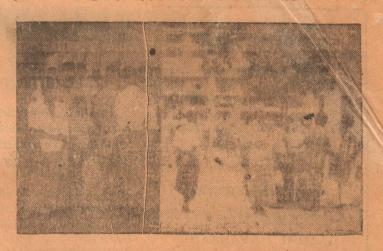
## Saturdau Review SRIANKA

Vol. 4 No. 42 11th January 1986



## GENERALELECTION NO SOLUTION

Mrs. Srimavo Bandaranayake is remarkable woman by any tandard.

fter 5 years in the political erness she has bounced back the arena and is now rearing go where? To Parliament, of

it not as a 'Chit MP', she She wants an early General wintion.

What for? To solve, among r problems, the ethnic impasse.

Mrs. Bandaranayake claims to have a solution to the ethnic pro-

She says 'I know what measures should be adopted to solve this problem, but will not join President Jayewardene in solving it. The simple reason is that the 'Terrorists' have no Tamils and faith in the UNP Government..... A comparison of the election results (Presidential Election and the Referendum) show that the SLFP has always been in the lead in the North" she said at the first public rally held at Gampaha on 5th January, after the restoration of her civil rights on New Year's

We at the SATURDAY REVIEW. however, have little faith in Mrs. Bandaranayake's abilities to find a settlement to the ethnic problem.

For one thing, 1986 is not 1971. when the Janata Vimukti Peramuna fought her government with pop-

For another, the SLFP's record on the ethnic issue is no better than the UNP's.

> Remember the SLFP campaign against the District Councils Bill brought by the UNP government led by Mr. Dudley Senanayake in

Remember the Standardisation for University admissions introduced by Mrs. Bandaranayake's government in 1970 which gave

the impetus to the Tamil Students Movement which later became militant?

Remember that the original leadership of the militant movement came from the 42 youths who were detained without trial by her government for long periods?

Remember the wonderful opportunities she had in 1972, while the country's home-made Constitution was being drafted of resolving the ethnic problem? The late Mr. S. J. V. Chelvanayakam led the FP out of the Constituent Assembly lamenting that "the New Constitution has given everything to the Sinhalese and nothing to the Tamils."

Remember that the All Party Conference on the ethnic issue collapsed largely due to the nonparticipation of the SLFP?

Just as no lasting settlement of the ethnic problem could be worked out without the presence of the militant groups at the negotiating table, no settlement will be workable without the co-operation of the SLFP.

Conscious of this fact, the SLFP should display a greater sense of responsibility than hitherto, instead of trying to exploit the ethnic issue merely to capture power.

Elections can wait. The settlement of the ethnic issue cannot.

The best thing Mrs. Bandaranayake can do at this stage is to support all positive moves of the government to bring about a rapprochement between the Sinhalese and Tamil people.

If she has a solution to the ethnic problem, as she claims, she must come out with it now.

Delay means more lives, more innocent lives lost on both sides of the Great Divide that has been created by designing politicians on both sides.

If Mrs. Bandaranayake comes with a solution, especially when she is out of power, she will be more admired by the people and will go down in history as the "Joan of Arc" of Sri Lanka.

#### MORE VICTIMS OF BLOODY SUNDAY



### ATURDAY MORNING, SUNDAY AFTERNOON

Jaffná was rocked the last weekand by firing from the Jaffna Fort from army helicopters.

On Saturday (4th January), five opie including a Muslim lady were killed and 21 people were hjured.

This was the day the Committee for the Monitoring of Hostilities was in Jaffna.

Here is a list of the victims:-1. Antony Thasan of Gurunagar (head injuries) 2. Nagoor Sinnamma(50) a Muslim woman. Mosque Lane 3. R. Wenceslaus of Gurunagar (50) 4. Nadarasa Gnanam of Koddady (50) 5. K. Sivanathan of Velanai.

Injured

1. M. Najuldeen of Kodrlady (27). 2. T. Vimalenthirarajah of Matha-

gal (15), 3. S. Sivarasa of Tinnevelly (26), 4. S. Murali of Gurunagar (20), 5. T. Sebestiampillai of Naranthanai (45), 6. N. Vigneswaran of Tinnevelly (20), 7. S.M. Kanagaratnam of Tellippalai (60), 8. N. Kanapathipillai of Jaffna (25) 9. S. Kunam of Koddady, 10. K. Miraj of Azad Street (25), 11. A. N.

(Continued on page 8)

Lanka in Sri Release ALL Political detenus

### Saturday Review

SRI LANKA

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## NOT THE NEWS

TREE CUTTING FEVER

Trees or progress? This is now a key question in Jaffna. Some idealists have taken to planting trees. Our esteemed Prime Minister has taken to planting trees after beating a hasty retreat from the hurdy gurdy of India bashing. If one wants more trees, one is regarded as positively egocentric by the learned. They would ask, 'Why? Do your relations have a housing problem?' An academic who planted one thousand palmyrah trees at Allapiddy earned the title 'Aayiram panayar' now offers consolation to members of the MIND at Tellippallai.

Tree cutting is now the favourite Machine of progressive minded CEB officials and their contractors. When it comes to progress 'Leave no tree unturned' is their motto. Trees tempt people to rest underneath and make them Common and indolent people should not be given the democratic rights to a say over trees in their neighbourhood. A CEB official appears from the blue and says, 'Cut that tree.' The faithful contractor is there in a jiffy, and before the people can shed a tear, a hundred years of leafy splendour is gone for ever. The eagerness of the contractor goes even further, he has used the G. A., permit to bring down a dying tree to do away with a healthy mahogany down Chemmany road. One old man of the tree growing tribe brought this to the notice of the G. A., and the G. A. told the CEB Official, "Have no more dealings with this contractor'.' The contractor's enthusiasm for progress was not to be deterred by such obstacles. He may merely reappear as a new avatar. Sunder & Co. or Ravi & Co., What's in a name? He may say indignantly. 'Why can I not cash in for giving the ignorant people progress'? There is after all a pot of gold under every mahogany tree.

When some people in Jaffna told the local authorities, 'stop this madness. Stop cutting trees for 33 KV overhead lines. Lay underground high-tension cables as is the norm for urban areas in most countries.' The answer was simple, 'You Jaffna folk are not exactly in the same priority league as those of Colombo 7. Be thankful that you are being fobbed off with this at least.'

