

# ENDLESS WAR



THE DESTROYED LAND, LIFE, AND IDENTITY OF THE  
TAMIL PEOPLE IN SRI LANKA



The Oakland Institute





# ENDLESS WAR

THE DESTROYED LAND, LIFE, AND IDENTITY OF THE TAMIL PEOPLE IN SRI LANKA



## ACKNOWLEDGEMENTS

Findings for this report were compiled by Anuradha Mittal with support from Andy Currier, and are based on field research conducted by a team of Oakland Institute researchers in Sri Lanka. We are grateful to individuals who assisted with field research, who remain unnamed to ensure their safety. Thank you!

Design: Elijah Allen

Cover Photo: Police warning communities protesting in front of an army camp demanding release of their land in Keppapulavu, Mullaithivu.

Publisher: The Oakland Institute is an independent policy think tank bringing fresh ideas and bold action to the most pressing social, economic, and environmental issues.

This work is licensed under the Creative Commons Attribution 4.0 International License (CC BY-NC 4.0). You are free to share, copy, distribute, and transmit this work under the following conditions:

**Attribution:** You must attribute the work to the Oakland Institute and its authors.

**Non Commercial:** You may not use this work for commercial purposes.

**Translations:** If you create a translation of this work, please add the following disclaimer along with the attribution: *This translation was not created by The Oakland Institute and should not be considered an official Oakland Institute translation. The Oakland Institute shall not be liable for any content or errors in this translation.*

All queries on rights and licenses should be addressed to:

The Oakland Institute  
PO Box 18978  
Oakland, CA 94619 USA  
[info@oaklandinstitute.org](mailto:info@oaklandinstitute.org)

The Oakland Institute, 2021

## EXECUTIVE SUMMARY

The ethnic conflict that erupted after Sri Lanka's independence from Britain in 1948 escalated into an armed conflict in the 1980s. The war ended in May 2009 – when the Sri Lankan military violently crushed the decades' long armed struggle led by the Liberation Tigers of Tamil Eelam (LTTE) against the governments of the majority Sinhalese Buddhist. The conflict killed over 200,000 people, displaced more than a million, destroyed infrastructure, and left behind wanton destruction of lives and property of the population of the Northern and Eastern Provinces.

In December 2014, the Oakland Institute conducted field research to investigate the post-war situation for this population. Based on this research, the Institute's 2015 report, *The Long Shadow of War: the Struggle for Justice in Postwar Sri Lanka*,<sup>1</sup> exposed the hardships and tragedies faced by people in the hawkish military environment. Moreover, it shed light upon the intensifying land grabbing executed by the government through various strategies in the North and East. The report exposed the nexus between land grabbing and militarization and uncovered the continued use of old strategies for land grabbing such as irrigation projects and violence, along with new methods including setting up of Buddhist temples, creation of archaeological preservations, high-security zones, and special economic zones to Sinhalize the North and East – the Tamils' traditional homeland.

The regime led by the then President Mahinda Rajapaksa – accused of war crimes and crimes against humanity – ended with the January 2015 presidential election. Maithripala Sirisena, who was a minister in Rajapaksa's government, was elected President with the support of the opposition. Then, the United National Front for Good Governance (UNFGG) led by the United National Party (UNP) won the August 2015 parliamentary elections, and Ranil Wickremesinghe was elected Prime Minister. President Sirisena and Ranil Wickremesinghe formed the national government with the United People's Freedom Alliance (UPFA).

Although the UNFGG won the support of the Tamil and Muslim population with promises of peace, coexistence, devolution of power to the ethnic Tamil and Muslim communities and good governance, it failed to deliver on these during its tenure.





Former Secretary of Defense ministry, Gotabhaya Rajapaksa, who contested on behalf of the Sri Lanka Podujana Peramuna (SLPP) – a new party founded by his brother Mahinda Rajapaksa – won the November 2019 presidential election. Mahinda Rajapaksa was sworn in as Prime Minister and his party won a landslide victory in the August 2020 parliamentary elections with a hardline stance towards the ethnic Tamil and Muslim communities.

This report examines the main trends and scale of changes in land grabbing and related human rights violations in the Northern and Eastern Provinces over the past five years.

Whereas land colonization and Sinhalese settlements have taken place in Sri Lanka under the guise of development since independence, this new research points to an increase in land grabbing in recent years. Thousands of acres of land have been confiscated to allow the settlement of Sinhalese in traditional Tamil areas. Meanwhile, not a drop of water from the Mahaweli River has been brought to the Northern and Eastern Provinces under the so-called “irrigation development project” in the last seven decades. In particular, large scale Sinhalese settlements are taking place in the border areas of Vavuniya and Mullaitivu Districts through the Kivul Oya and Malwattu Oya irrigation projects under the Mahaweli ‘L’ scheme of the Mahaweli Authority. This is being facilitated by the military and different government departments such as the Housing Authority, Forest Department, Wildlife Department, and Archaeological Department. Large-scale deforestation is also taking place to enable these settlement projects. The main objective of this colonization is to increase the number of Sinhalese population in the North and East to change the demographics of the regions. One clear tactic has been to divide the geographically and ethnically connected Northern and Eastern Provinces and erase the homeland doctrine of the Tamil people. In the 30 years prior to 2009, these areas were under LTTE control that prevented land grabbing.

The government's intention to eradicate the history and culture of the Tamil people is made clear by the activities conducted through different departments. The state machinery is in full swing to convert historic lands, monuments and places of worship of the Tamil people to Buddhist temples, Buddhist culture, and practice – at a greater pace than it was in 2015. The government is expropriating private and state land for



distribution to Buddhist temples through gazette notifications. In the Kuchchaveli DS Division of Trincomalee District, 340.33 acres of land were leased to seven Buddhist institutions for religious activities through a gazette notification issued on October 2, 2020. Land grabbing under the guise of archaeological excavations has also increased in recent months throughout the North and East. In the Mullaitivu District, the Forest Department has expropriated 32,110 acres of land and the Wildlife Department claimed 23,515 acres. The Archaeological Department has seized 202 acres and the Mahawali Authority has taken 4,368 acres. Also, more than 25,000 acres of land have been expropriated for the formation of the Manalaaru/Weli Oya Sinhala DS Division. Since the end of the war in 2009, 67 Buddhist temples (viharas) have been set up in the Mullaitivu District alone under the Archaeological Department. The cemeteries of the LTTE cadres have been levelled; military camps have been set up and war victory symbols erected.

Another issue examined by the report is the extent to which the military has usurped land in the North and East. 12 years after the end of the war, large numbers of troops remain in the region. In the Mullaitivu District alone, the military has acquired more than 16,910 acres of public and private land. There are at least seven Army camps and five naval bases located just 15 kilometers from the village of Alampil to the village of Kokkilai in Mullaitivu. Military camps, buildings, and restricted areas are found in various places where no visitor to the North and East can travel freely, despite the absence of war.

Five of the seven Sri Lankan Army's Regional Headquarters are located in the North and Eastern Provinces. According to our estimates, there is a ratio of one soldier for every six civilians in the North and East. While the Sri Lankan government has repeatedly stated that the LTTE poses no more threat to national security,<sup>2</sup> the massive military presence provides security for Sinhalese settlements while facilitating the Buddhization process and keeping the population in the North and East under constant repression and intimidation.

The report also observes the lives of people under military occupation. *The Long Shadow of War* revealed the plight of people living under military occupation. The continued presence of military threatens human rights, livelihoods, and everyday life of the people. The Army, which is stationed on civilian lands, cultivates and harvests these lands and sells the produce to the landowners. The military continues to run resorts and multiple shops. At the same time, there are a number of high security zones under military control, which prevent the resettlement of Tamil population displaced during the war. In particular, Valikamam North of Jaffna District, which has been allowed for resettlement, continues to have large military camps and bungalows on private land, and people have been denied access to many areas. Ancient temples and churches have been demolished. Students have to pass through military fences to go to schools. The port of Myliddy, which in the 1980s produced one-third of Sri Lanka's total fisheries, has seen the output fall by 90 percent.

Finally, the report examines the extent to which resettlement of war-displaced people has taken place and how the military's expropriation of civilian lands has affected the resettlement process. The life of displacement and living in IDP camps that started 30 years ago still continues for the people of Valikamam North. In the Jaffna District, 23,000 people are still waiting to be resettled in their native lands. More than 1,300 people are still living in 22 camps while thousands live with their relatives or rent houses.

This report demonstrates that the government's activities align with the characteristics of an ethnocratic state aiming to maintain the supremacy of the Sinhalese nation across Sri Lanka. Activities to create this ethnocratic state have gained momentum since the Rajapaksa regime took office in 2019, thereby creating a situation that is detrimental to the country's stability, reconciliation, human rights, and peace.



In a major twist, Mahinda Rajapaksa's government announced in February 2020 that it would withdraw from co-sponsoring the 2015 UN Human Rights Council resolution (30/1) to promote accountability, reconciliation, justice, and peace. The former-President Maithripala Sirisena and Prime Minister Ranil Wickremesinghe were not interested in implementing the resolution under the co-sponsorship.

The new government's move to deviate from its international obligations of human rights and accountability, and the use of the military and government departments to expropriate the lands of Tamil and Muslim population on the basis of ethnicity and to severely impact their human rights and livelihoods, should garner the immediate attention of the United Nations and the international community. The new President's announcement that Sri Lanka does not have an ethnic issue is a blatant lie, which denies a manifest policy of colonization and marginalization of minority ethnic groups that he is leading himself.

