

# The Sri Lanka Monitor

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## Jaffna's stalemate

THE SRI LANKAN Army launched *Operation Chaturanga* (Chess) on 18 September and swiftly moved east from Mathagal on the western coast of the Jaffna peninsula to capture Pandatherippu. The operation, six weeks after the death of six senior military commanders on Kayts Island followed a declaration by Army Commander Cecil Waidyaratne that there would be no change in the plans to capture the Jaffna peninsula. A senior cabinet minister says that attitudes in the Army and the government have hardened since the killing of the commanders and peace moves have suffered a set-back.

The Liberation Tigers of Tamil Eelam (LTTE) offered little resistance to the new offensive but claims that the operation was a failure. Reports say the Army withdrew to Mathagal after three days. Bombing and shelling of areas surrounding Pandatherippu has continued.

Further south six infantry battalions advanced 16km east into Tiger-held territory from Thallady camp in Mannar District on 30 September to capture Adampan and Andankulam on the banks of Giant's Tank. Army sources say the operation sought to take control of cultivated areas and to capture a major LTTE base at Parappukadanthan.

The LTTE's strategic withdrawal in the face of both Army operations appears to indicate a change in tactics. The days of direct confrontation by thousands of Tigers seem to be over. Sources say the LTTE will now target Army guard posts and remote camps in a return to the guerilla mode.

The Army suffered heavy losses in LTTE attacks in the east and Veli Oya area in the north. LTTE's deputy leader

*Mahattaya* is said to be in the east coordinating operations. In the last two months alone over 150 soldiers have been killed and recruitment to the armed forces is becoming more difficult. According to reports over 6,000 troops will be withdrawn from the north to contain the increasing attacks in the east.

The capture of huge quantities of arms and vehicles by the LTTE in Pooneryn in Kilinochchi district and Kattaikadu in the Jaffna peninsula has unsettled the Army. A prospective arms deal worth \$100 million with an east European country may provide consolation. Fifteen civilians and five soldiers were killed in a dawn raid by the LTTE on the Kohongaswewa Sinhalese village in the Veli Oya area on 1 October. The allegation by the Tigers that the area has been targeted for Sinhalese colonisation was denied by Cabinet spokesman Ranil Wickramasinghe who said there was no colonisation in the north-east since June 1990.

Rumours circulating in Colombo in mid-September said that former Jaffna Tiger Commander *Kittu* had entered Sri Lanka with a peace proposal supported by six western nations, including the United States. Claims of other militant groups that *Kittu* was seen in Vavuniya were denied by the LTTE.

In early September the moderate Tamil United Liberation Front (TULF) leader M Sivasithamparam called for debate on federalism as a possible solution to Sri Lanka's ethnic problem. Leading Indian journalist N Ram, who is said to have been involved in the drafting of the 1987 Indo-Sri Lanka Accord, denounced LTTE's demand for *Eelam* (separate state) as a "pipe dream" and advocated federalism as an answer.

President Ranasinghe Premadasa began an official tour of the seven member countries of the South Asian Association for Regional Cooperation (SAARC) on 23 September as current chairman of the regional grouping. Mr Premadasa left Sri Lanka for the first time since he assumed office as President in January 1989. Following Mr Premadasa's three-day visit to India the Indian Prime Minister Narasimha Rao expressed the hope that a fair and equitable settlement to fulfil the legitimate aspirations of the Tamil people would be achieved by Sri Lanka.

ing that a solution should be within the Sri Lankan unitary constitution. Mr Thondaman seems to be of the view that federalism is anathema to the Sinhalese majority and that more concessions for Tamils could be won without confrontation.

In early September the Tamil Eelam Liberation Organisation (TELO) pulled out of talks between Tamil and Muslim parties. However TELO says it will continue to support the four-point peace proposal of the Tamil parties. Later in the month TELO urged the resignation of Tamil opposition MPs if the Parliamentary Select Committee failed to show positive results by the end of the year. Meanwhile a petition to the United Nations by the New York-based *Global Organisation for the People of Indian Origin* has urged the world body to appoint an international criminal tribunal to hear killings and disappearances of Sri Lankan Tamils.