Recently the residents of Muthiraisanthai were taken by surprise when the destroyers got to work on a Coola tree, The old man rushed to the G. A. and told him, "For goodness sake stop cutt- | K. K. S. Road, Jaffna.

ing this tree, beneath whose foliage my love and I used to hold hands tens of years ago, when papa was out in the field digging manioc yam and my love was awaiting the bullock cart which took her to school." The G. A. has stopped it. The contractor was livid. The G. A. told the CEB official, "I never gave you permission to cut this tree." Replied the officer, "the tree is now damaged and may fall for the wind." So the tree cutters had their way. This is the new strategem for progress. Lay your axe on a tree and tell the G. A., "I am sorry. But this tree may fall for the Then down comes the wind."

Later some local 'heavies' paid the old man an unsolicited late evening visit. Even the "heavy brigade" dreams of progress after a call at the intoxicant parlour. Who are the friends of these heavies are is anyone's guess. The old, man is undaunted. He continues his tree planting at Navaly and elsewhere Sunder, Ravi or the heavies notwithstanding. In the meantime how many more of our historical trees that has seen the coming and going of generations will come down? If the army goes back to its old sport of blasting houses, we may be down or should we say up, to living on trees. So, please spare the trees. Progress can wait.

ACKNOWLEDGEMENT



Late Mrs. Meenachipillai Kandiah

We sincerely thank all relations. friends, neighbours and patrons for never given to blowing his own attending the funeral of Mrs. trumpet under any circumstance Meenachipillai Kandiah, wife of late Mr. V.M. Kandiah, the Foun- The stern exterior often hid the der of Milk White Soap Factory kind and gentle spirit within His and Mother of Mr. Kanagarajah, J.P., the present proprietor. We also extend our sincere thanks to might have irked many an adminthose who sent messages of con- istrator. dolence and comfort, laid floral wreaths and garlands.

Sons, Daughter, Daughters-in-law Son-in-law, Sisters, Brothers, Grand Children, Great Grand

Milk White Factory,

APPRECIATION

#### B. Lawrence

It is hard to believe that B. Lawrence of St. Pa rick's College, Jaffna, once the personification of health and physical fitness in his youth and middle age, is no more. He succumbed to a heart attack on 30th November at the Jaffna Hospital. I am sure the sure shocking news of his untimely death will distress the many hundreds of his past students some of whom are obliged to kick their heels in far off lands not so much for the love of the money but because they are looked upon as aliens in their motherland. He lived for 55 years and spent the best part of that allotted span as a teacher at St. Patrick's lasting 34 years.

A self-made man with an infinite capacity for work, shy by nature with a disarming smile always on his lips, simple and humble to a fault, more a listener than a talker, a silent and self-effacing worker, his life is unique success story. One could not but admire his sturdy independence, though he may have had his quota of fads and foibles that is understandable in a mathematician.

He had his schooling at St. Anthony's College, Kayts—once a fine pursery of many a promising career - and passed both the London Matriculation and the SSC in 1947 or 1948 and moved over to Jaffna to teach and pursue his studies. He worked privately and graduated from the London University as an external student and in the process joined the Tutorial Staff of St. Patrick's in his early twenties. To his great credit, it must be said that he took to teaching r as a stepping stone to more lu ative jobs, for young as he was, could have got into more glar rous positions in the government or mercantile sector, if he foce wanted to.

In the classroom he was far and relaxed and held his poise." A te hardly ever lost his temper. He was always approachable and wer out of his way to clear any doubthat troubled the weaker on ne had no problems with his chalges and his relationship with their was cordial and excellent.

A teetotaller and non-smoker, quiet and unobtrusive in his ways. he was indeed a unique character rock-like honesty shone through though his non-conformist ways

In time Lawrence was a tower of strength in the Maths department at St. Patrick's and he soon evolved to be a specialist in guiding the backward student into the muances of mathematics in and out Children and Relations of school, so much so his name 6th. January, 1986 became a household word.

May his soul rest in peace.

- V. A. Philipupikai

- spreignarmy bound to Fight town miss-

#### FLASHBACK TO HANSARD (1948)

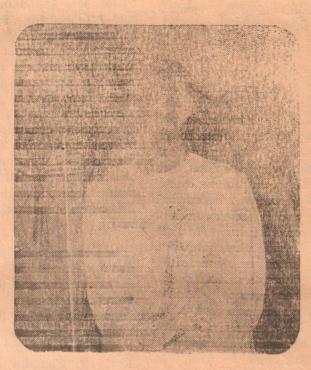
## A Thoroughlly Discriminatory Piece of Legislation — SJV

We publish the speech of Mr. S. J. V. Chelvanayakam on the Indian Residents (Citizenship) Bill as we think it appropriate in the present context of the Prayer Campaign launched by the CWC to win back the lost citizenship rights of the Tamil plantation workers of Indian origin.

Mr. S. J. V. Chelvanayakam (Kankesanturai): Mr. Speaker, I rise to oppose this Bill. This is one of the thoroughlly discriminatory pieces of legislation in which this Government is interested.....As was pointed out by the Hon. Member for Wellawatte-Galkissa, the Hon. Prime Minister has approached this very important national question in a highly communal spirit. His chief lieutent the Hon. Leader of the House, told us authoritatively when the Citizenship Bill was being debated in this House, that the question of race was an important factor and that we must do everything What race to protect the race. did he mean? Is it the race that is the majority in this country? I say that is a wrong approach to the whole question. Therefore, I say on behalf of those of us in the minority community who feel frightened of this trend of legislation that I protest against this type of legislation.

It is my contention that an important issue of this nature should be approached from a human The first and the most important objection to this Bill comes from the point of view of the people immediately affected by it, and they are the Indian resident settlers on the estates who will be turned into a class of helots, a nationless class, a citizenless set of people. Against those people a series of indictments has been presented by the Hon. Prime Minister and the Hon. Minister of Food, some of which have been very cleverly used. Every argument, for example, that can be used against that class of Indian for whose sake protection is not asked is directed against the permanently settled Indian labourer on the estate.

Now, take the case of the people who ran away because of the bombing. Who were the people who ran away because of the bombing? Did the tea estates stop working? For whose sake is this Bill being brought forward? In order to deprive whom of citizenship is this Bill being brought forward? Has there been any request from the



Indian Government or from people who are concerned with the interests of the minorities in this country that there should be protection afforded to the floating merchant class that come to Colombo and run away when there is a bombing of Colombo? All the arguments that can be used against that class of people are directed against people who never ran away when the bombing took place.

