

## Swiss to deport Tamils refused asylum

The governments of Switzerland and Sri Lanka signed an agreement on 12 January in Colombo to forcibly repatriate Sri Lankans refused asylum, generating a wave of unease and insecurity among 30,000 Tamil refugees in Switzerland and another 130,000 across Europe.

The repatriation programme targets up to 3,000 Tamils who arrived in Switzerland after September 1992 and whose asylum claims have been rejected. Another 16,000 Tamil refugee cases still undetermined have been re-opened and most are likely to be refused. Less than 5% of Sri Lankan Tamils are granted full refugee status in European countries most receiving a temporary status allowing them to be returned when conditions in their homeland improves.

Swiss officials are playing down the figures, saying only 300 Tamils will be repatriated this year and that the programme's real function is to deter future asylum-seekers from Sri Lanka. The Sri Lankan government is also unlikely to sanction the return of thousands of self-declared Tamil opponents from Europe while the threat from the separatist Liberation Tigers of Tamil Eelam (LTTE) persists. Colombo police believe hundreds of LTTE suicide squads seeking high-profile targets have penetrated the capital among the 100,000 Tamil refugees who have fled the north since the June 1990 war. Over 15,000 LTTE suspects have been arrested in Colombo since President Premadasa was assassinated by a Tiger suicide bomber last May. Around 2,000 remain in custody. Another 2,000 were arrested in police round-ups in mid-January says Colombo Tamil newspaper *Virakesari*. Amnesty International and local human rights groups have called for safeguards for those arrested after persistent reports of disappearances and extra-judicial killings by security forces.

Despite growing concern, Switzerland will push ahead with the repatriation programme and other European countries may follow suit. Faced with economic recession and rising racism, Europe is determined to stem the flow of 500,000 refugee

arrivals a year. Most countries have adopted new two-track refugee procedures allowing them to screen out applicants from states with safe areas or "internal flight alternatives" or those who pass through "safe third countries".

Domestic and demographic pressures now override humanitarian concern and European governments seek to create a climate and the machinery to make the repatriation of rejected asylum-seekers internationally acceptable if not logically inevitable in a changing world order say refugee analysts.

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### *A June 1993 UNHCR statement tacitly endorses Colombo and southern Sri Lanka as safe for the return of rejected asylum- seekers*

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Crucial to this shift in stance is the support of UN refugee agency UNHCR funded by governments and under increasing pressure to secure "durable solutions" to a now global refugee crisis. A June 1993 UNHCR statement tacitly endorses Colombo and southern Sri Lanka as safe for the return of rejected asylum-seekers and the agency will provide "passive monitoring" for the Swiss programme. European refugee agencies expressed concern over the continuing security crisis in Colombo at a meeting with UNHCR in Geneva last September, urging a more active monitoring framework and offering NGO assistance. Other European governments are testing the ground. Sweden deported two Tamil asylum-seekers in October. PR Segar, 26, of Jaffna, deported from Denmark on 29 January was arrested in Colombo two days later in a police sweep.

A key precedent for European impatience has been UNHCR's support for India's repatriation of 36,000 Tamil refugees from camps in south India to war-torn Mannar and Trincomalee districts since January 1992. UNHCR first

refused to back the programme but got involved six months later in a monitoring role after numerous reports of forcible returns. India says the programme is voluntary but Madras-based refugee agency OFERR says coercion is routine. A new report by the US Committee for Refugees says a sample of 24 families interviewed last September came back willingly but warns Western governments not to return Sri Lankan refugees while the war continues.

The latest phase of the India programme recommenced on 28 January when 500 refugees arrived on the *SS Ramanujam* at Talaimannar on remote Mannar Island. Another 3,000 returnees are scheduled to arrive in the next three weeks. The island is virtually cut off from LTTE-controlled Mannar mainland. Supplies are shipped in from Kalpitiya eight hours south where there are over 35,000 Muslim refugees from the district forced out by LTTE ultimatum three years ago. Transport problems, a five-month fishing ban and growing food and fuel shortages have brought Mannar's captive population close to destitution.