As President Premadasa, newly strengthened by victory in the presidential election petition case, left Sri Lanka for a tour of the South Asian nations, the anticipated mass demonstrations by the opposition did not materialise. However there was chaos in Parliament on 24 September when opposition members demanded the withdrawal of new emergency regulations aimed at punishing workers in the export sector from "disrupting export activities". The regulations were promulgated in response to a work-to-rule trade union action by 16,000 port workers from 6 September against freezing of the cost-of-living allowance. The port workers returned to work after a pay deal and the emergency regulations were withdrawn on 28 September.

Superintendent of Police A Theophilus was shot dead by an alleged LTTE gunman at Union Place in Colombo on 23 September. According to the police the killer committed suicide the following day when apprehended. Observers say that the ability of the LTTE to strike in the heart of Colombo demonstrates how little has changed.



## REFUGEES

**Repatriation row rumbles on**

REFUGEE agencies are increasingly concerned over the UNHCR-monitored repatriation of Sri Lankan Tamil refugees from India. Another 3,000 refugees have been returned since the Madras High Court in late August lifted its suspension on repatriation imposed after a public interest petition lodged by two Tamil Nadu politicians.

Fifty six families were evicted from Mandapam refugee camp in Tamil Nadu in early August to force them to return to Sri Lanka. Families which decided to resist the eviction had their rations cut.

Indian authorities have taken other measures designed to bring pressure on refugees. A ban on NGOs entering camps has resulted in refugees losing access to supplementary assistance. Vocational training and other programmes of NGOs have come to a standstill. Last year the Tamil Nadu government deprived the right of refugee children to education.

UNHCR have no access to refugee camps and interview only 50% of the returning refugees at transit centres. The petitioners in the Madras High Court case have requested that the court decision recording UNHCR's monitoring presence, be displayed in all refugee camps.

Observers say the international refugee agency is not providing information on the situation in Sri Lanka to the refugees. Refugee camps in Sri Lanka are overcrowded and reports say UNHCR is unable to provide the facilities promised. Only 500 of the 5,000 recently arrived refugees have been able to go back to their homes and those returning to LTTE-controlled areas must sign a paper saying that the government is not responsible for their safety.

The 50% reduction in relief to 600,000 refugees by the Sri Lankan government

from 1 September set off a storm of protests from opposition parties and refugee agencies. The Rehabilitation Ministry says an additional Rs1.1 billion (\$25 million) is needed for refugee relief this year. Sources in Colombo described the cut as a government strategy to force NGOs and foreign governments to provide more funds. In early October envoys of Canada, Sweden and India visited the east to inspect refugee camps. The government backed down after vehement protests, announcing that food aid would be restored from January.

The government also plans to force back refugees from the north-east currently in camps in Colombo despite the volatile security situation. A conference in Colombo on 22 September to discuss the resettlement was attended by four Government Agents (GA). According to Batticaloa GA I Mohanagurusamy 500 refugees will be initially resettled in the homes of relatives and friends.

UNHCR admits that facilities for returning refugees in Trincomalee are lacking and is seeking to transfer refugees quickly to Mannar Island and Vavuniya where better facilities are said to be available. A large camp to accommodate 20,000 refugees is being constructed on 65 acres of land in Sithamparapuram, eight miles from Vavuniya, with UNHCR assistance.

India is determined to return all Sri Lankan refugees and two New Delhi officials arrived in Sri Lanka on 28 September for talks to speed up repatriation. As the situation deteriorates with the arrival of more refugees, UNHCR and the Sri Lankan government will perhaps welcome the October monsoon and the suspension of large-scale repatriation by ship across the Palk Strait.

**PEN award**

Thiagarajah Selvinithy, the 28 year-old Tamil poet, currently in LTTE custody, was selected by PEN American Centre as one of its two 1992 Freedom-to-Write award recipients. PEN says she has been held for the past one year by the Tigers for her criticism of the crack-down on dissent in Jaffna.