Then, Sir, the Hon. Minister of Food mentioned cases of people sending money to India. What do we say? Make it possible for those people to settle down in this country. Make it possible for them to attach themselves to the land in this country in such a way that they will not be wanting to send money to India. You deprive them of every chance of settling down, you deny them all the facilities of village life, you deny them the possibility of increasing their attachment to this country, and then you complain that they are not settling

The first and most important issue is that this is a question of conflict of communities. Whatever my Hon. Friend the Member for Wellawatte-Galkissa might have to say about it, as long as there are activities directed against communities and as long as those communities are minority communities they must for their self-protection bind themselves in a communal way. The moment you remove the necessity for communal organisations those communal organisations will cease to exist. If the plantation labour in Ceylon did not have even the semblance

of protection that it now has from the Indian Government, would they have had even this measure of concession granted to them of becoming B-class citizens? Therefore, what is the use of saying that they run away to India? That is their only protection, and you want to deprive them of that one piece of protection, which is a doubtful piece of protection, no doubt, and place them completely at your mercy to do what you like with

Some of the arguments which the Hon. Prime Minister used against Indian labourers coming and settling down here, when he has completely finished with that community, he can with equally clever advocacy use against our community the Ceylon Tamils. He can come here and say that this is the land of the Sinhalese. The Tamils came centuries ago no doubt with people who came to fight and conquer parts of the territory; therefore what right have they to be here? Of course, today such an argument will look absurd, but by the time the Government has done away with the Indian community, then it will be time for that argument to be used against the Ceylon Tamils. It will be a good argument to use to deprive that community of some of its fundamental rights.

No doubt the Hon. Prime Minister will give us an assurance that he means no discrimiation at all. His greatest appeal is to the strength of numbers. While appealing to the strength of numbers in this House and in this country he also appeals to India for justice and fair play. The first rule of law is that those who want justice and fair play must deal out justice and fair play to those who are weaker than them-

How is the Prime Minister and his Government treating this community? Not even as a step-father would treat his step-children, but as a lord of the manor would treat the slaves in that house. Confer on them a second-class type of citizenship, place disabilities which should not be placed on people who are prepared to settle down permanently. and limit the number of those that will get even that seeond class type of citizenship to the minimum. That is what the Prime Minister is proposing to do to these people, and for doing that his reason is that the Kandyan peasantry had been deprived of their lands By whom he does not ask. Nor does he choose to answer that question. By whom have the Kandyan peasantry been deprived of their land? Did the Indian labourers come of their own accord? Did they come as conquerors? What are they to do having come here. They have been brought here and hordes and hordes of them do not know of any other country. Their only piece of protection is that they are people who belonged to a powerful country which is taking some interest in them. The Hon. Prime Minister wants to deprive them of that protection

The question of a mass of people moving from one country to another country or going into a new country is not a novel feature in world history. It is a feature that has occurred over and over again and it is a matter that has to be solved by most modern methods. It has to be solved on principles and standards of justice and fair play between communities. If you do not do that, you will either aggravate the communal struggle or, in some cases, you will destroy a community. Possibly it is the latter that the Hon. Prime Minister is seeking to do. He expects, by weakening these people, to destroy their community. If that be his intention, he has not said so in spite of his protestation that he says what he has in his mind. Possibly the Hon. Prime Minister thinks that by weakening the Indian community, they will become weak enough to cease to be a community in this Island.

What has happened? These indians have been settling down in this Island from 1870 onwards, a

(Continued on page 6)

## Monitoring Committee's

Report on the visit of the Committee for the Monitoring of Cessation of Hostilities to Batticaloa on Wednesday 13th and Thursday 14th November, 1985.

The Committee for the Monitoring of Cessation of Hostilities had scheduled a visit to Batticaloa for Wednesday 13th November and Thursday 14th November 1985. The members who participated in the visit were the following:-

Messrs M. Hussein, H. Rodrigo, H. Deheragoda, M.M. Abdul Cader, M. Sivanathan, I. B. Fonseka, K. Sivapalan, Prof. K. Sivathamby.

The Secretary General, Mr. F. Dias Abeyesinghe, the Deputy Secretary General, Mr. K. B. Wijesinghe, and State Counsel, Mr. Mohan Peiris, accompanied the committee.

The committee commenced sittings at the Batticaloa Town Hall around 10 a. m. They began by hearing the Batticaloa District Citizens' Committee for National Harmony and Peace in association with some other organizations. They were represented by the following:

Batticaloa District Citizens, Committee for National Harmony and Peace, Batticaloa.

Mr. Jos. J. David, Chairman, Mr. Prince Casinader, Secretary, Mr. L. W. Sripala, Vice-Chairman, Mr. W. Paskaran, Treasurer, Mr. S. M. Lena, Mr. K. Kanapathipillai, Rev. Joshua Ratnam, Mr. M. S. A. Azeez, Mr. P. Joseph, Mr. S. Sampanthamoorthy.

Gandhi Seva Society, Batticaloa, Mr. K. Brathidasan, Secretary.

Batticaloa District Citizens' Committee for National Harmony and Peace, Thirupalugamam Branch, Periyaporativu.

Mr. K. Sebaratnam, President, Mr. A. Sivapragasam, Secretary, Batticaloa Jeewalangar Sangham, Mr. A. Anthonimuthu President, Mr. David a lawyer of the Batticaloa Bar, welcomed the committee.

Mr. Casinader, also welcoming and complimenting the Committee, proceeded to make some observations and suggestions and give an outline of certain incidents which, he said, will be spoken to more fully by witnesses later. He observed that there is confusion in regard to the Cease-fire, that the Security Forces have increased their activities, that they are carrying out cordon and

people get shot when they turn and run. He continued that the mass media reports incidents wrongly and he did not deny that there are violations by the 'other side.' He also referred to harassment and shootings by Home Guards on some occasions. Continuing, he referred to the delay in the release of persons in custody and to the practice of identification of suspects in camps by masked men who are tempted to falsely identify suspects to obtain their own release. Restricted Residence Orders imposed hardships on persons subject to such orders. Refugee camps in school and temple premises buildings should be held sacrosanct, he observed, and the practice of the Security Forces coming into the Refugee Camp to arrest persons violated this principle. The problem of backlashes, he said, was related in some quarters to the question of, who fired the first shot. It was his view that those who fired the first shot should be arrested and not the innocent. The supplying of information regarding terrorists is thwarted by fear of reprisals, and the people residing in areas of terrorist activity should not be penalised on that score. Police stations in Tamil areas should be manned by Tamil police officers, he said. It is wrong to tar all Tamil police officers as suspect. Parcels sent to the Boossa Detention Camp have been found to have been returned to the Post Offices of origin emptied of their contents, Instances of hostages having been taken for the surrender of suspects have also been known. He also said that the ethnic clashes would not have reached these proportions if they had been nipped in the bud. He concluded by observing that it was essential for Citizens' Committee to have close liaison with the Co-ordinating Officer of the area to obtain information. He blamed the Special Task Force (STF) as the group that was causing the most disturbance.