Land grabbing and associated human rights abuses have led to tension and insecurity among the Tamil and Muslim minority populations. Under this premise, the international community has a responsibility to take appropriate action to ensure that these conditions do not escalate the conflict. There is an immediate obligation on the part of the UN and international community to innovate a safety mechanism to monitor, protect, and promote the human rights of ethnic Tamil and Muslim communities. This includes the appointment of a Special Rapporteur on land rights for Sri Lanka and establishment of Office of the High Commissioner for Human Rights' (OHCHR) field presence in the country to monitor and record ongoing human rights violations in the North and East.

Against the backdrop of the findings of this report, the Oakland Institute welcomes UN High Commissioner for Human Rights

Michelle Bachelet's report on Sri Lanka released in January 2021. High Commissioner Bachelet has stressed the need not only to ensure accountability for past human rights violations in Sri Lanka, but also warned of possible future violence and conflict in the country and stressed the international community's proactive role to stop and prevent them. The Commissioner's urging of member states, such as asset freezes and travel bans on Sri Lankan officials accused of human rights abuses and steps towards the referral of the situation in Sri Lanka to the International Criminal Court are timely and essential to upholding justice and human rights.<sup>3</sup>

The Zero Draft Resolution on Sri Lanka, presented at the 46th session of the UN Human Rights Council, launched on February 22, 2021, by members of the Core-Group on Sri Lanka, however, deviates from the recommendations made by the High Commissioner Bachelet and the recommendation made by four former High Commissioners, nine former Special Rapporteurs, and all members of the UNSC's Panel of Experts on Sri Lanka, who have jointly stated that the matter should be referred to the ICC.<sup>4</sup> The Zero Draft Resolution fails to deliver justice and to address the root causes of the ethnic conflict. It does not lay the ground for accountability and lasting peace.

The Oakland Institute urges the Core-Group on Sri Lanka for the UN Human Rights Council, which includes UK, Canada, Germany, Montenegro, and North Macedonia to include High Commissioner Bachelet's recommendations in the final resolution. In addition, we also call on the Core-Group countries to emphasize on the immediate cessation of land grabbing, planned settlements, and demilitarization of the North and East in the Resolution, given the detrimental impact of these issues, as evidenced by this report.

Reconciliation, human rights, and peace is not possible in Sri Lanka unless the situation is handled in accordance with international law, international justice mechanisms, and morality.





## INTRODUCTION

Following the release of *The Long Shadow of War: The Struggle for Justice in Postwar Sri Lanka* in May 2015, the Oakland Institute has continued to monitor the human rights situation in the North and East of Sri Lanka and published the following reports: *Waiting to Return Home: Continued Plight of the IDPs in Post-War Sri Lanka* (2016), *Justice Denied: A Reality Check on Resettlement: Demilitarisation, and Reconciliation in Sri Lanka* (2017) and *Driving Dispossession* (2020).

Since these releases, the regime changed with presidential elections in November 2019 and parliamentary elections in August 2020. Former President Mahinda Rajapaksa's brother and former secretary of Defense ministry, Gotabhaya Rajapaksa, contested on behalf of the newly formed SLPP formed by Mahinda Rajapaksa and was elected President, while Mahinda Rajapaksa was sworn in as the Prime Minister.

This new report is based on the Oakland Institute's continued engagement with human rights activists, journalists, politicians, and civil society representatives in the North and East of Sri Lanka. Information was also obtained through monitoring of national and international media. Oakland Institute's researchers opted for several research methods for data collection, including key informant interviews, focus group discussions, and participant observation.

The major findings cover six themes that are drawn from information, testimonies, and data collected. First, the report reveals that under the guise of “development projects,” Sinhalese settlements continue to expand within Tamil-dominated areas to change demographics and deprive Tamil communities access to their land. Additionally, the aggressive government-led effort to replace Tamil culture and history with victory monuments dedicated to the Sinhalese domination and Buddhist temples, continues on the ruins of the Tamil homeland. The report exposes that the military continues to occupy vast amounts of land in Jaffna, Kilinochchi, Mullaithivu, Vavuniya, and Batticaloa. While civilian resettlement has been allowed in some areas of Valikamam North, these areas remain under extreme militarization, severely impacting the livelihoods of the local population. The military continues to occupy the North and East at an extreme degree – with roughly one military member for every six civilians. Finally, the report follows up on the thousands of people who have been displaced since the end of the war in 2009 and shows how delayed resettlement continues to undermine livelihoods and recovery.

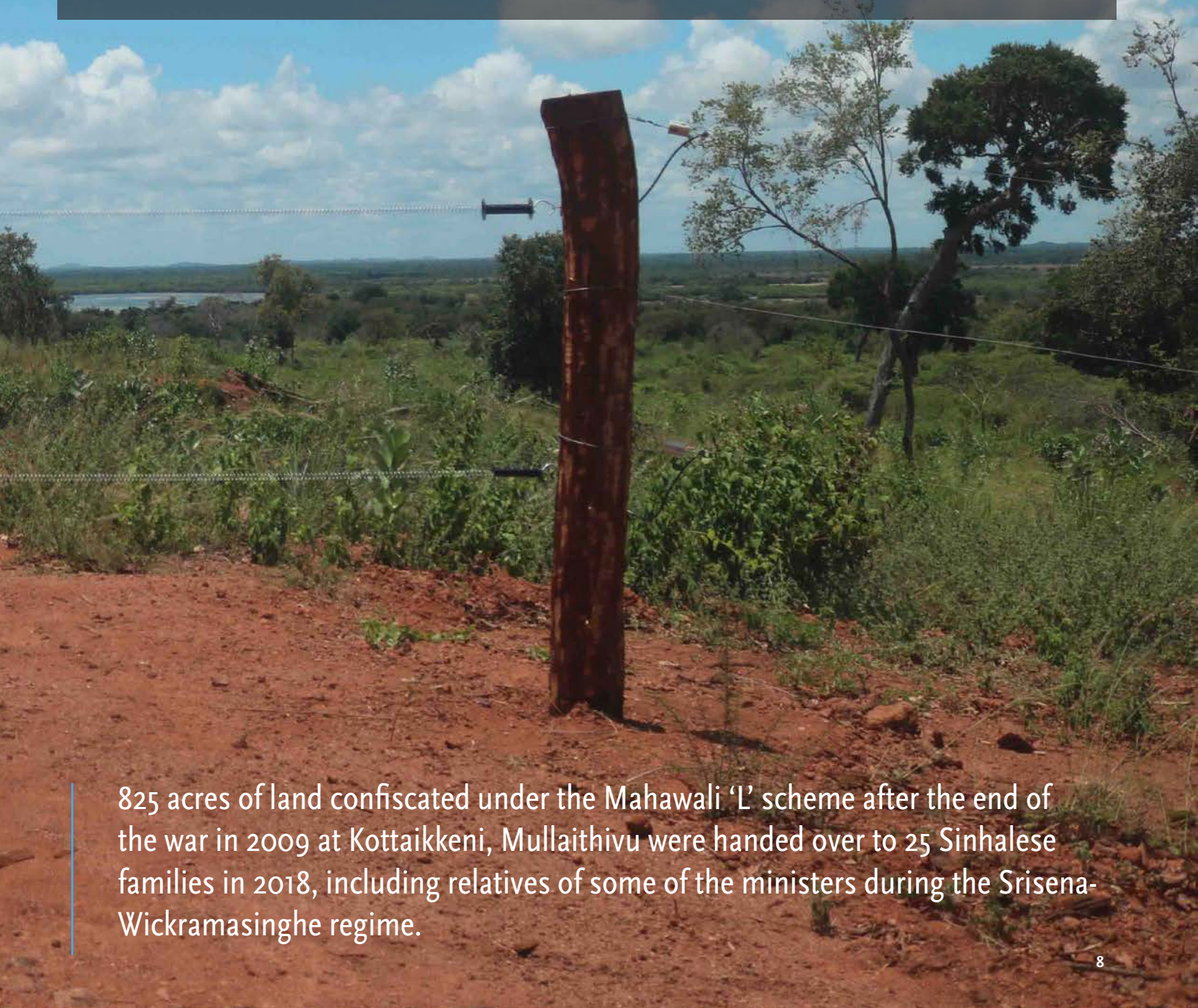


# CONTINUING SINHALESE SETTLEMENTS UNDER THE GUISE OF DEVELOPMENT

After the independence of Sri Lanka, agriculture and irrigation schemes were used as a pretext to relocate Sinhalese peasants to Tamil areas. This process, known as Sinhalization, has irrevocably changed local demographics and was a key factor that escalated contention and violence during the war. *The Long Shadow of War* detailed the history of several such schemes. For instance, the Gal Oya project launched in 1950, created 40 million acres of land for landless peasants, leading to the creation of a dozen Sinhalese-majority villages in the Tamil dominated Eastern Province. In the 1950s and 1960s, numerous irrigation development projects in Trincomalee became instruments for increased Sinhalization in the region. The Mahaweli River Scheme, launched in the 1970s as the largest irrigation project in the country, created new Sinhalese settlements on the border between the Northern and Eastern Provinces, specifically to destroy the

possibility of a merger of two Provinces by the Tamils. These so-called “development schemes” led to the loss of at least one thirds of the land in the Eastern Province to the Sinhalese – a population reduction from 76 percent in 1827 to just 39 percent in 2015.<sup>5</sup>

This same tactic was used to intensify activities in the North and East to acquire lands and establish Sinhalese settlements. Many areas that were under LTTE control for 30 years, and could not be annexed under the Mahaweli authority, are today easy targets given they are under the control of the military. The ‘L’ zone in the Tamil areas, under the Mahaweli scheme has not received any water to date, the lands were acquired and the Sinhalese settlements have been established.



825 acres of land confiscated under the Mahaweli ‘L’ scheme after the end of the war in 2009 at Kottaikkeni, Mullaithivu were handed over to 25 Sinhalese families in 2018, including relatives of some of the ministers during the Srisena-Wickramasinghe regime.





