

TRINCOMALEE UNDER SIEGE

LAND GRABS TARGET THE TAMIL HOMELAND IN SRI LANKA



The Oakland Institute
20 YEAR ANNIVERSARY

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ACKNOWLEDGEMENTS

This report is based on several field research trips between January 2023 to March 2024 by researchers of the Oakland Institute to the Trincomalee District in Sri Lanka and interviews with citizens, community activists, retired and currently serving government officials, and representatives of political parties and civil society organizations. Information was also obtained from government gazette notifications, reports and documents.

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EXECUTIVE SUMMARY

The Sri Lankan state continues to expand Sinhalese control over the historical homeland of minority Tamil and Muslim groups in the Northern and Eastern Provinces, which remain largely under military rule, despite the end of the civil war 15 years ago. It is with this intent that it is escalating the expropriation of land in Trincomalee District, located in the Eastern Province of Sri Lanka.

Sinhalese colonization and settlements in Tamil lands, under the guise of development, have been prevalent since the independence of the country. This new research exposes the intensification since the end of the civil war in 2009 and details the different methods deployed by successive governments and the military to further disempower Tamil and Muslim communities.

Six predominantly Tamil and Muslim populated Divisional Secretary (DS) Divisions within Trincomalee have been subjected to intensive land grabbing. As a result, Sinhalese now constitute 27 percent of Trincomalee's total population and occupy 36 percent of the district's total land area. The Kuchchaveli DS Division, which geographically connects the Northern and Eastern Provinces, has undergone the worst dispossession during the past ten years. At least 41,164 acres of land have been expropriated in the Division – comprising over 50 percent of the total land area. This has been in part carried out under the guise of “development” projects that settle Sinhalese peasants in Tamil areas – a process known as Sinhalization. Attempts to merge some territory of the Kuchchaveli DS Division – including traditional Tamil villages – with the Sinhalese dominant Anuradhapura District, are also being advanced.

Sinhalization goes hand in hand with Buddhization – the expansion of viharas (Buddhist temples) in predominantly Hindu and Muslim areas to facilitate demographic change. Over 26 viharas have been constructed on 3,887 acres of expropriated land in Kuchchaveli DS Division alone. Several of these temples have been declared “Historically Important Sacred Sites” by the government through gazette notifications. While Buddhist monks are allowed to build viharas and monasteries, the temples of ancient gods worshipped by the Tamils in these areas have been destroyed, or visits are prohibited.

In 2020, former President Gotabaya Rajapaksa appointed an 11-member Presidential Task Force for Archaeological Heritage Management in the Eastern Province that was given the responsibility of identifying and managing sites of archaeological importance. The group, led by the Secretary to the Ministry of Defense, Major General (Rtd.) Kamal Gunaratne, did not initially include any Tamils or Muslims despite the fact they make up the majority of the province's population. Panamure Thilakavansa, one of the two monks appointed to the Task Force, leads Buddhization efforts in Trincomalee District. Although this Task Force is no longer active, land grabs to establish Buddhist viharas continue unabated.

The staggering amount of land grabbed from Tamils in Trincomalee District has impacted thousands of people. Traditional livelihoods have been lost due to the massive expropriation of fertile agricultural and coastal lands. Those who have returned and attempt to reclaim their lands face various legal obstacles and harassment from settlers, while being deprived of basic services. Locals report that if this situation continues, they will not be able to live in their villages.

This report provides evidence and compiles numerous testimonies demonstrating the ongoing land grabbing, Sinhalization, Buddhization, and militarization in the Northern and Eastern Provinces. The Sri Lankan state considers militarization essential to assert its ethnocentric dominance over the Tamil and Muslim populations. As a result, a heavy military presence remains. In March 2024, Volker Türk, UN High Commissioner for Human Rights, warned about the destabilizing role that “escalating” land disputes in the North and East are having on livelihoods, concluding that “sustainable peace and reconciliation will not be achieved in Sri Lanka with regressive laws and authoritarian approaches.”

The intensification of Sri Lanka's ethnocentric practices documented in this report only produces misery, injustice, resentment, and jeopardizes the country's chances of peace and reconciliation. Unless the government starts demilitarizing the Northern and Eastern Provinces and respecting the basic rights to land and life of the Tamil and Muslim communities, peace and reconciliation will not be possible.



INTRODUCTION

The bloody civil war that ravaged Sri Lanka for 26 years ended in 2009. Tens of thousands of civilians were killed after being herded into so-called no-fire zones before being mercilessly bombed by the armed forces – in what many observers called a genocide. The conflict, in which the Tamil separatists led by the Liberation Tigers of Tamil Eelam (LTTE) opposed the majority Sinhalese Buddhist-led government, killed approximately 200,000 and displaced over one million people. It destroyed infrastructure across the country and took a heavy toll on the lives and livelihoods of the Tamil and Muslim populations of the Northern and Eastern Provinces.

For over a decade, the Oakland Institute has closely monitored the human rights situation in the North and East – the Tamils’ traditional homeland – following the end of the civil war. The Institute’s 2015 seminal report, *The Long Shadow of War: The Struggle for Justice in Post-war Sri Lanka*², exposed the different ways land was being expropriated, including establishing Buddhist viharas, tourist resorts, victory monuments, archaeological preservations, and special economic zones to Sinhalize the North and East. Subsequent reports provided an update on the suffering endured by these communities and the continued struggle for justice.

The 2021 report, *Endless War: The Destroyed Land, Life, and Identity of the Tamil People in Sri Lanka*, brought forward shocking new evidence on the extent of continued persecution of the minority Tamil population in the North and East.³ Under the guise of “development” projects, government driven Sinhalese colonization increased within Tamil areas with the intent to change demographics and deny Tamil communities access to their land in Mullaithivu District. It also exposed the impact of widespread militarization on the Tamil population, with roughly one military personnel for every six civilians. The Northern and Eastern Provinces remain highly militarized, hosting five of the seven Regional Headquarters of the Sri Lankan military.⁴



Archeology Department stone claiming a parcel of land in Pulmoddai, Trincomalee District © The Oakland Institute

While there have been several regime changes in Sri Lanka over the past decades, all governments have continued with land dispossession, Sinhalization, Buddhization, and militarization of the North and East. In September 2023, the Office of the United Nations High Commissioner for Human Rights⁵ expressed serious concern over the continued expropriation of land for archaeological and security reasons, which has led to conflicts and tension.⁶ While current President Wickremesinghe signaled that his government would stop these land grabs, this report exposes it to be an empty promise.

The report specifically examines these developments within Trincomalee District – considered the capital of the Tamil people as it geographically connects the Northern and Eastern parts of the most densely Tamil and Muslim populated areas. The first section explores how concerted efforts by successive governments have changed the population demographics of Trincomalee District to establish Sinhalese control of the area. The second section focuses on how “development” projects – including irrigation schemes, port modernization, power generation and tourism – have been used to expropriate lands from Tamils in the district. The rapid construction of Buddhist viharas and the acquisition of lands under the guise of protecting archaeological sites, known as Buddhization, is the focus of the third section. The fourth section examines the impact of these land grabs on the local population and the hardships faced when they try to reclaim their land. The report concludes with an urgent call for action to address the crisis.



CHANGING POPULATION DEMOGRAPHICS OF TRINCOMALEE

The recorded history of Trincomalee, which is among Asia’s most ancient cities, traces back to 2,590 BC when the Tamil people lived around the ancient Shiva temple of Thirukoneswaram. For centuries, the area has been a vital center of Tamil culture in Sri Lanka.⁸ In 1827, the population of Trincomalee District was 82 percent Tamil, 17 percent Muslim and just one percent Sinhalese.⁹

Following independence from Britain in 1948, successive Sri Lankan governments carried out Sinhalese colonization schemes in the Eastern Province. These were primarily done under the guise of irrigation schemes, which expropriated large amounts of land and undermined the livelihoods and very existence of the Tamil people. Between 1948 and 1969, 15,000 families were settled on 55,352 acres in Trincomalee District.¹⁰ Although some Tamil and Muslim families were also settled under these schemes, today, these settlements are inhabited almost exclusively by the Sinhalese.

This process engineered a demographic change by bringing in the Sinhalese from the south of the country.¹¹ In 1911, Trincomalee District was 61 percent Tamil, 35 percent Muslim and just four percent Sinhalese.¹² The last census conducted in 2012 shows that the Muslim proportion of the population slightly increased to 41 percent, while the Tamil population fell to 32 percent and the Sinhalese population massively increased to 27 percent.