He suggested that the Monitoring Committee have branch offices in the North and East for more expeditious investigations into complaints. In giving an outline of the evidence which he said would follow, his main complaint related to what he called missing persons. He produced a list of 168 persons alleged to have been arrested by the Security Forces and not notified to the Government Agent within 48 hours as directed. He also complained of the delay in implementing the recommendations of

Report on the visit of the Comsearch' operations in which young the Advisory Board set-up under

Mr. Sam Thambimuttu, a lawyer and businessman, then addressed. the Committee. He said that in regard to the incidents that Mr. Casinader generally referred to eye witnesses are not available for lack of notice and that most of the parents present in the hall will only speak to their sons having been arrested by the Security Forces. He also said that just as much as the public are harassed by the Security Forces, they are also in difficulties as result of terrorist activity.

In response to a comment by a member of the Committee that the Citizens, Committees made representations only in regard to harassment by the Security Forces but made no representations regarding similar harassment by Terrorists Rev. Fr. Chandra Fernando expressed the view that if the Citizens Committee should meet with the militants they run the risk of arrest under the Prevention of Terrorism Act.

Rev. Fr. Joshua Ratnam said that the loyalty of the people was with the government. They were concerned about the activities of the militants just as they were about the activities of the Security Forces. The government is the elected government. The militants have not been elected to look after the country. That is why the Citizens' Committee is voicing its complaints to the Monitoring Committee regarding the maintenance of law and order. He would not consider relevant the matter relating to the activities of the militants.

Mr. Lena observed that while the government had the control of the Security Forces the militants comprised several groups.

The Rt. Rev. Dr. Kingsley Swampillai Bishop of Trincomalee-Batticaloa had no objection to police personnel being present in the district and maintaining law and order. Normal law and order was not being maintained. That ceased one year ago because no one could go to a Police Station.

Mr. David (Chairman) advocated that as an experiment the Government keep the Security Forces confined to barracks. He believed that the militants then would themselves stay put in their camps till the peace process settles the conflicts.

Testimony of witnesses produced by the Batticaloa Citizens' Committee.

The evidence of the witnesses produced by this Committee was recorded. One witness complained of an act of arson by the Security Forces and another spoke of his desire to leave the Refugee Camp (in Vakarai AGA's Divisons), and go back to his village, but of being thwarted by a lack of security and of dry rations.

Special mention was made by the Citizens' Committee of the case of an undergraduate of the Batticaioa University. His father described how his son, 24 years old, was arrested in his house on 15th May, the day the University reopened, while he was getting ready to leave for University. When he was being taken away by the Security Forces, three others also had been arrested on the way (from one house). On 18th May, the three others had been released, but there was still no trace of the undergraduate.

One of these was the next witness. This witness said he was in the Kallady STF Camp with the undergraduate and detailed how some masked persons had a look at them in the camp and walked away. He and two others, who were together, he said, were assaulted with hands and also with batons. None of them, however, was injured.

The next witness testified th her son was taken by the Secur Forces on 21st July 1985 that, though she had seen him 16th August being taken f Kallady Camp to the D.I.G's Of he had not yet been released. that four suspects from the sa village who had been released h told her that her son was in t camp, dirty and unwashed. though she had made several quiries at two camps and at Police Station, she had not be n able to trace his whereabouts. This was her eldest son and she had lost her second son by death from shooting.

Thirupalugamam Citizens' Committee's Representations

Mr. Alwapodi Sivaprakasam. Secretary, addressed the Committee and handed over a document giving a list of persons arrested and containing full length extracts from the "SATURDAY REVIEW" of 2nd November 1985 which are themselves extracts from the "Amnesty International" He said he had no affidavits to support the allegations contained in the documents. He also said that 161 persons had been arrested on 9-11-85 after a

## Report

cordon and search operation, and that all except 32 had been released. He also referred to the problems they had in contacting the Co-ordinating Officer.

The Greater Kallady Area Citizens' Committee's Representations

Mr. Selliah Nagarajah, speaking on behalf of the Committee, handed over a document which he said incidents certain out sets certain obsercontains his Committee vations which desired to make. Of the incidents, one related to an explosion of a hand bomb thrown at two jeeps carrying personnel of the Security Forces on 30th October 1985. A series of arrests had followed and a search operation put into effect on 2nd November. He mentioned that persons were injured as a result of random shooting from helicopters. Further, he said that news appearing in the media about incidents is untrue, and parents complain that their sons, whom the media labelled as hard-core terrorists, are school boys who had never left their homes. He also mentioned that dead bodies are released by the forces only upon a declaration by the parents that they are terrorists and sometimes upon a payment being made. He also criticised the telecasts as encouraging retaliatory action. He had a word of praise for the Coordinating Officer and the Inspecor of Police of the Kallady Camp.

Ividence of witness Maheswari Sinhabjah

i. The husband of this witness is Chellathamby, a Police Constable attached to the Amparai Police Station. From 16th May 1985 he tas been missing. She had been old at the Amparai Police Station that her husband had been arrested but she cannot vouch for the correctness of this information. Her husband had not been happy working at Amparai and had not gone for work from January 1985. He had been trying to get a transfer. He had suffered a fracture of his leg which he said was sustained when taking part in sports. The witness said she had written to the authorities in her several attempts to find the whereabouts of her husband but had not received a reply.

Land Mine Explosion on 13th November 1985 on Lake Road to Batticaloa town

While the Communittee holding its sittings in the Town Hall in the morning of 13th November it received casual information that a land mine had ex-

ploded in the town causing serious injury to five police officers and damage to the jeep in which they were travelling, and that in the shoot-out that followed, some civilians were killed. When the Committee resumed its Sittings in the afternoon, three witnesses appeared before it and stated that they desired to inform the Committee of a land mine explosion in the town that took place in the morning and give evidence thereon. The Committee heard them.