Rehabilitation minister P Dayaratne arriving by helicopter for a high-level conference on rehabilitation promised to review the fishing ban and relief logistics but there is little confidence in immediate improvement. NGOs and church workers told the assembled bureaucrats that few of the displaced want to go home because dry rations are quickly suspended after resettlement and the blockade economy leaves them no way to earn a living. Hundreds more families *cannot* return home because troops are occupying their houses.

Fighting on the island is sporadic but often accompanied by Army reprisals. Three refugees at the UNHCR camp who disappeared after a LTTE attack on Pesalai in July are still missing says Amnesty International. The military is tense expecting a Tiger bomb attack to counter the renewed repatriation. All goods transport is banned on buses to Talaimannar from 20 January. People have little enough left to trade or carry. Whether from Switzerland or south India Tamil refugees are returning to a society under siege.

## THE NORTH

## The ordeal of Jaffna

AT least 41 civilians were killed in Jaffna in January by Sri Lankan air attacks and indiscriminate shelling from military bases at Palaly and the islands west of the peninsula said Jaffna's senior civil servant Government Agent (GA) K Manickavasagar in a vehement protest to President Wijetunge this month.

Hundreds more were injured said Mr Manickavasagar, increasingly outspoken since he was wounded in a government air raid on the Jaffna secretariat in November. Two youths, Arasaratnam 18, and Sivarajan 19, were seriously injured when a helicopter gunship strafed their bicycles loaded with firewood at Thenmaratchy on 6 January. From midnight most nights, Jaffna town is shelled from Mandaitivu. Jeyarasa 28, Rasalingam 33, Rasiah 55, and Thiyagalingam were badly wounded in artillery attacks on 15 January. Colombo Catholic Bishop Marcus Fernando in Jaffna on a solidarity mission after 50 people were killed in two separate attacks on St James' Church Gurunagar, highlighted the continuing shortages of food and medicines and called for a negotiated settlement and a ceasefire.

Thousands have fled Gurunagar, Kokkuvil and Chavakachcheri after bombing raids this month says Mr Manickavasagar's report to the President and over 50,000 people are in schools, churches and community halls displaced by December's floods. Over 260,000 are refugees in the district with 117,892 in 198 camps. There is a serious wheat flour

shortage and no medicines to treat malaria, diarrhoea and snakebite proliferating after the floods. Government officials claim 7,000 tons of flour have been shipped to Jaffna with other relief supplies since 21 December. There is fury over a new ban on coconut oil used for cooking and bathing in the north. Reports say Tiger engineers have adapted vehicles to run on cooking oil. Thousands of civilians continue to flee Jaffna across the lagoon at Kilali, free of major Sri Lankan air or sea attacks since the Tigers ransacked the Pooneryn military base in November. Over 3,000 leaving Jaffna arrived in Kilinochchi on 18 January.

At Kilinochchi, damage to the hospital after November's air attack exceeds \$200,000. Roads and irrigation tanks and channels across Kilinochchi and Mullaitivu districts are rapidly deteriorating after the heavy rains and the military embargo on cement means little can be repaired. There is a growing medical crisis in both areas. Puthukudiyiruppu has the only hospital for Mullaitivu District's 130,000 population with most local dispensaries closed. Over 30,000 in the district are displaced. Defence sources say the Sri Lankan Airforce launched new raids south of Mullaitivu in late January. Cooperative Society Chairman Mangala Jeganathan and his wife were killed when the Airforce bombed Nedunkerni in Vavuniya on 11 January. Their three children were seriously injured.

### Separate state

At a meeting with NGOs in Jaffna, the LTTE announced tough new restrictions introducing "passports" for relief workers and rigorous convoy searches at the Thandikulam checkpoint, north of Vavuniya. Rumours say the Tigers will shortly introduce their own currency, devaluing the rupee by 20%.

### Explosion

At least 14 Sinhalese settlers from Padaviya were killed and another 50 injured when a bomb exploded on a crowded bus at Rambewa, ten miles north of Anuradhapura on 19 January. Police blame the LTTE.

### Security

International refugee agency UNHCR says it has received new security guarantees from the LTTE and is waiting for clearance from Geneva to resume relief work at Sri Lanka's largest refugee camp at Madhu in Mannar.

### Extortion

Police say a Tamil gang is extorting money from people arriving from the north after two youths claiming to be from TELO tried to abduct a young Tamil from a Vavuniya hostel.