The Kivul Oya (Kivul River) Scheme is being actively implemented in the bordering areas of Mullaithivu and Vavuniya Districts. The Oakland Institute's researchers witnessed first hand the massive deforestation in Vavuniya and Mullaithivu Districts in order to settle Sinhalese population from the South under the Kivul Oya project. Many other areas under the Nedunkerny divisional secretariat area in Vavuniya District, including the Vedivaiththa-kallu GN division, have been deforested and an estimated 2,000 Sinhalese have been settled in the past few years. Steps are being taken to settle 3,000 more Sinhalese in these areas and 2.5 acres of deforested land is being provided to each person. Incentives of up to 800 rupees [~US\$4] per family per day are provided to prevent the settled people from returning to their native places.<sup>6</sup> Similarly, more than 4,000 Sinhalese were settled in the Weli Oya Divisional Secretariat between 2012 and 2017, and 11,639 acres came under the control of the Divisional Secretariat.<sup>7</sup>

Sinhalese settlements in the forests of Ootrukkulam in 2019 under the Nedunkerny divisional secretariat area, Vavuniya. Photo credit: <https://www.ibctamil.com/>





Unauthorized Sinhalese settlement set up with the assistance of the Department of Civil Defense and the Housing Authority in the Tamil villages of Malanur (12th block) and Eramadu (10th block) in the Kuchchaveli Divisional Secretariat Division, Trincomalee.





Police station set up to protect Sinhalese settlers in Kokkilai, Mullaitivu.



Illegal settlement of Sinhalese fishermen in Kokkilai - land confiscated from a Tamil man.







Massive public rally against land grabbing by Mahaweli Authority in Mullaithivu in 2018.

Sinhalization of Vavuniya and Mullaithivu Districts is being further extended under the guise of the Malwatu Oya irrigation projects. To implement this scheme, the Mahaweli Authority has acquired 1,100 acres of land, and as a result 450 Tamil families live with the fear of displacement from their native place at any time in Cheddikulam Divisional Secretary area in Vavuniya. The local communities informed the researchers that although alternative lands were to be provided to them at Kappachchi Kulam in Vavuniya, the land was degraded and could not be used for anything.<sup>8</sup>

Likewise, under Mahaweli 'L' Zone Kivilu Oya irrigation project, over 3,000 acres of land were expropriated by the government through the gazette notification in 1988 and 2017 in the ancient Tamil village of Thenaimaravadi and other close-by villages in Trincomalee District, which geographically connects the North and East.<sup>9</sup> Efforts are also being made to establish two new Sinhalese colonies in the vicinity of Thenaimaravadi with the support of the troops.

Massive public rally against land grabbing by Mahaweli Authority in Mullaithivu in 2018.





Available grazing lands are shrinking for Tamil herders in Batticaloa.

Since the end of the war in 2009, large numbers of Sinhalese have settled illegally in Nayaru, Kokkilai, Kokkuttoduwai, and Karunattukkeni of Mullaithivu District connecting the Eastern Province with the Northern Province. Tamil politicians allege that the Mahaweli Authority has illegally issued land permits to the settlers.<sup>10</sup>

In November and December 2020, Tamil livestock farmers in the border areas of Mayilaththamadu and Madhavanai in the Batticaloa border villages faced the expropriation of their pasture lands. Farmers from 540 families of Eeralakulam Grama Niladhari area of Eravur Divisional Secretariat area have raised livestock on these lands for generations. Many farmers were forced to move their livestock into the forest because of inaccessibility to the pasture lands. Some of the 200,000 livestock are reported to have been left astray without food while farmers' milk production fell sharply by 80 percent, harshly impacting their daily lives.<sup>11</sup>

Batticaloa District has not received any water under the

Mahaweli project to date, but 12,000 acres of grazing land in Madhavanai and Mayilathampatti were acquired in 1979 under the system 'B' of the Mahaweli Authority. As these areas were formerly LTTE-controlled, Mahaweli and other state institutions could not access these pasture lands. Since the brutal end of the war in 2009, several attempts made to resettle Sinhalese in these areas were blocked by legal action undertaken by human rights activists. With the change of government in August 2020, under the leadership of Mahinda Rajapaksa, the resettlement of Sinhalese under the guise of maize cultivation is being executed by state institutions with the support of the Governor.<sup>12</sup> According to K. Kurunathan, the former Eastern Province Land Commissioner, lands are being given to the Sinhalese in these grazing lands for maize cultivation in violation of gazette of 1979 No. 41 and schedule 9, rule 1, appendix 2, article 2.5 of the 13th Amendment to the Constitution. Accordingly, the law that the allotment of Mahaweli should be given in proportion to the national ethnic ratio, was not followed.<sup>13</sup>



620 acres of land cultivated by Tamil population in Sakalaatrueveli, Mullaithivu have been confiscated under the Mahaweli 'L' Zone.







## GOVERNMENT INSTITUTIONS AT WORK TO TRANSFORM TAMIL CULTURE & HISTORY

Sri Lanka's Minister for "National Heritage," accompanied by Army and Archaeology Department, led an event at Kurunthoormalai placing a new statue of Buddha at the Athi Aiyanar (Hindu) temple. Photo credit: <https://www.tamilguardian.com/>

Apart from the changing demographics in the North and East, *The Long Shadow of War* documented an aggressive government-led effort to replace Tamil culture and history with the establishment of victory monuments and Buddhist temples dedicated to the Sinhalese domination on the ruins of the Tamil homeland. Since the end of the war, numerous land seizures have been recorded, particularly for the construction of Buddhist viharas and monuments and the general replacement of Tamil culture. Seven notices were given in the gazette of October 2, 2020 under State Land Regulation No. 21(2), which refers to a total of 340.33 acres of land in 11 different locations in the Kuchchaveli DS Division of Trincomalee District, to be leased out to seven Buddhist organizations for 30 years.

This gazette notification to lease the lands is unconstitutional, lacking the approval of the Eastern Provincial Council. It came months after President Gotabhaya Rajapaksa established the Presidential Task Force for Archaeological Heritage Management in the

Eastern Province. Tamil parliamentarians accuse the President of creating the task force to encroach the native lands of the Tamil under the guise of archaeological preservation.<sup>14</sup> Although 11 places in the villages of Tennamarawadi, Thiriyai, Kumburupiddi East, Pulmoddai, notified by the gazette are mentioned as state lands, some of them are private lands owned by Tamil and Muslim families and are rich in ancient historical monuments of the Tamil. Just as the Tamil village Manal Aru (Weli Oya) was brought under the Mahaweli System L since 1983 and Sinhalese settlements have been established, local populations expressed fear to the Institute's researchers that the villages of the Kuchchaveli DS Division will also be brought under the Mahaweli System L and soon the Sinhalese population will be resettled.<sup>15</sup> A case against this gazette notification is pending in the Trincomalee High Court.<sup>16</sup>

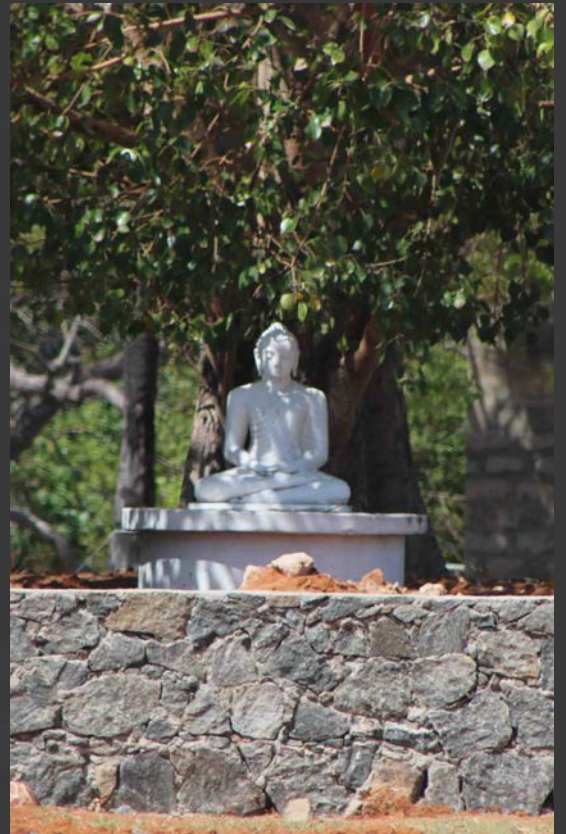
Meanwhile, the Archeological Department is accelerating land grabbing operations in various parts of the Northern Province. On

January 18, 2021, Vidura Wickramanayaka, Sri Lanka's State Minister for "National Heritage," accompanied by Army soldiers and Archaeology Department officers – placed a Buddha statue on the site of an ancient Hindu temple (Athi Aiyanar temple), located at Kurunthoormalai in Mullaithivu District.

A Trident, divine symbol of Hindus, placed in the site of the temple was removed and excavations were to take place. Although Buddhist monks have been trying to occupy the temple area and erect a Buddha statue since 2018, it had not been possible due to strong opposition from local communities. The court ruled in 2018 that no changes should be made in the area and stated that the Archaeology Department had abused its power in allowing Buddhist monks to survey the area.<sup>17</sup> But, in defiance of the court order, the National Heritage Ministry, the Army, and the Archeology Department placed a statue of Buddha in the area.<sup>18</sup>







A Buddhist temple (vihara) built by monks in Kokkilai, Mullaithivu, after expropriating private land belonging to four Tamil families. The military provides security for the Buddhist monks who live in the vihara.