The first witness said that he was in his house in the morning when he heard an explosion and a rattle of gunfire. When he came out to see what it was, he saw a few jeeps heading towards the hospital. He heard gunshots from the direction of Angle Road and Suriya Lane. He asked his children not to get out. At that time, one of the Commandos came up the road and, seeing his son, had shouted. "Adeveliya va." His son got frightened and got inside the house, and witness' wife, who was close by, closed the door. A Commando immediately fired and a bullet went through the door and damaged the wall beyond. Then the Commandos went away. But five minutes later some of them came back, led by another Commando whom the witness knew and they broke his windows and the front door and came inside. ness was in the bedroom with his wife and another. His son was in the hall and went forward with his arms raised. Everybody was then ordered to get out. Then, the Commandos aimed their guns at him and the others and searched the entire house. There was firing right round the house. Nobody was injured and his son, 17 years old, was not taken away; but a cultivation officer whose name he did not know though he knew him otherwise, and another brought by him for a business transaction. (this person was not known to him and had come there only about fifteen minutes earlier), were taken into custody. He did not see anybody being shot although he saw some arrests being made. The cultivation officer and the other person were about 25 and 30 years old respectively. He later saw nine dead bodies in the hospital. He recognised some of them as his neighbours on Suriya Lane, Angle Road and Hospital Road. Their ages ranged from 20 to 25 years. He had heard about happenings after the explosion, but this was what he saw himself.

The second witness said that he and the third witness who were

trunks heard an explosion at about from this spot. 9-30 a.m. from about 200 yards away across the lagoon. He saw two jeeps coming at the time from the direction of Batticaloa town. He heard gunshots, and as he heard them, he saw two persons jump out of the jeep towards the lagoon and start firing in the direction of the paddy field. About fifteen minutes later two other jeeps came up, and the two who had leaped out of the first jeep, got into them and some bodies were seen being carried away from the first jeep into the other jeeps. He also saw five people walking with arms raised down Angle Road with four or five commandos walking behind them. Then the commandos signalled to the persons who walked in front of them to run back, and he heard gunshots and saw the five persons falling one by one on Angle Road. They were running back from the site of the blast. There is a scrub land in the area and the first house is about 25yards away on Angle Road. The third witness also repeated more or less the same account though in less detail than that given by the previous witness.

Inspection of the site of the explosion of the land mine.

On the morning of the 14th, the Committee, accompanied by the Government Agent, visited the scene of the blast, and spent approximately an hour over its inspection. The Members saw the crater caused by the blast to extend the whole width of the tarred portion of the road which is about 12 feet. Its depth was about four feet and extended six feet across the length of the road. It is almost at the junction of Lake Road and Angle Road. About 50 yards upwards on Angle Road is Suriya Lane to its right, joining Hospital Road. There is a scrub land with wide-spread creepers adjacent to the junction of Lake Road and Angle Road, and a swampy land to its right towards Hospital Road. On the left side of the junction is a paddy field. The house nearest to the junction of Lake Road with Angle Road is on Angle Road and about 50 yards away. The scrub land is bounded on the side opposite Lake Road by Suriya Lane.

The Committee walked up along Lake Road to Suriya Lane Junction. They did not notice any stains like blood on the road from gunshot injuries or otherwise. They noticed a house on Angle Road which had marks of damage by gunfire. There was a burnt out motor cycle on the other side of the road opposite this house.

The Committee also went to the spot referred to by the two witnesses from where they claimed to have seen the shooting. There is a stretch of water from this spot which is about 300 yards to the scene of the blast. Persons tra-

cutting rafters out of palmyrah velling on Lake Road are visible

Evidence of Co-ordinating Officer.

The Co-ordinating Officer, giving evidence before the Committee at the Kachcheri, said that within twenty minutes of the blast he was on the scene, having rushed there from Kalawanchikudi. He was not, therefore, an eye witness to the incident. When he went to the spot, there were nine dead bodies in the scrub land. They were about three or four feet apart and dressed in shirts and longs. There may have been one in sarong. There were no weapons by their side. Two hand grenades had been recovered from the scrub land. He had thereafter gone to the hospital to inquire after the injured Police Officers. Two of them were unconscious. As none of the Police Officers in any of the three jeeps was available at that time to give evidence, the Co-ordinating Officer said he would try to get the officers who travelled in the jeeps to come before the Committee in Colombo. Eventually, on 22nd November 1985, the Co-ordinating Officer brought the S. I. and two Police Constables who were in the first jeep and injured in the blast, and a Police Sergeant who was in the second back-up jeep, and a Police Sergeant, who was in the third jeep. Five of the Police Officers who were in the two backup jeeps had died subsequently in the blast of a land mine that exploded on Bar Road in Batticaloa on the 16th November.

#### Evidence of the Sub-Inspector-

All that he could remember was that his jeep was hit by a land mine on Lake Road and it was thrown up. He thereafter fell unconscious. He was still warded in hospital having sustained in-

#### Evidence of a Police Constable

He was in the lead jeep with the Sub-Inspector and three others. The jeep hit a land mine and he fell unconscious. He sustained a head injury and was still in hospital in Colombo.

#### Evidence of a Police Constable

He too was in the first jeep. After the blast he managed to crawl out of the jeep from the rear and took cover on the side of the lagoon. He was dizzy but fired twenty-nine rounds from his gun in the direction of the scrub land from where there was firing at them. There was smoke rising from the scrub land and he could not see anybody in that direction. About ten minutes later he was taken to hospital in the second

(Continued on page 7)

## THOROUGHLLY DISCRIMINATORY ...

(Continued from page 3)

period of nearly 80 years. And what do they ask? They do not ask that other people be allowed to come and add to their numbers. They ask for a reasonable settlement - equal standards of citizenship and the privileges enjoyed by the rest of the population of this country. Let us see what is happening elsewhere. 700,000 Jews have entered Palestine after 1921. Here there are 700,000 Indians in this country, a set of people who are meek and mild. Perhaps that is the reason why they are to be deprived of their votes. The 700,000 Jews that have settled down in Palestine after 1921 are fighting for land and are refusing to be assimilated with the rest of the population of that country. There, the majority community are willing to give them full rights of citizenship bacause the Jews are fighting for their rights. They have almost got what they want. The Indians in Ceylon are asking for full citizenship and not preferential treatment over the Kandyan peasantry. They ask for citizenship in such a way that they may be assimilated with the permanent population of the Island. At the same time, they do not want their communal identity to be lost. That is why I say some people grudge them full citizenship. Every community, especially a minority community is entitled to retain its identity, the integrity of its race, the quality of its culture, and live without being a danger to anybody else.

