

# **An Appeal to The United Nations**

Commission on Human Rights

*Fifty-fourth session  
16 March - 24 April 1998*



**TAMIL CENTRE FOR HUMAN RIGHTS**  
(Established in 1990)

## "Sri Lanka came second with 10,000 disappearances"

- UN rapporteur Mr. Bacre Waly Ndiye

"The UN envoy who also visited Jaffna said his discussions with various groups had been open and frank. He pointed out that among the countries where his UN group had held investigations, Iraq had the highest rate of 14,000 disappearances while Sri Lanka came second with 10,000 since the 1980s. But some human rights groups in Sri Lanka have alleged that some 50,000 youths were killed during the 1988-89 reign of terror".

*(The Sunday Times - August 31, 1997)*

## NGOs TO BE REGULATED

President Chandrika Kumaratunga last week told People Alliance parliamentarians that a bill to regulate non governmental organisations (NGOs) would be introduced shortly.

*(The Sunday Leader - November 16, 1997)*



தமிழ் ஆவணக்காப்பகம்  
Tamileelam Archive

**TAMIL CENTRE FOR HUMAN RIGHTS (TCHR)  
LE CENTRE TAMOUL POUR LES DROITS DE L'HOMME (CTDH)**



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# TAMIL CENTRE FOR HUMAN RIGHTS

(Estd. 1990)

9, Rue des Peupliers  
95140 Garges Les Gonesse  
FRANCE

16<sup>th</sup> March 1998

Honorable Mr. Chariman and members  
54<sup>th</sup> Session  
Commission on Human Rights  
United Nations  
Geneva  
Switzerland

Honored Sir,

Tamil Centre for Human Rights wish to place before you the appeal and situation report on Sri Lanka on the occasion of your fifty fourth session.

We wish to place before your Esteemed Honors our latest situation Report on the violations of human rights and denial fundamental freedoms perpetrated by the Sri Lankan Government and its armed forces on innocent Tamil civilians, whose hereditary land in the North and East of Sri Lanka have been plundered, devastated and destroyed by long years of war and military occupation.

The Sri Lankan Government's genocidal war in the North and East against the Tamils, has escalated to such an extent that the war wearied Tamil civilian population is facing untold hardships for its survival and denial of their basic rights particularly the right to life. There are growing symptoms of widespread famine and disease stricken the Tamil Nation due to the Government's persistent refusal to maintain supply of food, medicine and other essential goods into the occupied territory. While the little that is siphoned at irregular intervals are also blocked by the army reaching its destination.

There is now an imminent danger of infectious diseases among the civilian population as the result of the lack medicine, equipment and medical care for the past several months. Under-nourished children, expectant mothers and old people have fallen malaria. Malnutrition and exposure are added elements that are to the are also contributory factors in raising the mortality rate in these regions.

All the fervent plea to the Sri Lankan Government for relief on humanitarian consideration from responsible Government officials, international relief agencies and non governmental organizations have fallen on deaf ears! Added to all these difficulties, the Government's interdiction of local and international news reporters from entering regions under army occupation is further aggravating the situation. However, travelers from these regions to Colombo, the capital have reported vast increase in arrests, detention, disappearances, torture, rape, extra-judicial killings and other crimes that had been committed by armed services.

Since 1995, military operations code-named Leap Forward, Riversa, Rivil Kirana, Seda Pahara, Sathjaya, Singing Fish, had caused the displacement of more than one million civilians from their permanent homes. The recent military operations code-named Edibala and Jayasikuru had wreaked irreparable damage and destruction to several town and villages in the Vanni region. The town of Omanthai, Nedunkerni, Mankulam, Puliyaikulam, Oddusuddan and Puthukudiyiruppu had to face the brunt of the recent military operations that caused wanton destruction to life and property.

We had submitted thousand of affidavits to the Working Group on enforced or Involuntary Disappearances for necessary action. The response from the Sri Lanka Government is extremely minimal.

This state of affairs remains unchanged even today, the position was same last year too as has been confirmed by statements made by the US delegation and NGOs to the 54rd Session of the UN Commission on Human Rights. The situation is worse now than last year.

We appeal to the Commission to note that ongoing conflict and disregard for human rights observance by the security and police forces continue to cause great suffering to the Tamil people.

We do sincerely hope that the 54<sup>th</sup> Session of the Commission would take positive steps to bring about a change over its treatment of civilians, by Sri Lankan government by your direct intervention in the form of a Resolution.

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**S. V. Kirubaharan**  
**General Secretary**  
**TCHR - Head Office**





# TAMIL CENTRE FOR HUMAN RIGHT

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## THE SITUATION REPORT

### CHILDREN

The US State Department's country report on Sri Lanka, January 30, 1998 says :

1 - There is a significant problem of child prostitution in certain coastal resort areas. The Government estimates that there are more than 2,000 active child prostitutes in the country but private groups that claims that the number is much higher. Many of these prostitutes are boys who sell themselves to foreign tourists.....

2 - In the first half of 1997, the police recorded 1,633 cases of crimes against children, a decrease from 3,687 crimes in the first half of 1996.

3 - Close to 26,000 children are known fully employed (in 1997), compared with approximately 20,600 in 1996.

4 - 19,123 children between the ages of 10 and 14 were fully employed. This included 15,495 males and 3,628 females. Additional thousands of children (estimates ranges from 50,000 to 100,000) are believed to be employed in domestic service.

### CHILDREN IN THE NORTH-EAST

Young children have been critically wounded in many parts of North-east due to Sri Lankan artillery attack on residential areas. The shelling - as usual aimed at surrounding Tamil villages. Random shelling from Sri Lankan military camps occurs every day in the Tamil northeast.

Many children died when they accidentally picked up a grenade left by the Sri Lankan army in many places in Jaffna.

Sri Lanka's military forces in Jaffna are regularly interfering with children on their way to school and subjecting them to interrogations. School-bound children are singled out by soldiers and then taken away to cells without even the presence of adults they know. It is a frightening ordeal for these youngsters many of whom are afraid to make the journey to school. Children are also included in the army's regular round-up operations in Jaffna, held daily now in two to three places at once. The Sri Lankan military has no regard for the stress this is engendering in the young. Round-ups, interrogations and intimidation have become a way of life for the new generation of Tamils who find themselves at the mercy of the Security forces.

## 34,000 CHILDREN ARE BEGGING IN THE STREETS

Sri Lanka's Additional Government Agent for Kilinochchi, Mr. Rasanayagam, has admitted to a gathering of educationalists and the general public that 34,000 Tamil children in Vanni are either begging on the road or are reduced to doing menial work for a pittance. School-life has been totally disrupted by the Sri Lankan government's ongoing military operations on the Tamil homeland.

### ORPHANED CHILDREN

Hundreds of Tamil children orphaned in attacks by Sri Lankan forces are on the streets begging for their livelihood. These children whose parents have been killed by Sri Lankan air and artillery fire are fending for themselves and begging door-to-door for food. Elderly people who have lost their close relatives in Sri Lankan attacks are also destitute and reduced to begging to stay alive.

Jaffna has been led to an extremely worrying situation with regard to education. **It is estimated that some 14,000 children between year 2 and year 5 are not being sent to classes** because parents feel the peninsula is neither safe enough under military rule, nor are there any facilities available for their children .



## EDUCATION

While the government depicts internationally an image of equal treatment given to Tamils and Sinhalese, a drastic shortage of teachers in Tamil areas has come to light. 5000 teacher vacancies in the northeast have gone unfilled due to the government's deliberate withholding of funds. Meanwhile, schools in Sinhala areas are amply staffed, indeed sometimes over-staffed. This confirms that the **Sri Lankan government continues to be a Sinhala government committed only to the welfare of the Sinhalese.**

The military in Jaffna have taken over two American Christian mission schools, private houses and many other religious building to make way for a new military camp in Valigamam west at Navali in Jaffna. The areas of Navali north, east and south also fall under this camp's command.

### **BOOKS DENIED TO TAMIL STUDENTS**

Sri Lanka's education department has kept back 60% of the school books it is obliged to give to Tamil school children in the North. Even the small amount that has arrived has come half a year too late, rendering the scheme virtually meaningless. Headmasters and teachers are in a quandary about how to distribute the meagre supply among the hard-done children.

## **VANNI**

Mullaitivu's student population has soared to over 50,000 after an influx of families displaced from a series of recent Sri Lankan military operations. More than half the student population are in fact displaced people. The educational authorities in Mullaitivu have been unable to cope with the increase and educational standards are dropping rapidly as a result.

Government has stopped students in Mullaitivu from obtaining school uniforms, textbooks and exercise books, which are supplied free to schools in Sinhala areas. Also, more than 75 school buildings have had to be converted into welfare centres for the displaced.

### **NO SCHOOLING FOR 60,000**

School is now a luxury to many children in Vanni, with 61,904 Tamil children not even having the means to attend, after suffering constant displacements. The military, however, continues its trauma-inducing artillery attacks on Tamil towns and creates an environment where there is not the physical nor mental security for children to attend school. Tamil schools have also frequently been specifically targeted by artillery and aerial bombing by the military.

KILINOCHCHI DISTRICT	30,077
MULLAITIVU DISTRICT	25,286
MANNAR DISTRICT	4,157
VAVUNIYA DISTRICT	2,384





## BATTICALOA-TRINCOMALEE

The Sri Lankan army is forging plans to take over certain Tamil schools in Batticaloa in order to make army camps out of them. Schools on the Senkalady-Badulla road (Batticaloa) have already been earmarked and as usual there have been no efforts to relocate the students. But Tamil residents of the densely-populated areas of Karadiyanaru and Siththul are making have vacated since living close to a Sri Lankan army camp.

In Batticaloa, male and female students as well as teachers are being taken routinely. They are placed strategically around army checkpoints to provide cover to soldiers..

Dozens of Tamil schoolgirls from Batticaloa have been arrested by police during an inter-school sports competition held in Trincomalee. The Sri Lankan Security forces are notorious for ill-treatment and sexual abuse.

### **DEAD BODY OF A SCHOOL BOY**

Residents have found the dead body of a school boy dressed in his school uniform 300 yards from the office of the assistant government agent of Vavunathivu in Batticaloa. It has been confirmed that this body is that of one of the boys who were arrested recently by the Security forces. Others fate remains unknown.

A Tamil school teacher in Santhiveli in Batticaloa was arrested in August by Army in Kiran bridge. The teacher known as Kirupakaran, he is 23 years old and taught at the Santhiveli Sidthi Vinayagar Vidyalayam.

## **JAFFNA**

Three more Tamil undergraduates at Jaffna university have been reported missing, according to the student union. A text distributed by members of the union says all efforts to trace the missing boys have ended in failure. No one doubts that they were taken by Sri Lankan security forces who are occupying Jaffna and fears are now growing for their lives. Two of the missing students are from the Arts faculty, the other from the Science faculty.

Owing to staff and student shortages, lack of medical equipment and intimidation from armed forces, Jaffna university's medical faculty is on the verge of closing. With Sri Lankan military officials occupying room numbers 17, 18, 19, 22, 23, and 24 students and teachers fear to enter the building. Civilian life everywhere in the peninsula has become totally disrupted since the capture of Jaffna and its in 1995. The Island's once one of the best medical faculties in the early 80s and 90s is on its last legs.

The University of Jaffna has sustained damages amounting to sixty five million Sri Lankan rupees (over one million US dollars) between October 1995 and April 1996 said officials of the University.

### **LANDMINES IN SCHOOLS**

The Military in Jaffna has refused to clear landmines buried by them in and around Jaffna schools. Thousands of landmines literally crowd the area and have made school children and teachers extremely nervous. Though teachers have complained to the occupying military and asked for the landmines to be removed, no favourable reply has been forthcoming. Two of the most badly

affected landmine sites are the Jaffna Stanley College Grounds and the Jaffna University playing fields, where the military buried several landmines

Schools in Thenmaradchy in Jaffna have one of the lowest attendance rates anywhere in the island. Most of those who have 'disappeared' after arrest by the army in the peninsula are students, with a large number of teachers also missing. School turn-out here is so low that at least three schools have been closed down for lack of attendance - Kerudavil Saraswathy school, Sarasalai mixed school and Eluthumadduval Tamil mixed school.

### MILITARY WILL CLOSE DOWN SCHOOLS IN JAFFNA !

A senior Sinhalese military officer has told a meeting of Tamil headmasters and teachers in Jaffna that he is ready to close down "any or all" of Jaffna's schools if teachers ignore his tough new directives. Warning that "disobedience would not be tolerated" he gave out the military's new instructions -- "due homage must be paid to the Sri Lankan lion flag, and the Sinhalese national anthem must be sung daily in classrooms by both students and teachers." He added that Tamil teachers and students must bare their heads in respect when passing military camps or sentry points. Registers of student attendance must be submitted by hand to the nearest military camp for their perusal; students absent for three days must be reported to military officials; no school functions can take place without permission from the military or without military officials as guests to "grace the occasion". If these orders are not followed, he said, "punishment will be drastic!

On 15<sup>th</sup> August 1997 the military in Jaffna has arrested three heads of prominent schools, to disrupt education in Jaffna. Troops were recently sent in to arrest the Vice Principal of Point Pedro Hartley College, and the heads of two other important schools in Vadamaradchy. It is clearly a systematic crackdown on the Tamil educational establishment in Jaffna by the military.





# HOSPITALS AND MEDICINE :

## DEMOLISHED HOSPITALS

The Murunkan provincial hospital and Nanaddan central hospital - both situated along the Vavuniya-Mannar road - have been forced to close permanently after being bombed to ruins by Sri Lankan forces. The Staff at the two hospitals fled along with residents to nearby refugee camps which remain overcrowded and inadequately supplied. Meanwhile, the hospitals of Silavathurai, Marichchukaddy, Thiruketheesvaram and Periamadhu have been lying desolate for ages due to earlier Sri Lankan military operations.

Two Tamil women have been arrested by Sri Lankan troops for trying to take medicines into the Tamil Vanni region. The two women were stopped at the dreaded Thandikulam military checkpoint - gateway to the Vanni - after soldiers searched their vegetable baskets and found medicines.

The Sri Lankan government has supplied only a tiny fraction of the money needed to repair the Jaffna hospital that was bombed by the armed forces say the hospital authorities. The military caused 70 Million rupees worth of damages to the hospital by bombarding it during its operation to capture Jaffna in 1995.

## THARMAPURAM

Tharmapuram hospital is functioning with only one qualified doctor. It is said to receive up to 700 patients a day, but can only accommodate 75. It is reported that some days the same doctor travels to all three hospitals in Kilinochchi district - Tharmapuram, Ramanathapuram and Vaddakachchi - because the staff situation is so bad.

## POONERYN

Meanwhile Pooneryn hospital, which had been functioning only two days a week, has had to stop its services altogether for lack of medical staff and supplies. Local Tamil people have become stranded without any sort of care. Sri Lanka uses denial of food and medicines to Tamil areas as a weapon to force Tamils to give in to its military forces.

## MULLIATIVU

19,045 outdoor patients and 1540 indoor patients were treated in Mullaitivu's district hospital in May 1997 alone, reflecting the massive increase in diseases affecting Mullaitivu's medicine-starved population. The smaller Mulliyawallai hospital treated 5000 patients in the same period. The diseases are spreading uncontrollably due to shortage of medicines.

In September 97, 19,608 patients were treated. In a day, an average 654 patients attend the hospital. Of this figure, 42 on average are admitted to wards for treatment. 125 babies were delivered at this hospital in September, while 120 surgical classes were also attended. There has been a steep rise in the percentage of babies dying immediately after childbirth and malnutrition among pregnant mothers in Vanni.

The Sri Lankan military in Vavuniya has blocked an ambulance's passage to Mullaitivu district, part of the large Tamil Vanni region which remains free from Army occupation.. It has been forced to make do with a vehicle belonging to the Red Cross while the army withholds their ambulance.

### **PATIENTS SLEEP ON FLOOR**

Mulankavil hospital has only one qualified doctor to treat thousands of patients. There are no night-time staff. Only nine hospital beds have been provided and many patients with serious conditions are having to sleep on the floor.

Sri Lanka has blocked transport of a much-needed electrical generator to the Akkarayan hospital. The generator can produce 2.1 KW of electricity and was donated by FORUT. But military officers in Vavuniya have turned it away and are refusing to let it through to the Vanni. Akkarayan hospital has been in darkness for many years.

### **PULIYANKULAM**

Sri Lankan forces bombed Puliyankulam hospital and surrounding homes killing at least three Tamil civilians. The hospital has been badly damaged to the point where it cannot function. Beds, medicines and other facilities have been destroyed.

### **AKKARAYAN**

Sri Lankan army has carried out a savage artillery raid on a hospital at Akkarayan in Kilinochchi killing four civilians. The attack happened on Tuesday (15-07-97) . Sri Lankan army based at Kilinochchi, Elephant Pass and Nedunkerni have been intensifying attacks on schools and hospitals. Artillery shells pierced through Akkarayan hospital's staff quarters killing a staff-member Antony Kanapathy (47), his father-in-law Raman (70), his wife Ketharny (43) and his son Umasankar (14).

The hospital's deputy health officer, Mahalingam Senthilnathan (40) is badly wounded together with four others: K. Vethakumar (25), A. Karuppan (56), K. Kirushanti (60) and Thavarasa Maheswari (29).

A record number of 21,350 patients were treated in Akkarayan hospital in Vanni in September 97. 2,066 of these patients were treated for malaria, 781 patients were warded, 77 babies were born (30 died in the same month).

### **MULLIYAWALAI**

5,627 Tamil patients were treated in Mulliyawalai hospital in August alone. 948 of these people had malaria, 400 had dysentery and 1296 suffered from high fever. It is unlikely that this institution can function much longer under the strain caused by the government's medical embargo.



## **JAFFNA**

Manthikai hospital, one of Jaffna's biggest - is without any X-ray technicians. Patients requiring X-rays have to be transferred all the way to the Jaffna base hospital. Even here, only three out of the necessary twelve X-ray technicians are present. Moreover, the Jaffna base hospital remains ruined after it was shelled to bits by Sri Lanka's military forces during the 1995 military invasion of Jaffna.

## **LANDMINES IN HOSPITAL**

Hospital staff in Jaffna hospital discovered a cloth bag containing landmines in one of their wards. A mortar shell which was still active was also discovered a week ago in the hospital. It is believed the army uses such devices to scare off civilians from using the hospital. More than six wards in Jaffna hospital are reserved for the exclusive use of the Security forces.

## **VIRUS FEVER**

The outbreak in Jaffna of an unknown viral fever is causing concern among local Doctors. At the Jaffna Teaching Hospital, 75% of patients - 120 in all - are now suffering from it. 20 are children. A pregnant Tamil woman who had also contracted the virus died immediately after giving birth.

## **BATTICALOA**

The army commander for Batticaloa has banned mobile medical services to Tamils living outside army occupied areas. Areas like Vavunathivu, Pattipallai and Kerativu are largely dependent on these mobile medical services since no government hospitals are found there. The mobile services have been stopped since 21 July.

## **KATHTHANKUDY**

The government's total neglect of Kaththankudy hospital in Batticaloa district has made the dilapidated building almost unusable. The hospital is not stocked with any medical supplies, receives no funds and has not been maintained for several years. The building requires urgent attention. Patients who arrive here are normally advised to travel to the main Batticaloa hospital.

## **MANNAR**

Adampan hospital in Mannar district takes more than 100 patients a day in the outpatients department. In September 1997, a total 2,085 patients were treated, of which 300 had malaria, 535 dysentery, 450 respiratory disease, 400 rashes and itches and 400 minor wounds. There is a big shortfall in the number of hospital staff.



## INTERNAL REFUGEES AND FOOD

The UNHCR has not yet made any meaningful steps to press Sri Lanka into easing its embargo to refugee areas. The inactivity of the UNHCR over the past two years has been astounding. As the situation stands, even drinking water is running low for the families who have found themselves stranded in refugee camps or strewn along roadsides in Vanni.

Sri Lankan security forces have evicted many displaced Tamils from a German-funded refugee shelter in Mandoor and turned it into a new base for themselves. The shelter had been built with money given by Germany for the task of housing Tamil people displaced by Sri Lankan military offensives in the island's east.

And with foreign journalists blocked from the war-zone, the government has secured the necessary blindfold with which to pursue what is fast-dawning as a genocidal policy against Tamils. While the humanitarian emergency reaches the same proportions as occurred in Zaire, the government deliberately blocks the passage of relief - even temporary shelter - to families made homeless by the offensive.

**The Trincomalee's Tamil fishermen - who made up one third of the area - are now in refugee camps both here and in South India. More than 2000 Trincomalee fishermen are in Tamil Nadu. The ones in Sri Lankan detention camps in Trincomalee are subject to government regulations which ban them from engaging in fishing.**

### **38 NGOs KEPT OUT OF BATTICALOA**

In September 97, 38 NGOs serving in several parts of Batticaloa district have been ordered by the government to cease all humanitarian operations. This immediately follows a government order banning NGOs from assisting people in the areas of Batticaloa. The only two agencies now allowed to function in the areas are the ICRC and the French medical team, MSF. But even these have been strictly ordered not to undertake any activities other than health services.

### **NGOs ACKNOWLEDGE THE CRISIS**

The Sri Lankan government, a signatory to the Geneva Conventions, is failing to uphold its international duty as defined by the humanitarian law of armed conflict - i.e., to protect Tamil civilians from the effects of its military operations. On the contrary, by cutting all food-links to Vanni Sri Lanka has demonstrated that crippling civilians is becoming more and more integral to its overall strategy..

UNHCR, ICRC, OXFAM, CARE and MSF agreed unanimously in a meeting that the Tamil refugee crisis unfolding in northeast Sri Lanka is spiralling out of control. They also acknowledged not enough was being done to care for the starving Tamil families displaced by successive military operations. Over half a million Tamils are homeless and hungry. Uprooted and disorientated, these people have no means of supporting themselves and are dependent on food coming from outside the Vanni. It is this dependency which the government is exploiting by blocking food-transit to the entire region.

### **INADEQUATE FOOD SUPPLIES**

Food allowed through by the government to Vanni's non-displaced permanent residents is also inadequate. For 1996 only 2,464 lorries were permitted to travel to Mullaitivu district alone out of a needed 4,440 lorries which was almost a 50% reduced. Up to June 1997, out of the officially allowed 2,297 lorries, only 726 have actually been let through to Mullaitivu. .

### **FOOD ITEMS DESTROYED**

29 lorry loads of food stuff going to Tamil people in Mullaitivu were destroyed in the rain as the army insisted on unloading it in the open ground to examine it. The food stuff composed of 18 lorry loads of flour, 10 lorry loads of sugar and one lorry load of rice had been purchased in Vavuniya by the Mullaitivu secretariat when heavy rain fell. The army manning the check point at Parayanalamkulam - the present entry point to Vanni - ordered the goods to be unloaded in the open grounds exposing it to the elements.

### **STARVATION IN BATTICALO**

Almost 400,000 Tamils in the island's east are on the brink of starvation following the government's denial of food relief to 12 divisions of the Batticaloa district. The area's Tamil population in the past relied on food stamps issued by the government but these have been strategically withdrawn.

Since January 1997 the ICRC was stopped from carrying food to the residents of Vaharai in Batticaloa. The 17,000 people there have been without any food for over two months.

### **MANNAR**

The displaced Tamil population in Mannar district is without food rations, shelter or drinking water. They have no employment opportunities nor can they fend for themselves. Mannar district lacks adequate facilities to cater to these thousands of refugees, since it is mainly an underdeveloped area and depends mainly on fishing for its economy. Even fishing families are badly affected since fishing rights in the region have been curbed. The prevailing feeling among the displaced people here is one of resignation to what they see as a fate worse than death. The Sri Lankan government is responsible through bombing and shelling for rendering these people homeless and ruining their chances of a normal life. .

### **CALL FOR URGENT FOOD RELIEF**

Kilinochchi's government agent has appealed to the government to supply a 4-month backlog of "distress food rations" denied to 4133 displaced Tamil people (993 families) in his district.. 8473 patients were treated at the hospital for high fever recently, 4305 for malaria and 601 for dysentery. In June alone, a total of 25,025 people were treated here. 23 people died for lack of medicines. Sri Lanka's health ministry, though fully informed of this state of affairs -- especially the needs of the newly displaced -- has done nothing to ease the medical embargo applied to the Vanni region.

### **NO REHABILITATION FOR JAFFNA**

Several millions of rupees worth of rehabilitation work earmarked by International humanitarian organisations have not been undertaken by the government in Jaffna, revealed. After the army captured the area, government appealed for funds to rehabilitate Jaffna and many international organisations, had allocated funds for the purpose but the Jaffna people have not received any benefits.



## MSF DOCTORS ON EMBARGO - MALNUTRITION

Doctors of the French aid agency MSF operating in the Mallavi hospital say they cannot provide a proper service to patients because of the Sri Lankan government's medical embargo to the Vanni. In June, more than 17,000 patients had to be treated at Mallavi hospital for severe illness caused by the food and medicine! However, these patients did not receive adequate treatment because of the scarcity of medicines.

Mr. Salim Malik, MSF Co-ordinator and his report says that after exhaustive study he found malnutrition has taken a firm grip on the inhabitants of Mullikulam and Palamodai. Due to the repeated pattern of poverty and neglect people are extremely vulnerable to life-threatening diseases like pneumonia and dysentery. Infrastructural and medical facilities are non-existent and the people have no purchasing power. Mr. Malik's report points out that children are the worst hit by this situation.

Salim Malika (MSF co-ordinator) says that 50% of the children she tested were affected. Food and medicines are urgently needed in the camp. For the last 5 months, no food relief has been supplied to the inmates of this sprawling refugee camp located in Madhu in Mannar district.

## FISHING AND AGRICULTURE :

The Sri Lankan navy has become notorious around the North-east coastal waters for its indiscriminate shooting of ordinary fishermen.

Paddy cultivation in Batticaloa is almost at a standstill now that Security forces are systematically bombing Tamil areas without regard for the area's ecology. Batticaloa, which used to be described as the island's granary. Sri Lankan military forces regularly shell paddy fields making workers too afraid to venture there, and military vehicles generally run over paddy lands.

**The Sri Lankan navy allows only Sinhalese fishermen to fish in Eastern waters around Eastern coastal areas. It bars Tamil fishermen completely from fishing in high seas while providing escorts for Sinhalese fishermen. Tamils and Moslems have been confined by the navy to shallow waters where the catch is considerably less. Shallow-water fishing involves a further hazard too - the navy is known to regularly fire upon and kill Tamil fishermen who fish close to the shoreline. Sri Lanka's policy towards other communities and makes ridiculous its claim that all ethnic groups can expect equal treatment.**

Life is made harder by the fact that the fishermen are not given any food relief by the government to compensate for this terrible injustice. The waters around the peninsula's seven islands - Karaitivu, Pungudutivu, Nainativu, Eluvaitivu, Velanai, Kayts, Analaitivu Delft, and Nedunthivu - are open only to day-time coastal fishing and, even then, fisherman are not allowed to use boats and must wade in full view of the army.

### FISHING AND FARMING RIGHTS

Tamils living in Muttur in Trincomalee are being progressively restricted from fishing and cultivating, by orders from the military.

Jaffna's farmers cannot cultivate their fields properly or take their produce to market because occupying Sri Lankan forces have erected huge walls preventing the movement of people across the three districts of Valigamam, Vadamaradchy and Thenmaradchy. The army construct walls which effectively imprisons people within their districts have also ruined choice cultivable lands. Farmers' fields have been lost and their houses dislocated due to the building of these walls.

The army commander in charge of Thenmaradchy in Jaffna has banned the cultivation of over 100 acres of rich paddy lands either side of the Navatkuli Thanankilapu highway. Farming activity in Varani, Idaikurichi, Karampaikunchi, Navalkadu, Maseri and Vadavarani has been severely disrupted, with heavy restrictions placed on ploughing time and diesel limitations put on tractors. Permits must be obtained from the army before visiting paddy lands.

### APPEAL TO AMNESTY INTERNATIONAL

Mullaitivu district's Fishermen's Co-op Societies Union has made a fervent appeal to the human rights group Amnesty International to prevail on the Sri Lankan government to stop attacking Tamil fishermen. The union asks Amnesty to highlight their plight to the rest of the world. In the most recent incident, Sri Lankan Kfir bombers raided fishing areas of Mullivaikkal in Mullaitivu on 13 May. Seven fishermen were killed and three badly wounded. Valuable fishing equipment -- including fibre-glass boats, fishing nets and tackle -- was destroyed or damaged. It remains to be seen whether Amnesty takes up further the case of these fishermen.

## COCONUT TREE FOR BUNKERS

In the past the Jaffna peninsula's inhabitants tapped the underground water resources and made the land productive. Recent surveys suggest that more than 200,000 hardy plamyra trees have been cut down for making bunkers and security fences by the Security forces. Similarly more than 3,500 acres of coconut lands have been laid to waste in Jaffna peninsula.

## NO INSURANCE FOR TAMIL FISHERMEN

The military ban on fishing in the North-East coast has slashed the income of fishermen in Batticaloa, Trincomalee, Jaffna and Mannar and made insurance schemes out of their reach. Tamil fishermen cannot insure themselves under the various schemes available to fishermen living in Sinhalese areas, because they cannot afford a monthly premium, having instead to rely on a hand-to-mouth existence. The banks in the North-east do not provide distress loans to these fishermen because there is no guarantee of repayment.



## COLONISATION :

The situation in Trincomallee is witnessing a renewed wave of Sinhala colonisation in areas where Tamil fishing families are being driven out and Sinhala fishing families brought in by the government to dilute the Tamil majority there.

The Sri Lankan military is settling Sinhalese people in formerly Tamil-inhabited areas of Trincomalee, having evicted Tamils by force from their homes. The entire Tamil region from Morawewa to Trincomalee (Peeniyadi, Ravanastreet, 6th mile post, Kanniya, Nellari, Veppamkulam, Pankulam and Moraweve Pillaiyar Koviladi) has been devastated by the destruction of Tamil property due to army activities.

A Vihara has been built in the Tamil villages of Peeniyady, Mihunthapuram and several facilities are provided to the Sinhalese settlers. **St. Joseph's church which used to be regularly attended by Tamils at 7th mile post has been converted to an army administration base.** On the road leading from Habarana to Trincomalee, the army has settled Sinhalese people on both sides of the road.

Fifteen Tamil families who have lived in Akkaraipattu in Batticaloa for the last 25 years have been ordered by a Sri Lankan court to leave immediately. The decision forms part of a well-established pattern of driving the people out of their and making the area available to Sinhala settlers.

## VIOLENCE AGAINST WOMEN :

Women in the North-East of the Island are badly affected by the 15 year long war. Several of them are victims of rape and torture. Even though there is a woman as the head of the state in Sri Lanka, the rights of the women are not protected!

Due to shortage of soldiers in Sri Lankan Army even 10 months pregnant women are employed as soldier! (**Sunday Times of 03 September 1995**)

There are numerous Tamil widows in the North-east. The government does not have any widow scheme for women who have lost their husbands during the military operations.

Sterilisation is widely practiced among the plantation Tamils in order to control the birth rate of the Tamil population.

Sri Lankan women employed as domestic helpers in the Middle East are obliged to pay big sums of money to government officials to obtain their Passports and clearance. There is no government sponsored welfare scheme for the women working in the Middle East.

### **STUDENTS AND TEACHERS RAPED**

On 15/7/97 a Tamil school girl in Araly South in Jaffna - on her way to school was dragged by two Sinhala soldiers to a secluded spot where she was beaten senseless and raped. She was admitted to Jaffna teaching hospital with severe injuries.

On 16/7/97, a 20-year old teacher, Krishnapillai Santhirakala, was gang-raped by the Army soldiers between her workplace and her home in Karanavai in Vadamardchy. The girls are brutally raped in retaliation for refusing marriage offers from members of the armed forces. Sri Lanka's commanding officers have not responded to the local people's protests about such incidents.

On 5/9/97, six year old baby Palanthi - of Atchuvely in Jaffna was gang raped by the Sri Lankan Army at an Army check point. The girl was admitted to the Jaffna teaching hospital in a critical condition.

On 16/10/97, Mrs. Thanganayaki - (49) of Amparai was raped and murdered by the Sri Lankan police and home guards.

Many other rape cases were reported in North-East!



## MILITARY HARASSMENTS

The government appointed Human Rights Commission to eye wash the International community is based in the Army camp in Palaly in Jaffna. This is to prevent civilians from making complaints to this commission.

On September 5<sup>th</sup> a group of Sri Lankan soldiers entered the Welser football ground in Batticaloa town and attacked the players and spectators with rifle butts and iron rods.

In Vavuniya, 12,000 (Four thousand families) Tamil civilians have been held in 14 different military camps since September 1996. Each family is confined to an area of 10 sq.ft. They are frequently taken away for interrogation.

In the village of Karaithuraipattu in Mullaitivu district, nearly 170 civilians have been killed in the past 7 years in Army shelling and aerial raids.

According to the Mullaitivu Government Agent's (GA) monthly report to Colombo, between May 13 and June 28, 40 Tamil civilians lost their lives and 35 were seriously injured as a result of Army and Airforce attack on the densely populated civilian areas in Mullaitivu district.

In the past ten months 31 bodies of Tamils civilians have been found on the road side of Vavuniya. They are victims of the Sri Lankan Army at Vavuniya.

In Jaffna, the military commander has ordered Tractor owners that all the Tractors must be brought to the Army camp every evenings for parking. The Tractors which are not parked in the Army camps will be confiscated by the Army!

In September 97, the statue of Sankiliyan, the last Jaffna King was destroyed by the Army in Jaffna. The Army in Jaffna also obstructs any attempts by the public to repair this statue.

In Jaffna, since 1990, nearly 8554 civilians have been killed and 2620 injured by the Security forces. No one was paid compensation by the government!

The Army soldiers manning the check points in Colombo have given standing orders to the Tamil shop keepers to provide them free meals three times a day with alcohol. The complaints made to the Army commander and the government authority was completely ignored.

### **90,000 HOUSES DESTROYED IN BATTICALOA**

In 1997, more than 90,000 Tamil homes have been demolished by Sri Lankan military forces. Since 1995, Batticaloa's Tamil residents have received no state allocations to restore their dwellings. What is more, 620 civilians killed by military assaults in Batticaloa, 300 injured and 18,000 made jobless due to army action.

### **5000 HUMAN RIGHTS VIOLATIONS IN BATTICALOA**

Since 1990, over 5000 human rights violations against Tamil civilians have occurred in Batticaloa at the hands of armed forces and a handful of Tamil and Muslim army-collaborators. Figures compiled by independent sources reveal that of the 5000 abuses, 90% have been committed by the army. The offences include rape and murder of women, illegal imprisonment, extortion, extra-judicial killings and kidnapping for ransom.

# Tamil Centre for Human Rights

Centre Tamoul Pour Les Droits De L'Homme  
24, Hawthorne Road, Cambridge, Ontario N1S 3G9, Canada

## GANG RAPES AND MASSACRES :

Even since Jaffna was captured by Sri Lanka terrorist forces, gang rapes and massacres were done by them behind the rigid censorship provided by Sri Lanka government to cover-up the crimes. Krishanthi was one of the school girls gang raped and killed.

".... The teenager, Krishanthi Kumarasamy, disappeared after she was detained at a checkpoint in Jaffna on 7 September. Her mother, a 16-year-old brother and a neighbour were also detained when they went to the checkpoint later to look for her. Their mutilated bodies were discovered in a nearby salt pit a month later. The killings have focused attention on allegations of human rights violations by the predominantly Sinhalese army that is fighting Tamil rebels who want an independent homeland. The case is also being seen as a measure of the government's commitment to protect Tamil civilians in the Jaffna Peninsula, which the army captured earlier this year from Tamil guerrillas. The nine soldiers and two policemen who were manning the checkpoint in Jaffna were arrested soon after the bodies were discovered. The government, anxious to appear impartial, said it would punish the guilty. ...."