**SAARC conference**

Foreign Ministers participating in the SAARC summit on children in Colombo set goals to provide primary education and halve the current levels of malnutrition. A survey report reveals that 100,000 children are in refugee camps in Sri Lanka. A quarter of children under five years of age suffer from under-nutrition and one in every five children of the age group 10-14 years have no schooling.

**Refugee release**

The 51 Sri Lankan Tamil asylum seekers held in the Kerepestarsa detention centre in Hungary for over three months were released in early September following the intervention of UNHCR. The international refugee agency will interview the Tamil refugees and make recommendations on the question of asylum to the Hungarian authorities.

**Tamil Nadu arrests**

Over 4,000 persons were arrested by police in Tamil Nadu following demonstrations on 18 September demanding the right of self-determination for Tamils in India and supporting the LTTE. Sixteen political leaders were charged with sedition. S Ramdas leader of the Proletarian Party (PMK) was among those arrested. The LTTE was outlawed in India in May.

# Asylum freeze

THE DANISH government froze all decisions on Sri Lankan asylum applications on 1 September, until its Foreign Ministry reports on current conditions in Colombo as an internal flight alternative. The new hard-line policy follows instructions sent by UNHCR to its branch offices in June on Sri Lankan asylum seekers. UNHCR divides Sri Lanka into four areas and says rejected asylum seekers from areas not affected by the war such as the south and central parts of the country may return "in

safety and dignity provided basic safeguards are observed". Sri Lankan MPs say returning asylum seekers would become targets for security forces and the LTTE. Tamil youths are being continually arrested in the south and it is alleged that others have been abducted from refugee camps in Colombo. Some refugees and other Tamils returning to Sri Lanka have been arrested at the airport and have disappeared.

In Switzerland 16.2% of the asylum

seekers in 1992 were from Sri Lanka and the view that Tamils can be sent to southern Sri Lanka in safety may encourage forced repatriation regardless of the region of origin of the refugees, reports say.

The mastermind behind Tamil refugee smuggling operations in Norway was arrested while attempting to bring in four Tamil youths in a cargo consignment through the Norwegian port of Moss on 2 September. Over 270 Sri Lankans have sought asylum in Norway this year.



*Ethnic violence scourges the east***Batticaloa's bitter harvest**

AS TAMIL and Muslim leaders gathered on 5 September to discuss peace after a month of violence, the Army began major search operations in Batticaloa and Amparai districts. At Vellaveli three Tigers were shot dead on 6 September and two more were killed at Savukady on the same day in Batticaloa.

Over 50 people were rounded-up by the Army in Kallady south of Batticaloa on 17 September and nine were detained. Five days later 52 Tamils arrested in Mamankam were released following intervention by Tamil MP Joseph Pararajasingham. Defence sources say that a LTTE hospital was captured and two Tigers shot dead at Vakarai, north of Valaichenai in mid-September.

Further south at Kayankerni the Tigers ambushed an Army unit on 21 September killing 23 soldiers. The attack triggered

new Army operations in late September in which 20 Tigers were killed and a LTTE camp destroyed. Fierce fighting was also reported in the Thoppigala jungles. A 42 year-old woman named Sothy was killed in a helicopter attack at Arasadichenai on 21 September.

Following reports that the LTTE was cultivating the fields of Muslim landlords in its custody and earning over Rs 20 million (\$454,000) each harvest, the Army ordered cultivators to have in their possession written permission from landowners. Reports say large amounts of harvested rice paddy were destroyed at two villages in the Central Camp area in Amparai by the Army.

Disaster struck at a military passing-out parade at the Combat Training School at Kondaivattuvan in Amparai district on 26 September. Twentysix per-

sons including nine soldiers were injured when a soldier accidentally threw a phosphorus bomb.

There was apprehension among refugees and social workers over the reduction of government relief from 1 September. MPs told the government that the cut would result in starvation. According to the Batticaloa Government Agent there are 10,509 refugees in welfare centres in the district and 66,021 others receiving assistance.

