL – Government of Sri Lanka.

Heritage lands – Lands with significant cultural and historical value to a community.

High Security Zone (HSZ) – Territory occupied by government forces used to set up military camps, or bases, for operations, with restricted access to the local population. The designation of High Security Zones often seized private land belonging to Tamils, leading to their displacement.

LTTE – Liberation Tigers of Tamil Eelam.

Maaveerar Naal – Annual remembrance day on November 27 for LTTE deaths.

Militarization – Refers to the process of militarizing and securitizing the traditional Tamil homeland, through an overwhelming and disproportionate presence of the Sri Lankan military, which encroaches on all facets of civilian life (economic, political and otherwise). The military has sought to normalize its presence across the North-East, making Tamils accept and internalize their presence in their everyday lives.

Mullivaikal Massacre – Final days of the armed conflict that occurred from April 5 – May 18, 2009, in which tens of thousands of Tamils were killed.

Pogrom – The state-organized killings and destruction of property of a targeted group.

Sinhala-Buddhist Nationalism (SBN) – A political ideology, rooted in Sinhala mythology that holds Sri Lanka as a place where Buddhism must flourish and be protected by the Sinhala people, as declared by the Buddha himself. This ideology is predominant throughout the state, and assigns a Sinhala-Buddhist character to the entire island. This ideology justifies the subjugation of non-Sinhalese and suggests that others only live on the island because the Sinhala Buddhists allow it.

Sinhalization – A set of state-sponsored processes with the aim of elevating Sinhalese language, culture, historical narratives, and land ownership at the expense of Tamil language, culture, history, and land claims.

Sri Lankan Military – The Sri Lankan military is comprised of the 'tri-forces': Sri Lanka Army, the Sri Lanka Navy, and the Sri Lanka Air Force. The Sri Lankan military is governed by the Ministry of Defense.

Tamil Homeland – The North-East of Sri Lanka, claimed by Eelam Tamils as the traditional territory of historical habitation.

Thuyilum Illam – LTTE cemeteries.

Vihara - Buddhist temple

Executive Summary

This report outlines the Government of Sri Lanka (GoSL)'s multi-pronged Sinhalization efforts in the North-East through the use of state-aided Sinhala settlements and irrigation schemes, economic marginalization and land appropriation by Sri Lankan state bodies, "Buddhisization," and repression of memorialization of important Tamil events. When considered against the broader context of decades of state-driven demographic shifts, this report's findings support the conclusion that the GoSL is reengineering the demographics in the North-East of Sri Lanka with clear political implications. The systematic and strategic alteration of the North-East's demographics is designed to destroy the Tamil concept of a homeland in the North-East and permanently diminish Tamil democratic representation from the region.

Part I outlines the need for this report, and ominous warning signs that grave human rights violations remain imminent given Sri Lanka's current culture of impunity. It further defines Sinhalization as a supremacist, settler-colonial enterprise that seeks to supplant the distinct Tamil character of the North-East with that of a unitary Sinhala-Buddhist state. Finally, it summarizes the key historical context, from the roots of Sinhalization after the British colonial era, through the armed conflict and into the post-conflict years.

Part II analyzes the legal framework underpinning the GoSL's irrigation-settlement schemes in the North-East, which are currently chiefly carried out under the umbrella of the Mahaweli Development Project at the direction of the Mahaweli Authority. The Mahaweli Authority in turn exercises a sweepingly broad legal mandate to acquire and develop both privately-owned and public lands through irrigation schemes. The Government then subsidizes the settlement of Sinhalese people into these historically Tamil lands in order to farm the newly irrigated land, all while blocking Tamil efforts to have their land ownership claims recognized. As a result, thousands of Tamils remain displaced, unable to re-enter their lands or carry out their traditional livelihoods.

Part III highlights the role that the ongoing military occupation plays in the dispossession, displacement, and economic marginalization of Tamils in the North-East. Through the continuing proliferation of military-run High Security Zones (HSZs), the state has effectively blocked Tamils from rebuilding their homes and livelihoods after the armed conflict. Meanwhile, the military-dominated tourism sector promotes Buddhist-nationalist narratives while displacing and marginalizing the economic activities that Tamils traditionally carried out on their lands. Finally, the chapter briefly examines the militarization of "community projects" and the appointment of various military-run Presidential Task Forces with sweeping powers. Together, these activities aim to normalize a pervasive military presence and surveillance of civilian life in the North-East.

Part IV turns to the direct construction and reinforcement of the State's ethnocentric, Buddhist-nationalist narrative in its Buddhisization of Tamil lands and religious sites. In 2020, the GoSL appointed and invested in a new Task Force for Archaeological Heritage in the Eastern Province with wide-ranging powers and no accountability or Tamil representation. The Task Force, which has been staffed exclusively with Sinhala military brass and Buddhist religious leaders, perhaps unsurprisingly focuses on the "discovery," building, and preservation of Buddhist monuments and religious sites in the historically Muslim and Hindu Eastern Province. As a result, Tamils have lost access to a number of their religious and cultural sites. At the same time, such sites draw Buddhist pilgrims and create new spaces for Buddhist cultural activities and narrative-building.

Each of the strategies examined act as a means to not only occupy and dominate the physical space of the Tamil homeland, but also displace the historical and cultural touchstones of Tamil community life in the North-East. This serves the Sri Lankan nation-building vision of a unitary Sinhala- Buddhist state. In each case, the GoSL has created one or more governing bodies—from the Mahaweli Authority to a range of executive Task Forces—that are designed to centralize power and remove local governance structures in Tamil-dominated regions. In addition, these processes occur at the expense of the rule of law, since the Sri Lankan courts have repeatedly shown themselves to be unable or unwilling to enforce any meaningful legal checks against government Sinhalization activities. The collective effect is an erosion of human rights and democratic accountability throughout the country.

Part V examines the ways in which the GoSL attempts to override and repress Tamil narratives and memories of the armed conflict. The GoSL has sought to Sinhalize the historical identity of the North-East by promoting Sinhalese perspectives on memory and history, while simultaneously suppressing the perspectives of Tamil-speaking communities. Tamils have resisted through acts of memorialization that highlight the existence of the Tamil nation and honor the power and potential of the Tamil right to their land, their culture, and their self-determination.

In its final chapter, **Part VI**, the report highlights Tamil resistance in the face of the State's efforts to dismantle the communities and demographics of Tamil-speaking regions in the North-East, and offers policy recommendations that protect and advance Tamils' human rights. In particular, the broad acknowledgement of the traditional Tamil homeland, addressing the root causes of the armed conflict, empowering local governance over lands and resources in the North-East, and meaningful accountability and justice are vital for countering the oppressive effects of Sinhalization.

Reversing these trends and ensuring that Tamils can realize their rights will require both international and GoSL actors to engage in constructive collaborations to listen to and respect Tamil demands for justice.

Part I: Introduction

Methodology

This report, which centers the perspectives of Tamil victim-survivor communities, chronicles Sri Lanka's Sinhalization process based on desk and field research conducted between July 2020 and August 2021. PEARL researchers examined the online archives of GoSL bodies (Presidency, Ministry of Foreign Affairs, Ministry of Defense, and branches of the military), Tamil- and English-language media, academic articles, gray literature, and parliamentary speeches and letters. They also conducted both informational and formal qualitative research interviews to research and analyze historical and present-day Sinhalization.

The authoritarian regime, coupled with the COVID-19 pandemic, presented difficulties in collecting primary qualitative data for our final report. Nevertheless, PEARL researchers spoke to three Tamil victim-survivors to discuss conditions in Sri Lanka (TM129; TM121; TF148). Our informational interviews took place with Tamil community activists, journalists, victim-survivors, politicians, and other Tamil organizations based in Sri Lanka. Our formal one-on-one qualitative research interviews were comprehensive in nature and used a semi-structured approach to learn about Sinhalization and its impacts to individuals, communities, and their livelihoods. Interviews were conducted in Tamil, both virtually and in-person.

For the safety of our interviewees, this report does not include any identifying data. With the pandemic, there was difficulty conducting more formal qualitative research interviews, as individuals were hesitant to candidly speak on Sinhalization issues due to restrictions on gathering and, more specifically, the increasing harassment and surveillance of Tamil-speaking communities by the government.

Purpose of this Report

Over 12 years since the end of the war in Sri Lanka, human rights abuses in the country continue while the Tamil people continue to demand justice, accountability, and self-determination as mandated repeatedly through the continued election of Tamil nationalist parties. Our documentation contributes to the collection and preservation of evidence of Sri Lanka's "human rights abuses and related crimes" per UN Human Rights Council Resolution 46/1 (2021).

Although numerous institutions and human rights advocates have already raised the "deepening impunity, increasing militarization of governmental functions, ethno-nationalist rhetoric, and intimidation of civil society"² in Sri Lanka today, this report highlights the interconnected nature of these phenomena. Specifically, the state tools of military occupation, land grabs, economic marginalization, and cultural hegemony can only be fully grasped within the context of the overarching Buddhist-nationalist goal of 'Sinhalizing' the claimed Tamil homeland in the island's North-East. Likewise, Tamil calls for human rights and justice are best understood as a response to this concerted campaign, as well as the ongoing human rights violations, lack of accountability and repression in the country. A holistic examination of the internal

² UN Office of the High Commissioner for Human Rights, Report, U.N. Doc. A/HRC/46/20 (2021), https://www.ohchr.org/Documents/Countries/LK/Sri_LankaReportJan2021.docx (announced by the headline, "Sri Lanka on alarming path towards recurrence of grave human rights violations"); *see also, e.g.*, Human Rights Watch, "Sri Lanka," [hrw.org/asia/sri-lanka](https://www.hrw.org/asia/sri-lanka); Amnesty Int'l, "Sri Lanka," <https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/sri-lanka/>; Minority Rights Int'l, "Sri Lanka Archives," <https://minorityrights.org/category/asia-and-oceania/sri-lanka/>.

logic of the Sinhalization project is critical to a deeper understanding of what UN High Commissioner for Human Rights Michelle Bachelet described as an "alarming path towards recurrence of grave human rights violations."³

These case studies, historical reviews, and present-day stories foreground Sinhalization as a root cause of conflict and an ongoing source of Tamil, and also Muslim, grievances. Researchers and policymakers alike should use the accounts in this report to critically examine hegemonic narratives and justifications from the state, especially regarding seemingly benign issues such as development, climate adaptation, and forestry protection, against the impact on non-Sinhalese groups in the North-East.

What is the relationship between Sinhalization and Colonialism?

This report defines "Sinhalization" as the set of tools and processes that the GoSL uses in order to elevate Sinhalese language, culture, historical narratives, and land ownership at the expense of Tamil language, culture, history, and land claims,⁴ particularly in the historic Tamil homeland of the North-East. The report seeks to highlight the inherently colonial nature of Sinhalization and calls on the international community to condemn it accordingly. **Colonialism** is generally understood as the imposition of governmental, political, and commercial rights over local inhabitants, without their consent and sometimes without their knowledge, by an outside power, often through violent repression and justified by religious, racial, and ethnocentric ideas.⁵ **Settler colonialism** goes further, in that the outside group seeks not only to exploit local peoples, lands and resources, but to erase and replace local inhabitants and culture by establishing themselves as the new rightful inhabitants. Traditionally, colonial conquest was justified through the use of exploitative laws, cultural doctrines of religious and cultural superiority, and use of violent force to establish control over desired territories. Each of these elements, which serve as the GoSL's primary tools in enacting its Sinhala nation-building agenda in the North-East, can be found in this report, from the legal frameworks and politico-religious doctrines to the imposition of military rule.

Colonizing enterprises violate a broad spectrum of human rights as outlined in core international human rights treaties such as the International Covenant on Civil and Political Rights; the International Covenant for Economic, Social and Cultural Rights; and the International Convention on the Elimination of All Forms of Racial Discrimination. These include the right to be free from discrimination, the right to political participation, and the right to property as well as other economic and social rights. The GoSL's Sinhalization project, and the often-violent means in which it is furthered, is in violation of many of Sri Lanka's human rights obligations.

Historical Context

Post-Independence Era

The population in Sri Lanka consists of three main ethnic groups: the Sinhalese, who are mostly Buddhist and concentrated in the South and central parts of the island; the Eelam Tamils, who primarily practice Hinduism, as well as Christianity, and are concentrated in the North-East; and the Muslims, who are

³ UN Office of the High Commissioner for Human Rights, Report, U.N. Doc. A/HRC/46/20 (2021), https://www.ohchr.org/Documents/Countries/LK/Sri_LankaReportJan2021.docx.

⁴ The Oakland Institute. *Justice Denied*, 2017.

<https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/justice-denied.pdf>.

⁵ Osterhammel, Jürgen, "Colonialism: A Theoretical Overview," <http://kops.uni-konstanz.de/handle/123456789/14450>.

mostly Tamil speaking and have a significant presence in the North-East.⁶ A significant number of Tamils of Indian origin also live in several parts of the island but are concentrated in the central hill country.⁷ There are also small populations of the Wanniyalaeto (Vedda) people, who are the indigenous tribes of Sri Lanka, throughout the island.

The pre-colonial history of Sri Lanka is complex and contested, with wars between Tamils and Sinhalese kingdoms, and peaceful coexistence between the groups occurring at various times. However the chronicles of Sinhala history, the Mahavamsa, present a story of conflict, of Sinhala Buddhist kings defending their sacred land from Tamils. It was not until British colonization that the Tamil and Sinhalese communities were governed under one administration in the form of a unitary state. In 1948, when Sri Lanka (formerly known as Ceylon until May 1972) gained independence, the post-colonial government maintained the pre-existing colonial structure of a unitary state.⁸

After independence, the GoSL used discriminatory policies to promote Sinhala-Buddhist nationalism as a key characteristic of the post-independence state. The Citizenship Act of 1948 politically disenfranchised one million Indian-origin Tamil tea plantation laborers, declaring them "stateless."⁹ The 1956 Sinhala Only Act, made Sinhala the sole official language of the state, imposing significant barriers for Tamils to obtain government employment opportunities.¹⁰ In the 1970s, the implementation of the policy of standardization required Tamil students to score higher than Sinhalese students to enroll into tertiary institutions.¹¹ The growing polarization between the Tamil and Sinhalese communities was a result of Sinhala political elites utilizing "ethno-religious nationalism ... to justify their dominance over the island's ethnic and religious minorities."¹² As Tamils consistently campaigned in response to the GoSL's increasingly ethnocentric structures for political rights and socio-economic prosperity, their democratic efforts were rejected and met with violence.¹³ Nonviolent demonstrations by Tamils were counteracted with pogroms.¹⁴ As it became evident that the GoSL was unwilling to make any concessions to Tamil demands, "pressure grew on the Tamil political leadership to ... demand more radical solutions" amid rising anti-Tamil policies and pogroms.¹⁵

In 1972, the GoSL introduced a new constitution granted Buddhism "the foremost place, and accordingly it shall be the duty of the state to protect and foster Buddhism."¹⁶ The Constitution of 1978 further secured

⁶ Cronin-Furman, Kate, and Mario Arulthas. "How the Tigers Got Their Stripes: A Case Study of the LTTE's Rise to Power." *Studies in Conflict and Terrorism* ahead-of-print, no. ahead-of-print (n.d.): 1–20.

⁷ Ibid. pp.5

⁸ Seoighe, Rachel. *War, Denial and Nation-Building in Sri Lanka After the End*. Cham: Springer International Publishing, 2017.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Stone, Jason G. "Sri Lanka's Postwar Descent." *Journal of Democracy* 25, no. 2 (2014): 146–57.

¹² Ibid. pp.147

¹³ Seoighe, Rachel. *War, Denial and Nation-Building in Sri Lanka After the End*. Cham: Springer International Publishing, 2017

¹⁴ Balasundaram, Nirmanusan. "Sri Lanka: An Ethnocratic State Endangering Positive Peace in the Island." *Cosmopolitan Civil Societies* 8, no. 3 (2016): 38–58.

¹⁵ Cronin-Furman, Kate, and Mario Arulthas. "How the Tigers Got Their Stripes: A Case Study of the LTTE's Rise to Power." *Studies in Conflict and Terrorism* ahead-of-print, no. ahead-of-print (n.d.): 1–20, pp.5

¹⁶ "The Constitution of Sri Lanka (Ceylon) 1972, Article 6" The Parliament of Sri Lanka, 1972.

[https://www.parliament.lk/files/ca/4.%20The%20Constitution%20of%20Sri%20Lanka%20-%20201972%20\(Article%20105%20%E2%80%93134\)%20Chapter%20XIII.pdf](https://www.parliament.lk/files/ca/4.%20The%20Constitution%20of%20Sri%20Lanka%20-%20201972%20(Article%20105%20%E2%80%93134)%20Chapter%20XIII.pdf); Rasaratnam, Madurika. *Tamils and the Nation: India and Sri Lanka Compared*. New York, NY: Oxford University Press, 2017, pp.197

Sinhala-Buddhist supremacy by introducing a powerful executive presidency that weakened local government structures and produced a centralized system of governance.¹⁷ The Constitution was further amended in 1983 to constitutionally prohibit Tamil demands for self-determination and territorial autonomy.¹⁸

Violence against Tamils and the GoSL's rejection of Tamil political demands gave rise to a separatist movement and groups, including the LTTE, and instigated the armed conflict against the GoSL in 1983. The vast majority of the armed conflict took place in the Northern and Eastern provinces and came to an end on May 18, 2009, after the defeat of the LTTE.¹⁹

Rise of Buddhist Nationalism

Leading up to Sri Lanka's independence, "Buddhism and Sinhalese were so closely intertwined that it became impossible to treat either in isolation."²⁰ The GoSL "constantly and deliberately targeted the Tamil language, land, culture, education, economy, history and identity, while promoting and protecting Sinhala language, land, culture, education, economy, history and identity."²¹ Though this section does not delve into the origins of Sinhala Buddhist ideology, it demonstrates the way Buddhism informs the basis for Sinhalization while also functioning as a powerful working strategy in the state-sponsored Sinhalization of the North-East.²²

The revival of the Buddhist culture, religion, and ideology was seen as a "return to Sinhala." The Sinhalese stressed their belief that Buddhism's sacred place was in Sri Lanka and glorified their origins, claiming unique descentance from a superior Aryan race and the true inhabitants of Sri Lanka's ancient civilization.²³ Anagarika Dharmapala, a lead voice in the Sinhalese revival of Sinhala-Buddhist nationalist thought,²⁴ promoted the glorification of Sinhala-Buddhist heritage, partially as a response to the British's marginalization of Buddhism.²⁵ However, his teachings were replete with racist views that created deep division within the country.²⁶ "Buddhism was one identity marker that defined 'Sinhala-ness,' the other two being Sinhalese ethnicity and Sinhalese language."²⁷ Since Sri Lanka gained independence in 1948,

¹⁷ Rampton, David. "Deeper Hegemony": The Politics of Sinhala Nationalist Authenticity and the Failures of Power-Sharing in Sri Lanka." *Commonwealth & Comparative Politics* 49, no. 2 (2011): 245–73.

¹⁸ Ibid.

¹⁹ Seoighe, Rachel. *War, Denial and Nation-Building in Sri Lanka After the End*. Cham: Springer International Publishing, 2017.

²⁰ De Silva, K. M. *Ethnic Conflict in Buddhist Societies: Sri Lanka, Thailand, and Burma*. London: Pinter, 1988.

²¹ Balasundaram, N. (2016). Sri Lanka: An ethnocentric state preventing positive peace. *Cosmopolitan Civil Societies: An Interdisciplinary Journal*, 8(3), 38-58, p.43.

²² See also DeVotta, Neil. "Buddhist Majoritarianism and Ethnocracy in Sri Lanka." *Sociological Bulletin* 70, no. 4 (October 2021): 453–66. <https://doi.org/10.1177/00380229211052143>

²³ DeVotta, Neil. Rep. *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*. East-West Center Washington, 2007.

<https://www.eastwestcenter.org/system/tdf/private/ps040.pdf?file=1&type=node&id=32212>.

²⁴ "Anagarika Dharmapala and Sinhala Buddhist Ideology." *Sunday Times*, September 17, 2006.

<http://www.sundaytimes.lk/060917/Plus/pls4.html>.

²⁵ Nuhman, M. A. (2016). Sinhala Buddhist Nationalism and Muslim Identity in Sri Lanka. *Buddhist Extremists and Muslim Minorities: Religious Conflict in Contemporary Sri Lanka*, 18-53., p.4

²⁶ DeVotta, Neil. Rep. *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*, n.d.

²⁷ Lehr, Peter. *Militant Buddhism: the Rise of Religious Violence in Sri Lanka, Myanmar and Thailand*, 116. Cham, Switzerland: Palgrave Macmillan, 2019.

placing the majority political power in the hands of Sinhalese, the nation showcased a trend of "growing fundamentalism and an increasingly reactionary bond of religion, ethnicity, and state power."²⁸

According to the Sri Lankan Constitution of 1972, "The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the state to protect and foster the Buddha Sasana."²⁹ This article remains unchanged to this day. Neil DeVotta describes the state's nationalist ideology as one that "privileges Sinhala-Buddhist superordination, justifies subjugation of minorities and suggests that those belonging to other ethno-religious communities live in Sri Lanka only due to Sinhalese Buddhist sufferance."³⁰ This idea of tolerance for the Tamil nation as well as for other minority communities, is still the prevailing feeling of the government today despite the deep historical ties Tamils have to their traditional homeland.

The first Executive President of Sri Lanka, the late J.R. Jayawardena, said publicly that "seventy percent of our country are Buddhists. Therefore, we shall lead our lives according to the sacred words of Buddha... We have a duty to protect the Buddha sasana and to pledge that every possible action would be taken to develop it."³¹

This sentiment prevails. At a religious ceremony on January 2, 2022, the current president, Gotabaya Rajapaksa, said:

On the day I was sworn-in as the country's President at the Ruwanweli Seya, I declared that I was a President elected by the majority of Sinhalese. I firmly believe that the protection of Sinhala Buddhists, who have made so many sacrifices to elect me as the first citizen of this country and that heritage is my foremost responsibility.

Notably, President Rajapaksa, who himself is accused of participating in war crimes, crimes against humanity, and genocide when he served as Defense Minister during the end of the armed conflict in Sri Lanka, further strengthened the powers of the executive presidency in his first year in office.³² On October 22, 2020, the Sri Lankan Cabinet passed the 20th Amendment to the Constitution, which concentrated powers with the President and provided him with the power to make important political appointments without checks and balances.³³ As will be seen throughout this report, the President uses his extensive powers to harden Sinhala-Buddhist nationalism in Sri Lanka and to promote the process of Sinhalization.

²⁸ Hillier, Ben. Essay. In *Losing Santhia: Life and Loss in the Struggle for Tamil Eelam*, 23. Carlton, Vic.: Interventions, 2019.