- Hong Kong Standard Asia/Pacific(December 2, 1996)

## FLOATING BODIES OF TAMILS IN COLOMBO

Tamil civilians in their office in the capital and dumped the mutilated bodies in lakes over the last three months, officials said Wednesday.

"They were taken in on suspicion of being rebels, but no investigation had been done to confirm their guilt," police Chief Wickremasinghe Rajaguru told a news conference. Instead, the victims, who ranged in age from 30 to 40, were taken to the Special Task Force headquarters in the capital, and held for five or six days before they were killed, he said. The victims were Tamils abducted from cheap hotels or while travelling in the capital, Colombo, he said. Police have detained thousands of minority Tamils in Colombo, the capital, since Tamil rebels broke a three-month cease-fire and resumed their 12-year-old civil war. Most of the Tamils arrested have been released after their identities were established. The Tamil guerrillas are fighting for a homeland in the north and east, claiming widespread discrimination by the majority Sinhalese. More than 36,000 people have been killed. Human rights activists have repeatedly expressed concern over the disappearance of minority Tamils while in police custody, executions without trial and arbitrary arrests. Ten police commandoes, a soldier and seven civilians have been arrested in the stranglings of the Tamils. "The victims were thrown into an unused toilet with plastic handcuffs around their necks, which strangled them to death," said T.V. Sumanasekera, head of the police criminal investigation department. Police are trying to establish the motive for the crime, but ruled out personal gain since in one case, a victim's jewelry was returned to family members.





## MASSACRE IN THE KILLAI SEA :

Attack on fleeing civilians continues; Dead bodies are lying along the streets In an attempt to trap as much civilians as possible Sri Lankan armed forces are unleashing a terror campaign against the fleeing innocent Tamils civilians in Jaffna peninsula. Large number of human bodies and body parts are lying along the roads leading to Killai sea shore. Their bicycles tied with their few belongings are also lying beside their dead bodies. A refugee who escaped from Madduvil area and arrived in Killai sea shore on 22-04-1996 morning said that he saw 3 people dying when shells exploded among a crowd of fleeing civilians during the night of 21-04-1996. He said others quickly buried their mutilated bodies close by and proceeded towards Killai.

## NACHCHIKUDDA MASSACRE

By NIRESH ELIATAMBY  
Associated Press Writer

COLOMBO, Sri Lanka (AP) Sri Lankan helicopters fired on a group of Tamil refugees, killing 16 civilians, Tamil rebels said today. The army put the number of dead at 30, and said they were all rebels.

The military initially denied the attack, but reversed itself late today, saying the gunships assaulted a rebel base at Nachchikuda, 160 miles north of Colombo, on Sunday. It said 30 Tamil guerrillas died and many were wounded.

However, Tamil rebels said 16 civilians died in the attack and 60 were wounded. They said the attack targeted a refugee camp the guerrillas control at Nachchikuda.

A report in the Tamil-language Veerakesari newspaper quoted travelers as saying the weekend attack killed eight civilians. It is impossible to confirm reports from the war-torn north, which has no telephone lines. The government has prohibited visits by journalists for a year. Tamil guerrillas have been fighting for a homeland in northern and eastern Sri Lanka since 1983, claiming the Sinhalese majority discriminates against the Tamil minority. More than 40,000 people have been killed.

The Government officers issued the names of those who died in the Helicopter attack. Almost all of them were people displaced from the coastal areas of Jaffna who were temporarily living in Nachchikuda and were engaged in fishing. The affected people had earlier fled Jaffna when their homes came under military attack during the time the Sri Lankan armed forces launched a military offensive to capture Jaffna from October 1995 to December 1995.

12 year old girl describes the tragic death of a 2 year old baby. Sathiaverni a 12 year old girl from Aruhaveli described the tragic death of a 2 year old baby who was killed by an artillery shell when the Sri Lankan armed forces launched a shell attack on Thenmaratchi and Vadamaratchi on 16-03-1996. She said when the shells fell on our compound, we ran further away and laid down on the ground to take cover. I spotted my aunt's daughter Kalpana - a 2 year old baby standing away from us unaware of the terrific danger she was in. I got up and started running towards her desperately to grab her to safety when a shell fell very close to her and exploded. When the smoke cleared we looked for her and found that she was dead. I was trembling. My hand was cut by a shrapnel from another shell that fell close by.



# KUMARAPURAM MASSACRES

A Brief Statement from UTHR on the Massacre on 11 Feb. 1996 at Kumarapuram. 16 Feb. 1996

## The Massacre in Kilivetti, Trincomalee District

Between 5.30 and 7.30 PM on Sunday February 11th, armed men in military uniform ran amok in the village of Kumarapuram, Killivetti, killing 24 civilians and injuring many more. Among those killed were seven children under the age of 12, the youngest being 3 years old. Some young women were raped, including one who was raped and killed. The death toll would have been very much higher had not the people run out and sought shelter in fields and a grave yard. The incident followed the killing of two army personnel by the LTTE.

Mr. Thangathurai, MP for Trincomalee, who visited Kilivetti, his own village, confirmed that the Sri Lankan army was responsible for the massacre. According to the people a large number of troops were involved. Apart from those responsible for the outrage, many troops were on guard in the surrounding area. They said that they could identify several of the perpetrators. Several of the troops were from the camp about the 57th mile post nearer Kilivetti. Some said that troops had also been brought from other camps such as Dehiwatte in the Allai scheme.

Troops had prevented the injured from being taken away for medical treatment until 9.30 the following morning. They relented only when they heard that Brigadier Paramu Kulatunge of Trincomalee and Wimal Gunatilleke, DIG/ Police, were coming into that area. The latter had picked up several empty cartridge cases. An unexploded grenade that had been thrown into a house with 12 inhabitants was also picked up.

The Government expressed its shock and acknowledged the possibility that the army could have been responsible. It further promised that an inquiry will be conducted, adding that on the basis of testimony given by the civilians, certain military personnel had been taken into custody. Kilivetti was a village from which hardly anyone had joined the LTTE. The army from the camp responsible for the incident had visited the village regularly and there had been no problem. There is now absolute distrust of the army. Some had even said that they have no choice but to seek the protection of the LTTE or even join the LTTE instead of being killed in this manner. They ask how they could give evidence to military officials conducting an inquiry whom they cannot trust and then continue to live in the area. There is despair and panic throughout Tamil villages in the Allai scheme.

The people, moreover, suspect that the degree of organisation in the massacre could not have come about without complicity from a higher level in the local area. The act follows previous acts of indiscipline that have gone unchecked. Towards the end of last year several civilians in Mallikaitivu were badly assaulted by the army. The matter had not been pressed after the Colonel in charge of the area gave an assurance that such would not be repeated. Another incident is the murder of two Perinparajahs. One Perinparajah, a socially active person in that area, used to pass on information to concerned persons in Trincomalee about acts of indiscipline by the armed forces. A different Perinparajah was killed, allegedly by the armed forces, who then discovered their mistake. The Perinparajah sought after was according to the people detained by the army at Mallikaitivu. His body was later found in the locality.

## KUMARAPURAM MASSACRE : (FEBRUARY 12th,1996)

The Sri Lankan armed forces who arrived in army trucks at the Tamil village of Kumarapuram in the Kiliveddi area of the Trincomalee district, on Sunday (11-02-1996), ordered the villagers to gather in a particular spot and massacred them with knives, machetes, and swords.

### AFTERMATH OF KUMARAPURAM MASSACRE

#### AMNESTY REPORTS:

FROM: Jim McDonald, AIUSA Sri Lanka Coordinator  
RE: new AI urgent action appeal  
DATE: Feb. 13, 1996

Amnesty International issued the following Urgent Action appeal today.  
UA 35/96 Extrajudicial executions / Fear of further killings

#### SRI LANKA

<u>NAME</u>	<u>GENDER</u>
24 names were given	Fs/Ms

In the largest incident of its kind since fighting between the Sri Lankan army and the Liberation Tigers of Tamil Eelam (LTTE) resumed in April 1995, at least 24 civilians are reported to have been extrajudicially executed by members of the army on 11 February 1996. The killings are said to be in reprisal for the killing of two soldiers by members of the LTTE. It is feared that further reprisal killings of civilians may take place as the conflict continues, unless the government takes measures, as a matter of urgency, to investigate the incident and bring to justice those responsible. Such decisive action would serve as a clear signal to members of the security forces that human rights violations will not be condoned.

According to survivors, a group of soldiers from 58th Mile Post army camp, possibly accompanied by others from Dehiwatte and Kiliveddy as well as home guards from Dehiwatte, killed 24 villagers at Kumarapuram, Kiliveddy, Trincomalee district, between 5.30pm and 8pm.

Two soldiers had been killed by the LTTE when their patrol had been ambushed at around 4pm about one mile north of Kiliveddy.

Several of the 25 people wounded in the same incident, who are currently receiving treatment at Trincomalee Base Hospital told human rights workers how soldiers broke open doors and windows of houses and fired at those inside. One of the women, Arumathurai Thanalakshmi was reportedly dragged from a boutique in the village and taken to the milk collection centre where she was raped before being shot. One of the other women killed was pregnant.

On 13 February, members of the military police were reportedly taking statements from the injured receiving treatment at Trincomalee Base Hospital. A magisterial inquiry has been held and the bodies were handed over to the relatives later in the day. They are reportedly due to be buried in a mass grave on 14 February.



Soldiers from the 58th Mile Post army camp have reportedly been transferred out of the area. To Amnesty International's knowledge, none of them have been arrested. Survivors claim they could identify some of the attackers. They say that five or six soldiers in particular went around killing people. Others stood guard. Amnesty International is urging that a full impartial investigation by a civilian authority be immediately established to avoid crucial evidence being lost.

Amnesty International is deeply concerned at reports that 24 villagers were extrajudicially executed by members of the security forces at Kumarapuram, Trincomalee district on 11 February. Amnesty International urges that (a) a speedy, independent and impartial investigation under a civilian authority be set up immediately to investigate these reports and identify those responsible; (b) those responsible be brought to justice; (c) the relatives of the victims be granted adequate compensation; and (d) members of the security forces be issued with clear directives to adhere to international human rights and humanitarian standards at all times and be reminded that killings by members of the armed opposition, however heinous, can never provide justification for government forces to deliberately kill defenceless people.

More than three months have passed since the Kumarapuram massacre but the Sri Lankan army committee appointed by the Government to inquire into the massacre has not made any progress.

**Kumarapuram massacre:** The Sri Lankan armed forces who arrived in army trucks at the Tamil village of Kumarapuram in the Kiliveddi area of the Trincomalee district on the 11th of February 1996, ordered the villagers to gather in a particular spot and attacked them with knives and machetes. Two women were raped and then killed. 24 Tamil villagers were killed and several more were wounded in the army massacre.



தமிழ் ஆவணக்காப்பகம்  
Tamileelam Archive



# **NAGAR KOVIL SCHOOL CHILDREN MASSACRE**

SRI LANKAN GOVT. BOMBS TAMIL SCHOOL WITHIN HOURS OF PRESS CENSORSHIP

## **71 TAMIL CIVILIANS KILLED BY AERIAL BOMBING & SHELLING**

25 school going children were among 40 Tamil civilians killed on the spot when Sri Lankan Pucara Planes bombed the Nagerkoil Central School in the Jaffna peninsula on Friday 22nd September. Nearly 100 others were injured, most of them students in the same school. Elsewhere in the area, 15 other civilians were also killed in the course of the same bombing.

The bombing of the school happened RI 12.50 p.m. during the school lunch break. When several of the school children were gathered under a shady tree in the school compound. Pieces of human flesh were strewn around the area including the tree branches, making identification impossible.

Earlier, on the same day, Pucara bombers targeted Manalkadu and Katkoyalam in the Vadamaradchi area killing six persons. A small Catholic church was also damaged in the bombing. In another incident in the early hours of the same day, intense shelling from the Palaly army camp killed seven members of the same family including four children of varying ages. The shelling began at 3.00 a.m. and continued until 7.00 a.m.

The intensified aerial bombing and shelling by Sri Lankan government forces came about within hours of the government's imposition of Press Censorship midnight September 21.

Apart from the 68 civilians and school Students on 22 September, three others including a Small boy age 9 were killed on the previous two days in a spate of wild bombing raids in the Vadamaradchi area in which at least 30 others were seriously injured.

On 20th September artillery shells fired from the Palaly Army camp damaged the roof of a nunnery at Achchuveli causing injuries to 3 women who had taken shelter there. The details of the school children who have been killed by aerial bombing on the Nagarkoil Central School in the Jaffna Peninsula by the Sri Lankan Air Force Pucara bomber planes on 22-09-1995.

## **NAVALY ST. PETER'S CHURCH MASSACRE**

**ICRC COMMUNICATION TO THE PRESS**

**Communication to the press No.95/30**

**11 July 1995**

### **SRI LANKA: DISPLACED CIVILIANS KILLED IN AIR STRIKE**

Geneva (ICRC) On 9 July the Sri Lankan armed forces launched a large-scale military offensive against the positions of the Liberation Tigers of Tamil Eelam (LTTE) north of the city of Jaffna. The operation, involving intensive artillery shelling and air strikes, immediately forced tens of thousands of civilians to leave the area. Many of the displaced sought shelter in churches and temples, including several hundred people who took refuge in the Church of St. Peter and Paul in Navaly.

According to eye-witness accounts, this church and several adjacent buildings were hit by further air force strikes at 4.30 p.m. the same day. During the attack 165 people were killed and 150 wounded, including women and children.



That evening and into the night Sri Lanka Red Cross staff evacuated most of the wounded by ambulance to the Jaffna Teaching Hospital. Delegates of the International Committee of the Red Cross (ICRC) present the next morning at the scene of the attack noted the widespread damage and measured the extent of the tragedy: many of the bodies had not yet been removed from the rubble.

Deeply concerned by the series of the violent acts that have claimed innocent civilians, the ICRC calls on the parties involved to respect civilian lives, property and places of refuge. It also urges them to respect the protected zone around the Jaffna Teaching Hospital and to refrain from attacking any other medical facilities.

Names and Details of those identified bodies of the innocent tamil civilians who were killed during the military offensive of the Sri Lankan armed forces on 9th July 95, at the Catholic church, where the tamils have taken refuge.

## **KALUTARA PRISON MASSACRE**

**December 1997**

## **THAMPALAGAMAM - MASSACRE (Trincomalee District)**

**February 1998**



## Sterilisation being used to reduce Tamil population

A major program to systematically and radically reduce the Tamil population in Sri Lanka's plantation sector is secretly but effectively being carried out with state assistance and misdirected foreign aid. The Tamils in the hills of Sri Lanka where most of its tea and rubber grow are being subjected to large scale sterilisation which contravenes customary rules and law elsewhere in the island.

The Sri Lankan government's Ministry of Plantations is directly involved in this project with assistance from the Ministry of Health. Up country intellectuals and social activists allege that the Ministry of Plantations channels substantial foreign aid earmarked for improving the quality of life in the plantations.

They also allege that an NGO called 'Plantation Trust' headed by Dr.Indrani Hettiarachi plays a key role in implementing this program among young Tamil parents in the plantation industry. This birth control program is the latest in a series of efforts made by Sinhala majority governments to reduce the Tamil population in Sri Lanka's plantation sector.

Sinhala leaders have been apprehensive about the political power of the large Tamil population in the tea and rubber plantations of Sri Lanka from the time the British left the island in 1948. A large number of them were disfranchised in 1949.

Later, under repatriation pacts with India and forcible evacuation programs such as Usawasama sponsored by the Sri Lankan state, significant reductions were brought about by Sinhala politicians in the Tamil population of the plantation sector.

A Tamil social activist in the hill country describes a typical scene (names and places have been deleted at his request) -

"Somewhere in the central hills in Sri Lanka, in a tea plantation shrouded in mist, some twenty five poor Tamil plantation workers in their early twenties were herded into a dirty lorry which is normally used to transport manure for the tea saplings."

"They don't seem to be aware of what is awaiting them. The only thing that clogged their minds was the Rs. 500/ the doctor mahathaya has promised them at the end of the treatment. Each had their own plan for the 500 rupee reward. Perhaps their next few meals seemed sure."

" The lorry winds through the serpentine road and stops at the make shift clinic, another dirty dilapidated building. They are asked to get off the vehicle. One by one their names called out. And there, they all were sterilised, losing one of their basic rights-to procreate, without their fullest consent."

The method of sterilisation in this instance is called LRT - Ligation and Resection of the Tube.

The Sri Lankan Govt. seems to be over concerned about the plight of the poor Tamil estate workers. The govt. preaches to them that prevention of pregnancy is good. "you can't support your family," it tells them.

In fact the Sri Lankan govt. is running a politically motivated demographic control project under the cover of Family Planning, observers say.



The result is the changing demographic pattern in the central province of Sri Lanka. The growth rate of the Tamils in the region has drastically fallen compared to the growth rate of other communities.

This in turn reflects in the estate school registers and creche registers. A senior Tamil journalist from the hill country said " if this trend continued unchecked there won't be any nurseries for Tamil children in five or six years"

His comment is a reflection of the growing alarm among Tamil intellectuals in the plantation sector over the brazen manner in which the government and NGOs like 'Plantation Trust are carrying with this demographic engineering .

A study of the population pattern during the last five to ten years shows the trend clearly. Many a childcare centres have been closed down during these years because the number of children below five is fast decreasing. Even a brief perusal of the figures will show that the main target campaign is one particular community - the Indian Tamils.

A recent survey in Haali-Ela, Rockkettanne estate revealed a shocking fact- that there are only 96 children below the age of 5 in that estate's primary school. Another revealing fact is that all their mothers have gone through a hysterectomy. Ninety one percent of those who had done the surgery (LRT) is younger than 26. According to the law, sterilisation cannot be done if the person is younger than 26. In two cases the women, one can hardly call them women, were less than 19. Moreover, those who are involved in the programmes don't adhere to the protocols such as the minimum age limit for sterilisation. Neither do they look into other factors, that the parents have at least two off springs and the age of the last one should be not less than two.

The doctors don't brief the parents on the alternatives nor on the laws and regulations of the process, say well informed sources in the plantation sector. Surveys done in several other estates also clearly show the drastic decline in birth rates among the Tamils in the hill country.

Journalists and intellectuals insist that NGOs like Population Services International and the Plantation Trust work hand in glove with the govt. in this neo ethnic control strategy. These NGOs have kept silent about the allegations that have been levelled against them in this connection.

Public health workers in the estates brainwash and inveigle mostly illiterate or semi literate poor Tamil workers to do family planning surgeries instead of giving them a good knowledge of the reproductive health. They engage in this eagerly for the benefits which accrue to them on the basis of the sterilisation rates in their estates. Most of these are not fully qualified medical professionals. Well informed sources say that these field officers are paid handsomely for recruiting people to undergo sterilisation.

Despite protests by many intellectuals and concerned people of the hill country the Sri Lankan government seems to be achieving its goal of changing the demographic complexion of the plantation sector.

[TamilNet, October 30, 1997 - TN/97113101]

**SUMMARY REPORTS OF HUMAN RIGHTS VIOLATIONS IN SRI LANKA**

(Information received by TCHR)  
(From July to December 1997)

JULY 1997

No	Date	Name	Sex	Age	Place	District	Incident
1	01/07/97	Markandu Kumar	M	--	Uruthirapuram	Kilinochchi	He was shot and killed by the Sri Lankan forces when he went to recover possessions from the house he deserted when the military invaded Kilinochchi.
2	02/07/97	Kumar - Pathmanathan	M		Uruthirapuram	Kilinochchi	Young man was shot dead and another badly injured and the fate of three others were not yet known. The cart carrying coconuts was ambushed by the Sri Lankan armed forces.
3	02/07/97	Sathasivam - Rathnam	M	--	Mirusuvil	Thenmarachchi	Over 150 people were arrested and attacked by S.L. army. He was one of them taken away and feared murdered.
4	03/07/97	Muniyandi - Nirmalarani	F	--	Munrumrippu	Mullaitivu	She is seriously injured and another girl also injured when Sri Lankan Kfir jets blasted a Tamil school which was housing the displaced people.
5	03/07/97	Tamil youth-	--	--	Badulla	Badulla	Sri Lanka police stormed a Badulla-Colombo train randomly arresting 25 Tamil youths.
6	04/07/97	Andy Nadarasa	M	38	Elupaikulam	Mullaitivu	He was killed when S. L. army launched artillery attack at these town.
9	07/07/97	Selliah Karunanithi	M	18	Mahilady bridge	Batticoala	He was stabbed to death by the Sri Lankan soldiers.
10	08/07/97	Piraba	M	--	Batticaloa	Batticoala	Sri Lankan homeguards fired and killed him.
11	08/07/97	Rasalingam - Sivakumar A.Rasalingam P.Saradadevi S.Nilanthini K.Uhayakumar V.Pavithiran	M M F F M M	14 43 23 25 1	Amparai	Amparai	Sri Lankan homeguards entered the area's central camp settlements and fired on innocent civilians killing. A father and his son. Soldiers also attacked a house with grenades injuring them all four at home.
12	08/07/97	One killed	--	--	Kiran, Korakalimadu	Batticaloa	Forces conducted a search operation and smashed their way into closed houses and dragged the Tamil residents into an open field for interrogation. Of those arrested one was killed.
13	10/07/97	Sivalingam - Uhayakumari		18	Kommanthurai	Batticaloa	Both were badly injured by the Sri Lankan army shelled the town.



14	12/07/97	Gnanadas - Mahimaidas Mr & Mrs V.L.Inganathan	M/F	38	Batticaloa	Batticaloa	Batticaloa	Local government official and his wife were arrested by the police in Colombo hospital along with a servant. The girl was tortured to confession.
15	14/07/97	10 fisherman	---	--	Mullaitivi coast	Mullaitivu	Mullaitivu	Navy lunched attack at Tamil fishermen and 10 are still missing.
16	14/07/97	Ponnaiyah - Sivapalan Ramapillai - Sivagnanam	M M	25 26	Kondarkulam Kolliakulam	"	Pullmoodai	Whereabouts of these two men were unknown following an arbitrary arrest by Sri Lanka's security forces. Relatives reported the incident to their village councilor.
17	14/07/97	Sathyathanan - Sivakumar	M	22	Vaddakachchi	Kilinochchi	Kilinochchi	He was killed when Sri Lankan army lunched an artillery attack at residential areas.
18	17/07/97	Antony Kanapathy Raman Ketharani Umashankar	M M F M	47 70 43 14	Akkarayan	Killinochchi	Killinochchi	Sri Lankan army carried out a savage artillery attack on the hospital at Akkaran killing four civilians They belong to the same family.
19	17/07/97	2 civilians	--	--	Sonthakarankulam	Mannar	Mannar	Two people were hacked to death in Mannar district by the Sri Lankan troops when they went to see their abandoned houses. Two more were taken away by the soldiers.
20	17/07/97	2 farmers	M	--	Valaichchenai	Batticaloa	Batticaloa	Dead bodies of two farmers arrested by the army were discovered in the fields.
21	17/07/97	S. Mathini	F	16	Eravur	Batticaloa	Batticaloa	She was critically injured when army launched an artillery attack.

AUGUST 1997

222	1-8-97	100 civilians	M F		Uruthirapuram Selvanakar Bararathipuram	Kilinochchi	Kilinochchi	Over 100 civilians have been savagely killed when they went to see their homes and many others were taken away by the army were disappeared.
223	5-8-97	Sothilingam Kalaichelvi - 22	F		Omanthai	Vavuniya	Vavuniya	A mother of two children was killed in an artillery fired from Omanthai.
224	6-8-97	Sasitharan - 3 Kovinthamma - 57 Ganesan - 38 Sivasakthi - 17	M F M F		Senkalady	Batticaloa	Batticaloa	One of the Tamil mercenary groups has shot dead four Tamil civilians.
225	8-8-97	Kanakaratnam - Satheswary - 36	F		Thenmaradchy	Jaffna	Jaffna	A Pregnant woman in urgent need of medical care died as she was unable to go to hospital due to army curfew.
226	10-8-97	Missing fishermen	M		Ampalavan- Pokkanai	Mullaitivu	Mullaitivu	Sri Lankan navy patrols attacked fishing boats off Mullaitivu coast and several fishermen are missing.

27		<b>Deleted</b>					
28	14-8-97	T.Thurairajah - 68	M	Batticaloa	Batticaloa	He was badly hurt by bullets fired at random from Sivananda Vidyasalai sentry point manning by the army.	
29	14-8-97	Chelliah - Navaratnarasa-36 Kanapathipillai - Thavam-23 Santhan-26	M M M M	Mahilankulam	Vavuniya	The first man was killed and the other two were seriously wounded by random fire from the army unit.	
30	15-8-97	<b>Civilians killed.</b> T.Thangamani - 48 T.Vasanthakumari-17 N.Pushpamalar-41 N.Gajan-4 P.Annamalar-40 T.Parameswary-46 <b>3 bodies unidentifed.</b> <b>Civilians critically injured.</b> Jeyamohan-18 Nakapoorani-32 Panchali-56 Mathushan-2 Suresh-27 Gouri-28 Nakasanthi-13 Sarmila-9 Santhanam-59 Vijayarasa-16 Selvaranee-22 Sritharan-3 Jeyachandran-15 Kalingarasa-38 Rasamalar-55	F F F M F F  F M M F F F M M F M M M F	Catholic church in Vavunikulam	Mullaitivu	Two Sri Lankan Kfir bombers bombed a catholic church in Vavunikulam killing 9 civilians and critically wounding 15 others.	
31	16-8-97	P.Vasanthakumar-22 Jeyam-25 V.Aiathuirai-40 R.Satkunanathan-32 T.Thayaparan-25	M M M M M	Murasumoddi	Mullaitivu	Five Tamil civilians who went to see their homes have been missing .	



32	17-8-97	Kandasamy Wife Daughter-18 Son - 16	M F F M	Mirisuvil	Jaffna	Kandasamy family who returned to their home from Vanni has disappeared.
33	17-8-97	5 civilians	M F	Uyilankulam Kaththankulam	Mannar	2 were killed and 3 critically injured in an artillery fired by the army.
34	17-8-97	Sriharan - 35	M	Semmalai	Mullaitivu	He was severely injured by canon fired by the Sri Lankan navy .
35	17-8-97	Civilian target	M F	Vavunikulam church	Mullaitivu	Sri Lankan Kfir war planes attacked a catholic church killing 9 civilians and critically injuring over 26 others.
36	17-8-97	S.Kuyilini-4 months K.Sanjeevan-4 J.Jeyakala-9 K.Karunakaran-25 K.Kunaratnam-25 T.Thamilselvelvi-25 K.Sarojadevi-35 T.Kamalanayaki-40	F M F M M F F F	Puthuvilankulam	Mullaitivu	They were critically injured in Air force bombing at civilians sheltering.
37	19-8-97	300 Tamils	M F	Karativu Ninthavur	Batticaloa	In a Sri Lankan Task Force (STF) long stretch operation between Karativu and Ninthavur, they have arrested 300 Tamil men and women. Even after a week, whereabouts of these people are not known.
38	20-8-97	Rajagopal-23 K.Paramasivam-23 Tamil woman	M M F	Mankulam	Mullaitivu	Sri Lankan army shelling has critically wounded 3 civilians.
39	20-8-97	36 Tamil civilians	M F	Valigamam Thenmaradchy	Jaffna	30 civilians from Valigamam and 6 from Thenmaradchy were arrested by the armed forces and have been missing.
40		Deleted				
41	24-8-97	A man and grand daughter	M F	Urumpirai	Jaffna	Sri Lankan army truck knocked and killed a man and his grand daughter.
42	25-8-97	Mailvaganaam Thavabalan -37	M M	Kaithady	Jaffna	Two farmers went to water their plants in the morning were shot dead by the Sri Lankan soldiers.
43	25-8-97	Kunasingam - Sarojadevi -35	F	Puthuvilankulam	Vavuniya	She died in a Sri Lankan Kfir bombing.
44	28-8-97	Sayantheni -5	F	Olumadu	Vavuniya	Two people including a girl of 5 were killed by heavy a shell fired by Sri Lankan forces.
45	30-8-97	Ledchumikanthan - Thamayanthan -23	M	Thirukadaloor	Trincomalee	He was shot dead by the Sri Lankan troops.
46	30-8-97	Sivaloganayaki -38	F	Muttur	Trincomalee	Sri Lankan soldiers stopped her at a check point and she is missing since.

September 1997

No	Date	Name	Sex	Place	District	Incident
47		<b>Deleted</b>				
48	2-9-97	V.Sathasivam -38 S.Kokila -2 S.Ketheeswaran -3 N.Thavachelvam -16	M F M M	Muthuaniyankaddu	Mullaitivu	The first two were killed and the other two were seriously injured when the Sri Lankan troops launched a fierce artillery attack on this village.
49	3-9-97	A.Rupakanth Sathis	M M	Kalmunai	Batticaloa	Sri Lankan hired mercenaries killed 2 civilians.
50	5-9-97	Palanthi - 6	F	Atchuvelli	Jaffna	Sri Lankan soldiers gang -raped a six year old baby at an army check point . The girl is now fighting for her life in the Jaffna teaching hospital.
51		<b>Deleted</b>				
52		<b>Deleted</b>				
53	8-9-97	S.Saravanan S.Subas	M M	Nedunkerni	Vavuniya	Both were arrested by the army on the day of UNICEF's anti-polio drive. They have not been seen since then.
54	9-9-97	Kandiah - Perampalam	M	Thondamanaru	Jaffna	He had his leg blown off by a land mine planted near the Selva sannithy temple.
55		<b>Deleted</b>				
56	10-9-97	V.Gnaneswary 19 K.Tharsini -17	F F	Mankulam Kanakarayan - kulam	Mullaitivu	Both were critically injured when a series of mortar and artillery barrages were fired at Residential areas .
57	11-9-97	Siyamala- 20 M.Anandarajah - 22 K.Sivarajah - 48 P.Chandran	F M M M	Mankulam Ramanathapuram Kalmadunagar	Mullaitivu	Non-stop artillery shells and mortars were raining down on towns killed 4 and critically wounded several others.
58	11-9-97	Nathan - 23 Thanisu Rajan - 32	M M	Murasumoddi	Kilinochechi	Three civilians who have gone to recover valuables from their abandoned homes are missing.
59	11-9-97	Rajaledchumy - 22 Kenthirathasan - 20	F M	Paduvankarai	Batticaloa	Both were critically injured in midnight shelling by the army.
60	11-9-97	Vigneswaramurthy S.Suresh Kanthasamy T.Veerasingam Ariaratnam	M M M M M	Jaffna Secretariat	Jaffna	Sri Lankan army moved into the Secretariat and arrested five of them.

OCTOBER 1997

No	Date	Name	Sex	Age	Place	District	Incident
61	61 to 64	<b>Deleted</b>					



65	1-10-97	Suntheralingam	M	22	Fourth colony Amparai	Amparai	Charred body of a young man probably of Suntheralingam who went missing .This happened when Sri Lanka police ran amok torching 67 homes and killing civilians. 1700 Tamils fled the town in panic.
66		<b>Deleted</b>					
67	2-10-97	Yogeswari	F		Vavuniya	Vavuniya	She was arrested by the Sri Lankan army.
68	2-10-97	Family man	M	45	Pampaimadu	Vavuniya	Father of four children was shot dead in the jungle by the Sri Lankan army.
69	3-10-97	A.Sivamahathan	M		Mullaitivu	Mullaitivu	Sri Lanka naval craft attacked unarmed fishermen and eight missing. Five fishing boats were set ablaze.
		S.Rasatnam	M				
		S.Mailvaganam	M				
		T.Jeevarasa	M				
		S.Arumairasa	M				
		T.Amaladas	M				
		Robinson	M				
		Peter	M				
70	4-10-97	A.Poopathy	F	23	Semamadu	Vavuniya	She died in Mallavi hospital due to shell shock.
71	5-10-97	Arrest			Anuradapura- Trincomalee border	Trincomalee	12 Tamil women and 21 men were arrested during a cordon and search operation in 8 Tamil villages. None have so far been released.
72	5-10-97	Arrest-Killing			Kilinochchi	Kilinochchi	Two decomposed bodies of Tamils were discovered with evidence of torture, while 10 other civilians had gone missing.
73	5-10-97	Krishnasamy Nallasamy	M M	27 52	Parathipuram	Kilinochchi	Both were cut to peices and their bodies parts strewn on the ground in front of their house.
74	6-10-97	Civilians			Mulankavil	Mannar	A boatload of 13 Tamil people crossing from coastal Mulankavil to their home in Jaffna drowned in the waters off Karainagar when the Sri Lankan navy opened fire on the vessel.
75	7-10-97	Thanabalasingam- Vinayagamoorthy	M	27	Madukarai	Kilinochchi	He went to the field in search of his cattle and missing since then.
76	7-10-97	Arumugam - Pushparaja	M	24	Manavalan Pattamurippu	Mullaitivu	He was shot by the Sri lankan Army while cycling along the main road.
77		<b>Deleted</b>					
78	9-10-97	Kasinather Gnaniar woman	M M F	60 56	Karapattamurippu	Kilinochchi	Three were abducted by the Sri Lankan troops.
79	9-10-97	S.Thangavelu A.Rasihah R.Kesavan T.Rasendiram Ragunathan M.Manikkam K.Selvaratnam	M M M M M M M	49 46 12 34 60 80 29	Santhapuram Selvapuram Vasanthapuram Murikandy	Kilinochchi	22 Tamil civilians who went to recover belongings from their homes in Kilinochchi had been abducted by the Sri Lankan army and not seen since.

80	S.Liyange Thevakumar S.L.Vasanthakumar T.Thevarasa R.Kandiah Ayutikumar K.Manoharan K.Babu T.Thanaraj T.Kandiah A.Subramaniam S.Dinal L.Thevarasa	M M M M M M M M M M M M M	45 20 38 52 13 33 35 48 80 35 38 30	Mankulam Kanakarayan- kulam	Mullaitivu	Sri Lankan Kfir war planes bombed residential areas. A passenger van was chased and bombed killing one man and critically injuring 3 others.
81	A.Arulamrampillai C.Paramalingam A.Yogarajeswaran M.Sumithra M.Thambiraja Thanganayaki	M M M F M F	17 45 49	Valaichenai Amparai	Batticaloa Amparai	A pregnant woman and a man from Kalmadu refugee camp were badly injured when Sri Lankan soldiers indiscriminately fired bullets into the camp. She was raped and murdered by Sri Lankan police and homeguards. The soldier butchered her private parts after gang - rape.
82	K.Subramaniam	M		Chavakacheri	Jaffna	His mutilated dead body was found on a roadside of Chavakacheri.
83	<del>Deleted</del>					
84	52 youths	M F		Kankesanthurai	Jaffna	52 youths were rounded up and taken to prison camps in Kankesanthurai. They have not been found guilty but not released.
85	Nagamuttu	F	60	Sonthakarankulam Koyilkulam	Kilinochchi	5 civilians went to recover belongings from their homes. They were fired by the Sri Lanka army lying concealed in bushes. Nagamuttu is missing.
86	Selvam Kunchurasa	M M		Uruthirapuram Chunnakam	Kilinochchi Jaffna	Both went on a bullock cart to recover belongings and were abducted by the Sri Lankan army. He was returning from work and died in a random fire by the Army.
87	<del>Deleted</del>					
88	<del>Deleted</del>					
89	Young girl	F		Nayanmarkadu	Jaffna	A pupil of Maheswari Vidyalalai was abducted at night by the Army when she went to collect water from the well in her garden. She was discovered the next morning. She was tied to a tree and her clothes torn.
90	Sathirasekaran R	36		Puttur	Jaffna	Victime of land mines buried by the army around Jaffna schools.
91	<del>Deleted</del>					
92	<del>Deleted</del>					
93	Sivapalan	M		Puthukudiyiruppu Valaichenai	Batticaloa	Soldiers grabbed a Hindu priest by his hair-knot and dragged him along the road and beat him.