At the Tamil-Muslim peace conference, Karaitivu Citizens Committee complained that the committee appointed to inquire into the bomb explosion at Sainthamaruthu on 1 September did not record evidence from Tamils. Following the explosion a retired schoolmaster named M Thambirasa from Karaitivu was hacked to death. Some 16 refugees from the Karaitivu refugee camp who went to work have disappeared, according to the Citizens Committee. Another 13 Tamil villagers were abducted by Muslim Home Guards in early September. A Peace Committee comprising eight Tamils and eight Muslims was appointed. The Committee will work towards reconciliation of the two communities.

Witnesses have identified 16 soldiers who took part in the massacre of 39 Tamils at Mailanthanai on 8 August. Police will file charges against them in civil courts.

*Hit and run*

THE LTTE continued to inflict heavy losses on the Army in the north throughout September. Another 14 soldiers were killed and six injured in a Tiger ambush at Nelukulam in the Veli Oya area on 9 September. In a massive operation on 25 September at Pooneryn south of the Jaffna peninsula the Tigers destroyed 64 Army bunkers killing 20 soldiers. LTTE's Mannar leader *Suban* was killed in the attack. On the same day seven soldiers were killed and 12 others injured in a landmine attack in the same area. Tiger naval units launched an attack three days later at Kokkuthoduvai in Mullaitivu killing nine soldiers and injuring 19 others. On 2 October over 200 Tigers stormed the Kattaikadu Army camp on the eastern coast of the Jaffna peninsula and carried away weapons worth Rs 50 million (\$1.1 million) after killing

thirteen soldiers. Local sources say many of the 80,000 refugees who fled Army's *Operation Earthquake* around Mathagal in August are said to be begging in the streets of Jaffna town.

Drivers of food lorries say batteries and excess fuel are removed at the Kalkundanmadu Army camp in Vavuniya before being allowed to proceed to the north. According to the Rehabilitation Ministry 4,070 tonnes of rice and 5,016 tonnes of wheat flour were sent to the north in mid-September. In a letter to the Health Ministry, the left-wing party NSSP says that there has been an acute shortage of essential medical supplies in Jaffna for the past three months.

In late September, 6,000 people were stranded on both sides of Jaffna lagoon as the security forces strafed four boats carrying food at Kilali, the last fragile lifeline to the mainland.

**Target Trincomalee**

LTTE's deputy leader *Mahattaya*, now directing operations in the Vanni is targeting Trincomalee town, sources say, the vital strategic link between the North and East. A ferry plying between Muthur and Seruwila was blown by a Tiger bomb near Allaikulam on 10 September killing 25 soldiers and 12 civilians. A day earlier six soldiers died and five others injured in a LTTE ambush at Palampotaru, six miles from Trincomalee town.

On 24 September civilians in Trincomalee town were ordered by the Army to assemble at the esplanade and following interrogation 12 Tamils were detained. Three days later in a massive operation at Uvarmalai over 100 young men and women were arrested and taken away.

Relief resources in Trincomalee are under increasing pressure as more refu-

gees return from India. As Uppuveli camp became overcrowded, authorities were forced to take over a food warehouse to accommodate more refugees. Over 80 people requiring medical treatment evacuated from Jaffna by ICRC ship on 21 September were transferred to Colombo by road.

SLMC leader MHM Ashraf said in Parliament that most of the people in villages in the Muthur area were in refugee camps. Other sources say Tamil and Muslim refugees in Muthur have received only Rs 300 of the Rs 6,000 rehabilitation assistance promised.

Roman Catholic priest Fr Peter de Lima was shot dead by a soldier at a checkpoint in Trincomalee on 18 September. The Army says it was an accident.



## NGOS REJECT GOVERNMENT HUMAN RIGHTS REPORT

*A task too far*

THE Human Rights Task Force (HRTF), an independent body established by the Sri Lankan government to monitor human rights violations says in its annual report that there is continuing improvement in Sri Lanka's human rights record. Infringements, according to HRTF are sporadic and are related to the war in the north-east.