²⁹ Publication. *The Constitution of the Democratic Socialist Republic of Sri Lanka - Revised Edition 2021*. Parliament Secretariat, n.d. <http://www.parliament.lk/files/pdf/constitution.pdf>.

³⁰ DeVotta, Neil. Rep. *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*. East-West Center Washington, 2007.

³¹ Balasundaram, N. (2016). Sri Lanka: An ethnocentric state preventing positive peace. *Cosmopolitan Civil Societies: An Interdisciplinary Journal*, 8(3), 38-58.

³² "Sri Lanka Parliament Votes to Strengthen Presidential Power." Al Jazeera, October 22, 2020. <https://www.aljazeera.com/news/2020/10/22/sri-lanka-parliament-votes-to-strengthen-presidential-power>.

³³ Ibid.

Geopolitical and Ethnographic Context

Climate and Geography of Sri Lanka

Sri Lanka is a tropical island in the Indian Ocean with three climatic zones: dry, intermediate, and wet. The northeast areas of the island, alongside some interior hill country, comprise the dry zone.³⁴ The dry zone, which features fertile soil suited to agriculture, covers 60% of the island's landmass and is central to the country's rice paddy cultivation and historical economic activity.³⁵ Historically, its agricultural communities were among the most productive in the country.

Post-2009 Economic Situation in the North-East

Structural discrimination, unequal wealth distribution, and economic and educational marginalization impacting Tamil people were among many factors in the post-independence era that led to Sri Lanka's armed conflict. After the armed conflict ended in 2009, state-led efforts to rebuild have failed to address these inequities. The North-East continues to be among the poorest regions in Sri Lanka and the structural conditions of poverty persist.³⁶

Although a review of the GoSL's economic development of the North-East is outside the scope of this report, several concerns should be mentioned due to their relationship to the Sinhalization project: the presence of the military in development activities in the North-East; the focus on large-scale infrastructure projects without local input; the continued lack of viable livelihoods in the North-East; and the lack of macro-vision for enabling a business environment in the North-East that prioritizes local agency over land and development opportunities. The lack of a locally controlled airport and seaport facilities in the North-East also prevent economic growth.³⁷

Moreover, despite over ten years of the GoSL's strategy of large infrastructure projects in the North-East, there is no evidence that the government's programs have worked. While there has been rapid infrastructure development in conflict-affected districts,³⁸ it is unclear whether the slight reduction in poverty seen in the North-East, still the most impoverished region in the country, is related to or

³⁴ See Appendix 2: Map of rainfall trends in Sri Lanka between 1987–2017; Nisansala, W. D. S, N. S Abeyasingha, Adlul Islam, and A. M. K. R Bandara. "Recent Rainfall Trend over Sri Lanka (1987–2017)." *International Journal of Climatology* 40, no. 7 (2020): 3417–35. <https://doi.org/10.1002/joc.6405>.

³⁵ "Climate of Sri Lanka." Department of Meteorology, June 20, 2019.

http://www.meteo.gov.lk/index.php?option=com_content&view=article&id=94&Itemid=310&lang=en; Amerasinghe, Nihal "An Overview of Settlement Schemes in Sri Lanka," *Asian Survey* 16, no. 7 (1976): 620–36; Shand, Ric T. *Irrigation and Agriculture in Sri Lanka*. Institute of Policy Studies of Sri Lanka, Colombo: Institute of Policy Studies, 2002. https://www.ips.lk/wp-content/uploads/2017/01/04_Irrigation-and-Agriculture-in-sri-lanka-ips.pdf.

³⁶ Najab, Nadhiya, Anupama Ranawana, and Kulasabanathan Romeshun. "The Gates of Paradise Are Open...but Who Benefits? Experiences from Post-War Sri Lanka." *United Nations Chronicle*, November 29, 2017. <https://www.un.org/en/chronicle/article/gates-paradise-are-openbut-who-benefits-experiences-post-war-sri-lanka>.

³⁷ International Labour Organization. Rep. *Assessment of the Key Bottlenecks for Private Sector Investments in the Northern Province*, March 2020. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-colombo/documents/publication/wcms_749508.pdf.

³⁸ Moramudali, Umesh. "Sri Lanka's Uneven Reconstruction." *The Diplomat*, November 7, 2019. <https://thediplomat.com/2019/11/sri-lankas-uneven-reconstruction/>.

proportional to the amount of money invested in infrastructure development, and whether communities more broadly in the North-East are benefiting from the fruits of development.

Sri Lanka is currently mired in a dire economic situation, with significantly depleted foreign reserves, increased inflation, and looming debt payments.³⁹ The COVID-19 pandemic has significantly exacerbated existing inequities and weaknesses in the Sri Lankan economy and financial regime, and the economy contracted by 3.6% in 2020—the worst growth performance on record. Sri Lanka's credit worthiness has degraded and the country is also facing a food emergency at time of writing. There are fears that the country may go into default in 2022.⁴⁰

Further research must be conducted to analyze the GoSL's economic policies within the context of Sinhala-Buddhist nationalism and to chart how such policies affect or restrict development and growth in the North-East.

Irrigation Schemes

Even before independence in 1948, government-backed development efforts in Sri Lanka relied heavily on multi-pronged irrigation schemes that coupled new irrigation infrastructure with settlement and economic development projects such as reservoir restoration, the creation of new settlements, and the development of irrigation canals.⁴¹ The colonial administration carried out numerous settlement processes that moved Sinhalese populations into the drier North-East regions, including under the Land Development Ordinance of 1935.⁴² Certain Tamil populations were also settled under the Land Development Ordinance. This irrigation-and-settlement policy was a major contributing factor to the root causes of the armed conflict.

Three State Strategies for Sinhalization in the North-East

This report reviews both historical and contemporary patterns of land acquisition, militarization and Buddhization as three strategies through which an ongoing process of Sinhalization is occurring in the North-East.

Sinhalization is an ethnonationalist, settler-colonial enterprise that seeks to supplant the Tamil character of the North-East of Sri Lanka with that of a unitary Sinhala-Buddhist state. Since before the advent of colonialism on the island, the North-East has been considered the traditional homeland of the Tamil people, although it was not exclusively inhabited by Tamils, with significant Muslim and small Vedda populations.

³⁹ Weerakoon, Dushni. "The Tangled Diplomacy of Sri Lanka's Currency Crisis." *East Asia Forum*, December 30, 2020. <https://www.eastasiaforum.org/2021/12/30/the-tangled-diplomacy-of-sri-lankas-currency-crisis/>.

⁴⁰ "Sri Lanka Could Go Bankrupt This Year." *The Economic Times*, January 3, 2022. [The Guardian, January 2, 2022. <https://www.theguardian.com/world/2022/jan/02/covid-crisis-sri-lanka-bankruptcy-poverty-pandemic-food-prices>.](https://economictimes.indiatimes.com/news/international/world-news/sri-lanka-could-go-bankrupt-this-year/articleshow/88659320.cms; de Soyza, Minoli, and Hannah Ellis-Peterson.)

⁴¹ Shand, Ric T. *Irrigation and Agriculture in Sri Lanka*. Institute of Policy Studies of Sri Lanka. Colombo: Institute of Policy Studies, 2002. https://www.ips.lk/wp-content/uploads/2017/01/04_Irrigation-and-Agriculture-in-sri-lanka-ips.pdf.

⁴² Amerasinghe, Nihal. "An Overview of Settlement Schemes in Sri Lanka." *Asian Survey* 16, no. 7 (1976): 620–36.

Since independence in 1948, the GoSL has tried to weaken (or outright deny) the concept of the "Tamil homeland" by engaging in processes of demographic change and repression through the three strategies that advance Sinhalization: land acquisition, militarization, and Buddhization. Using these methods, the GoSL also seeks to strengthen a Sri Lankan identity, rooted in Sinhala-Buddhism (with a foremost place for Sinhala-Buddhists), including by assimilating Tamils and minority groups into this monolithic identity.

This does not reflect how Tamils understand themselves as a unique people or the ties that Tamils and Muslims have to their land in the North-East. It also is not aligned with the GoSL's tacit and explicit acknowledgment of the Tamil homeland in agreements such as the 1957 Bandaranaike-Chelvanayakam Pact or the 1980 Indo-Lanka accord.⁴³

In addition to buttressing the GoSL's efforts to weaken the distinct Tamil character of the North-East, the three mutually reinforcing Sinhalization methods aim to suppress Tamil political identity and neutralize Tamil claims for self-determination or devolution of power on the basis of a uniquely Tamil homeland and their character as a Tamil people. In particular, the post-war "development" scene in the North-East consists of military intervention in the socio-economic lives of Tamil survivor communities through militarization.⁴⁴ This militarization is a particularly potent form of the Sinhalization process, and the pervasive military presence in the North-East has facilitated the appropriation of Tamil lands for military-run enterprises, including farms, hotels, and resorts under the pretext of national security.⁴⁵ Internally displaced Tamils who tried to return to their land or village have had to live under emergency rule by cooperating with the military, police, and the local administration in order to access wages, land, housing, and identity cards.⁴⁶ The slow pace at which lands were released after being appropriated by the GoSL and inadequate provision of settlement assistance prompted various resistance movements to emerge across the North-East, which are described in Part IV below.⁴⁷

⁴³For example, in the Indo-Sri Lanka Accord signed in July 1987 between the GoSL and India, the GoSL recognized that "Northern and the Eastern Provinces have been areas of historical habitation of Sri Lankan Tamil speaking peoples". "Indo-Lanka Accord." United Nations Peacemaker, July 29, 1987.

https://peacemaker.un.org/sites/peacemaker.un.org/files/IN%20LK_870729_Indo-Lanka%20Accord.pdf;

"Bandaranaike - Chelvanayagam Agreement 1957." Tamil Nation, n.d.

<https://tamilnation.org/conflictresolution/tamileelam/57bandachelvapact.htm>

⁴⁴ Fernando, Jude Lal. "The Political Economy of Post-War Reconstruction in Sri Lanka: Development-Security Nexus Vs. Tamil Right to Self-Determination." *Asian Journal of Peacebuilding* 5, no. 1 (2017): 21–48.

⁴⁵ Davies, Sara E, and Jacqui True. "When There Is No Justice: Gendered Violence and Harm in Post-Conflict Sri Lanka." *The International Journal of Human Rights* 21, no. 9 (2017): 1320–36.

⁴⁶ Ibid.

⁴⁷ Society for Threatened Peoples. Rep. *The Vanni – Civilian Land under Military Occupation*, February 2018. <https://www.gfbv.ch/wp-content/uploads/sri-lanka-vanni-e-lang.pdf>.

Part II: Irrigation-Settlement Schemes and the Mahaweli Authority

History of Irrigation-Settlement Schemes in Sri Lanka

Land issues were a key driver of the conflict between the GoSL and the Tamil people. Long before independence, Tamils have called the North-East region of the island their homeland, and they have continuously asserted their right to self-determination in this land.

Even pre-independence government-backed development efforts in Sri Lanka relied heavily on multi-pronged irrigation schemes, with special focus on the climatic dry zones of the North-East region.⁴⁸ State-sponsored irrigation-settlement processes dating back to the British colonial era⁴⁹ have consistently relocated Sinhalese people into that region. Upon independence from the British, the GoSL continued this approach to development.⁵⁰ This irrigation-and-settlement policy significantly contributed to the rising tensions that eventually led to the Sri Lankan armed conflict.

Case Study: The Gal Oya Project and Sinhalese Settlement Strategy in the North-East

In the 1940s and 1950s, under Sri Lanka's then-Prime Minister D.S. Senanayake, the Gal Oya Left Bank Irrigation System⁵¹ became the first large-scale irrigation scheme to set the blueprint for future development.⁵² The Gal Oya project involved building a dam in the southeast of the island to channel water toward the dry region and settle colonists from the wet zones to cultivate the newly irrigated land. The GoSL determined that in order to provide the needed labor to operationalize the scheme, it would need to settle at least 50,000 families in newly cleared land with housing and irrigation within five years.⁵³ Accordingly, some 250,000 Sinhalese persons were settled in the Eastern region of the Tamil homeland, in areas that the Government misrepresented as uninhabited.⁵⁴

The Gal Oya Left Bank Irrigation System was completed between 1948 and 1952, with an estimated 70% of new Sinhalese settlement occurring by 1957.⁵⁵ These settlement projects violently displaced Tamils and Muslims to the lower region of the Gal Oya basin to make way for incoming settlers.⁵⁶ There were also incidents where the military forced Tamils out and subsequently burned their homes for this

⁴⁸ Shand, Ric T. *Irrigation and Agriculture in Sri Lanka*. Institute of Policy Studies of Sri Lanka. Colombo: Institute of Policy Studies, 2002. https://www.ips.lk/wp-content/uploads/2017/01/04_Irrigation-and-Agriculture-in-sri-lanka-ips.pdf.

⁴⁹ As codified under the Land Development Ordinance of 1935. Amerasinghe, Nihal. "An Overview of Settlement Schemes in Sri Lanka." *Asian Survey* 16, no. 7 (1976): 620–36.

⁵⁰ Peebles, Patrick. "Colonization and Ethnic Conflict in the Dry Zone of Sri Lanka." *The Journal of Asian Studies* 49, no. 1 (1990): 30–55. <https://doi.org/10.2307/2058432>.

⁵¹ Also known as the Senanayake Samudraya

⁵² Thangavelu, V. "At Manal Aru (Weli Oya) Sinhalese State Ethnically Cleansed Tamils," *Nakkeran* (2002), <http://nakkeran.com/index.php/2018/05/31/at-manal-arua-weli-oya-sinhalese-state-ethnically-cleansed-tamils/>.

⁵³ Thuppahi. "Looking Back at DS Senanayake and the Gal Oya Project." *Thuppahi's Blog*, January 13, 2017. <https://thuppahis.com/2017/01/13/looking-back-at-ds-senanayake-and-the-gal-oya-project/>.

⁵⁴ "D. S. Senanayake." *Encyclopædia Britannica*, n.d. <https://www.britannica.com/biography/D-S-Senanayake#ref34732>.

⁵⁵ Thuppahi. "Looking Back at DS Senanayake and the Gal Oya Project." *Thuppahi's Blog*, January 13, 2017. <https://thuppahis.com/2017/01/13/looking-back-at-ds-senanayake-and-the-gal-oya-project/>.

⁵⁶ "Lest We Forget: The Anti-Tamil Pogroms." *Daily FT*, July 22, 2017. <https://www.ft.lk/article/630359/Lest-we-forget--The-anti-Tamil-pogroms>.

purpose.⁵⁷ The GoSL provided the colonists with the necessary resources to cultivate these lands, including the provision of LKR 10,000 per family.⁵⁸

Ajit Kanagasundram, the son of the Chairman of the Gal Oya Board, described Prime Minister Senanayake's vision of settling the dry zone with Sinhalese people as a means of "redress" for the historical British expropriation of Sinhalese ancestral lands, which had involved clearing the lands and installing Tamil laborers to cultivate coffee and tea.⁵⁹ The Tamil-speaking people within the region saw these schemes as a discriminatory project of the state, and the Tamil Federal Party also publicly raised concerns regarding what they viewed as the colonization of the East.⁶⁰ Likewise, a Tamil geographer described these irrigation and land development projects as "designed to improve the economic conditions of the Sinhalese districts and Sinhalese peasantry" while neglecting "the economic conditions of the people in the predominantly Tamil areas."⁶¹

Tension between the communities culminated in the 1956 Anti-Tamil Pogrom, or the Gal Oya Riots, resulting in approximately 150 deaths.⁶² The Gal Oya project, which was eventually deemed ineffective and disorganized,⁶³ proved unable to meet the demands of the region, thereby contributing to further water conflicts and the exacerbation of tensions overall.⁶⁴

Following a series of land-related policies favoring the Sinhalese ethnic group, in 1979 the Mahaweli Authority of Sri Lanka Act No. 23 (hereinafter "MASA") established the Mahaweli Authority to implement the Mahaweli Ganga Development Scheme.⁶⁵ MASA has in practice been used to expropriate lands traditionally belonging to Tamils in those areas. Maps of the various areas under the Mahaweli authority are set out in Appendix 3 of this report.

⁵⁷ LTTE Peace Secretariat. Rep. Demographic Changes in the Tamil Homeland in the Island of Sri Lanka over the Last Century, April 2008. https://www.sangam.org/2008/05/Demographic_Changes.pdf.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Short, Damien. *Redefining Genocide : Settler Colonialism, Social Death and Ecocide*. London, UK: Zed Books Ltd, 2016.

⁶¹ Peebles, Patrick. "Colonization and Ethnic Conflict in the Dry Zone of Sri Lanka." *The Journal of Asian Studies* 49, no. 1 (1990): 30–55. <https://doi.org/10.2307/2058432>.

⁶² "Lest We Forget: The Anti-Tamil Pogroms." *Daily FT*, July 22, 2017.

<https://www.ft.lk/article/630359/Lest-we-forget--The-anti-Tamil-pogroms>.

⁶³ Uphoff, N., and C.M. Wijayarathna. Publication. *Demonstrated Benefits from Social Capital: the Productivity of Farmer Organizations in Gal Oya, Sri Lanka*. Cornell University Press, January 1, 2000.

<https://www.ircwash.org/sites/default/files/Uphof-2000-Demonstrated.doc>.

⁶⁴ Sirimewan, D.C., N.H.C. Manjula, A. Samaraweera, and A.P.K.D. Mendis. *Issues in Sustainable Water Management of Irrigation Systems in Sri Lanka*. Colombo, 2019.

⁶⁵ "Mahaweli Authority Of Sri Lanka Act (No. 23 of 1979) - Long Title, s.1." Sri Lanka Consolidated Acts, n.d.

http://www.commonlii.org/lk/legis/num_act/maosla23o1979355/index.html.

Case Study: Land and Violent Conflict

The Mahaweli Project's attempts to acquire and convert Tamil-owned pasture lands for agricultural uses has precipitated violent clashes between the original Tamil inhabitants and new Sinhalese settlers. Settlers in the Mahaweli System B region, for example, have frequently aimed violent attacks at Tamil farmers and their cattle while seeking to expand their farming operations. For example, between November 2015 and March 2016, approximately 100 Tamil-owned cows in the System B region were either shot or strangled during settler attacks.⁶⁶ On Christmas Eve of 2020, the Tamil National People's Front reported that Sinhalese settlers slaughtered more Tamil-owned cattle in Maathavanai on Christmas Eve.⁶⁷

The Legal Structure of Mahaweli Act and Mahaweli Authority

The MASA created the Mahaweli Authority, headed by a State Minister, to plan and implement the Mahaweli Ganga Development Scheme and also invested it with extensive powers over the development and administration of lands designated as "special areas" under the Act's exceptionally broad terms.⁶⁸ Because the Act does not define the criteria for selecting lands as "special areas,"⁶⁹ the Authority has nearly unchecked discretion in choosing the lands over which it will exercise authority. Once brought under the MASA's mandate as special areas, the Mahaweli Authority exercises extraordinarily wide-ranging powers over them. Several key features of the MASA, highlighted below, have been systematically operationalized in the North-East to the detriment of Tamil residents.

The State Minister heading the Authority has broad discretion to designate "special areas." The MASA's broad language renders almost any land in the country susceptible to acquisition by the government via the Mahaweli Authority. Under Section 3 of the MASA, the State Minister⁷⁰ may designate any area with the potential to be "developed" through water resources sourced from any "major" river in the country. In practice, the law has been used to acquire extensive lands throughout Sri Lanka in the name of 'special areas'. In the absence of meaningful textual limitations, the government has not provided its own rationale: for example, it has neither attempted to explain what qualifies as a "major" river" nor assessed an area's proximity to such rivers when designating special areas.

⁶⁶ "Maithiripala Accelerates Structural Genocide against Tamils in Batticaloa," TamilNet, March 16, 2016, <https://www.tamilnet.com/art.html?catid=13&artid=38189>; Tamil National People's Front. Twitter, December 25, 2020, <https://twitter.com/TnfpOrg/status/1342442691125239809?s=20>.

⁶⁷ "Sinhalese Settlers Slaughter Tamil Livestock in Batticaloa." Tamil Guardian, December 26, 2020. <https://www.tamilguardian.com/content/sinhalese-settlers-slaughter-tamil-livestock-batticaloa>; Tamil National People's Front. Twitter, December 25, 2020. <https://twitter.com/TnfpOrg/status/1342410952155787264?s=20>.

⁶⁸ Ibid. s. 12

⁶⁹ Ibid. s. 13

⁷⁰ Formally, the President and Parliament must sign off on the Minister's designation. However, Tamils are severely underrepresented in these branches of government, leaving them with limited ability to prevent takeovers of their traditional lands.

Case Study: Systematic Designation of Tamil Lands as Special Areas

Projects titled A, B-RB, I, J, K, L, and M under the Mahaweli Development Programme either fully or partially fall inside the Tamil homeland. Project L (the Welioya Integrated Development Project), which is already complete, illustrates how the MASA has been used to effect Sinhalization throughout the North-East in lands previously inhabited or owned by Tamils.⁷¹ Project L is located where Mullaitivu District joins Trincomalee District, an important juncture that links the North and East Provinces to one another. Thus, when it transferred Sinhalese people into the area, the Mahaweli Authority not only displaced local Tamil residents, but also divided the Tamil homeland. Reports suggest the Sinhalese population of Welioya has grown to more than 4,800 families, with more expansion planned.⁷² Mullaitivu District, which was mainly Tamil prior to being designated as a special area, now hosts the second-highest concentration of Sinhalese in the Northern Province.⁷³

Projects I, J, K, and L have no obvious connection to the Mahaweli River or its tributaries, and the government has not offered any explanation of those Projects' connection to any major river, as required under the MASA. Indeed, many development-related goals cited pursued by the Mahaweli Authority for these projects could have instead been undertaken by the Northern Provincial Council, which would have empowered local Tamil authorities to develop the areas. Notably, unlike the Provincial Councils in the areas covered by Projects I, J, K, and L, the Mahaweli Authority has demonstrated its intent and its power to accelerate Sinhala migration into the areas.

The Authority has extensive powers over special areas, including for "cultural projects." The Mahaweli Authority may exercise nearly complete authority over any special area's use and development. For instance, Section 13 of the MASA lists 36 categories of powers the Authority can exercise over any special area. These are sweeping in scope, ranging from the maintenance of waterworks; "development" activities; the promotion of agricultural, economic, recreational, or research activities; land settlement; to financial matters.⁷⁴ Moreover, the Authority's powers include the right to lease, purchase, sell, or otherwise deal with all or any part of the land. This includes the power "to promote, assist in, and secure the settlement of persons on lands, farms and properties in any special area" and "to take all such steps as are necessary for the general welfare of the community in any special area."⁷⁵

⁷¹ Fonseka, Bhavani, and Dharsha Jegatheeswaran. Rep. *Politics, Policies And Practices With Land Acquisitions And Related Issues In The North And East Of Sri Lanka*. Centre for Policy Alternatives, November 2013. <https://www.cpalanka.org/wp-content/uploads/2013/11/Land-Acquisitions-and-Related-Issues-in-the-North-and-East-of-Sri-Lanka.pdf>.