6	28-10-97	P.Santhirakumar	M	18	Kiran Vidyalam	Batticaloa	Advance Level student was shot and killed by the soldiers.
7	28-10-97	Kandasamy Maheswaran	M		Muttur	Trincomalee	He is father of four children. He has been arbitrarily arrested by the Police and being held by Sri Lankan armed forces.
8	28-10-97	Young girl	F	16	Vavuniya	Vavuniya	Tamil mercenary PLOTE gunman working with the Sri Lankan army shot and killed a Tamil girl.
9	28-10-97	Panchalingam Thilagar	M		Vavuniya	Vavuniya	They were arrested and being held by the army without any reason. Many more Tamil civilians have been arrested in Manavalanpattu Murippu and detained in Vavuniya.
100	28-10-97	Siththar - Kulanthaivelu Ledchuman - Vetharupan	M	61	Vasavilan	Jaffna	Both men have lost a leg each when they stepped on army landmines. There are similar victims because the army has not removed any of the land mines in Jaffna.
101	30-10-97	2 girls	F	27	Chavakacheri	Vavuniya	Army has arrested 2 girls in Vavuniya.
102	31-10-97	Thambiratnam - Sasireka Selvan - Arulanandarasa - Chelliah Arulanandaraja	F	26	Kondavil	Jaffna	All three have lost their legs in army land mines. An average of one foot is lost in Jaffna due to these land mines.
103	31-10-97	K.Kulendran K.Kamalasoathy K.Arighandran K.Sriranasuntharam M.Balasingam S.Sriharan S.Sivagnanam	M	26 19 26 35 40 37 34	Puttur Alaveddy Nedunkerni	Mullaitivu	7 civilians who returned to their homes to recover household belongings were arrested by the troops and missing since.
104		Deleted					

NOVEMBER 1997

105		Deleted					
106	01-11-97	Sinnaiah - Selvarasa	M	26	Marampaikulam	Vavuniya	While he was looking for food in the Vanni jungles, he was shot dead and beheaded by the soldiers.
107		Deleted					
108		Deleted					
109	04-11-97	Nalliah - Pushpanathan	M	36	achhelu	Jaffna	He had his hands blasted off when he picked up an unidentified object. He also sustained extensive injuries to his chest and face.
110	07-11-97	Nagarajah - Anandarajah	M	22	Velanai	Jaffna	He was shot dead by Sri Lankan armed forces. He was working as a gate keeper at Sir Vythilingam Duraisamy Maha Vidyalayam.
111		Deleted					

		<b>Deleted</b>										
07-11-97	Thiruchelvam Shannuga - sundram	M M	42 45	7 <sup>th</sup> Channel Area	Kilinochechi			Both were shot and killed by the army. One died on the spot and the other was unconscious, both their bodies were dumped into a pit. After two days Thiruchelvam crawled out of the pit and died soon after telling the horrendous tale.				
09-11-97	Ponnambalam Jegathas	M	23	Nallikunchukulam	Kilinochechi			He went to recover belongings from his home at Sonthakarankulam and feared to have been abducted by Sri Lankan forces.				
13-11-97	9 civilians	M		Uruthirapuram	Kilinochechi			9 Tamil civilians who went to recover their belongings from their abandoned homes have not been seen since.				
13-11-97	Thambu Sinnappillai Sathasivam Vigneswaran	F M	65 13	Varani	Jaffna			Sri Lankan forces ran amok firing randomly at Tamil civilians killing a woman and injuring a boy.				
19-11-97	<b>Deleted</b>											
19-11-97	Civilians	M F		Karainagar	Jaffna			Army rounded up the whole of Karainagar and arrested several civilians.				
19-11-97	Civilians	M F		Thumpalai Vathiri	Jaffna			Soldiers rounded up and arrested several civilians.				
19-11-97	Civilians	M F		Mannar	Mannar			20 Tamils were arbitrarily arrested by the Army and their families are extremely anxious about their whereabouts.				
20-11-97	Thayalini	M	14	Vasavilan	Jaffna			She lost her hand and suffered severe injuries when she picked up an unidentified object.				
24-11-97	Tamil woman			Mirusuvil	Jaffna			Sri Lankan soldiers shot dead her for sending her daughter to Colombo.				
24-11-97	Selvarajah Rooban Theivendram	F F F		Pooneryn	Kilinochechi			Sri Lankan Kfir war planes mounted aerial attacks on civilian targets in Pooneryn killing 3 civilians and seriously wounding 9.				
24-11-97	Thirukovalan - Palikummar	M		Vadamaradchy	Jaffna			He was arrested and missing since then.				
24-11-97	Vijayan	M		Maththiyamuham Ilcolony	Amparai			He was shot and killed in the custody of Amparai police. He is one of those 13 arbitrarily arrested in the 11 <sup>th</sup> colony.				
24-11-97	60 Civilians	M F		Kotahena supermarket	Colombo			60 young Tamils have been arbitrarily arrested by Colombo Police in a round up in Kotahena supermarket after the explosion at Kelanitissa				
29-11-97	<b>Deleted</b>											
29-11-97	Thayanadevi - Saravanaperumal	F		Unionkulam	Kilinochechi			When Sri Lankan forces fired artillery from Kilinochchi a mother of four children was killed. Two children were also severely injured.				
29-11-97	Civilians	M F		Eruvil	Batticalao			At the jetty, Eruvil military shot and killed a young man and 3 civilians when they were disembarking from the boat.				
30-11-97	Civilians killings	M		Uruthirapuram	Kilinochechi			Sri Lankan army shot and injured two Tamil civilians and arrested two others when they went to collect valuable belongings from their homes.				
30-11-97	Thambipillai	M	40	Uduvil	Jaffna			Two civilians were arrested at Uduvil and Irupalai by armed forces.				



	Jegathas Nageswaran Sujitha	F	Irupalai		
132	<b>Deleted</b>				

DECEMBER 1997

No	Date	Name	Sex	Age	Place	District	Incident
133	04-12-97	Nageswaran Sujitha	F	19	Neerveli	Jaffna	She was arrested by the army and not been seen since.
134	04-12-97	5 Civilians	M		Kalawanchikudi	Batticaloa	Sri Lankan army arrested 5 young boys .
135	04-12-97	2 men		67	Neerveli	Jaffna	Both were killed in a land mine.
136		<b>Deleted</b>					
137	06-12-97	Civilians			Puthukudiyiruppu Kannakikiramam Pethalai Pandimadu Vinayapuram	Batticaloa	Sri Lankan army from camps in Pethalai, Valaichenai and Kalkudah surrounded the five Tamil villages and took all Tamil residents for interrogation and not released.
138		<b>Deleted</b>					
139	09-12-97	S. Raveendran	M	40	Jaffna town	Jaffna	He was shot and killed by the Sri Lankan armed forces. Later many were attacked at Somasundaram street.
140	09-12-97	700 Tamil refugees					
141	10-12-97	Kirupananthan - Arunathan	M	19	Jeyanthipuram	Batticaloa	He was shot and killed by Sri Lankan police, on his way to the house.
142		<b>Deleted</b>					
143	10-12-97	Tharmalingam Yasotha	F	24	Kaluthavai	Batticaloa	Sri Lankan soldiers dropped a grenade in a bus where this pregnant woman was travelling. She suffered injuries and her unborn baby died in the womb.
144	10-12-97	Thayalini	F		Valaichenai	Batticaloa	Sri Lankan forces opened fire on civilians, injuring a pregnant mother. The unborn baby had to be removed from her womb after bullets went through her stomach, killing the baby.
145	11-12-97	Krishnapillai Thayaparan Muthuthamby Vijayam Manikam Kandasamy Senathirajah Thevarajah Sambunathan Thangaraja	M M M M M	24 57 43 56	Batticaloa	Batticaloa	Devastating grenade explosion was caused in the marketplace when a Policeman dropped a grenade. 5 Tamil people were killed and 53 others injured.







158	23-12-97	Nagan Jeyamany Nagan Janarthanan	F M	43 8	Varani	Jaffna	Sri Lankan soldiers shot dead a mother of three children. Her eight year old child was also injured.
159	23-12-97	Cyrl Anton George	M	32	Gurunagar	Jaffna	Sri Lankan forces occupied Tamil man's home at 22.00 hrs and arrested him. During the arrest , the army robbed a radio, a bicycle and 25000 Rupees from his home. He is a father of four.
160	23-12-97	Pathmaseelan Anton Jude	M		Jaffna	Jaffna	Sri Lankan armed forces robbed 12,000 Rupees from this Tamil man after arresting him. His father was earlier arrested by the armed forces.
161	23-12-97	Akram	M		Kathankudy	Batticaloa	Sri Lankan armed forces shot dead a Muslim fisherman, as he rowed towards the coast after fishing.



# SRI LANKA

## The Facts

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# U.S. STATE DEPARTMENT ON SRI LANKA

(Report dated January 30, 1998)

- 1 - Impunity remains a serious problem.
- 2 - Since April 1995 at least 700 persons has been extrajudicially killed by the security forces or disappeared after being taken into security forces custody and are presumed dead.
- 3 - Almost all senior military officers now serving were med-level officers during the Janatha Vimukthi Peramuna (JVP) uprsing.
- 4 - In October 1995, 22 members of the STF were arrested and detained under the ER (Emergency Regulations) on suspicion of murdering 23 Tamil youths whose bodies were found floating in Bolgoda Lake. **The suspects were released on bail and resumed their police functions in February 1996.**
- 5 - Human Rights Commission (HRC) which replaced the Human Rights Task Force (HRTF) has being routinely ignored by the security forces.
- 6 - Although security forces personnel can be fined or jailed for failure to comply with the ER, none were known to have been punished during the year.
- 7 - Members of the security forces continued to tortued and mistreat detainees and other prisoners, both male and female particularly during interrogation. Progovernment Tamil militants in the east and north, directly responsbile to the security forces, also engaged in torure.
- 8 - The PTA (Prevention of Terrorism Act) permits detention without charge for upto 18 months. In some cases, Tamils have been detained without charge under the PTA for up to 4 years.
- 9 - There are approximately 1,100 people now remanded under the PTA.
- 10 - Over 400,000 people remain displaced by the past 2 years of fighting.
- 11 - A military offensive in the Vanni that began in May created over 70,000 newly displaced people.
- 12 - No army or other security forces personnel were prosecuted or disciplined for executing prisoners.



13 - 64,000 Tamil refugees were already estimated to live in camps there. Another 100,000 refugees are believed to have been integrated into Tamil society in southern India.

14 - On February 20, a boat carrying ethnic Tamils fleeing the fighting reportedly overturned. Authorities believe that approximately 165 persons were killed.

15 - The government estimates that there are more than 2,000 active child prostitutes in the country.

16 - 19,123 children between the ages of 10 and 14 were fully employed. This included 15,495 males and 3,628 females. Additional thousands of children (estimates range from 50,000 to 100,000) are believed to be employed in domestic service.

(Extracted of the report)

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## SRI LANKA CIVILIANS KILLED

### News Review - AMNESTY

"Initially, the Kantalai police were apparently pressuring families to sign statements claiming that those killed were members of the Liberation Tigers of Tamil Eelam (LTTE) or that they were killed by the LTTE, an armed opposition group fighting for an independent state in the north and east of the country.

Extract of March/April 1998

Due to shortage of soldiers in Sri Lanka

## TEN MONTHS PREGANANT WOMEN IN SERVICE



Pic. by Dhantha Heritage

### This is true patriotism

Fighting to secure a future for the next generation, including the baby in her womb Geetha Priyadarshini, who was due to give birth to a child last Thursday, had not yet given up her duties at the time our photographer captured this scene. Based at the 10th mile post check point on the Trincomalee-Morawewa Road, Geetha is a member of the Eleventh Sri Lanka National Guard Battalion.

Hailing from Saddapura, it looks like it will be a joy for her family in

தமிழ் ஆவணக்காப்பகம்  
TamilEelam Archive



## Results of recent survey - **Three lakhs of children do not go to school**

By Anjana Gamage

A recent survey conducted by the Non Formal Education Branch of the Education Ministry island-wide has revealed that about 300,000 children in the school-going age do not attend schools at all. Displaced children in refugee camps are not included in the above figure and their number could be around 120,000, education ministry sources said.

The survey which is yet to be completed covers the Western, Southern, Central, North Western, Uva, Sabaragamuwa, North Eastern, and North Central provinces.

Mr. Premasiri Welivita, Director, non-formal education, told the *Sunday Observer* that a total number of 73,565 above the age of 16 have been identified as non-school-going children in the Western, Southern, Central, North-Western, Uva, Sabaragamuwa, North-Eastern, and North-Central provinces.

According to the survey a total number of 32,410 age 5-14 and 21,188 age of 15-16 have been identified as non-school-going children in the abovementioned provinces. These figures have been collected from areas where the survey has been completed.

The non-formal education branch has taken steps to admit 1739 children to schools while conducting the survey. Conducting the survey of non-school-going children in the Northern Province is now in progress. Of 63 AGA Divisions in the Northern Province, the survey has commenced in 16 divisions, Mr. Welivita said.

The survey in the eight provinces will come to a close at the end of this year and a full report on the Northern Province will be presented in March next

year, he said. "But even this survey is not sufficient to arrive at an accurate figure of non-school-going children in the country, so we hope to start a new survey next year as well. The plantation sector was not covered properly in this survey. Next year we can re-check the plantation sector", Mr. Welivita said.

"We will send a questionnaire to each house seeking information as to the attendance and the non attendance of children in school", he said.

With the assistance of the Sri Lankan Navy, we will get the total figure of children in camps, and information about them will be included in the new survey report to be completed by next year, sources said.

"The main cause for non attendance by these children to school is their disaffection. They hate to go to school. Sometimes we found that principals in certain schools did not like to admit these children", he said. But the report stated that 10,798 children have shown keen interest to study in schools, 12,024 in literate centres and 20,619 in vocational training centres respectively.

The parents of these children are mostly uneducated and they are almost below the breadline.

"This is another factor for this alarming situation of non attendance to schools", he said.

The National Education Commission Report has emphasised the need to see the full participation of the 5-14 age group children attending schools by the year 2000. With directions from President Chandrika Kumaratunga the implementation of compulsory education regulations in the country will come in to effect from January next year.



# Vasu bombards

By Shyamal Collure  
and S.S. Selvanayagam

Fiery PA parliamentarian Vasudeva Nanayakkara has asked the Justice Minister G.L. Peiris why the Attorney-General's Department was not co-operating to conduct investigations into the alleged abduction and killing of the 21 Tamil youths whose bodies were later found in Bolgoda, Alawwa and Diyawannawa lakes.

Mr. Nanayakkara raised the issue after the case filed against 22 Special Task Force (STF) personnel, was taken off the roll-call of the Colombo Chief Magistrate's Court.

Mr. Nanayakkara pointed out that this has been removed from the roll-call due to the absence of the Attorney-General or his representative.

In a related development TULF Parliamentary group leader, Joseph Pararajasingham has urged President Chandrika Kumaratunga to appoint a trial-at-bar to investigate this case like that of the Krishanthi rape case to show the genuineness of the government in winning the hearts and minds of the Tamil people.

The Colombo Chief Magistrate Munidasa Nanayakkara has made an order for the removal of the case from the roll-

call of the court when the prosecuting CID officials, having been absent on two occasions, failed to appear in court again on March 13.

Senior State Counsel Yasantha Kodagoda told 'The Sunday Times' however that this was not an irremediable step reiterating that there was no attempt on the part of the state to sweep the matter under the carpet.

He said that they were awaiting two reports from the Government Analyst's Department. Alleged offenders would be indicted in the High Court with abduction, wrongful detention and murder.

Mr. Kodagoda added that the removal of a case from the roll-call did not mean that the accused had been exonerated and the contents of the reports awaiting could not decide on the culpability.

The State Counsel further said that they had received a provisional report from the forensic experts of the Glasgow University (sans D.N.A. printing) and accordingly four out of 21 skulls had matched with some of the photographs of suspected victims sent there.

The proceedings against 22 suspects commenced around

Please turn to page 3

# AG on Bolgoda

Contd. from Pg. 1  
15.09.1995 and application for bail was rejected but bail was later granted on 15.02.96 with the condition of Rs. 10,000 cash bail and Rs. 100,000 body bail with two sureties. Besides, the suspects were directed that they must report to the CID on the last Sunday of a month between 9 am and 12 noon. They were also directed that they must surrender the passports to the courts and they cannot leave the country without prior approval from the courts.

In the same year on August 2, counsel for the defendants requested the court to lift the conditions of bail that required them to sign at the Police Station every last Sunday of a month.

On 12th of the following month, the condition for bail was lifted and the suspects were permitted to appear before the courts on receipt of notice only. On December 12, the (CID) was not present in courts.

Last March 13 too, the prosecution was present in courts and the case was removed from the roll-call.

Mr. Vasudeva Nanayakkara wanting to raise this issue, has written a letter to the Secretary of the Parliamentary advisory Committee of the Ministry of Justice which meets once a month.

He has requested in the letter that it be listed in the agenda stating that this case has been removed from the roll-call due to the absence

of the Attorney-General or his representative.

He has fielded a question as to why the Attorney-General is not co-operating in was cases of this nature because this has a bad reflection on the government and in a way his omitting to act facilitates the culprits.

TULF Parliamentarian Joseph Pararajasingham in a letter to President Chandrika Bandaranaike Kumaratunga has alleged that the removal of the Bolgoda Lake case from the roll of the Magistrate Court, has caused suspicion among the Tamils whether the government is using a separate yardstick when it comes to the question of human rights violations by the security forces.

"SUNDAY TIMES"

27/4/1997





NEWS

# And the blossom died...

"I am afraid as to what they might do to us."

It is a sad story. Here was a girl who left her home on Saturday September 7 fasting, since as a Hindu she fasted on Saturdays. She was sitting for her first paper in Chemistry. A clever student having scored eight distinctions in her GEC O Level, she looked forward to a bright future, hoping to choose medicine for her career. "She was tan complexioned with a sweet smile and sharp

attractive eyes," said the relative.

She was a cheerful child said the relative. She had a young brother Prashanthan 16 years old who also died in the tragic events that followed. Her only sister Prashanthi aged 21 years lives with these relatives at Wellawatte. She escaped since she came to Colombo to sit for her CIMA in June but was too late for the exam. She is currently studying Australian Computer Science. She

is a dark slim girl with sadness written all over her face. She is today bereft of mother, sister and brother. Her father died 11 years ago. Will she ever smile is a thought that enters one's mind as one sees this pathetic girl.

We doubtless salute the many soldiers who have sacrificed their lives for the country but we cannot condone rape and murder by soldiers who showed brazen and lust rather than patriotism. Krishnanthi completed

her paper and went alone to see a sick friend. She was stopped at the check point and three soldiers allegedly raped her until she fell unconscious.

When she revived according to the confessions, police officers and six soldiers further raped her. In mute testament was the torn blood stained uniform of the girl from Chundikuli High school. When Krishnanthi was late in returning home, her mother, brother, and a neighbour

went to look for her. The mother was 59 years old and a Vice-Principal of a Maha Vidyalaya in Kaithady. Her journey was not only futile but she, her son and neighbour were

strangled, cut into pieces and buried in a little hut within the gates of the army camp according to lawyer Poopalan. After queues in Parliament and investigations, the bodies were brought in one big box at midnight. The relatives were asked to stay

outside the GMO's office in Colombo while Mr Poopalan and Tamil Congress leader Kumar Ponnambalam went in.

Ponnambalam and Poopalan wanted to know why the four bodies were not kept in four coffins. In the midst of this, an ultimatum was given to the family who did not see the bodies, that within two hours the bodies had to be cremated otherwise they would be buried at state expense with no rites at all.

## Peace Group horrified at Krishnanthi's killing

Women for Peace has expressed horror and shock the hideous sexual violence of gang rape and gruesome murder of eighteen year old Krishnanthi Kumarasamy at the hands of the armed forces in Kaithady, Jaffna. In a statement, the movement said: "In this collective brutality, a widow and vice principal of Muthukumaraswamy Maha Vidyalaya, brother and neighbour were found buried under crudely dug graves. The highly decomposed bodies were exhumed and flown to Colombo for burial at state expense and the sole survivor, Prashanthi Kumarasamy, (21) was denied the right to mourn over the dead and perform the last rites.

What is frightening is that the atrocious crimes were not committed in operational areas of heightened military offensives. Kaithady has been 'cleared' by the army and civilian administration and controlled by the military. However people had reposed in this government which claimed itself to be committed towards safeguarding the rights of all people".

The movement has called upon all citizens to join them in a 'vigil' to remember Krishnanthi and to protest against this kind of brutality against innocent civilians. The 'Action' begun on Friday will continue every other week day (Monday, Wednesday and Friday) from 12.30-1.30 p.m. at Hyde Park, Colombo 2.

The massacre has shocked the conscience of peo-

han Polria

an anguished household stained faces and a sense of My God how it dear child I. Her sweet not forget till a very close the day 18 Krishnanthi as was please remember how to her only relative she reunited eyes.



# THE SUNDAY TIMES

Sunday, September 7, 1997

## CID forced him to sign says officer

By S.S.  
Selvanayagam

Alleging that he was taken in by fabricated charges and forced to sign a confession, a top public servant has obtained leave from the Supreme Court to go ahead with his pe-

tition claiming violation of his fundamental rights.

Vallipuram Vigneswaramoorthy, an Administrative Officer, handling rehabilitation matters at the Jaffna Secretariat, had been arrested by the CID some five weeks ago

and brought to the fourth floor in Colombo for questioning on allegations of fraud.

In his petition, the officer alleges he was forced by the CID to make a confession and sign it.

He says his arrest and detention might be

due to malicious or false charges, mistaken identity, or some political motivation.

The officer has asked the Supreme Court to order his release and be paid compensation for the humiliation and harassment.

## UTHR challenges sincerity of govt.

By S.S. Selvanayagam

A human rights group has expressed dismay that after feet dragging in the Attorney General's department the cases of the Bolgoda corpses, the Kumarapuram massacre, and a number of cases involving rape and murder against the security forces are bound to be forgotten.

The Jaffna based University Teachers for Human Rights (UTHR-J) says in its latest review the deterrence against abuses is an area in which the government has shown a singular lack of conviction and whatever action taken on a number of well publicised cases under normal law, in effect, amounts to no more than conjuring trick.

This is in sharp contrast to the legally sanctioned and uncompensated punishments ordinary civilians undergo under the repressive powers of the State, the group says.

In the matter of disappearances in Jaffna, in the past few months the government has not even got down to the business of fixing responsibility although there was a clearly defined military hierarchy, it says.

The Task Force office in Jaffna never materialised. Neither has Jaffna seen any signs of the new Human Rights Commission. These are serious lapses. In effect, Jaffna was deprived of the means to check violations when they were most needed," UTHR says.

Acknowledging a steady improvement in Jaffna peninsula, UTHR says the general conduct of soldiers is fairly disciplined although there are exceptions.

Repealing of Prevention of Terrorism Act (PT) and Emergency Regulations is essential to restore democratic norms in society as these laws led to a flow of events where the erosion of the State's legitimacy, violent anti-state activity and the need for further repressive measures fed into each other, it says.

These laws continue to create severe insecurity to ordinary people in operational areas since they still do provide license for crimes by the security forces and the use of terror, it points out.





The house damaged in the process

# Tamil parties slam bulldozer govt.

By S. S. Selvanayagam

The bulldozing of a Wellawatte house belonging to a suspect in the Ratmalana airport bomb plot has outraged Tamil party leaders who accused the police of criminal action and slammed the PA regime as a bulldozing government.

Police and security forces on Thursday used bulldozers to dig up the garden of the suspect's house and said the por-

tico of the house, windows and other fittings were damaged in the process. But others say it was similar to the notorious Israeli tactic of bulldozing houses of suspects.

The strongest reaction came from TULF parliamentary group leader Joseph Pararajasingham who charged that the custodians of the law were taking the law into their hands while a government which promised democracy and human rights was turning

a blind eye.

He said such horrible bulldozing tactics had been used earlier also to demolish the houses of two other Tamil suspects at Kotahena and Bambalapitiya.

PLOTE leader Dharmalingam Siddharthan in an equally tough response accused the security forces of imposing a law of the jungle by punishing suspects without a trial.

EROS leader K. Sudha-

karan said the demolition of the house was a blatant act of anarchy and provided proof that Tamils were being treated as second or third class citizens.

TELO spokesman N. Srikantha said the demolition was extra-judicial punishment and an act of state terrorism. He said if such things were happening in Colombo one could imagine the horror being let loose in the north-east. The government had ap-

pointed presidential commissions to probe human rights violations under former UNP regimes but rights were being demolished now and everyone who respected freedom and human dignity should speak out against such atrocities.

ACTC leader Kumar Ponnambalam in a characteristically fiery outburst described the PA regime as a bulldozer government. He said several such acts of bulldozing had taken place in the north.





NEWS ANALYSIS

# Death is a common feature

**LTTE.** Some 90 persons have gone missing since the beginning of this year from the particular area in the Kilinochchi district.

Acts of murder and disappearance in the north and east seem to continue unabated while the voice of human rights activists in Colombo seem to have been effectively muzzled by the present political administration.

It is indeed pathetic that a vacuum has been created for political opponents with "blood on their hands" to fill this vacuum, virtuously pledging the causes of human rights.

Brutal forms of torture still exist in many a police station and prison.

Amnesty International has recently lent focus to the extent of torture in various countries - torture which is calculated to disintegrate the

mind of an intelligent victim. In Sri Lanka it has become an almost accepted stance to perceive that if one is a Tamil and arrested it is a duty carried out by the armed forces to protect the country from terrorism.

The present censorship on acts of murder and disappearance in the north and east seem to continue unabated while the voice of human rights activists in Colombo seem to have been effectively muzzled by the present political administration.

another Tamil mistaken to be a Tiger.

The brutal slaying of all those other Tamil people also does not require any explanation according to the authorities, who when questioned did not even know a serious problem existed in the north for hundreds of civilians attempting to cross the line from rebel held territory to government land.

Many of these civilians are farmers and others who for

various reasons are forced to make that crossing into Kilinochchi and other areas to complete a day's work. However, the military say the LTTE too move around in civilian attire and so no chances can be taken.

The Human Rights Commission (HRC) appointed by the government is practically defunct and was not even aware of the murder of Rev. Arulpalan and other disappearances taking place in the country's north and east.

At 2 pm on a working day there is no responsible official at the offices of the new HRC to answer or record statements of human rights violations.

Finally, tracking down one official to his home The Sunday Times was told the HRC intends opening an office in Jaffna but cannot find the right personnel to man such a post as it would require a knack of knowing how to "deal with both sides," he said.

This body first needs to get its act together in Colombo before embarking on a project that will end before it has even begun.

Other than appealing to the President there seems no mechanism in place to effectively monitor the human

rights situation in the country. No local body is functioning by which members of the community and NGO's can bring complaints of violations without fear, impartially investigated and where necessary acted upon. NGOs also seem to have receded into a state of lethargy allowing the atrocities to continue. While it is true efforts are being made by sections in the military to win the hearts and minds of the Tamil People in the north and east such acts are few.

Meanwhile a government propaganda drive is rolling along at half-steam to promote the power sharing package. The theme "one country - one people" seems to mock the fact that thousands of Tamil-speaking people are today living under conditions that are anything but similar to that of their brothers and sisters in the south.

Some of them have lost all their belongings and are totally dependent on the government's relief measures and other aid. Problems faced by people in the Wannai are unimaginable as they remain a lost entity, lacking food, medicine and other essential items.

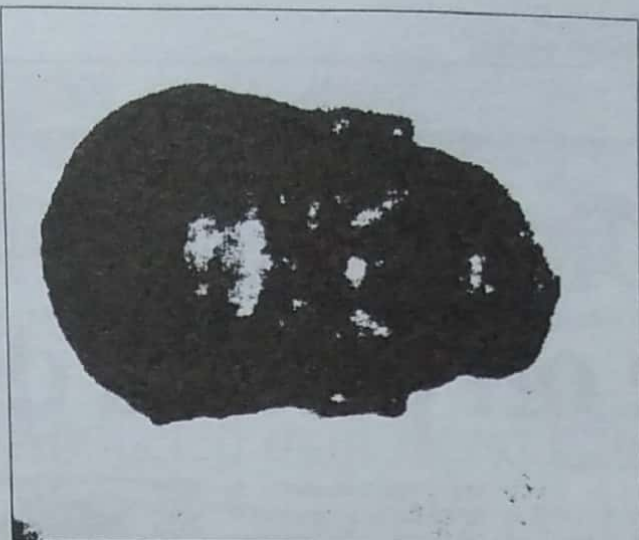
Some 50,000 people from the east recently called for an end to the war. A memorandum requesting an immediate ceasefire was handed over to the ICRC. The military are

reported to lose some 700 soldiers every three months in the long drawn out battle against the rebels. The loss to rebel cadre can only be guessed at.

The stark reality is, death and destruction are common features in Sri Lankan society making little or no impact as it does not affect the so-called middle and upper classes. C. G. Weeramantry, author of 'Justice Without Frontiers: Furthering Human Rights', states that power, Lankan society as a whole

wealth, position or birth should have no intrinsic relationship to an individual's true claim to respect and privilege.

People continue to be arrested under the pretext of national security. Freedom of association, demonstration and opinion continue to be violated. Safeguarding human rights in society at large and advancing collective positions on such issues have not been addressed by Sri Lankan society as a whole.



Rev. Arulpalan

reported to lose some 700 soldiers every three months in the long drawn out battle against the rebels. The loss to rebel cadre can only be guessed at.

The stark reality is, death and destruction are common features in Sri Lankan society making little or no impact as it does not affect the so-called middle and upper classes. C. G. Weeramantry, author of 'Justice Without Frontiers: Furthering Human Rights', states that power, Lankan society as a whole

# Jaffna Diocese calls for full probe on priest's death

By S. S. Selvanayagam

Jaffna Diocese of the Church of South India (JDCSI) has called on world Christian organisations to press the Sri Lankan government to ensure a complete investigation into the alleged murder of their priest Rev. I. Arulpalan of Konavil Church in Kilinochchi district while in state custody.

JDCSI has made the request to the World Council of Churches - Geneva, Christian Conference of Asia - Hong Kong, Unity Church of Australia-Melbourne, United

Church Board for World Ministries - New York, Christian Aid - UK, Church of South India - Madras, Canadian Methodist Church - Toronto and Putney Methodist Church - England as well as National Christian Council of Sri Lanka.

The executive members of JDCSI recently passed a resolution unanimously that the death of Rev. Arulpalan be conveyed to President Chandrika Bandaranaike Kumaratunga and appeal to her to ensure a complete investigation.

Pointing out that the sudden death of Rev. Arulpalan

has created a vacuum in the rehabilitation programme of the church in the conflict areas in the North, the JDCSI has requested the General Secretary of National Christian Council Dr Rienze Perera to take necessary action to inform the other heads of the churches about this incident.

JDCSI has appealed to the President to ensure that a complete investigation into the death of this priest is initiated and action taken against the offenders.

It stated that Rev. Arulpalan was taken into custody on August 25 by the Sri



Rev. Arulpalan

Lankan Army while he was visiting the church farm and this was confirmed by one of the priests serving in the same area.

It added that when they contacted the Defence Ministry on August 28 regarding this incident they informed that it would be a routine check. "We informed the ICRC. However, to our great grief and dismay, we received a message from the ICRC on the 12th that the dead body of Rev. Arulpalan was found at Puthumurippu on September 9," it said.

"At a time when the President's efforts to bring peace and ensure that civilian life is protected, incidents of this nature especially the killing of a priest is a deplorable act that no one will condone," it said.

THE SUNDAY LEADER, SEPTEMBER 21, 1997

NEWS

## Killed by men in military uniforms

A FATHER of two children who was apprehended by men similar to those in military fatigues was later found dead in an abandoned well in the eastern province.

The 26 year old S. Sinnathurai was apprehended last week at Batticaloa Sithandy road. Wife

of the victim made fruitless searches and when she confronted a group of men in uniforms, she was told her husband would return in a couple of days.

On the same day, children playing near the well have noticed the water has turned red.

The mother who rushed there found the children's father lying dead in the well.

Immediately it was not known who were responsible for the killing. Further investigations are conducted by Batticaloa police.



# Weekend EXPRESS

THE INDEPENDENT VOICE OF THE NATION

SATURDAY, OCTOBER 11 - SUNDAY, OCTOBER 12, 1997

## Abducted man found killed

by M. Ismail Farook,  
Eravur Corr.

"My father who accompanied my aunt's daughter did not return home again. After a few days, I found him dead".

This was disclosed at the inquest held into the death of Kathirgamathamby Thillainathan (41) of Chantiveli in Eravur police division.

Giving evidence, daughter of the deceased, Thilainathan Sasikala (16) said her mother Seenithamby Maheswari had gone to Saudi Arabia on foreign employment and the family unit comprised four members.

The deceased was her father, employed as a fishmonger. On the day he went missing 21 September, he had accompanied her cousin to her home.

Thereafter as he had not returned they organised a search for him on 24 September, and searched for him in Kaluvankerni

and its vicinity but failed to trace him.

Further inquiries revealed that he was seen at Chantiveli on a push cycle with a box of fish where he had been taken in by unknown persons dressed in uniforms. On Saturday October 4 people reported an offensive smell from a jungle in Chantiveli. On investigation the decomposed corpse was discovered half buried in earth with gun shot injuries.

With the assistance of the grama niladhari and the representative of the ICRC the body was unearthed and despatched to Batticaloa hospital for post mortem examination.

DMO Eravur hospital K. Sukumar conducted the autopsy and S.L. Zarook led evidence. Inquirer into sudden deaths P. Veerakkudi returned a verdict of murder through gun shot injuries by unknown gunmen.

## Lankans vs suicide

by Senaka de Silva,  
Kalutara corr.

Sociologists said yesterday that Sri Lankans were committing suicide at an alarming rate, and it could be estimated at around 27 a day.

It has been revealed that since the 1960's around 10,000 people commit suicide annually in Sri Lanka. Karunatissa Atukorala a senior sociology lecturer at the Peradeniya uni-

ion has been expressed that poverty is the main reason for the high suicide rate in this country of 18 million people.

But it has to be recognised that the problem has been compounded by a bloody separatist rebellion which has claimed tens of thousand of lives leading to further social un-

rest. The most common method of suicide was by ingesting insecticide which is freely available.

The rate of suicides in the country has increased to such alarming proportions that it has now become a major sociological problem, Mr. Athukorale said. A recent sur-

vey conducted showed 55 out of every 100,000 Sri Lankans took their own lives each year.

The sociologist estimated that more than 175,000 people have killed themselves since 1950. Of these more than 75% of the victims were males.



# THE SUNDAY TIMES

THE SUNDAY TIMES PLUS ♦ SUNDAY, OCTOBER 26, 1997

## Colombo sealed, 1,000 detained

Some 6,000 security forces and police personnel sealed off the Colombo city for a pre-dawn search operation yesterday causing chaos and confusion.

The search operation which began around 2.00 a.m. lasted nearly six hours during which nearly 1,000 persons including 139 females were detained for further questioning.

All vehicles entering and leaving the city were halted as the search got underway

marking the biggest cordon and search operation in Colombo in recent years. Some of the vehicles heading to Colombo from outstations returned, most of them fearing that search operation would continue throughout the day.

"Police were brought from almost all the provinces. They were told to report in Colombo after dark" one police officer who did not wish to be named said.

The search was aimed at

tracking down suspected LTTE cadres and detecting weapons and explosives which may have been smuggled into the city for attacks similar to the lorry bomb blast near the twin towers on October 15.

All police and security force personnel reported to three main centres — Fore-shore Police, Bambalapitiya and Maradana — from 12.30 a.m. to 1.00 a.m. where they were briefed by the respective divisional heads. Earlier

they were briefed by a Co-ordinating committee headed by Deputy Defence Minister Anuruddha Ratwatte. The three service commanders and the Police Chief were among other senior officials who briefed them about the operation.