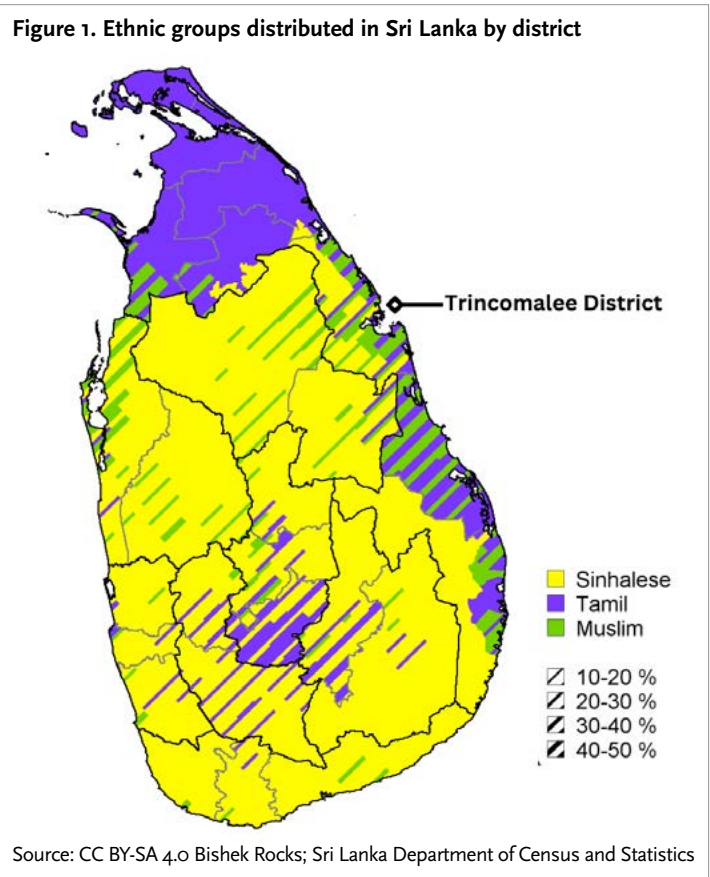
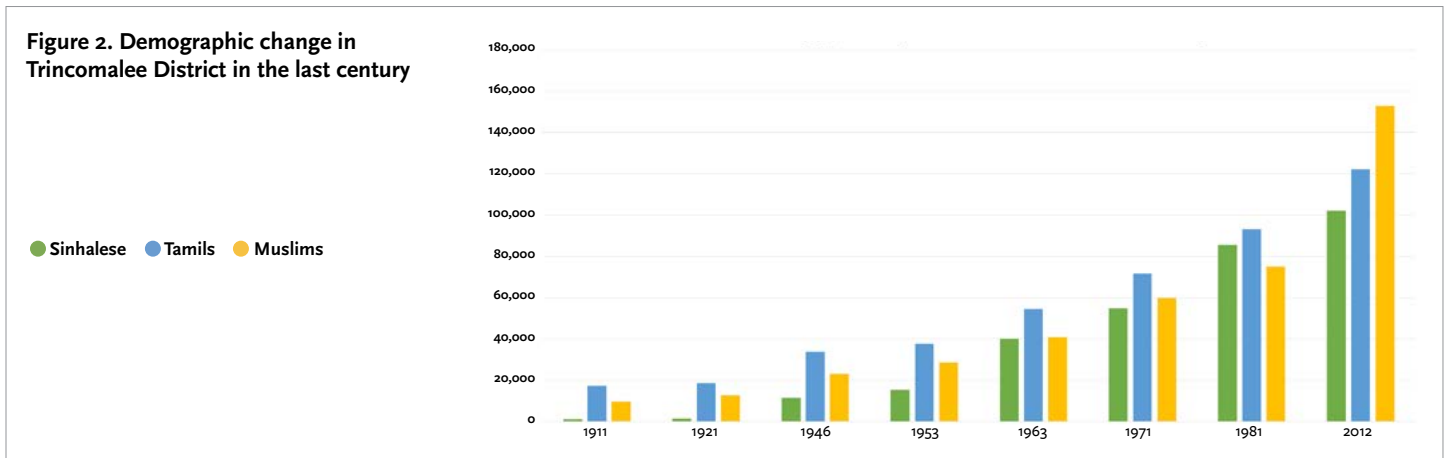


Table 1. Demographic change in Trincomalee District in the last century

Ethnicity	1911	1921	1946	1953	1963	1971	1981	2012
Sinhalese	1,138	1,501	11,606	15,296	39,925	54,744	85,503	101,991
Tamils	17,233	18,580	33,795	37,517	54,452	71,749	93,132	122,080
Muslims	9,700	12,846	23,219	28,616	28,616	59,924	75,039	152,854

Source: Sri Lanka Department of Census and Statistics

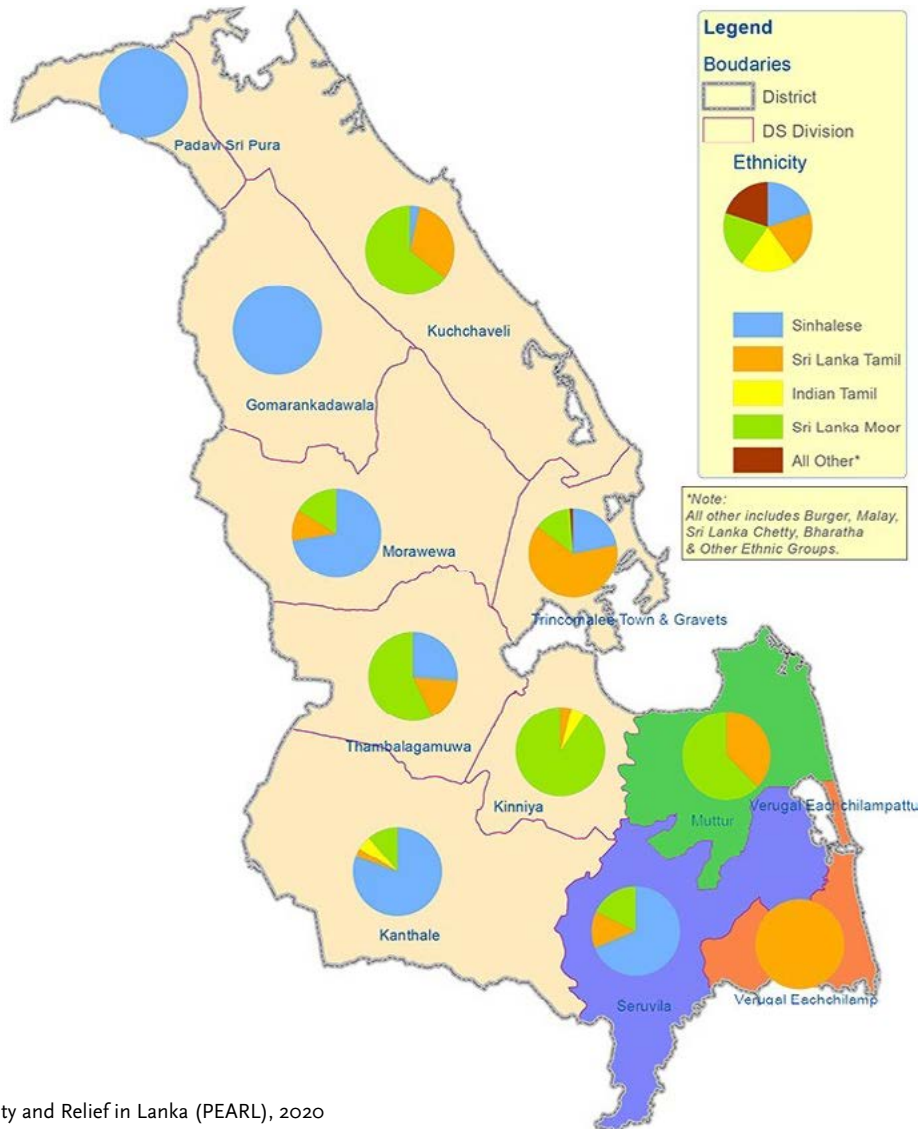


Administratively, Trincomalee District has 11 DS Divisions. As seen in Figure 3, Sinhalese now makeup significant portions of many of the divisions in the district as a result of previous settlement projects that brought them into the area. The Sinhalese constitute 27 percent of the total population of Trincomalee and occupy about 36 percent of the total land area. The Sinhalese also occupy a large amount of land in the Tamil and Muslim populated DS Divisions, such as Trincomalee (Town and Gravets DS Division), Kinniya, Muttur, Kuchchaveli, Thampalakamam (Thambalagamuwa), and Verugal.¹⁴

Trincomalee has the second highest concentration of Muslims of any district in Sri Lanka.¹⁵ Historically, Tamils and Muslims (also referred to as “Sri Lankan Moors”) peacefully coexisted in the Northern and Eastern Provinces as they shared language as well as cultural norms, and traditions.¹⁶ But during the civil war, Muslims often found themselves trapped between the warring sides.¹⁷ In Trincomalee, approximately 60,000 Muslims in Muttur and Thoppur were displaced by fighting.¹⁸ Post-war governments have failed to implement an effective resettlement scheme for Muslims, leaving tens of thousands waiting to reclaim their lands.¹⁹

Efforts to shift the demographic composition of Trincomalee District are strategically targeting one of the last areas of the country that still has a high population of Tamils and Muslims. The following sections detail the strategies deployed by the government to further take over land and organize the ongoing demographic shift in the district.