### Subsidies

A sound agricultural sector does not need subsidies for growth said World Bank Vice President Ismail Serageldin in Colombo. He pledged \$20 million for a three-year environmental programme.

## Mahattaya mystery

MYSTERY still surrounds the fate of LTTE second-in-command *Mahattaya* accused of treason by the Tigers and reportedly scheduled to be shot on 16 January in Jaffna. LTTE sources say he is still under interrogation while others claim he may have been executed some weeks ago.

*Mahattaya* alias Gopalasamy Mahendraraja, 37, was LTTE leader Velupillai Prabhakaran's closest confidante from the same caste, school and town. He supervised the Tigers' military operations while Prabhakaran was in exile in India in 1987 and was president of the PFLT the Tigers' political party set up during the "Hilton Honeymoon", the 14 months of peace talks with President Premadasa's government end-

ing in the June war of 1990.

The first sign of the rift came when Prabhakaran summarily dissolved PFLT two years later and *Mahattaya* dropped from sight, demoted to rehabilitation work, seldom appearing in uniform. There were accusations of corruption and mismanagement in local PFLT branches and stories that *Mahattaya*, who led the Tigers' team at the Colombo peace talks, favoured a settlement with the government.

Prominent Tamil journalist-in-exile DBS Jeyaraj says *Mahattaya* and 200 supporters were arrested last August. A ten-page LTTE charge sheet accuses him of plotting to kill Prabhakaran and ten senior Tiger leaders with the help of Tiger cadre Manickavasagam

Mahendrarajah alias *Engineer* who mysteriously escaped from an Indian jail in Tamil Nadu and returned to Jaffna in late 1992 via Colombo. The LTTE says RAW, India's CIA, is behind the plot.

Other reports claim the plotters betrayed LTTE international representative *Kittu* returning to Jaffna. *Kittu* blew up his ship off south India on 16 January last year after it was intercepted by the Indian Navy. *Mahattaya* was to be executed on the first anniversary of his death.

The *Mahattaya* affair has created new schisms in the Tamil exile community. The Paris offices of the pro-LTTE and widely-circulated *Eelanadu* weekly were gutted in a fire-bomb attack on 12 January, after the newspaper said *Mahattaya* was to be executed.

## ■ The East prepares for elections

### Enforcing democracy

TAMIL MP Suresh Premachandran says 17 people in Batticaloa have been abducted in government vehicles and forced to sign nomination papers as candidates for the forthcoming local elections in the East and Vavuniya town on 1 March. One candidate J Kanagaratnam was shot dead on 5 January reportedly by the Tigers who oppose the poll.

Some 2,013 candidates from seven political parties and 50 independent groups will contest 431 seats in 40 local bodies. Tamil parties will boycott the elections in the east while PLOTE and TELO contest Vavuniya. Tamil MPs have called for election observers as reports of forcible nominations proliferate. In Amparai there are clashes between the locally powerful Sri Lanka Muslim

Congress (SLMC) and government UNP supporters.

Further flooding has hit the east with 17,000 acres of rice damaged in Batticaloa. Malaria and diarrhoea are rife and there is a new outbreak of Japanese encephalitis in Valaichenai and Vaharai. Kalmunai hospital is under increasing pressure seeing over 1,000 out-patients a day. The rains have slowed down the relief effort and over 15,000 families are still waiting for government assistance say aid workers. A high-level team from the Rehabilitation ministry visited Batticaloa on 24 January to assess the situation. Department of Social Services officials have promised grants of Rs 10,000 for housing repairs and Rs 1,000 for farming tools. But over 60% of

95,000 families in Batticaloa are still waiting for rehabilitation payments due for over three years since the June 1990 violence says local MP Pararajasingham Joseph in a protest letter to President Wijetunge this month.

Security has been tightened in anticipation of a new Tiger offensive in the east to disrupt the local elections. Thousands of Tamils from villages close to Valaichenai were paraded in front of *talaiyati*, or masked informers on 18 January, after two policemen were killed by LTTE hand-grenades in nearby Kumburumoolai.

Over 200 villagers in Mannampitiya in Polonnaruwa were arrested after a Sinhalese farmer was killed on 14 January. Over 20 were detained including four women. Amnesty International has expressed urgent concern for the safety of five Tamil farmers from Sithandy arrested and taken to Pulipainjakal Army camp on 24 December. Relatives say the camp commander denies they are being held there.