Police sources said Colombo was sectorised and searched with separate teams being assigned for interrogation, photography, videoing and finger printing.

Please turn to page 2

## Colombo...

Contd. on page 1

The operation was co-ordinated by Senior DIG Ranges Lucky Kodithuwakku, DIG Colombo Indra Silva and Divisional SSPs of Colombo.

A statement by the Defence Ministry on the operation said: "This operation resulted in the detention of about 1000 persons for interrogation

which is now proceeding under the supervision of senior police officers. As soon as these interrogations are concluded, those who are not required for further investigations will be released.

"The present location of those detained has been communicated to their families and associates."

As the search operation got underway the state run radio was forced to combine some of its channels as its staff could not report to work.

Hospital staff and factory workers reporting for early shifts were also delayed at

main entry points to the city.

A Colombo Municipal Council spokesman said that even the clearing of garbage had to be delayed due to the search operation.

For thousands of city and suburban residents — still suffering from the nightmare at dawn on October 15 — it was an-

other shock as they awoke to learn from the radio and elsewhere that the city was sealed and under a virtual curfew.

As usual rumours of another bomb blast also circulated causing fear and uncertainty.





## Resident harassed by police demands apology from IGP

A senior lady citizen residing at Horton Place has written to the Inspector General of Police about policewomen having last Monday, illegally refused her entry into her own home.

"It is illegal to prevent me entering my own home for no valid reason. I do hope you will investigate and give me an apology which I feel is due," Ms Rohini de Mel has written to the OIC, Cinnamon Gardens police and the IGP, last Tuesday.

"As I hope to have a dinner on November 11, I hope my guests will not experience the same fate," 73 year old Ms de Mel has further stated in her letter.

The OIC, Cinnamon Gardens police when contacted for his comments on the matter raised in Ms de Mel's letter sent to him, replied, that he had not received such a letter.

Describing the incident in question, Ms de Mel said, "I was returning home after dinner from Elvitigala Mawatha in my Ford Laser car and turned into Horton Place where I live. I noticed many policemen and policewomen on duty. As I had to go around on Alexandra Place to enter Horton Place, I was stopped and refused entry though I said I was living close by. A policewoman with a rifle approached me threateningly and pointed it at me.

"I was forced to reverse and go along Alexandra Place to Torrington Place and I turned left into Maitland Crescent to enter Horton Place.

"Here too I was stopped. They were foolishly asking me to go to the roundabout. By this time I was getting impatient about the ignorance of the police.

"After all, I have been living in the Cinnamon Gardens area all my years and the Cinnamon Garden police should know who the residents around are. I pointed to my house and told the police that was where I live. Finally an Inspector-type arrived and let me go through."

She has stated in her letter to the IGP and OIC, Cinnamon Gardens police station, "At no point did any of these policemen ask me to show my identity card. Amazing!!"

She has added, "I am a senior citizen and have lived at 23, Horton Place all my life. Never in my life have I not been allowed to enter my home."

Ms de Mel told *Weekend Express*, "I am not angry but things of this sort must be investigated particularly if the newly recruited policemen and policewomen try to 'show off' with their weapons instead of doing the right things such as asking people for their identity cards to prove who they are."



# THE SUNDAY TIMES

Sunday, November 16, 1997

## ASP not present, Koneswary case put off

The Kalamunai Magistrate has put off the inquiry on the alleged murder of Murugesapillai Koneswary purportedly by policemen at the Central Camp in the Ampara district, as the main officer involved in the inquiry was not present in court.

Magistrate Anton Balasingham put off the

case for January 6, as Assistant Superintendent M.J. Sathiyam failed to appear when the case was called. The Magistrate issued notice on the officer directing him to appear on January 6. TULF Parliamentarian Joseph Pararajasingham has complained to the President, that Koneswary, a 35-year-old

mother of four living in an Ampara-Batticaloa border village, was allegedly gang raped by policemen and murdered by exploding a hand grenade in the private parts of her body on May 17.

Mr. Pararajasingham and a journalist who reported on the case have also been noticed to appear in court.

## Special court to take up Krishanthi killing tomorrow

A specially constituted High Court comprising three judges will try the nine Army personnel who are accused of the rape and murder of a school girl and the killing of her brother, mother and a neighbour in Jaffna last year.

The trial in this widely publicised Krishanthi Kumaraswamy case will begin tomorrow in Co-

lombo before a bench comprising judges Nimal S. Senanayake, Andrew Somawansa and Gamini Abeyratne.

The Army personnel are accused of raping the girl after they stopped her at a checkpoint near her school and then murdering her. It is alleged they also killed the other three who went to look for her.





## Human angle of the Krishanthi murder

by Peter Christie

In September 1996, a senior member of the Krishanthi family had left Jaffna to live in Colombo, Mr Chandrasekaran Navaratnam a retired school master was the older brother of Krishanthi's mother Rasammah. His elder niece, Prasanthi moved to Colombo too, so she could school in Colombo. Colombo in fact was a much safer place to be. In Jaffna, school children concentrated on their studies but school leavers with more time on their hands often fell prey to the separatists groups especially because jobs were non-existent.

### The hardworking student

Krishanthi Kumaraswamy was a bright, easy going, good looking eighteen year old student of Chundikuli Girl's School. She was sitting for her GCE 'A' level examination reading in science subjects in September 1996. Her widowed mother Rasammah and her younger brother Prenavan, a student at St John's, watched her wheel her bicycle out of her home and then pedal away towards the examination centre on September 6, 1996 for her Chemistry paper.

She had her Chemistry part one in the morning, and when it was over she met a school acquaintance named Gauthami who told her that Gnanandi a schoolmate had been killed, struck by a car. The two girls had then made their way to the home of the dead girl. They left the dead girl's house after three quarters of an hour since the body had not been brought.

The two mates parted at the junction near Gnanandhi's home and Krishanthi rode on her bicycle towards the Chemmuni check point which is southward on the Kandy road and Gauthami took the north bound road towards Jaffna.

That was the last Gauthami saw of Krishanthi.

### Krishanthi's family anguish

Krishanthi's mother was desperate with sorrow and anguish. She had by then found out that Krishanthi had been seen talking to the soldiers at

and with her son she made her way to the checkpoint.

Rasamma Kumaraswamy, Pranawan, the neighbour Kirabamoorthy and Krishanthi were never to return alive to their homes.

### The police and the Army

Subramaniam Kodiswaran was the Chief Postmaster and a man respected by all as was Navaratnam, Krishanthi's uncle, the schoolmaster. With Navaratnam away he took the situation in stride. He was informed of the delay in Krishanthi coming home... the fact that her mother, brother and a neighbour had gone looking for her and also knew that none of them had returned. Panic set in, as it had when Rasamma had heard of her daughter.

Police Constable, Abdul Hameed Naza, who once resigned and was later reinstated when he re-applied to the Police force. That was on condition that he served in Jaffna. He accepted the post and was, on September 6, at the Chemmani check point. He wasn't alone but with soldiers to whom he spoke Sinhala. He remembered the day he said. He was on duty and remembers accompanying Pradeep to a place near the check point where he saw a young girl. He said he spoke to her in Tamil and she had told him she was not an LTTE member but a student who trusted the security forces. She did not understand why she was being ill treated by these men. She had begged him for water. He said he pushed a bucket of water towards her. He denied having raped the girl. He said that he had been abused and threatened with death if he should reveal anything that had happened.

In court he talked of how he had seen spades being used to dig out a grave. He said he was speaking out truthfully for the first time. He admitted being a suspect at the opening stages of the inquiry and that he had been pardoned, allowed bail and had turned witness for the state. He collapsed in a faint in court under cross examination by Defence Counsel.

2nd Lt. Shashinda Thudugala said he was in charge of ten check points.

the disappearance of four people by Rajapakse, the first accused who said that "There is no problem".

The Chief Postmaster informed the School Master and they both informed the military authorities and also the Police.

Puweneswari Arumuganathan was the niece of Rasammah and a cousin of Pranawan and Krishanthi though much older. Sathitharan the son-in-law of Navaratnam, a teacher, moved to make statements to the police, both civil and military, about the four missing persons. They went from pillar to post before they found the right place and as the evidence led before the Trial at Bar, were informed 46 days later, to be present at the check point. They spent two hours on a bus before they were called to identify four bodies. They were also shown clothes which they were asked to identify.

The torn and muddied school uniform worn by the girls of Chundikuli Girls' High School was identified by the relatives and school teacher as being one worn by Krishanthi on that fateful day September 6 1996. Nazar said he saw Krishanthi in it. It was ripped from waist to hem. Her white socks muddied were produced and identified. When her body was exhumed from the common grave it was dismembered, so was the body of Pranawan. Rasammah and Kirabamoorthy were whole but according to witnesses their bodies too were in an advanced state of decomposition.

Another item up for identification was the gold chain recovered from U Cpr Rajapakse belonging to Rasammah Coomaraswamy. It was identified by both her brother and her niece. Parts of the bicycle belonging to Krishanthi too have been recovered. The circular chain cover that covers the hub beneath the pedal was produced and identified by witnesses.

Losing a member of one's family is always hard. Where could one go to when in the space of a few hours four persons near and dear to you are gone forever? Fate has it's ways that none can counter. Philosophically, Krishanthi's case...



## Krishanthi murder trial

### Accused had mother's gold chain

by Peter Christie

Krishanthi Kumaraswamy's aunt recognised the 'Singapore' gold chain worn by her sister, Rasamma, the mother of Krishanthi. The chain was recovered from the possession of the first accused cpl. D.S. Rajapakse after he was arrested. This was said before the three Judge Trial-at-Bar, presided by Justice Nimal Dissanayake and Justices Gamini Abeyratne and Andrew Somawansa when the hearing reconvened this week.

Eight soldiers and a policeman stand charged with unlawful assembly, abduction, and murder of four persons they are said to have encountered at a checkpoint they were manning. They are also accused of raping one of these persons an eighteen year old school girl.

Krishanthi Kumaraswamy a Teenage student Chundikuli Girls School, was sitting for

her 'A' Level examinations and had to pass an Army check point to her centre. It transpired in evidence that she, a brilliant student had on the afternoon of September 7, 1996 after her chemistry exam gone to the funeral of her classmate who had been run over by a car. On her way home she had been stopped at the check point and when she had not returned at the usual time, her mother Rasamma, her brother Prenawan and a neighbour Kirabamoorthy Arumuganathan went looking for her to the checkpoint.

The four bodies were exhumed on October 22, 1996, and the civil and military police began investigations. When the trial-at-Bar hearings commenced last week two suspects turned witnesses for the state. One of these men, P.C. Abdul Hameed Nazar spoke of the incident then lost consciousness under cross examination after he denied having raped the deceased girl.

THE SUNDAY OBSERVER, NOVEMBER 30 1997

## Tamil prisoners transferred to Kalutara

By ANANTH PALAKIDNAR

TWO-hundred-and-seventeen Tamil prisoners who staged a protest at the Magazine prison Colombo demanding that they be released or court proceedings should begin on any charges against them have been transferred to the Kalutara prison yesterday.

A high-ranking prison official told the *Sunday Observer* that this action was taken on the instructions of the ministry of defence concerning the security of the prisoners.

Two-hundred-and-seventeen Tamil prisoners had launched their protest last Thursday demanding a speedy judicial trial or release. Some of the prisoners climbed over the prison roof and threatened to fast unto death.

Magazine prison officials had strengthened security in the prison and informed the defence ministry of the incident. The ministry, after studying the situation instructed Magazine prison authorities to transfer all the 2177 Tamil prisoners to Kalutara prison. The prisoners were taken to Kalutara yesterday morning, the official said. The high-ranking prison official also said that they could not do anything



# The Island

## Sunday Edition

Sunday December 14, 1997

# Did prison staff have hand in riot?

by Franklin R. Satyapalan

Tamil political leaders and the UNP yesterday urged the Government to conduct a full and fair inquiry into the killing of three Tamil terrorist suspects, at the Kalutara prison, on Friday and punish those responsible according to law.

They asked whether this was the beginning of a repetition of 1983 Black July where 57 Tamil "political detainees" were massacred at Welikada prison.

Officials from the Ministry of Justice,

Police and Prisons were present at (Cyrilandawatte) Kalutara Prison yesterday to commence an inquiry into the triple killing and causing injuries to seven other detainees.

While Senior Superintendent S. Seevaratnam of Kalutara Police Division commenced his investigations yesterday, Acting Magistrate Kalutara, Bandula Weerasinghe was to hold the Magisterial inquiry.

It was alleged, in certain quarters, yesterday that certain guards had allowed the attack

to take place as Tamil detainees argued with prison staff about misappropriation of their rations by the latter.

One detainee identified as Logeswaran was in ward 11 of the Nagoda Hospital, while six who were taken out for treatment in critical condition were brought back to Kalutara Prison Hospital.

All the injured are said to be having knife and club wounds.

On the directions of the Commissioner of

(Contd. on p. 3)

## Did prison...

Prisons 50 convicted Sinhalese prisoners were transferred yesterday to Galle and Matara prisons, sources said.

SSPS. Seevaratnam said that an identification parade would be held to identify the culprits from among prison staff and detainees, once the inquiries were over.

Commissioner of Prisons K. W. E. Karaliyadde, when contacted, said that he had detailed his Secretary one Mr. Jayasinghe to attend to the inquiry into the incident.

When the Sunday Island contacted Mr. Jayasinghe's house, we were told he was away in Kalutara attending to the inquiry.

Prison sources said that on Wednesday some Sinhala prisoners had taken clubs and knives to attack the Tamil detainees but were prevented from doing so, when the doors to the Tamil section were closed, but the Sinhalese prisoners stoned the Tamil section.

On Thursday the Sinhalese prisoners had attacked the Tamil detainees, which resulted in two Tamil detainees being taken to hospital.

They said the same evening four Sinhalese prisoners who were alleged to have been involved in the attack were transferred to Welikada Prison.

On Friday the Sinhalese prisoners brandishing clubs and knives had broken into Tamil section and cut and clubbed the inmates, resulting in the death of Maruthalingam Dharmalingam (24) from

Jaffna, Sanmugaraja Sivanesan (28) from Jaffna and M. H. G. Khan from Addalaichenai in Ampara.

President of the TULF, M. Sivasithamparam said he had contacted Minister of Justice Prof. G. L. Peiris and requested him to take action in this regard to prevent a repetition of the 1983 Welikada massacre.

The TULF statement also said "the role and responsibility of prison officers should also be probed, as the assailants were apparently armed with deadly weapons and no attempt was made to prevent or contain the attacks."

Dr. Jayalath Jayawardena, UNP National List MP and Secretary of UNP's Committee on National Integration said, "We strongly condemn the killing of political prisoners, irrespective of their ethnicity, whereas we should be bound by International Convention in regard to protection of political prisoners. We request the government to have an immediate impartial inquiry on the massacre

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منظمة العفو الدولية



國際特赦組織

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15 DECEMBER 1997

## Sri Lanka: Appeal for a full inquiry into prison killings

Amnesty International today appealed to Sri Lanka's Minister of Justice to order a full and impartial inquiry into the killing of three Tamil detainees on 12 December at Kalutara prison, south of the capital, Colombo.

In its letter to Professor G. L. Peiris, the human rights organization expressed concern for the safety of other detainees who witnessed the killings and are currently under guard by prison staff who may have been involved in the act. Amnesty International urges that all necessary steps be taken to protect these witnesses.

During a magisterial inquiry into the killings, several detainees who reportedly saw the killings refused to give evidence out of fear for their lives. To Amnesty International's knowledge, those responsible have not yet been identified.

Muthulingam Dharmalingam and Shanmugarajah Sivanesan, from Jaffna, and Sharif Jehan, a displaced person from Mannar, were among 137 Tamil detainees held at Kalutara prison. The three were reportedly hacked to death in front of Ward D at around 1pm on 12 December by a group of Sinhalese common criminal prisoners in what appears to have been a premeditated attack.

Prison staff and army personnel deployed at the prison appear to have failed to take measures to protect the Tamil detainees at the time and, according to some reports, were even actively involved in the attack which lasted more than an hour.

According to some sources, prison staff had opened the gate to Ward D around 11am, and ignored pleas made in the next two hours by several of the Tamil detainees to lock the gate. Reports also indicate that an armed soldier on sentry duty on the southern side of the prison ignored pleas for protection from the three detainees while they were hacked to death in front of him.

Army personnel and prison staff are also said to have failed to take action against a group of civilians who had gathered outside the prison and were throwing stones and other objects into the prison throughout the attack.

Amnesty International noted in its letter that some action was taken by the prison authorities to defuse the situation -- such as the swift transfer of most of the Sinhalese convicted prisoners to other prisons. Nevertheless, the human rights organization urges the government to initiate a review of measures to safeguard the security of political prisoners held in the same prisons as common criminal suspects and convicts, albeit in separate wards. ENDS.../

தமிழர் ஆவணக்காப்பகம்  
AMNESTY INTERNATIONAL

INTERNATIONAL SECRETARIAT

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## LTTE rejects package. Amnesty questions HR record

# AI and Prabhakar slam govt

by **Kethesh Loganathan**  
The recent report of Amnesty International (AI) alleging that the estimated 600 missing persons in Jaffna were either killed or died as a result of torture by the security forces has come as a body blow to the PA government.

That the PA government has been rattled by the AI report, at a time when it had been making headway in the international arena on its human rights record, is evident by the statement by the Foreign Ministry that "the report appears to lack balance as it makes sweeping generalisations on situations of a very complex nature." However, Colombo clearly could not have been displeased with AI holding the LTTE responsible for "gross human rights abuses", including "indiscriminate killings of civilians during attacks on checkpoints or army patrols and summary executions of suspected informants".

In another interesting development, the special annual radio broadcast by LTTE leader Velupillai Prabhakaran over the clandestine "Voice of Tigers" criticised the devolution package of the PA government for not addressing the "basic national aspirations" of the Tamil people, including the right to self-determination.

mine Tamil identity and their homeland and to bring them under Sinhala hegemony and sovereignty'. "This is also the objective of the military", he added.

At the same time, it is notable that the broadcast stopped short of demanding a separate state of "Tamil Eelam". On the contrary, Prabhakaran maintained that the stand of the LTTE had not shifted from the demands placed before the Thimpu peace talks of 1985. It may be recalled that at these talks, six Tamil organizations (ie LTTE, EPRLF, PLOTE, TELO, EROS and TULF) placed before the Sri Lankan government delegation what was termed the "Four cardinal principles." The principles included the recognition that the Tamils of Sri Lanka constituted a distinct nationality, with an identifiable and contiguous "homeland", and, hence, were justified in asserting their "inalienable right to self-determination".

However, it is evident that the LTTE has so far desisted from placing any concrete proposals that approximate the "Thimpu Principles" in the numerous talks that it subsequently had with Colombo, including the one-year "honeymoon" period with the Premadasa administration in 1989-90 and the four-month interlude with the present PA government. While the collapse of the former led to "Eelam

War 2" in June 1990, the collapse of the latter in April 1995 has led to the present politico-military impasse.

It is clear from the LTTE broadcast that while doors to negotiations are being kept open, it would be on Velupillai Prabhakaran's terms. On the other hand, it is also interesting to note that the broadcast refers to the fact that the political package is

yet to be finalized. Some political analysts have surmised that this could be the signal that the LTTE is now prepared to negotiate on a substantially enhanced version of the PA government's "devolution package." Others take a more pessimistic stance that the LTTE is deliberately sending-out mixed signals, so that different interpretations could be given to different sectors - includ-

ing the international community. Meanwhile, former Air Force Commander and a columnist to the *Weekend Express*, said in an interview with the BBC in London yesterday that the present hostilities between the LTTE and the Sri Lankan government was an "un-winnable war" and that "only negotiations will bring a solution to the North-East problem."



## Amnesty International News Release

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### **Sri Lanka: The continuing spectre of "disappearances"**

An Amnesty International delegation which visited Sri Lanka recently has concluded that of the 600-odd people who have "disappeared" in the last 18 months after their arrest by the security forces, nearly all have died as a result of torture or been deliberately killed in detention.

According to the human rights organization, there is no evidence to suggest that sanction for the "disappearances" came from the political leadership, but the Sri Lankan government reacted too slowly to well-documented reports of a rise in "disappearances" in the Jaffna peninsula during mid-1996. As a result, by the time the authorities acknowledged the reality of what was happening there, around 600 people had "disappeared", and hundreds more were victims of torture at the hands of the security forces.

"Although we welcome the government's decision to make public reports into thousands of cases of "disappearance" from 1988-1994, and several other measures taken since coming to power to strengthen human rights protection, it is vitally important that the government addresses the underlying structures and practices in the security forces," Amnesty International said.

According to the organization, the events of 1996 indicate the need for an active approach to tackling the root causes of human rights violations in Sri Lanka -- the lingering sense of impunity among perpetrators and the legislation allowing for people to be detained incommunicado for long periods of time.

"In the past, Sri Lanka became a country notorious for "disappearances" -- a country racked by the terrible anguish suffered by relatives who never knew the fate of their loved ones," Amnesty International said. "The government must seize the initiative now to ensure that nobody has to go through this harrowing ordeal again."

The Sri Lankan government has taken some steps to clarify the fate of the "disappeared", establishing a Board of Investigation (BOI) to investigate around 760 complaints. The BOI to date has traced 180 of the "disappeared".

"Disappearances" usually took place in reprisal for attacks on the military by the Liberation Tigers of Tamil Eelam (LTTE) armed opposition group -- for example the killing of more than 1,300 soldiers during an attack on Mullaitivu army camp in July 1996.

The LTTE have also been responsible for gross human rights abuses in Jaffna and elsewhere, including indiscriminate killings of civilians during attacks on checkpoints or army patrols and summary executions of suspected informants.

After the Mullaitivu attack, the army told villagers in the Navatkuli area to gather at a local school, where they were made to file past masked informants. After a night of severe beatings in the main army camp nearby, most of those detained were released, however 39 remain unaccounted for despite numerous requests for information made by their relatives.



According to local people interviewed by Amnesty International, the bodies of some of the "disappeared" are dumped in disused wells and lavatories in or around army camps.

One 21-year-old man told how he was arrested on the way to visit his grandmother in July 1996. He was beaten with a rifle, partially suffocated with a plastic bag, throttled with a cloth and then stabbed with a bayonet in his neck and head. Semi-conscious he felt someone slice two of his fingers off to steal his rings. When he regained consciousness he found he had been dumped in a latrine.

Although the rate has dropped, Amnesty International continues to receive reports of "disappearances" in Jaffna, with around 41 cases in the first seven months of 1997, four of whom have been traced by the BOI. The organization believes that the lack of monitoring of the welfare of detainees has contributed to the high number of "disappearances", and is calling for presidential directives aimed at safeguarding the welfare of detainees -- such as "arrest receipts" to be issued whenever someone is taken into custody -- to be implemented fully.

.../ENDS

**For a copy of the report, Sri Lanka: Government's response to widespread "disappearances" in Jaffna, or to arrange an interview, please call:**

**Press Office, International Secretariat:**

**Tel: (+44) 171 413 5566**

# Trinco sits on a volcano

By Sanaka Samarasinha

The more things change, the more they stay the same goes the old adage. How true those words ring in Trincomalee these days. It is almost as if the district has entered into a time warp in the past decade. A forgotten Siberia where life goes on for most of its people with hardly any progress to speak of.

Trinco in 1988 was a powder keg waiting to explode. By 1990 the much anticipated explosion occurred. The general consensus here is that it is only a matter of time before it happens all over again. "We are sitting on a volcano," says Rev. Zoysa, head of a Catholic NGO in town.

## The new market

Such was the case when Periyapodi Sooriyamoorthy, chairman of the Urban Council tried to open a new market in town recently. He had planned to hold a religious ceremony at the new market on September 14 when the police requested him to postpone the ceremony because they had received information of a picketing and fasting campaign close to the new complex. Sooriyamoorthy went ahead with the planned religious ceremony on the 13th night. The following day, 50 to 60 mostly Sinhalese vendors from the existing market banded together and arrived at the new market. They closed down the old market and came there, says Sooriyamoorthy.

The U.C. owns the old market. How can they close down the place without informing us?

Sooriyamoorthy alleges that the police brought the demonstrators to the new market. An allegation that the police deny.

## The missing governor

The political vacuum in Trinco is most certainly contributing to the continuation of ethnic disharmony in the area, and the sense that nobody is interested in the plight of its residents. Gamini Fonseka, the governor of the North East Province has only visited Trinco twice in the past 10 months. One of those visits was to open the governor's official residence which was built out of provincial council funds to the tune of almost a million rupees.

## Political Parties

Talking of political vacuums, the Tamil political parties seem to remain a nonentity in these parts, unable to garner popular support, or in some places, even respect. At one time they were known as thugs with guns. Now they seem to be making a concerted effort to change that image. Still, as a senior member of one of these parties admitted people just use us when they need us, but they don't support us. Not yet anyway.

EPDP, PLOTE, and TELO are all here, albeit as a token presence. The EPDP seems to be the most involved with the

town folk. But not all its involvement is geared toward pushing the government bureaucracy.

But there is co-operation too, albeit limited, between these parties and the military in Trinco.

The Government Agent in Trinco, S.D. Chandradasa, is a tired man. He sits in a small air conditioned office, his shoulders drooping and sheer exhaustion written all over his face. His department is severely understaffed, and funds are hard to come by. Sources say that 23 positions are currently unmanned. They are presently functioning without an accountant, a bookkeeper and a project director for rehabilitation and reconstruction work in the district. This is not duty, it is social service, one official says. Each one is doing the job of several employees at a time.

## Refugees

One noticeable change in the district these days is with respect to refugees. For one, the numbers have reduced dramatically in the past decade. Where there were 47 camps and 22,029 families in 1990 there are now 18 official camps housing 1309 families. However, the plight of the refugees who remain is largely the same. Rations don't come regularly for any of them, roofs are leaking in some camps and the supply of wa-

ter is irregular at others.

## Human rights

Even if nothing else has changed much, it is universally agreed here that one thing has improved: the behaviour of the security forces. The notorious white vans sans number plates that used to take people away and never bring them back are no more. Rapes and murders at the hands of the forces are considerably less acknowledged a western aid worker. A decade ago, when I arrived in Muttur across the bay from Trinco town almost 150 women lined up to tell me horror stories of how they had been raped or their husbands and sons abducted by soldiers. This time around, most of the complaints are about harassment at checkpoints.

## Security

Despite an obvious shortage in manpower as a result of the ongoing operation in the Wanni and upcoming elections in Jaffna the security forces are attempting to maintain a high level of vigilance in town. The surrounding area is less guarded.

The army has been forced to close down a few camps around Trinco in the past year, and places which housed brigades are held by battalions now. All this means that the military is barely able to hold the roads and towns around Trinco, and even then only during the day. LTTE cadre move freely at night almost everywhere except in town itself.





## Security Guards target Tamil passengers

by Peter Christie

Air port security officers are alleged to be involved in a racket regarding out going and incoming passengers at the Bandaranaike International Airport (BIA). It is alleged that Tamil travellers are terrorised into paying sums of money if they have to pass the various security checks.

The complainant, Mr. T.A. Jeganathan, in a letter addressed to the Minister of Civil Aviation and the Chief Administrator, says that he was on Christmas day at the BIA with members of his family to bid farewell to his brother leaving for Dubai.

Stopped at the main entrance by a security officer, they were held up for 20 minutes. The security officer had claimed that

he had been vested with the discretion of allowing passengers to pass and demanded Rs 1000/=. When the complainant refused and requested a meeting with higher authorities, he was asked for the originals of police reports. Subsequently, only his brother T.A. Gerard who was to travel to Dubai was allowed to pass, but on the way to the aircraft had been forced to pay Rs. 1400 at two different check points.

The Chief Officer M.A. Mansoor of Airport Security contacted by *Weekend Express* said the allegations were false. "People are trying to take advantage of the situation in the country today to make this type of wild allegation. We treat passenger with utmost respect regardless of their race."

## Hepatitis and malaria affect the North

Outbreak of hepatitis and malaria have been detected among certain security force personnel in parts of the North, described as the "uncleared areas" (ie areas not completely under Government control). Civilians too have been affected, Dr. Jayalath Jayawardena, member of the main opposition United National Party, told *Weekend Express*.

He stated that the soldiers were exposed to these water-borne diseases due to the fact that very little pure or clear water is available to them.

He had informed the Army chief, Lt. Gen. Rohan de Silva Daluwatte, who promptly had the soldiers inoculated with anti hepatitis vaccine.

He further added that 66000 water purifying tablets in packets of nine were being distributed as was a brochure informing the men about the dangers they were faced with by using unclean water.

Dr. Jayawardena said that treating the civilian population was more difficult, since there had been break-down in communication, due to the restricted and uncleared areas. The humanitarian medical service agencies, both foreign and local, were doing their very best with the aid of the Army authorities to reach the affected civilians.

Dr. Jayawardena went on to say that there were acute shortages of food in the Vanni area (population 177,992) due to bureau-

ty shortages of the very basic food items like rice, wheat flour, dhall and sugar. He said that the other very important commodity was kerosene. Enormous cuts have been imposed on this essential item which the people depend heavily on for their lighting, cooking and travelling.

There are 637,854 civilians in the uncleared areas who have to survive without food shelter and clothing. "10,572 people live in the most inhuman conditions in the refugee camps in Vavuniya", Dr. Jayawardena lamented.

He said that it was the right of the public to know these hard facts and said he would ask that the main opposition party be allowed to visit these areas on a fact finding mission with the electronic and printed media. (PC)



# Chandrika's War against the Tamil People

**G**ladstone was the first Englishman to discover that the Irish and the English can never share the same bed but due to geography can never live apart. A statesman of his stature is unknown in Sri Lanka. S.W.R.D. Bandaranaike in his fledgling days talked of federalism for the Tamil provinces, but once he became Prime Minister in 1956, put Sinhala only in the statute book and inspired the first of a series of anti-Tamil riots.

On his assassination in September 1959 his hitherto obscure widow Srimavo Bandaranaike came to the forefront. She reigned as the Prime Minister in 1960-64 and 1970-77. Mrs. B enjoys a third term now though with diminished physical and political powers. Srimavo was the first female head of a state in the world and is the forerunner of Asia's special breed of political widows. President Chandrika Bandaranaike Kumaratunge (CBK), is the latest addition to this tight circle.

For sheer arrogance Mrs. B is hard to beat. In 1964 she declared that the Tamils 'must accept' what little she offered. When the Tamils disagreed she institutionalised military repression. In 1972 she unilaterally abolished the independence constitution of 1948 and struck further blows on the Tamils.

She did away with S.29 (2) which formed part of the old constitution and afforded a degree of safeguard for the minorities. She also abolished judicial appeals to the Privy Council.

President CBK is a 'rare bird', the daughter of two Prime Ministers, the surviving one still in harness. She became the leader of the Sri Lanka

## K. Kanavathipillai

Mahajana Party (SLMP), a hardcore left organisation after her husband's sudden death. Vijaya Kumaratunge thespian turned politician was killed by the Janatha Vimukthi Peeramuna (JVP) in February 1988. To consolidate the left, CBK formed the

coffin.

Immediately after, she left the country and took residence in London. On her eventual return, she relinquished the left leadership and joined her mother and in due course became the leader of the ultra right Sri Lanka Freedom Party (SLFP). This is the essence of the woman, working to her private agenda and quite capable of any twist or turn to suit her personal advantage.

A Sinhala nation based on language, a Sinhala government with the Tamils working for them and the dispersal and assimilation of Tamils through widespread Sinhala colonisation is the hope and endeavour of the Sinhala governments since independence. President CBK shares in the dream inherited from her parents.

In November 1945 D.S. Senanayake, the leader of the state council, the so-called architect of Sinhala independence and the first Prime Minister of Sri Lanka told the Tamils, 'I give the minorities the sincere assurance that no harm need you fear at our hands in a free Lanka'. Tamil leaders were tricked into a false sense of security and voted for the Soulbury constitution,

which eventually proved to be the downfall of the nation. D.S. Senanayake repaid the Tamils for their co-operation with an aggress-



*Special breed of political widows*

United Socialist Alliance (USA). On the funeral day she signed the documents relative to the USA atop her husband's



sive state financed Sinhala colonisation of traditional Tamil homelands and by depriving Tamils of Indian origin of their citizenship and franchise. He began and completed the biggest ever colonisation project on Tamil land, Amparai, and in the process renaming the Tamil Pattipalai Aru as Gal Oya.

From 1948 onwards till the present day upwards of 2 lakhs of Sinhala families had been settled on the Tamil homeland.

Sophisticated arms are distributed to these settlers, the Sinhala military is employ to drive away the Tamil inhabitants and make way for the Sinhala colonists 3000 square miles of the Tamil land had been misappropriated in this manner. President CBK is now actively engaged in settling Sinhala families in the Hindu temple properties of the Trincomalee City. She also proposed to join the Manal Aru with Anuradhapura so as to effectively bifurcate the Tamil homeland.

The process of giving Sinhala names to the Tamil places is going apace, Pavatkulam to Padaviya, Seruwilai to Serunuwara, Kumaran Kadavai to Komaresan Kadawala, Manal Aru to Weli Oya, Yalpanam to Yapapatuna and Parayanalankulam to Sapumalpura etc. The last two changes are the handiwork of president CBK.

The Tamils areas continue to be excluded from all development programmes. Western loans aid and donations are exclusively utilised in the Sinhala areas. Since 1977 legalised oppression of the Tamils is a glaring reality. The above funds now go to expand and equip the Sinhala army which seeks to crush the Tamil struggle for freedom. However articulate she may be, president CBK is as steadfast as any of her predecessors in this respect.

Sri Lanka has consistently refused

to recognise the Tamils as a people, it has rejected the Tamil claim to nationhood and homeland, President CBK is now directing a full-scale war against the Tamils for the suppression of their quest for political independence.

During the election year 1994 CBK wooed both Tamil and Sinhala voters with a cry for immediate

peace and rode to victory on the peace ticket. Her catch all election manifesto promised a negotiated settlement. During the last 32 months of her assuming office she has carried war to extreme ends. Military rule now prevails in Jaffna. The rights of the Tamils are trampled underfoot. There is no guarantee of life, decency and dignity in the occupied zone.

In less than one year she earned the disgust and hatred of the Tamils who for an extent trusted her verbal commitments made on public platforms. But

immediate peace at any cost she has swung over to "peace through war" which only means..... beat down the Tamil people to submission to force them to accept a subordinate position.

Whatever guise president CBK may adopt, ardent socialist, peace lover, feminist, militarist and what not,

she is essentially a feudal residue and a throwback to the old haughty Bandaranaike family traditions. The talks she initiated in Jaffna during 1994-1995 with leaders of the LTTE were an exercise in deviousness and an unmitigated political farce calculated to insult a proud people.

During the period of the above talks she went to India on a state visit in March 1995 and laid the foundations for the war against the Tamil people. She met with Prime minister P.V. Narasimaha Rao, her equal in political corruption and lack of principles and obtained promises of moral and military support, CBK also called on Sonia Gandhi, the near empress of India who has an imagined grievance against Tamil Eelam. Acting collusion with the hawks of New Delhi she made a cynical mockery of the Jaffna talks.

Today the politics of the Ratwatte, Kadirgamar, Pieris triumvirate represent the confused position at the top.

The first person is for quick military success and accelerated colonisation, the second is for UNP-SLFP consensus and talks with the LTTE while the third is for rushing through with the hollow devolution package and marginalising the LTTE. Events prove that president CBK is with Ratwatte.

Sinhala Buddhist chauvinism is the article of faith and leitmotiv of president CBK. She has rejected peace overtures made by organisations like Internatio

nal alert, offers of mediation made by countries like the UK, Norway, Palestine and Australia to name a few. Her choice of the military option shows her for what she is. A true angel of death.