Sri Lankan human rights organisations reject the HRTF report, pointing to the continuing human rights abuses in all parts of the island. Earlier statements by HRTF chairman, JFA Soza that there were 4,475 persons in custody, are strongly disputed by agencies who estimate over 10,000 are held, many of them in police cells and Army camps. Human rights sources say that secret Army camps exist near Trincomalee and Buttala where many middle-aged women are imprisoned.

Detainees in Army camps and police stations live in appalling conditions and allegations of torture have been made in fundamental rights applications before the Supreme Court. A large number of persons classified as vagrants are also in detention and according to human rights sources these are poor people engaged in menial jobs. Round-ups by police during political ceremonies and events are common. Police say these detentions are necessary as a precautionary measure. But a number of persons in this category are being held despite police recommendation for release.

A Magistrate, although not authorised to question the validity of detentions under emergency regulations, is nevertheless required by law to visit detention centres once a month. Human rights agencies say visits by Magistrates would help improve conditions of detainees but such visits are never undertaken.

A number of detainees have been rearrested after being released according to sources in Sri Lanka and many have disappeared. There are other instances where the police have obtained fresh detention orders after a person's acquittal. The delay in filing indictments has been criticized. The Attorney-General, as is often the case, files indictment after a person has been in custody for three or four years. However, in a case where the government wishes to punish a person for

**The HRTF has named eight soldiers who were responsible for the abduction and detention of 32 schoolboys reported missing in Embilipitiya since 1989. HRTF annual report says the principal of a school was involved in the abductions and has called for a full-scale inquiry by the law enforcement authorities.**

dissent, the indictment is served immediately. In some cases confessions have been recorded by police after several years of detention on the instruction of the Attorney-General.

Sri Lankan human rights organisations say HRTF has ignored many complaints submitted by them. HRTF's selective blindness, sources say, is to appease the government. There is increasing concern over the attitude of judges hearing fundamental rights cases. Where there is overwhelming evidence of illegal detention indictments have been served on the direction of judges in order to justify detention. Open hostility by judges towards lawyers is affecting their performance in cases, human rights agencies say.

The Presidential Commission of Enquiry into Disappearances says in a press release that of the 453 disappearance cases brought to its notice upto June 1992, public inquiries have been held only in relation to six cases.

According to the Commission, disappearances between April and June 1992 have decreased by 88.2% compared to a similar period in 1991. Human rights agencies say that in recent months 874 young men and women abducted in the south have disappeared.

Sources say some gangs linked to government politicians are abducting girls for human sacrifice in a macabre attempt to discover ancient buried treasure sites. Hundreds of Buddhist statues have been damaged and temples ransacked by treasure hunters. According to these sources the government has threatened to prosecute newspapers publishing reports on such disappearances. Government threats have resulted in newspapers publishing *Reuter* reports rather than their own.

It was revealed at the Negombo branch meeting of the Organisation of the Parents and Family Members of the Disappeared (OPFMD) in early September that 21 conditions had to be fulfilled by families to receive government assistance. Many families left without breadwinners and unable to obtain death certificates from unsympathetic officials have become destitute.

Opposition parties endeavoured to keep the spotlight on disappearances in the run-up to the visit of the UN Working Group on Disappearances on 3 October. The Prime Minister came under fire in Parliament and a human chain from Kotte to Ratnapura was planned by the opposition. The Working Group will assess the extent of implementation of its 1991 recommendations.

Following the arrest of a number of persons in Tangalle in early October, police say plans for a new JVP offensive have been uncovered. An HRTF statement confirming evidence of JVP regrouping impairs its impartiality human rights activists say, and will only encourage further government abuses.

The police say they recovered a large stockpile of arms at Nakulugamuwa in Hambantota district on 15 September. Ten JVP members detained at the Pelawatte camp escaped on 19 September after tunnelling 60 feet. These reports appear to be a prelude to an offensive against the JVP and another round of large-scale human rights violations.

THE SRI LANKA MONITOR is part of an information processing service set up by the British Refugee Council to keep Sri Lankan refugees in Britain, Europe and elsewhere, informed about the current situation in their home areas.

If you have any information you wish to share, or any enquiries you wish to make regarding developments in Sri Lanka, contact

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