Figure 3. Population by ethnicity in Trincomalee District



Source: People for Equality and Relief in Lanka (PEARL), 2020



SINHALESE SETTLEMENTS UNDER THE GUISE OF “DEVELOPMENT”

Large tracts of land have been seized in Trincomalee District under the guise of various “development” projects during and after the civil war. Justified by the need to improve irrigation, modernize ports, develop power plants, and boost tourism, these schemes have resulted in the loss of land held by Tamil communities and facilitated the settlement of Sinhalese people. In recent years, these land grabs have intensified across several divisions in the district.

Kuchchaveli DS Division

Kuchchaveli DS Division connects the Northern and Eastern Provinces and is one of the last divisions with a large proportion of Tamils and Muslims, as shown in Figure 3. As a result of this strategic importance, it is currently being targeted by state departments for massive land grabbing schemes. Kuchchaveli DS Division has also been subject to intensive land grabs to establish Buddhist viharas and archeological sites – detailed in the following section.

Table 2. Land seized in Kuchchaveli DS Division

Purpose	Land (Acres)
Archaeological Sites	755
Buddhist Viharas	3,887
Forest Department	29,953
Illegally Seized*	5,800
Tourism Development Authority	769
Total	41,164

*Conservative estimate of land illegally and forcibly expropriated without any gazette notification or due acquisition process

Under the pretense of “conservation,” the Forest Department has seized land and currently controls nearly 30,000 acres in the DS Division.²⁰ When acquiring these lands, the department fails to adhere to protocols or approval processes, such as conferring with provincial councils and municipal authorities, as the law requires.²¹ The military reportedly aids the Forest Department’s seizures that target residential and agricultural land from Tamil and Muslim communities.²² These land grabs threaten their livelihoods while opening space for Sinhalese settlements.

Table 3. Land seized by the Tourism Development Authority in Kuchchaveli DS Division since 2009

Village	Land (Acres)
Iqbal Nagar	60
Nilaveli	199
Kumpurupiddi East	510
Total	769

Source: Government documents, source not given for security concerns

The Tourism Board has also been used to seize land vital to Tamil livelihoods in the DS Division. In 2010, former President Gothapaya Rajapaksha expropriated 495 acres of land in Kumburupiddi – where Tamil people had been cultivating onion for ages. When his brother Mahinda Rajapaksa was President, this land was handed over to the Tourism Board.²³ Gothapaya Rajapaksa was then given an outright grant to own this land.²⁴ In this area, between the Indian Ocean and the Periyakarachchi Lagoon, poor fishermen and farmers were forcibly removed to clear space for the “Jungle Beach Resort,” set up by a corporate outfit belonging to the Rajapaksa family in 2013.²⁵ The livelihoods of Tamil farmers involved in onion and peanut cultivation on this land were severely impacted as they were left with no other way to make a living.²⁶



Since the end of the war, hundreds of additional acres of land have been given to the Tourism Development Authority and National Youth Services Council.²⁷ Public use of these lands is now prohibited, which is a cause of frustration and fear among the people, given the growing shortage of land in the area.²⁸

In 2007, the Raigam Wayamba Salterns (Raigam Salt Company) acquired 1,800 acres of land adjacent to the Kumburupiddi Sea on a long-term lease basis to establish the largest saltern in Sri Lanka.²⁹ This is a coastal area rich in shrimp and crab that Tamil fishermen have relied upon for generations. Since the dispossession, hundreds of fishermen have lost their primary livelihood source.³⁰ Their demand to be allowed to return to fishing in the area have been ignored by local authorities.



Billboard posted by the former Eastern Province Governor, prohibiting entry to expropriated land in Kuchchaveli, Trincomalee District © The Oakland Institute

Livelihoods devastated as coastal land given to a salt company



“More than 500 families fishing in this sea area have been affected by the acquisition of 1,800 acres of land by the Raigam Salt Company. There are plans to give 450 acres of land to another salt company at Siriyakaraichi. If this land is given, the livelihood of at least another 400 fishing families will be affected.

Moreover, many agricultural lands of Tamil people have been forcibly taken away by the Sinhalese people in Kumburupiddi. Sinhalese settlers are also actively trying to seize a Hindu crematory ground belonging to the Kumburupiddi people. This case has been going on for seven years but no judgment has yet been rendered. I have been threatened because of my involvement in this case.”

– Pushpakanthan, former member of the Kuchchaveli Divisional Council

For ages, the Tamil people have cultivated lands in Thiriyai (currently given the Sinhalese name of “Thirikattu Saaya”). In 2008, 75 acres of their land were seized to establish a military camp for the 1st Gajaba Regiment. An Army camp and military farms have been set up within the surrounding territory. A crematory ground in the neighboring area has also been confiscated.³¹

In 2020, security forces helped Sinhalese villagers seize another 3,000 acres of land surrounding the Thiriyai Vihara, affecting the livelihoods of hundreds of Tamil farmers.³² Many of these farmers rely upon water from the Neelapanikkar Kulam pond, located on the border of Thiriyai and Gomarankadawala DS Division. Recently, Sinhalese in the area have taken control of the pond and stopped Tamil farmers from accessing it, severely impacting hundreds of additional livelihoods.³³

Kalliravu, an ancient Tamil fishing village, has been renamed Kallirava, and a Sinhalese fishermen settlement project has been set up nearby on the coast. These settlers are engaged in fishing from Kalliravu to Mullaithivu using prohibited methods such as light course fishing, dynamite fishing, and unauthorized nets – destructive to the surrounding ecosystem.³⁴ These Sinhalese fishermen are under the protection of the Navy, allowing their destructive fishing practices to continue with impunity.³⁵



The Mahaweli Irrigation Program

The Mahaweli Irrigation Program was launched in the 1970s as the largest development scheme in the country. While water does not flow from the Mahaweli River to Mullaithivu, Vavuniya, Batticaloa or most of Trincomalee in the Northern and Eastern districts, the program still facilitates the expansion of illegal Sinhalese settlements under the guise of irrigation development.³⁶

The Mahaweli Authority has acquired about 1,050 acres of land in the Kuchchaveli DS Division of Trincomalee for the Kevulu Oya scheme³⁷ and 4,368 acres in nearby Mullaithivu, while neither have received any water from the Mahaweli River.³⁸ Instead of developing irrigation for Tamils in these areas, the program has facilitated their dispossession. “Project L” under the scheme is located where Mullaithivu District borders Trincomalee District, a crucial area that connects districts historically populated by Tamils and Muslims. Under this scheme, approximately 25,000 acres of land have been expropriated from the Mullaithivu District for the formation of the Manalaaru/Weli Oya Sinhala DS Division, and thousands of Sinhalese families have been resettled, displacing native Tamil families in the area.³⁹

Sri Lanka’s Constitution is clear that the people of the respective areas should be given priority in the irrigation settlement projects.⁴⁰ It states, “The distribution of all allotments of such land in such projects will be on the basis of the national ethnic ratio,” and that “priority will be given to persons who are displaced by the project.”⁴¹ Despite this protection, Tamil and Muslim people are being excluded while the Sinhalese are settled. According to government statistics, lands were distributed to 123,630

Sinhalese families but just 3,068 Muslim families and 1,825 Tamil families under ten schemes of the Mahaweli Irrigation Development Program between 1972 and 1998.⁴² Trincomalee is one of two districts within “System D” of the project where, as of 2022, 21,157 families have been settled as part of the project.⁴³ Sinhalese were also settled in the remaining DS Divisions with a high share of Tamil-speaking people in Trincomalee District.⁴⁴

The Mahaweli Irrigation Program is also a key component of ongoing efforts to divide the traditionally Tamil populated Northern and Eastern Provinces. In 2022, an application to annex part the Kuchchaveli DS Division – including the majority Tamil Thennaimarawadi – with the Sinhalese dominant Anuradhapura District was submitted to the Delimitation Commission by Sinhalese settlers. The plan – reportedly developed by Sinhalese politicians – was to rename Thennaimarawadi Village and its surrounding areas as “Makasenapura” and to merge about 700 acres of land acquired for the Mahaweli Irrigation Zone in 1971 and 2007 with Anuradhapura District. However, this project is currently on hold for political and economic reasons as Village Officers refused to support the move. If this plan is implemented the claim of united Northern and Eastern Provinces being the Tamil homeland will be destroyed.⁴⁵

A Village Officer told the Oakland Institute that a plan to divide the Kokkilaai Lagoon into three parts, connecting one piece to Trincomalee District, one to the Mullaithivu District, and another to the Anuradhapura District, was also previously attempted. The ulterior motive of this plan was to bring Sinhalese fishermen into this area.