( The author is a former under secretary of the IBRD)

## *“CBK: A feudal residue and a throwback to the old haughty Bandaranaikes...”*

*D.S Senanayake: The “father of the Sinhala nation”*



# Human Rights violations in the Batticaloa district

I entered Parliament in the year 1990 - the year when human rights violations by the Sri Lankan security forces reached a massive scale, with several large scale massacres of Tamil civilians. I was re-elected to Parliament in the August, 1994 General Elections, obtaining 43,900 preference votes the highest ever obtained by any Tamil politician in the North East since Independence. I am now the Parliamentary Group Leader of the TULF, which consists of five members out of the 17 Tamil members representing various other political parties - particularly militant groups, which work along with the Sri Lankan security forces.

As an elected representative, I am physically present in my constituency for more than eight months a year.



**By Joseph Pararajasingham**

*(Member of Parliament & Leader of the TULF Parliamentary Group)*

Therefore. I am well informed about human rights violations in my district. It is my desire to outline briefly the unprecedented level of human rights violations that have taken place in my district, committed by the Sri Lankan security forces, the Muslim Homeguards (an armed group established by the Government to safeguard the Muslim villages) and a few Tamil militant groups, armed and financed by the Sri Lankan security forces. These include mass scale massacres of innocent civilians, rape, torture, detention, disappearances while in the custody of security forces, shelling and bombing of civilian Tamil areas and denial of food and medicines to tens of thousands of displaced Tamils in "uncleared" areas.

This note covers only a few instances of the violations by security forces since the purpose of the note is to give the essence of the situation. All the instances mentioned above were brought to the attention of the Parliament, the President and the Deputy Defence Minister and in most cases to foreign embassies including the Embassy of the United States in Colombo. They cannot plead ignorance.

All of the above violations reflect the intensification and escalation of the conflict in the North East. However, there has been no justification for widespread human rights violations. It is to be noted here that not one of the perpetrators has been found guilty and punished for even the severest crimes.

The primary reason for this is that the Emergency Regulations and the Prevention of Terrorism Act (PTA) has given wide arbitrary powers to the security forces which results in the impunity enjoyed by them by usage of these obnoxious regulations, including through murder, torture and intimidation of witnesses. Also, the Government seems unable or unwilling to punish the perpetrators. Directives and statements by Government leaders, including the President, are not implemented by the military in the field. Since they are not punished, more violations are committed.

The military is also encouraged by the regular denials by the Government of the violations, ignoring results of independent inquiries, the government censorship and restrictions on outside observers and NGOs, and by the support that the Government and the military receives from the international community. Of special significance is the U. S. support in arms sales and Green Beret training to the Sri Lankan Army.

**1990-1993  
Massacres  
With Impunity  
and Denial**

● On June 11, 1990, the six months truce between the government and the LTTE (Tamil Tigers) broke off, and the Sri Lankan Army commenced an offensive Operation on June 23, 1990 to take control of my con-



stituency - the Batticaloa District. From the date of commencement of the operation until July 15, 1990 more than 600 innocent Tamil civilians were massacred by the Sri Lankan Army, which included about 50 burned in tires with the charred bodies lying in the highways and prominent places of the Batticaloa municipal limits for public exposure. This barbaric and inhuman exhibition of burned bodies of innocent Tamils in tires was to create a fear phobia and warning to the Tamil civilian population that anybody having links with the LTTE would ultimately embrace the same fate. This was the same tactic used in 1989 and 1990 in the campaign against the JVP in South Sri Lanka, and clearly had the approval of the Sri Lankan Government.

● On August 11, 1990 the Sri Lankan security forces rounded up a refugee camp in the Sittandy Hindu Temple, which housed almost 2000 Tamil refugees and took into custody 32 innocent civilians - whose whereabouts are unknown to date. They are presumed killed while in the custody of the army.

● On August 20, 1990 the Muslim Homeguards entered a Tamil village, Savukady, in my constituency, and massacred 32 innocent civilians who included women and children.

● On September 5, 1990 the Sri Lankan Army took into custody 148 Tamil youths from the Eastern University Refugee Camp, Vanthara moolai, Batticaloa in the presence of many hundreds of witnesses. This refugee camp was the largest refugee camp in the district at that time, housing over 40,000 refugees. 148 Tamil youths were later killed by the army while in their custody. I personally visited the refugee camp on September 9, 1990 and obtained a list prepared by the university authorities giving the names of the youths apprehended by the army from the camp. I took up this incident of a large scale massacre by the army on the floor of the Parliament and submitted the list containing the names of the youths. The Deputy Minister of Defence, late General

Ranjan Wijeratne, totally denied on the floor of the house that, on inquiries made by him, anyone was arrested from the refugee camp. Two months later the Secretary to the Ministry of Defence wrote me a letter informing me that there was a cordon and search operations by the army on that date (September 5, 1990) and the army took into custody 31 youths, and they were all released within 24 hours. I subsequently raised a supplementary question in Parliament that all these 31 persons about whom the Defence Secretary stated in his letter were released within 24 hours had not reached their homes. The reply was humiliating in saying, "The LTTE has taken them."

Subsequently, it became well known that the army had massacred these 148 youths. The Human Rights Task Force (HRTF), a body appointed by the Government in the month of August, 1991, in its annual report in December, 1993, accused the army of the killing of the 148 Tamil youths and named four army officers who were responsible for the killings. Up to now no action was taken by the previous government as well as the present government against the four army officers who are accused as the perpetrators of these brutal killings.

## *Bolgoda Lake Killings in Colombo*

Of the four army officers mentioned by the HRTF, one of them was subsequently named as the first accused in the Bolgoda Lake killings in the city of Colombo in mid- 1995, where bodies of 27 Tamil youths killed by the army in the headquarters of the Special Task Force were found floating in various lakes within the city of Colombo. It is

interesting to note here that the CID (Criminal Investigating Department) arrested 22 suspects from the STF (Special Task Force), where the first accused was the same person. The proceedings commenced on September 15, 1995 at the Magistrates Courts of Colombo. After four hearings - on February 15, 1996, August 2, 1996, September 12, 1996 and December 12, 1996, the case was removed from the courts roll on March 13, 1997, as the prosecution (which was the Government) was not present in court. Now these perpetrators are back in active service. I now understand that the government has dropped the matter entirely, falsely claiming that the bodies were not identified.

On September 9, 1990, at about 8:00 p.m., the army made an announcement in the villages of Saturukondan, Panichaiyady and Pillaiyaryady, falling within the Batticaloa municipal limits, for everyone to come to the main road. In all a total of 181 Tamil villagers from these three villages were taken by the army and later massacred. This included 33 children under 10 years of age and about 68 women. No action has been taken by the government

● On June 22, 1991, 67 innocent Tamil civilians were massacred by the Sri Lankan Army at Kokkadicholai, a village on the western shore of Batticaloa. This was a retaliatory act for the killing of three soldiers in a landmine in that village. The bodies of all victims were put in the crater and burned where the landmine explosion had been. I took up the matter with the late President Premadasa and a Presidential Commission of inquiry, headed by a noted Supreme Court Judge was appointed to inquire into this incident. The Commission, in its final findings, came out with a report that the army was responsible for the killings and they accused one Captain Kudilegama as the offender. He was dismissed from the army, but two months later was given a higher position in a state corporation. Nothing more happened.

● On August 9, 1992 the army



massacred innocent civilians at Mailanthanai, a village bordering the Batticaloa and Polonnaruwa districts. In this massacre 36 civilians were killed and 35 were seriously wounded. Half of the civilians killed and injured were women and children. Twenty two army officers were arrested by the police and non-summary proceedings were conducted in the Magistrate Court of Polonnaruwa. In 1994 the case was committed to the High Court. Up to now the case has not yet been listed by the Attorney General to be taken up by the High Court.

● On August 22, 1992, Muslim Homeguards entered the Tamil village of Puthukudiyiruppu and killed 16 innocent Tamil fishermen and seriously injured 15 others. No legal or departmental action has been taken against the offenders to date.

## A severe threat to my life

For exposing all these violations by the Sri Lankan army I was once severely warned by the Joint Operation Commander of East that I must stop all these or otherwise they would not allow me to step into my electorate. This warning I felt was a severe threat to my life, and informed not only the then-President, but also embassies in Colombo. Nevertheless I continued to expose such atrocities even today, risking my life in the hands of many such forces.

1994-1995

I would like to mention here that the human rights situation improved during 1994- 1995 and there was a marked decline in the violations by the security Forces. The reason for same can be attributed to the foreign aid

consortium Countries threatening to suspend aid until human rights improved in Sri Lanka and because of protests by the international community in general, including many NGOs.

● Serious Violations Since 1995 With Continuing impunity

Since mid- 1995 there has been a rapid increase in the violations by the security forces, especially in the years 1996-1997. Although there have been no large scale civilian massacres, the people face greater hardships than at any time before. Apart from rising cases of disappearances and extrajudicial killings while in the custody of Sri Lankan security forces, there has been continuous harassment arbitrary arrests, torture and detention. Rapes by security forces have increased during the last year and also indiscriminate shelling and bombing of civilian areas from army camps. This results in the dislocation of civilians from their original places of habitation. Civilians are unable to farm or fish; their main occupations. Despite this, food and medicines are not allowed by the Government to the displaced Tamil civilians in the "uncleared" areas.

During the past six months in my district, disappearances and extrajudicial killings by security forces have been on the average of seven per month. As an example, I shall cite a few cases of extra-judicial killings, rapes and other violations by security forces, during one month - March, 1997.

● On March 7, 1997 a Tamil youth, Gomez Antonyraj, aged 22, was on his way to open his small shop. At 6:00 a.m. he was picked up by a police officer and later found shot dead on the roadside in Batticaloa town. The following day, March 8, 1997, another Tamil youth, aged 21, was shot dead at about 7:00 p.m. in the town area. Evidence of this murder points to the same police officer that committed the crime the previous day. On March 11, 1997 another Tamil youth, aged 18, was picked up from his house at Kallady, a village within the Batticaloa Municipal Council limits, at around 4:00 PM. The same police officer, along with a few others, masked their

faces with black linen and came to the house in a white unmarked van without a number plate. The people in the house had identified the police officer as the same person involved in the previous two crimes. Half-an-hour later, people heard gunshot sounds. At 7:00 p.m. the body of the boy was handed over to the Batticaloa Hospital mortuary. On a complaint made by me to the Brigadier of the area, I was informed that this boy had a revolver in his possession and he was trying to shoot the police, and the police had to act in self defence. He was purposely branded as LTTE to cover up the killing.

● On March 17, 1997, two sisters, namely Velan Rasammah (38), a widow, and her sister, Nalliah Dharshini (28), were raped by four army soldiers at Thannamunai, a village 6 km north of Batticaloa. The incident took place at 11:00 p.m. I lodged a complaint with the local head of the army and the Senior Superintendent of Police of the district. An identification parade was held in the court, where 150 soldiers were present. Only one soldier was identified by the victims. Although a case has been filed in the Magistrate's Court of Batticaloa, the accused has been bailed out.

● On March 22, a gruesome murder was committed by the police, where a middle-aged couple from the Burgher Community was shot. Mrs. Mervyn Ockerz (52) shot in the head and died on the spot. Her husband, Kingsley Ockerz (55) was seriously wounded and admitted to the Batticaloa General Hospital. They were shot in their residence at Iruthaya puram, a village close to Bauicaloa town. Here again the evidence leads to the suspicion of the same police officer who was involved in the previous three murders of youths. The reason for the killings was attributed to the son of the victims who was forcibly registered in marriage to a girl with whom a police sub-inspector had an affair. In order to escape from the involvement, the sub-inspector forcibly registered this boy to this girl. The parents - Mr. and Mrs. Ockerz, and the son made represen-



The Sri Lankan security forces continue to torture and mistreat detainees, both male and female, during interrogation and at the time of arrest. The methods of torture included beatings by baton, assault, beating the soles of the feet, burning, etc. Also, suspension by the feet where the head lies downwards and the rope turned so that the body of the victim rotates. He is beaten and chilli powder thrown in his face, and at times his face covered with polythene bag with water, where he finds it extremely difficult to breathe. Torture and ill treatment is widespread, with several people dying in custody. Some of the stories related to me personally and in writing by many of the Tamil youths who were detained and tortured are so horrifying, one cannot imagine whether such inhuman and cruel methods are used in a civilized society.

## *Rev. Fr. Miller: American Jesuit priest*

The other Tamil militant groups, armed by and working with the military, commit similar crimes, including torture and extrajudicial killings. In this connection, a letter written to me by Rev. Fr. B.H. Miller, S.J., an American Jesuit priest who had been residing in Batticaloa for the past 45 years, is of importance. Fr. Miller is actively involved with the Batticaloa District Peace Committee for the past ten years. In his letter he states, "We are informed that boys are being abducted, kidnapped by Tamil groups in the guise of recruitment, heads shaved, forced to sign enrollment papers, and sent without further ado to battle in the Vanni (Vavuniya). This they surely are

doing under pressure from the army to find soldiers for the front. They gain marks for providing cannon fodder. And this is a gross form of human rights violations." These groups are paid by the Government for each person recruited.

## *Human Rights Violations of Tamils in Other Districts*

Although I have given only the human rights violations committed by the security forces in my district, the same pattern of severe violations, including harassment, arbitrary arrest, torture, detention, disappearances while in the custody of the security forces, and rape takes place in other districts of the North East, including Jaffna, and even in the city of Colombo and suburbs. Batticaloa can be taken up as a yardstick to measure the violations in the other areas mentioned above. In Jaffna alone there have been hundreds of disappearances and many rapes with a few months of its occupation by the army in 1996. The government has appointed a committee of military officers to investigate the disappearances.

Harassment of Tamil civilians in the city of Colombo and the suburbs has become a nightmare for the Tamils living in these areas. Only Tamils are required to register with the police. Their houses are being raided in the night at ungodly hours and the households, including women and children, are taken to the nearest police station and detained, frequently resulting in extorting money. This has become a daily occurrence in the city of Colombo and suburbs.

## *Tamils harassed at the airport*

The latest harassment, particularly in the month of June this year, is something serious meted out to the Tamils in the Bandaranaike International Airport (formerly Colombo Airport). As soon as a Tamil enters the airport for travel abroad he is looked upon in suspicion. In case by any chance airport immigration authorities find that any one of the travel documents is suspected forged (In many instances purposely so determined by the officer as forged documents in order to harass a Tamil), the passenger is handed over to the airport police for investigation and he is charged under the Emergency Regulations and the Prevention of Terrorism Act (PTA). But if on the same offence the person arrested belongs to the majority Sinhalese or the Muslim community, he is charged under normal Immigration and Emigration laws. This is a clear case of discrimination meted out only to the Tamils.

The Human Rights Task Force (HRTF), which hitherto monitored the human rights violations, although not well, and had its office in Colombo and in a few districts of the North East, was dismantled by a Gazette notification issued by the President on June 23, 1997. According to the Gazette notification the HRTF ceases to function with effect from June 30, 1997. The reason given by the government is that a National Human Rights Commission had been appointed, therefore the NHRC will look after the entire human rights violations. But at the time of announcement, the NHRC had not got of the ground and it has so far not established any regional office in the North East. Therefore, the closure of the HRTF will create a vacuum, there-



by driving the Tamils to the mercy of the Sri Lankan security forces, which would eventually end up in more and more human rights violations. Although the government has extended the functioning of the HRTF Regional Coordinators for a further period of one month, until July 31, 1997, it is doubtful whether the newly established NHRC would be able to establish its regional offices within this period to meet the vacuum created by the closure of the HRTF.

The recent offensive by the Sri Lankan Army to open up a land route to Jaffna has resulted in the displacement of an estimated 200,000 civilians from their original places of habitation, adding to the earlier hundreds of thousands of displaced Tamils. Many hundreds of families

are wandering in the jungles of Mullaithivu and many thousands have moved to Vavuniya to be locked up in detention camps. They are not allowed by the government and military to relocate themselves in the areas of their choice, even in Vavuniya town or Colombo or other Tamil areas like Batticaloa and Trincomalee. They are detained in severe conditions under army control and even the ICRC and UNHCR or NGOs are not allowed into the camps.

The intensification and escalation of the conflict has been viewed with alarm by all those who value human rights and humanitarian norms. The immediate impact of such a conflict on



immense hardship and misery to the affected civilians. An unknown number are dying and sick. The international relief agencies and non-governmental organizations continue to encounter restrictions with regard to their operations. For example, the Quaker Peace and the Peace Brigade, two international NGOs who were helpful to displaced Tamils in uncleared areas in my district, have been disbarred since April, 1997 from doing any operations in the Batticaloa District. In addition, the media and other independent observers are not allowed to visit the affected areas.

In addition, there are about 1700 Tamil youths detained in prisons, police stations and various unidentified detention camps without any trial or investigation.

Out of this, about 300 are languishing in prison for the past five years without being brought to trial. The slow process in disposing of these cases by the Attorney General's Department is causing much alarm and anxiety among the parents and relatives of the detainees.

The U.S. Government's approval for the "Green Berets" to give training to the Sri Lankan security forces is causing

alarm and concern to the Tamil people. The U.S. support to the Sri Lankan Government is giving a moral encouragement to the Sri Lankan security forces to engage in more and more human rights violations against the Tamils. ■

## CONCLUSION

*It is my considered opinion that the government / Es policy of "War for Peace" is failing, not only because of limited progress in military operations and its devolution package (which is very much watered down from the August, 1995 proposals), but also, especially because it is causing more and more hardships and misery and human rights violations to the Tamils. The Tamils have lost faith with the Government.*

*Therefore, I earnestly appeal to the U.S. Government to press the Sri Lankan Government to take the following actions in support of human rights. The LTTE should also cooperate on these actions:*

*1. Punish the perpetrators who enjoy impunity under the present extreme anti-terrorism and emergency laws, including effective steps taken to punish the perpetrators of past and present crimes on innocent civilians. No human rights improvement is possible until these laws are drastically changed.*

*2. Allow the media and the NGOs to visit the affected areas without any restrictions.*

*3. Allow adequate food supplies and medicines to the affected and uncleared areas in the North East and NGOs to operate freely in humanitarian work.*

*4. Do away with the detention camps in Vavuniya and allow the refugees to relocate themselves in the places of their choice.*

*5. Allow an "International Observation" team to be present in the affected North East and to report on conditions there.*

*Until these actions are taken by the Sri Lankan Government, especially the presence of a team of observers in the North East, the U.S. should suspend its support to Sri Lanka, especially military support. It was similar action by the international community, under the Foreign Aid Consortium, which brought about an improvement in 1993-1994.*

defenseless civilians is immense. They are subjected to heavy artillery attacks and bombings. The flow of food items and medicines to the war-affected areas has been severely curtailed by the governments embargo, causing



# Trinco cops held for youth killings

FIVE policemen are being held for interrogation in connection with the massacre of eight youth in the Trincomalee district, police said.

They said the policemen are being grilled to determine whether they had a hand in the slaying of eight youth held in police custody.

The youth were killed in Pudukuddirippu in the Trincomalee district last week. A senior policeman

of the Kantale police division said at least 200 other policemen are expected to be questioned.

The victims were taken into custody while attending a house warming party in Pudukuddirippu.

An inquest into the killings was held last Thursday and the magistrate ordered the police to carry out an impartial inquiry to determine what led to the killings.

While the victims were

attending the party, the policemen had requested the youths to accompany them to the police station to record statements.

The next day when the parents of the youth visited the police station, they were told that the eight youth were not arrested by the Pudukuddirippu police but by the Thampalagama police.

Later the bodies of the youth were found on the Pudukuddirippu road.

## Fuel shortage on freedom day

A SHORTAGE of petrol, diesel and other products was experienced in Katunayake, Negombo and Colombo areas on the independence day and the following day.

Sources from the petroleum corporation told *The Sunday Leader* the shortage was due to the restrictions on vehicular traffic in those areas.

"All our bowsers were stalled at the Dematagoda

police station, and heavy vehicles were not allowed on to the roads. There was definitely a shortage due to this," a senior official at the corporation who did not want to be identified said.

"Though several dealers complained of the shortage, it had not been acute as vehicular traffic was restricted," the official said. He added that they hoped to bring the supplies back to normal during the weekend.



## Pararajasingham protests over new abductions

Mr. Joseph Pararajasingham TULF MP for Batticaloa district protested against the abduction of Tamil youth in Batticaloa by unidentified members of the Sri Lankan security forces and Tamil paramilitary groups in a fax to the Deputy Minister for Defence Mr. Anuruddha Ratwatte.

Three youths were abducted yesterday at 10.30 a.m. at the Chenkalady junction, 16 kilometers north of Batticaloa by persons in civilian clothes in a blue Mitsubishi Pajero he said.

The youth were identified as Yogan and Kandavanan Anandasegar of Vanthaarumoolai and Moorthy of Pankudavely.

The MP said in his fax: "The inhuman culture of picking up Tamil youths by persons in civilian clothes coming in private vehicles has re-emerged in Batticaloa which is causing alarm and fear among the peace loving people of Batticaloa."



"There have been several such incidents brought to my notice during the past one month. In some cases it was found that the security forces were responsible for such action. This illegitimate arbitrary act of picking up Tamil youth by persons in civilian clothes coming in white Hiace Vans were rampant four years back. But it is unfortunate this inhuman culture has re-emerged in the past one month in the Batticaloa district which is of great concern to the peace loving people of Batticaloa."

(10/02/1998)

## Youth 'disappears' in SLA custody

A youth from the refugee camp in nearby Vinayakapuram who was arrested by the Sri Lankan army from the Kiran bridge camp on Jan.31, while on his way to collect firewood has gone missing say his parents.

The army at the Kiran bridge camp have denied that they ever arrested the youth, Sivaguru Yogeswaran, 17.

But the parents say that many others who went with their son that day saw him being detained by the soldiers at this camp.

The parents keep going to the camp regularly to plead with the officers there to tell them about their son's whereabouts.

Sivaguru and his family fled their village of Oothuchchenai in 1990 when the SLA moved into the area and massacred civilians.

Efforts to resettle these refugees were given up due to the army's objections. Oothuchchenai is near the Sinhala border about fifty kilometers northwest of Batticaloa.

(10/02/1998)





# THE WEEKEND EXPRESS

City  
Edition

THE INDEPENDENT VOICE OF THE NATION

REGISTERED AS A NEWSPAPER IN SRI LANKA

Rs. 12.50

SATURDAY 7 - SUNDAY 8, FEBRUARY, 1998

## Allegations of cover-up Thampalakamam massacre

by our News Desk

Reports of a massacre by police personnel attached to three camps near the Tamil villages of Puthukudiyiruppu and Potkerni in Thampalakamam Division on Sunday, February 1 has now come to light, despite an attempt at a cover-up.

According to a bulletin put out by the University Teacher's for Human Rights (UTHR), "one corpse had about 25 bullets in it. The male organ was missing from another corpse suggesting that it was severed before the final killing took place."

Local sources reveal that residents, including women, were pulled out of their houses

and beaten. The armed men also fired on livestock. Following, what human rights organizations have termed an "orgy of violence", a group of villagers were taken to the police station, followed by their relatives.

After chasing away the relatives, 8 persons were taken into the police station. The bodies of these 8 persons were subsequently recovered. They are: Ponnambalan Kanagasabai (48), Arumugam Segar (32), Gunaratnam Sivarajah (27), Subramaniam Thivakaran (23), Amirthalingam Gajendran (17), Muruges Janakan (17), Amirthalingam (14) and Pavalanathan (33).

According to reliable sources, police personnel attached to the main Police camp at Thampalakamam junction and two other mini camps in close proximity to each other, along with homeguards from Sinhala settlements, Sinhapura and Jayapura, commenced a cordon and search operation in the two Tamil villages at around 5.30 a.m. on Sunday, February 1.

This was aimed at concealing a drinking orgy followed by random firing in the air the previous night.

The sound of gun fire was later falsely attributed to an attack by the LTTE which, security personnel based in Trincomalee now admit, never took place.

SSP Kantalai, Nihal Karunaratne, apologised to the people attending the funeral of the victims on February 2 and gave an assurance that this would happen again.

The Amnesty International (AI) bulletin has alleged that the relatives of the victims had been asked to sign a statement that the dead were either LTTE victims of an LTTE attack.

Government sources reveal that following the Magistral Inquiry scheduled for Friday, the due process of law will be over.

However, a human rights activist pointed out that legal process could well drag on as in the case of the on-going trial relating to the last major massacre of Tamil civilians by security forces two years ago in Kumarapuram, Kiliveddy where only low ranking soldiers are facing charges.





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SATURDAY 14 - SUNDAY 15, FEBRUARY, 1998

## Thampalakamam massacre: Truth surfaces

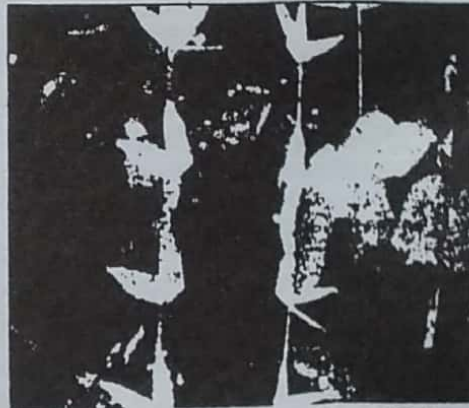


Trincomalee Magistrate P. Swarnaraj accompanied by Muthur registrar M.S.M. Nazeer inspects some of the dead civilians at Trincomalee hospital mortuary.

Photo: G.Bratheepan

by Bratheepan, our Trincomalee Corr. The killing of eight Tamil civilians at Thampalakamam and an attempt at a cover-up, highlighted in last week's *Weekend Express*, has taken another turn. At last

Saturday's magisterial inquiry conducted by the Trincomalee Magistrate P. Swarnaraj, Lasantha Wickremasinghe, Inspector of Police attached to Kantalai Police, characterised the deaths as "murders" and not the



Kantalai Senior Superintendent of Police Nihal Karunaratne is seen addressing the crowd who attended the funeral of eight Tamil civilians killed in Thampalakamam area recently.

Photo: G.Bratheepan

result of an LTTE attack. Following this, as well as an identification parade that commenced the same evening at the Trincomalee Town Hall before acting magistrate Subashini Varathan, eleven suspects including an Inspector of Police, a reserve

sub-Inspector, a police sergeant, three constables and eight home guards were in remand. Meanwhile, a special CID team led by an ASP has come from Colombo to conduct further inquiries and to assist in the investigation, police sources said.

**Our News Desk adds:**

The University Teachers for Human Rights (UTHR), in its recent Information Bulletin titled "The outrage at Thampalakamam - the hidden reality" has attributed the recent incident to "the general context of prevailing impunity". The bulletin draws attention to the last major massacre of Tamil civilians by the security forces in the Trincomalee District two years ago in Kumarapuram, Killiveddy. However, only low-ranking officers were facing charges in the on-going trial. The bulletin also refers to the cover-up of the murder of 5 detainees at the Customs Road prison, Trincomalee in October 1996, following a jail-break by some hardcore LTTE detainees.

The UTHR bulletin, in referring to the complicity of homeguards in the Thampalakamam massacre, attached to the Sinhalese settlements, Sinhapura and Jayapura, established in June 1990, states, "People who for generations had regarded Thampalakamam as their home, suddenly find themselves powerless in a hostile environment with all forces ranged against them".

## Boy (11) killed by bottle-bomb

by Shyama Paul

A 11 year old boy Suresh Wijeraja who had gone into a scrub jungle in Akkaraipattu to herd in the cattle was killed in a bottle-bomb explosion on Wednesday, police said. On Wednesday morning while herding the cattle home, he found an unusual bottle and brought it home. Alone with his younger brother they tried to open it, causing an explosion. The boy's mother who is employed in Saudi Arabia returned on Thursday only to find one of her children dead. Suresh's father, Dharmaraja Wijeraja told

child usually did this work to assist him. He further said that he could not afford to take the dead child home.

PC Kulasekara of the Akkaraipattu police said that the explosion of bombs are a common occurrence in that area and the police are planning to start a campaign to educate the children in schools, and the people of the area not to touch or pick up suspicious looking objects. JMO, Dr. B.P.P. Perera giving evidence stated that death was due to cerebral injuries caused by the explosion of a bomb. The City Coroner Justin Perera returned a verdict of sudden death caused



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特赦  
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AI INDEX: ASA 37/2/98  
3 FEBRUARY 1998

News Service 18/98

## Sri Lanka: Government forces kill eight civilians - justice needed now

Today's report that eight Tamil civilians, including three teenagers, were deliberately shot at close range by police and home guards at Tampalakamam on 1 February is deplorable, Amnesty International declared.

The human rights organization is calling on the Sri Lankan authorities to take all necessary action to ensure those responsible are brought to justice.

"This incident is reminiscent of the killing by army and home guards of 24 civilians, including 13 children, two years ago in the same area and still the suspects have not been punished," the organization said. "It is important that the alleged perpetrators are taken into custody as quickly as possible so they are not able to intimidate witnesses."

Among those killed were six people attending a house warming party in a house near the police post at Pokkuruni, a hamlet of Tampalakamam, Trincomalee district. Around 6.30am, around 20 police and home guards who appeared drunk reportedly took the victims, including two brothers as young as 13 and 17, inside the police post and shot them in the compound. They later went from house to house and beat up villagers. Soon after, two other villagers were killed near the church at Puddukudiruppu, another hamlet of Tampalakamam.

Initially, the Kantalai police were apparently pressuring families to sign statements claiming that those killed were members of the Liberation Tigers of Tamil Eelam (LTTE) or that they were killed by the LTTE, an armed opposition group fighting for an independent state in the north and east of the country.

A report on national television news yesterday also stated that six members of the LTTE were killed during a "confrontation" at Tampalakamam. After an intervention by high-ranking officials, however, the bodies were taken to Trincomalee hospital where post-mortem examinations revealed that all victims died as a result of shooting at close range.

The officer-in-charge of Kantalai police station reportedly confirmed at a magisterial inquiry today that police and home guards were responsible for the killings. However, to Amnesty International's knowledge, none of those alleged to be responsible have been arrested. According to some reports, they have been transferred to Kantalai police station where they continue to be on active duty.

The inquest is scheduled to continue on 6 February. The magistrate has reportedly indicated that an identification parade will be held. Several witnesses claim they can identify some of those responsible.

Amnesty International is urging the authorities to ensure that adequate compensation be granted to the relatives of the victims.

ENDS.../

AMNESTY INTERNATIONAL  
INTERNATIONAL SECRETARIAT

1 Easton Street, London WC1X 8DJ, United Kingdom

Tel: Int. Code: (44) (171) 412 5500 UK Code: (0171) 412 5500

# Forgotten victims of war in Sri Lanka

**Peter Popham reports from Sri Lanka on the desperate plight of the hundreds of thousands of ordinary Tamils affected by the war in the north.**

With no end to Sri Lanka's 15-year long civil war in prospect, the plight of the nation's one million internal refugees is turning into a humanitarian catastrophe.

Fleeing from the ferocious battles along the road that leads to the northern city of Jaffna, hundreds of thousands of displaced Tamils are living in improvised shelters without electricity, running water or sanitation, dependent on rations dispatched from the South.

The Colombo government disputes the claimed size of the population of Vanni, the northern region, and only sends rations for half that number. The result, according to a Christian Aid worker who recently returned to Colombo, is malnutrition on a scale unprecedented in Sri Lanka's history.

A recent survey of 16,000 children, found that only a quarter were properly nourished. More than a third were suffering from third-degree malnutrition, the level beyond which children exhibit distended stomachs and skinny frames. Anecdotal evidence suggests that small numbers of people have already died of starvation.

Malnutrition exacerbates the region's health crisis. Much of Vanni is dense jungle, and where the refugees have cut down trees to make shelters, malaria is now raging out of control. In the Mullaitivu district on the north-east coast, nearly 340,000 people were treated for clinical malaria in 1997, amounting to half of all outpatients seen. The Christian Aid worker said: "Every other person one meets in Vanni has contracted malaria at least

people who have had malaria seven to nine times since they were displaced to Vanni."

The epidemic results in a breakdown of resistance to other diseases long banished from Sri Lanka, such as tuberculosis and typhoid, which have again become common.

This crisis is made worse by the government's embargo on medicines. Along with the rationing of food and other goods, the government has, since 1995, imposed tight controls on the shipping of medicines to the North. Even such basic medicines as aspirin and antibiotics are in short supply.

If images of northern Sri Lanka's internal refugee crisis were to reach the outside world, there would be an international outcry. But since the resumption of hostilities in April 1995, the government has enforced a strict blackout of independent coverage of the war.

Talking to people recently returned from the region, it becomes clear why. It is because the Government's writ runs no further than the areas which it has under direct military control. The far northern town of Kilinochchi, for example, which has been fiercely contested this week with up to 300 deaths on both sides, was formerly home to some 50,000 Tamils. When the battle for the town began in 1996, the entire population fled into the countryside.

This is in a sense a black-and-white struggle: where the government digs in, the population - 100 per cent Tamil - flees. The only exception is Jaffna, where half the 450,000 population has returned since the government retook the city in November 1995.

The government's plan to rebuild the historic Tamil Library there has begun the work of creating trust, as have the local elections held last month. But elsewhere the task of persuading the North's Tamils that they belong not to Eelam but to Lan-

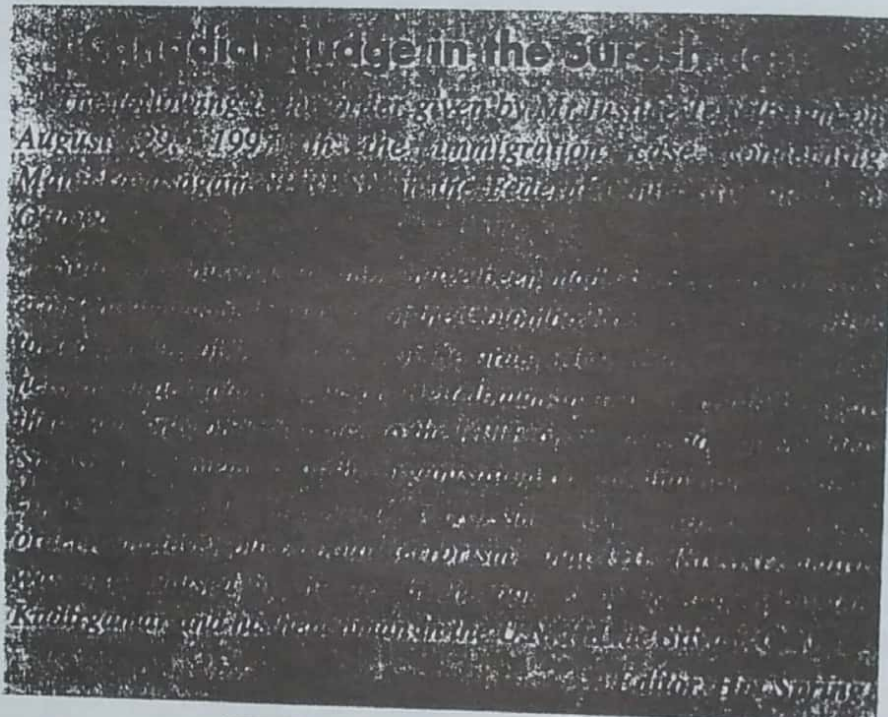


# "Tamil people in Sri Lanka suffer from discrimination, may be persecution too"

I think that it would be unfair to Mr Suresh if I didn't give you my decision with regard to the issue of the Certificates immediately, but not the Reasons, because the Reasons are going to require a lot of work.

Ms. Jackman, I spent the summer or a good part of the summer going through the Material and following your argument, because every time that you appear before me I know that I really have to do my home work, because I find that you do such a thorough job. But, notwithstanding that, I wrote some notes yesterday and this morning, and what I have heard this morning doesn't in any way, make me change my mind as to my finding. My notes read;

A Certificate based on a security intelligence Report prepared by CSIS indicating that Mr. Suresh is inadmissible to Canada under section 19(1)(c)(iv)(C), 19(1)(f)(11) and 19(1)(f)(iii)(B) of the Immigration Act was signed by the Solicitor General of Canada on August the 1st, 1995 and by the Minister of citizenship and immigration on September 11th 1995. Pursuant to section 40.1(1) of the Immigration Act...well, not in accordance with subsection 40.1(3) of the



**Ms. Barbara Jackman,**  
**Defence attorney:**  
*Tribute from the Judge*

Act, the Certificate was referred to the Federal Court of Canada on October 17th, 1995 and pursuant in 40.1(2)(b) of the Immigration Act, the Respondent, Mr. Suresh, was detained on October the 18th, 1995. On the same day, notice of the section 40.1 proceedings was served on Mr. Suresh, according to subsection 40.1(3)(b) of the act.