⁷² Women's Action Network. "Fact Finding Report on the Recent Tensions between Muslims and Tamils in Mulliyawalai," April 28, 2013. <https://dbsjeyaraj.com/dbsj/archives/20724>.

⁷³ Fonseka, Bhavani, and Dharsha Jegatheeswaran. Rep. *Politics, Policies And Practices With Land Acquisitions And Related Issues In The North And East Of Sri Lanka*. Centre for Policy Alternatives, November 2013; Narendran, Rajasingham. "Post-War Northern Province: Some Facts and Fallacies." Sri Lanka Guardian, March 27, 2012. <http://www.srilankaguardian.org/2012/03/post-war-northern-province-some-facts.html>.

⁷⁴ Ibid. s. 13

⁷⁵ Ibid. s. 13

Section 12 of MASA further authorizes the Authority to act for the "cultural progress" of communities in special areas. This is particularly notable in light of the fact that in many special areas designated by the Authority, previously established ministries had been empowered to promote cultural progress for these communities. The MASA therefore overrode these pre-established local ministries in favor of a national-level Authority that lacks local oversight.

The Authority has the power to distribute land permits for use of special areas without meaningful oversight. The Act concentrates a huge range of pre-existing state powers under the Mahaweli Authority. In particular, the Authority assumes powers under the Land Development Ordinance No. 19 of 1935 (LDO), which provides for the use, distribution, development, and alienation of state land through specific permit systems, as well as under the Land Acquisition Act. These terms grant the Mahaweli Authority the power to acquire any land compulsorily, so long as it can be related to the development purposes of the MASA.

In addition, policies toward state lands have proven susceptible to political pressure from various interest groups in the past, including pro-capitalist and Sinhala nationalist lobbies, and have been instrumentalized as a means of political patronage.⁷⁶ This has impacted Tamils in the past,⁷⁷ since considerable tracts of land in the claimed Tamil homeland, most notably those in Jaffna District, are considered state land by the government and therefore fall under the potential purview of the Mahaweli Authority's far-reaching powers.

The Mahaweli Authority can also acquire private properties in any special areas extraordinarily—in other words, properties that would normally fall outside of the purview of the Land Acquisition Act. The Authority can require every person who claims rights over any portion of land in the special area to submit their claim in writing. However, if the government decides that these claims are not substantiated, the Authority can take possession of that land directly, which bypasses the steps that are otherwise required under the Land Acquisition Act.⁷⁸

Though any person may file a petition in the court to vindicate their title or interest over land, the lack of proper documents has prevented substantial lawsuits. Many Tamils lost their land titles and documents due to years of internal displacement and war. And those who have held and inhabited their lands traditionally may never have had access to government documentation and thus no means to assert their claims in court. Women are additionally affected by discriminatory laws and practices in land inheritance, which has prevented women-headed families from accessing their lands without proof of the husband's death.⁷⁹ With many families in the North-East being headed by war widows whose husbands were either killed or disappeared during the armed conflict without documentation, death records are not always available or accessible.

⁷⁶ Bastian, Sunil. "Sri Lanka: Land, Class And Ethnicity." *Colombo Telegraph*, August 8, 2012.

<https://www.colombotelegraph.com/index.php/sri-lanka-land-class-and-ethnicity/>.

⁷⁷ DeVotta, Neil. "Buddhist Majoritarianism and Ethnocracy in Sri Lanka." *Sociological Bulletin* 70, no. 4 (October 2021): 453–66. <https://doi.org/10.1177/00380229211052143>.

⁷⁸ Under the terms of the MASA, the Authority takes absolute possession, free of any encumbrance. "Mahaweli Authority Of Sri Lanka Act (No. 23 of 1979) - Long Title, s.24 (1), (2), (3) , s. 25 (1)." Sri Lanka Consolidated Acts, n.d. http://www.commonlii.org/lk/legis/num_act/maosla23o1979355/index.html.

⁷⁹ Davies, Sara E, and Jacqui True. "When There Is No Justice: Gendered Violence and Harm in Post-Conflict Sri Lanka." *The International Journal of Human Rights* 21, no. 9 (2017): 1320–36. <https://doi.org/10.1080/13642987.2017.1360025>

Furthermore, woman-headed households who wish to assert their land rights must submit the request in person at relevant military headquarters, where they face increased risk of sexual harassment and/or violence.⁸⁰ The inflexible legal framework for proving ownership and access rights leaves many Tamil lands in the North-East extremely vulnerable to acquisition by the Mahaweli Authority, which has sought to designate their properties as special areas. As a result, many such Tamil lands have been converted to state land subject to the Mahaweli Authority. The Authority then utilizes or disposes of the land as it sees fit, including for Sinhalization.

The MASA is unconstitutional in application. The MASA has been interpreted and implemented in ways that contravene the constitutional protections afforded to Tamil lands under the 13th Amendment, which specifies that certain lands, including state-owned lands, are enumerated in the Provincial List and put under the purview of Provincial Councils. This measure was originally intended to reserve certain, limited rights to land and self-governance for Tamils in the North-East. Under the MASA, however, once a parcel of land is designated as a special area, the associated Provincial Council cedes its powers to the Mahaweli Authority. Thus, the MASA effectively erases the protections afforded by the devolution of power outlined in the 13th Amendment and reallocates power back to the central government by way of the Mahaweli Authority.

To sum, the MASA authorizes colonization schemes in any area designated as a special area. While land use is essential to develop communities, the GoSL's processes of colonizing lands negatively and systematically deprives one community (the Tamils) and entitles another (the Sinhalese).

Lack of access to justice

In 2010, the Supreme Court of Sri Lanka (the Court) affirmed the Mahaweli Authority's overarching power in the landmark case *Environmental Foundation Ltd v. Mahaweli Authority of Sri Lanka and others*.⁸¹ In this case, although the Court found the Mahaweli Authority liable for violating a number of procedural and legal requirements under the MASA as well as the National Environmental Act, the Court neither acted to stop or reverse the project in question nor granted any relief to the affected occupants of the land. In fact, the Mahaweli Authority continued to move forward with its plans even as the case was under consideration by the Supreme Court without remark or censure from the Court. The Court ultimately ruled that the sole limitation on the Mahaweli Authority's power was that it must act in accordance with its statutory purpose—a purpose whose terms have repeatedly been interpreted as exceptionally extensive. This outcome effectively discouraged future court challenges to the Authority's actions and exacerbated the trend of impunity for rights violations committed by the Authority or as a direct result of its actions.

⁸⁰ Ibid.

⁸¹ *Environmental Foundation Ltd and Others Vs. Mahaweli Authority of Sri Lanka and Others* (2010) 1 Sri LR.

Case Study: Expropriation of Private Land in Special Areas

Even in the rare instances where a lawsuit was filed and won, the court's decisions have not been uniformly implemented, if they are implemented at all. For instance, Tamil farmers who fled their lands in Odhiyamalai due to the armed conflict in 2006 were blocked from cultivating their paddy lands despite having valid permits when they returned after the war.⁸² Instead, their fields are now cultivated by Sinhalese who maintain that the land belonged to them. The national army has intervened on behalf of Sinhalese claims.⁸³

Kokkilai, a village located in Mullaitivu District, provides a similar example. The areas in and surrounding Kokkilai have been a focal point for Sinhala settlements since the 1970s. Encouraged by government policies, Sinhalese fishermen from other areas of the country relocated, displacing local Tamil fishing communities.⁸⁴ Tamils were further displaced during the armed conflict. By the close of the war, the Mukaththuvaram area of Kokkilai was occupied entirely by Sinhalese people, and returning Tamils faced harassment by the Sinhalese migrants, Buddhist monks, and police.⁸⁵ When the Fisheries and Aquatics Department filed suit on behalf of the newly settled Sinhalese people in, the district court vindicated the Tamil claims to their lands in 2018.⁸⁶ Nonetheless, the judgment has yet to be enforced, and the Mahaweli Authority continues to issue new permits to Sinhalese people to occupy and use the disputed land.

⁸² Rep. Sri Lanka's North I: The Denial of Minority Rights. International Crisis Group, March 16, 2012. <https://www.crisisgroup.org/asia/south-asia/sri-lanka/sri-lanka-s-north-i-denial-minority-rights>.

⁸³ Ibid.

⁸⁴ "Sinhalaization of the North East: Kankesanthurai (KKS)." People for Equality and Relief in Lanka, September 21, 2019. <https://pearlaction.org/2019/09/21/sinhalaization-of-kokkilai/>.

⁸⁵ Ibid.

⁸⁶ "Mullaitivu Court Rules against Fisheries Department and Declares Contested Coastal Land Belongs to Tamil Fishermen." *Tamil Guardian*, April 7, 2018. <https://www.tamilguardian.com/content/mullaitivu-court-rules-against-fisheries-department-and-declares-contested-coastal-land>.

Part III: Militarization of the North-East

Historical Roots of Sri Lanka's Military

In 1949, following independence from the British Commonwealth, the newly sovereign state established the Ceylon Army.⁸⁷ In the early stages, the primary role of this new army, composed of former crown members with new recruits, consisted of participation in ceremonial events.⁸⁸

The military took on an increasingly Sinhala Buddhist ethos in the 1960s and transformed it into a virtually all-Sinhala military, while incorporating Buddhist symbols and rituals into the every-day operations of the military.⁸⁹ (cite Bartholomeusz and Kent)

During the 1970's and 1980's, the GoSL used the armed forces to advance its goal of unifying the island and preventing the movement of Tamil militant forces. The military established HSZs during the armed conflict⁹⁰ in order to monitor anti-government forces in the Tamil homeland.⁹¹ The installation of these HSZs forced many Tamils to flee.⁹² The HSZs across the Tamil homeland also cut off access to temples, curtailed economic life, and stopped displaced persons from re-establishing farms and transportation routes.⁹³

Militarized Zones in the Tamil Homeland Post-2009

Since the war ended, high-level Sri Lankan officials have claimed that the government was reducing its military presence in the North-East. However, human rights observers have

“There is military presence all around us. For example, in Silavathai the military has occupied lands around us. Similarly, there are military checkpoints all around Vanni. We are scared as a result to travel at night to go for classes after 6pm. Traveling in the day itself is a very big issue.” —TM121

⁸⁷ "Old Memories." Sri Lanka Sinha Regiment, n.d. <https://alt.army.lk/slsr/old-memories2>

⁸⁸ De Silva, K.M. Working paper. *Sri Lanka: Political-Military Relations*, November 2001. https://www.clingendael.org/sites/default/files/pdfs/20011100_cru_working_paper_3.pdf.

⁸⁹ Bartholomeusz, Tessa J. *In Defense of Dharma : Just-War Ideology in Buddhist Sri Lanka*. London ; RoutledgeCurzon, 2002. <https://doi.org/10.4324/9780203994801>; Kent, Daniel W. "Onward Buddhist Soldiers: The Sri Lankan Civil War through the Eyes of Buddhist Military Personnel." International Conference on Sri Lanka Studies, 2005. <http://repository.kln.ac.lk/handle/123456789/5777>.

⁹⁰ United Kingdom Home Office. Rep. *Country Information and Guidance - Sri Lanka: Tamil Separatism*, August 2016. https://www.freemovement.org.uk/wp-content/uploads/2019/02/1226_1470833715_sri-lanka-tamil-separatism-v3-0.pdf; "2021 Sri Lanka Military Strength." Global Fire Power, n.d. https://www.globalfirepower.com/country-military-strength-detail.php?country_id=sri-lanka.

⁹¹ Jaffna alone has hosted 18 HSZs since the 1980s, while approximately 16,800 acres of Mullaitivu District i. Manoharan, N. "High Security Zones in Sri Lanka," Institute of Peace and Conflict Studies (2007), http://www.ipcs.org/comm_select.php?articleNo=2321; Chandran, Rina. "Nine Years after War's End, Sri Lankans Wait for Government to Return Property," Thomson Reuters, Oct. 9, 2018, <https://ca.reuters.com/article/idUSKCN1MJ0DB>; "Human Cost of High Security Zones," TamilNet (2006), https://www.tamilnet.com/img/publish/2011/12/Chapter_3_HSZ.pdf.

⁹² "Satellite Images Show That the High Security Zone Is Not Being Used as Intended." Sri Lanka Campaign for Peace and Justice, August 21, 2014. <https://www.srilankacampaign.org/satellite-images-show-that-the-high-security-zone-is-not-being-used-as-intended/>.

⁹³ Malarvan, *War Journey By Malarvan: Diary of a Tamil Tiger*, translation of *Por Ula* by N. Malathy (2013), India Penguin, pp. 28-29.

documented the exact opposite: an ongoing and even expanding military presence that has also overtaken civil administrative duties.⁹⁴ As of 2020, rights groups claim that there was an estimated one military personnel per six civilians in the North-East.⁹⁵ Likewise, 16 of the 20 Defense Ministry divisions and four out of six Defense Headquarters are fully or partly located in the Tamil homeland.⁹⁶

“The major issue is militarization. The army harasses young women, and they stop at the checkpoint and will tell us that they are going to arrest us for drug related offences. The military personnel are also the reason many youths are getting addicted to drugs and I have seen this with my [own] eyes.”
—TM121

Ongoing and expanding military occupation has permanently displaced many Tamils with no recourse to justice.⁹⁷ Government policies have largely expanded these HSZs, despite government promises and claims to the contrary.⁹⁸ Military forces have continued to build security-related infrastructure, station military personnel throughout the Tamil homeland, and implement new commercial projects, often without adequate consultation, due process, or reparations to the displaced.⁹⁹ In addition, the government has built numerous new military and police facilities in Tamil lands.¹⁰⁰

In other cases, internally displaced persons have been haphazardly and non-consensually relocated by the Government onto lands that are not their

⁹⁴ Adayaalam Centre for Policy Research, and People for Equality and Relief in Lanka. Rep. *Normalising the Abnormal: The Militarisation of Mullaitivu*, October 2017. <https://pearlaction.org/wp-content/uploads/2021/10/Normalising-the-Abnormal-The-Militarisation-of-Mullaitivu.pdf>.

⁹⁵ Oakland Institute. *The Long Shadow of War*, 2015.

https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI_The_Long_Shadow_of_War_0.pdf.

⁹⁶ "Sri Lanka Army Establishment." Sri Lanka Army, n.d. <https://www.army.lk/establishment>. The four locations are divided into Jaffna, East, Vanni and Kilinochchi. "Security Forces Jaffna." Civil Military Cooperation, n.d. <http://cimicjaffna.lk/profile-of-sfhq-j>; Security Forces Headquarters East, n.d. <https://alt.army.lk/sfhqeast/>; Security Forces Headquarters Wannai, n.d. <https://alt.army.lk/sfhqwanni/>; Security Forces Headquarters Kilinochchi, n.d. <https://alt.army.lk/sfkilinochchi/>.

⁹⁷ Adayaalam Centre for Policy Research, and People for Equality and Relief in Lanka. Rep. *Normalising the Abnormal: The Militarisation of Mullaitivu*, October 2017. <https://pearlaction.org/wp-content/uploads/2021/10/Normalising-the-Abnormal-The-Militarisation-of-Mullaitivu.pdf>; Oakland Institute. *The Long Shadow of War*, 2015.

https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI_The_Long_Shadow_of_War_0.pdf.

⁹⁸ Although former president Maithiripala Sirisena called for the release of all land belonging to Tamils by the end of 2018, legal frameworks continue to hinder settlement processes. Amnesty International, "Hope flickers as civilian owners await the release of their land," 18 March 2019, <https://www.amnesty.org/en/latest/news/2019/03/hope-flickers-as-civilian-owners-await-the-release-of-their-land/>; Thambu Kanagasabai. "Unfulfilled Commitments & Unending Promises," Colombo Telegraph, 16 Dec. 2021, <https://www.colombotelegraph.com/index.php/unfulfilled-commitments-unending-promises/>.

⁹⁹ Chandran, Rina. "Nine Years after War's End, Sri Lankans Wait for Government to Return Property." Reuters. Thomson Reuters, October 9, 2018. <https://ca.reuters.com/article/idUSKCN1MJ0DB>.

¹⁰⁰ See, for example, "Sri Lanka to Build 190 New Police Stations Starting in the North-East." Tamil Guardian, March 30, 2021. <https://www.tamilguardian.com/content/sri-lanka-build-190-new-police-stations-starting-north-east>.

original homes.¹⁰¹ These settled populations have been removed from official counts of internally displaced persons, yet they remain displaced.¹⁰² Tamils who fled abroad also continue to face significant barriers to claiming and accessing their lands.¹⁰³

Even when lands have been returned partially or fully to citizens, the occupying military often destroys property. For example, numerous religious sites during the post-war period were destroyed, including Hindu temples, a mosque, a Buddhist temple, and a church.¹⁰⁴ In addition, the continued military presence in close proximity to returned lands has affected access to nearby natural resources, transportation routes, and basic infrastructure, including water and sanitation facilities.¹⁰⁵ These problems, coupled with attacks by violent extremist Sinhala Buddhist groups, have caused significant challenges to Tamil communities, especially women-headed households, in re-establishing their lives and livelihoods.¹⁰⁶

Officially, the GoSL reports that significant portions of land have been returned to civilians over the past few years.¹⁰⁷ However, data provided by the government lacks transparent sources, and the government has not made public any information that explains the official process for land return, making it impossible to verify these claims and casting doubt on the accessibility of any such processes to those looking to reclaim their lands.¹⁰⁸ There have also been concerns that released land retains existing military infrastructures.¹⁰⁹ As to the land currently under military control, as recently as late 2020, government figures have publicly asserted that military-occupied lands in the North-East are considered to have economic and security-related importance and thus will not be returned.¹¹⁰

¹⁰¹ Human Rights Watch, *Why Can't We Go Home? Military Occupation of Land in Sri Lanka* (2018), <https://www.hrw.org/report/2018/10/09/why-cant-we-go-home/military-occupation-land-sri-lanka>.

¹⁰² *Ibid.*

¹⁰³ Aneez, Shihar. "Sri Lankan Tamils Living Abroad Struggle to Reclaim Land from Afar." Reuters, April 21, 2020. <https://www.reuters.com/article/us-sri-lanka-landrights-conflict-feature-idUSKCN22401V>.

¹⁰⁴ Human Rights Watch, *Why Can't We Go Home? Military Occupation of Land in Sri Lanka* (2018), <https://www.hrw.org/report/2018/10/09/why-cant-we-go-home/military-occupation-land-sri-lanka>.

¹⁰⁵ Society for Threatened Peoples. Rep. *The Vanni – Civilian Land under Military Occupation*, February 2018. <https://www.gfbv.ch/wp-content/uploads/sri-lanka-vanni-e-lang.pdf>.

¹⁰⁶ Human Rights Watch, *Why Can't We Go Home? Military Occupation of Land in Sri Lanka* (2018), <https://www.hrw.org/report/2018/10/09/why-cant-we-go-home/military-occupation-land-sri-lanka>.

¹⁰⁷ The Oakland Institute, *Endless War* (2021),

<https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/endless-war-web.pdf>; Vithanage, Athula. "Sri Lanka Refuses to Hand Back Military Occupied Land." JDS Lanka, March 22, 2019.

<http://www.jdslanka.org/index.php/news-features/politics-a-current-affairs/870-sri-lanka-refuses-to-hand-back-military-occupied-land>

¹⁰⁸ OHCHR, *Sri Lanka on Alarming Path towards Recurrence of Grave Human Rights Violations*, January 2021.

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26695&LangID=E>; Sri Lanka Campaign. Publication. *Reversing Progress: Threats to Human Rights and Reinforced Impunity in Sri Lanka*, February 2021.

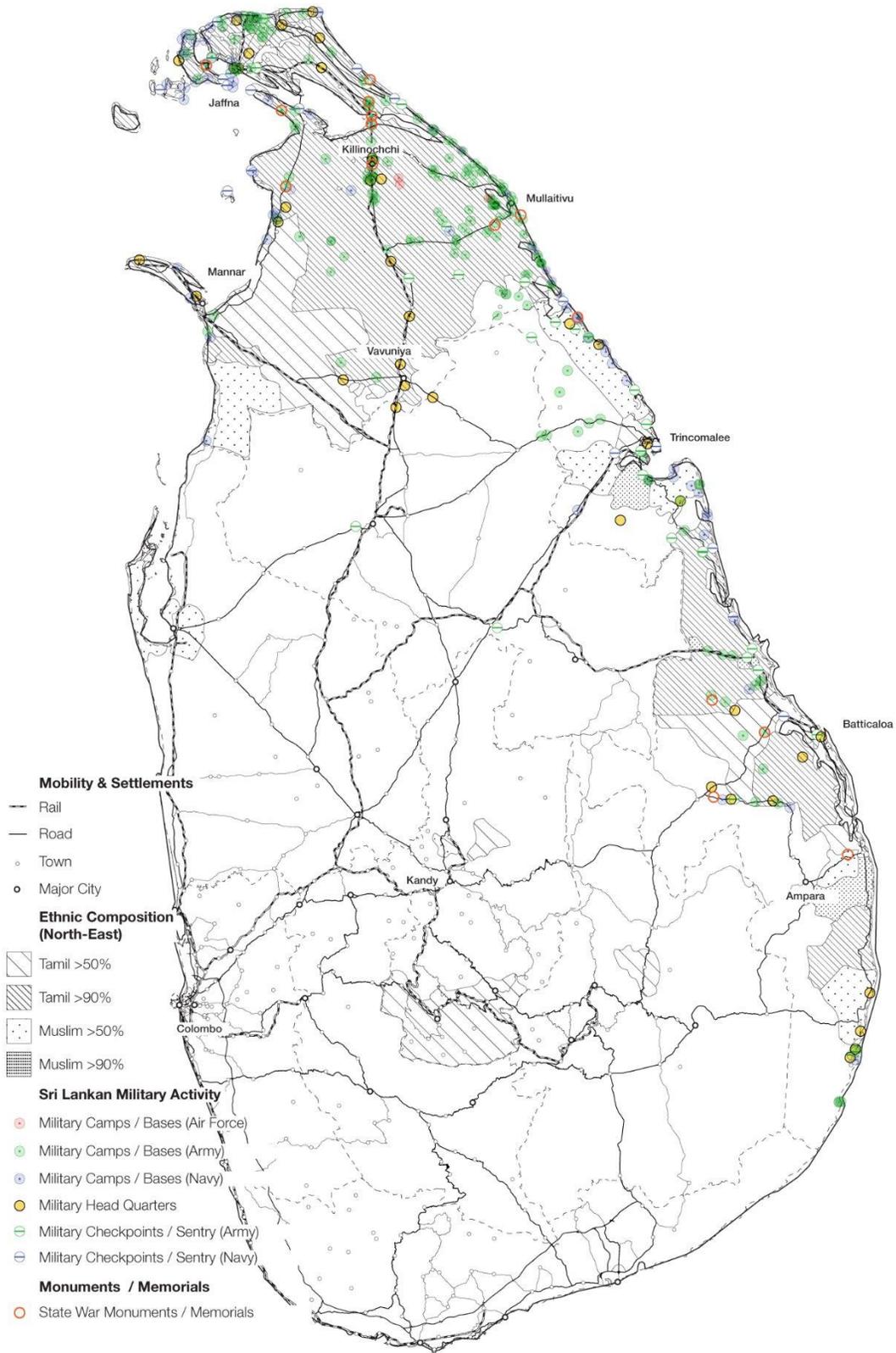
<https://www.srilankacampaign.org/wp-content/uploads/2021/02/Reversing-Progress-Sri-Lanka-Campaign-February-2021.pdf>.