“MANY OF THE BUDDHIST TEMPLES (VIHARAS) IN THE NORTH WERE BUILT AFTER THE END OF THE WAR IN 2009. THE GOVERNMENT SAID IN 2017 THAT THERE WERE 67 TEMPLES IN MULLAITHIVU. BUT BEFORE 2009, THERE WAS NOT A SINGLE TEMPLE IN MULLAITHIVU. IF THERE WERE 131 TEMPLES IN 2017, THIS NUMBER WOULD HAVE INCREASED EVEN MORE IN THE LAST FOUR YEARS.”

– Thurairajah Raviharan, Former Provincial Councilor<sup>20</sup>



Unauthorized Buddhist temple (vihara) in Neeraviyadi Pillaiyar temple complex, Mullaithivu.

Statistics provided by the former Minister Akila Viraj Kariyawasam during a question and answer session in Parliament on May 3, 2017 show the extent of Buddhization in the North and East, in the guise of archaeological preservation. According to the Minister, there are a total of 131 Buddhist temples (viharas) in the Northern Province under the Archaeological Department.<sup>19</sup>

Likewise, the Wildlife and Forest Departments are using their mandates to acquire land for the government under the guise of “conservation.” The Forest and Wildlife departments do not follow procedures or approval processes when seizing lands nor do they consult local authorities and Provincial Councils.<sup>21</sup> Their arbitrary land acquisition supports Sinhalese colonization and undermines the livelihoods of the Tamil population.<sup>22</sup>







Lands confiscated by the Wildlife Department in Kokkilai, Mullaithivu under the guise of a sanctuary.

According to Thurairajah Raviharan, a former member of the Northern Provincial Council, 32,110 acres were grabbed by the Forest Department in Mullaithivu alone.<sup>23</sup> Meanwhile, the Wildlife Department has acquired 23,515 acres of land in Nanthikkadal and Nayaru area through a gazette notification. This acquisition would prevent people from using resources from the lagoons for their livelihoods in the near future.<sup>24</sup> According to the data obtained from Mannar District Secretariat,<sup>25</sup> the Wildlife Department has acquired 12,154 acres in the District. Out of this, 4,449 acres are used by the local population and belong to 818 people. Similarly, the Forest Department has acquired 12,275 acres, out of which 2,570 acres are used by the public, which belong to 1,485 people, who hold one of the following documents: Land Development Ordinance Permits, Annual Permits, Deed, Grant and/or Title Plan. The Archaeological Department has seized 202 acres and the Mahawali Authority has taken 4,368 acres. Also, more than 25,000 acres of land have been expropriated for the formation of the Manalaaru/Weli Oya Sinhala DS Division.



---

---

## LAND UNDER MILITARY OCCUPATION

*"My name is [REDACTED]. The military has largely confiscated our lands in the Vattuvagal area. They have erected fences in the areas where we do our livelihood activities. More than 400 acres of civilian land have been expropriated for the Gotabhaya Naval base in Vattuvagal. Although we have held many demonstrations requesting to release our lands, they do not seem to release our lands. The Wildlife Department has also brought the Nanthi Lagoon area under its control and has earmarked it for a bird sanctuary. 5,500 families, however, live around the Lagoon. This has severely affected fishing, agriculture, and other livelihood activities. If we go down to the lagoon to catch fish, they hit us with a stick and intimidate us."*<sup>26</sup>

*"My name is [REDACTED]. The entire Nanthi Lagoon is under the control of the Wildlife Department. The Wildlife Department should release the Nanthi Lagoon area for the livelihood of the people. They should also release our field lands. My Grandfather had 6 acres of field land near Nanthi Lagoon. Me, my brothers, and my children have a share in this land. But we are unable to cultivate this land as it has been expropriated by the Wildlife Department. The Wildlife Department should release these lands to the public."*<sup>27</sup>







Kokkilai Lagoon area reserved by the Wildlife Department.

Information gathered by the Oakland Institute researchers shows more than 100 military army camps have been set up in the Mullaitivu district. There are a total of 33 camps located on the way from Mullaitivu town to Nayaru (15 km), Thaanduvan (15 km), Oddusuddan (26 km) and Pudukudiyiruppu (17 km). There are at least seven military camps and five naval camps between the villages of Alampil and Kokkilai located at a distance of 15 km in the Mullaitivu district.

According to the District Secretariats of the North and East, around 30,000 acres of private land continue to be occupied by the Army in Jaffna, Kilinochchi, Mullaitivu, Vavuniya, and Batticaloa.<sup>28</sup> According to the Oakland Institute's estimates, a total of 16,910 acres of land has been confiscated by the military in Mullaitivu District alone. Military camps set up in the jungle are not included in this statistics.<sup>29</sup> The statistics obtained from the Secretariat of Mullaitivu, however, claim that only 679 acres of private lands and 3,178.75 acres of state lands were occupied by the security forces in Mullaitivu as of end of 2019.

The Oakland Institute researchers have confirmed the numbers to be much higher through field work in Mullaitivu. According to a document forwarded to the Northern Provincial Council Members by the District Secretariat of Mullaitivu on December 7, 2015, the Army acquired 13,546 acres of land in Mullaitivu.<sup>30</sup> Additionally, it acquired 3,312 acres in Kokkavil for its cantonment.<sup>31</sup> Moreover, the military seized 170 acres in Kokkuthoduvai for its deep penetration Unit, along with 39 acres in Alampil Kanadiyan Road,<sup>32</sup> 8,000 acres in Ottusuttan Ambagamamn for the Air force,<sup>33</sup> 617 acres in

Vattucagal for Gota Naval base<sup>34</sup> and 75 acres in Puthukudiyiruppu Road.<sup>35</sup> These statistics reveal the stark truth about the extent of land occupied by the military in contrast to the statistics provided by the District Secretariat of Mullaitivu.

The LTTE cemetery on private land in Alampil in Mullaitivu District has been demolished and the 24th Battalion of the Sinha Regiment Headquarters has been established on the site. The Army has set up a "multi shop" for civilians near the camp. The army also runs a resort on the beach, Green Jackets Resort, a short distance from the camp. The 19th Battalion of the Gemunu Watch is located in Nayaru village, about three kilometers from Alampil, with two camps. A Buddhist vihara has been set up adjacent to one of these camps. The 593 Brigade has also set up an Army base including a Buddhist vihara in Nayaru. In Kokkuthoduvaai North, about three kilometers from Nayaru, is a large military complex located at the junction of the roads leading to Manalaru / Weli Oya and Mullaitivu / Kokkilai. This is where the headquarters of the 19th Battalion of the Gemunu Watch is also located as well as a canteen and fuel station operated by the military. Closest to the camp is the 2nd Battalion of the Special Forces, which also runs a training school. The 19th Battalion of the Gemunu Watch Camp is located in the next village, Karunaaddukerny, one kilometer from Kokkuthoduvaai. A camp belonging to the Army's Deep Penetration Unit is located near the Koombaai junction in Kokkuthoduvai area. Lands cultivated by the Tamil, under the permits issued by the government, have been confiscated for these camps.



As mentioned earlier, the Forest Department has acquired 32,110 acres and the Wildlife Department has acquired 23,515 acres in Mullaithivu District.<sup>36</sup> Therefore, all together it is over 80,000 acres of land in Mullaithivu that were grabbed by the security forces and the government departments in the District. Overall, Mullaithivu is comprised of 621,917 acres, out of which 420,300 acres form the deep forest. Only 201,617 acres are available for public use.<sup>37</sup> According to this calculation, more than 40 percent of the land available for public use is controlled by the military and other government agencies.

**The case of Mullaithivu is the acid-test that reflects the gravity of the situation in the North and East, when it comes to land grabbing through various forms.**

Of these 80,000 acres of land, over 30,000 acres were acquired by the Forest Department, the Wildlife Department, and the Archaeological Department during the Srisena–Wickramasinghe regime between 2015 and 2019. These statistics show that during the Mahinda Rajapaksa regime before 2015, more land was expropriated directly to military camps and high security zones, while government departments were used for land grabbing in more recent years during the Srisena and Wickramasinghe era.<sup>38</sup>

Over 4,000 acres were released from Army's possession between 2015 and 2019 in the areas under Valikamam Divisional Secretariat.<sup>39</sup> However, 3,300 acres of civilian land remains in the possession of the military in the Division. A local official, alleges that attempts to

meet with the current Jaffna District Army Commander to discuss the release of these lands have been futile.<sup>40</sup> Since then, the military stationed in the areas where land was released for resettlement, were relocated to more land in other places and still remain in the Northern Province.

Although the military has allowed civilian resettlement in some areas of Valikamam North, these areas remain under extreme militarization. This has severely affected the everyday life and livelihood activities of the people. The situation was incredibly dire when the research team visited the three neighboring villages of Urani, Thaiyiddy, and Myliddy, which were allowed for resettlement in Valikamam North in 2017 and 2018.<sup>41</sup> The rough map (Figure 1) shows the military camps in these three villages and the extent to which they have disrupted the daily life of the civilians.

Gamunu Vihara, a Buddhist temple, has been set up near a Hindu temple, Murugan Kovil, on the Thaiyiddy village border with the Kankesanthurai. The Buddhist temple is located on a plot of land belonging to the Hindu temple. The 7th Battalion Army Camp is located on ten acres of public land, about one kilometer from Gamunau Vihara. A small Buddhist temple, Thaiyiddy North Viharai, is built inside this Army camp. Touching the 7th Battalion Army Camp is the famous Urani St. Anthony Church and Urani Primary School. A military police camp is located on approximately 15 acres of private land, about one kilometer from the 7th Battalion Army Camp.



The 7th Battalion Army Camp at Thaiyiddy village border with the Kankesanthurai and the Urani Primary school attached to it.