On October 23rd, 1995, in accordance with subsection 40.1(4)(a) of the Act, I convened an in Camera hearing at which hearing I considered the security intelligence Report and additional evidence submitted on behalf of the Ministers. I then, pursuant to subsection 40.1(4)(b) of the act, ordered that a summary of the report and evidence be served on Mr. Suresh and that Mr. Suresh be given an opportunity to be heard.

The summary of the report and evidence was served on Mr. Suresh on October 27th, 1995. The hearing wherein Mr. Suresh was given the opportunity to be heard commenced on March the 19th, 1996. More than 50 days of hearing have taken place.

I am satisfied that the issue that I have to decide and that I have decided is, as stated by the Applicant in their



submission, the certificate naming Mr. Suresh as an inadmissible person under Section 19(1)(e)(iv)(c), 19(1)(f)(ii)(b) of the act are reasonable on the basis of the evidence and information made available to me in both the public and in camera hearings held before me.

The hearings held before me are directed solely and exclusively to determining the reasonableness of the Ministerial Certificate identifying Mr. Suresh as a member of an inadmissible class of persons, I can do no better than quote

Mr. Justice Denault in the case of Baroud where he states;

"...The role of this Court is not to substitute its decision for that of the Minister and the Solicitor General, nor is it to find that they were correct in their assessment of the evidence presented to them, but, rather, to find whether or not based on the information and evidence presented to this Court, the Minister's certificate is a reasonable one..."

I would add that it is, as well, not the function of this court to solve political issues that exist between groups of people in another country. It is not my function as a judge of the federal court of Canada, and I have said this many times, to determine, based on the evidence before me, whether the Tamil people in Sri Lanka should or should not be granted their own homeland or even to express an opinion on that subject. That is a political question to be determined by the people of Sri Lanka, together with the help of the United Nations and other nations of goodwill.

I can say and I do say that, based on the evidence made before me, the Tamil people of Sri Lanka suffer from discrimination, and based on some of the evidence made before me, may

have suffered, in certain specific cases, from what may be considered, persecution. As I have stated, I am here to determine whether there exists sufficient evidence for me to conclude

as to the reasonableness of the certificate signed by the ministers. It is not to determine whether the ministers were correct in their assessment of the evidence.

From the evidence presented to me, I cannot but come to any other conclusion

than that, based on evidence presented both in the in camera hearing and in the public hearings, it was reasonable for the Ministers to conclude that Mr. Suresh is a person inadmissible into Canada.

It is my intention to release more detailed reasons at later date. I have decided to release my Decision without detailed reasons at this time because of the fact Mr. Suresh has been detained since October 1995, and because, pursuant to section 40.1 (7), Mr. Suresh will continue to be detained until remove from Canada. I

believe this should be done as quickly as possible so as to avoid Mr. Suresh retuning in detention unnecessarily, and to avoid lengthy proceedings pursuant to subsection 40.1 (8) of the Act.

I also want to add the following from the evidence. I do not want to

say anything that may affect Mr. Suresh if and when he will be removed from Canada. So, all I do say is that I am satisfied that there were reasonable grounds for the Minister to believe as they did. That does not necessarily mean that what they believe is a fact, but that there were reasonable grounds for the Minister to believe that Mr. Suresh is and was a member of the LTTE. I heard much evidence as to what makes a member, when does one become a member. I am satisfied from the evidence that I heard that there were reasonable grounds to believe that he was member of the LTTE.

I intend to issue detailed Reason to cover most, if not all, of the issue that were presented to me by Ms. Jackman and I, too, don't envy my own position. But I also believe that there are many issues that were raised by Ms. Jackman that have to be clarified. Because this will take me a good period of time, I decided that I don't want to leave the case in abeyance in the sense that Mr. Suresh should not know what his position is.

Having said all that, I would like to thank Ms. Jackman and I would like to thank Mr. Vaillancour. I would like to thank you both for a most professional job. I truly appreciate having had the privilege, and am saying this for the second time, I think, or maybe even the third to Ms. Jackman, for having the privilege of having both of you plead

before me. Thank you very much. This makes my job difficult, but, as well, pleasurable.

**"Max M Teltebaum"**

\*\*\*\*\*

**JUDGE**

***"... It is not my function as a judge, ... to determine, based on the evidence before me, whether the Tamil people in Sri Lanka should or should not be granted their own homeland..."***

***"...All I do say is that I am satisfied that there were reasonable grounds for the Minister to believe as they did. That does not necessarily mean that what they believe is a fact..."***



# ICRC seeks more help from Govt. and LTTE

By Arshad M.Hadjirin

Some 500 inquiries for missing persons from the ICRC were not followed up last year, as both the security forces and the LTTE failed to identify the descriptions made available to them.

Max Hadorn, head of the ICRC delegation in Sri Lanka said many hundreds of detainees were being held by both the LTTE and the Security forces.

"We are trying to establish contacts with them based on information from families of the victims or the captives. But sometimes it is difficult to do so if one of the parties fail to co-operate," Mr.Hadorn told The Sunday Times.

The International

Red Cross in an agreement with both the security forces and the LTTE for a common understanding where each party will give details to the ICRC about the captives or the dead in their custody.

Mr. Hadorn said precise information was important from the point of view of the families concerned. "Therefore we do not confirm the presence of a person or a corpse unless clear details are available to identify them," he said.

The government has in its custody over 1400 captives from the war zones, and other areas while the LTTE is holding 22 service personnel and five civilians two of whom being crew members of the Iris Moana, the merchant vessel, hi-

acked by LTTE two years ago.

"Last year alone we received 1460 inquiries about missing persons and bodies, from families of both the security forces personnel and the LTTE, but we are yet to identify 497 of them, due to lack of information", Mr Hadorn said.

The ICRC, does not accept a corpse, if it is older than two days as decomposition in hot climates is faster and reduces chances of proper identification.

Mr.Hadorn said when bodies were not identified they were cremated, and cited an example when many bodies of LTTE cadres were cremated as fighting was intense and the ICRC was not allowed access in the Kilinochchi area.

# NGO's sound warning on Wannu situation

Some 500,000 displaced people in the Wannu region are on the verge of a serious malnutrition crisis, NGO officials have warned.

"It is not as tragic as Ethiopia and Somalia but the situation is quite grave," one official said.

He said the transport of food and medicines to the people caught in the crossfire was handled solely by the government and NGOs faced various bureaucratic hurdles if they

wanted to help in such areas. The lack of coordination among various state agencies in the area was making matters worse he added.

A government official

# North needs Rs.500m to do up roads

Provincial Local Government Department needs Rs. 500 million for rehabilitation and reconstruction in the Jaffna District, says the Trincomalee Correspondent.

cial however denied reports of a serious malnutrition problem, but admitted that transport difficulties were hindering relief efforts.

In Jaffna District 17 local bodies including a municipal and three urban councils function. More funds are needed to repair damaged roads and culverts in these areas.

# Then Iqbal now its Dinamina Corr.

By J.L. Jayasinghe our Kandy Corr.

Hard on the heels of a death threat to The Sunday Times Defence Columnist Iqbal Athas, comes the story of a Lake House provincial correspondent being badly beaten up by the Police and lying in

a critical condition at the Kegalle hospital. His offence: exposing a lucrative kasippu trade at Aranayake.

Pradeep Kumara Dharmaratne (20) provincial reporter for Lake House based in Aranayake had filed a report to the Dinamina on January 26 about the prolif-

erating kasippu trade in Aranayake.

In his complaint to the Kandy Independent Media Foundation Dharmaratne had said that on February 16 policemen from the Aranayake police station had stormed his house at midnight, assaulted him and threatened his life if

he wrote again about the kasippu trade.

He was so badly bashed that he is now passing blood with urine. He was first taken to the Aranayake hospital and since his condition was critical was later transferred to Kegalle hospital, sources said.

Meanwhile, Kandy Media Foundation had written to the President, Deputy Defence Minister, Media Minister and to the IGP.

SSP Pujitha Jayasundera of the Kegalle Police has assured the Foundation that an unbiased inquiry would be held on the incident.

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## Muslims lack religious education in Sinhala schools

A large number of Muslim children living in hamlets in the Biyagama electorate are facing hardship when they wish to enrol in Sinhala medium schools.

The prime reason is that they are unable to receive the compulsory religious instruction meant for Muslims.

Some schools in a bid to overcome this problem issue Sinhala text books on Islam even though there are no teachers to give instruction in the subject.

However these religious books are not available to Sinhala schools on the free text book distribution scheme.

Parents concede that if the schools provide the free text books on Islam they could

coach their children in the subject, while at the same time their children get an education in the Sinhala language. (HLM)

## Graduates unemployed

by Batticaloa Corr.

At the conference held at the EPRLF office in Batticaloa, EPRLF regional committee member Jothinathan Ravi took up the issue of the unemployed graduates of the Batticaloa district. He voiced his concern over the matter, and the others present on the occasion were the Batticaloa district journalists.

At the discussions it was stated that the North East Provincial Council Secretary of Education, Sports and Cultural Affairs had already called for applications from graduates of the Eastern Provinces for teaching

appointments where selections would be made shortly. It was pointed out that in the Eastern Province there were already more than 1000 graduates who were still unemployed. It was stated that in the future appointments, preference be given to these unemployed graduates in the district.

These graduates who now may even have reached the age of 30 years are still without employment. This was a serious discrepancy when considering that persons who did not gain admission to universities and qualified only at schools of education had been given teaching appointments.



## A NATION'S CRY TO THE SILENT MAJORITY

Can we watch in silence while our motherland is being destroyed to placate a minority?

Their insatiable demands for territory are:



- 1949 — Newly formed Tamil Federal Party claims for a distinct Tamil homeland and the right to a Tamil linguistic state in one-third of Sri Lanka.
- 1957 — Bandaranaike-Chelvanayakam Pact: Government agrees to exclude Sinhala farmers from land settlement projects in North and East — policy implemented upto date.
- 1965 — Senanayake-Chelvanayakam Pact: Exclusion of Sinhalese in land settlement schemes in North and East continued. **Remember the Eastern Province was entirely Kandyan Sinhalese until ceded to Dutch and British.**
- 1976 — Claim by TULF for sovereign Tamil state with North and East as **Minimum** territory.
- 1987 — Indo-Sri Lanka Accord and 13th Amendment to the Constitution — hailed by Tamil Groups (except LTTE) as a 'Final Solution' to territorial issues.
- 1995 — The package — nine self-governing regions — with a Tamil ethnic state, an Islamic state and the irreversible division of a unitary country.

**REJECT THE PACKAGE  
IT SOUNDS THE DEATHKNELL  
FOR OUR MOTHERLAND.**

*The Committee for a Unitary Sri Lanka  
128 Justice Akbar Mawatha Colombo 2.*

## Sinhala Commission opposes package

by Brian Tissera

In the interim report of the Sinhala Commission presented on Wednesday the Commission opposes the proposed devolution package in its present form and calls on all people to urge their representatives in parliament to reject the package. The commission sees serious consequences, both politically and economically, for the Sinhala community and other communities, and fears a bifurcation of the country.

The interim report was presented at a gathering at the premises of the All Ceylon Buddhist Congress where the Prelates of the three *Nikayas* and representatives of Christian and Muslim religious bodies were present. Vice chancellors of universities, professors, heads of schools and media personnel also attended the presentation ceremony.

A colourful procession with the report carried on the back of a beautifully caparisoned elephant preceded the presentation.

Analysing the proposals, the commission states that the sort of division envisaged is not found anywhere else in the world and the State would have no power whatsoever over the eight or nine regions into which the

country would be split, since each part will have authority to deal with 46 subjects specified in list II (The regional list).

A further highlighted fear was an attempt to change the 2000-year history of a unitary state which remained so even during the time it was a British Colony.

All political parties including constituents of the PA, UNP, NDUNLF, LSSP, MEP, SMBPP were also given copies of the interim report.

The report recommends educating the people, urging MPs to reject the proposals, retaining the unitary state of Sri Lanka unchanged, non-committing of any part of the island to be the exclusive possession of any ethnic group, non-division of the country on political or ethnic basis, prohibiting the establishment of a separate state through the Constitution and ensuring that the Central Government retains full control over, law and order, police, state lands, ports, harbours, airports and, all archaeological sites and administration of justice while the unitary status of the island is safeguarded.

It was noteworthy that the presentation was made on Anagarika Dharmapala Day in memory of a great promoter of the Buddhist faith.



# DEVOLUTION IN THE U.K. AND SRI LANKA.

1. Democracy in the U.K. is based on many commonly held convictions on a variety of subjects. One of these is the Universal understanding that Scottish, Welsh and Irish people resident in Scotland, Wales and Northern Ireland have the right to decide, by a majority decision of their own, on the nature of their governance. This is the right that is denied to the Tamil population of the northeast province of Sri Lanka by the Sri Lanka government and by the Sinhala people as a whole.

2. In the U.K. it is perfectly legal for political parties in Scotland, Wales and Northern Ireland ( and even in England ) to advocate, and work openly for, the complete sovereign independence of each of these regions from the U.K. resulting in the division of the U.K. into separate states. For many years there have been political parties which do just this - the Scottish National Party (SNP, currently led by Alex Salmond,MP) in Scotland, Plaid Cymru (PC, currently led by Dafydd Wigley,MP) in Wales and Sinn Fein (SF, currently led by Gerry Adams,MP) in Northern Ireland. Each of these parties has MPs elected to the British House of Commons.

In Sri Lanka the very opposite is the case. Since 1983 it is illegal to advocate independence for any region which would result in the break-up of the unitary, single-all-island state of Sri Lanka into separate states. Representation in the Sri Lankan parliament is available only to those political parties which foreswear any such aspiration.

3. At successive general elections in the U.K. the great majority of MPs from Scotland and Wales have been from the Labour Party and only a small (but in Scotland a growing) number have been from the separatist parties. In Northern Ireland, similarly, the great

majority of MPs have been from the Ulster Unionist Parties with a very small number from Sinn Fein.

In Sri Lanka the opposite is the case. The majority of MPs from the northern and eastern provinces taken as a whole at the general election of 1977 (the last general election before the outbreak of war) were from the Tamil United Liberation Front (TULF) which was committed at that time to



and the disadvantages of separation. It is an appeal to economic and material well-being. The Labour Party hopes to preserve the Union by devolving substantial powers over local affairs (including taxation in Scotland) to separate parliaments in Scotland and Wales. The Liberal Democratic Party believes the Union will survive only under a formal federal constitution with separate legislative and executive bodies in each region (England as well) and an over-arching central government for defence, foreign affairs, currency management and economic stability. In respect of Northern Ireland all three parties are agreed that the will of the majority of the resident population there for the continuance of the Union must prevail. None of these political parties and, indeed, not a single individual in the 56 million population of the U.K. believes it either right or possible to suppress the separatist tendencies in Scotland, Wales and Northern Ireland by military force.

In Sri Lanka the opposite of this belief is near universal - the Sri Lanka government and the overwhelming majority of the Sinhala people believe it to be both right and possible for

Tamil separatist nationalism in the north-east province to be crushed by military force whereafter a limited devolution of powers not only to the Tamil dominated north-east province but also to other regions

of the country would assuage the separatist inclination in the former and satisfy the desire for participatory democracy in the latter.

5. At the general election held in the U.K. on 1st May '97 the Conservative Party failed, for the very first time in its history, to win a single parliamentary seat in Scotland, Wales or Northern Ireland; all 167 seats won by it were in England, one of the 4

*Adrian Wijemanne*

securing a separate state in the northern and eastern provinces for the Tamil majority resident therein.

4. There are different responses by the three major political parties in the U.K. to the separatist tendency in Scotland, Wales and Northern Ireland but all are united in a desire to preserve the Union i.e. the U.K. as a single state. The Conservatives hope to do this by spelling out, in rather general terms, the advantages of the Union





constituent countries of the U.K. The Labour Party, promising substantial devolution of powers to local parliaments to be newly created for the purpose, won overwhelmingly in Scotland and Wales. The Ulster Unionist Parties promising to preserve the Union in all essentials, won in Northern Ireland. In fulfilment of its promises the new Labour government held referenda in Scotland and Wales within 4 months of its assumption of office, to ascertain the wishes of the residents of each region on the subject of devolution. In both regions the majority voted in favour of the government's devolution proposals and the necessary institutions are to be set up in each region by fresh legislation in time to commence functioning from the year 2000.

In Sri Lanka despite the vote at a general election, of the overwhelming majority of the resident population (Tamil dominated) of the northern and eastern provinces for independence, no significant devolution of powers was proposed; instead military repression of the by now-armed separatist movements was launched. After 4 years of war the Indian-backed devolution of powers to countrywide provincial councils failed to arrest the Tamil nationalist determination for total independence. Since then 10 further years of warfare portend a long and unwinnable military imbroglio for one of the world's poorest states.

6. It is appropriate now to take a brief look back to an earlier experiment with devolution in the U.K. In 1979, the Labour government led by Jim Callaghan held referenda in Scotland and Wales to ascertain the views of their respective populations on devolution. In Scotland the vote on that occasion fell short of the 40% (of those voting) required for devolution. In Wales the vote was 4 to 1 in favour of continuing the existing Union. In the 18 years that have elapsed from 1979 to 1997 there has been a substantial growth in the separatist tendency in

each territory. Only time will tell whether the devolution now to be implemented will arrest this tendency or exacerbate it. In the latter event, if separation becomes inevitable, it will be resorted to by peaceful means without recourse to force either for or against.

7. It is an interesting and very significant fact that in the 18 years between the two referenda in Scotland



and Wales, both regions received especially favoured treatment by the government. To use an American phrase there was "reverse discrimination" on a substantial scale. Government expenditure per capita in each of these regions was, and is, considerably higher than in England. It is so in Northern Ireland as well though no referendum was held there either in 1979 or this year. Benign government failed to assuage nationalist aspirations in all three territories. **Discrimination against a people is not necessary for nationalist separatism to grow. Irrespective of whether a government is discriminatory or benign, nationalist aspirations grow; discrimination merely**

**converts them into a tinder box ready to explode at the first attempt at military suppression.**

8. Earlier in this paper mention was made of the universal understanding in the U.K. that military force was not to be used to preserve the integrity of the state from break-up by internal separatist pressures. It was not always so. For 300 years ending in 1922 the British state used military force against Irish nationalist separatist guerillas, who fought to secure an independent state for themselves on the island of Ireland where the Irish constituted the majority of the resident population. That great effort failed to extinguish Irish nationalism. It is that bitter experience of successive British governments in their own backyard that lies at the root of the current accommodating attitude towards nationalist secession. It determined also, the policy of accommodation towards the Indian independence movement which led to post-World War II decolonization.

9. The current policies of the Labour and Liberal Democratic Parties - devolution and federalism respectively - hope to arrest the tide of nationalism from a drift to outright separation and independence. Such a hope can be rationally entertained only before a separatist movement takes to arms in support of its cause. They have no utility as a means of ending an armed conflict between the state and separatist nationalist guerillas as the British experience in Ireland, mentioned above, so vividly illustrates. There a raft of Home Rule legislation, ending with the Home Rule Act of 1912, failed to arrest the tide of armed insurrection or the eventual splitting up of the U.K. into two in 1922.

10. Both the U.K. and Sri Lanka face armed separatist nationalists today. In the U.K. the armed conflict is in Northern Ireland where the IRA carry out an urban guerilla campaign, which spills over into mainland Britain



from time to time, with the object of separating the province of Northern Ireland from the U.K. and joining it to the Irish Republic. Only a minority of the Roman Catholic minority of the population of Northern Ireland support the IRA in that effort. The Protestant majority in Northern Ireland opposes separation from the U.K. and wants the Union to continue as at present. Despite the support of only a minority of the population and being outnumbered 100 to 1 by the British forces in Northern Ireland the IRA has kept the conflict going for 29 years and it is by no means over yet though a ceasefire is currently in force.

11. In Sri Lanka the situation is different both qualitatively and quantitatively. The Tamil decision to establish a separate state for themselves in the north-east province had the support of

the overwhelming majority ( 69% ) of voters in this area at a general election. The LTTE, which is the armed separatist group fighting for independence, seeks to implement that majority vote. The IRA and the LTTE are, therefore, qualitatively different - the former opposed by the majority and the latter acting in accord with the already publicly expressed will of the majority of their people.

Quantitatively the difference between the two is as polar. Whereas the IRA is known to number around 300 fighters the LTTE is 30 times that number. Whereas the IRA is opposed by the formidable forces of the British army and the British state, the LTTE is opposed by much less powerful adversaries in the Sri Lanka army and the Sri Lanka state. The IRA has kept the

conflict going for 29 years now; the LTTE for 14 and is undoubtedly capable of many more decades of conflict.

12. Devolution in the U.K., in Scotland and Wales, is expected to stave off, at least for the time being, a nationalist drive for total separation and independence. Only time will tell whether this object will be achieved or whether the opposite will be realised i.e. whether it will fuel the fires of separation. In Sri Lanka much more is expected of devolution - that it will end a bitter war now in its 15th year by weaning the Tamil people of the north-east province away from their desire for independence and their support for the LTTE, thus leading to the latter's demise. The dice of history are loaded heavily against such a consummation. ■

## Disabled Sinhala soldier condemns Sinhala politicians

Speaking at a public meeting held in the Ampara town hall recently, Commander H.K Dayaratne, president of the association representing the permanently wounded soldiers of the Sri Lankan army, condemned Sinhala politicians for opportunistically seeking political advantage by carrying on with the war in the Tamil homelands.

The meeting was organised by the Ampara district branch of the association. Commander Dayaratne lost his arm in an LTTE attack on the Elephant pass camp where he was in charge of a Sri Lankan unit. Lambasting the People's Alliance government's attitude towards the thousands of soldiers who continue to be maimed in the war, he said:

"Only very poor Sinhala youth join the army. They do so to help their families eke out a living. No one from the President's family or the opposition

leader's family joins the armed forces."

"Today there are more than twenty thousand permanently wounded Sinhala soldiers languishing in silence in many corners of the country. Although our politicians say that the conflict should be solved through negotiations, their ulterior vested interest is to carry on with the war."

"Why are Tamil youth taking up arms? Why do they commit suicide [rather than surrender]? Who betrayed them? These are questions which the Sinhala people should think about."

"Who is responsible today for these twenty thousand maimed [Sinhala] youth? There are few youth joining the army now because they are losing faith in our politicians. Even the criteria for recruitment have been brought down."

"This government keeps raising the price of bread and dhal. The people who depend on this (cheap) food

are the families of the maimed soldiers. We cannot allow this situation to continue."

Since the Sri Lankan army launched its latest and biggest offensive in the north of the island, there has been a massive influx of permanently wounded soldiers. In heavy fighting on Tuesday, over 200 Sri Lankan soldiers were wounded according to government figures.

The 90,000 strong Sri Lankan army is overwhelmingly Sinhalese. Despite repeated recruitment drives, there are few volunteers, and up to 10,000 men desert each year, according to military analysts.

The Commander's outburst reflects the growing bitterness in rural Sinhala areas over what is perceived as the Chandrika regime's sheer and callous lack of concern for human lives.

(Tamil Net)



THE SUNDAY LEADER, FEBRUARY 8, 1998

## UK Sinhalese reject devolution package

SINHALA Association of Sri Lankans in the United Kingdom totally rejected the government's proposed devolution package, saying it would lead to the disintegration of the country and to the extinction of Sinhala people.

This was stated in a communique issued by the association recently.

The statement said, "Asymmetrical devolution is today being talked of as a solution to the contradictory positions taken by the People's Alliance/SLFP and the UNP on the proposed devolution package. It is therefore important to ascertain what asymmetrical devolution is and what will be the consequences if either asymmetrical devolution or the devolution package is adopted."

"It must be mentioned that we have already in our communique of December, 1997, pointed out that the government proposals for constitutional reforms which provides for the devolution package, if adopted, will divide a unitary, sovereign country into regions, will amount to effectively curtailing the powers of parliament. Regions having separate regional commissions, regional police forces, regional attorney generals etc., will lead to the emergence of different laws, will lead to a situation where there will be regional armies, leading inevitably to the disintegration of Sri

Lanka," the communique said.

It also said, "Also, through the licensing of international borrowing to the regions will lead to regions coming under the control of foreign countries, multinationals and NGOs and even expatriate mafia groups."

"As the regions will have total control over land, it will lead to a situation where the land resources of the country will not be available for all its citizens, on the basis of need and a major part of the country will not be available for Sinhala people who account about 74% of the population."

"This will involve an expenditure that cannot be borne and sustained by a small country. It will lead to a situation where the regions declaring themselves unilaterally independent like what Vatharaja Perumal did in the north east provincial council," the communique said.

"It will enable the regions to become independent. It does not provide for the abolition of the executive presidency, will enable anyone living in Sri Lanka on the day the new constitution is adopted to become a citizen, enabling hordes of Tamils from Tamil Nadu and elsewhere to become citizens overnight."

"It is our opinion that by asymmetrical devolution, the situation will be far

worse. Asymmetrical devolution will lead to the areas to which the asymmetrical devolution is granted to become independent and sovereign territories, quicker than if devolution were given to total Sri Lanka," the communique said.

It also said, "In detail, if asymmetrical devolution is approved, then the regions of the north, the east and certain sections like the central highlands, the latter because Thondaman has already declared that he will have a *Malaya Eelam*, will have sole authority over all devolved subjects, without the central government or even the president having the ability to give any directions. The proposed power of the president is only to be used if there is unilateral declaration on independence and that power, too, is so vague that it could be ineffective. As we have already pointed out, the inability of the Sri Lankan army to restore law and order in the north and the east today is indicative of what will happen in such eventuality."

"If either asymmetrical devolution or the devolution package is adopted it would inevitably lead to the establishment of an independent Tamil state, which will be the home of all Tamils from many countries, not necessarily in Sri Lanka," the communique added.





# Package won't work

By Taraki

**T**he enthusiasm for the government's devolution package and the strident opposition to it are, in the final analysis, much ado about nothing.

The package will not work.

Discussions and further discussions will grind on until it is time for the next general elections.

Here, I will outline the technical impediments and political reasons which ultimately reduce the current pronouncements on the package to meaninglessness. There are two procedures for making the government's package part of the constitution or for repealing and replacing it with a new constitution. One is the procedure laid down by the present constitution (1978) and the other is an extra-constitutional procedure.

The first procedure is well known - a two thirds majority in Parliament followed by the approval of the people at a national referendum.

This path for 'constitutionalising' the PA's package is simply not possible unless the UNP agrees to support it in order to get the two thirds majority.

(Here, incidentally, one must understand the reality about the referendum in the Trincomalee and Ampara districts proposed by the PA last week to determine whether they, as one unit, should be merged with the northern province.

Even if the result of this referendum were to favour a merger, it can be implemented only by amending the eighth schedule of the constitution which lists the provinces of Sri Lanka.

This in turn requires a two thirds majority in Parliament. The minor brouhaha over this issue is therefore, as usual, premature.)

Firstly let us consider the manner in which the PA is now going to bring the package to parliament before November. It says that the proposal as approved by the Cabinet will go through the PSC to the legislature.

If there is no consensus in the Select Committee then the government has to place it before parliament as a majority paper. (This has to be the case as the government is yet to clearly say anything on issues such as land, law and order etc.)

In that case it cannot be placed on the order paper of Parliament as a bill to amend or repeal the constitution because it would automatically require a two thirds majority and would be subject to the Supreme Court direction under Article 120 (a) that it would require approval at a national referendum as well.

In this situation the government can only place this in Parliament as a sessional paper. And that is what I understand it is going to do. The politicians in Parliament can go on discussing the sessional paper if and whenever the House finds the time to do so. This has to be so because, unlike a Bill placed on the order paper of Parliament, a sessional paper has no binding status in the legislature.

Hence the government can place the package as a sessional paper in Parliament before November and then carry on until second week of December with the main business of getting the budget through. After this Parliament will meet again only in the first week of January. And then it will be time for the PA to get thoroughly busy with the massive preparations it is contemplating for the 50th anniversary of Sri Lanka's independence.

This leaves the government with less than three

months to prepare for a referendum, for interested parties to campaign for and against it etc., and on the other to make arrangements for the independence jubilee.

Again after February the government has to hold the provincial council elections by April. Then there are the long overdue elections to the local government bodies in the northeast.

Here we should also remember that the general elections are expected in 1999. Nevertheless, assuming that the government will make an effort after May 1998 to constitutionalise the package, we shall examine the second procedure - as it would remain the only course open to the PA as long as the UNP sticks to its current position.

The second procedure has two versions.

The popular one is that the government can get moral backing for the package by putting it before the people of the country at what is vaguely referred to by some pro PA intellectuals as a 'non binding referendum'.

Article 86 of the constitution provides for this. ("the President may .....submit to the people by referendum any matter which in the opinion of the President is of national importance".)

This exercise is useless, mainly because a result in favour of the government's package can at most be a dubious instrument for exerting moral and political pressure on the UNP to support the devolution plan in Parliament for obtaining a two thirds majority. I say dubious for it is certain that government would definitely not be so rash as to take a proposal which includes all the sensitive issues such as land, law and order, unit etc., which have traditionally stymied peace efforts before the general Sinhala public.

When the devolution plan thus tested at the so called non binding referendum is placed on the Parliament's order paper as a bill in accordance with Article 82 (sections 1 and 2) the supreme court will, if the package were to retain its 1997 content, automatically determine, in accordance with Article 120 (a), that the bill be approved by the people of the country at a referendum.

Therefore the idea of the so called 'non binding referendum' essentially presupposes a second referendum by law. Practically and politically it would be stupid to have two referenda on basically the same matter. The 1978 constitution does not appear to have a practical and legally resolvable solution to this eventuality.

The second less known version of the second procedure for 'constitutionalising' the PA package is to seek the approval of the people at a referendum under the same Article 86 to transform the parliament into a constituent assembly which would then make a new constitution (as it happened in 1972).

The main problem in this procedure is that it might be impossible to secure even a simple majority vote in the constituent assembly to bring a new constitution into effect.

When one considers the various trends in the government today vis-à-vis devolution (Ashraf, Srimani etc.) it seems inevitable that this constituent assembly would turn into a mad hatter's party as soon as it is established. Nothing therefore is going to be done until the general election which is expected to be held in 1999.

The PA, as one Tamil party leader put it, is certainly bound to seek the support of the Tamil and Muslim parties to secure a two thirds majority at this general election to 'constitutionalise the package in the second millennium'.



# Australian M.P. supports Tamils' Right to Self-termination

(From HANSARD, Parliamentary Debates, House of Representatives Commonwealth of Australia - 28 August 1997)

I rise tonight to bring to the attention of the Australian nation a genocide occurring not far from our shores. I refer to the slow genocide that is happening in Sri Lanka aimed at the Tamil people I have a sizeable Tamil community in my electorate and I have been watching the situation closely for the past 13 or 14 years, and all I can say is that what is happening there is a blight on humanity.

The latest thing that has occurred that I have to bring to the attention of this House and of the Australian nation is the deliberate bombings and indiscriminate shellings by the Sri Lankan armed forces. The latest carnage occurred on August 15, when two Sri Lankan Kfir bombers attacked a Catholic church, killing nine people, including a four-year old child, and wounding 15. In addition to that, on 9 July 1995 the Sri Lankan government bombed a Catholic church in Navaly killing 120 civilians. On 22 September 1995 Sri Lankan Puccara aircraft bombed a school in the village of Nagar Kovil, killing over 40 people, including 25 children. On these occasions, as well as on 15 August 1997, the killing was deliberate.

I have a statement here issued in 1997. The source is the Tamil Centre for Human Rights report to the 53rd session of the UN Commission on Human Rights, Geneva. These are official figures of human rights violations of Tamil civilians by the present Sri Lankan government over a period of approximately 22 years. They are as follows: (above)

I want to read into the record a statement issued by Amnesty International. I am a member of Amnesty International and I know



**MR. PAUL ZAMMIT M.P.**

(Lowe) (5.51 p.m.)

many members of this House are also long-time members. This statement was issued very recently by the International secretariat from the United Kingdom. They say :

"The level of "disappearances" in Sri Lanka has hit a new high, Amnesty International warned as the United Nations Commission on Human Rights examined the country's human rights record. Coinciding with the Sri Lankan government's pledge at the

reached 648 - the highest number since 1990.

"That more than 600 "disappearances" can occur in one year despite the government's claim that it is addressing the problem is outrageous. This highlights the need for action to be taken now - to prevent these violations from continuing", Amnesty International said.

There is a clear pattern of the security forces resorting to "disappearances" in reprisal for attacks on the security forces by members of the Liberation Tigers of Tamil Eelam (LTTE) In one incident which occurred on 19 July 1996, the day after the LTTE attacked the Mullaitivu army camp, at least 40 young men "disappeared" after they were rounded up by army personnel in Kaithady and surrounding villages in the Themarachchi Division. They were allegedly taken to Navatkuli army camp but when relatives went to make inquiries, they were not given any information. Amnesty International fears that they may have been massacred.

There is a lot more I want to say about this issue, but I call on the Sri Lankan government to respect the human rights of all individuals, to respect the right that humans have to be treated as decent people and as decent humans in our society and their society as well. They have a responsibility to humanity, and these indiscriminate bombing of individuals who are innocent and not part of any war should be stopped and outlawed immediately by the world community.

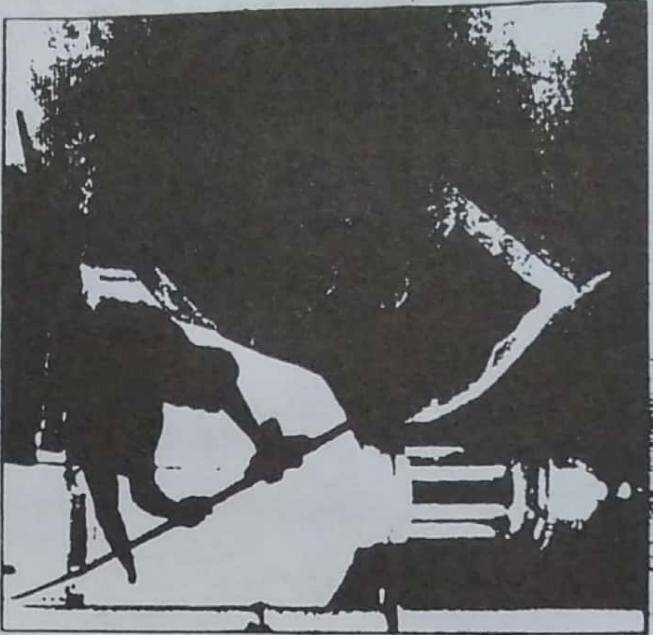
I call on the Sri Lankan government to allow the Tamil people of Sri Lanka the right to "self-determination".



Commission that "full rigours of the law will be brought to bear" on the perpetrators of human rights violations, Amnesty International submitted more than 400 cases of "disappearances" to President Chandrika Bandaranaike Kumaratunga urging her to bring those responsible to justice. Since the security forces regained control over the Jaffna peninsula in northern Sri Lanka between late 1995 and early 1997, the total number of "disappearances" reported to the organization had



# Broken dreams overshadow Sri Lanka jubilee



A Colombo council worker waves the national flag

SRI LANKA ceased to independence 50 years ago today on the back of India's freedom struggle. The island state is straining to mark the event with a sense of occasion, despite the underlying sense of unease of self-inflicted disaster.

The wreckage of Colombo city, completely annihilated by two-bomb blasts last year, is a reminder of Britain's colonialism.