¹⁰⁹ The Maatram Foundation. Rep. *Understanding Post-War Land Issues in Northern Sri Lanka*. The Maatram Foundation, November 2015.

<http://www.jdslanka.org/index.php/documents/32-displacement-and-land-issues/598-understanding-post-war-land-issues-in-northern-sri-lanka>.

¹¹⁰ "Military Occupied Lands with Tactical Importance Will Never Be given: Weerasekara." *Daily Mirror*, September 10, 2020.

https://www.dailymirror.lk/breaking_news/Military-occupied-lands-with-tactical-importance-will-never-be-given-Weerasekara/108-195637.



Map 1.0: Mapping Militarization of Tamil Lands in the North-East (PEARL 2021, Subendran 2021). This map only highlights major camps, and there are many smaller military outposts in the North-East.

Militarizing Civilian Life

Since the end of the armed conflict, the Sri Lankan military has become heavily involved in community-oriented development projects that should more appropriately be run by civilian institutions. For example, as part of its role running rehabilitation centers to reintegrate former LTTE fighters into civilian life,¹¹¹ the military conducted a mass religious wedding ceremony for 53 former fighters in 2010,¹¹² provided direct aid to the newlywed couples to help them become established,¹¹³ and supported education, vocational training, spiritual, recreation, and psychological programs.¹¹⁴ Other projects include the creation of a "Harmony Centre" as well as major cashew plantation projects, such as the one in Kankesanthurai (KKS), run by the Valikamam North HSZs.¹¹⁵ Security forces promote lectures, participate in religious festivities, and distribute cashew saplings through programming that targets elementary schools in particular.¹¹⁶ Civilians are also offered employment opportunities under the military, since they cannot access their lands and associated economic activities.¹¹⁷ This normalizes the militarization of all aspects of life in the North-East.

¹¹¹ IRIN. "Sri Lanka: Former Tiger Fighters Battle for a Normal Life." Refworld, May 28, 2012. <https://www.refworld.org/docid/4fc5f4db2.html>.

¹¹² Reddy, Muralidhar. "Mass Wedding at Vavuniya." *The Hindu*, June 14, 2010. <https://www.thehindu.com/news/international/Mass-wedding-at-Vavuniya/article16243271.ece>.

¹¹³ Sameera, Gayan. "Sri Lanka Stages Mass Wedding for Former Rebels." Reuters. Thomson Reuters, June 13, 2010. <https://www.reuters.com/article/idINIndia-49262720100613>.

¹¹⁴ Malkanthi Hettiarachchi. "Sri Lanka's Rehabilitation Program: A New Frontier in Counter Terrorism and Counter Insurgency." *Prism* (Washington, D.C.) 4, no. 2 (2013): 105–21.

¹¹⁵ "Harmony Centre' for Utility Community-Oriented Projects Inaugurated in KKS, Jaffna." Sri Lanka Army, May 12, 2020. <https://www.army.lk/news/harmony-centre-utility-community-oriented-projects-inaugurated-kks-jaffna>; "Sinhalization of the North East: Kankesanthurai (KKS)." People for Equality and Relief in Lanka, October 26, 2020. <https://pearlaction.org/2020/10/26/kks/>.

¹¹⁶ "233 Brigade-Organized A/L Seminar Attendees Gifted with Cashew Plants." Sri Lanka Army, July 31, 2019. <https://www.army.lk/news/233-brigade-organized-al-seminar-attendees-gifted-cashew-plants>; "651 Brigade Distributes Cashew Saplings among Civilians." Sri Lanka Army, October 25, 2019. <https://www.army.lk/news/651-brigade-distributes-cashew-saplings-among-civilians>; "East-Based Troops Distribute Cashew Plants Sponsored by 'Dilmah' Conservation." Sri Lanka Army, December 25, 2016. <https://www.army.lk/news/east-based-troops-distribute-cashew-plants-sponsored-%E2%80%98dilmah%E2%80%99-conservation>; "East-Based 233 Brigade Distributes Cashew Plants Among Students." Sri Lanka Army, February 18, 2018. <https://www.army.lk/news/east-based-233-brigade-distributes-cashew-plants-among-students>; "Nursery Run by 233 Brigade Distributes Cashew Plants among Students." Sri Lanka Army, March 9, 2018. "East-Based Troops Distribute Cashew Plants Sponsored by 'Dilmah' Conservation." Sri Lanka Army, December 25, 2016. <https://www.army.lk/news/east-based-troops-distribute-cashew-plants-sponsored-%E2%80%98dilmah%E2%80%99-conservation>.

¹¹⁷ "The Forever War?: Military Control in Sri Lanka's North." International Crisis Group, March 25, 2014. <https://www.crisisgroup.org/asia/south-asia/sri-lanka/forever-war-military-control-sri-lanka-s-north>; Jegatheeswaran, Dharsha. Rep. *Civil Security Department – The Deep Militarisation of the Vanni*. Adayaalam Centre for Policy Research, September 2017. <http://adayaalam.org/wp-content/uploads/2018/01/ACPR-Report-Civil-Security-Department-The-Deep-Militarisation-of-the-Vanni-.pdf>.

This approach of combining military might with community-level initiatives recalls the military strategy widely known as "Winning Hearts and Minds" (WHAM).¹¹⁸ "WHAM" strategies aim to not only normalize the presence of the military among civilians, but also to create a sense of dependency on such forces. Indeed, local residents in the North-East, who remain restricted from accessing their traditional lands, are suspicious of such military efforts, which occur in the absence of accountability and alongside continued occupation, displacement, and pervasive military surveillance.¹¹⁹ The GoSL's apparent goal is to normalize the military presence in the Tamil homeland.

"[The hearts and minds initiative] is known as Ina Kabilham. Their sole purpose is to attract us and get into our lives. We never heard in the past about military personnel behaving decently with civilians. They are calling us respectfully, like 'Madam,' and I believe this is all part of their plan to attract us."—TF148

Military Dominance in the Tourism Industry

State-sponsored land acquisition in the North-East often serves to bolster the burgeoning tourism industry in Sri Lanka.¹²⁰ New and existing militarized infrastructure projects continue to expand, and residential areas are frequently converted into military-run tourism sites, such as the Thalsevana Army Resort and Restaurant in the Valikamam HSZ. The military development of the Valikamam HSZ is paradigmatic of the GoSL's approach to militarizing historically Tamil areas.¹²¹ This and other tourist spaces are almost exclusively controlled by the military while locals—usually, historic Tamil communities—are wholly excluded from the tourism economy.¹²²

When new resorts and businesses are built in the North-East, they are often on lands where Tamils lived prior to their wartime displacement. Many Tamils have found, upon returning to their old homes, that their land has since been occupied, developed, or rezoned by the military. For example, in 2013, the Sri Lankan military seized approximately 25,000 acres of Tamil pastureland as designated forest reserves.¹²³

¹¹⁸ Douglas Porch, "Bugeaud, Gallieni, Lyautey: The Development of French Colonial Warfare," in *Makers of Modern Strategy: From Machiavelli to the Nuclear Age*, ed Peter Paret (Princeton University Press, USA, 1986), 394

¹¹⁹ "The Forever War?: Military Control in Sri Lanka's North." International Crisis Group, March 25, 2014. <https://www.crisisgroup.org/asia/south-asia/sri-lanka/forever-war-military-control-sri-lanka-s-north>.

¹²⁰ See more Adayaalam Centre for Policy Research, and People for Equality and Relief in Lanka. Rep. *Normalising the Abnormal: The Militarisation of Mullaitivu*, October 2017. <https://pearlaction.org/wp-content/uploads/2021/10/Normalising-the-Abnormal-The-Militarisation-of-Mullaitivu.pdf>.

¹²¹ "Sinhalization of the North East: Kankesanthurai (KKS)." People for Equality and Relief in Lanka, September 21, 2019, <https://pearlaction.org/2019/09/21/sinhalization-of-kokkilai/>.

¹²² "Under the Radar: Tourism in Sri Lanka at risk from military" (2016), Global Risk Insights, <https://globalriskinsights.com/2016/10/tourism-sri-lanka-threatened-military-declining-accountability/>.

¹²³ The military siezed more than 25,000 acres of pasture lands from Koara'laip-pattu North (Vaakarai), Koara'laip-pattu (Vaazhaich-cheanai), Koara'laip-pattu South (Kiraan) and Ea'raavoor-pattu (Chengkaladi), which had been in use for over 50 years as Tamil pastureland. "Sirisena's Ministry, SL Military Seize More Pasturelands from Tamils in Batticaloa." TamilNet, October 5, 2015. <https://www.tamilnet.com/art.html?catid=13&artid=37958>. Though not covered in this report, the Forestry Department and the Wildlife Department are other key institutions deeply involved in the Sinhalization process. There have been instances where the Forestry Department has actively taken over privately owned Tamil lands, or directly acquired land from the military which had originally been taken away from farmers. There have also been instances where privately owned Tamil land has been demarcated for various

Another example is the Tamil town of Pasikudah,¹²⁴ where the military promised local fishing communities that planned tourist infrastructure on the town's customary lands would preserve the community's access to four acres of coastal land, which were needed for anchoring their boats; provide huts for sleeping at night; and extend benefits from renovating the harbor. Instead, these promises were broken, and the 368 fishermen and their families living in the area were eventually warned to either vacate their lands or be forcibly evicted by police. Now, an estimated 90% of the beachfront property around Passikudah is privately run as tourist ventures, forcing hundreds of fishermen to share the severely diminished public coastline to sustain their livelihoods.¹²⁵

Case Study: Legal Routes to State Land Acquisition in the North-East

The Land Acquisition Act creates a key framework through which the GoSL has converted Tamil heritage lands into state-owned projects. While the Land Acquisition Act limits the State's land acquisition powers to projects for a "public purpose," this has been defined extremely broadly to include military camps, military-run resorts, luxury condominiums, shopping malls, reservoir projects, roads, infrastructure projects, and police stations.¹²⁶ Moreover, the legally mandated gazette announcements for the projects do not disclose the public purpose for which lands are acquired.¹²⁷ These developments are chiefly populated by and employ almost exclusively military personnel, who themselves are newly settled Sinhalese people.¹²⁸

Due to Tamil people being forcibly displaced from their land, the permits they were once issued under the Land Development Ordinance and State Lands Ordinance were found to be canceled, or reissued to other Sinhalese people. Tamils sometimes found Sinhalese people occupying the land without a permit or license.¹²⁹ In many cases, where Tamils displaced by the war returned to their land, they found that new occupants who had arrived during the war now held prescriptive rights to the land under what is

wildlife reserves. In the Mullaitivu District, the Forest Department has expropriated 32,110 acres of land and the Wildlife Department claimed 23,515 acres. For more in-depth research on this issue, please see Perera, Iromi. Rep. *Land Acquisitions for Public Purpose in Post-War Sri Lanka*. Law & Society Trust and People's Alliance for Right to Land, 2020.

<https://lslanka.org/wp-content/uploads/2020/07/Land-Acquisitions-for-a-Public-Purpose-in-Post-War-Sri-Lanka-English.pdf>; he Oakland Institute, *Endless War* (2021),

<https://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/endless-war-web.pdf>

¹²⁴ Pasikudah is located in the Batticaloa District

¹²⁵ CNS/Ecosocialist Horizons. (2014). Behind the Brochures: Tourists, Fishermen, and Land Grabs in Sri Lanka. *Capitalism Nature Socialism*, 25(4), 54-64.

¹²⁶ Perera, Iromi. Rep. *Land Acquisitions for Public Purpose in Post-War Sri Lanka*. Law & Society Trust and People's Alliance for Right to Land, 2020.

<https://lslanka.org/wp-content/uploads/2020/07/Land-Acquisitions-for-a-Public-Purpose-in-Post-War-Sri-Lanka-English.pdf>.

¹²⁷ Ibid.

¹²⁸ Fonseka, Bhavani, and Dharsha Jegatheeswaran. Rep. *Politics, Policies And Practices With Land Acquisitions And Related Issues In The North And East Of Sri Lanka*. Centre for Policy Alternatives, November 2013.

<https://www.cpalanka.org/wp-content/uploads/2013/11/Land-Acquisitions-and-Related-Issues-in-the-North-and-East-of-Sri-Lanka.pdf>.

¹²⁹ Wickramaratne, Pubudini. Rep. *Securing Land Rights of Displaced and Evicted Communities in Northern and Eastern Sri Lanka*. Oxfam, November 2020.

<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/62111/rr-securing-land-rights-displaced-communities-srilanka-261120-en.pdf?sequence=1&isAllowed=y>.

known as the Prescription Ordinance, which recognizes land rights for those who occupy land for at least 10 years. This has permanently displaced those who had originally been forced off of their lands due to conflict from their historical lands.¹³⁰

Tourism as a Tool for Erasure of Tamil Narratives

Sri Lanka is a popular destination for international tourists, with Lonely Planet ranking Sri Lanka as the number one destination to visit in 2019.¹³¹ Tourism is the third largest source of export revenue in Sri Lanka, contributing approximately 11% of the national GDP over the five years prior to the COVID-19 pandemic in 2020.¹³² However, the tourism industry has been significantly affected since the Easter Bombings of 2019 as well as the COVID-19 pandemic.

The tourism sector is one way the State perpetuates structural discrimination against Tamils. By seizing private land owned by Tamils in the North-East and transforming them into tourist "hot spots," thus denying Tamils the right

to their lands, livelihoods, and self-governed economic development, the GoSL demonstrates its disregard for redressing Tamil grievances. Most of the island's tourist hotspots, with their resorts, hotels, and restaurants, are wholly run by the military.

Since the war, the GoSL instrumentalized war tourism as an intricate way of commodifying the armed conflict while simultaneously enforcing the state's control over the national narrative. Soldiers guide Sinhalese visitors (often from the South) on "terrorism tours" featuring a state-sponsored narration of events that showcased, for example, LTTE leader Prabhakaran's home and LTTE-run administrative offices.

¹³³ LTTE sites, artifacts, and monuments were selectively chosen by the State and thus, selectively represented and remembered.¹³⁴

Despite outstanding credible accusations of genocide, war crimes and crimes against humanity, the GoSL and its officials, composed of alleged war criminals and genocidaires, have buried its past under the disguise of an "island paradise," effectively erasing the Tamil experience and suffering.

"Prior to the coronavirus pandemic, there were only a few checkpoints but now they have put up a lot more. Now they won't remove it. Vanni is fully militarized, there are checkpoints all over."

—TM121

¹³⁰ Ibid.

¹³¹ Munasinghe, Lasika Madhawa, W.H.T. Gunawardhana, and RG Ariyawansa. Issue brief. *Sri Lankan Travel and Tourism Industry: Recent Trends and Future Outlook towards Real Estate Development*. Social Science Research Network, January 1, 2019. <https://dx.doi.org/10.2139/ssrn.3614984>.

¹³² "Sri Lankan Army Commander and Accused War Criminal Speaks at Tourism Summit." *Tamil Guardian*, November 15, 2020. <https://www.tamilguardian.com/content/sri-lankan-army-commander-and-accused-war-criminal-speaks-tourism-summit>.

¹³³ Seoighe, R. (2016). Inscribing the victor's land: nationalistic authorship in Sri Lanka's post-war Northeast. *Conflict, Security & Development*, 16(5), 443-471.

¹³⁴ Hyndman, Jennifer, and Amarnath Amarasingam. "Touring 'Terrorism': Landscapes of Memory in Post-War Sri Lanka." *Geography Compass* 8, no. 8 (2014): 560–75. <https://doi.org/10.1111/gec3.12149>.

Militarized Pandemic Response

The GoSL's COVID-19 response, headed by the National Operation Centre for Prevention of COVID-19 Outbreak and the Presidential Task Force¹³⁵, is managed, in large part, by military personnel without public health experience. The Operation Centre is headed by General Shavendra Silva, the commander of the Sri Lankan Armed Forces who was banned from travel to the United States just a month prior to his appointment due to his alleged involvement in extrajudicial executions.¹³⁶

Under the guise of preventing the spread of COVID-19, Sri Lankan security forces have increased the oppression of Tamil and Muslim communities, including by using the pandemic to justify preventing Tamils from gathering or protesting enforced disappearances, land grabs, and the detention of political prisoners.

Increasing Militarization of the GoSL

In June 2020, President Rajapaksa announced the formation of a 13-member Presidential Task Force to build a Secure Country, Disciplined, Virtuous and Lawful Society.¹³⁷ The said Task Force composed of solely Sinhalese military, intelligence, and police personnel,¹³⁸ many of whom have been implicated in war crimes.¹³⁹ The Task Force was given a vague and broad mandate "to build a Secure Country, Disciplined, Virtuous and Lawful Society," including being empowered to "curb illegal activities of social groups" and "take legal action against persons responsible for ... anti-social activities."¹⁴⁰ This has enabled the GoSL to intensify existing restrictions on human rights organizations, Tamil civil society groups, and political actors, including by extending its reach to interfere with such groups even outside Sri Lanka's borders. These sanctions have already increased targeting and surveillance of Tamils in the diaspora.¹⁴¹ For example, in February 2021, GoSL designated Tamil organizations and individuals across the globe for their alleged

¹³⁵ "Sri Lanka Gazette No. 2168/8." Department of Government Printing, March 26, 2020.

http://documents.gov.lk/files/egz/2020/3/2168-08_E.pdf

¹³⁶ "Public Designation, Due to Gross Violations of Human Rights, of Shavendra Silva of Sri Lanka." U.S. Department of State, February 14, 2020.

<https://2017-2021.state.gov/public-designation-due-to-gross-violations-of-human-rights-of-shavendra-silva-of-sri-lanka-under-section-7031c-of-the-department-of-state-foreign-operations-and-related-programs-appropriations-and-index.html>; Nandakumar, Thusiyan. "Sri Lanka's Militarised Coronavirus Containment Has Grave Consequences."

Medact, October 16, 2020. <https://www.medact.org/2020/blogs/sri-lanka-coronavirus/>.

¹³⁷ "Sri Lanka Gazette No. 2178/18." Department of Government Printing, June 2, 2020.

http://documents.gov.lk/files/egz/2020/6/2178-18_E.pdf

¹³⁸ *Ibid.* See also "Sri Lanka: Newly Constituted Presidential Task Force Threatens Rule of Law." International Commission of Jurists, June 5, 2020,

<https://www.icj.org/sri-lanka-newly-constituted-presidential-task-force-threatens-rule-of-law>

¹³⁹ PEARL. "Sri Lankan Presidential Task Forces Signal Deepening Militarization." People for Equality and Relief in Lanka, June 3, 2020.

<https://www.tamilguardian.com/sites/default/files/Image/pictures/2020/North-East/PEARL%20Statements/200604-%20PEARL%20Task%20Forces%2004%3A06%3A20.pdf>.

¹⁴⁰ "Sri Lanka: Newly Constituted Presidential Task Force Threatens Rule of Law," International Commission of Jurists, June 5, 2020. <https://www.icj.org/sri-lanka-newly-constituted-presidential-task-force-threatens-rule-of-law>

¹⁴¹ PEARL (People for Equality and Relief in Lanka), "Sri Lankan Presidential Task Forces Signal Deepening Militarization," June 3, 2020,

<https://www.tamilguardian.com/sites/default/files/Image/pictures/2020/North-East/PEARL%20Statements/200604-%20PEARL%20Task%20Forces%2004%3A06%3A20.pdf>.

engagement in "terrorist activities" and designated dozens of individuals as LTTE members.¹⁴² In October 2021, the Sri Lankan cabinet approved the proposals to draft two cyber security laws relating to "terrorism" and "anti-social activities," which human rights activists fear will give the government the broad remit to surveil Tamil human rights advocacy efforts even outside of the state.¹⁴³

The Presidential Task Force reflects a larger trend within President Rajapaksa's administration of appointing retired military officials and accused war criminals to positions of power.¹⁴⁴ The steady and accelerating empowerment of Sinhalese military leaders, including at least 28 serving or former military and intelligence personnel implicated in war crimes and crimes against humanity, suggests the GoSL's lack of commitment to human rights, peace, and justice, particularly for Tamils in the North-East.¹⁴⁵

¹⁴² Sri Lanka Gazette No. 2216/37." Department of Government Printing, February 25, 2021.

http://fiusrilanka.gov.lk/docs/UNSCR/List/2216_37/2216_37_E.pdf

¹⁴³ Farzan, Zulfick. "Cabinet Approves Proposals for Cyber Security Laws." *News First*, October 12, 2021.

<https://www.newsfirst.lk/2021/10/12/cabinet-approves-proposals-for-cyber-security-laws/>; "Sri Lanka's Cabinet Approves Cyber Security Proposals to Combat 'Terrorist Groups'." *Tamil Guardian*, October 12, 2021.

<https://www.tamilguardian.com/content/sri-lankas-cabinet-approves-cyber-security-proposals-combat-terrorist-groups>.

¹⁴⁴ "Sri Lanka's Militarisation of COVID-19 Response." International Truth and Justice Project, April 8, 2020.

https://www.itjpsl.com/assets/press/English-ITJP_COVID-19-press-release-Merged-copy.pdf.

¹⁴⁵ For example, the Task Force is headed by the unelected Basil Rajapaksa, President Rajapaksa's younger brother, who was allegedly involved in the extrajudicial executions of Tamil LTTE surrenderees. *See also* UN Office of the High Commissioner for Human Rights, "Sri Lanka on alarming path towards recurrence of grave human rights violations – UN report," 27 Jan. 2021,

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26695&LangID=E>; Brad Adams, "Sri Lanka's UN Efforts to Stave Off Justice for War Crimes," *Just Security* 3 Feb. 2021,

<https://www.justsecurity.org/74447/sri-lankas-un-efforts-to-stave-off-justice-for-war-crimes/>; Karen McVeigh, "Sri Lanka at 'tipping point' with risk of return to past atrocities, activists warn," *The Guardian*, 24 Feb. 2021,

<https://www.theguardian.com/global-development/2021/feb/24/sri-lanka-risks-return-to-past-atrocities-activists-warn-rajapaksa>.