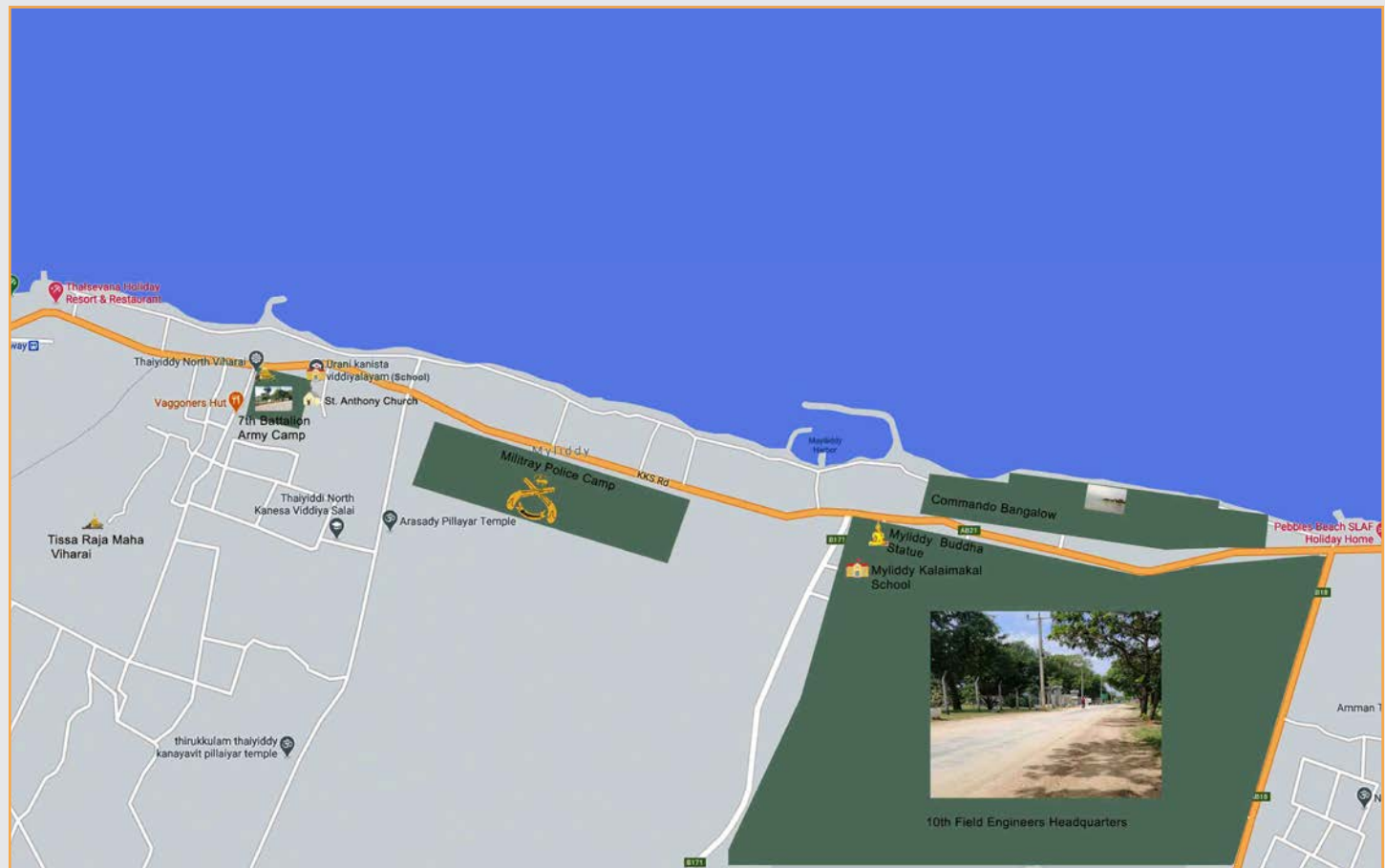


There is a Buddhist temple, Tissa Raja Maha Vihara, in Thaiyiddy. However, on January 30, 2021, Sri Lanka's Army Commander General Shavendra Silva laid the foundation stone for construction of the stupa, 100 ft in height,<sup>42</sup> despite strong objections of Jaffna District Parliamentarians at a District Coordinating Committee meeting on the expropriation of private lands and the augmentation of the vihara.





The military camps, military buildings, and Buddhist temples constructed only at Urani, Thaiyiddy, and Myliddy are mentioned in the map (Figure 1). The most spacious 10th Field Engineers Headquarters are located at Myliddy Junction, about 500 meters from the military police camp. It is part of the Palaly Army Headquarters. The total surface of the Army camp, which stretches from Myliddy to Palali, is over 2,000 acres – of which, an approximately 1,000 acre camp is located in 8 GS Divisions of Myliddy. The two centuries old Myliddy Kalimakal School is located adjacent to the 10th Field Engineers Headquarters. Students are only able to enter the school through a gate fitted in the fence of the Army camp.



**Figure 1. Map of military camps, military buildings, and Buddhist temples only at Urani, Thaiyiddy, and Myliddy**

The camp set up on a massive scale, occupies many more adjoining villages in the East and South, up to Palaly; only the area within the Myliddy area of the 10th Field Engineers Headquarters is pictured.





1980s photo of the Varasithi Vinayakar temple and St. Mary's Church, which were demolished for the construction of the Commando Bungalow in Myliddy, Jaffna.

A Commando Bungalow of the Army is set up on around 60 acres of land owned by 400 people on the beach side of the road, opposite the 10th Field Engineers Headquarters in Myliddy. The 400 year old Hindu Temple, Varasithi Vinayakar, and 200 year old St. Mary's Church, located in the Commando Bungalow area have been demolished. No evidence remains that the temple and church ever existed.



Commando Bungalow Built On Public Land In Myliddy, Jaffna.







Fishing boats of Sinhalese fishermen engaged in deep sea fishing docked at Myliddy Harbor. Photo credit: <https://www.koormai.com/><sup>46</sup>

Community members and the people's representatives that the research team met feared that the situation would be worse in the Palaly area, which has not yet been allowed to resettle, as militarization is at its peak in these three villages that were allowed for resettlement after 28 years in 2017 and 2018.

The harbour located in Myliddy is very popular for fishing. According to a local official,<sup>43</sup> during the pre-war 1980s, one-third of Sri Lanka's total fishing was done in Myliddy,<sup>44</sup> but today fishing production has dropped by 90 percent. The local official blames this on heavy militarization and the complete loss of fishing equipment and resources of Myliddy fishermen. In one generation, the community has lost its traditional fishing livelihood, due to 28 years of continued displacement. Local fishermen expressed concern that the Myliddy harbor is currently being used extensively by southern Sinhalese fishermen with the help of the military.<sup>45</sup>



## MEASURING MILITARIZATION

Operational Headquarters	Divisions	Brigades				No of Battalions	Total No of Army
	51	511	512	513	515	8	8,000
Jaffna	52	521	522	523	524	8	8,000
	55	551	552	553		6	6,000
	57	571	572	573	574	8	8,000
Kilinochchi	65	651	652	653		6	6,000
	66	661	662	663		6	6,000
	59	591	592	593		6	6,000
Mullaittivu	64	641	642	643		6	6,000
	68	681	682	683		6	6,000
	21	211	212	213		6	6,000
	54	541	542	543		6	6,000
Wanni	56	561	563			5	5,000
	61	611	612	613		6	6,000
	62	621	622	623		6	6,000
	22	221	222	223	224	8	8,000
East	23	231	232	233		6	6,000
	24	241	242			4	4,000
<b>Total</b>						<b>107</b>	<b>107,000</b>
Note: 1 Brigade = 2 Battalions; 1 Battalion = 1,000 personnel							

Table 1: Military presence in the North and East<sup>53</sup>

*The Long Shadow of War* estimated that in 2014 – five years after the end of the war – approximately 160,000 soldiers – mostly Sinhalese – remained stationed in the North and East. This accounts roughly to one soldier for every six civilians. Little appears to have changed in recent years.

The Sri Lankan Army has seven Regional Headquarters, of which five are located in Jaffna, Kilinochchi, Mullaitheevu, Vavuniya, and Trincomalee in the Northern and Eastern Provinces.<sup>47</sup> According to the Report of the UN Human Rights Commission<sup>48</sup> on Sri Lanka, every Army Division consists of 10,000 to 20,000 soldier, and two – four Brigades.<sup>49</sup> Each Brigade consists of two Battalions,<sup>50</sup> with 1,000 soldiers each.<sup>51</sup> The table above illustrates the Army's numbers in the North and East as per the minimum criteria.<sup>52</sup>



There are 44 Brigades in the North, with 89 Battalions under them (according to the Army, 56th division consists of two Brigades, with five Battalions under them).<sup>54</sup> Thus, there are at least 89,000 soldiers are stationed in the North. According to the 2012 census the total population of the Northern Province is 1,058,762.<sup>55</sup> Therefore, the level of militarization of Northern Province is at one soldier per every 12 civilians. 11 years after the end of the war, this high ratio of military amidst the civilians makes the Northern Province of Sri Lanka an extremely militarized place. And this calculation is based on the minimum criteria, as detailed above.

Furthermore, the Air Force, Navy, Special Task Force, and Special Commandos are not considered in this calculation. If these statistics are included in the calculation, the Northern Province remains militarized at a level of one soldier per every six civilians, even today. A 2017 report by the Adayalaam Center for Policy Research and PEARL estimated that between 45,500-78,000 Army personnel are based in Mullaithivu District alone, suggesting a ratio of one soldier for every two civilians.<sup>56</sup>





## LIFE UNDER MILITARY OCCUPATION



Although stated otherwise by the Sri Lankan government, military occupation is not about ensuring security. For years, the Army has engaged in numerous non-military activities – large-scale property development, construction projects, and business ventures including travel agencies, farming, holiday resorts, golf courses, restaurants, and innumerable cafes. This has adversely affected the livelihoods of the local Tamil population and the resettlement of the IDPs.