Weaken the Tamils’ claim to the North and East



“Kuchchaveli DS Division is the heart of the predominantly Tamil-speaking regions in the contiguous Northern and Eastern Provinces. The purpose of the settlement of Sinhalese in Kuchchaveli is to dismember the contiguous land mass of the North and East. By taking over Kuchchaveli, the government plans to cut off the land connection and weaken the Tamils’ claim of the North and East as their historical homeland.”

– Sri Ganeswaran, Community Activist in Trincomalee



Trincomalee (Town and Gravets) DS Division

In 1984, approximately 5,000 acres of land were allotted to the Ports Authority in Trincomalee DS Division through a gazette notification.⁴⁶ This land was taken from 37 villages⁴⁷ and the seizure did not follow the legally mandated acquisition process.⁴⁸ In the following years, more lands within this area were illegally expropriated.⁴⁹ An industrial zone was set up in 2007 on 50 acres of land. Security forces also seized land in Mattikkali and Linga Nagar soon after the war ended in 2009.⁵⁰

During the war, Tamils were driven out of the Aandankulam, Rectorwatte, and Paansalawatte Villages due to violence. Their lands have been illegally occupied by the Sinhalese in the post war period. Currently, steps are being taken to formalize and legalize this illegal occupation, in violation of the Commission of Reconciliation's recommendations 9.148, 9.171 & 9.142 and of the Cabinet's policy decision on the National Involuntary Resettlement policy of displaced people from June 2001.⁵¹

Muttur DS Division

Since the war ended, security forces have forcibly occupied 207 acres of Tamil land in Sampur West, Sakkarawattuwan area of Muttur DS Division.⁵² Another 505 acres of land inhabited by Tamils in Sampur West, Santhosapuram, were expropriated in 2011 for the Trincomalee Power Company to establish two coal power plants.⁵³ This land was acquired without giving requisite notice to landowners and without following the legal procedure.⁵⁴ Although compensation was given to those with titles, locals allege that there was not a proper hearing for the land owners during the land acquisition procedure. Despite the decision by the Trincomalee Power Company to establish the power plants elsewhere, the land has not been returned to the Tamils.

Kinniya, Thambalagamam, and Verugal DS Divisions

Sporadic land grabbing and the creation of Sinhalese settlements is occurring in the other three majority Tamil and Muslim DS Divisions, namely Kinniya, Thambalagamam, and Verugal. For example, a sugar factory illegally grabbed 40 acres of land in Kinniya DS Division in 2006 and 2007.⁵⁵ Similarly, the Forest Department released lands which were a part of a forest reserve in Thambalagamam and gave them to the Sinhalese who illegally occupied the Trinco-Habarana Road from the 84th mile post to the 90th mile post in 1984. Since 1990, the Sinhalese who have illegally settled in this area have been given additional lands belonging to the Forest Department.⁵⁶



THE BUDDHIZATION OF TRINCOMALEE DISTRICT

In Trincomalee District, there is a deep intersection between land grabbing, resource exploitation, and the establishment of Buddhist viharas. This Buddhization is being carried out by constructing Buddhist viharas and acquiring lands under the guise of protecting archaeological sites. As a result, land held by Tamils and Muslims is being forcefully expropriated by state departments and Buddhist monks with the full protection of state security forces on a massive scale.

In October 2023, the United States Commission on International Religious Freedom (USCIRF) visited Sri Lanka and noted “religiously motivated land disputes” and documented that “authorities have continued to expropriate Hindu and Muslim land for the construction of Buddhist sites.”⁵⁷ As a result of these and other findings, the USCIRF recommended that the U.S. Department of State add Sri Lanka to its “Special Watchlist for severe violations of religious freedom.”⁵⁸ As detailed below, Tamils and Muslims in Trincomalee District are losing thousands of acres of land through Buddhization.

Kuchchaveli DS Division

In Kuchchaveli DS Division, Tamil lands are being acquired for archaeological purposes and then being used to establish new Buddhist viharas. According to official statistics, at least 26 viharas have been established since the end of the war on approximately 3,887 acres of land in the division.⁵⁹ While Buddhist viharas are expanding, the temples of the Tamil’s ancient gods in those areas are destroyed or permission to visit them is prohibited. Table 4 provides an overview of the viharas officially recognized by the government in Kuchchaveli DS Division. During field visits, six additional viharas were identified in Neelapanichankulam, Pulmoddai and Nilalevi.



Table 4. Buddhist Viharas (Temples) in Kuchchaveli DS Division

Number	Name of Vihara	Sub-Division	Land Seized (Acres)
1	Masan Wewa Rajamaha Vihara	Casim Ngar, Kuchchaveli	354.8
2	Sagara Pura Samudragiri Vana Senasuna Vihara	Jayanagar	89
3	Samudragiri Pichchamal Purana Rajamaha Vihara	Kuchchaveli	89
4	Sembimalai Chethiyagiri Purana Rajamaha Vihara	Kuchchaveli	59.5
5	Babbhiya Pabbatha Vana Senasuna	Kumpurupiddi East	41.5
6	Bambaragala Purana Rajamaha Vihara	Kumpurupiddi East	253
7	Dembaragala Purana Rajamaha Vihara	Kumpurupiddi East	49.5
8	Sri Mahapothi Vihara	Kumpurupiddi East	2
9	Vidyaloka Vihara	Kumpurupiddi East	<1
10	Kokkaradimalai Puththaraja Vanasenasuna	Kumpurupiddi East	400
11	Maduvakkulam Tharmaraya Vanasenasuna	Kumpurupiddi East	400
12	Koththikulam Sangaraja Vanasenasuna	Kumpurupiddi East	400
13	Thiyana Mandapam/ Meditation Hall	Kumpurupiddi East	5
14	Kandalkadu Purana Rajamaha Vihara	Nilaveli	5
15	Aththanagi Kantha Purana Rajamaha Vihara	Pulmoddai 01	219.3
16	Mihinthulena Rajamaha Vihara	Pulmoddai 01	49.9
17	Nakalena Rajamaha Vihara	Pulmoddai 01	145.8
18	Sri Saththarma Yuththika	Pulmoddai 01	50.45
19	Yan Oya Purana Raja Vihara	Pulmoddai 01	364
20	Arisikantha Purana Rajamaha Vihara	Pulmoddai 02	236.5
21	Shanthipura Rajamaha Vihara	Pulmoddai 04	100
22	Sangamale Purana Rajamaha Vihara	Thennaimarawadi	154
23	Thapasu Palluka	Thiriyai	6.5
24	Pabbtharama Rajahamaha Vihara	Thiriyai	109.3
25	Sapthanaga Pappatha Wana Senasuna	Thiriyai	50
26	Girikandasaja Purana Rajamaha Vihara	Thiriyai	253.36
Total			3,887

Source: Government documents, source not given for security concerns

Table 5. Land reserved for archaeological sites in the Kuchchaveli DS Division since the end of the war

Sub-Division	Land Seized (Acres)
Iya Nagar	46.9
Kuchchaveli	68
Kumpurupiddi East	198.2
Nilaveli	9
Pulmoddai 01	70.2
Pulmoddai 03	11.2
Thennaimarawadi	8.9
Thiriyai	343.3
Total	755.7

Source: Government documents, source not given for security concerns



The Government of Sri Lanka blindly encourages the activities of Buddhist monks



“When the Tamil people who lived in Trincomalee came back to their villages in 2009 after being displaced due to the war, their lands were confiscated by the government and the Sinhalese. This is done under the guise of encouraging entrepreneurship, but no land is provided for the entrepreneurial activities of the Tamils in their native lands.

Buddhist monks are actively involved in land-grabbing activities with the government’s support. They are also building Buddhist viharas in Tamil areas where there are no Sinhalese. Buddhist monks are responsible for many problems in Trincomalee. The law of this country is such that even the police cannot control the activities of monks. The government is aware of the transgressive activities of the monks, and yet encourages them blindly.

Trincomalee is today nominally known as the capital of the Tamil people of the North and East. In reality, the rights of the Tamil people have been taken away and their existence questioned. The police even suppress our democratic struggles to assert our rights and seek justice. The police obtain court injunctions against our protests to prevent them. Recently, when we staged a protest against land encroachment in Kuchchaveli, we were blocked through the courts. Thus, we moved out of Kuchchaveli and held the demonstration at Uppuveli.”