Part IV: Buddhization of Tamil Lands and Religious Sites

The governance, management and use of "heritage lands" are at the heart of many intergroup tensions in Sri Lanka. While the GoSL has designated several bodies to oversee the designation, use, and protection of such lands, these mechanisms are largely headed and captured by Sinhalese-Buddhist interests, with little representation or consultation with Tamil and minority groups. As a result, Tamils and Muslims in the Northern and Eastern Provinces have been systematically marginalized while their religious sites are co-opted or destroyed.

Sinhala Buddhist nationalism is currently utilized by the state to justify Buddhization across the North-East. The GoSL undertakes this Buddhization by: destroying and appropriating non-Buddhist places of worship (such as Hindu temples and Muslim mosques), constructing Buddhist viharas and statues in majority Tamil-speaking areas with military sponsorship, providing space and authority for Buddhist monks to influence the agenda of GoSL, and using the archaeological department and Presidential Task Force as instruments to selectively uncover new areas with Buddhist history and legitimize state-sponsored Sinhalaization in the North-East.

Archaeological Heritage Management in Sri Lanka

The purview, composition, and powers of the main government bodies that are responsible for religious sites in Sri Lanka are described and analyzed below. The two mechanisms—the Department of Archaeology and the Presidential Task Force for Archaeological Heritage Management—function as powerful instruments to dispossess Tamil and Muslim populations in the North-East of their lands.

The Sri Lankan Department of Archaeology

The Department of Archaeology is charged with preserving and allocating all heritage lands. The Department exercises wide-ranging authority over more than 250,000 archaeological sites as well as plenary power over the preservation of antiquities in the country.¹⁴⁶ It is also responsible for related public education, photo and video permits, archeological impact assessments, and Requests for Architectural Conservation of Monuments.¹⁴⁷ Unfortunately, the Department is not representative of different groups' interests. It has always been criticized for being Sinhala-majoritarian in nature, has faced long-standing accusations of stealing artifacts, and its leadership has been plagued by accusations of discrimination.¹⁴⁸

Even dating back to the end of the armed conflict, the Director General of Archaeology has ordered excavations and instructed district authorities to put up Buddhist structures on pre-existing Tamil worship sites and private Tamil lands, regardless of any opposition to it.¹⁴⁹ A distinguished historian and archeologist recalled that when he was a professor at Peradeniya University in, archaeological projects with the potential to display ancient Tamil presence in Sri Lanka were not approved, but archaeological projects

¹⁴⁶ Antiquities Ordinance, No. 9 of 1940 and its Amendment No. 24 of 1998; "Department of Archaeology, Sri Lanka - Overview." Department of Archaeology, n.d. <http://www.archaeology.gov.lk/index.php/about/overview>.

¹⁴⁷ Ibid.

¹⁴⁸ Balachandran, P.K. "Sinhalization of Tamil Areas by Building Buddhist Shrines over Hindu Temples," *The Citizen*, July 20, 2019, <https://www.thecitizen.in/index.php/en/NewsDetail/index/6/17293/Sinhalization-of-Tamil-Areas-by-Building-Buddhist-Shrines-over-Hindu-Temples>.

¹⁴⁹ Ibid.

with a Buddhist focus were.¹⁵⁰ In addition, certain scholars have claimed that the National Archives decision to store Tamil records in a unit in Kandy makes access to records more difficult for researchers who visit the main archives in Colombo.¹⁵¹

In 2010, during Mahinda Rajapaksa's presidency, the Department coordinated with the Police Department and the Attorney General's Department to orchestrate 342 arrests of Tamils and Muslims for violating the provision of the Antiquities Ordinance.¹⁵² The majority of those cases (171 of the 342) were brought to court and fines were levied totaling to 10 million rupees.¹⁵³ "We cannot even dig a hole in our land to plant a tree as we may discover some archaeological object that will evoke an intervention by the Archaeology people," described a Muslim individual from Devanagala.¹⁵⁴ In general, the selective enforcement of the Antiquities Ordinance targets Tamil and Muslim populations and is frequently used to harass or dispossess Tamils and Muslims? in the North-East of their lands. Many of them are farmers or fishermen who depend on access to these lands for their livelihood. No compensation is provided; indeed, farmers are often fined for the misfortune of discovering an object deemed important by the Department of Archaeology.

The veracity of archeological record is biased and impacted by: the loss of Tamil Brahmi inscriptions from this Department,¹⁵⁵ the formation of new Sinhala villages around archaeological sites in majority Tamil-speaking regions,¹⁵⁶ the GoSL's seizure of traditional Tamil lands as "archaeological reserves" under the Antiquities Ordinance Act,¹⁵⁷ the re-classification of Tamil archaeologist-led discoveries,¹⁵⁸ and the Department's refusal to acknowledge remnants of ancient Tamil temple sites during excavations.¹⁵⁹ In contrast, Buddhist archeology continues to benefit from government support and resources.¹⁶⁰ In 2020, President Gotabaya Rajapaksa ordered the Department of Archaeology to address the requests made by the

¹⁵⁰ Balachandran, P.K. "Sinhalaization of Tamil Areas by Building Buddhist Shrines over Hindu Temples," *The Citizen*, July 20, 2019,

¹⁵¹ Ibid.

¹⁵² "Division of Law." Department of Archaeology, n.d.

https://archives.gov.lk/web/index.php?option=com_content&view=article&id=56&Itemid=101&lang=en.

¹⁵³ Ibid.

¹⁵⁴ Silva, Kalinga Tudor, Afrah Niwas, and W.M.K.B. Wickramasinghe. Publication. *Religious Interface and Contestations Between Buddhists and Muslims in Sri Lanka*. International Centre for Ethnic Studies, 2016.

¹⁵⁵ "Tissamaharama Tamil Brahmi Inscription 'Missing.'" *TamilNet*, October 21, 2010.

<https://www.tamilnet.com/art.html?catid=79&artid=32843>; "Archaeology Sparks New Conflict between Sri Lankan Tamils and Sinhalese." *Buddhist Art News*, April 14, 2020.

<https://buddhistartnews.wordpress.com/2010/04/14/archaeology-sparks-new-conflict-between-sri-lankan-tamils-and-sinhalese/>.

¹⁵⁶ "Sinhalaization of the North East: Seruwila-Verugal." People for Equality and Relief in Lanka, March 1, 2020.

<https://pearlaction.org/sinhalaization-of-the-north-east-seruwila-verugal/>.

¹⁵⁷ "Sri Lanka's Archaeology Department Acquires 'Ancient Monastery Site' in Jaffna." *Tamil Guardian*, December 1, 2020.

<https://www.tamilguardian.com/content/sri-lanka-s-archaeology-department-acquires-ancient-monastery-site-jaffna>.

¹⁵⁸ "Ancient Pandyan Coins Bring Intrigue and Dispute in Sri Lanka." *Tamil Guardian*, October 2, 2020.

<https://www.tamilguardian.com/content/ancient-pandyan-coins-bring-intrigue-and-dispute-sri-lanka>.

¹⁵⁹ "Archaeological Excavation Recovers Remnants of a Shiva Lingam at Ancient Tamil Temple Site." *Tamil Guardian*, February 13, 2021.

<https://www.tamilguardian.com/content/archaeological-excavation-recovers-remnants-shiva-lingam-ancient-tamil-temple-site>.

¹⁶⁰ "Buddhist Advisory Council Commends President for Heeding Advice." *Adaderana*, September 19, 2020.

<http://www.adaderana.lk/news.php?nid=67352>.

Buddhist Advisory Council about the protection of archaeological and historical sites. The President also discussed the possibility of using the Civil Defense Forces as part of this conservation program, giving even broader resources and remit to the excavation and protection of Buddhist archaeological sites.¹⁶¹

The Department is currently headed by Dr. Senarath Dissanayake who,¹⁶² since assuming this role in January 2020, has been accused of destroying valuable artifacts in order to build tourism infrastructure. Since assuming the chairmanship of the Department, Dissanayake has carried out a number of sweeping initiatives in support of Buddhist-Sinhalese heritage claims. In 2020, the Department of Archaeology announced its acquisition of over an acre of land in Neduntheevu (Delft Island) in the Northern Province, citing its authority under the Antiquities Ordinance No. 9 of 1940 because of claims that they had discovered the existence of a ruined Buddhist monastery complex.¹⁶³ In addition, a week prior to the announcement, President Gotabaya Rajapaksa ordered the distribution of 700 Buddha statues across the island of Sri Lanka with distribution to be overseen by Sri Lanka's military.¹⁶⁴ This isn't limited to the Rajapaksa government. The previous government also pledged to build a thousand Buddhist temples in the Tamil homeland¹⁶⁵.

Presidential Task Force for Archaeological Heritage Management

The Presidential Task Force for Archaeological Heritage Management in the Eastern Province¹⁶⁶ was established in June 2020, at the same time as the Presidential Task Force to build a Secure Country, Disciplined, Virtuous and Lawful Society.¹⁶⁷ The Task Force was assigned to identify sites of archaeological importance, devise and implement programming, identify land to be allocated for cultural promotion, and preserve the cultural value of identified sites.¹⁶⁸ At the time it was established, it was staffed solely with Sinhalese members, including two Buddhist monks, despite its exclusive jurisdiction over traditional Tamil lands in the East.¹⁶⁹ A number of Buddhist monks also sit on the Task Force, one of whom had threatened

¹⁶¹ "President Focuses on Amending Antiquities Ordinance." *News First*, July 25, 2020.

<https://www.newsfirst.lk/2020/07/25/president-focuses-on-amending-antiquities-ordinance/>.

¹⁶² Ibid. See also "Dr. Senarath Dissanayake Reappointed as Archeology Director-General," *News First*, January 15, 2020, <https://www.newsfirst.lk/2020/01/15/dr-senarath-dissanayake-reappointed-as-archeology-director-general/>.

¹⁶³ "Sri Lanka's Archaeology Department Acquires 'Ancient Monastery Site' in Jaffna," *Tamil Guardian*, December 1, 2020, <https://www.tamilguardian.com/content/sri-lanka-s-archaeology-department-acquires-ancient-monastery-site-jaffna>.

¹⁶⁴ Ibid.

¹⁶⁵ <https://www.tamilguardian.com/content/unp-pledges-build-1000-buddhist-shrines-tamil-homeland>

¹⁶⁶ Directive No. 2178/17 - Tuesday, June 02, 2020, *Gazette of the Democratic Socialist Republic of Sri Lanka*, http://documents.gov.lk/files/egz/2020/6/2178-17_E.pdf; "Two Separate Presidential Task Forces to Ensure a Secure Country and for Archaeological Heritage Management," *President of Sri Lanka*, June 3, 2020. <https://www.president.gov.lk/two-separate-presidential-task-forces-to-ensure-a-secure-country-and-for-archaeological-heritage-management/>; Centre for Policy Alternatives. Publication. *The Appointment of the Two Presidential Task Forces*, June 2020.

<https://www.cpalanka.org/wp-content/uploads/2020/06/Commentary-Two-Task-Forces-CPA-Final.pdf>.

¹⁶⁷ See pp. 28 of this report.

¹⁶⁸ "Sri Lanka Gazette No. 2178/17." Department of Government Printing, June 2, 2020.

http://documents.gov.lk/files/egz/2020/6/2178-17_E.pdf.

¹⁶⁹ Since the Archaeological Heritage Task Force was created, President Rajapaksa has added four additional members, who are also all Buddhist monks. *Sri Lanka Gazette No. 2190/17*, August 24, 2020, http://documents.gov.lk/files/egz/2020/8/2190-17_E.pdf.

farmers with arrest and blocked them from accessing their lands in September 2020.¹⁷⁰ On November 29, 2021, the GoSL appointed one Tamil and one Muslim alongside four additional Buddhist monks to the Task Force. The Task Force is chaired by the current Secretary of Defense, Kamal Gunaratne, who has been credibly accused of war crimes.¹⁷¹

The Task Force has acted aggressively since its inception: within a month of its creation, the Task Force publicly announced that over 2,000 sites in the Eastern Province had been identified for archaeological investigation.¹⁷² By the end of 2020, the Task Force had reported the discovery of 650 archaeological monuments in Batticaloa District, where Tamils make up over 70% of the population (the highest concentration of Tamils in the Province).¹⁷³ In January 2021, Gunaratne announced his intention to restore the Buddhist "Deegawapiya Stupa" in the Eastern Province¹⁷⁴ and to create a new funding account dedicated to the Deegawapiya restoration project.¹⁷⁵ Despite the extensive ambit of its powers, the Task Force itself reports only to the President, with no direct democratic or local oversight.

Locals have subsequently feared the encroachment on traditional lands due to archeological projects as well as the erasure of the historical Tamil presence resulting from the construction of Buddhist temples and statues, many of which are erected on tops of former Hindu temples.¹⁷⁶ Tamil civil society groups in the East published an open letter expressing their numerous concerns with the Task Force, namely, the Task Force's

¹⁷⁰ "Buddhist Monk from Arisimalai Threatens a Group of Farmers in the Trincomalee District and Prohibits Them from Engaging in Cultivation," *DBS Jeyaraj*, September 8, 2020, <https://dbsjeyaraj.com/dbsj/archives/70220>; "TNA Leader Alleges Presidential Task Force for EP Archaeology Member Threatened Kuchchaveli Area Farmers." *Daily FT*, September 8, 2020.

<https://www.ft.lk/news/TNA-leader-alleges-Presidential-Task-Force-for-EP-Archaeology-member-threatened-Kuchchaveli-area-farmers/56-705768>.

¹⁷¹ Report of the United Nations High Commissioner for Human Rights, Promoting reconciliation, accountability and human rights in Sri Lanka, 46th Session Human Rights Council, UN Doc. A/HRC/46/20, 9 Feb. 2021, <https://undocs.org/pdf?symbol=en/A/HRC/46/20>;

See, e.g., U.S. Dept. of State Office of Interreligious Freedom, *2020 Report on International Religious Freedom: Sri Lanka* (May 2021), <https://www.state.gov/reports/2020-report-on-international-religious-freedom/sri-lanka/>; "USCIRF Releases New Report about Religious Freedom in Sri Lanka," Oct. 2021,

<https://www.uscirtf.gov/news-room/releases-statements/uscirtf-releases-new-report-about-religious-freedom-sri-lanka>; See also: Human Rights Watch, "Sri Lanka: Human Rights Gains in Grave Peril," 14 Jan. 2021,

<https://www.hrw.org/news/2020/01/14/sri-lanka-human-rights-gains-grave-peril#>; Human Rights Watch, "Sri Lanka: UN Rights Chief Decries Mounting Abuses," 29 Jan. 2021,

<https://www.hrw.org/news/2021/01/29/sri-lanka-un-rights-chief-decries-mounting-abuses#>; International Truth and Justice Project, "Sri Lanka: Briefing Note 4" (2021), https://itjpsl.com/assets/ITJP_briefing_note4_v3.pdf; Sonra Anton and Tyler Giannini, "When War Criminals Run the Government: Not Too Late for the International Community to Vet Sri Lankan Officials," 16 March 2021,

<https://www.justsecurity.org/75330/when-war-criminals-run-the-government-not-too-late-for-the-international-community-to-vet-sri-lankan-officials/>.

¹⁷² "2,000 Sites in Eastern Province Subject to 'Archaeological Examination' Says Task Force Member," *Tamil Guardian*, July 10, 2020,

<https://www.tamilguardian.com/content/2000-sites-eastern-province-subject-archaeological-examination%E2%80%99-says-task-force-member>.

¹⁷³ Hapuarachchi, Pavani. "650 Archaeological Monuments Excavated from Batticaloa." *News First*, December 2, 2020. <https://www.newsfirst.lk/2020/12/02/650-archaeological-monuments-excavated-from-batticaloa/>.

¹⁷⁴ "Sri Lankan Defence Secretary Vows to Restore Buddhist Stupa to 'Former Glory' in East." *Tamil Guardian*, January 21, 2021. "President Focuses on Amending Antiquities Ordinance." *News First*, July 25, 2020.

<https://www.newsfirst.lk/2020/07/25/president-focuses-on-amending-antiquities-ordinance/>.

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*

discriminatory composition and efforts in an area characterized by heterogeneous religious and cultural groups—most predominantly Hindus and Muslims who, despite being a historic and current majority in the region, are not adequately represented on the Task Force.¹⁷⁷ In the same letter, these Tamil groups also expressed concerns about the concurrent development schemes under the Mahaweli Authority as well as high and increasing militarization of the North-East. Muslim leaders have expressed similar concerns.¹⁷⁸ Government officials at the Batticaloa District Secretariat have also been ordered to inform the Presidential Secretariat about organizations and individuals that fail to cooperate with the Department of Archaeology and the Presidential Task Force for this "Archaeological Heritage Management."¹⁷⁹

The Destruction and Appropriation of Tamil Places of Worship

“Many new Viharas are being built with the help of the military personnel. The Buddhist monks are actively carrying out Sinhalization by claiming lands that belong to the Hindu temples to build Buddhist shrines claiming that Sri Lanka is the land of the Sinhalese.”
—TM129

The erection of Buddhist viharas in areas that are not historically Sinhalese and the destruction of Tamil places of worship are not new. During the armed conflict, more than 500 Hindu temples in the country's North-East were destroyed.¹⁸⁰ In 2013, the state-sponsored establishment of 463 new Buddhist temples took place across the majority Tamil-speaking North-East regions,¹⁸¹ with hundreds more planned Buddhist sites identified.¹⁸² The GoSL is actively engaged in the construction of a Buddhist landscape throughout the North-East. The GoSL encourages Buddhism and its places of worship to take precedence over other religions on the island.

This isn't limited to places of worship in the North-East. Adam's Peak in Ratnapura district (also known as "Sivanolipatha Malai" in Tamil or "Sri Pada" in Sinhalese) is a holy site held to be sacred by Hindus, Buddhists, Muslims, and Christians. Historically, ethnic and religious diversity was protected at the site.¹⁸³ In the 1970s, however, the site's name was changed to be exclusively Sinhalese ("Sri Pada") and the location was officially listed by the state as a Buddhist holy

¹⁷⁷ "Sinhala 'Army & Archaeology' Target 600 Sites for Heritage Occupation in Batticaloa." *TamilNet*, July 22, 2020, <https://www.tamilnet.com/art.html?catid=13&artid=39896>.

¹⁷⁸ Dharshini, Loga. *Virakesari*, November 23, 2020, <https://www.virakesari.lk/article/95079>.

¹⁷⁹ "Sinhala 'Army & Archaeology' Target 600 Sites for Heritage Occupation in Batticaloa." *TamilNet*, July 22, 2020, <https://www.tamilnet.com/art.html?catid=13&artid=39896>.

¹⁸⁰ "500 Hindu Temples Damaged in North during War with LTTE." *Hindustan Times*, July 6, 2010, <https://www.hindustantimes.com/world/500-hindu-temples-damaged-in-north-during-war-with-ltte/story-e8uHEfATkG09z8ZJECEhOK.html>.

¹⁸¹ "Colombo Constructed 463 Buddhist Viharas in 2013 in North-East: TNA MP." *TamilNet*, November 20, 2016, <https://www.tamilnet.com/art.html?artid=37492&catid=13>.

¹⁸² For example, since the Archaeological Heritage Task Force's formation in mid-2020, over 600 sites have been identified for heritage occupation in just one Batticaloa district. "Sinhala 'Army & Archaeology' Target 600 Sites for Heritage Occupation in Batticaloa," *TamilNet*, July 22, 2020, <https://www.tamilnet.com/art.html?catid=13&artid=39896>.

¹⁸³ De Silva, Premakumara. "Reordering of Postcolonial Sri Pāda Temple in Sri Lanka: Buddhism, State and Nationalism." *History and Sociology of South Asia* 7, no. 2 (2013): 155-176.

site.¹⁸⁴ The temple's administrative system, religious reordering, and Sinhala Buddhist-only ideology allowed for the appropriation of this site as exclusively Buddhist.¹⁸⁵ Presently, Buddhist monks lead the site's administration, and non-Buddhists rarely participate in the "official" or "public" religious rituals and do not engage with the temple proceedings.¹⁸⁶

In April of 2021, the Sri Lankan Army erected sign boards at private family-owned properties in KKS with the message "unnecessary intrusions into this army-controlled area are prohibited." The army is now attempting to reoccupy and claim ownership over these private lands, which were just "released" (though inaccessible to locals) in 2018 after 27 years of occupation.¹⁸⁷ Temples within the state's occupied HSZs, such as Maviddapuram Pillayar Kovil (a Hindu temple), are currently being appropriated for the construction of Buddhist viharas.¹⁸⁸ A community member said that along with three Buddha statues and a Bodhi tree, which have a great significance in Buddhist history,¹⁸⁹ "a toilet had been built on the site, making it impure for Hindus" in the new Gamunu Vihara build on the occupied land of Maviddapuram Pillayar Kovil.¹⁹⁰ In response, community members filed a complaint at the KKS police station and wrote to then-President Maithripala Sirisena in 2017 demanding the return of the land and the rebuilding of their temple. To date, there has been no progress on this matter.

For instance, in Kumalamunai, 420 acres of Tamil lands, which included a Hindu temple, were repurposed for the ancient vihara of Kurunthur Malai by a team that included the Department of Archaeology staff, military personnel, and the Minister for National Heritage.¹⁹¹ The Department destroyed the symbolic trident of the historical Aadi Adayyar temple and erected a Buddha statue on the site. Despite numerous court orders in favor of the local Tamil population, the foundation stone for the Vihara was laid in June 2021. While other temples have as of yet not been destroyed, they remain inaccessible to the local populations as they are within HSZs to which access is denied. For example, Kankesanthurai is one of the regions in the North-East that fell under the Sri Lankan Navy's Valikamam HSZ. Though the GoSL revoked the emergency regulations governing the island's HSZs back in 2011, many areas within the Valikamam region, including KKS, remain inaccessible to the majority Tamil former residents.¹⁹²

Similarly, in the majority Tamil-speaking Muslim town Pulmoaddai, Buddhist temples are being constructed under the protection of military camps. Many of these camps are located near Buddhist structures. In the case of the navy camp Ranweli, navy personnel built the Buddhist vihara on the land

¹⁸⁴ The Social Architects. Publication. *Salt on Old Wounds: The Systematic Sinhalization of Sri Lanka's North, East and Hill Country*, March 2012.

https://www.scribd.com/fullscreen/86205026-Salt-on-Old-Wounds-by-TSA-The-Systematic-Sinhalization-of-Sri-Lanka-s-North-East-and-Hill-Country?access_key=key-3szuxcd2ta36Onmtijl.