In 1948 the deepest island of Serendib, which gave the world its word serendipity, boasted the most powerful economy in Asia after Japan. Now it squanders 20 per cent of its meagre income on war and most people struggle against poverty.

The Prince of Wales is the principal guest, to the anger of hardline Buddhist clergy who have been trying to convince people of the banality of the British in the 1815 overthrow of the last Kandyan Buddhist kingdom.



Fifty years after independence, Sri Lanka has yet to perfect the art of nation-building, Christopher Thomas writes

They are also trying to prove that Tamils were all brought into an overwhelmingly Sinhalese island by the colonial power to work the tea plantations. It is historical humbug, the Tamils and Sinhalese were fighting long before the British, Portuguese or Dutch controlled the island and the Tamils brought in from India were relatively small in number.

The departure of the British was amicable and uneventful, unlike the horror of Indian independence. Sri Lanka did not suffer the military dictatorships of Pakistan, Bangladesh and Burma. It could

have been an Asian tiger, but for self-imposed calamities. It blames itself for messing up, unlike India and Pakistan, which look to their colonial past to justify half a century of self-inflicted political and economic blunders.

Tamils and Sinhalese once called themselves communities. Now they describe themselves as nations, emphasising their rival claims to nationhood. The Sinhalese of Indo-Aryan stock from northern India, regard themselves as the true people of Sri Lanka — a belief that feeds a disastrous attitude towards the Tamil minority and lies at the

heart of the conflict. Sinhalese equate Sinhala nationalism with Sri Lankan nationalism. The one calamitous decision that led to the ethnic war was the Sinhala-only legislation of 1956, which lifted recognition of Tamil as an official language. After that blow, Sinhalese Tamil homeland became an uncertain desire for a separate, passionate one.

After 15 years and 50,000 dead, there is no foreseeable hope of peace. The independence celebrations had to be moved at the last moment from the Sinhalese heartland town of Kandy to the ethnically mixed capital for security reasons. Tamils, 18 per cent of the population, mostly feel uninvolved in this week's events. The art of nation-building, like the art of displaying sensitivity towards an aggrieved and alienated people, has yet to be perfected.

# Refugees in T'Nadu wait for political miracle in Lanka

By Suresh Seshadri

TRUCHIRAPPALLI, India, (Reuters) - Every week, dozens of Tamils from war-torn Sri Lanka take secret boat rides to India, seeking a life of hope but generally finding one of despair.

Help from Indian relief authorities spells hope for more than 60,000 Tamils who have fled a bloody separatist war.

But many of the refugees also feel a sense of despair, as they long for their homes and the relative prosperity they once enjoyed in Sri Lanka. In rickety shacks, the refugees wait for a political miracle to take them back to their palm-fringed homeland.

Sitting near a single-storeyed building that houses rows of refugee tenements, S.V. Sivaguru, a 48-year-old Tamil journalist from Colombo, mulls about his children's career prospects.

"While the Indian government and the Tamil people in India have done a lot to make us feel at home here, we are very worried about the future as our children's education is suffering," he said.

Fearing for his family's safety, Sivaguru fled Colombo in 1990, seven years after the Liberation Tigers of Tamil Eelam (LTTE) launched their guerrilla war.

**Back-breaking**

work

Many refugees say they owned a boat, a truck, a piece of land or a shop in Sri Lanka before the war caused havoc.

Now, they live in hard conditions, and work in stone quarries or automobile workshops to supplement a monthly dole of 200 rupees (\$5.0) handed out by Indian authorities.

The authorities spend 150 million rupees (\$3.8 million) a year on the refugees.

The refugees, who get roughly 65 rupees (\$2.0) a day for their back-breaking work, are worried that their children sometimes skip classes at local government-run schools, or drop out altogether.

And although they complain about their miserable conditions, their ranks keep swelling. At the port town of Dhanushkodi, Indian authorities routinely frisk boatloads of 30 to 40 Tamils every week, looking for separatist guerrillas among the refugees from across the Palk Strait, which separates India and Sri Lanka.

In 1987, New Delhi sent in troops to police a fragile peace accord it brokered between Colombo and the Tamil Tigers, but failed in its efforts to disarm the LTTE.

Four years later, former prime minister Rajiv Gandhi, who sent

in the troops, was killed by a Sri Lankan woman suicide bomber that Indian officials say was an LTTE activist.

The Tigers deny any role in the assassination, which put Indian officials on the guard against Tamil arrivals from their country's troubled neighbour.

**Guarded welcome**

The refugees, once seen as helpless victims, are now screened to ensure they are not guerrillas. Around 40,000 Tamil refugees have decided to make India their home but the others, part of a worldwide refugee community spread across more than 50 nations, say they are tired of the camps and eager to go back home.

They see a new attempt by New Delhi to bring peace as the way out for a better future. But the odds are against them.

India's attempt in 1987 evoked bitter opposition in the north and south of Sri Lanka. Hardline groups in the mainly Sinhalese south saw New Delhi as a domineering "big brother" and launched violent protests.

Dharmaraj, once a courier for the Tigers, believes India can help, but adds a word of caution. Indian intervention should be only diplomatic and political. They should avoid repeating the mistake of sending troops as they did in 1987," he said.



# Former Tamil M.P. on

Historically the Tamils and the Sinhalese were always politically independent of one another, and separately occupied their respective traditional homelands until the British conquest early in the 19th century. The Tamil homeland territory was ceded to the British by the Dutch by the Treaty of Amiens of 1802. It was the British who amalgamated the Tamil and Sinhalese territories into one crown colony for administrative purposes, which resulted in the Tamils becoming smaller in numbers as compared to the Sinhalese in the unified country.

RELEASE  
AND RISE OF  
TAMIL NATION



V. Navaratnam

## Broken pledges & Militarism by Sinhala Politicians

Mindful of this, when Independence was being negotiated in 1946 the British insisted on making provisions in the proposed constitution for the protection of the Tamils and demanded that the Sinhalese obtain the consent of the Tamils for the complete transfer of power to the people of Ceylon.

The Sinhalese gave a solemn promise and undertaking and pledged themselves never to use their majority numbers to discriminate against or to the detriment of the Tamils (vide State Council Hansard of 1946).

### 1948 Constitution

The British took care to ensure the faithful performance of the Sinhalese promise and undertaking by giving it legal form and incorporating it as unalterable laws in Article 29 of the 1948 Constitution and agreed to the British

transfer of power to the people of Ceylon.

The 1948 Constitution, the one and only lawful and legally enacted constitution Ceylon has ever had since the end of World War II, therefore provided for:

i) a Parliament, with power to make laws for the peace order and good government of Ceylon subject to the limitations placed on that power by the unalterable laws in Article 29 and consisting of

a) the Queen of Ceylon as constitutional Head of the State

b) the House of Representatives with balanced representation elected on the basis of universal adult franchise; the proportion of seats was something like 52% for the Sinhalese and 48% for all the minorities, and

c) the Senate as a second chamber for sober and mature deliberation of proposed laws and for the voice of interests not represented in the House of Representatives;

ii) a Cabinet of the Westminster model with executive power responsible to Parliament;

iii) an independent judiciary with a Supreme Court appointed by the Queen;

iv) the Right to Appeal to Her Majesty's Privy Council as the Court of Last Resort.

It was relying on these safeguards that the Tamils accepted the Constitution and agreed to Britain transferring power to a unified Ceylon.

Early in the exercise of their power the Sinhalese began to renege on their solemn promise and undertaking by enacting controversial citizenship of



more than one million Tamils and rendering the rest of the Tamils doubtful citizens or altogether stateless. Vehement Tamil opposition was ignored.

Then, the Sinhalese enacted The Ceylon Parliamentary Elections Order in Council Amendment Act of 1949 which reduced Tamil representation in Parliament by nine seats.

The ratio of Tamil representation was further tampered with and reduced by systematic planned state-aided colonization of Tamil homeland areas with Sinhalese colonists from outside the Tamil Provinces in impudent violation of the Land Development and Land Settlement laws in force and by the revision of Parliamentary Electoral Districts (ridings).

### ***"Sinhala Only" Act***

In 1965, in the face of a storm of protest from the Tamils, and indeed from all the linguistic minorities in Ceylon, the Sinhalese had recourse to steamroller tactics to rush through Parliament the Official Language Act making their mother tongue, Sinhala, the only Official Language of Ceylon the very thing expressly prohibited in by Article 29 of the 1948 Constitution. It made the entire Tamil population illiterate overnight drove thousands of Tamil children by imposing on them unconscionably higher grades of achievement to be eligible for admission to institutions of higher learning and forcing the Burgher Community, citizens of Portuguese or Dutch descent, to emigrate en masse to Australia.

**For a quarter of a century during which the 1948 Constitution was in force and was respected as the supreme fundamental basic law of the country, Ceylon was relatively stable -- politically, economically, and socially. There was peace, law and order was maintained, respect for the Rule of Law was never in question, the occasional peaceful non-violent protest campaigns by Tamils against the blatantly discriminatory laws and policies of governments notwithstanding.**

Some of these laws were challenged in courts of law. A few cases

were taken to Her Majesty's Privy Council in appeal, in some of which judgements went against the government. In one such case, the case of the Bribery Commissioner vs Rana-singhe, Their Lordships of the Judicial Committee of the Privy Council made the authoritative pronouncement that the provisions of Sub-section (2) paragraphs (a), (b), (c), and (d) of Article 29 of the 1948 Constitution "**represent the solemn balance of rights between the citizens of Ceylon, the fundamental condition on which inter se they accepted the Constitution, and these are therefore unalterable under the Constitution.**"



*Mrs. Bandaranaike: The Ratwatte feudal family "noted for their Tamilophobia"*

This emphatic pronouncement coming from the highest Court of Last Resort dealt a death-blow to the Sinhalese pipe-dreams for dominion over the Tamils.

In the 1965-70 Parliament, Members of the Official Opposition in the House of Representatives, a coalition of Nationalist Sinhalese-Trotskyite Socialist-Communist parties, never missed an opportunity to remind the Tamils from the floor of the House that at the very first chance they get to be the government they would use their power to do away with the last vestiges of British colonialism and to curb the power of the Tamils to obstruct what they called "progressive legislation". I had the misfortune to sit and listen to these threats, which did sound

very ominous although how they proposed to do it was not clear at the time. As Parliament's term was nearing its end they appeared to prepare the ground for the denouement they were plotting.

Parliament was dissolved in March 1970, and General Elections for new Parliament were held on May 22, 1970. The incumbent Prime Minister's party (UNP) was roundly defeated by the above Coalition parties under the leadership of Mrs. Sirimavo Bandaranaike. The Coalition obtained more than two-thirds majority that was needed to amend any of the amendable provisions of the 1948 Constitution -- almost entirely from Sinhalese ridings.

Between assuming office by Mrs. Bandaranaike's new Government and 19th July 1970 the Coalition parties in power rushed through Parliament legislation abolishing the Senate and abolishing the Right of Appeal to the Privy Council.

Finally, on the 2<sup>nd</sup> of June 1972, the Sinhalese broke their plighted word to the Tamils, went back on their solemn promise upon which Britain transferred power, treated the Privy Council with utter contempt for its opinion, and drove the last nail on the coffin of the 1948 Constitution, illegally proclaimed Ceylon a republic with the illegal name of "Sri Lanka", and sent their Army to the Tamil homeland Provinces to coerce the Tamils into submission by military force.

The Sinhalese feudal family of Bandaranaike-Ratwatte-- the father, the mother, the daughter, and the mother's brother, all noted for their Tamilophobia-- has always displayed a predilection for the use of the Army and the Police in the practice of their brand of "parliamentary democracy" against the people.

The Sinhalese Army that was sent to the Tamil Provinces, a rabble of untrained thugs in uniform with firearms and notorious for their undisciplined behaviour, went on a rampage committing indescribable atrocities and brutalities upon the innocent Tamil population.



## Army sent to Northeast

The Tamils, in defence, took up arms, for the first time in 500 years, to defend themselves and their children and their families under the leadership of Velupillai Prabhakaran, the Supreme Commander of the LTTE forces of young boys and girls. This is the War that is still being waged in Ceylon without an end in sight.

Now, as one who had organized and led peaceful non-violent civil disobedience campaigns on the pattern of Mahatma Gandhi's historic campaigns in South Africa and India against the Sinhalese abuses of power and discriminatory laws and policies and imprisoned twice without trial for such activities, once had a twilight faith that the Soulbury-Ivor Jennings crafted 1948 Constitution with its Article 29 safeguards for the protection of minorities and the democratic Parliament it provided for might possibly act as a deterrent to any Sinhalese attempt to exercise dominion over the Tamils,

### Some Questions

*Is there a legitimate government in Ceylon for anybody to deal with? Should not Prabhakaran be wary when he deals with lawbreakers and usurpers of power? Why is Prabhakaran's alleged withdrawing from a temporary cease-fire agreement upon the discovery of bad faith more censurable than the Sinhalese breaking the momentous solemn promise that was so vital for the purpose of detaining the consent of Independence and then going back on their plighted Word? Why is Sinhalese calculated flouting of the State's Constitution and flouting the Rule of Law in an arrogant show of utter contempt for the Privy Council judgement justified? What constitution, what laws, what solemn agreements, what civilized values, can be trusted to be safe with Sinhalese leaders?*

The 1948 Constitution was never expressly abolished. Nor was it ever positively repealed.

So, did Her Majesty Elizabeth II ever legally cease to be Queen of Ceylon?

If yes, when and how?

Did the Queen of Ceylon ever legally cease to be a constituent of Parliament and constitutional Head of State of Ceylon? If yes, when and how?

In 1965 the constitutionally elected Prime Minister of Rhodesia, Ian Smith, made a UDI which Britain and the international community of sovereign

nity, and the successor state and government is tainted with illegitimacy. Professor S.A.D. Smith of Cambridge has pointed out that when Ceylon adopted a republican constitution in 1972 in violation of the law there was a clear "breach of legal continuity." It necessarily follows that all governments in Ceylon since 2nd June 1972 are illegitimate. The question therefore arises:

Why do the international media and governments persistently keep on



*Tamil leader Velupillai Prabhakaran: "Acknowledged by the Tamils as their one and only leader and spokesman"*

states refused to recognise. But when the constitutional elected Prime Minister of sister Commonwealth country, Mrs. Sirimavo Bandaranaike of Ceylon, made an identical UDI seven years later, they all rushed in to grant it recognition. Why is UDI good for Ceylon, but not good for Rhodesia, or for that matter, for Quebec or Serbia? Why this double standard?

### Legal continuity

It is a fundamental principle of state succession that legal continuity must always be preserved between the outgoing state and government and the successor one. It is achieved by strictly following the procedure laid down by the law in force. Where it is not followed there is a breach of legal conti-

harping on 19th April 1995 (when the LTTE withdrew from the spurious peace process) and conveniently ignore or condone 2nd June 1972 which launched Ceylon on a career of militarism and genocide, like Hitler did for domination of Europe?

At the Parliamentary General Elections of 1977, which were the last orderly held and regular elections in the Tamil homeland Provinces up to date, the registered political party which contested all the Tamil seats on the publicly declared its policy and promise to establish the separate independent Sinhalese UDI of 1972, that the Tamils were given the opportunity democratically to express their wish. The Tamils almost unanimously expressed





their will to separate in no uncertain terms. The Sinhalese replied by sending more troops to the Tamil Provinces and spread terror among the population. They engineered the Nazi-type pogrom of 1983 against the Tamils in Colombo burning them alive in cars on the roads and in their homes with their houses.

And yet, why do the international media persist in repeating the propaganda of lies that the Tamil people do not support, or "have failed to establish" their support, for the separate state demand, that the Tamils started the War, against the Tamils as to gloss over Sinhalese terrorism, and even to hide the truth, with condoning statements such as "The Army's reputation for brutality is part of the problem, but the bigger part is that the Tigers....." (THE ECONOMIST, London)?

### International conscience

What useful purpose will be served by the international media and governments bringing pressure on Velupillai Prabhakaran, whom the Tamils acknowledge as their one and only leader and spokesman, to try yet another negotiated agreement when the Sinhalese are known to have torn up every one of the negotiated agreements in the course of the last one hundred years, including even the 1948 Constitution negotiated between the British government, the Sinhalese, and the Tamils?

Is not Prabhakaran entitled to ask himself the question whether he would be justified, after the loss of more than 50,000 Tamils killed, to jeopardize the lives of yet more Tamils by sitting at a negotiating table for yet another scrap of paper, only to be torn up when saffron-clad Buddhist monks squat outside bungalow? Who will guarantee that she will not tear up whatever "agreement" that may come out of the negotiating table after her purpose is served, like what her father did to the B-C Pact in 1957, or like what Adolf Hitler did to the little piece of paper he gave Neville Chamberlain at Munich in 1939?

Finally, the eminent English jurist Austin enunciated the princi-

ple that "Law is command supported by sanctions", and Professor S.A.D. Smith cited the case of the illegal declaration of a republican state by the Sinhalese in Ceylon in 1972 with military support as an example for the principle that "might becomes law" or "might is law".

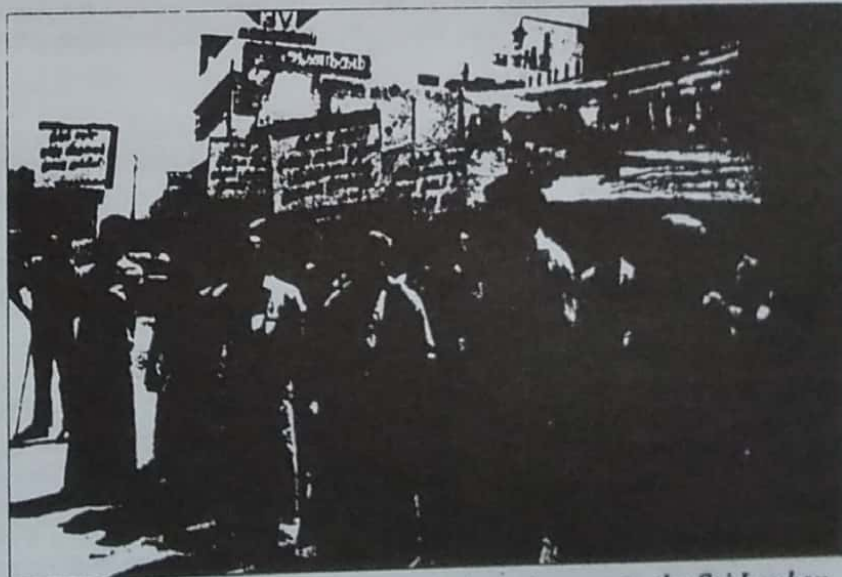
If the Sinhalese are entitled to invoke these principles to seek perpetual domination over the Tamils and to rule over them as a subject people, what is wrong if Velupillai Prabhakaran chooses to invoke the same principles to defend and protect his people and posterity and prevent them from being trodden under? What is wrong if he believes, as the sole trusted leader of the Tamils, that he has no choice but to invoke the same principles like the Sinhalese aggressors to ensure that his people and their progeny live in their traditional homeland territory of Tamil Eelam in peace, freedom, and self-respect, and free from the fear of Sinhalese terrorism and violence?

The international media and governments owe it to their conscience and to the several hundreds of thousands of Tamil men, women, and chil-

dren who have been driven out of their homes and villages and cities by the Sinhalese Army to wander in the jungles as destitute refugees without food or shelter or medicines to ponder over the above questions and try to answer them, if they can, rationally and truthfully. It is strange that they do not realized how unseemly it is to repeat parrot-like the motivated propaganda of an illegitimate Sinhalese government that poses as a paragon of virtue.

*V. Navaratnam, the only living founder member of the Ilankai Tamil Arasu Kadchi (Federal Party), he represented the Kayts constituency in the Ceylon Parliament. He later broke away from the party and advocated self-rule for the Tamils. A leading political strategist of the time, he now lives in exile in Canada. Mr. Navaratnam is the author of THE FALL AND RISE OF THE TAMIL NATION, (1995) P.O.Box 70, La Prairie, Quebec, J5R 3Y1, Canada.*

*The book gives an inside account of the political events since 1948, and is an invaluable source of information to students of the history of the Tamil struggle in Sri Lanka.*



*A demonstration condemning India's assistance to the Sri Lankan government in the slaughter of Eelam Tamil Civilians was held in Madurai on 12<sup>th</sup> July. Comrade Thiagu was the main speaker.*





# URGENT ACTION

EXTERNAL

AI Index: ASA 37/03/98

UA 49/98

Death threat / Fear of extrajudicial execution

13 February 1998

SRI LANKA

Iqbal Athas, journalist

On 12 February 1998, five gunmen, suspected to be connected to the security forces, forcibly entered the home of Iqbal Athas and, after threatening him and his family, attempted to abduct him. Amnesty International is seriously concerned for his safety, and fears that his attempted abduction may be due to his activities as a journalist.

In the incident, one of the gunmen held a gun to the head of Iqbal Athas and threatened to "break his bones" if he made a noise. His wife, seven-year-old daughter and their home help were locked into another room. As the gunmen attempted to leave with Iqbal Athas they suddenly departed in a hurry stating they might have gone to the wrong house. However, at the time they had entered the house the gunmen had reportedly threatened and assaulted the gateman at gunpoint, saying they had "come to see Iqbal".

The police were informed of the incident and took a statement. Around two to three hours later the gunmen returned but, seeing a presence in the house - several journalists had arrived in the meantime - left again. After Iqbal Athas spoke to the Secretary of the Ministry of Defence security was finally provided.

The Minister of Media and Telecommunication has reportedly issued a statement condemning the incident on behalf of the government. He stated that the president has instructed relevant authorities to ensure that offenders are dealt with by law, irrespective of their position and influence.

## BACKGROUND INFORMATION

Iqbal Athas is a senior journalist specializing in defence-related reporting. He writes for the Sunday Times, a Colombo newspaper, and Jain Weekly. In a weekly column on defence and security-related matters in the Sunday Times, called *Situation Report*, Iqbal Athas has been investigating and reporting on corruption in the top echelons of the security forces, particularly the Air Force. He has also been critical in his writing of some of the military actions undertaken in the ongoing conflict between the security forces and the Liberation Tigers of Tamil Eelam (LTTE).

In October 1997, Iqbal Athas reproduced in his *Situation Report* column the findings of a Presidential Committee investigating the crashes of 16 aircraft of the Sri Lanka Air Force. The Committee, which handed the report to the president, was reportedly scathing of the Air Force Commander over alleged irregularities. In the aftermath of this, state media in mid-November repeatedly telecast a so-called confession by a member of the LTTE, who spoke about translating Colombo-based newspapers and made specific mention of the *Situation Report*. The state-run Sunday Observer also reproduced a set of graphics of Sri Lanka Air Force planes that first appeared in the *Situation Report* and were later used in an LTTE publication, *Viduthalai Pullikal*, thereby suggesting that Iqbal Athas was, through his writing, passing military information to the LTTE.

In this context, his house came under surveillance in July 1997. After raising the matter with President Chandrika Bandaranaike Kumaratunga, the police were informed. They reportedly established that vehicles registered in the name of the Criminal Investigation Department (CID) were being used for the surveillance. Surveillance of his home went on for around three weeks and was, apparently, an attempt to identify his sources of information. Some of those surveilling were seen openly noting down the car numberplates of



OPPOSITE EDITORIAL



# Article 19 writes to President

Article 19, the London based International Centre Against Censorship, has told President Chandrika Bandaranaike Kumaratunga that a clear distinction must be drawn and upheld between investigative journalism which fulfills its "public watchdog" function and reporting which clearly and directly poses threats to national security.

"In our view, there can be no doubt whatsoever that Mr. Athas's reporting falls clearly into the former category," Mr. Malcolm Smart, Deputy Director of Article 19 has said commenting on what it said appears to be a "Concerted official campaign to denigrate" Iqbal Athas of The Sunday Times.

Here is the full text of Mr. Smart's letter which

has also been sent to Media Minister, Mangala Samaraweera: 28 November, 1997 Dear President,

ARTICLE 19, the International Centre Against Censorship, is greatly concerned about what appears to be a concerted official campaign to denigrate one of Sri Lanka's most respected journalists, Iqbal Athas, the Defence Correspondent of The Sunday Times, apparently with the intention of intimidating him from continuing to pursue his profession as an investigative reporter.

We very much regret that we should have to write to you again about the situation of Mr. Athas, who is also the Sri Lanka correspondent for several international media organizations, following our previous intervention this year when he was being subjected

to threatening surveillance and harassment. We have noted with concern the allegations which have recently and repeatedly been made against Mr. Athas on Sri Lankan television, radio and in the press. These take form of a purported confession by Selvadurai Sembathian, who is said to have worked as a translator for the LTTE and to have surrendered to the security forces. The intention behind this barrage of reporting appears to be to brand Mr. Athas as a "traitor" with the LTTE, on the grounds that the LTTE monitored his weekly column, along with other newspaper publications. Indeed, we understand that both the Deputy Minister of Defence and the Commander of the Air Force has also accused Mr. Athas of being a "traitor" and "a LTTE acolyte".

These accusations follow a period during which Iqbal Athas was recently subjected to intensive harassment and surveillance involving CID vehicles: this was supposed to be under investigation by the relevant authorities but, to our knowledge, such investigations have so far produced no results.

We fear that such harassment and, now denigration of Iqbal Athas is motivated by a desire on the part of certain authorities to prevent his legitimate and proper endeavours as a journalist to uncover and expose allegations of corruption in public life. In this connection, we note that he has recently been reporting in The Sunday Times on the findings of the Presidential Committee appointed to investigate the crashes of 16 aircraft belonging to the Sri Lanka Air Force. The Committee found evidence of corruption and irregularities in

the Air Force establishment but no action appears to have been taken by the government in response to these findings. Rather, every effort appears to be being made to discredit the journalist who dared report on this matter, and to defend the Air Force authorities. At the same time, the budget for the coming year is being debated in Parliament, in which the Ministry of Defence has a clear interest.

Even before the "confession" was publicised, Mr. Athas had contacted ARTICLE 19 and other organisations expressing his apprehension that events would take the turn described above. He had been warned by sources in the Air Force two weeks earlier that a LTTE "surrender" was being coached to say that his defence column was of particular interest and assistance to the LTTE. This has now happened, and we are most concerned that

these attacks on Mr. Athas and on The Sunday Times in particular, and on the press more generally, should not be allowed to escalate any further. A clear distinction must be drawn and upheld between investigative journalism which fulfills its crucial "public watchdog" function by exposing matters of public concern, such as alleged corruption or other irregularities - whether in the defence establishment or in any other branch of government - and reporting which is clearly and directly poses a threat to national security. In our view, there can be no doubt whatsoever that Mr. Athas' reporting falls clearly into the former category. Attempts to

suppress reporting of this kind constitute an abuse of power and need to be immediately halted. We urge you to take all appropriate action to curb this renewed campaign against Mr. Athas, in the same prompt manner as when he first informed you that his house had been placed under direct surveillance by the security forces, and to ensure that he is able freely to pursue his legitimate activities as a journalist.

We look forward to hearing your response on this matter

Yours sincerely,  
Malcolm Smart  
Deputy Director.



## Journalist detained

A journalist of the Sinhala daily, *Lanka-deepa* was detained by police for nearly five hours after he entered the Kelanitissa power station to report the terrorist attack on Friday morning. Journalist Piyadasa Perera was among the scores of media-men who rushed to the scene as soon as the terrorist attack was reported in the early hours of Friday.

More than 60 local and foreign media personnel gathered at the main entrance of the power station, but none of them were allowed to enter the premises. Senior media-men appealed to officials and explained to them the need for accurate reporting but their pleas fell on deaf ears.

After the last bomb blast at Galadari Hotel on October 15, Associated Press reporter Niresh Eliyathambi was arrested and taken



to Naval Headquarters where his shirt was removed and kept for a few hours. Thereafter, media-men requested Minister Mangala Samaraweera to establish a system under which selected media personnel could have access to areas under security cordons for the purpose of accurate reporting. Although Mr Samaraweera promised that he would take effective action immediately, Friday's events outside the Kelanitissa power station proved that no remedial action has been taken.

## Child prostitution the curse of the nation

Child sex trafficking and child abuse has been given publicity but nothing concrete has been done for them. So observed Rev Fr Anthony Pinto, Director, Don Bosco Technical Centre (DBTC) Negombo recently.

DBTC is one of the foremost institutions that train youth in technical trades and youth formation. Rev Fr Pinto is one a staunch campaigner against child sex abuse in and around Negombo.

Leading Catholic priests in Negombo campaigned against the underground network of child sex abuse. Fr Pinto said child sex abuse is a lucrative business and the network operates underground. Though handicapped and faced with resistance and obstruction by certain parties with vested interest, DBTC is forging ahead with the awareness campaigns, trailing the victims and re-



habilitating them. Once the victims are rehabilitated, those under 14 are found schools and above 14 years are absorbed into DBTC.

Fr Pinto challenged those who say that there is no child sex abuse and trafficking in Negombo. He said that if a foreigner walked along the beach, within one hour he would be tapped by pimps.

DBTC trains several

# THE WEEKEND EXPRESS

City  
Edition

REGISTERED AS A NEWSPAPER IN SRI LANKA

Rs. 12.50

SATURDAY 14 - SUNDAY 15, FEBRUARY, 1998

## Senior journalist attacked

Senior journalist Iqbal Athas of the Sunday Times was attacked by a group of armed persons at his residence on Thursday night. Athas, who writes the defence column of the newspaper was watching television with his wife, Kumudini and seven-year-old daughter at his home when five armed men forced their way into his house and dealt blows on him.

Speaking to the press, he said that based on their appearance and the automatic pistols they were carrying he could conclude that the men were soldiers.

Athas, who also works as a correspondent for a number of foreign radio and television stations including CNN, came under heavy criticism from the Air Force high-ups after he made sensational revelations on wrong doings in the forces.

"This is a continuation of the intimidation

that has been going on," Athas said.

Meanwhile, Media Minister Mangala Samaraweera said that the government had ordered an investigation into the incident.

"President (Chandrika Kumaratunga) has already issued strict instructions to the relevant authorities to ensure that the offenders are dealt with in terms of the law irrespective of the position they hold or influence they wield," he said in a statement.

Earlier, the U.S. based Committee to Protect Journalists (CPJ), in a letter to Kumaratunga, called for an investigation into the incident. "The CPJ is gravely concerned over an attack on Thursday by armed men on the home of Iqbal Athas, an internationally respected Sri Lankan journalist," committee said in the letter.

A police guard has been posted at Athas' house since the attack.

## No cops for civilian duties

A senior officer of the Colombo Police Head Quarters said that 80% of the complaints made at police stations in the island are not being inquired into properly from January 1 due to a dearth of personnel. Many protests have been received from the public regarding this inactivity on the part of the police, he added.

Colombo District DIG D.M.T.D. Dissanayake said that large numbers of police personnel have been deployed in the war torn areas of the North and

East, and consequently, the number of police officers attending to normal duties has been reduced.

DIG Dissanayake further said that there are times when only one or two police officers are left at a police station leading to various problems.

At present there are around 30,000 police personnel serving in the North and East and police cadres should be increased considerably to attend to civilian duties, he added.

(SP)





## Journalists take serious note of child abuse

By Elmo Leonard

CHILD abuse is so common in Sri Lanka today, children take it for granted, that their kids are safe as most parents are unaware of such inhuman acts on their children. This observation was made at a meeting of a recently instituted association of journalists, whose objective is to campaign for the rights of children.

Sexual harassment of children travelling to and from school in private owned vans, for instance, is very common. With such vehicles so tightly crowded, acts of such nature is easy to commit as non-journalist volunteers involved in child welfare who were present, pointed out.

To counter such abuse it was suggested that Sri Lankans adopt the practice of some overseas countries, where parents take turns to accompany their children to and from school. All vehicles carrying children to schools should be registered with the

school authorities, making it easy for offenders to be taken to task.

The increasing norm of both parents working, has led to a spate of child abuse, instances often unknown to parents, was another observation.

Consequently to the on-going war there is a rising number of children, Sinhalese, Tamils and Muslims, who have lost both their parents. There is an increase in incidences of exploitation of such children. There were stories of such children eating raw papaw fruit to ease their hunger, according to recent media reports. Children without parents in war-torn areas often had no school to attend, and often lived in fear of the night.

Journalists agreed that refugee camps in the North has no child welfare. These camps should be visited often by journalists, it was suggested. The issue of children in the plantations areas have inadequate child welfare facilities was also taken up.

THE SUNDAY TIMES ♦ SUNDAY, DECEMBER 28, 1997

## We are left out, say Jaffna Muslims

By S.S.Selvanyagam

After nominations closed last Tuesday, campaigning for the controversial northern polls got underway with the latest outburst coming from Muslims who say they have been left out of the process.

A spokesman for an organisation of displaced Muslims said that some decades ago Jaffna district had some 48,000 Muslims with 30,000 of them in the municipal area. The northern capital also had one Muslim mayor and two deputy mayors at different stages. But after the October 1990 expulsion of Muslims, they

were scattered all over and even a fraction of them would not be able to vote in the January 29 elections, according to S.A.C. Mubeen who heads a group known as the organisation for displaced northern Muslims.

Tamil party leaders, while acknowledging the sad situation of displaced Muslims said they had given the community a fair share in the nomination list.

EPDP leader Douglas Devananda said his party had included two Muslims in its list for the 23-seat Jaffna Municipal Council while TELO leader S. Vinohalingam said his party had included three. He

Mr. Mubeen pointed out that at one time the Jaffna MC had upto four Muslims and it was unlikely the community would see any members elected at the upcoming election.

Meanwhile, the TULF and the EPRLF which suffered setbacks by the rejection of some of their nomination lists are considering legal action.

TULF Vice President V. Anandasangaree said they would decide tomorrow on how to challenge the rejection of their list of candidates for the Jaffna MC and the Valigamam North. Five of the 17 EPRLF lists were rejected and the party is likely to go

An EPRLF spokesman denied reports that the party was fielding two SLFP candidates, but acknowledged that there were two from the Sudu Nelum Movement. Most political observers believe Sudu Nelum was in front for the SLFP.

Adding confusion to the controversy, various figures are being given regarding the total population in the north and the number of eligible voters. The Elections Department has officially given the number of eligible voters for the 17 councils at more than 571,000. But some estimates put the total population of the area at less than that.

# Sri Lanka police harass Indian woman journalist

Sri Lankan police raided the hotel room of Indian woman journalist Sudha Ramachandran on November 30 and questioned her for over an hour after searching her room at Colombo's Taj Hotel.

Sudha Ramachandran (33) who is correspondent for the Indian newspaper DECCAN HERALD had been to army-occupied Jaffna. The police told her she was being investigated for any Tiger links, after unidentified sources alerted them that she had pictures of the Liberation Tigers of Tamil Eelam as well as pictures of the city of Colombo. They seized photographs which she had taken during her assignment,

already cleared by the government's war ministry, but returned them later.

A security officer at the Taj Hotel said Ramachandran was being suspected "because she is an Indian Tamil". But he denied they had called the police in.

Said Ramachandran: "If they see every Tamil as a Tiger, they are never going to solve this problem in Sri Lanka".

It is known that two other Indian journalists had also been similarly raided and questioned at the same hotel in the past two years during reporting assignments in Sri Lanka. Journalists who were prevented from going to

Jaffna when the Tigers were administering the area are now permitted to go after military clearance. □

## Camera snatched from Tamil newspaper photographer

In another incident, the photographer of the Colombo Tamil daily, THE VIRAKESARI who was trying to take pictures of Tamil political prisoners demonstrating against arbitrary detention was prevented from doing so. Police snatched his camera, and removed the film. The incident took place at the Welikade prison in Colombo.

## "Jaffna polls, a mockery of democracy"

The General Secretary of the Nava Sama Samaja Party, Dr. Vikramabahu Karunaratne, has criticised the government decision to hold local government elections in the Jaffna and Kilinochchi districts as a mockery of democracy.

The Press release by the party

states that the ground situation in the north was not appropriate for holding elections as those areas were under army occupation. Around 650 people have disappeared, with the possibility of more disappearances.