– **Nagendran Asha, President of Trincomalee District Enforced Disappeared Association and Women Aid Foundation**

In June 2020, former President Gotabaya Rajapaksa appointed a Presidential Task Force for Archaeological Heritage Management in the Eastern Province.⁶⁰ Set up under leadership of Secretary to the Ministry of Defense, Major General (Rtd.) Kamal Gunaratne, the 11-member Task Force, including Buddhist monks, was given the responsibility of identifying sites of archaeological importance in the province and implementing a program for their management, restoration, and conservation.⁶¹ Despite the fact they constitute the majority of the province’s population, a Tamil and Muslim representative were only included in November 2021 following strong criticism by human rights organizations.⁶² Also, no archaeologists and historians with expertise in the Eastern Province were included.⁶³

Tamil political leaders and civil society organizations immediately issued strong objections against the Task Force, claiming that under the guise of identifying and protecting archaeological sites, its true purpose was to expand Buddhist viharas. The Centre for Policy Alternatives (CPA), a Colombo-based think-tank, criticized the creation of the Task Force to be in violation of the Constitution.⁶⁴ Former UN High Commissioner for Human Rights, Justice Navi Pillay, has also expressed serious concerns about the task force.

Disturbing concerns about the Presidential Task Force for Archaeological Heritage

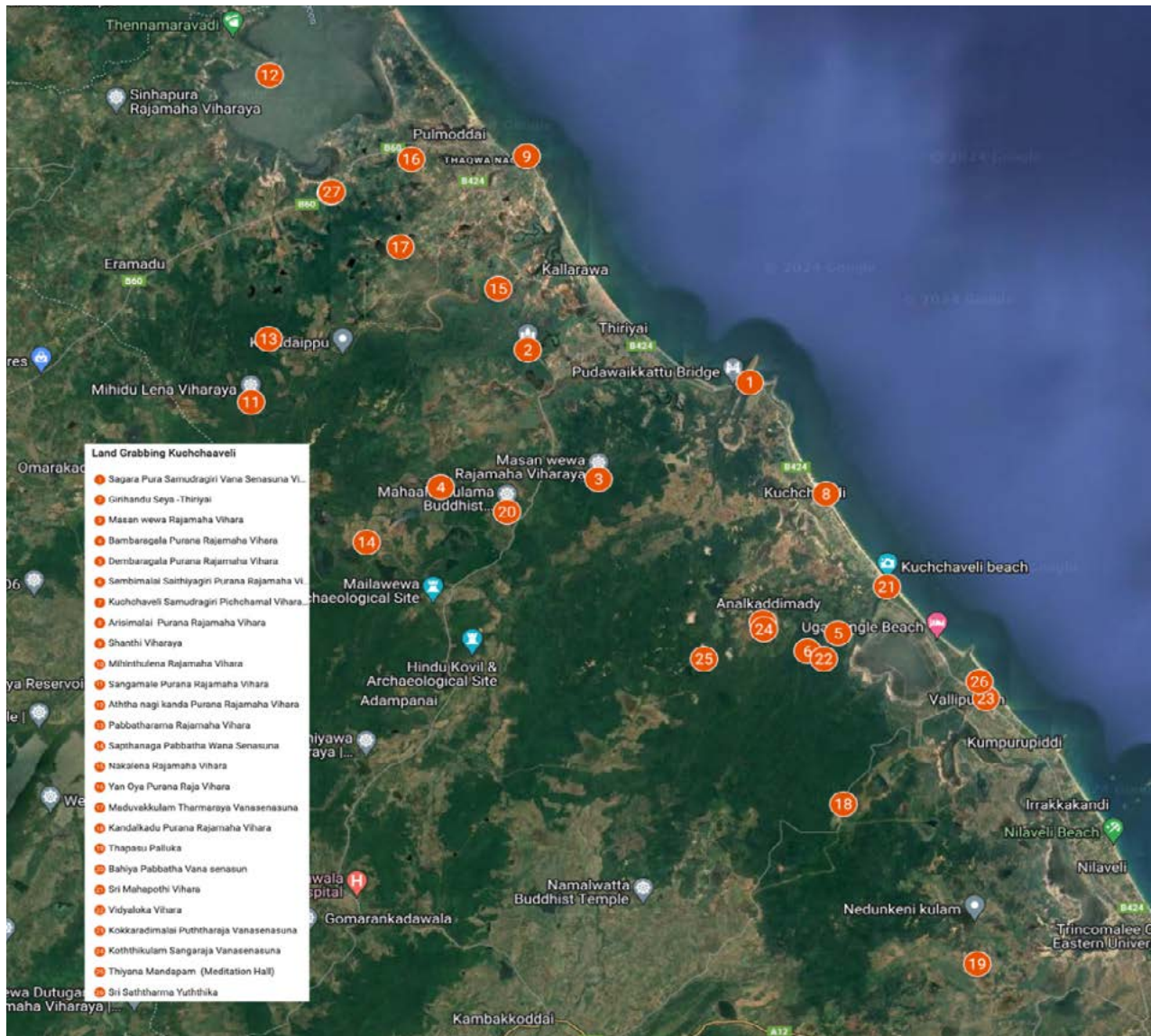


“I was quite concerned to learn about the Presidential Task Force for Archaeological Heritage in the Eastern Province and its seemingly unapologetic Sinhalese-Buddhist leaning. Its militarized tone, being chaired by the Defense Secretary, is also disturbing. In a province such as the Eastern Province, with its diverse ethnic composition, any entity that comes with a one-sided narrative will fail to gain the trust of those affected by its decisions, however useful or well-intentioned those decisions might be, and will likely aggravate polarization of its interventions as neither fair nor well-intentioned. I understand the current Presidential Task Force is but a new manifestation of a pre-existing strategy – that of using archaeology and historic preservation as quizzes for political or religious agendas. This is a trend that has been observed by UN Special Rapporteurs that have visited Sri Lanka in the last few years (SR on Freedom of Religion or Belief; SR on Minorities) and has been noted in the reports of the High Commissioner for Human Rights to the Human Rights Council.”⁶⁵

– **Justice Navi Pillay, Former UN High Commissioner for Human Rights**



Figure 4. Viharas Built in Kuchchaveli DS Division



Source: Google Maps custom visualization created by P. Vanniyan

While the Task Force is no longer active, these activities continue to seize large amounts of land under the guise of archeological preservation.⁶⁶ In March 2024, Minister of Buddhahasana, Religious and Cultural Affairs, Vidura Wickremenayake, declared the government’s intention to continue claiming land despite opposition from Tamil members of Parliament.⁶⁷ A key member of the Task Force, a monk named Panamure Thilakavansa (also known as Arismalai Bhikkhu), is the driving force behind land grabbing and the establishment of viharas in various parts of the Kuchchaveli DS Division. Residents report that this monk is so influential that he acts as the government representative in Kuchchaveli, leading the ongoing Sinhalizaton and Buddhization activities. He has close connections with various state departments and government offices,⁶⁸ and according to locals, the Archaeology Department, Forest Department and even the security forces, function under his guidance and planning.



Panamure Thilakavansa escorted by Ministerial Security Division. Source: Arismale Wanasenasan Sanchithaya Facebook Page

In February 2024, the National Physical Planning Department designated four of the viharas in the Kuchchaveli DS Division as “sacred sites of significant archaeological, historical, and sacred importance,” in a gazette notification.⁶⁹ These include three viharas in Pulmoddai – Shanthi Vihara , Yan Oya Rajamaha Vihara, and Sri Saddharma Yuktika Vana Senasuna (Monastery) and one in Pudavaikattu – Sagara Pura Samudragiri Vana Senasuna Vihara.⁷⁰ The local community fears that the government’s declaration of these viharas as sacred sites represents its first step to aggressively engage in and expand Buddhization and Sinhalization activities in these areas.⁷¹



Shanthi Vihara in Pulmoddai, Trincomalee District. Source: Google Maps /M.H.Hasitha Niroshan Jayalath

Thennaimarawadi Village

Kandasamy Hill stands along the coast of Thennaimarawadi, an ancient settlement of the Tamil people. Villagers have been worshipping at the temple dedicated to Murugan, a Hindu god, on top of this hill since prehistoric times. In 1983, Tamils were displaced to Mullaithivu due to the violent attacks by security forces and vigilantes. Subsequently, the village was taken over by the Sinhalese and the Murugan temple was destroyed.⁷²