¹⁸⁵ De Silva, Premakumara. "Reordering of Postcolonial Sri Pāda Temple in Sri Lanka: Buddhism, State and Nationalism." *History and Sociology of South Asia* 7, no. 2 (2013): 155-176.

¹⁸⁶ *Ibid.*

¹⁸⁷ "Sri Lankan Army Attempts to Reoccupy Released Land in Jaffna." *Tamil Guardian*, April 26, 2021.

<https://www.tamilguardian.com/content/sri-lankan-army-attempts-reoccupy-released-land-jaffna>.

¹⁸⁸ "Sinhalization of the North East: Kankesanthurai (KKS)." People for Equality and Relief in Lanka, September 21, 2019. <https://pearlaction.org/2019/09/21/sinhalization-of-kokkilai/>.

¹⁸⁹ Bodhi trees, also known as Bo trees, are said to be the "tree of awakening." "Bodhi Tree." Oxford Reference, n.d. <https://www.oxfordreference.com/view/10.1093/oi/authority.20110803095520179>.

¹⁹⁰ Human Rights Watch. Rep. "Why Can't We Go Home?" Military Occupation of Land in Sri Lanka, October 9, 2018.

¹⁹¹ "Encroaching Tamils' Lands: Sri Lanka's Buddhisatation amid Pandemic." *The Quest*, June 17, 2021.

<https://www.the-quest.org/news/encroaching-tamils-lands-sri-lankas-buddhisatation-amid-pandemic/>.

¹⁹² Cynthia Caron, "The subject of return: land and livelihood struggles for place and citizenship," *Contemporary South Asia* 24, no. 4 (2016), <https://doi.org/10.1080/09584935.2015.1098589>.

opposite their camp and the vihara itself is named after the navy camp.¹⁹³ Both the navy camp and the vihara are occupying private land originally owned by Pulmoaddai residents.

Within the North-East, it is also common that whenever a Bodhi tree is found, a Buddhist shrine is erected.¹⁹⁴ Reports have also detailed that trees are planted by state agents and subsequently a shrine is built.¹⁹⁵ Sometimes, signs written in Sinhala accompany these Bodhi trees,¹⁹⁶ detailing past narratives of an exclusively Sinhala-Buddhist landscape.

Buddhist Nationalism and the Merger of Buddhist and State Institutions

In 2020, President Gotabaya Rajapaksa created the Buddhist Advisory Council to seek advice from the "Maha Sangha," which means 'Great Community,' about governmental policies. This council put forward several proposals to protect historical places with archaeological value, provide deeds to Vihara lands, and prioritize national security, among others.¹⁹⁷ It not only reinforces the GoSL's current Sinhalization agenda, but also provides special authority and space to Buddhist monks who influence and direct parliamentary and national issues.

The Council has even been involved in so-called COVID-19 containment efforts. Pahala Vitiyela Jananandabidana Thero (Chief Incumbent at the Sri Kalyani Yogashrma monastic temple in Bauddhaloka Mawatha) provided guidelines for the GoSL to conduct 21 days of chanting to invoke blessings to eradicate coronavirus from the country. Working with the Sri Lankan Army and the Police, the President ordered the distribution of 700 Buddha statues across the country for this event.¹⁹⁸

Furthermore, the GoSL ignored the World Health Organization's guidelines permitting both burials and cremations. Instead, it mandated cremation for individuals who died or are suspected to have died from COVID-19.¹⁹⁹ Several Muslims in Sri Lanka, including a 20-day-old baby, have been cremated against their family's wishes and religious funeral rites. On November 4, 2020, the government appointed an expert committee to reassess this mandatory cremation policy; however, this policy was reaffirmed over two

¹⁹³ "Sinhalization of the North East: Pulmoaddai." People for Equality and Relief in Lanka, March 11, 2019. <https://pearlaction.org/sinhalization-of-the-north-east-pulmoaddai/>.

¹⁹⁴ Rep. *No War, No Peace: the Denial of Minority Rights and Justice in Sri Lanka*. Minority Rights Group International, 2011.

<https://minorityrights.org/wp-content/uploads/old-site-downloads/download-921-Download-the-full-report.pdf>.

¹⁹⁵ Minority Rights Group International, *No War, No Peace: the Denial of Minority Rights and Justice in Sri Lanka*, (2011).

¹⁹⁶ The Social Architects. Publication. *Salt on Old Wounds: The Systematic Sinhalization of Sri Lanka's North, East and Hill Country*, March 2012.

¹⁹⁷ "Buddhist Advisory Council Commends President for Walking the Talk." *Daily FT*, September 21, 2020.

<https://www.ft.lk/news/Buddhist-Advisory-Council-commends-President-for-walking-the-talk/56-706298>.

¹⁹⁸ "Special 21-Day Long 'Pirith' Chanting Commences at Independence Square to Invoke Blessings to Eradicate COVID-19 from the Country." Sri Lanka Army, November 20, 2020.

<https://www.army.lk/news/special-21-day-long-pirith-chanting-commences-independence-square-invoke-blessings-eradicate>.

¹⁹⁹ Qazi, Shereena, and Munza Mushtaq. "Outrage in Sri Lanka over Cremation of Muslim COVID Victims." *Al Jazeera*, December 18, 2020. <https://www.aljazeera.com/news/2020/12/18/i-had-no-stre>.

weeks later, without citing any valid reasons.²⁰⁰ Twenty-four human rights and advocacy groups signed a statement condemning these forced cremations and the resulting culture of fear for Muslims ."²⁰¹

The institutionalization of Buddhism enables state departments to work with Buddhist monks to achieve the GoSL's Sinhalization agenda.²⁰² For example, in the Chemmmalai area of Mullaitivu in 2018, a Buddhist monk built a large Buddha statue encroaching on the Neeraviyadi Pillayar Kovil, destroyed an existing Tamil sign marking this Hindu temple, and replaced it with a Sinhala one.²⁰³ The Neeraviyadi Pillayar Kovil is in the middle of an army camp, and worship activities had not resumed following wartime displacement in 2009 due to the locals' fear of the army camps.²⁰⁴ Although the Mullaitivu Magistrate Court ruled in favor of the Neeraviyadi Pillayar Kovil in May 2019 and validated its historical existence in the region, the Army set up an archaeological museum opposite to the Neeraviyadi temple in October that same year, claiming artifacts were derived from the area and rightfully belonged to the disputed new Buddhist vihara.²⁰⁵ The Army paid no heed to the court's ruling that placed an injunction on the expansion and development of either places of worship. The temple administration echoed the concerns of Tamil populations across the North-East: "It is clear that after failing to destroy the Tamil temple, the Buddhist monks and Sri Lankan Army are laying the groundwork for the Department of Archaeology to take over."²⁰⁶ A group of Buddhist monks further defied the Mullaitivu Magistrate Court's order and Tamil religious sensibilities by

"We do not have justice and are not able to live a normal life in peace. We are in a situation where we cannot fight for our own rights. As a result, our emotions are affected every single minute. The dominance of Sinhala Buddhism is high; they are imposing Buddhism onto us and erasing our identity. We are living and acting as if we haven't seen anything and are smiling in pain"
--TF148

²⁰⁰ Ibid.

²⁰¹ Ellis-Petersen, Hannah. "Muslims in Sri Lanka 'Denied Justice' over Forced Cremations of Covid Victims This Article Is More than 10 m." *The Guardian*, December 4, 2020.

<https://www.theguardian.com/world/2020/dec/04/muslims-sri-lanka-justice-forced-cremations-covid-victims>.

²⁰² See more DeVotta, Neil. "Buddhist Majoritarianism and Ethnocracy in Sri Lanka." *Sociological Bulletin* 70, no. 4 (October 2021): 453–66. <https://doi.org/10.1177/00380229211052143>.

²⁰³ "Large Buddha Statue Built at Mullaitivu Hindu Temple Site despite Local Opposition." *Tamil Guardian*, December 17, 2018.

<https://www.tamilguardian.com/content/large-buddha-statue-built-mullaitivu-hindu-temple-site-despite-local-opposition>.

²⁰⁴ Ibid. Please also see PEARL's fact sheet on Sinhalization in Kokkilai, found in Appendix 1B of this report.

²⁰⁵ "Neeraviyadi: Sri Lankan Army Sets up 'Sham' Archaeological Museum next to Hindu Temple." *Tamil Guardian*, October 29, 2019.

<https://www.tamilguardian.com/content/neeraviyadi-sri-lankan-army-sets-sham-archaeological-museum-next-hindu-temple>.

²⁰⁶ Ibid.

cremating the body of a Buddhist monk, who had long campaigned for the temple site to become a Buddhist site, in the field next to the Neeraviyadi temple in Mullaitivu District.²⁰⁷

More recently, the GoSL has attempted to engage in Sinhalization through legislative reform as well. In October 2021, the GoSL appointed a Task Force on "One Country, One Law," which aims to harmonize Sri Lanka's current pluralistic legal system and abolish Tamil and Muslim legal orders.²⁰⁸ President Rajapaksa appointed Galagodaaththe Gnanasara, a notoriously incendiary Buddhist monk, as the chair of the 13-member Task Force, and tasked him with studying the concept of "one country, one law" and drafting legislation to further this aim.²⁰⁹ Gnanasara has been accused of fanning the flames of anti-Muslim sentiments in Sri Lanka, including two deadly anti-Muslim pogroms in 2014 and 2018.²¹⁰ As human rights activists state, his appointment demonstrates the virulent Sinhala-Buddhist nature of the GoSL's proposed legal reform projects, which are purposefully to the detriment of Tamil and Muslim communities.²¹¹

²⁰⁷ Rep. 2019 Report on International Religious Freedom: Sri Lanka. U.S. State of Department, 2019.

<https://www.state.gov/reports/2019-report-on-international-religious-freedom/sri-lanka/>.

²⁰⁸ Keenan, Alan. "One Country, One Law': The Sri Lankan State's Hostility toward Muslims Grows Deeper."

International Crisis Group, December 23, 2021.

<https://www.crisisgroup.org/asia/south-asia/sri-lanka/%E2%80%9Cone-country-one-law%E2%80%9D-sri-lankan-states-hostility-toward-muslims-grows-deeper>.

²⁰⁹ Ibid.

²¹⁰ Ibid. See also Keenan, Alan. "Buddhist Militancy Rises Again in Sri Lanka." *International Crisis Group*, March 7, 2018.

<https://www.crisisgroup.org/asia/south-asia/sri-lanka/buddhist-militancy-rises-again-sri-lanka>

²¹¹ Ibid.

Part V: Repression of Tamil Memorialization

The State has sought to Sinhalyze the identity of the North-East by promoting Sinhalese perspectives on memory and history while suppressing the perspectives of Tamil-speaking communities. If successful, this would effectively erase part of the historical Tamil identity of the North-East, especially relating to Tamil memories and perspectives of the armed conflict. Nevertheless, Tamils have resisted erasure through acts of memorialization that highlight Tamil nationalist practices and honor their right to self-determination.

State-Sponsored History and Memorialization²¹²

"They've built army camps where our kin are buried, walking on their graves." (Kilinochchi)

"They've destroyed all our monuments. We want them rebuilt." (Kilinochchi)

"They've erased us and are celebrating." (Amparai)

The Politics of Memorialization in Sri Lanka

Memory is political. For Tamils, the act of remembrance has always been an act of resistance. The GoSL currently wields authoritarian power that enables them to (re)write the public narrative regarding the armed conflict, denying Tamils any modicum of recognition of the atrocities they endured.²¹³

Memorialization in post-conflict settings serves a variety of interrelated purposes, including reconciliation, recognition for victims and survivors, the inclusion or correction of previously censored or suppressed events within the state's collective memory, healing for survivors, and documentation of human rights violations that can contribute to future truth, justice, and accountability, and justice processes. Collective remembering creates a time and space for people to safely engage in constructive discussion and reflection

"We lost and they want to remind us of it. Otherwise, why would they build them here? Do they have as many in the South? What would they say if we built our monuments in their area?"---Survivor, Batticaloa (from PEARL's 2016 report, "Erasing the Past")

²¹² These quotes were retrieved from PEARL's 2016 Memorialization Report, from conversations between PEARL researchers and war-affected individuals in the North-East. These words still resonate deeply today, as the contentious issue of memorialization is no different 5 years later.

²¹³ See, e.g., Sondra Anton and Tyler Giannini, "When War Criminals Run the Government: Not Too Late for the International Community to Vet Sri Lankan Officials," Just Security, 16 Mar. 2021, <https://www.justsecurity.org/75330/when-war-criminals-run-the-government-not-too-late-for-the-international-community-to-vet-sri-lankan-officials/>; Brad Adams, "Sri Lanka's UN Efforts to Stave Off Justice for War Crimes," Just Security 3 Feb. 2021, <https://www.justsecurity.org/74447/sri-lankas-un-efforts-to-stave-off-justice-for-war-crimes/>.

in order to address root causes of past conflicts.²¹⁴ Public memorialization often plays an integral role in truth, justice, and reparations, all of which help the people to come to terms with the nation's past.

“They would harass my brothers by saying you were in the LTTE and they would take my brothers details to make them scared. They go to various houses by saying they need to collect information and then harass the residents by saying you were part of the LTTE.”

—TM121

Although memorials should serve to remember and connect the past, present, and future, “some memorial designs in some political contexts can have the paradoxical purpose of *forgetting* the past.” This “forgetting” erases the important perspectives of those who were not “victors” in the armed conflict.²¹⁵ GoSL war memorials in the North-East do just that by promoting state narratives while excluding Tamil perspectives. For example, many state-sponsored statues and memorials that honor Sinhalese military leaders have been built in the lands where those leaders were responsible for thousands of deaths, and where their military exploits are remembered as sources of horror and suffering. For instance, the Puthukkudiyiruppu Victory Monument, built by the GoSL and accompanied by an Army announcement that “war heroes annihilated world's most ruthless cycle of terrorism and its megalomaniac monster,”²¹⁶ was

installed in the Tamil heartland of the Vanni alongside other military monuments in Kilinochchi and Mullaithivu. Interviewees from communities in the North-East described seeing the monuments daily as painful and re-traumatizing.²¹⁷ Through these triumphalist monuments, the State has reified the Sinhalese experience of the conflict while erasing and denigrating Tamils' experiences.

Tamils have also been denied the right to hold public remembrances that contradict the state's official narrative, including thorough legal injunctions and prohibitions. Cemeteries have been destroyed across the North-East, including 27 in the cemeteries for fallen LTTE cadres (known as the Maaveerar Thuyilum Illams) that were destroyed by the Sri Lankan Army during and after the armed conflict.²¹⁸ In recent years, local Tamil communities have rebuilt some of the destroyed cemeteries.

²¹⁴ Adayaalam Centre for Policy Research, and People for Equality and Relief in Lanka. Rep. *Normalising the Abnormal: The Militarisation of Mullaitivu*, October 2017.

<https://pearlaction.org/wp-content/uploads/2021/10/Normalising-the-Abnormal-The-Militarisation-of-Mullaitivu.pdf>; Naidu, Ereshnee. Publication. *From Memory to Action*. International Coalition of Sites of Conscience, n.d.

<https://forum.savingplaces.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=a9c268c5-365a-aeaf-7e62-b848dd893eca>.

²¹⁵ Brett, Sebastian, Louis Bickford, Liz Ševčenko, and Marcela Rios. Rep. *Memorialization and Democracy: State Policy and Civic Action*, 2007.

https://www.ictj.org/sites/default/files/ICTJ-Global-Memorialization-Democracy-2007-English_0.pdf.

²¹⁶ “Puthukkudiyiruppu Victory Monument Unveiled.” Sri Lanka Army, n.d.

<https://www.army.lk/news/puthukkudiyiruppu-victory-monument-unveiled>. This refers to the LTTE Leader Velupillai Prabhakaran

²¹⁷ People for Equality and Relief in Lanka, “Erasing the Past” (2016),

<https://pearlaction.org/wp-content/uploads/2016/11/pearl-erasing-the-past-nov-1-2016-report-b-1.pdf>.

²¹⁸ *Ibid.*

To date, significant military surveillance and intimidation continues in public and private spaces where Tamil remembrance activities take place, including during Thileepan's hunger strike anniversary²¹⁹; on Maaveerar Naal; at the Mullivaikal memorial at Jaffna University; and at demonstrations by families whose loved ones are suspected to have been disappeared by the State.²²⁰ Interference with commemorations is a clear violation of the state's duty to remember. The first UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence clearly detailed this duty is not just about the past, but also about a present-day obligation to remember what the country's citizens cannot forget.²²¹ The failure to acknowledge a history of widespread abuse—the injustice, war crimes, and those who died resisting state oppression—is, on its own, a human rights violation. This refusal to acknowledge the pain of survivors ignores their rights and adds new injuries to their pre-existing pain.²²²

Since the armed conflict's end, the government has claims to pursue reconciliation, yet those who committed war crimes, including perpetrators of the Tamil genocide, have yet to be held accountable. Instead, they continue to hold positions of great power over the same groups that they targeted during the armed conflict. Questions about the whereabouts of thousands who were disappeared by the government remain unanswered.

The government's failure to recognize victim-survivor's memories has only served to “generate anger, resentment and a sense of disenfranchisement amongst the Tamil people, which in the short-term will make reconciliation impossible, and in the long-term form the catalyst for another conflict.”²²³ Her point underscores the fact that memorialization does not impede reconciliation; rather, what impedes reconciliation is the State's dismissal of victim-survivor's memories and the State's refusal to hold accountable those responsible for war crimes and injustices, including members of the present government.

The following maps illustrate the extent and patterns of surveillance and repression of Tamil remembrance. The maps reflect the close proximity of the heavy presence of military activity with Maaveerar Thuyilum Illams in the North-East. Additionally, the map suggests how communities have mobilized through counter-practices such as protests and rallies. However, the disproportionate occupation and surveillance of the Sri Lankan military across Eelam has severely threatened and restricted the basic right of Tamils to remember and resist.

²¹⁹ Thileepan was an LTTE cadre who died due to a hunger strike on September 26, 1987.

²²⁰ "Human Rights in Sri Lanka in 2021." *Sri Lanka Campaign*, December 21, 2021.

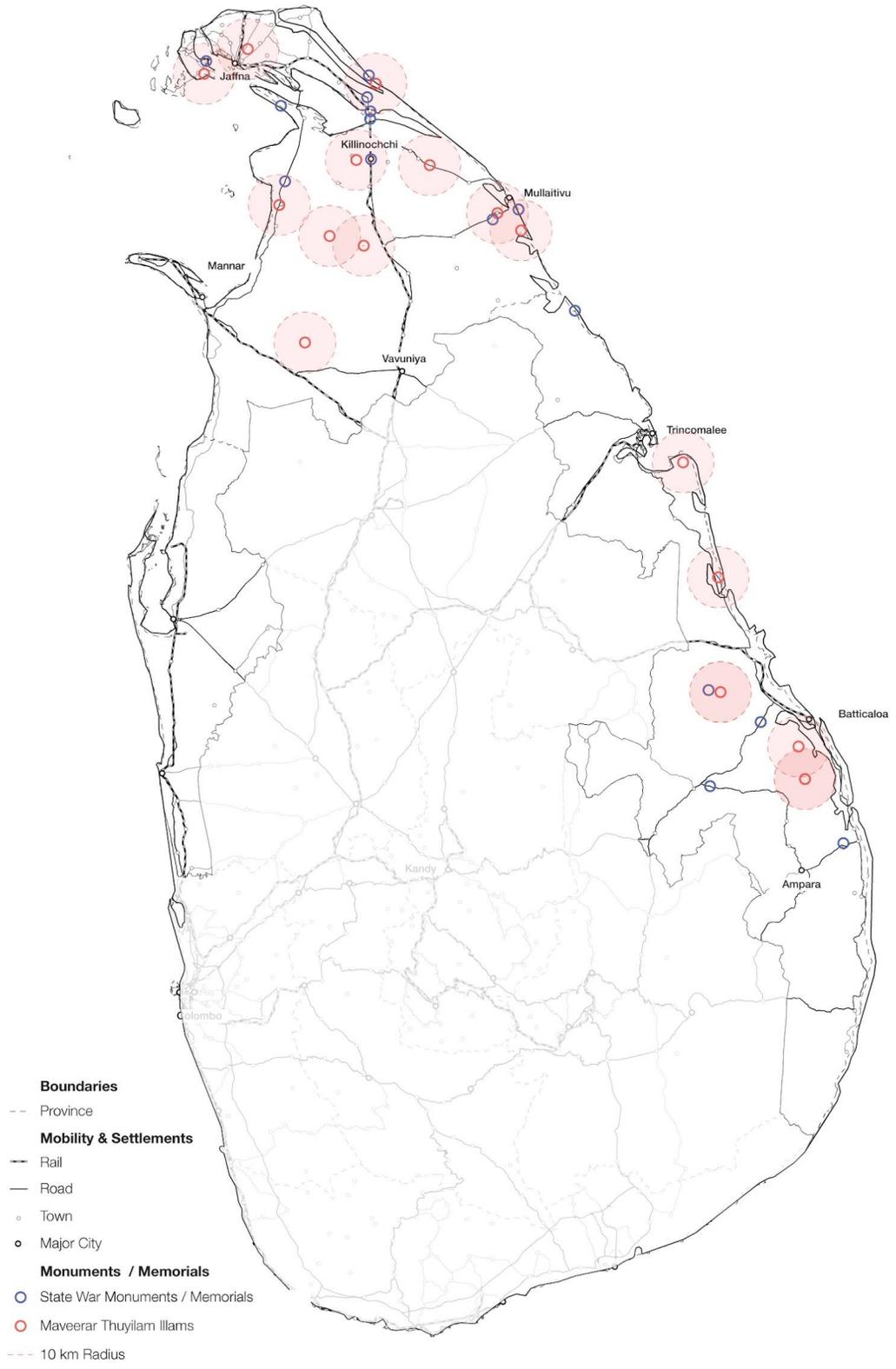
<https://www.srilankacampaign.org/human-rights-in-sri-lanka-in-2021/>; Adayaalam Centre for Policy Research, and People for Equality and Relief in Lanka. Rep. *Normalising the Abnormal: The Militarisation of Mullaitivu*, October 2017. <https://pearlaction.org/wp-content/uploads/2021/10/Normalising-the-Abnormal-The-Militarisation-of-Mullaitivu.pdf>.

²²¹ "Does Collective Remembrance of a Troubled Past Impede Reconciliation?" International Center for Transitional Justice, May 2, 2016. <https://www.ictj.org/debate/article/remember-or-forget>.