will examine the If you minimum demands that are behalf of asked on population, you will see that they would not encroach on anybody else's rights. They are not asking for additional rights over any other people. What they say is that they have a distinct language, a distinct religion, a distinct culture and a distinct civilisation; so, let us maintain those privileges. They say, let us be allowed to maintain these features. And, once those are granted they say, we are willing to be completely assimilated with the population of this country. That I say is a just and a modest request and the granting of that request is how similar problems in countries populated with various communities have been solved. But that method has been rejected. Therefore, I say that this is a piece of grave injustice not only to the Indian community but also to every minority commu-

Sir. the Hon. Prime Minister made a comparison with the descendants of the Portuguese and the English. Without being offensive to anybody I wish to say this: their numbers do not portend any danger to anybody politically. The only commuities, if they wish to think in a political way, are the communities which are large enough like the Tamils, the Indians and the Muslims which cause fear. It is such bodies that the Hon. Prime Minister wants to hit. He is not hitting us now directly. But when the language question comes up, which will be the next one to follow in this series of legislation, we will know where we stand. Perhaps that will not be the end of it. But whatever that may be, this Bill is a piece of legislation which is not based on the highest principles on which the differences and difficulties of inter-communal problems have to be solved, and I oppose it firstly on that ground.

Here was the first instance of our country dealing with a delicate problem connected with another country, our close neighbour, a powerfull neighbour. For years the Hon. Prime Minister presented an atmosphere that he was settling this question with Pandit Nehru, and we were made to understand that Pandit Nehru and he were of one mind on this matter and that only the mischief-makers were misrepresenting facts. In point of fact, the Hon. Prime Minister told us that he would get the full consent of Pandit Nehru on these matter. I should like to say this much: If the Hon. Prime Minister cannot get the consent of Pandit Nehru, I doubt whether he can get the consent of any other politician in India. But what has he done? He has dismally failed to get the consent of Pandit Nehru, to a second-class citizenship which he was going to confer on these Indians very clever way in which the correspondence had been carried on. The ability of the politician was there. In his letter of the 22nd June 1948, the Hon. Prime Minister wrote to the Prime Minister of India in the following words:

"The present proposals of the Government of Cevion extend to Indians resident in the Island full rights and privileges of Ceylon citizenship.'

Those were his proposals. Het old the Indian Government, "Here is an article made of gold which I am giving you. Pay the price for it."

They were willing to pay the price of strict enquiry and strict qualifications through which they had to go to buy this article of gold. But as soon as they consented to it, what did the Hon. Prime Minister do? He put in a substitute. He put in a second-class citizenship, not the citizenship that extends to the Indian residents in the Island the rights and privileges of a Ceylonese. This was a very clever move.

But what has it resulted in? It has resulted in our not being able to come to an agreement with our nearest neighbour in respect of an extremely important matter. Now, Sir, this neighbour of ours used to be an abused neighbour in the world until two years ago. Even until a few months ago it used to be an abused member of the States of the world. It is a different story

The Hon. Prime Minister who prides so much in the freedom he has won for this country-freedom that enabled him to enact this piece of legislation-should, in taking such pride, for a movement reflect that in the attainment of that freedom people across the Palk Strait, in the neighbouring continent, have also made their contribution towards it, that the history of this country is inextricably linked with the history of India, and that it is the advancement of political liberties in this

Will the Hon. Prime Minister deny that people had to die and had to go to jail in India to enable us to acquire the liberty to give the first kick to India? We are vying with South Africa and certain other countries in introducing legislation which is anti-Indian in its effect. That is not all. These very people against whom this Bill is being enacted, who are alleged to have been responsible for the deprivation of the rights of the peasants of the Kandyan Provinces. these very people are the people who have brought about material prosperity to this country and enabled the Government to carry on here. Of course, one can see the lits luxurious programme of expenditure. In point of fact, you to retain them on the plantations on which they work in order to derive the incomes therefrom if you really want to rehabilitate the Kandyan peasantry on the land. Think for a minute what the result will be if you turn out all these 700,000 labourers from these plantations. If you want to know what the result will be, just compare a beautiful tea estate with an abandoned one. The moment you turn out 700,000 of these labourers, you will get this monstrous sight of an abandoned tea estate, and all those lands on which they worked will be in that condition.

> By all means rehabilitate the Kandyan peasantry. I represent peasantry myself, but nobody has said a word against the rehabilitation of the Kandyan peasantry in an island which has 25,000 square miles and a population of seven million. There is land, but that is not the real cry. The real cry is that the Indians are not getting assimilated in the manner

in which the Government wants them to get assimilated. Their complaint is that they are losing their linguistic identity by being deprived of schools. Now, some time back in the course of the Budget Debate, on the Education Vote, the demand was made that they be given facilities for a secondary education, but what have they got? They have been given a different system of education from the rest of the people.

Now, Sir, coming to the second question, the question of international relationship, the Government has failed in that field. They tried to make out that there was complete amity between the Hon. Prime Minister of Ceylon and the Hon. Prime Minister of India, and, in order to show that there was that amity, a joint flight was arranged from New Delhi to London, and that was paraded about. I say that by no amount of earthly plane flights will the Hon. Prime Minister of Ceylon be able to solve these Indo-Ceylon problems. He must, instead, join the Hon. Prime Minister of India on a different plane, on the mental and moral plane in which the latter is flying through history. Then, and then only, will an intrinsically difficult problem, no doubt, be solved with fairness and justice to a set of people who have not brought about their conditions by their own free-will.

The Hon. Prime Minister that they were poor in country and that they had fore to come here in orde obtain a better standard of hood. The question that has considered is how are these n just because they happen to ignorant mass of people, treated? Are they to be treated the basis-drive them out, their lands and give them to Kandyan peasantry? Or, are to be treated on the basiscarry on there. If you do not n croach on us, we will not encroa on you. If you contribute to the prosperity of this country, we will help you to become citizens of thi country, so that you will not think of going to India, so that you will not think of sending money to India? That is the method of solving the problem.