After the end of the war, when Tamils tried to return to worship at Kandasamy Hill, the Archaeology Department imposed a ban on their religious activity. Visiting the statue on top of the temple is currently prohibited. The Archeology Department’s surveillance activities are carried out by security forces in the area.⁷³ Some Sinhalese fishing families have also settled on the beach on the northern side of the hill. The Murugan temple has now been renamed Sankamale Rajamaha Vihara, and allocated 163 acres of land that the government declared as an archaeological zone.⁷⁴

Tamil farmers of Thennamravadi have land deeds and permits over hundreds of acres of fields in the vicinity of Panikkawayal Junction. In 1983, they were driven out by massacres and the fields were given to the Sinhalese. Following a request made by Panamure Thilakavansa to the Government Agent of Trincomalee, almost 300 acres of native fields and uplands belonging to the Tamils in Thannamravadi have been expropriated. In 2020, construction of a Buddhist vihara began.⁷⁵

Tamil people demanding the return of their land have received threats from police and military intelligence.⁷⁶ Panikkarwayal Kulam, the pond that supplied water to the locals, has been filled up with soil by the Sinhalese and is now cultivated for agriculture.⁷⁷



Panamure Thilakavansa (4th from right in the first row) and his assistant (3rd from left in the first row) attended the ceremony declaring 11 viharas, including four viharas in Kuchchaveli DS Division, as sacred sites on February 15, 2024, at the Presidential Secretariat. Source: The Sri Lanka President’s Media Division



Pulmoddai Village

Panamure Thilakavansa has facilitated the illegal grabbing of land – more than 3,000 acres – to set up Buddhist viharas in Pulmoddai Village, where the population is predominantly Tamil-speaking Muslims. So far, at least seven Buddhist viharas have been constructed in the area since 2019 (see Table 4). These lands were traditionally cultivated by the Muslim population.

In 2015, when there was a military camp at Maalanoor in Pulmoddai, a vihara was constructed along with 22 houses in the surrounding area. Named Shanthipura, this settlement is located in the north of Trincomalee District, in Maalanoor at the 12th milepost and next to Eramadu at the 10th milepost. The houses established near the vihara were constructed illegally without obtaining permission from the local government and are located on lands where the Muslim residents had farms.⁷⁸

Today, the heavy military presence in Pulmoddai facilitates the expansion of Buddhist viharas. One of the few routes to the seaside is occupied by the Ranweli Navy camp. Across Kokkilai, on the other side of the lagoon, another Navy base has been constructed. The 27th Battalion of the Gajaba Regiment holds a camp near the 13th Milepost and the Special Task Force (STF) of the Sri Lankan army maintains a sizable camp south of Pulmoddai. A Naval unit has



also been set up in the Arisimalai area, where a Buddhist complex has been constructed, and another naval camp sits 200 meters further down the road.⁷⁹

Pulmoddai is famous for its valuable mineral deposits, including ilmenite, rutile, and zircon. Since 1972, the government-owned Lanka Mineral Sands Corporation has been intensively mining for ilmenite in Pulmoddai.⁸⁰ Ecosystems and livelihoods have been negatively impacted by the destructive mining practices. Promises of land restoration have not been fulfilled and 2,000 acres of coastal lands are now completely defoliated.⁸¹ According to the locals, contrary to government promises, Sinhalese from the South have been the primary beneficiaries of mining jobs over the local Tamil and Muslim population.⁸²



Monk Panamure Thilakavansa arbitrarily seizes lands claiming to have discovered archaeological artefacts



“After the Indian Peacekeeping Force left in 1990, Pulmoddai Village and nearby Thennaimarawadi Village came under the control of the Sri Lankan Army. I used to work as a Grama Niladhari [local government official]. They restricted access to many of our paddy fields, citing security reasons. This situation remained until the end of the war in 2009. But, even today, I still cannot go to the paddy field I farmed in 1990. The military has appropriated many lands.

Similarly, the Forest Department has demarcated many agricultural lands by placing stones. The situation today is that the Sinhalese can go into the forests to cut down trees and take over the lands, but our people cannot go into the forests. So far, no Sinhalese have been arrested and brought to court for cutting trees in the forest. But many Muslim people have been punished in court for this very reason.

Monk Panamure Thilakavansa is actively seizing lands. We have repeatedly resisted his efforts to measure public land for expropriation in the Arisimalai area. But with the help of the security forces and the Government Agent of Trincomalee District, he has now measured and expropriated 200 acres of land using Google Maps. Panamure Thilakavansa goes to forests and other places and claims to have found some archaeological evidence. But it is alleged that he actually buries and digs them up. He has been seizing land and building viharas. He has even said that a big Dalada Maligawa [Buddhist temple] like the one in Kandy would soon be set up in Kuchchaveli.

Recently, when a mobile identity card service was held, many monks came to Kuchchaveli on a bus and registered themselves. Their plan is to assign monks to the viharas being built and settle Sinhalese near each vihara. For example, in Malanoor in Pulmoddai, the Sinhalese have settled in a place where the residents were opposed to viharas. Similarly, efforts are being made to establish a Sinhalese settlement at Kanthasamy Hill in Thennaimarawadi after expropriating lands belonging to the Muslim and Tamil people under the auspices of the Forest and Archaeology Departments. The Seruwila Division, inhabited by the Sinhalese people, has now expanded near Thennaimarawadi, with more people settling in these areas.”

– K. Salaam, a retired Muslim Village Officer

Thiriyai Village

In 2020, the Archaeology Department identified several sites in Thiriyai village that allegedly contained archaeological remains.⁸³ Four separate viharas in the village now occupy over 400 acres. The establishment of these viharas has deprived local farmers of land vital to support their livelihoods.



Girikandu Saya Vihara in Thiriyai, Trincomalee District. Source: Google Maps/Chethana Adhikari



Pudavaikattu Village

After the end of the war in 2009, a new Sinhalese settlement named Sagarapura was established in the village, on the banks of the Kunchikumban River. The families of 30 Sinhalese fishermen were brought to this settlement with the support of the Navy.⁸⁴ Samudragiri Vana Senasuna Vihara, built in 2020, is situated on the top of the hill directly opposite this settlement. The entire hill is occupied by the Archaeology Department and construction of a Buddhist monastery is underway.⁸⁵

Kuchchaveli Village

Up to ten acres of land near the Police Station were expropriated in 2020 and the Archaeology Department is constructing a Buddhist Museum. A Buddhist temple, the Kuchchaveli Samudragiri Pichamal Vihara, is being constructed on the adjacent hill.⁸⁶ A farm has also been set up on this plot of land for the vihara.⁸⁷

Salappaiyaaru Village

The Navy has set up a camp at Salappaiyaaru on a two-acre plot of land. Two additional viharas – the Bahiya Pabbatha Sena Suna and Dembaragala – have been built since 2020.⁸⁸



Samudragiri Vana Senasuna Vihara in Pudavaikattu, Trincomalee District
© The Oakland Institute



Samudragiri Pichamal Purana Rajamaha Vihara built near the police station and Archaeological Museum in Kuchchaveli © The Oakland Institute

Kumburupiddi Village

Punchi Nilame, a former Member of Parliament for Trincomalee District, has taken over the cemetery belonging to Kumburupiddi Village and settled approximately 20 Sinhalese families in the area.⁸⁹ The Maduvakulama Natavun Vihara has been built near the Saiva temple. Additionally, the Bambaragala Forest Monastery occupies 269 acres of land in Kumburupiddi East. The Vidyalo-ka Vihara, established along the road, provides a place for Buddhist monks to live and rest. This Buddhist vihara is on a five-acre plot and has its own farm. As detailed in Table 4, at least nine viharas have been constructed in Kumburupiddi alone. Local communities report that the Raigam Salt Company is aiding in the construction of these viharas in various ways and the Navy helps transport stones for construction.⁹⁰



Bambaragala Forest Vihara. Source: Google Maps

All government agencies are cooperating fully with Buddhization and Sinhalization in Kuchchaveli



“As for Kumburupiddi, 17 Sinhalese families were settled in Navalcholai in 2015. Those who came for fishing were given houses and settled here. There is an ancient Shiva temple at the top of Sembimalai but the Archaeology Department has confiscated this area and not allowing any repair work in the temple. However, at the foot of the hill, the army and a Buddhist monk have cultivated eight hectares together. At Baba Malai, a Buddha statue is being installed on the site of the Karpagavinayagar temple and a vihara is being constructed. Raigam Salt Company provides assistance with its vehicles and staff. The Vinayagar Hindu Temple is in ruins. Similarly, the Army has been allotted 50 acres of land for setting up hotels in the Naavalcholai area. Wherever there are mountains, viharas are being built there.

We are denied permission to repair Hindu temples, but monks are building new viharas here without any problem.