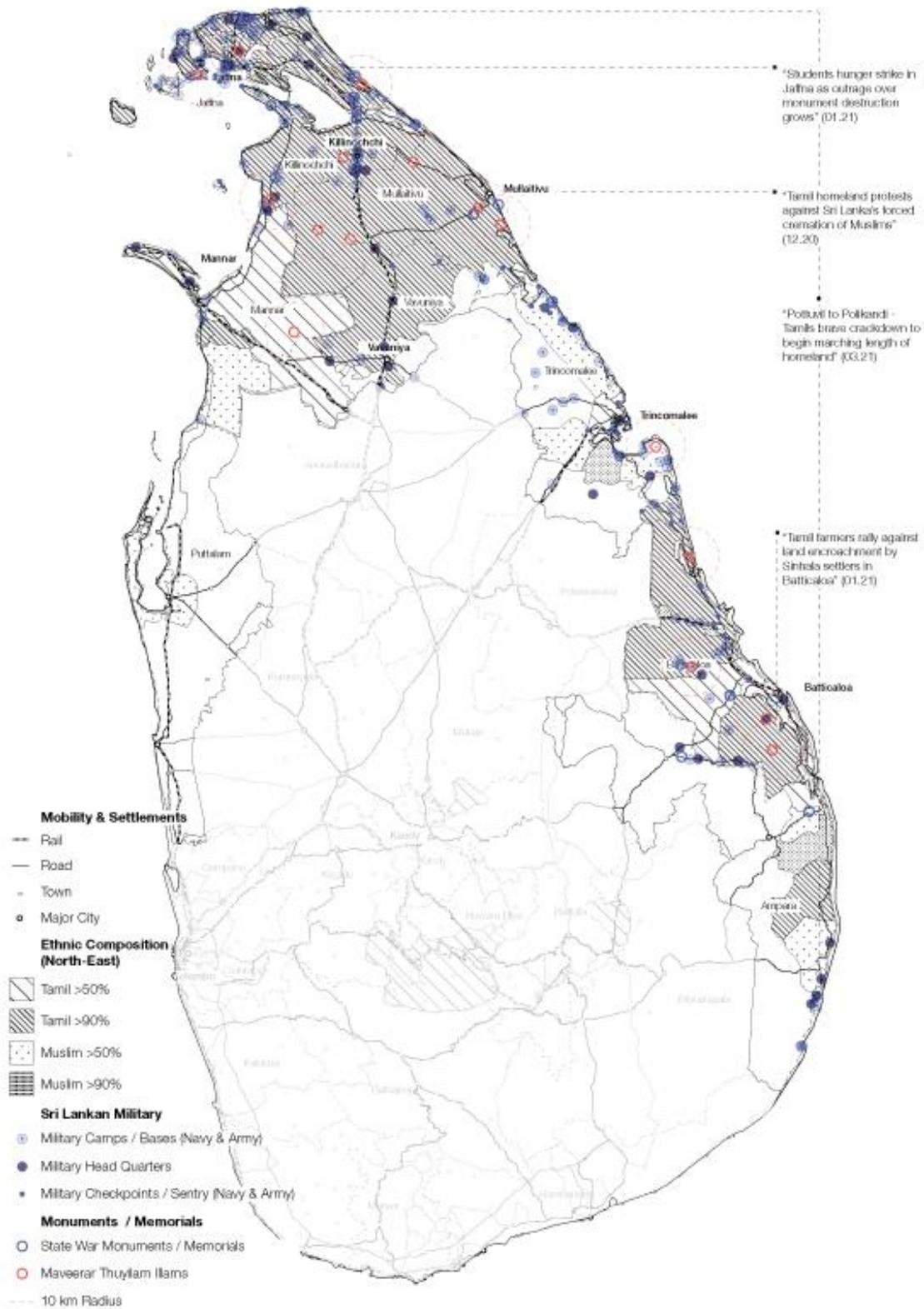
²²² "Director of CHRJ's Program on Transitional Justice, Pablo De Greiff, Asserts Importance of Collective Remembrance on Reconciliation." CHRJ, May 23, 2016.

<https://chrgj.org/2016/05/23/director-of-chrgjs-program-on-transitional-justice-pablo-de-greiff-asserts-importance-of-collective-remembrance-on-reconciliation/>.

²²³ Satkunanathan, Ambika. "Jaffna and the Vanni Today: The Reality beneath the Rhetoric." *Groundviews*, March 17, 2011. <https://groundviews.org/2011/03/17/jaffna-and-the-vanni-today-the-reality-beneath-the-rhetoric/>; See also Stockwell, J. (2019). Does individual and collective remembrance of past violence impede or foster reconciliation? From Argentina to Sri Lanka. *International Review of the Red Cross*, 101(910), 97-124, p. 119



Map 2.0: Mapping Sites of Remembrance (Thuyilam Illam) and State-Sponsored War Monuments/Memorials (PEARL 2021, Subendran 2021).



Map 3.0: Mapping Repression and Resistance on Tamil Remembrance & Counter-Practices by Tamil people (PEARL 2021, Subendran 2021).

Part VI: Tamil Demands and Policy Recommendations

Tamil victim-survivors have long recognized patterns of Sinhalization and have struggled to retain their home. The process of Sinhalization has the intent of diluting Tamil political, legal and historical claims to their lands and livelihoods while also reinforcing the central role of the state over Tamil affairs. Through Buddhisization, militarization, land grabs, and repression, the GoSL attempts to rewrite Tamil history, disrupt historical relationships with land, and assimilate Tamil aspirations under the oppressive structure of the state while also denying the role of the state in furthering the oppression of Tamils historically and in the modern day. Despite efforts to dismantle the communities and demographics of Tamil-speaking regions in the North-East, Tamils have resisted and risen to tell Sri Lanka and the international community: the Tamil homeland can never be erased.

In order to ensure victim-centric transitional justice, members of the international community must echo Tamil victim-survivors' calls for international justice and accountability mechanisms, which center the Tamil experience, as well as counter the historical and ongoing Sinhala-Buddhist nation-building project. If members of the international community do not heed the calls of Tamil victim-survivors and take action, the GoSL's quest for a unitary, Sinhala-Buddhist national state will thrive—at the expense of the stability of the island and Tamil rights.

Tamil Protest Movements

Displaced Tamil victim-survivor communities, who have been forced to live outside of their villages and ancestral homes due to militarization and Buddhisization, have relentlessly continued to mobilize for the release of their lands despite threats and obstruction from state officials.²²⁴ In 2017, a number of collective resistance movements emerged as Tamil families in Mullikulam, Keppapilavu, and Iranaitivu staged ongoing roadside land grabs protests.²²⁵

Numerous cases of continuous collective action, mainly led by Tamil women, have occurred since then. For example, the Keppapilavu land grab protests began in January 2017 and is one of the longest protests in Sri Lanka's history.²²⁶ In Mullikulam, the Sri Lankan Navy agreed to release land in May 2017 to Mullikulam villagers who had been displaced for ten years and protested continuously for 38 days.²²⁷ However, upon their return, the navy prohibited access to the area and villagers were left with no choice but to set up huts in a nearby jungle.²²⁸ In the case of Iranaitivu, 300 villagers sailed back to their land after being displaced for more than 25 years in April 2018, following 359 days of continuous roadside protests.²²⁹

²²⁴ Ibid.

²²⁵ "Delayed or Denied?" People for Equality and Relief in Lanka, May 2018.

<https://pearlaction.org/wp-content/uploads/2018/05/pearl-tj-report-final-portrait.pdf>.

²²⁶ "Sri Lankan Tamil Women Fighting for Land 10 Years after War Ended." *AlJazeera*, March 11, 2020.

<https://www.aljazeera.com/features/2020/3/11/sri-lankan-tamil-women-fighting-for-land-10-years-after-war-ended>

²²⁷ "10 Years of Displacement, 38 Days of Protest: Mullikulam Villagers Return Home." *Tamil Guardian*, April 30, 2017.

<https://www.tamilguardian.com/content/10-years-displacement-38-days-protest-mullikulam-villagers-return-home>

²²⁸ "Tensions between Sri Lanka Navy and Mullikulam Villagers over Unreleased Land." *Tamil Guardian*, October 15, 2018.

<https://www.tamilguardian.com/content/tensions-between-sri-lanka-navy-and-mullikulam-villagers-over-unreleased-land>.

²²⁹ "Iranaitivu Villagers Sail Back to Their Occupied Land in Daring Protest." *Tamil Guardian*, April 25, 2018.

<https://www.tamilguardian.com/content/iranaitivu-villagers-sail-back-their-occupied-land-daring-protest>; "We

Tamils also continue to commemorate the armed struggle for self-determination. In defiance of the Sinhalese victory narrative, Tamils continue to organize memorials recognizing Tamil victims of the armed conflict. For example, an estimated 25,000 people from the North-East participated in remembrance rituals in 2019, namely by eating "kanchi,"²³⁰ in a way to "transform the memorialization from politicization to peoplization."²³¹

Other civil society actions, such as those undertaken by the relatives of those who were disappeared toward and at the end of the armed conflict, are both an act of remembrance and a direct call for government action. In an impressive demonstration of fortitude and dedication, the women-led Families of the Disappeared in Kilinochchi have conducted a continuous roadside protest since early 2017, demanding information and accountability for their loved ones.²³² The mobilization of Tamil Families of the Disappeared sparked sister protests in Vavuniya, Trincomalee, Mullaitivu and Marunthankerny.²³³ Some of these protests are still ongoing, under extreme weather conditions, including heat waves and monsoons while also incurring immense economic losses as well as physical and mental stress.²³⁴

Moreover, these families, as well as civil society actors who work closely with the protestors, have faced constant surveillance, harassment, intimidation and interrogation by Sri Lankan security forces, sometimes leading to physical attacks.²³⁵ The police are not responsive to such complaints from activists, and the GoSL has yet to take any meaningful action to meet the protestors' demands. Government-led initiatives that have purported to address the protestors' demands, including the Office of the Missing Persons and the Office for Reparations, have been rejected by protestors for failing to even minimally address their concerns.²³⁶

In the face of pervasive militarization across the Tamil homeland, Families of the Disappeared endure further marginalization from their communities who are afraid that associating with protestors could risk harassment and surveillance.²³⁷

To date, over 100 family members have died while campaigning for truth and justice regarding their disappeared loved ones.²³⁸

Seized Our Island Back from the Navy'." *BBC News*, February 11, 2019.
<https://www.bbc.com/news/world-asia-46957015>.

²³⁰ Kanchi (rice porridge) was the only food available for people to eat in Mullivaikkal during the final stages of the armed conflict.

²³¹ "Memorialisation on May 18th: From Politicisation to Peoplisation." *Groundview*, May 19, 2019.
<https://groundviews.org/2019/05/19/memorialisation-from-politicisation-to-peoplisation/>.

²³² "Families of Missing Protest in Kilinochchi." *Tamil Guardian*, February 20, 2017.
<https://www.tamilguardian.com/content/families-missing-protest-kilinochchi>.

²³³ "Tamil Families of the Disappeared." People for Equality and Relief in Lanka, n.d. <https://pearlaction.org/tamilfod/>.

²³⁴ *Ibid.*

²³⁵ "Disappearance Activist and Daughter Attacked in Batticaloa." *Tamil Guardian*, August 4, 2019.
<https://www.tamilguardian.com/content/disappearance-activist-and-daughter-attacked-batticaloa>.

²³⁶ "Families of Enforced Disappeared Vehemently Oppose OMP Sittings in North." *TamilNet*, July 15, 2018.
<https://www.tamilnet.com/art.html?catid=13&artid=39129>.

²³⁷ Issue brief. *Surveillance, Harassment and Intimidation of Disappearances' Activists in the North-East*. Adayaalam Centre for Policy Research, August 30, 2018.

²³⁸ "More than 100 relatives of forcibly disappeared Tamils have passed away." *Tamil Guardian*, November 29, 2021.
<https://www.tamilguardian.com/content/more-100-relatives-forcibly-disappeared-tamils-have-passed-away>.

Since the start of the pandemic, Tamil protests for the release of political prisoners have reinvigorated as well. Following the UN Commissioner's urging governments to release prisoners for health reasons,²³⁹ protests increased across the North-East to call on the GoSL to release Tamil political prisoners.²⁴⁰

In perhaps the largest collective action on the island in recent years, in February 2021, thousands of Tamils across the North-East mobilized en masse in a five-day peaceful march for justice named "Pottuvil to Polikandy" (P2P).²⁴¹ The P2P protest, which started from Pottuvil in Amparai District in the south-east, to Polikandy in Point Pedro, Jaffna District, at the northernmost point of the island, aimed to "raise awareness of the ongoing plight of Tamils and Muslims in Sri Lanka and to stress the need for international accountability and justice."²⁴² During these marches, "Families of the Disappeared went on hunger strike demanding that the international community take action toward justice for atrocities."²⁴³ Tamil civil society organizations across the North-East outlined the demands of the P2P protesters in a letter to the UN High Commissioner and to the UN Human Rights Council Member States.²⁴⁴ Their demands called for the protection of the rights of Tamil and Muslim peoples on the island in the face of Sinhala-Buddhist majoritarianism; an end to militarization and Sinhalization of the Tamil homeland; and justice for Sri Lanka's crimes against Tamils.²⁴⁵

²³⁹ "Urgent Action Needed to Prevent Covid-19 'Rampaging through Places of Detention' – Bachelet." OHCHR, March 25, 2020. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25745&LangID=E>.

²⁴⁰ "Protests across North-East Call for Release of Tamil Political Prisoners." *Tamil Guardian*, January 12, 2021. <https://www.tamilguardian.com/content/protests-across-north-east-call-release-tamil-political-prisoners>; "TNPFF Stage Protest Demanding Release of Detained Tamil Political Prisoners." *Tamil Guardian*, August 30, 2020. <https://www.tamilguardian.com/content/tnpf-stage-protest-demanding-release-detained-tamil-political-prisoners>.

²⁴¹ "From Pottuvil to Polikandy: Why Are Tamils Marching?" *Tamil Guardian*, February 8, 2021. <https://www.tamilguardian.com/content/pottuvil-polikandy-why-are-tamils-marching>.

²⁴² *Ibid.*

²⁴³ *Ibid.*

²⁴⁴ *Ibid.* See also

https://www.tamilguardian.com/sites/default/files/Image/pictures/2021/North-East/210209%20-%20Final_P2P_Demands/210209%20-%20Final_P2P_Demands.pdf

²⁴⁵ *Ibid.*

Policy Recommendations

This report details PEARL's findings that the GoSL is engaged in a continuous and historical process of "Sinhaling" the traditional Tamil homeland in the North-East of Sri Lanka in an attempt to change the political and demographic makeup of the North-East. This Sinhaling predates the armed conflict and has been occurring since the time of independence. Coupled with the systematic oppression of the Tamil people and minority groups, such as the Muslim community, and the complete lack of accountability for past and ongoing crimes, the report shows that the root causes of conflict remain unaddressed well after the end of the armed conflict in 2009.

Our evidence-based recommendations below require significant engagement from the GoSL, members of the international community, Tamil political leaders, international NGOs, civil society, and Sinhala civil society to address the root causes of the conflict and grievances, as well as ensure that there is a durable political solution in Sri Lanka that respects Tamils' human rights and offers them justice, accountability, and control over their own land and affairs.

To the Sri Lankan Government:

On The Mahaweli Authority and Other Irrigation-Settlement Policies

- Create a transparent, accessible, and flexible process for conflict-affected Tamils to have their land claims adjudicated and recognized, even if formal documentation is unavailable, in line with international best practices.
 - Immediately suspend the powers of the Mahaweli Authority pending the creation of said process for resolving land claims and providing land restoration, which is accessible to affected Tamil and Muslim populations in proposed land areas.
 - Ensure the immediate implementation of existing judgments against the Mahaweli Authority.
 - Cease providing subsidies to new settlers in "unclaimed" land.
 - Suspend all new settlement activities until existing Tamil and Muslim claims to land are fully and transparently adjudicated.
- Publicly commit to releasing all private and public lands that are currently occupied by the military, unless consent for the ongoing military presence is obtained from the local community.
- Cease grabbing traditional Tamil lands in the North-East through other government-appointed departments, including but not limited to the Department of Archeology Department.
- Ensure pledges on land return are time bound, transparent, adequately reviewed and recorded, and publicly available.
- As per the Dudley-Chelva pact of 1965²⁴⁶, settlement land in the North-East should be allocated in the first instance to landless persons in the district. secondly, to Tamil-speaking persons resident

²⁴⁶ "Dudley Senanayake - Chelvanayagam Agreement 1965." Tamil Nation, n.d.
<https://tamilnation.org/conflictresolution/tamileelam/65dudleychelvaagreement.htm>

in the Northern and Eastern provinces, thirdly, to other citizens, preference being given to Tamil residents in the rest of the island.

Security Sector Reform

- Immediately undertake a genuine security sector reform process to demilitarize the North-East, including the removal of members implicated in atrocity crimes or ongoing human rights violations.
- Reallocate the military throughout the island in proportion to provinces' population, rather than continue the overwhelmingly disproportionate militarisation of the North-East.
- Return all private lands held by the military to their rightful owners, and ensure lands are in comparable condition to when the military initially acquired the land.
- End the entrenchment of victors' narratives and the practice of war tourism, including by removing and ceasing to construct 'victory monuments' and other visible references to the military's 'humanitarian operation'.
- End the surveillance and harassment of Tamils for exercising their democratic freedoms.
- Remove Buddhist statues and viharas that were established by the State and security sector. Issue directives to the military that, despite Article 9 of the constitution, the security sector must be divorced from all matters of religion. Any future construction of religious sites in the NorthEast must follow proper legal procedures governing the construction of religious buildings.
- End the entrenchment of victors' narratives and the practice of war tourism, including by removing and ceasing to construct 'victory monuments' and other visible references to the military's 'humanitarian operation'.
- Respect Tamils' right to memorialize their dead in accordance with the victims and families' wishes and cultural practices, and allow them to commemorate significant dates and events in the Tamil national consciousness without government obstruction or harassment.
- Adopt and enforce a no-tolerance policy for harassment and gender-based violence by security personnel who violate this policy, with prompt investigations and prosecutions by an independent, civilian entity.

Religious Freedom and Cultural Heritage

- Disband the Archaeological Heritage Task Force.
- Ensure that any and all archeological and cultural development are not directly or indirectly in furtherance of Sinhala-Buddhist nationalism, and instead such development should be done in consultation with all ethnic and religious groups, with particular mind to groups that have been historically marginalized.

Memorialization

- Respect Tamils' right to memorialize their dead in accordance with the victims and families' wishes and cultural practices, and allow them to commemorate significant dates and events in the Tamil national consciousness without government obstruction or harassment.
 - Immediately cease the banning of memorial activities through injunctions, legal filings, police orders, or other legal/civil means.

To Other States

- Evaluate the GoSL's progress on its pledges regarding accountability, justice, demilitarization, and human rights against the range of available independent evidence, especially from victim-survivor groups and communities in the North-East and diaspora.
- Support international initiatives, including through multilateral mechanisms such as the Office of the High Commissioner for Human Rights, to establish field offices in the North-East and to monitor ongoing violations, colonization schemes and land grabs with the support of local communities.
- Acknowledge that the Tamil community in the North-East, who were and remain the most conflict-affected and who are most at risk of ongoing human rights violations, has consistently rejected any form of domestic justice mechanism due to the lack of political will by Sri Lanka to meaningfully address the root causes of the conflict.
- Ensure bi-lateral trade relations and concessions are tied to security sector reform and meaningful progress on land issues.
- Ensure any dialogue with the GoSL is transparent, publicly available to Tamils, bears tangible progress, and remains accountable to the Tamil people.

To International NGOs and Sri Lankan/Sinhala Civil Society

1. Collaborate with Tamil politicians, civil society, and Tamil diaspora groups to pursue avenues for justice for ongoing Sinhalization that centers the demands and experiences of Tamils.
2. Engage the Sinhala public on the importance of a meaningful political solution for lasting peace in the country, including by challenging the government's narrative of the war and roots of the conflict.
3. Consider and support legal challenges to confront the ongoing processes of Sinhalization, including through research and legislative reform initiatives.
4. Challenge the Sri Lankan state to pursue a meaningful and durable political solution in Sri Lanka.

A PLOT OF LAND

On this plot of land
my story began.

There the sea-swept
giant trees stand
the subsoil
now exposed.

It was a land in which
under a blazing sun
kind people walked;
in a few days
its language is lost.

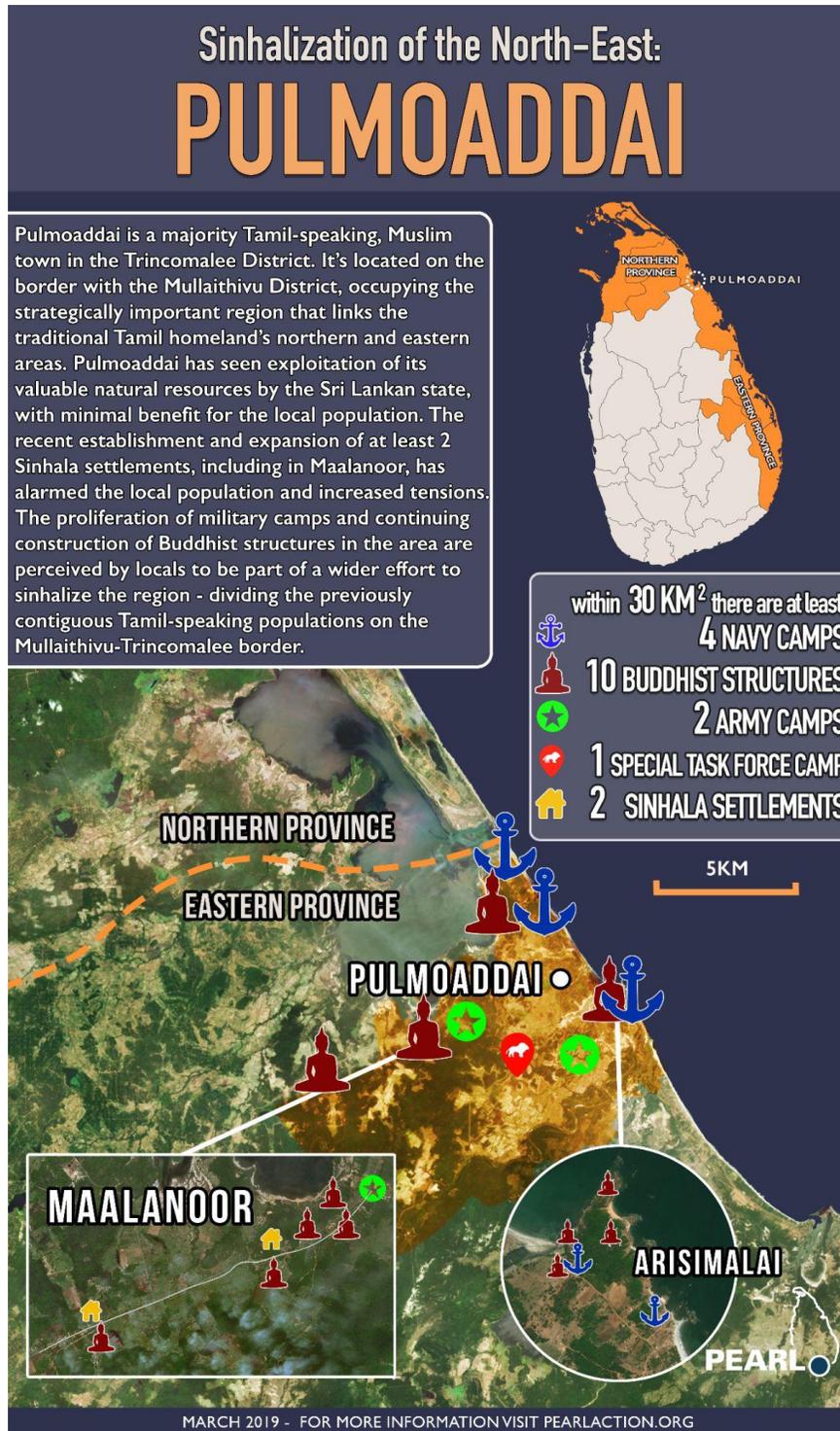
On this plot of land
no coconut trees
no huts.
Even the stories
are now captive;
yet

a voice insists:
this is a tale
that does not end.