Senior rehabilitation officials in Trincomalee say over Rs 100 million (\$2.2 million) is needed this year to rebuild 42,000 houses in the district damaged or destroyed by the conflict. Flooding in outlying areas has brought more refugees into Trincomalee town. Selvanayagapuram was surrounded by troops in early January and villagers detained. S Pushparajah of Muthur was shot dead outside his house by the LTTE on 6 January, accused of giving information to the Army.

## Colombo killers

**FORMER PLOTE cadre Uma Prakash accused of running government death squads in Colombo was shot dead by three men at his Wanawasala home a few miles north of the capital on 26 January. Prakash who split from the group while in exile in south India ran one of two secret detention centres in Ragama for the Directorate of Military Intelligence (DMI) fighting the LTTE threat to Colombo.**

**Police clearly suspect PLOTE involvement in Prakash's death, and raided the group's Colombo headquarters two days later, removing files. Over 2,000 Tamils have been detained in the capital this month says Tamil newspaper *Virakesari* as the government's security drive continues. New police chief Frank de Silva says LTTE cadre are roaming Colombo with forged identity documents and called for a new crackdown after 14 Tamils were arrested on a Greek ship in Colombo harbour, with false papers. Human rights groups say arrests are arbitrary and lack adequate safeguards to prevent ill-treatment, financial extortion or disappearances.**

**Chelliah Arumaithurai arrested in early hours of 15 October by unidentified men in civilian clothes was not traced until 30 December after a released prisoner told his family he was held at CID headquarters. Another 90 Tamil youths and six women were arrested in a police sweep of Colombo's Pettah district in early January.**

**Jaffna University student Selliah Sritharan was arrested in Negombo on 17 January on suspicion of LTTE links. Police are increasingly convinced Negombo is a major staging post for Tiger attacks on the capital. Further north at Kalpitiya in Puttalam District, four Sinhalese fishermen were killed in the latest in a series of LTTE raids. In Colombo, the government has clamped a new sea security zone over a mile-wide stretching from Army Joint Operations Command (JOC) Kollupitiya to the harbour, to prevent a LTTE sea attack on the capital.**

## DB's next move

PRESIDENT DB Wijetunge told a political rally at Anuradhapura on 1 February that he wants to abolish presidential elections and replace them with a vote in Parliament. Under the present system the majority Sinhalese vote is sharply divided, giving a decisive vote to the minority Tamils said the President.

Mr Wijetunge is clearly out to break the power base of "kingmaker" and Ceylon Workers Congress (CWC) leader Mr S Thondaman whose Plantation Tamil vote has shored up the ruling United National Party (UNP) for almost 20 years. The President first needs a two-thirds majority to change the constitution which opposition dissidents, loyal to disillusioned SLFP heavyweight Anura Bandaranaike who joined the UNP

in October, may provide. DUNF leader Gamini Dissanayake also rejoined the UNP this month after threatening to capture the provincial government in Mr Wijetunge's home constituency of Kandy with Mr Thondaman's support. The alliance sparked a revolt in the CWC led by General Secretary MS Sellasamy. A court case for party control was adjourned until March and a truce declared.

Prime Minister Ranil Wickremasinghe invited the Tigers to submit peace proposals to the ill-fated Parliamentary Select Committee (PSC) at a rally on 16 January. The PSC deadline ended in November and its report was widely ignored. Tamil MPs have denounced the Prime Minister's cynicism, calling for an end to the Jaffna blockade.

## Mass graves unearthed at Suriyakande

# Spectre of the killing fields

SRI LANKA has agreed to set up a Commission on Human Rights after mass graves were discovered at remote Suriyakande in Ratnapura District in early January. They reportedly contained the remains of up to 300 victims of the Army's brutal suppression of the insurgency by the Sinhalese Marxist People's Liberation Front (JVP) in which 60,000 people died or disappeared between 1987 and 1990.