The Forest Department has encroached on many lands in the Vannankulam area. This includes more than 150 paddy fields belonging to the Tamils. We are not permitted to enter these lands. Similarly, in the Pallachenaikulam area, the Forest Department has grabbed the paddy fields of the Tamil people. As a result, they are living below the poverty line without a livelihood. In the Periyakulam area, the government has given land to 15 Sinhalese youth from other areas while Tamil-speaking people living in the same area were not given any land. A large tract of land from Irakkakandi to the Salappaiyaaru beach area has also been allotted to the Tourism Authority.

All government agencies are cooperating fully with Buddhization and Sinhalization in Kuchchaveli DS Division. The former governor of Eastern Province and Government Agent of Trincomalee District have also been supportive of these activities. Today's reality is that we live as slaves in our traditional lands.”

– Jeyakanthan, former local government member, Kuchchaveli DS Division



Ilanthaikulam Village

In 2020, Buddhist monks usurped 320 acres of land belonging to the Tamil and Muslim communities and are now cultivating 300 acres in Ilanthaikulam.⁹¹ 20 acres of land have also been earmarked for a Buddhist vihara. Similarly, in another part of Ilanthaikulam, 50 acres of land belonging to the Tamils and Muslims under a Land Development Ordinance (LDO) Permit⁹² – given to help poor people – have been illegally occupied by Buddhist monks with assistance of the security forces.⁹³

Residents of Kuchchaveli allege that Ms. Anuradha Yahampath, Governor of the Eastern Province since 2019, used her authority to help Panamure Thilakavansa and the local government acquire land for viharas in Ilanthaikulam. They report that Governor Yahampath visited several places directly and placed official boards with the name and logo of the governor's office and a warning message prohibiting entry. The Governor is also accused of using her authority to suppress public resistance to land grabbing done by state officials and Panamure Thilakavansa across Kuchchaveli. Her support for Sinhalese settlement projects in the Batticaloa District has been previously documented.⁹⁴

Sembimalai

In 2020, Buddhist monks, with support of the security forces, grabbed 58 acres of LDO Permit land belonging to Tamil and Muslim community in Sembimalai. Tamils are now prohibited from worshipping at an ancient Shiva temple on the top of Sembimalai Hill and can only visit on special occasions. A new Buddhist vihara, Chethiyagiri Purana Rajamaha, has been erected in the temple's precinct. Meanwhile, Tamils have not been given permission to begin repairs on the decaying ancient Shiva temple.⁹⁵

Muttur DS Division

At the 64th-mile post, Pachchanoor, a Buddhist monk, has illegally set up the Galkantha Vihara⁹⁶ on 72 acres of land. However, this area is designated as an archaeological site, which prohibits the construction of any buildings within a prescribed radius.⁹⁷ Despite this designation, the monk is trying to expropriate more land from the people living near this area.⁹⁸ The Trincomalee District Government Agent has instructed the Muttur Divisional Secretariat to release about 20 areas of state-owned land and give it to the monk for his expansion activities, including LDO Permit lands being cultivated by the Muslims.⁹⁹ Security forces are also reportedly supporting these operations.¹⁰⁰

In 2013, 50 acres of land was grabbed to construct a Buddhist vihara at Thoppor (also known as Akkarai), a village in Chelva Nagar where Muslims had lived for generations.¹⁰¹ The eviction of 60 families was carried out to build the vihara, despite the fact that no Buddhists lived in the area.

Tamil people in Trincomalee will soon lose their identity and become Tamil-Sinhalese



“The infiltration of people from Sinhalese Divisions is being done to establish Sinhalese Buddhist supremacy in Kuchchaveli. We will soon be unable to stay in these areas, just as the Tamils who lived in Negombo and Habarana lost their identity and became Tamil-Sinhalese. Similarly, in Trincomalee, the Tamil people will eventually lose their identity and become Tamil-Sinhalese. Eventually, Saivism would be absorbed into Buddhism, and history would be rewritten to say that there was no Saivism in Sri Lanka.”

– Tavathiru Agathiyar Adikalar, Trincomalee Thenkailai Atheena Swamigal



Trincomalee (Town and Gravets) DS Division

In 2013, the then-Government Agent of Trincomalee District, Major General (retd.) Ranjith de Silva, appropriated 15 acres of land at Kanniya Hot Springs, an ancient sacred site of more than 2000-year-old Saivites,¹⁰² and built a Buddhist shrine there. The shrine, called “Unuthiya Lin Rajamaha Viharaya,” translates to “Royal Great Temple of the Hotwater Wells.” Seven springs with different temperatures are located side by side at Kanniya Hot Spring. Hindus have performed religious rites for their ancestors here for ages.¹⁰³ An ancient Lord Ganesha Temple situated at the site and the associated mutt (resting place for pilgrims) were demolished during anti-Tamil riots in 1983.¹⁰⁴ The Archeology Department, however, has been keeping this area under its control. In 2019, an attempt was made by Buddhist monks to build a monastery on this land. While strong opposition from the Tamil community stopped the plan, they fear that it could resume at any time.

Verugal DS Division

An ancient Murugan temple on a hill in Eachchalampattu has been demolished and a vihara has been constructed.¹⁰⁵

LIVES ON HOLD UNDER OCCUPATION

The amount of land grabbed from Tamil and Muslim communities in Trincomalee District is staggering and has impacted tens of thousands of people. Traditional livelihoods have been lost due to the massive expropriation of fertile agricultural and coastal lands. Ongoing demands for the return of these lands remain largely unanswered.¹⁰⁶

Those who have returned and attempt to reclaim their lands face various obstacles. Taking action to secure formerly held lands through courts takes years and is subject to ongoing delays. The high cost involved makes judicial access unfeasible for many.¹⁰⁷ While waiting for justice, Tamils and Muslims face harassment and threats from police. Even those who successfully manage to return to their lands face hardships. Basic facilities necessary for daily life, including schools, hospitals, and transportation, have not been properly established in many villages.¹⁰⁸ Consequently, hundreds of families that resettled have gone back to Mullaithivu.¹⁰⁹

I can't cultivate my land - we appealed to the UN too, but nothing happened



“I am a native of Thennaimarawadi. We fled our homes due to violence in 1984 and lived in Mullaithivu. After the war ended, more than 100 families settled in Thennaimarawadi in 2010. When we returned, the Sinhalese had usurped our lands. After a long struggle, we managed to release some land from them. But still, many lands have been confiscated by force. My brother and uncle’s six acres of land and our four-acre plot for peanut cultivation in the Panikkarvawal area have been grabbed by the Sinhalese. I have filed a case to regain my land, and it is still ongoing after over three years. About 30 acres of public agricultural land have been grabbed in the Panikkarvawal area. We have 75 acres of ancestral land under the Panikkarvawal pond, but I have not been able to reclaim this land despite filing complaints in many places. Many Tamil families have not returned to our village due to fear, as the occupiers refuse to return our lands. A small number of people are staying here and fighting to reclaim the lands due to our attachment to our soil. The government doesn’t want to return our lands to us. We have even appealed to the UN to help us recover our lands, but nothing has happened. Buddhist monks place stones marking archaeological sites. There were no viharas before we were displaced from here, but are being built now.”

– Shanmuganathan, a farmer from Thennaimarawadi



If this situation continues, our next generation will have no place to live in Thennaimarawadi



"I belong to Thennaimarawadi Village in Kuchchaveli. We used to catch shrimp as part-time occupation. On the evening of December 1, 1984, I was returning home from fishing when I heard an explosion near Koklai Mugathuvaram. The Army came and fired guns. Everyone went into the forest and hid in fear. The army attacked us again the next day, while people were busy at the rice mill. We ran back into the forest and hid. That day, when the army came, five men had gone some distance to search for their cattle, and the army caught them. We heard the noise they made when the army beat them and tortured them. I still cry when I think about it. The army took them and shot them dead at the 4th milepost.

The next day, relatives of those who had been shot went through a crossroad inhabited by the Sinhalese to go to the army camp. Among those who went, were three women and three men. Sinhalese vigilantes caught them, raped the women, and killed the men. Only two women returned alive. Their clothes were removed and were naked. So they came covering their bodies with leaves. On that day alone, 12 people were killed in our village. The families of Mr. Murukuppillai and Mr. Kanakaiah were murdered. As we could not stay in this village any longer, we went to Kottaikerni via the Sooriyanaru. Between 7-8 pm, we went far and looked back to see our village burning. At that time, military planes and helicopters circled above our village. We later went to Mulliyawalai in Mullaithivu District and settled. The two women who were raped lived in Mulliyawalai – now they are both dead.