Another question where there has been a clever misuse of facts is that these labourers are taking away the Kandyan representation. Let us examine the facts. Each Province is allotted a certain number of seats as there are people in it. If you remove the 700,000 Indians from the Kandyan Provinces, the Kandyans will have

(Continued on page 7)

## MONITORING COMMITTEE'S...

(Continued from page 5)

This witness was in the second jeep. He saw the lead jeep being thrown over by the blast fro n The officers in the land mine. that jeep were also thrown out towards the lagoon. His jeep was 40 yards behind the lead jeep. He and the rest of the officers in his jeep jumped out and took cover and started firing in the direction of Angle Road, where the creepers were. He noticed smoke and the sound of grenades exploding in their direction. He thought he saw five or six people in longs and shorts moving among the creepers. He said he also saw some running, and two or three of them carrying something like arms. He could not say whether they were facing him or running away from him as they appared to be crouching. About ten minutes after the explosion he took the injured policemen to hospital.

#### Evidence of a Police Sergeant

He had been in the third jeep. He had heard the blast of the land mine and the sound of firing and grenade explosions, but he had not seen what happened to the lead jeep in the blast. He had not himself fired or seen any officers or any others firing. He heard an exchange of fire which lasted for about five minutes. He heard one party firing from the side of the lagoon and the firing from the opposite side. His jeep was about 40 yards behind the cond jeep. After the firing cead he went up to the first jeep and saw the injured. He reuned by that jeep looking after guns. After the injured had n removed to hospital, S.I., Virne came back to the scene and tness assisted him to examine the

They went to examine the scene bout half an hour after the land nine explosion. He saw four dead bodies in the scrub land near Angle Road and another five dead bodies seven or eight yards away among the creepers. He said that these nine persons would have died in the cross-fire. He also saw a car battery between the two sets of bodies. and two hand grenades, telephone wire and a cigarette lighter also among the creepers. After the injured Police Officers were removed to the hospital, the Commandos were noticed at the scene and they did a cordon and search operation. He had not seen any person being arrested or brought to the scene by the Commandos. He had taken the dead bodies to the hospital in his jeep.

#### Post Mortem Reports

Post mortem reports of the nine bodies recovered from the scrub land on Lake Road were produced.

A list of the names of eight of them containing their ages and occupations has been furnished to the committee by the Government Agent. The list of the postmortem reports of the dead is given below showing their names, ages and entry wounds only of the bullets:

(1) S. Sritharan (19 years): ½"x½" on middle back, 1"x1" of right upper arm, ½"x½" of left upper arm, 3x2" of left thigh (2) K. Ravirajan 30 years): ½' x½" on back side of left side of neck, ½"x½" of right loin (3) S. Vasanthakumar (16 years):  $\frac{1}{2}$ " $x_{\frac{1}{2}}$ " on right side of neck (4) S. Kanagarajah (22 years):  $\frac{1}{2}$ ' $x\frac{1}{2}$ ' on back side of left shoulder, ½"x½" on left loin, ½"x½" on middle of front of right side of chest (5) P. Vaseekaran (23 years):  $\frac{1}{2}$ ' $x\frac{1}{2}$ " on middle of left side of back (6) N. Selvarasah (20 years): ½"x½" on middle part of left side of chest (7)P. Manojkumar (18 years):  $\frac{1}{2}$ " $x\frac{1}{2}$ " on middle part of right side of back (8) Thusar Koilaparampil (20 years): 1"x1" on back side of right shoulder 1" x ½" of left upper arm (9) K. Robert (17 years): 1"x1" on left loin ½" x ½" on lower part of right side of front of chest, 4" x 3" on front of left thigh.

Particulars of occupations of the dead persons and their address

- 1. S. Sritharan . Student awaitting 1985 A/L Examination Results, Central Road.
- 2. K. Ravirajan.. Relief Sub-Postmaster, Hospital Road.
- 3 S. Vasanthakumar.. Refugee from Trincomalee.
- 4. S. Kanagarajan Unemployed, Suriya Lane.
- 5. P. Vaseekaran... Unemployed, Suriya Lane.
- 6. N. Selvarasa. . Cultivator, Va-
- 7. P. Monojkumar.. A/L Student, Nalliah Road.
- 8. Thusar A/L Student, Hospital Road.
- 9. K. Robert. Address unknown-Identified by uncle.

It will be seen that of the nine above mentioned persons six had been shot from the back, two from the side and one from infront. Of these nine, four were killed by a single bullet each.

#### **OBSERVATIONS**

The evidence of the Scurity Forces was that none of the dead bodies had been recovered from the scrubland adjacent to the site of the blast about half an hour after explosion. The question whether the nine persons, whose bodies where recovered from the scrub-land, were on the scrub-land at the time of the blast or shortly thereafter requires

The post-mortem reports reveal that 4 of these persons were killed by single bullets. In the light of the evidence of Police Sergeant that there was cross-fire for about 5 minutes, it seems to the Committee that it is extremely improbable that no less than 4 of the nine persons had each been hit by a single bullet which went through the heart, Prima facie, therefore, a doubt arises whether these four had been on the scrub-land at all at the time of the blast or immediately thereafter.

Two civilian witnesses had spoken to their having seen the shooting of five civilians by the Security personnel close to the site of the blast and about 15 minutes after the explosion. The Committee viewed the scene of the blast and its vicinity as well as the spot across the water from where two civilians claimed to have seen the shooting. It appeared to the Committee that movements of people and vehicles were visible from there to the extent that this visibility was not obstructed by the trees along the

If there had been cross-fire between persons on the scrub land and security personnel on the road, it is significant that though there were nine killed outright, no injured survivors were found on the scrubland. Nor were there any casualties among the Security personnel as a result of cross-fire. Nor was there any damage by bullets on the two Police vehicles from where the Police directed fire at the scrub-land.

examination in the light of the matthree of the Police Officers who
the committee. The Committee saw and the committee who were in the lead jeep that was blown up by the land mine: they gave evidence in Colombo nine days after the incident. Two of them had been injured and came out of hospital to give evidence. The third was uninjured. They showed signs of shock and strain, from which they had yet to recover.

> A land mine was exploded about the time and place stated by the witnesses and 8 Police Officers in the lead jeep were injured and taken to nospital. There is no doubt that this land mine was planted and exploded in the execution of a plan and that this constitutes a violation of the Cessation of Hostilities:

The Committee has undertaken an exhaustive examination of the evidence given by the civilian witnesses and the Security Forces. The Committee having been in Batticaloa on the day of the landmine explosion was able to visit the site and its vicinity promptly. Nevertheless, on an overall view of this incident the Committee is constrained conclude that the evidence of the Security Forces is far from convinc-

Evidence of Company Commander, STF, Kalawanchikudi.