The graves are said to include the remains of 32 Embilipitiya school boys who disappeared in 1989 after interrogation by soldiers at Sevana Army camp. SK Gunaratne identified clothing fragments belonging to his 19 year-old son Nalin. Journalists who broke the story have been intimidated and SLFP lawyer SA Premaratne was shot at when returning from the initial magistrate's enquiry on 10 January. In a macabre threat, bones dug up from a local graveyard were strewn outside the homes of opposition politicians who helped to highlight the discovery. SLFP opposition leader Mrs

Bandaranaike says the government and the police are making frantic efforts to suppress the truth behind the Suriyakande graves and the legacy of state-sponsored killer squads.

As police enquiries continue, a coalition of 17 Sri Lankan human rights NGOs have sent a memorandum to this year's sessions of the UN Commission on Human Rights (UNHRC) in Geneva in February, calling for an independent enquiry and forensic assistance from international experts.

The government's Human Rights Commission, announced hours before the Geneva sessions opened, is seen as an attempt to allay international criticism. A panel of three retired judges will have the power to refer serious cases to the Supreme Court including those from the JVP period. There will also be legislation to issue death certificates to relatives of those missing for more than a year, allowing them to claim pensions or compensation. Human rights groups like OPFMD have campaigned ceaselessly

for reparations for thousands of families left without breadwinners after the JVP revolt. Sri Lanka has also now agreed to accede to the International Convention against Torture - a concession it offered in Geneva last year.

International Affairs advisor Bradman Weerakoon told the BBC that where there is prima facie evidence, human rights offenders will be prosecuted. Human rights NGOs are sceptical and say no date for the Commission or its terms of reference or constitution have been made public.

A statement from one of the four JVP factions-in-exile, released in London in late January, said the organisation now opposed violence but also opposed the Sri Lankan government and called for its right to re-enter mainstream democratic politics. There is little militant JVP activity in the southern countryside but police still hunt its local leaders. Banda alias *Belikepili Raja* accused of 15 murders escaped from police custody after his capture in Buttala on 27 January.

## Gandhi murder trial opens as Madras politicians feud

INDIAN officials declared a news blackout as the Rajiv Gandhi murder trial began behind closed doors in Madras on 19 January. The former Indian Prime Minister was killed in May 1991 by a suicide bomber allegedly from the LTTE. There are 41 accused, 15 being tried in absentia including Tiger leader Velupillai Prabhakaran. The LTTE continues to deny involvement in the Gandhi murder. New Delhi reportedly turned down a request from the Sri Lankan government in mid-January, for a limited Indian commando operation to snatch Prabhakaran from his Jaffna base.

Political feuding intensified in Tamil Nadu's opposition DMK party as president M Karunanidhi and pro-LTTE dissident V Gopalasamy held rival sessions of the party's general council in Tanjore and Tiruchi in late December. Karunanidhi accused Gopalasamy of plotting his assassination with the Tigers and expelled him from the DMK on 11 November. The struggle for party control continues and will only be resolved, insiders say, after a court battle for the "ownership" of the party's flag and elec-

tion symbol in the event of a by-election.

Tamil Nadu Chief Minister Jayalalitha is still locked in conflict with New Delhi's representative, Governor Channa Reddy. Jayalalitha urged Prime Minister

Narasimha Rao to withdraw Reddy, a close political ally, in September. Central and state governments have routinely accused each other of secretly supporting the Tigers, the ever-present third force in Tamil Nadu politics. Opposition Janata Dal leader Subramaniam Swamy claims Jayalalitha met senior LTTE cadre Baby Subramaniam, another accused in absentia at the Gandhi murder trial, on a recent visit to Hyderabad.

In a Republic Day message in Madras on 26 January, Dr Channa Reddy warned of the continuing LTTE threat. Diplomatic sources say Britain and USA have cautioned Pakistan not to provide arms to the Tigers to destabilise the south Indian state after senior LTTE cadre were seen in Islamabad last month.

Jayalalitha has protested after four Indian fishermen were shot dead by the Sri Lankan Navy off Nainativu in mid-January in three separate incidents. Both countries are determined to smash the LTTE supply route across the Palk Strait but the Sri Lankan Navy are accused of premeditated attacks on Indian fishermen.

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

The Sri Lanka Project  
The British Refugee Council  
3/9 Bondway  
London SW8 1SJ  
Tel: (071) 582 6922  
Fax: (071) 582 9929

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