The widespread presence of military personnel across the North and East – including their overt penetration into all aspects of civilian life and local economies – hinders the livelihoods of the local people. During the field research, Army personnel from the Mullaithivu Army Headquarters were seen engaging in cattle breeding and production of milk and yogurt. Military officials occupying lands in Kepapulavu harvested coconuts from local trees to sell them. Navy personnel in Vadduvagal cultivated spinach in their camp and sold it at local markets.<sup>57</sup> Sivasakthi Ananthan, a former parliamentarian from the Vavuniya District, expressed the same concern: “Every day we see many buses carrying families of the occupying military on the A9 road to the North. These families stay at Army Hotels and military settlements and shop at army shops. The Army also cuts valuable trees in our forests and sells them.”<sup>58</sup>

A canteen set up by the Army on Iranaipalai Road, Pudukudiyiruppu, Mullaithivu. Many products are sold here, including vegetables and cigarettes.





Salons, cafes, hotels, and other tourist spots continue to be run by the military. The Thalsevana Resort is run by the military, with no efforts made to hide the reality behind this seven star resort.<sup>59</sup> A new luxury military mansion was constructed recently about one kilometer away from the Talsevana Hotel. Public access to the area is prohibited. At least five additional hotels and resorts are run by the military in Mullaithivu alone,<sup>60</sup> including the Green Jackets Resort, which has seized vital beach areas from fisherfolk who depended on it for their livelihoods.

Researchers also witnessed Army engagement in building of cement blocks, used for construction. Similar to the Army's involvement in agriculture, this creates competition with local traders and other small businesses, taking important income and work from those trying to reestablish their livelihoods in the post-war context.



Green Jackets Multishop – military-run business built on the site of an LTTE cemetery destroyed by the Army in Alampil, Mullaithivu. Photo Credit: <https://pearlaction.org/>



Troops of the 59th Regiment stationed at the Mulliyawalai Army Headquarters produce and sell cement blocks. The resort is run by the 24th Singha Regiment of the 593rd Brigade in the 59th Regiment. The military already operates a variety of industries, including agriculture, dairy, fishing, restaurants, and resorts.



It shows the ironic reality of the military looting the economies and livelihoods of people devastated by war and the need for the demilitarization in the North and East. However, with the military budget increasing to an astounding Rs.355 billion [~US\$1.83 billion] in 2021 from Rs.214 billion [~US\$1.1 billion] in 2009,<sup>61</sup> the government's will to demilitarize the region appears absent.



For the past ten years, the military has been pumping drinking water every day through a number of heavy water tanks from a public tube well in Thanneerootru in the Mullaithivu District. As a result, the drinking water wells of the local communities in the area are deteriorating.





## DISPLACEMENT, RESETTLEMENT, AND LIVELIHOODS

---



Faucet for the use of the residents of Camp Sabapathippillai.

According to the the Statistical Handbook of 2020 of the Jaffna District Secretariat, over 23,000 people await resettlement in Jaffna.<sup>62</sup> In 2015, *The Long Shadow of War* exposed the plight of the displaced people of Valikamam North at the Neethavan Camp, located in Mallakam and the Sabapathippillai camp located at Chunnagam in the Jaffna District.

Six years later these two camps still exist, and the researchers' visit revealed that the same plight continues. Today 60 families live in Neethavan Camp, and 79 families live in Sabapathippillai camp.<sup>63</sup> A total of 1,304 people are still living in 22 camps in the areas of Valikamam and Vadamaratchi in Jaffna District for over 30 years without the ability to return to their own homes.











A five-day rally (From Pottuvil to Polikandy) against the government's repression including land grabbing went from Pottuvil in Ampara District via Batticaloa, Trincomalee, Mullaithivu, Vavuniya, Mannar, and Kilinochchi, to Polikandy in Jaffna District in February 2021. The Sri Lankan troops and police took repressive measures to disrupt the protest and intimidate the Tamil and Muslim participants in the rally. Photo: <https://www.tamilguardian.com/> and <http://athavannews.com/>





Since 2015, communities in Sampoor in Trincomalee in the Eastern Province have engaged in hunger strikes, demanding the return of their land after it was declared a Special Economic Zone for a 500-megawatt coal power plant for an Indian company that covered 504 acres. These plans were overturned in 2015, raising expectations that families would soon be resettled. However, the creation of this Special Economic Zone was not degazetted, and the conditions for resettlement were not created. Moreover, 1,100 acres of land were declared a High-Security Zone, which has not been degazetted. Consequently, the displaced were not allowed to fully resettle in the area. Today, the government still controls these lands, with families still displaced and waiting to

return home. The military has planted coconut trees on the land and is allegedly reaping the harvest.<sup>64</sup> In an insidious move in July 2019, the government gave cabinet approval to Japan's Electric Power Development Company (J-Power) to set up two 300 MW coal power plants<sup>65</sup> in the resettled areas of Soodaikkudaa and Koonithivu in Sampoor,<sup>66</sup> with the financial assistance of the New Energy and Industrial Technology Development Organisation (NEDO) of Japan.<sup>67</sup> Steps were taken to survey the land in July 2019 to give the Japanese corporation 240 acres of land including fields, temples, and ponds. While the project has been temporarily abandoned due to strong public opposition, communities continue to await the return of their land.<sup>68</sup>

Women from Sampoor protesting the Indian coal power plant.





In a nearby Sampoor beach in Trincomalee, a Navy camp sits on 85 acres of land. The officers from the Muthur Divisional Secretariat made the families sign papers in 2015, stating that this would provide them with an alternative land. These papers were used as “proof” that the landowners willingly ceded their lands to the Navy for the construction of the camp.<sup>69</sup> However, no alternative lands have been provided and the families remain displaced.

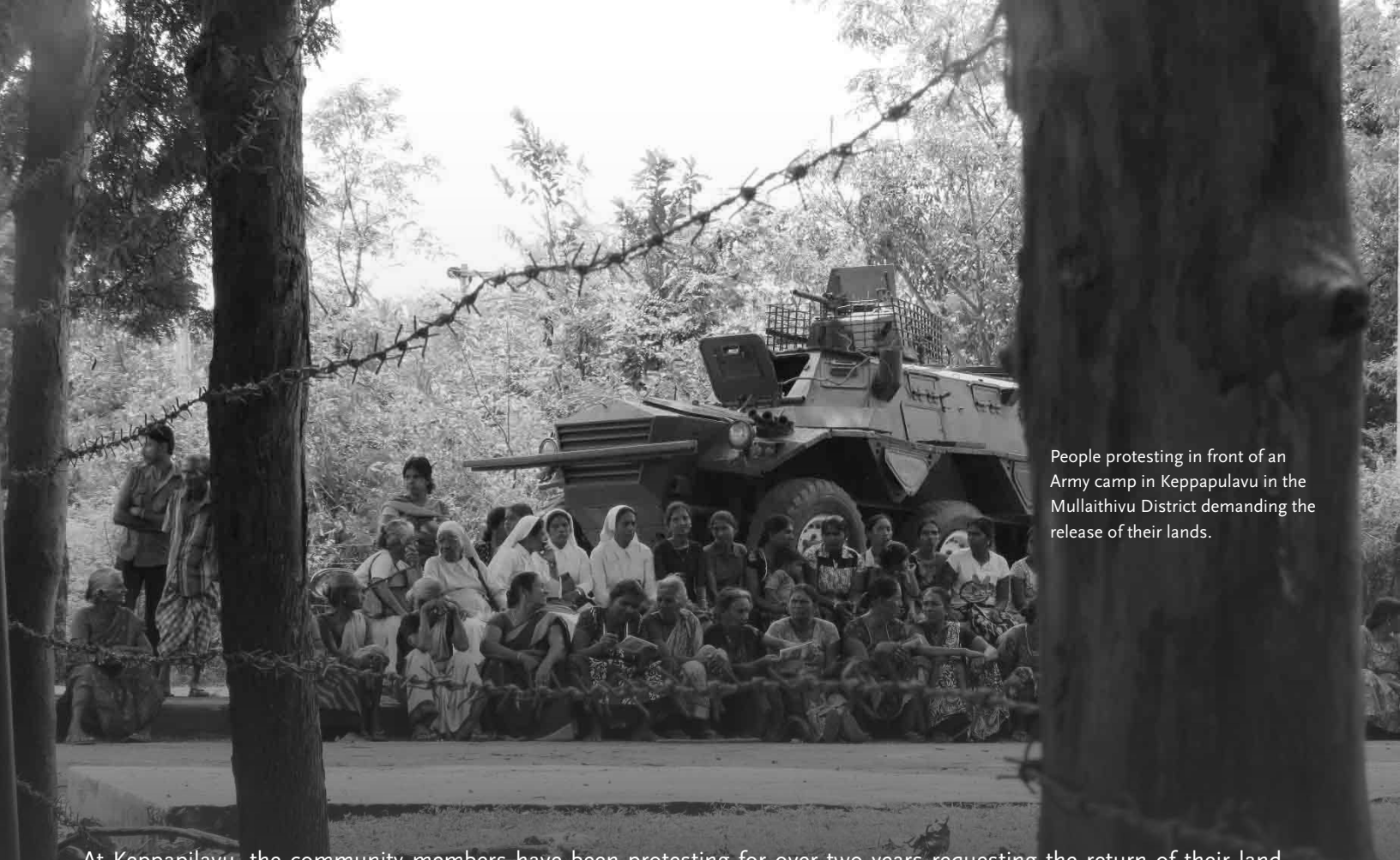
The government has additionally made secret arrangements to hand over approximately 3,000 acres of land under the control of Land Reform Commission (LDC) in Pallai, Jaffna to a Chinese company and Sinhalese investors. This includes the 287 acres of coconut plantations owned by the National Land Development Board near Pudukkottai Junction in Pallai. According to former Parliamentarian and Leader of EPRLF, Suresh Premachandran, work for allotment of these lands has been completed:

“All work to relocate the Northern Provincial LDC office in Jaffna to Anuradhapura in the North Central Province has been completed in order to facilitate the process of handing over the lands of the LDC in Pallai to a Chinese company and Sinhalese investors. We cannot accept this; this is vicious. Also, two army officers have been appointed to operate the Northern Provincial LDC office from Anuradhapura. Although many traders in Jaffna have demanded that the coconut lands be given to them, the government has taken steps to hand over the land to a Chinese company and Sinhalese traders.”<sup>70</sup>

On January 18th 2021, the Cabinet approved a proposal to involve Sinosoar-Etechwin Joint Venture from China to install “hybrid renewable energy systems” in Nainativu, Delft or Neduntheevu, and Analaitivu, located in the Jaffna Peninsula. Locals have strongly opposed the project, protesting that the move was made without their consent.<sup>71</sup>

12 acres of land allotted to a Chinese company in Delft, Jaffna.