Witness referred to the abduction of a Police Officer and his wife from the Batticaloa town in early October. On information received that they were being detained in Palugamam a condon and

(To be continued)

### A THOROUGHLLY DISCRIMINATORY ...

(Continued from page 6)

proportionately a lesser number of seats. In point of fact, the entire people of the Kandyan Provinces do not have franchise rights to return Members of their own choice. If anything, the presence of the 700,000 labourers in the Kandyan Provinces, instead of taking away the rights of Kandyan representation. adds to their representation. So it is just another case of trying to blame th: Indian labourers for a state of affairs that does not

On the day that the Hon. Prime Minister moved in this House a Vote of Appreciation on the attainment of freedom by this country, I said, Yes, it has been a constitutional advancement to you, but as a Tamil man I do not feel that if is an advancement to the people whom I represent". Since that day the various pieces of legislation that have been enacted have made a

number of people of my community ask whether they have a place in this country where they could stand with shoulders high, equal to any other citizen in this country.

We have no control, over these pieces of legislation however much we may feel over these matters. I feel it to be my duty to say that the freedom that the Hon. Prime Minister has won has been won for only one community in this Island. It was in his power, and it is still in his power, to see that the freedom that he has won for this country is won not only for one community but for all communities. But unfortunately the Hon, Prime Minister is not proceeding in that manner. I cannot see any signs of it. I can only see signs in the opposite direction, and therefore I wish to register the protest of such of the people as are not satisfied with this legislation.

# Saturday Review SRIUNKA

declared that 1986 will be the Year

The brunt of the war will be borne by the people of Jaffna.

Already indications are that the government will give no quarter in its war on the Jaffna people.

Here are some pictures which show the havoc wreaked by the

President J. R. Jayewardene has armed forces on Sunday, 5th January 1986.

> Among the victims were three Customs Officers. One of those who was seriously injured was the Assistant Collector of Customs, Mr. S. Ganesh.

The pictures tell their own story.

## PICTURES TELL



#### SATURDAY MORNING...

(Continued from page one)

Nizar of Muslim Street (25), 12. S. Sivasubramaniam of Karaveddy (47) 13. S. Ranjan of Mirusvil (21), 14 S. Wenceslaus (50), 15. S. Kirubaharan of Ariyalai. 16, H Nazir of Jaffna. 17. S. Sivananandan of Thikkam (17).

Jaffna which was having a peaceful siesta on Sunday afternoon was suddenly rattled by the sound of machine gunfire and helicopter fire.

This left 7 people, including 3 Customs officers working in Jaffna dead and more than 70 injured.

According to eye witnesses testimony some people injured at the Grand Bazaar, Jaffna were struck by shrapnels from an exploding mortar shell presumably fired from the ramparts of Jaffna Fort.

The mortar decapitated the statue of Thiruvalluvar the sage of the Tamils.

Here is a list of victims:-

1. Tharmalingam Thilakaratnam, Customs Officer, Jaffna 2. Sebamalai Thevathasan, Customs Officer, Navanthurai 3. Balendra (32) 4. Unidentified Vannarpnonai

dentified male Kandarmadam.

This is the satement of the

Monitoring Committee.

While the Committee to monitor the Cessation of Hostilities was meeting in Colombo on the morning of Friday 3rd, January to discuss the programme and arrangements for the visit to Jaffna from 4th to 6th January, it received reliable information that landmines had been placed in close proximity to the Hotel Ashok, Arrangements had been made earlier in the week for Committee Members to be accommodated at Hotel Ashok and also to hear the Citizens' Committees and witnesses who had made representations to the Committee. This Hotel had been the venue of the committee's hearings in Jaffna in November last year.

However, as the Citizens' Committees and witnesses had been advised of the arrangements made for hearings, the Committee decided to proceed to Jaffna as scheduled on the morning of Satur- day. If the situation improves today 4th January.

On their arrival at Palaly Airport about 9-30 a.m. the Com- witnesses appearing before them dent confirmation of the planting 4th January referred to here. of landmines had proceeded to the site in vehicles and on foot in the Committee, later stated, 'The order to defuse the land mines. Co-ordinating Officer advised me The security forces had undertaken and the Government Agent, Jaffna, this operation only because the and the Public Relations Officer Committee was to be accommodated not to get out of Fort as there was and hear witnesses at the Hotel no protection. But in spite of ation the Security Forces had come about 6 p. m., and went home

woman (35) with a shot on forehead returned by them. Nevertheless 5. Miss Shanthi (17) Mathagal two landmines had been tempor-6. Annalingam, labourer 7. Uni- arily rendered imperative by dis-8. Miss Rupa connecting the wires which led to Tharmalingam, Customs officer, a vacant house in the vicinity from which presumably the land mines were to be exploded. This operation had been carried out under protective cover given by a helicopter with guns mounted on it. The Committee had been informed that during these incidents that fourteen (14) persons had been injured and two killed. There had been no casualties among the security forces.

> The Committee was advised that in the circumstances it would be hazardous for members to procee from Palaly to Hotel Ashok ( even to Jaffna Fort as mortar and small arms fire was continuing to be directed at the Fort.

The Committee was informed that as a consequence of those events Jaffna town was and there was no likelihood of either the Citizens' Committee or witnesses appearing before the Committee on 4th January. Committee was therefore obliged to remain in Palaly throughout Saturmorrow the Committee proposes to hear the Citizens Committee and mittee learnt that the Security The Committee is also making in-Force authorities who had indepen- quiries regarding the events of

Prof. Sivathamby a member of Ashok. While engaged in this oper- that the three of us got out of Fort under continuous fire which was without meeting any mishap."

### ADVERTISEMENTS FOR ANNIVERSARY

The 4th anniversary issue of the SATURDAY REVIEW on 25th January 1986 will be a bumper one.

We also plan to double our print order.

We invite Advertisers to use this opportunity not only to reach a wider audience but also to support the only English newspaper in Sri Lanka fighting for the fundamental rights of all Sri Lankans in general and the oppressed Tamil people in particular.

A strong show of support for the SATURDAY REVIEW will be a massive boost to the cause to which we are pledged.

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