²⁴⁷ Cheran, R., and Chelva Kanaganayakam. "A Plot of Land." Essay. In *You Cannot Turn Away: Poems in Tamil*, 164–65. Toronto, Ontario: Mawenzi House Publishers, 2011.

Appendices

Appendix 1A: Sinhalization of the North-East: Pulmoaddai²⁴⁸



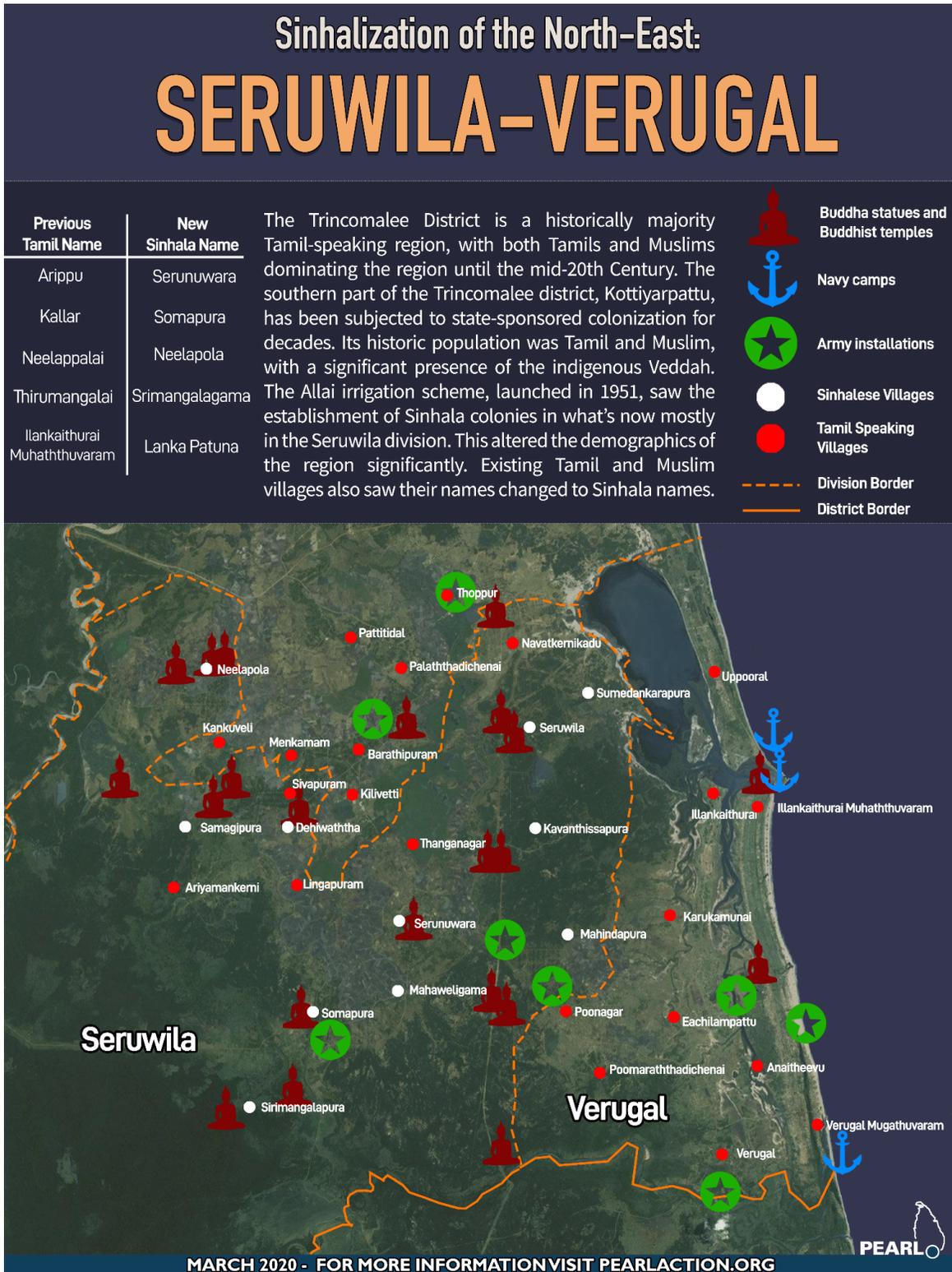
²⁴⁸ See full case-study report: "Sinhalization of the North-East: Pulmoaddai." People for Equality and Relief in Lanka, March 2019. <https://pearlaction.org/sinhalization-of-the-north-east-pulmoaddai/>;

Appendix 1B: Sinhalization of the North-East: Kokkilai²⁴⁹



²⁴⁹ See full case-study report: "Sinhalization of the North East: Kokkilai." People for Equality and Relief in Lanka, September, 2019, <https://pearlaction.org/sinhalization-of-the-north-east-kokkilai/>;

Appendix 1C: Sinhalization of the North-East: Seruwila-Verugal²⁵⁰



²⁵⁰ See full case-study report: “Sinhalization of the North-East: Seruwila-Verugal.” People for Equality and Relief in Lanka, March 2020. <https://pearlaction.org/sinhalization-of-the-north-east-seruwila-verugal/>;

Appendix 1D: Sinhalization of the North-East: Kankesanthurai²⁵¹

Sinhalization of the North-East: KANKESANTHURAI (KKS)

Kankesanthurai (KKS), a historic port suburb located in the Northern Province of Sri Lanka, was home to a thriving fishing and manufacturing site and even considered as the 'lifeline of the Jaffna peninsula'. KKS presently falls under the Valikamam North (Tellippalai) Divisional Secretariat. Calls for the region's development in the 80s were denied by the Government of Sri Lanka (GoSL), and the beginning of the armed conflict in 1983 was utilized as a catalyst for the state's military occupation of KKS. Tamils lost their homes, lands, and livelihoods.

The role of the military post-2009 within Kankesanthurai evolved towards maintaining the normalisation of surveillance and intrusion into Tamil civilians' lives, while serving as a gateway to engage in Sinhalization of the region. Under the GoSL military occupation of the Valikamam High Security Zone post-2009, KKS has been revamped as a hub for economic development. Displaced community members filed complaints and subsequently wrote to the president in 2017. Their demands for the return of their lands and the rebuilding of their temple were left unanswered.



Valikamam North KKS

High Security Zone

Within approximately 90 Kms²



40 Military Bases



4 Police Controlled Institutions



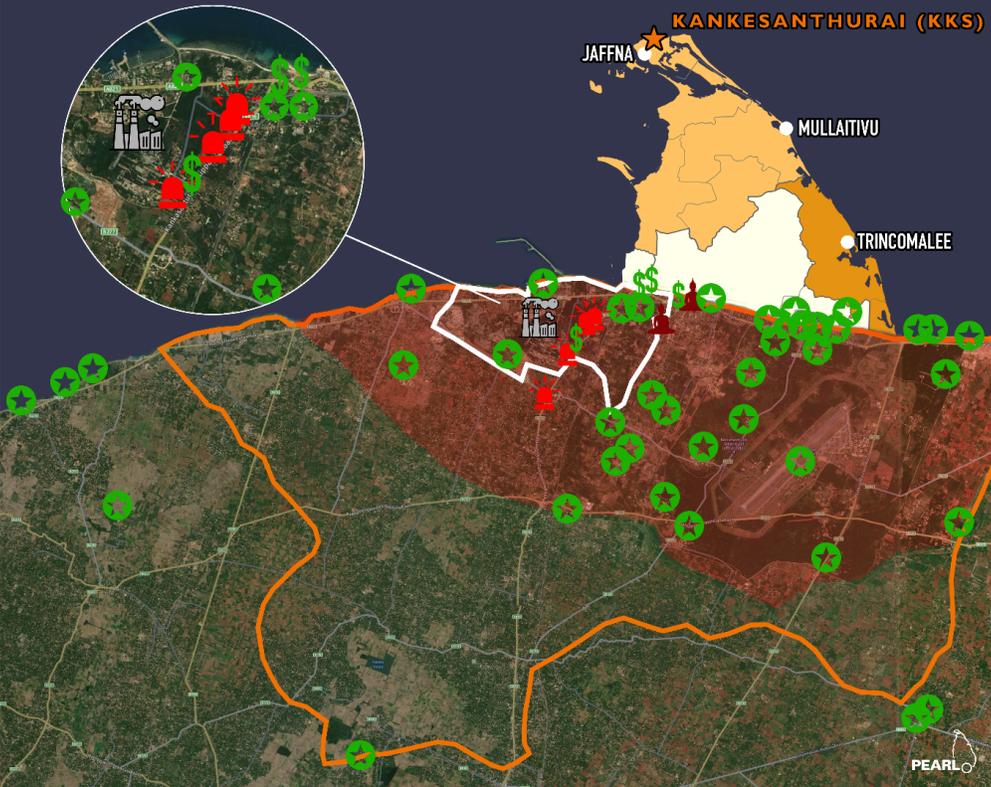
4 Army Canteens & Resorts



3 Buddhist Temples



KKS Cement Factory



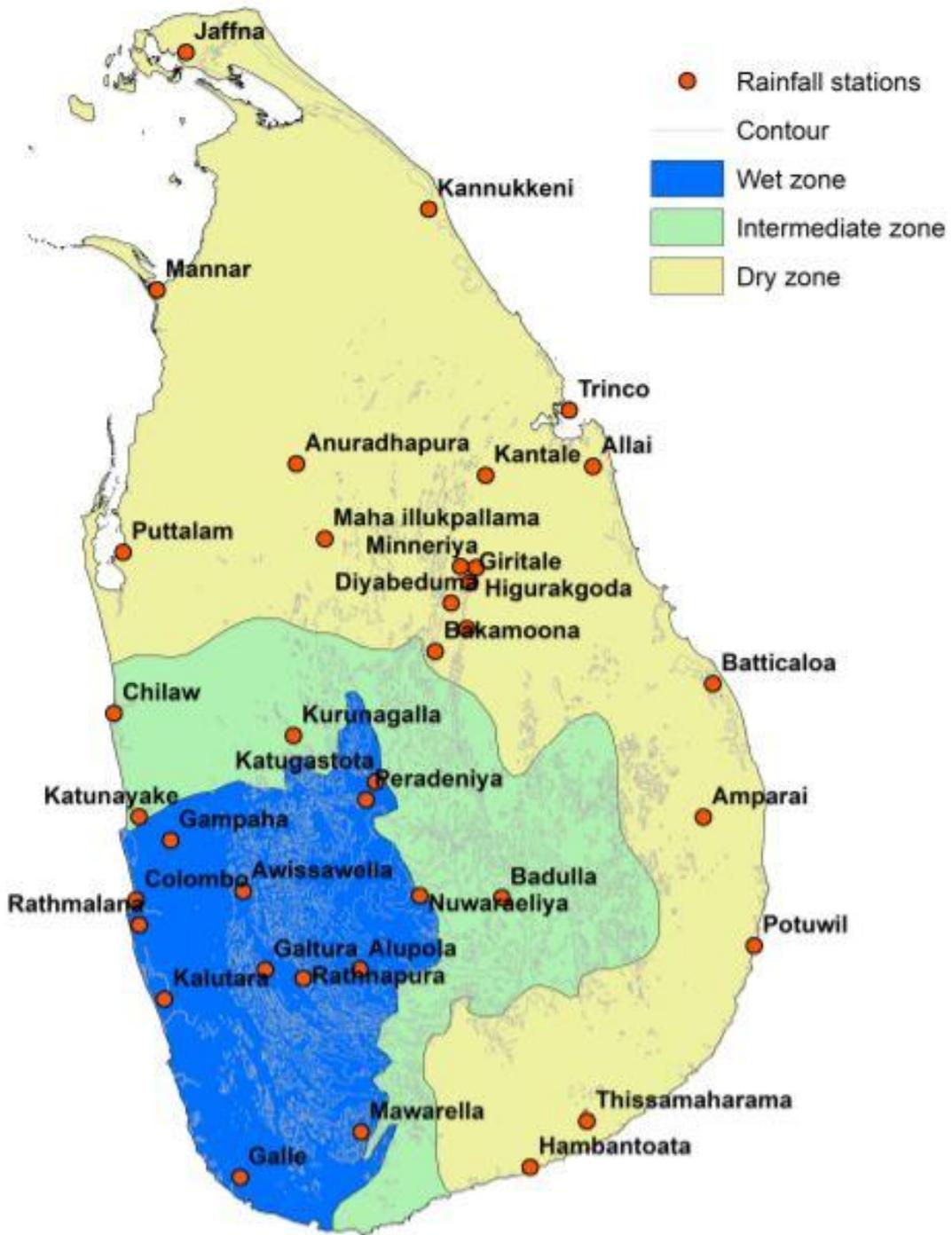
KANKESANTHURAI (KKS)

JAFFNA MULLAITIVU TRINCOMALEE

PEARL

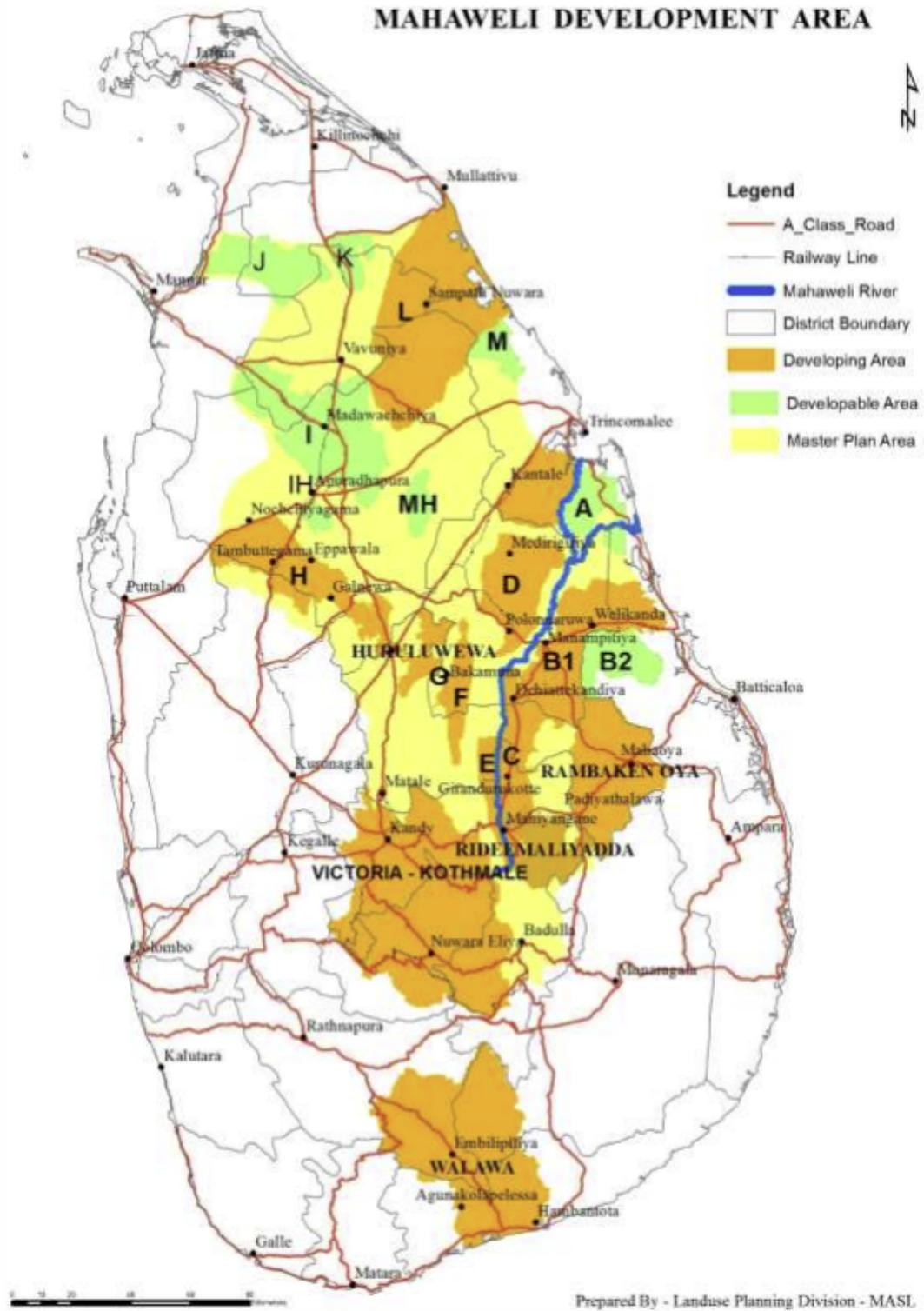
²⁵¹ See full case-study report: "Sinhalization of the North-East: Kankesanthurai." People for Equality and Relief in Lanka, October 2020. <https://pearlaction.org/sinhalization-of-the-north-east-kankesanthurai/>.

Appendix 2: Map of rainfall trends in Sri Lanka between 1987–2017²⁵²



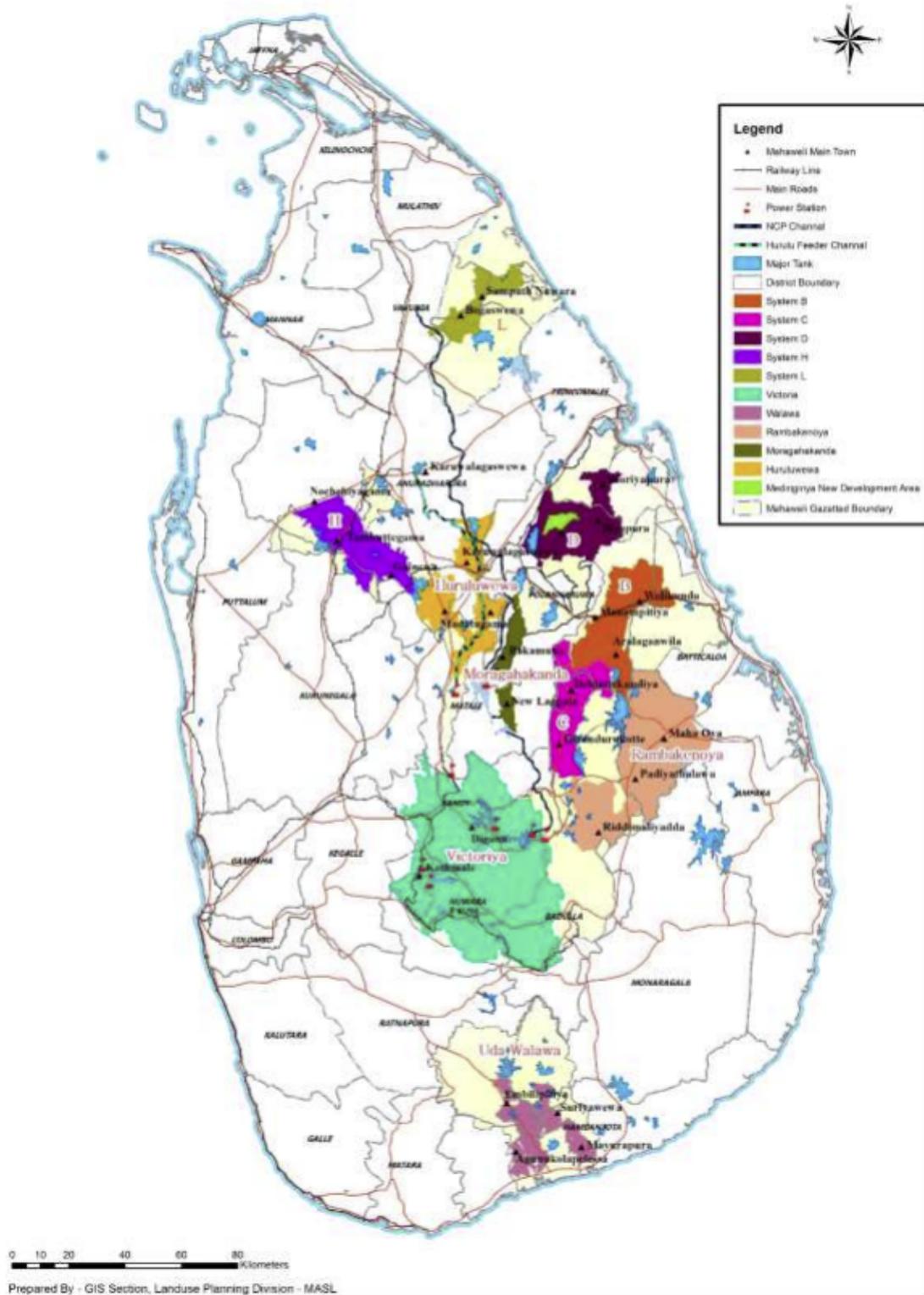
²⁵² Nisansala, W. D. S, N. S Abeysingha, Adlul Islam, and A. M. K. R Bandara. “Recent Rainfall Trend over Sri Lanka (1987–2017).” *International Journal of Climatology* 40, no. 7 (2020): 3417–35. <https://doi.org/10.1002/joc.6405>.

Appendix 3A: Map of Mahaweli Development Area under Master plan²⁵³



²⁵³ Mahaweli Authority of Sri Lanka . Rep. *Socio-Economic Statistics 2018*, 2018, p. 128.
 p.<http://mahaweli.gov.lk/PDF/Statistical%20Book%20-%202018%20Final.pdf>.

Appendix 3B: Map of Existing Mahaweli Development Area²⁵⁴



²⁵⁴ Mahaweli Authority of Sri Lanka . Rep. *Socio-Economic Statistics 2018*, 2018, p. 129.
 p.<http://mahaweli.gov.lk/PDF/Statistical%20Book%20-%202018%20Final.pdf>.