Dr. Karunaratne said that 50 per-

cent of the population in those areas were displaced, scattered and traumatised. He described the government decision as "riding roughshod over the mass mood and sensibilities of the Tamils and the vulnerable position that they are in today".





Translation

## PARISIAN TAMILS IN TIGERS CLUTCHES

*After two assassinations they are tired of the Sri Lankan separatists propaganda.*

It was 18.50 Hrs. that particular Saturday of October 96, Kandiah Perinpanathan and Kandiah Kesenthiran were walking down Boulevard La Chapelle when a man coming from behind shot them in the nape. The first man was the Treasurer of the Liberation Tigers of Tamil Eelam (LTTE), a movement which fights against the power of Sri Lanka, the second was the Editor for the Eelamurasu a pro LTTE weekly.

Inside their office closely by where the incident took place, Rue Perdonnet Paris 10, the journal leaders have installed a memorial to pay homage to the two men. From his office, the news editor Sinnapody Siva says that *«There have not been any eyes witnesses. Tamils are afraid to talk»*. But for him, there is no possible doubt: *«It is the action of the dictatorial power of Sri Lanka»*.

## THE HINDU

India's National Newspaper

19-04-1997

## Jaffna Tamils want to leave Vanni

JAFFNA, April 18.

Over two lakh Tamils who went along with the Liberation Tigers of Tamil Eelam rebels from here to the northern Vanni region during the Army offensive to capture the Jaffna peninsula in December 1994 are 'desperately waiting to return home. The reason is that living conditions are harsh, according to refugees coming from the rebel held areas.

Those who could manage to travel by boats either on their own or with the help of relatives were heading towards the Gurunagar jetty here, the place where a steady stream of small craft have been touching every day since the middle of March.

"The conditions in the LTTE areas from Mannar to Vanni are very poor. We have tried our best to live there. It is hopeless. There is no food, no housing and no jobs. Living there was just torture," a 30-year old fisherwoman, Rammamma told a group of visiting journalists at the jetty on April 14. She lost one of her children for lack of medicines during her 1-1/2 year stay in Vanni.

She along with her husband, three small children and other relatives travelled for over 40 hours from Natchiguda in northern Mannar in a small fishing vessel belonging to her relative and reached Jaffna.

"I could see a lot of people moving out of the areas and desperately looking for a means of transport to either come to Jaffna or reach the Thankikulam check point to reach Government areas. I think the number of people wanting to cross over was more than two lakhs," said her husband.

"Vanni is not a fit place for human beings to live and not certainly for such large numbers," said the Jaffna Bishop, Dr. Thomas Sarundaranayagam. The bishop, who was also in-charge of churches in Vanni upto Mannar, said he himself fell victim to malaria few months ago when he was in Vanni. He later underwent surgery.

\* Letter to GL from Women's Minister

## Unfair representation of women in government

by N. Shyamala Devi

In almost 50 years of Sri Lanka's Independence neither have women held more than five percent of the seats in parliament nor has their representation in the provincial councils and local authorities exceeded this level.

Pointing out this as unfair, the Minister of Women's Affairs Mrs Hema Ratnayake has written to Justice and Constitutional Affairs Minister G.L. Pieris urging just representation of women in parliament and in all levels of government.

She has explained the striking imbalance at present in the 225 member parliament with only 11 of them being women.

The political vacuum is even more serious at in the provincial councils without one single woman to represent 9.5 million women in Sri Lanka, who constitute 51 percent of the national population.

Out of 2,351 provincial members there are no women and there are only 42 women in the 1,152 local authorities.

Minister Mrs Ratnayake has meanwhile

requested all the political parties to guarantee the participation of a set quota for women in parliament, the provincial councils and government service.

She has recorded her hope that this weakness would be addressed and rectified through the electoral process, recommending that one-third of the seats be reserved for women, at all positions of government, for a period of 15 years.

The Women's Affairs Minister has proposed:

'Under the system of proportional representation by guaranteeing that 1/3rd of the total number of seats in Parliament are given to women. Thus where 196 members are elected on the PR system, at least 65 of those members should be women.

By reserving a specific portion of the national list for women. Where 29 members are nominated under the National List at least 9 (1/3rd) should be women.

By having a separate National List for women. Political parties would nominate

women in proportion to the number of votes they received. Thus in a 225 member parliament a separate National List of 50 members (22%) for women would be created. Political parties would nominate women members according to their shares of the national vote.

Where the first past the post system is employed the creation of multi member constituencies should be explored. At least one member from each of the multi member constituencies should be a woman. Thus in a three member constituency, the candidates that poll the highest are elected, but the third member is the Woman candidate who polls the next highest, there should be a sufficient number of multi member constituencies to guarantee that at least 33 per cent of the total number of those elected are woman.'



Minister, Hema Ratnayake



**H**E's a birdlike figure, slightly built with sparkling eyes, quick gestures and an easy smile. But don't be fooled by the apparent physical frailty of this 62-year old cleric. His spirit is anything but frail. Father Emmanuel spells trouble both for the Sri Lankan authorities who are committing atrocities in the name of 'ridding the country of Tamil Tiger terrorism' and for complacent Catholic bishops who are keeping quiet about it.

This priest's version of Christianity is pretty straightforward: 'I think that in the Church, if you have too much security you are not a Christian.' He wants the bishops to go to his native Jaffna and see for themselves. 'I believe the truth liberates,' he says simply. 'But the bishops prefer not to go. And so the sins of destruction must be laid at the doors of these bishops' houses.' Clearly he is not a man to mince his words or meekly accept limp excuses. What he finds most frustrating is that he believes that the Catholic Church in Sri Lanka

could act as a powerful mediating force to help end a war waged by the mainly Buddhist Sinhalese against the mainly Hindu Tamils.

In a world where the words 'Tamil' and 'Tiger' have become almost synonymous, Father Emmanuel makes an important distinction. 'I am a Tamil but I am not a Tiger,' he says. 'I am a church man. A new brand of churchman.' He refutes as Government propaganda the message that the Tamil Tigers are 'not true representatives' of the Tamil people.

'They do have widespread support,' he says. 'They are *de facto* the representatives of the people, and actually give protection to Tamils.' But, he adds: 'As a Christian I can't support violence. The war must stop. The Tamils want peace.'

But he is also committed to the cause of Tamil independence from Sri Lanka. For him the seeds were sown back in 1956

when, as a student in Colombo, he witnessed the first anti-Tamil riots. 'I saw Tamil students being thrown into the lake. Thousands were killed.'

'Then in 1958 the Government passed legislation making it harder for Tamil students to get into higher education. They had to get higher marks than Sinhalese students. And they were discriminated against in employment.'

In 1977 there was another round of anti-Tamil violence. More died. Seventy per cent of Tamils voted to separate from the rest of Sri Lanka and create their own Tamil Eelam in the Northern part of the country, with Jaffna as its capital.

'It was a cry for survival,' says the priest. 'The youth took up arms in response to almost 20 years of state terrorism.' It was then the Tamil Tigers were born.

Many who know him think that if Father Emmanuel had followed a more conventional career he would be a bishop or an archbishop by now. Instead he is the vicar general for the diocese of Jaffna. He wanted to be in Jaffna with his people. It was a time when many would have given a lot not to be there.

## Father Emmanuel

Vanessa Baird meets a Catholic priest who practices his Christianity under fire in the Tamil capital of Jaffna.

The city was under heavy aerial bombardment, courtesy of the Sri Lankan military. It was cut off from the rest of the country the victim of a savage economic blockade. 'There was no telephone, no electricity, no fuel, little food, no water pumps.'

While fellow academics and theologians were publishing books this priest was struggling with scraps of paper and candles. The only thing that came in ample supply were bombs. 'The Government said it was targeting Tamil Tiger strongholds. But 99 per cent of the bombs were falling on ordinary citizens. Two of our churches were hit.'

Then in Autumn of 1995 the people of Jaffna heard that the army was about to wage a major assault. They were going to 'liberate' Jaffna from the Tigers, the authorities said. But when the soldiers arrived, the city's inhabitants, 500,000 of them, fled south in a traumatic exodus. 'The army captured an empty city,' says Father Emmanuel. 'They hoisted a flag and claimed victory. For two months the city was without people.'

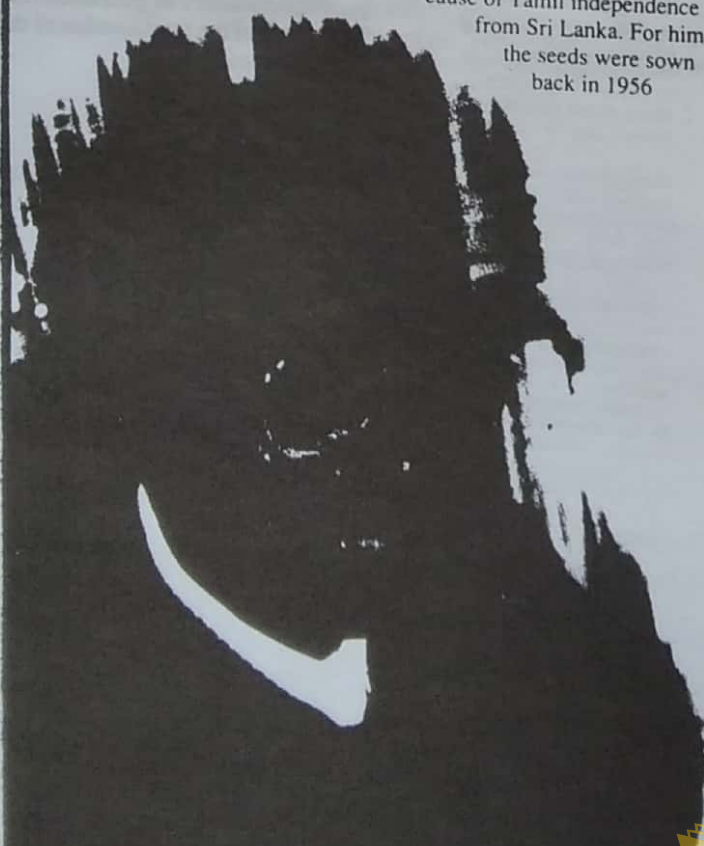
It's almost impossible for outsiders, including foreign journalists, to find out what is happening in Jaffna. Aid workers from the International Red Cross and Médecins Sans Frontières have had to leave after their vehicles were commandeered and the rules and curfews imposed on personnel made it impossible for them to carry out their work. Yet the stories that are, in one way or another, filtering out are hair-raising: young girls being gang raped by soldiers; bodies of children in Jaffna school uniforms being washed up along the Mullaitivu coast in gunny bags.

'This is a war going on behind closed doors,' says Father Emmanuel. 'The only information getting out is from the military sources in Colombo. I come out of the area as one from the grave... and I know what is going on in this so called "war for peace".'

'The Tamil today,' says Father Emmanuel with graphic passion, 'is a person in a closed, darkened room, being shelled from above, being denied food and medicine. Give him or her the basic things and he or she can talk, can negotiate peace - but not under these current conditions.'

As he is preparing to leave Father Emmanuel reveals a glimpse of trepidation. To get home he will have to go through Colombo. Sri Lanka has only one airport. 'I fear going to Colombo,' he says. 'I fear they will take me for a terrorist even at my age.' It's another touching facet of his courage: to feel fear, look it in the face, and still do what he knows he has to.

VANESSA BAIRD





# AN OPEN LETTER TO THE PRESIDENT

by

Rev Dr. S. J. Emmanuel  
Vicar General. Jaffna.

Seventeen innocent civilians, mostly children and aged, killed on the spot. Sixty seriously wounded and many houses damaged by fire in the early hours of Saturday morning of March 16. This was the planned retaliatory attack of the SriLankan Air Force on a sleeping village. For the third time in recent months, your Armed Forces have attacked this coastal village of Naachchikudah merely under a non-confirmed suspicion that some Sea Tigers were operating from that coast and without the least regard for the mass of poor refugees there.

They executed this disaster with their two newly-acquired MI 24 helicopters flying over Mulankavil around 4.50 am and firing rockets (sideways ) into the fishing village Naachchikudah. This least known village, lying 50 km west of Killinochchi became known mostly after the historic exodus of poor fishing families from Passayoor, Gurunagar, Navanthurai, Navali and Mathagal of the Jaffna district on October 30. They sought refuge in a coastal village so as to continue their survival with fishing - the one and only profession they know for their lively hood. This massacre of the innocents, as we have come to experience, within a few hours of the incident will most probably be 'explained away' by the Sri Lankan Forces in their now well known characteristic fashion. Well, that has been done all along in the case of a long series of massacres during the last forty years! None of these have been in any way compensated - neither houses built nor funeral expenses paid nor even apologies extended. Yet acknowledging you as Head of a Government proclaiming to seek a peaceful solution to the ethnic issue and as Commander in Chief of the Armed Forces sent to liberate the Tamil people from the Tigers. I think it is still our duty to place before you the glaring facts of the incident and ask a pertinent question from you.

On Friday 15.3.1996, it was reported that the Sri Lankan Navy had an encounter with some Sea Tigers off the Pallimunai (Mannar) sea, and while chasing the Tigers, the Navy had hit a sea-mine on the way and had lost eight of their personnel in the blast. No sane person will find fault if the Navy had chased the Tigers and at attacked them with all their might. But what did they do? They resorted hours later to one of the worst and cowardly acts of firing rockets on a sleeping village of refugees! We can understand civilians getting caught in an exchange of fire between fighting forces, but not a retaliation of this nature.

The Tamil parties in Colombo might ask you for a commission of inquiry (not dare for any compensation) and the government, which appears to solve problems by just appointing commission after commission, might readily appoint just a one man commission, if possible of a soldier.





But we are not asking for any such thing, but plead with you for a convincing reply for the following questions:

\* How is your Government going to bring to an end this spiral of violence which has been started many years ago by the previous governments ?

\* How are you justifying such cowardly retaliation of the Forces as part of your attempts for Peace?

(The above letter was written to the Presedent of Sri Lanka, Chandrika Kumarathinge and appeared in Sri Lankan Sunday Times on 14. April 1996. By Rev.Dr.S.J.Emmanuel, Vicar General for Jaffna. )

### NAPALM BOMBS USED

Napalm bombs may have been used, Government officers visit the scene of Helicopter gunship attack in Nachchikudda, Mannar. Government officers from Kilinochchi who visited the coastal area of Nachchikudda in Mannar that was attacked by Two Sri Lankan Military helicopter gunships in the darkness at about 4.30 AM on 16-02-1996 said "it was like a crematorium". The whole area is devastated by the brutal inhuman attack of the Two MI 24 Helicopter gunships. The trees that was growing there, the huts, the fishing equipments and everything else have all been burnt down. Nothing living is found there now. An area of approximately one and a half square kilometres presents a scene that is shown only in war films. Obviously Napalm bombs had been used to burn down such a vast area, said the officers who visited the scene.



# Norway views war in Sri Lanka as wasteful

By Elmo Leonard

Norway will not continue with large scale capital assistance to Sri Lanka, but replace it with joint ventures, technical and educational transfer, Norwegian Ambassador in Sri Lanka, Jon Westborg, said in Colombo.

Norwegian assistance to Sri Lanka currently stands at Rs. 10 billion mark. There were over one hundred Norwegian-involved projects, in the island at the moment on some small and some medium scale. Speaking on Sri Lanka-Norway relations, Envoy Westborg, said that trade opportunities

between the two nations stood at its highest following a large Norwegian delegation visit to the island during the Sri Lanka EXPO '97 exhibition, held in October. Further, during the current year the highest number of joint ventures and memorandums of understanding between the two nations were signed.

The government of Norway viewed the war in Sri Lanka as wasteful, and one which would do good to any one, Envoy Westborg, said. The Norwegians view was for high priority of employment generation in Sri Lanka. In the event of an end to the war there would be spate of imports and exports between the two nations. The Norwegian government and the

people had no prejudices against the Sinhalese or the Tamils living in Sri Lanka. They advocated an end to the war. Answering questions, Westborg said, Norway would negotiate between the two factions, if requested to do so.

There were around ten thousand Sri Lankan refugees in Norway. Also, there was about six thousand Norwegians of Sri Lankan descent living in that Scandinavian nation. The law in Norway allowed anyone to protest, being part of its democratic framework. But, protest had to conform to norms within the Norwegian Law, Ambassador Westborg, said in answer to questions.

## Presidential Commission Report UNP rigged the polls in Jaffna

THE UNP rigged the polls in the 1994 general elections to help a Tamil political party to win a considerable number of seats in the Jaffna electoral district in an attempt to form a government. The UNP had done this knowing that the party would not be able to win enough seats to form a government on its own.

This has been revealed in a Presidential Commission on inquiry report submitted to President Chandrika Kumaratunga on Friday. High Court Judge G. M. S. Samaraweera, Commissioner, was appointed to probe the activities in relation to the general elections held in August, 1994, and the elections to the local authorities in the Eastern Province and to the Vavuniya Urban Council held on March 1, 1994.

According to the Commission report, some areas in the Jaffna peninsula were brought under government control and administered by the army. Later, polling booths were set up in these areas and polls rigged to help an independent group to win the majority of seats.

Former Secretary to the President K. H. J. Wijedasa, on the orders of former President D. B. Wijetunga had sent a letter to the former IGP Frank Silva asking him to appoint Major General Lucky Algama and DIG Merrill Gunaratne to the Security Co-ordinating Committee. However, no inquiries had been made by from the IGP before the appointments were made.

In the evidence before the Commission, former IGP Frank Silva has said that former Defence Secretary General Hamilton Wanasinghe on August 17,

Silva has further stated that there was no necessity to make such appointments and that these appointments were not discussed. He has further stated before the Commission that the postings were made four days before the elections. Since there had been other officers posted for duty there, the service of the newly-appointed men were redundant, the former IGP has told the Commission.

SP Pathirana has told the Commission that during July-August, 1994, he had been working in the Nugegoda Police division. On August 12, Mithana HQI Kingsley Perera informed SP Pathirana over the telephone that Attorney General Tilak Marapona was looking for Mr. Pathirana. Subsequently, at 6 in the morning, Mr. Pathirana had contacted the Attorney General who in turn asked the SP to be present at President's House at 8.30 a.m.

When the SP arrived at President's House he had seen Defence Secretary Hamilton Wanasinghe, Major General Lucky Algama, Brigadier Sarath Fonseka and Brigadier Gunasekera in the visitors room. Later, Dr. Jayalath Jayawardena had joined them.

At the President's House discussion it was decided to send SP Pathirana to the North and also to establish new polling booths in the North. However, since the Election Commissioner Chandrananda de Silva and Deputy elections Commissioner in charge of Jaffna Lakshman Perera had strongly protested at the move it was not carried out.

The Commission report also states that Dr. Jayalath Jayawardena had where elections were



## Norway ready to mediate

NORWAY which has not imposed a ban on Liberation Tigers of Tamil Eelam (LTTE), has pledged to initiate mediation between the government and the LTTE, if requested.

Norway's commitment to mediate transpired during a discussion both Eelam Peoples Democratic Party (EPDP) and Tamil United Liberation Front (TULF) had with former Norwegian Prime Minister Dr. Mrs. Gro Harlem Brundtland on Wednesday 5.

She met the representatives of these Tamil parties soon after a dinner hosted by the Norwegian ambassador in Sri Lanka at his official residence. The dinner was attended by Justice Minister Prof. G. L. Peiris, Health Minister Nimal Siripala de

Silva, Deputy Foreign Minister Lakshman Kiriyella, Opposition Leader Ranil Wickremesinghe, EPDP chief Douglas Devananda and TULF national list MP, Dr. Neelan Thiruchelvam.

The brief meeting which took place between the Norway former premier and the Tamil politicians shortly after the dinner according to Devananda was fruitful.

The former premier had vowed to render any assistance in connection with achieving peace in Sri Lanka provided the interested parties made an official request to the Norwegian government. "Without any proper requests, we will not be able to help you" she had told both members of parliament.

### Action called on mysterious death

BATTICALOA district TULF MP J. Pararajasingham has called upon President Kumaratunga to take immediate action into 'the mysterious death' of Seevarathnam Sivarajah, while in police custody. In a letter sent to the president he said, "Sivarajah who was believed to be a suspect of the Ratmalana arms cache was arrested on October 14, at Sinna Puthukulam, Vavuniya. He was later transferred to Colombo for further interrogation and was admitted to the Kalubowila hospital on October 30, 1997 where he died." He alleged Sivarajah's death was due to inhuman interrogations to which he was subjected to, at the Mount Lavinia police station where he was held for questioning.







# FEATURES

## Mostly combatants killed in N-E conflict

### says ICRC Boss

by Sumadhu Weerawarne

The outgoing head of the ICRC delegation in Sri Lanka, Gerard Peirignot, says that despite the great violence of the ongoing conflict, a majority of victims in the war-ridden North and East were combatants.

Following an interview with Gerard Peirignot who headed his two year mission as Head of ICRC Delegation in Sri Lanka, Geneva HQ and will deal with ICRC organisations. He was head of the ICRC mission during possibly the most violent phase of the war, which included Jaffna and Killinochchi were liberated, and a number of military offensives were launched, including "Operation Laysalqarn" to reestablish a link between Vavuniya and Jaffna. It was during this time that an entire security forces garrison at Mullaithivu was wiped out by the LTTE.

Q. What is the human rights situation in Sri Lanka, when compared to countries with similar conflicts?

A. The conflict is a very violent one. There is a high number of deaths and casualties. However, there is one major difference, in that the majority of victims in the conflict-ridden areas are the combatants. There is no doubt that they too have rights which must be respected. The proportion of civilians killed in combat areas is lower than those in other countries with similar situations.

Q. How have you secured this trust, that you are indeed an organisation playing a neutral role?

A. We facilitated humanitarian activities. We helped the government to hold examinations in the North. We transport mail within the North from one post office to another. We also transfer bodies of combatants on a regular basis. During the last round of peace talks the ICRC acted as the official postman between the government and the LTTE. We are prepared to carry out the task again, if required.

Q. In geographic terms where are you most active?

A. We operate in all areas affected by the armed conflict. Jaffna, Vavuniya, Wanni, Batticaloa, Trincomalee. We also operate in the so called border areas. However, we focus much more on the North and East, than the South. We also visit those detained on security grounds.

Q. What were the factors which impeded on your efficiency as an organisation providing humanitarian assistance?

A. Different parameters have to be fulfilled for us to be fully effective. Firstly we need security.

Q. What is the ICRC's mandate in Sri Lanka?

A. We offer humanitarian services in non-international armed conflicts. We also seek to ensure that international humanitarian laws are enforced. And, all those party to the conflict bear in mind the sanctity of human life.

Q. We set up a permanent office in 1989, on the invitation of the Sri Lankan government. Once the conflict in the South was over, we concentrated our efforts on the conflict in the North. We have developed the services we provide over the years we have been here.

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Gerald Peirignot

A. We continue to visit detainees. The exact numbers cannot be disclosed, because it varies as some are released and more are arrested. We try to ensure that the detainees are treated well, but do not try to secure their release.

Q. We try to avoid the phenomena of disappearances. Last year we had to face a serious situation, with a high number of disappearances reported.

Q. What is the number?

A. I cannot be specific, but there are several hundred cases of persons who did not appear after being arrested by the security forces. The situation has improved, but not so greatly.

Q. Do you work with the Human Rights Commission?

A. The Human Rights Commission has not fully set up operations. We had links with the HRTF (Human Rights Task Force). The HRTF was never able to fulfill its work in Jaffna.

Q. There is also a problem in Killinochchi. Many cross from the Wanni at this point. There are reports of high numbers arrested and not seen, and those considered to be infiltrators are shot. There are no civilians in the area. Therefore those found are often considered to be infiltrators.

Q. How is the human rights situation, has it improved?

A. There has been improvement in some areas. But in others it is very much the same. Violation of humanitarian laws being common on both sides, the general panorama is that we must continue to do our work, by acting and behaving in a humanitarian way.

Q. We do not say that they have no right to attack military targets. However, military objectives cannot be too near places of civilian concentration. Leaving guns near shelters for displaced persons too leads to civilians being made targets. Even bombs etc. should not target civilians.

Q. What is the situation in the Wanni?

A. It is difficult to say how many civilians are in the Wanni. There has been no census. Our estimate is that there are 500,000 to 700,000 persons. Half of them live in conditions of displacement from their homes. They rely on assistance from the government or complementary assistance from humanitarian organisations.

Q. The government has continued to send basic supplies. There is an impression that some categories of persons do not have access to food. This is not because there are insufficient local stocks. But because some of them do not have the means to acquire food.

Q. There are certain categories of internally displaced persons who are not entitled to free confidence in the organisation.

Q. The ICRC has often been thought of as an organisation in sympathy with the LTTE. Has there been any change?

A. There is better understanding of the ICRC today, than a couple of years ago. We hope that there is less suspicion on the role of the ICRC. There has to be better understanding of the role we play, and a need for total confidence in the organisation.

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They are partly persons who left Jaffna after the operation Riviresta 2. We feel that people should be free to decide where they want to live, and food should not be used as a means of pressure.

Q. There is a general impression that food-stocks sent for civilians are often taken by the LTTE.

A. The final distributions are made by the government agents for the area.

Q. What is the nutrition status of the populace in the Wanni?

A. There are some problems of in specific areas. But this is not so alarming in terms of numbers. However, the problem is growing and needs to be addressed.

Q. Some organisations, such as the Medicin Sans Frontieres are trying to operate supplementary feeding centres. They have not been given the authorisation, as yet.

Q. The medical situation is also of concern. There is no Base Hospital. Only local medical structures exist. Thousands have to be treated when the hospitals have been designed for only hundreds. Surgery is performed by international NGOs such as MSF. The ICRC and the Sri Lanka Red Cross provide medical services in the more rural areas. We operate mobile health teams.

Q. What services do you provide in so-called border areas?

A. We visit areas and launch assistance programmes. If a village is attacked we provide assistance. We have provided assistance in Anuradhapura, Kehibigollawa and Ampara. We have opened a mobile clinic in Kehibigollawa.

Q. Recently, there was an appeal by the Amnesty International to call upon the LTTE to refrain from taking of civilian prisoners in violation of international human rights laws. Did the ICRC also respond?

A. The general policy of the ICRC is not to have a public stance on issues. Of course we do believe that civilians not taking part in hostilities have no reason to be deprived of their freedom, unless they are proved to be otherwise.

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## Tamil parties condemn limiting number of visits to PTA detainees

By Franklin R. Satyapalan

Eight Tamil political parties yesterday condemned vehemently and appealed to President Chandrika Kumaratunga to withdraw on humanitarian grounds the new regulations that restrict, visits to PTA detainees to one a week, Tamil political sources said.

The parties that appealed were the TULF, EPDP, EPRLF, CWC, TELO, UPF, DPLF and EROS.

In this connection President of TELO S. Vinothalingam has written to the President appealing to her to withdraw this new regulation which would be not in the interests of Tamil people.

This regulation was proclaimed by the President under the Public Security Act No. 40 and issued under a new gazette notification on December 10, 1997 under Emergency Regulations, regulating visits of persons detained under the PTA.

It says that only one person named by a detainee could see him once a week and the person visiting should obtain prior permission and recommendation

of the police in the area of his abode. Vinothalingam in his letter had stated, that this will lead to misuse of powers to unimaginable proportions. Therefore we earnestly requested the president to withdraw this regulation.

The propaganda secretary of TELO and former Provincial Minister of Northeast Abu Yusuf said when the government is trying to tell the world it is do-

ing justice to national minorities these types of regulations will not help the process of national reconciliation in the long run.

Mr. Yusuf said this regulation will be definitely used by forces that are hellbent to misuse this in their personal interests leading

to untold hardships to Tamil people.

Meanwhile this regulation was to come into force from January 19, 1998 and persons visiting PTA detainees at Kalutara and other prisons had been asked to bring along police clearance certificates.

## Floods hit cultivators

(From Addalaichchenai corr.)

About twenty thousand acres of paddy fields in Ampara district area have been badly affected as a result of floods caused by North-Eastern monsoonal rain.

Ampara Government Agent office sources said relief assistance by way of dry rations would be given for two more weeks to those affected.

In the meantime, a fast spreading leaf disease has also affected cultivation.

The agricultural authorities have warned farmers about the disease and have given instructions on how to combat it.

THE SUNDAY LEADER, JANUARY 18, 1998

## MP calls for an end to shelling

BATTICALOA district TULF MP Joseph Pararajasingham called upon the president to put an end to indiscriminate shelling from army camps in Valaichchenai.

In a letter addressed to the president, he urged her to request the army commander to instruct the army personnel to refrain from shelling the neighbouring areas as it has affected civilian life and even caused damages to private property.

## Jaffna elections violate HR

JAFFNA elections are a violation of human rights and a provocation by the government to incite violence, Chief Executive, Chamber of Legal Analysis Research and

sense or sensibility for a lasting peaceful solution whilst paying lip service to peace while waging a war projecting an image in the international arena that it is

most of them are living in refugee camps is there any necessity for provincial council elections?" Rajaratnam questioned.

"This government is vio-

# SRI LANKA CELEBRATED GOLDEN JUBILEE ON ITS HUMAN RIGHTS RECORD ( SOME REMARKABLE HUMAN RIGHTS VIOLATIONS)

## Tamil Centre for Human Rights - FRANCE

- 1948 - The Citizenship Act disenfranchising Indian Tamil plantation workers was passed in the Parliament. One million 3rd generation plantation workers were living in the island for over 115 years. They were brought to the island by the British from South India to work in Tea and Rubber plantations in the hill country.  
**100,000 plantation Tamils were victimised**  
(Violation of UDHR article - 21)
- 1956 - The "Sinhala Only" Act was passed in the Sri Lankan Parliament. This Act made Tamils as second class citizens in the island.  
**Tamils stage peaceful protests. (In Colombo and Galoya)**  
**150 Tamils were burned and hacked to death .**  
**20 Women were raped**  
**3000 were made refugees and their properties were looted by Sinhala mobs.**  
(Violation of UDHR article - 2)
- 1958 - Anti-Tamil riots in Sinhala areas. Massacre of Tamils, looting of their properties, setting fire to their houses and even Tamils alive!  
**25,000 Tamil were made refugees;**  
**500 Tamils were burned or hacked to death**  
**200 Women were raped and Tamil properties were looted or destroyed by Sinhala mobs.**  
(Violation of UDHR articles - 3, 5, 12, 17)
- 1961 - Tamil non-violent (Satyagraha) civil disobedience campaign in the North and East was disrupted by the security forces, protesters were beaten and arrested.  
(Violation of UDHR articles - 5, 9, 20)
- 1964 - The Pact (Srima-Shastri) to evacuate Tamil plantation workers of Indian origin was signed. They were living in the island for over 115 years.  
**650,000 Plantation Tamils became as stateless persons.**  
(Violation of UDHR articles - 4, 15, 23)
- 1972 - Equal education opportunities for the Tamil students were denied. Standardisation on University admission was introduced.  
(Violation of UDHR article - 26)



- 1974 - The Fourth International Tamil Research Conference held on 10/1/74 in Jaffna was disrupted by the Sri Lankan Police.  
**9 Tamils were brutally killed.**  
(Violation of UDHR articles - 2, 3, 20, 27)
- 1979 - Prevention of Terrorism Act (PTA) was introduced in Sri Lanka. This Act gives a free hand to the Security forces to arrest, detain, torture, rape, kill and dispose bodies with impunity. Arrested people could be detained for three months without being produced them in courts. (July)  
(Violation of UDHR articles - 2,3,5,6,7,8,9,10,11,12,)
- 1981 - The Jaffna Public Library containing 95,000 volumes was completely destroyed in a fire set by a group of Police officers who went on a rampage in the Jaffna city on May 31, 1981.  
**95,000 volumes of unrecoverable-invaluable books were burnt.**  
(Violation of UDHR articles - 2, 21, 24, 27)
- 1983 - The Government masterminded anti-Tamil riots in July 83. More than 6,000 Tamils were killed by the Sinhalese in the South. Tamil houses and businesses were looted and destroyed. Tamils living in the South were sent in ships to the North and East by the government.  
**250,000 Tamils were made refugees**  
**2,500 Tamils were burnt or hacked to death**  
**500 Women were raped**  
**53 Tamil political prisoners were brutally murdered in the maximum security Welikadai prison on 25-27th July.**  
(Violation of UDHR articles - 3,6,8,12,13,14,17,23,24,26)
- 1984 - Tamils living in the North-East were arrested, tortured and killed. Women were raped, many disappeared. Tamil properties were looted or destroyed by the Sri Lankan security forces. Air Force bombers dropped napalm bombs in residential areas causing severe loss and damage to Tamil people and their property.
- Date The Prevention of Terrorism Act (PTA) and the Emergency Regulations (ER) adopted by the government are helping the security forces to carry on with all sorts of human rights violations with impunity.  
(Statistics appeared in our December 1997 issue)  
(UDHR was completely violated)
- 1990 - Economic embargo in Tamil areas. Food, medicine, electricity supply and other important items are denied.  
To Date (Statistics appeared in our December 1997 issue)  
(Violation of UDHR articles - 22, 25, 26)

UDHR = Universal Declaration of Human Rights

04/02/1998

Tamil Centre for Human Rights - FRANCE

# Island of Sri Lanka

## Human rights : Facts and figures

Emergency regulations and the Prevention and Terrorism Act (PTA) are two major laws which cause most of the human rights violations in Sri Lanka. These two laws give a free hand to the Security forces to arrest, detain, torture, rape, kill and dispose of bodies with impunity.

Anyone could be detained without any legal proceedings for nearly three months, on mere suspicion alone.

Since 1948, the year of Independence, the Sinhala dominated governments have appointed a few commissions to inquire into injustice committed against Tamil people. These violations include communal riots, mass killings, vandalism on Tamil cultural heritage, etc. In fact all these commissions were appointed due to pressure from various International bodies! But the commission reports are shelved and the security personnel who committed crimes against Tamil people are never punished.

The fifteen year long war against the Tamil people have resulted in the following :

- 60,000** Tamil people had been killed in the North-East of Island This is two percent (2%) of the total population of the Island. In other words, an average of nine (9) Tamil people had been killed for a day; or for every 50 Tamil people one had been killed.
- 450,000** Tamil people have sought refugee status in Europe and other countries. This is 15% of the Tamil population.
- 900,000** Tamil people are displaced within North-east of the Island. This is 30% of the Tamil population.
- 200,000** Tamil children's education affected due to either the destruction of school buildings through aerial bombings or conversion of school buildings into military camp.
- 25,000** Families have lost their bread winners. More 25,000 women forced to be widows.
- 200,000** Tamil houses destroyed. Nearly 800,000 to 900,000 people are without shelter and most of them live in shrub jungles or under trees.
- 1,600** Buildings of religious places, such as Churches and Temples had been destroyed in aerial bombing.

24/12/1997

### Tamil Centre for Human Rights - (TCHR)

Centre Tamouise pour les droits de l'homme - (CTDH)

9, rue de peupliers  
95140 - Garges les gonesse  
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# Tamil Centre for Human Rights (TCHR)

Le Centre Tamoul pour les Droits de l'Homme (CTDH)

(Established in 1990)

Website : www.tchr.com

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## THERE HAS BEEN NO ACTIONS ! NO INVESTIGATIONS !

In December '97, a team representing the Guardian Association (from Jaffna) flew into Colombo for a meeting with President Kumaratunga. After listening to them, after appologising for what had happend, she promised to set up an independent team of inquirers to search for the 'disappeared'.

Till now, that promise still remains a promise. There has been no action, No investigations. And the families of the 'abducted' wait in pain for news of life of their lost ones.

*(The Sunday Leader - February 15, 1998)*

## HUMAN RIGHTS COMMISSION (HRC) DEFUNCT !

The Human Rights Commission (HRC) appointed by the government is practically defunct and was not even aware of the murder of Rev. Arulpalan and other disappearances taking place in the country's north and east.

*(The Sunday Times - September 28, 1997)*