



CPA calls for urgent action to address recent events in Mullaitivu District

30 September 2019, Colombo, Sri Lanka: The Centre for Policy Alternatives (CPA) is deeply troubled by the recent incidents in the Mullaitivu District around the disputed land between a Neeraviyadi Pillaiyar Kovil and Mullaitivu Gurukanda Purana Rajamaha Viharaya, that is illustrative of the fault lines of conflict in post war Sri Lanka. The incident speaks to multiple issues of concern, ranging from the undermining of the rule of law to militarisation and competing land claims to ethno-religious tensions, and highlight the fragile peace that is under severe strain by nationalist forces. Considering what transpired and its implications for the rule of law and peace in Sri Lanka, CPA urges authorities to take all necessary steps to hold all those who acted in violation of a court order to account. Similarly, others who supported and/or are complicit must also be held to account.

According to media reports, the incident occurred when attempts were made to cremate Colomba Medhalankarakitti Thero, who resided in the Mullaitivu Gurukanda Purana Rajamaha Viharaya on land claimed to belong to the Neeraviyadi Pillaiyar Kovil. Locals and the Kovil Trustees protested this move, with the matter being taken to the Mullaitivu Magistrates Court with a court order issued preventing the cremation on the said land. Despite the court order and in direct violation of it, the cremation took place on the land claimed to belong to the Kovil on 23rd September 2019 with video footage showing Galagoda Aththe Gnanasara Thero and other monks leading the proceedings. Reports also indicate the tacit support of the police and military who failed to prevent the violation of the court order and the alleged assault of an Attorney-at-Law.

Gnanasara Thero has a history of incendiary conduct and has on more than one occasion been summoned before various Courts. The Thero was [convicted](#) by the Court of Appeal in August 2018 for contempt of Court for disrupting the functions of the Homagama Magistrate Court and threatening judicial officers and witnesses. However, in May 2019 he was given a [presidential pardon](#). CPA is presently in court challenging the constitutionality of the [pardon](#). The present instance is the latest in a series of incidents where Gnanasara Thero has demonstrated his complete disregard for the law and contempt towards court and judicial officials. It is imperative that the Attorney General's Department, the Police and the Judiciary take all measures to hold to account Gnanasara Thero and all others involved in violating the court order.

Furthermore, the present incident occurs against the background of other contentious issues of militarisation, land occupation, competing land claims and allegations of changing ethnic demographics in post war Sri Lanka. CPA has for over two decades highlighted the complexity and contestation of land issues and its implications for reconciliation. Despite some limited gains since 2015, there continue to be challenges in fully implementing the Constitutional framework and formulating a transparent and inclusive Government plan to resolve land issues in the North and East. CPA reiterates calls for the

authorities, political leaders, military and other stakeholders to revisit this issue without any further delay.

There are no quick fixes for these decades old problems which are further complicated by conflicts and by the post war government policy. These are further compounded by the uncertainty created in the wake of the Easter Sunday attacks, the resulting communal violence and Presidential elections to be held in November this year. It is in a context of heightened political, religious and ethnic sensitivities that the authorities need to take decisive steps to reinforce the rule of law and end the culture of impunity. Inaction at this moment will not only commend brutish behaviour and exacerbate the culture of impunity. It will also sow the seeds of future conflict and further imperil ethnic relations in Sri Lanka.