In 2011, we returned to our village. Our fields had been usurped by the Sinhalese and we were unable to get our land back. Due to a lack of means of livelihood, many families who came for resettlement have gone back to Mullaithivu. Few like me are staying here and fighting to get our land back. Our village had all the resources and opportunities, a place rich in agriculture and fishing. We were living very comfortably before we were displaced. Currently, due to the forceful seizure of our lands by the Sinhalese and the trespassing and illegal fishing in our sea, our existence and livelihoods have been affected. Our future is a question. We can neither farm nor fish. If this situation continues, there will be no chance for our descendants to continue living in this village."

– A Tamil Fisherman in Thennaimarawadi

When people were displaced in 1984 due to military violence, there were 312 families in Thennaimarawadi of Kuchchaveli DS Division. After the end of the war, 150 families returned to their town in 2011. The Tamil returnees have not received compensation for family members killed or property destroyed in this village.¹¹⁰ The Sinhalese who have settled in Thennaimarawadi prevent the resettled Tamil-speaking people from cultivating the land. In 1984, there was a school where students could study up to Advanced Level but now the school ends at grade five. This has affected the education of more than 150 students and forced the parents to relocate. Due to threats from the Sinhalese and lack of basic services, 75 additional families cancelled their registration and left the village again.¹¹¹



Unauthorized Sinhalese settlement set up in the Kuchchaveli DS Division, Trincomalee
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15 Years Waiting for Justice

“We continue our search for our husbands, our sons, our daughters, we believe they are alive. We will keep looking until we know what happened to them. If they are dead, how did they die?”

– Association for Relatives of the Enforced Disappearances

Since February 2017, families of the tens of thousands of people who were forcibly disappeared during the civil war have been staging protests calling for accountability and justice. For over 2,500 days these protests have been held in districts across the Northern and Eastern Provinces, including in Trincomalee.¹¹²

Family members who have spent years searching for justice for their disappeared relatives are met with serious retaliation from Sri Lankan authorities. “Tamil activists have been abducted, tortured and raped because of their involvement in the search for the truth about the disappeared in Sri Lanka,” said a statement from the Association for Relatives of the Enforced Disappearances in February 2024.¹¹³

In 2016, the Sri Lankan government established the Office on Missing Persons (OMP) in a step towards accountability. However, families of the disappeared have heavily criticized the lack of progress made by the OMP and called for an international inquiry into the fate of those missing. In a 2024 report, the UN Sri Lanka Accountability Project concluded that during the past 15 years there has been no “tangible progress in realizing victims’ rights,” and subsequently there remains “a real risk of recurrence.”¹¹⁴

In May 2024, the UN Office of the High Commissioner for Human Rights released a report calling on the Sri Lankan government to “take meaningful action to determine and disclose the fates and whereabouts of tens of thousands of people who have been subjected to enforced disappearance over the decades and hold those responsible to account.”¹¹⁵ Volker Türk, the UN High Commissioner for Human Rights, reiterated the need for accountability, stating “The Government owes it to all those who have been forcibly disappeared. It is critical for these crimes to be investigated fully. These crimes haunt not only their loved ones, but entire communities and Sri Lankan society as a whole.”



Tamil families of the disappeared protesting to mark the International Day of the Disappeared and demand to know the fate of their forcibly disappeared loved ones on August 30, 2023. Source: *Tamil Guardian*

THE WAY FORWARD

The ongoing land grabbing, Sinhalezation, Buddhization, and militarization of the Northern and Eastern Provinces of Sri Lanka is a huge social and political crisis. Land grabs and colonization schemes are transforming many parts of Trincomalee into Sinhalese dominated territories at the expense of the contiguous geographical landscape of Tamil-speaking people. Under the guise of “development,” archaeological preservations, forest conservation, and construction of Buddhist viharas, government departments, military and Buddhist monks have expropriated at least 41,164 acres – more than 50 per cent of the total land area of the Kuchchaveli DS Division.

Sri Lanka’s concerted efforts to relocate Sinhalese in large numbers to traditionally Tamil and Muslim areas undermine the rights, identity, and existence of the native people in their homeland. The ongoing demographic shift in Trincomalee District adds to the growing body of evidence that Sri Lanka is currently operating as an ethnocratic state seeking to further entrench Sinhalese dominance.

In March 2024, Volker Türk, UN High Commissioner for Human Rights, recognized the destabilizing role that “escalating” land disputes in the North and East are having on livelihoods, concluding that “sustainable peace and reconciliation will not be achieved in Sri Lanka with regressive laws and authoritarian approaches.”¹¹⁶ The Oakland Institute echoes calls made by the High Commissioner, urging the government to “strive for and deliver on the urgent need for renewal, deeper institutional reforms and tangible progress on accountability, reconciliation and human rights.”¹¹⁷ The intensification of Sri Lanka’s ethnocratic practices can only produce misery, injustice, resentment, and jeopardize the country’s chances of peace and reconciliation. These activities must immediately stop.

As well documented in this and past Oakland Institute reports, the Sri Lankan state uses military occupation to assert its ethnocratic dominance over the Tamil and Muslim populations in the Northern and Eastern Provinces.¹¹⁸ The heavy military presence in Trincomalee enables the ongoing land grabbing in the area. In order to ensure the rights and existence of the Tamils and Muslims, it is essential to demilitarize these provinces. While the Sri Lankan Defense Ministry has promised to reduce the size of the army, the UN High Commissioner for Human Rights has called for further downsizing and removing military from the North and East which is currently “disproportionate to current security requirements.”¹¹⁹



In 2015, Sri Lanka's Northern Provincial Council (NPC) passed a resolution accusing the successive Sri Lankan governments since independence of committing genocide against the Tamils.¹²⁰ It called for the UN Office of the High Commissioner for Human Rights to investigate the claim of genocide and recommended appropriate investigations and prosecutions by the International Criminal Court (ICC). In 2021, former UN High Commissioner for Human Rights, Michelle Bachelet, called for asset freezes and travel bans on Sri Lankan officials accused of human rights abuses. She also recommended steps towards the referral of the situation in Sri Lanka to the ICC as timely and essential to upholding justice and human rights.¹²¹

During the 51st session of the Human Rights Council in October 2022, Resolution 51/1 on "Promoting reconciliation, accountability and human rights in Sri Lanka" was adopted. The resolution extends and reinforces the capacity of the Office of the High Commissioner to "collect, consolidate, analyze and preserve information and evidence and to develop possible strategies for future accountability processes for gross violations of human rights," including in international judicial proceedings.¹²² Given the government's inaction on critical human rights issues since the end of the civil war, further international action and pressure is critical for any decisive action to take place.

It is imperative that Resolution 51/1 is fully implemented and evidence of atrocities committed in Sri Lanka be used in future trials abroad, including at the ICC. Towards these goals, the Office of the High Commissioner for Human Rights should establish its field offices in the North and East to monitor the ongoing land grabbing, Sinhalization, Buddhization, and militarization. Given the ongoing land grabs and repression faced by Tamils and Muslims, the UN Human Rights Council should renew its mandate on Sri Lanka.

In 2022, Sri Lanka was consumed by an economic crisis that led to severe shortages of food, medicine, and power and resulted in the country declaring bankruptcy. In response, the International Monetary Fund (IMF) provided a four-year bailout package of US\$2.9 billion, contingent on biannual reviews of whether the country is imposing "needed economic reforms."¹²³ In response, a broad coalition of trade unions and civil society organizations strongly opposed the IMF's austerity measures as an "unrelenting attack on the social and economic lives of the people of Sri Lanka." The coalition further condemns the role played by the IMF in encouraging the undemocratic manner in which "an illegitimate government" is pushing these reforms.¹²⁴ It is essential



Arisikantha Purana Rajamara Vihara, Pulmoddai, Trincomalee
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that the IMF hold the government accountable for ongoing human rights violations committed across the country and against the Tamils and Muslims in the Northern and Eastern Provinces. International donors and financial institutions cannot continue to finance a government that colonizes and blatantly violates human rights of its own citizens on the basis of ethnicity and religion.

Progress towards ending complete impunity for human rights abuses has been made in recent years. Between 2020 and 2022, after recognizing "the demonstrated inability and unwillingness of the government to advance accountability at the national level," the United States issued sanctions for human rights violations against several Sri Lankan military officials.¹²⁵ On January 10, 2023, Canada imposed targeted sanctions against Sri Lanka's two former Presidents, the brothers Mahinda Rajapaksa and Gotabaya Rajapaksa, to "end international impunity against violators of international law."¹²⁶ Additional steps of this nature will be crucial to pressure the current government to work towards justice and accountability, including for families of the tens of thousands of people who remain missing.

The transformation of Sri Lanka into an ethnocratic regime after independence led to ethnic conflicts that eventually turned into a bloody civil war that tore the country apart for 30 years. As long as Sri Lanka's ethnocratic practices are allowed to continue, there will be no meaningful peace and reconciliation in the country.



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