People protesting in front of an Army camp in Keppapulavu in the Mullaithivu District demanding the release of their lands.

At Keppapulavu, the community members have been protesting for over two years requesting the return of their land. Simultaneously, some land was released in a piecemeal fashion, while 350 acres remain under the control of the Army.<sup>72</sup> Communities continue to demand the release of this last parcel of land, engaging in what some have called the longest protest over the lands in the country. The Army has openly threatened the locals that they would remain permanently displaced if they did not accept the alternative lands and compensation that were offered to them.<sup>73</sup>



Sri Lankan military intimidates people by taking pictures and video of them protesting in front of the Army camp to liberate their lands confiscated by the Army in Keppapulavu in the Mullaithivu District between 2017 and 2019.



## CONCLUSION

Through irrigation schemes, seasonal cultivation, military camps and settlements – which declared the Tamil lands as archaeological reservations, wildlife sanctuaries, and forest reserve and special economic zones – land grabbing in the North and East has accelerated in recent years. All these activities aim to immediately or gradually establish Sinhalese settlements, Buddhist temples, and geographical fragmentation of the North and East Tamil homeland. Government institutions such as Mahaweli Authority, Archaeological Department, Forest Department, and Wildlife Department, were organized to facilitate these racially oppressive operations. These activities are carried out in a well-planned and structured manner behind the slogans of “democracy,” “one country-one law,” and “constitutional law.”

The information and evidence gathered in this report aligns with recent studies showing that the land grabbing measures by the Central government of Sri Lanka in the North and East, reflect the characteristics and intentions of an ethnocratic state.<sup>74</sup> Although ethnocratic states present themselves as democracies, their aim is to establish an “ethnization of contested territory and power apparatus.” Oren Yiftachel and Asad Ghanem defined ethnocracy as “a regime facilitating the expansion, ethnicization, and control of contested territory and state by a dominant ethnic nation.” Ethnocratic states exercise selective openness and have a range of partial democratic features. The data from our report confirms that Sri Lanka has all of the following characteristics of an ethnocratic country.

1. Ethnicity, not citizenship, is the criterion for allocating power and resources. Minority populations are only given partial rights, leading to consistent ethnocratic-civil tension.
2. A dominant ethnic nation handles the state structures to control and determine the country's political system, institutions, economy, and geography.
3. Ethicized politics.
4. Political boundaries are not clearly defined to maintain dominance over the co-minority races.
5. Ethnic segregation and socio-economic stratification are carried out strictly.

Ethnocratic countries often experience ethnic tension, which causes instability.<sup>75</sup> Sri Lanka's history, over the last several decades has been marked by deep ethnic divisions and instability, culminating in a 30-year brutal civil war.

The information revealed in this report and others – including the recent report by High Commissioner for Human Rights, Michelle Bachelet,<sup>76</sup> demonstrates that Sri Lanka has been moving towards rigorous ethnocratic structures and activities since the end of the civil war in 2009. It heralds further escalation of racial tensions, instability, and human rights abuses. As rightly pointed out by High Commissioner Bachelet, the situation in Sri Lanka represents “clear early warning signs of a deteriorating human rights situation and a significantly heightened risk of future violations, and therefore calls for strong preventive action.”



This perilous situation poses a serious challenge to the efforts of the international community to promote peace, reconciliation, and coexistence in Sri Lanka in the post-war situation. Meanwhile, the Rajapaksa regime's withdrawal in March 2020 from the UN Human Rights Council's resolution 30/1, which was co-sponsored by the previous Sirisena government in 2015, further jeopardizes reconciliation, accountability, and human rights in Sri Lanka.

High Commissioner Bachelet has stressed the need not only to ensure accountability for past human rights violations in Sri Lanka, but also warned of possible future violence and conflict in the country and stressed the international community's proactive role to stop and prevent them. The Commissioner's urging of member states, such as asset freezes and travel bans on Sri Lankan officials accused of human rights abuses and steps towards the referral of the situation in Sri Lanka to the International Criminal Court are timely and essential to upholding justice and human rights.<sup>77</sup>

The Zero Draft Resolution on Sri Lanka, presented at the 46th session of the UN Human Rights Council, launched on February 22, 2021, by members of the Core-Group on Sri Lanka, which

includes UK, Canada, Germany, Montenegro, and North Macedonia, however, deviates from the recommendations made by the High Commissioner Bachelet and the recommendation made by four former High Commissioners, nine former Special Rapporteurs, and all members of the UNSG's Panel of Experts on Sri Lanka, who have jointly stated that the matter should be referred to the ICC.<sup>78</sup> The Zero Draft Resolution fails to deliver justice and to address the root causes of the ethnic conflict. It does not lay the ground for accountability and lasting peace.

The Oakland Institute urges the Core-Group on Sri Lanka and the member states of the UN Human Rights Council, to include High Commissioner Bachelet's recommendations in the final resolution. The Core-Group countries should also emphasize on the immediate cessation of land grabbing, planned settlements, and demilitarization of the North and East in the Resolution, given the detrimental impact of these issues, as evidenced by this report. Additionally, we call on the Human Rights Council to appoint a Special Rapporteur to investigate and report on the ongoing human rights violations in Sri Lanka with special reference to land grabbing and militarization in the North and East.

Reconciliation, human rights, and peace is not possible in Sri Lanka unless the situation is handled in accordance with international law, international justice mechanisms, and morality.





