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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Association Thendral, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2021]

* Issued as received, in the language(s) of submission only.



GOVERNMENT INSTITUTIONS AT WORK TO TRANSFORM TAMIL LAND, CULTURE & HISTORY INTO FORCED SINHALAZATION

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.

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. A case against this gazette notification is pending in the Trincomalee High Court.

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 Aiyandar 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. 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.

According Mr Ravikaran "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 un 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.

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. Their arbitrary land acquisition supports Sinhalese colonization and undermines the livelihoods of the Tamil population.

According to Thurairajah Raviharan, a former member of the Northern Provincial Council, 32,110 acres were grabbed by the Forest Department in Mullaithivu alone. Meanwhile, the Wildlife Department has acquired 23,515 acres of land in Nanthikkadal and Nayar area through a gazette notification. This acquisition would prevent people from using resources

from the lagoons for their livelihoods in the near future. According to the data obtained from Mannar District Secretariat, 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.

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 Nayar (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. 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. 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. Additionally, it acquired 3,312 acres in Kokkavil for its cantonment. Moreover, the military seized 170 acres in Kokkuthoduvaai for its deep penetration Unit, along with 39 acres in Alampil Kanadiyan Road, 8,000 acres in Ottusuttan Ambagamamn for the Air force, 617 acres in Vattucagal for Gota Naval base and 75 acres in Puthukudiyiruppu Road.

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 Nayar 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 Nayar. In Kokkuthoduvaai North, about three kilometers from Nayar, 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 Kokkuthoduvaai area. Lands cultivated by the Tamil, under the permits issued by the government, have been confiscated for these camps.

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, Rajapaksa'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.

The Oakland Institut, NGO(s) without consultative status, also share the views expressed in this statement.