# ENDNOTES

- 1 Mittal, A. *The Long Shadow of War: The Struggle for Justice in Postwar Sri Lanka* The Oakland Institute, 2015. <http://www.oaklandinstitute.org/longshadow-war> (accessed November 25, 2020).
- 2 “No truth in extremist threats to Sri Lanka – Defence Secretary.” *News First*, May 19, 2020. <https://www.newsfirst.lk/2020/05/19/no-truth-in-extremist-threats-to-sri-lanka-defence-secretary/> (accessed February 17, 2021); “No threat to national security: Army Commander.” *Daily Mirror*, August 16, 2017. <http://www.dailymirror.lk/134733/No-threat-to-national-security-Army-Commander> (accessed February 17, 2021).
- 3 United Nations Office of the High Commissioner. “Sri Lanka on alarming path towards recurrence of grave human rights violations – UN report.” Press Release. January 27, 2021. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26695&LangID=E> (accessed January 29, 2021).
- 4 TGTE. “Human Rights Council Must Refer Sri Lanka to International Criminal Court (ICC) - Zero Draft Delivers Zero Justice.” EIN Newwire, February 22, 2021. [https://www.einnews.com/pr\\_news/535727420/human-rights-council-must-refer-sri-lanka-to-international-criminal-court-icc-zero-draft-delivers-zero-justice-tgte](https://www.einnews.com/pr_news/535727420/human-rights-council-must-refer-sri-lanka-to-international-criminal-court-icc-zero-draft-delivers-zero-justice-tgte) (accessed February 24, 2021).
- 5 Mittal, A. *The Long Shadow of War: The Struggle for Justice in Postwar Sri Lanka*. Op. Cit.
- 6 Field visit in October, 2020. Documents verified.
- 7 District Secretariat, Mullaitivu. “The Resource Profile and Statistics.” 2018. [https://drive.google.com/file/d/1JQd\\_K-DZ32VTxB5KQF18e41xQf4ABg9x/view](https://drive.google.com/file/d/1JQd_K-DZ32VTxB5KQF18e41xQf4ABg9x/view) (accessed April 25, 2019).
- 8 Field visit and documents research. October, 2020. Identities of the interviewees are withheld for security reasons.
- 9 Right to Information Act (RTI). February, 02, 2019. Ref No: 69. Divisional Secretariat, Kuchaveli.
- 10 “Mahaweli Authority violates court order for illegally settled Sinhalese.” *Vierakesari Newspaper*, August, 22, 2018. <http://www.virakesari.lk/article/38961> (Accessed December 29, 2020); “Sinhala settlements violates Sri Lanka-India agreement.” *Vierakesari Newspaper*, August 20, 2018. <http://www.virakesari.lk/article/38789> (accessed December 29, 2020); People for Equality and Relief in Lanka (PEARL). *Sinhalization of the North-East: Kokkilai*. October 16, 2019. <https://pearlaction.org/2019/09/21/sinhalization-of-kokkilai/> (accessed January 7, 2021).
- 11 “Livestock Farmers Left High and Dry in Mylathamadu.” *Ceylon Today*, December 12, 2020. <https://ceylontoday.lk/news/livestock-farmers-left-high-and-dry-in-mylathamadu> (accessed January 7, 2021).
- 12 Field visit on December 15, 2020.
- 13 Interview with former Land Commissioner Karthirgamathamby Kurunathan on January 2, 2021.
- 14 “Wigneswaran: Mark My Words, the Ides of March are Around the Corner.” *TMK Media*, March 9, 2020. <http://thetmk.org/en/wigneswaran-mark-my-words-the-ides-of-march-are-around-the-corner/> (accessed January 8, 2021).
- 15 Letter written by Akhila Ilankai Tamil Mahasabha to the Land Commissioner General on November 11, 2020.
- 16 “Initial Victory For Sumanthiran's Advocacy Group.” *Colombo Telegraph*, November 12, 2020. <https://www.colombotelegraph.com/index.php/initial-victory-for-sumanthirans-advocacy-group/> (accessed February 14, 2021).
- 17 “Mullaitivu court allows Sri Lankan Archaeology department to construct sentry point.” *Tamil Guardian*, September 12, 2021. <https://www.tamilguardian.com/content/mullaitivu-court-allows-sri-lankan-archaeology-department-construct-sentry-point> (accessed February 14, 2021).
- 18 “Sri Lankan minister leads Buddhist landgrab of Tamil temple.” *Tamil Guardian*, January, 18, 2021. <https://www.tamilguardian.com/content/sri-lankan-minister-leads-buddhist-landgrab-tamil-temple> (accessed January 23, 2021).
- 19 “There are 131 temples in the North.” *Tamil Mirror*, March, 2017. <http://www.tamilmirror.lk/195965/> (accessed February 16, 2021).
- 20 Thurairajah Raviharan. Op. Cit.
- 21 Karthirgamathamby Kurunathan. Op. Cit.
- 22 “Maithiripala ‘coordinates’ relentless land grab at massive-scale in North-East.” *Tamilnet*, July 28, 2018. <https://www.tamilnet.com/art.html?catid=79&artid=39142> (accessed April 12, 2019).
- 23 Interview with former Northern Provincial Council (NPC) Member Thurairajah Raviharan on April 3, 2019 and January 23, 2021.
- 24 Ibid.
- 25 Based on the statistics prepared by the Mannar District Secretariat.
- 26 Oakland Institute's interview with a villager from Vattuvakal, February 21, 2021. The name of the villager is withheld to ensure protection.
- 27 Oakland Institute's interview with second villager from Vattuvakal, February 21, 2021. The name of the villager is withheld to ensure protection.
- 28 Statistical Hand Book - 2017: Mullaitivu District. Mullaitivu District Secretariat. Available at Jaffna University, Library Catalogue DDC classification: 315.493.
- 29 Adayaalam Centre for Policy Research. *Normalising the Abnormal: The Militarisation of Mullaitivu*. 2018. <http://adayaalam.org/wp-content/uploads/2018/01/Normalising-the-Abnormal-The-Militarisation-of-Mullaitivu.pdf> (accessed December 8, 2020).
- 30 Oakland Insitute researchers verified the information in this document.
- 31 Field visit in March, 2019. The details of the local authorities who provided the information are withheld for security reasons.
- 32 Ibid.
- 33 Ibid.
- 34 Ibid.
- 35 Ibid.
- 36 Thurairajah Raviharan. Op. Cit.
- 37 Ibid.
- 38 Retrieved from gazette notifications and documentary analysis.
- 39 Chapter 8- Resettlement. In *Statistical Hand Book 2020 - Jaffna District*. Jaffna District Secretariat. pp.169-174.
- 40 Interview on January 5, 2021.
- 41 Field visit on February 2, 2021.
- 42 Sri Lanka Army. “General Shavendra Silva Lays Corner-stone for Construction of New ‘Stupa’ at Tissa Viharaya.” Press Release. January 30, 2021. <https://www.army.lk/news/general-shavendra-silva-lays-corner-stone-construction-new-%E2%80%99stupa%E2%80%99-tissa-viharaya> (accessed February 2, 2021).
- 43 Phone Interview on January 3, 2021.
- 44 “Myliddy harbour and lands released after 27 years of military occupation.” *Tamil Guardian*, July 3, 2017. <https://www.tamilguardian.com/content/myliddy-harbour-and-lands-released-after-27-years-military-occupation> (accessed February 17, 2021).
- 45 Field visit, February 2, 2021; S. Sukirthan, Chairman, Valikamam North, Divisional Council. “*Sinhala fishermen in Myliddy*.” [https://www.youtube.com/watch?v=L-agf5XUdXo&feature=emb\\_logo](https://www.youtube.com/watch?v=L-agf5XUdXo&feature=emb_logo) (accessed February 14, 2021).
- 46 This map was prepared based on data collected by Oakland Institute researchers’ filed visit to Myliddy, Thaiyiddi, and Urani during January 2021.
- 47 Sri Lanka Army. “Field Formations.” <https://www.army.lk/> (accessed December 23, 2020).

Jaffna: 6, Mannar: 20, Vavuniya: 35, Kilinochchi: 3 and Mullaitivu: 67;



- 48 United Nations Office of the High Commissioner for Human Rights. *Report of the OHCHR Investigation on Sri Lanka (OISL)*. September 16, 2015.
- 49 *Ibid.*
- 50 *Ibid.*
- 51 "Eelam war I: The Wimalaratne factor GR on transformation of SLA." *The Island*, June, 18, 2013. [http://www.island.lk/index.php?page\\_cat=article-details&page=article-details&code\\_title=81592](http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=81592) (accessed April, 21, 2019).
- 52 Sri Lanka Army. "Field Formations." *Op. Cit.*
- 53 This table was prepared based on information obtained from the military website, media reports, NGO and civil society reports, and research papers.
- 54 Sri Lanka Army. "Field Formations." *Op. Cit.*
- 55 Sri Lanka Department of Census and Statistics. *Census of Population and Housing 2012*. <http://www.statistics.gov.lk/> (accessed December 25, 2020).
- 56 "Normalising the Abnormal: The Militarisation of Mullaitivu." *Op. Cit.*
- 57 Field visit. March 2, 2019.
- 58 Interview with Mr. Sivasakthy Ananthan, Tamil National Alliance Former MP for Vavuniya (EPRLF) on April 11, 2020.
- 59 Thalsevana Resort. "Homepage." <http://www.thalsevanaresort.com/> (accessed December 14, 2020).
- 60 Normalising the Abnormal: The Militarisation of Mullaitivu." *Op. Cit.*
- 61 Parliament of Sri Lanka. "Presentation of the Appropriation Bills." October 20, 2020. <https://www.parliament.lk/en/budget-2021/presentation-of-the-appropriation-bill-2021> (accessed December, 22, 2020).
- 62 Statistical Handbook 2020. *Op. Cit.*
- 63 Field visit in December, 2020.
- 64 Field visit in November, 2020.
- 65 "Cabinet approves four coal power plants, moves to reduce PUCSL's authority." *Sunday Times*, June 28, 2019. <http://www.cebeu.lk/cebeuw/daily-mirror-cabinet-approves-four-coal-power-plants-moves-to-reduce-pucsls-authority/> (accessed February 12, 2021).
- 66 "Colombo wants to grab lands once again for power plants in Champoor." *Tamilnet*, July 14, 2019. <https://www.tamilnet.com/art.html?catid=79&artid=39512> (accessed February 14, 2021).
- 67 Mudugamuwa, M. "Environment at risk: Multiple coal power projects proposed." *The Sunday Morning*, October 6, 2019. <http://www.themorning.lk/environment-at-risk-multiple-coal-power-projects-proposed/> (accessed October 6, 2019).
- 68 Karthirgamathamby Kurunathan. *Op. Cit.*
- 69 Interview with former Member of the Eastern Provincial Council, Nageswaran on February 28, 2019.
- 70 Interview with former Parliamentarian and Leader of EPRLF Suresh Premachandran on February 18, 2021.
- 71 Field visit and interview with local community members. February 3, 2021.
- 72 "Keppapilavu residents demand their lands." *Sunday Observer*, January 27, 2017. <http://www.sundayobserver.lk/2019/01/27/news/keppapilavu-residents-demand-their-lands> (accessed November 29, 2020).
- 73 "Keppapilavu villagers protest, despite military threats." *Tamilguardian*, January 25, 2017. <https://www.tamilguardian.com/content/keppapilavu-villagers-protest-despite-military-threats> (accessed November 28, 2020).
- 74 Yiftachel, O. and Ghanem, A. "Understanding "Ethnocratic" Regimes: The Politics of Seizing Contested Territories." *Political Geography*, 23 (4), 647–76. 2004. <https://www.sciencedirect.com/science/article/abs/pii/S0962629804000423> (accessed February 13, 2021).
- 75 Yiftachel, O. and, Ghanem, A. *Op. Cit.*
- 76 United Nations Office of the High Commissioner. "Sri Lanka on alarming path towards recurrence of grave human rights violations – UN report." *Op. Cit.*
- 77 United Nations Office of the High Commissioner. "Sri Lanka on alarming path towards recurrence of grave human rights violations – UN report." Press Release. January 27, 2021. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26695&LangID=E> (accessed January 29, 2021).
- 78 TGTE. "Human Rights Council Must Refer Sri Lanka to International Criminal Court (ICC) - Zero Draft Delivers Zero Justice." EIN Newwire, February 22, 2021. [https://www.einnews.com/pr\\_news/535727420/human-rights-council-must-refer-sri-lanka-to-international-criminal-court-icc-zero-draft-delivers-zero-justice-tgte](https://www.einnews.com/pr_news/535727420/human-rights-council-must-refer-sri-lanka-to-international-criminal-court-icc-zero-draft-delivers-zero-justice-tgte) (accessed February 24, 2021).







