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No progress on peace alert

ANTICIPATION mounted in December after London-based NGO International Alert's Secretary-General Kumar Rupesinghe, on a visit to Sri Lanka, offered to facilitate new peace talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE).

In the last two years International Alert has developed a series of seminars on peace and has helped to set up a course on Conflict Resolution at the Colombo University. Prominent Sri Lankan MPs have visited Crete, Northern Ireland and South Africa sponsored by International Alert to observe and discuss peace processes.

Speculation in Colombo mounted in mid-December after reports of a new initiative promoted by a "Contact Group" of key donor countries to exert maximum leverage on both parties to guarantee peace. As LTTE newspaper *Eelanatham* welcomed Britain's offers of mediation, the Swiss envoy in Colombo held discussions with several political parties. Newspaper reports say a Canadian government representative was also in the capital in early December for talks.

Mr Rupesinghe said in a press interview that it was crucially important that Tamils' right to self-determination, as articulated by the Tigers, is recognised by the government. On the other hand, he emphasised that LTTE must continue steps taken through Tamil diaspora conferences in Norway and Australia to articulate its vision of an alternative peaceful future. In these conferences LTTE spokesmen advocated greater power-sharing for Tamils in central government as in the case of the US-brokered Dayton peace accord in Bosnia.

■ *Ninety two Sri Lankans were among the 280 asylum-seekers from South Asia feared drowned in the mediterranean on Christmas day. The disaster is said to have happened when refugees in a ship from the Egyptian port Alexandria were transferred to another vessel between Sicily and Malta. Hundred and seven survivors who reached Greece were arrested by authorities. Sri Lankan Tamil newspaper Virakesari has published 46 names of Sri Lankans who may have died.*

Referendum on devolution proposals

Some observers believe that given the volatile situation and the distrust between communities, only quiet diplomacy as suggested by Foreign minister Lakshman Kadirgamar in mid-December will succeed. Mr Rupesinghe was criticised by hardliners when he addressed a meeting in Colombo on 30 December.

It is unclear whether any staff of International Alert visited Mullaitivu to make direct contact with the Tiger leadership. As Mr Rupesinghe left Sri Lanka in early January, newspaper reports said that LTTE was prepared to discuss peace at ministerial level. The Tigers have always maintained that peace talks in 1995 broke down because of government's failure to nominate high-level negotiators. Others claim a nine-point peace agenda drafted by senior Colombo Tamil politicians was supposedly rejected by the Tigers in November because it lacked government endorsement.

The role of India would remain crucial, many observers say. President Chandrika Kumaratunge's unscheduled visit to India in late December further heightened speculation. The old guard of the moderates such as Tamil United Liberation Front (TULF) President M Sivasithamparam are adamant that India remains best suited to guarantee implementation of any peace agreement.

The ban on the LTTE in India is still in force and Tiger leader Velupillai Prabhakaran is the main accused in the Rajiv Gandhi murder case. Some analysts believe that India's involvement is not possible as long as Mr Prabhakaran remains the leader of the LTTE.

As Sri Lankan NGOs prepared for a major peace demonstration in Colombo on 20 December the government announced local elections in Army-held Jaffna. After

Tamil MPs, suspicious of government motives protested, President Chandrika agreed to a postponement. But the government remains committed to staging elections to demonstrate its control over the peninsula.

Sources who met Tiger hierarchy in the last three months believe that there is a window for peace because LTTE has expressed willingness to negotiate and in recent months has not launched attacks on Sinhalese civilians, to demonstrate its sincerity to foreign nations, particularly the US. Although heavy security was maintained in Colombo and other southern areas, fearing attacks during or after LTTE's annual Great Heroes Week in November, the Tigers confined operations to the north-east.

Reports say the proceedings of the Parliamentary Committee on Constitutional Reform (PSC) are being speeded up for completion by end of March 1997. Justice minister GL Peiris hopes to table a new constitution in April which will require a two-thirds majority in Parliament and thereafter approval at a national referendum.

If support from opposition United National Party is not forthcoming, the government may submit its devolution proposals to a referendum without parliamentary approval. In 1970 the Sri Lanka Freedom Party government led by current Prime Minister Sirimavo Bandaranaike overcame similar difficulties by appointing a Constituent Assembly to draft a new constitution.

In the case of a referendum, with UNP opposing, the support of the minority parties is vital for the government. New constitutional provisions must also be approved by a Constitutional Court drawn from among the Supreme Court judges. The appointment of a young female Supreme Court judge Shirani Bandaranayake, not a relative of the President, has outraged Colombo's establishment who say her place on the bench is to push through the peace package.

THE NORTH

Disappearances mount in Jaffna

ADDRESSING Parliament on 2 December, EPDP MP Ramesh Nadarajah accused the Sri Lankan government of treating Jaffna civilians like prisoners denying them access to information. Mr Nadarajah says only government newspapers are currently available in Jaffna. The MP also called on the government to allow independent observers access to Jaffna to monitor human rights.

Diplomatic and NGO sources confirm disappearances and other human rights abuses according to a mid-December *Reuter* report. The senior government officer in Jaffna, Government Agent S Pathmanathan says he has received reports of over 500 disappearances. Human rights agencies have raised doubts over the independence of a committee appointed by the Defence Ministry in December to investigate disappearances in the north-east.

The bodies of S Dharmarajah and S Thanabalan arrested by the Army in Thenmaratchy were found washed ashore in Thanankilapu in early December. Amnesty International says Thamban Paskaran asked to report to the Kaithady Army camp on 10 December has not returned home. Ceylon Tamil Teachers Association General Secretary T Mahasivam has requested assistance from President Chandrika to trace Skandavarotheya College teachers A Sriskaran and S Vivekanandan, detained by the military on 10 August.

The Information Ministry says LTTE reports that bodies of three Jaffna

Chundikuli Girls College students washed ashore in Tiger-controlled Mullaitivu are false. According to the Army the Principal confirms that no student from her college is missing. There are no independent observers in Jaffna or Mullaitivu to confirm either claim.

Five civilians were shot dead during an Army search on 23 December in Thenmaratchy. The military says K. Vijayanathan, 21, was shot dead while attempting to escape from custody and S. Srikumar, 16, was killed accidentally while in custody.

Hospitals in Jaffna have been badly affected by shortage of staff. Over 75 doctors and 180 other staff are urgently needed. Medicines are available at 89 private trading centres but prices are ten times those in Colombo.

People arriving in Colombo from Jaffna say a thriving black market has emerged and prices have soared. Potato is sold at Rs 200 a kilo and an egg at Rs 18. A bag of cement costs Rs 285 in Colombo while in Jaffna the price is Rs 750. In late December GA Pathmanathan called for facilities to transport 3,500 tonnes of red onions produced in Jaffna. A land route is essential to transport food and equipment to Jaffna. But opening of a land route is unlikely while military operations continue.

Six soldiers were killed in a LTTE **landmine attack at Meesalai** on 6 December. Two civilians and three soldiers died in **another landmine attack** on 29 December at Thavadi in Valikamam.

Excommunication

The excommunication of Centre for Society and Religion Chairman Fr Tissa Balasuriya was confirmed in December by the Vatican. Fr Balasuriya has been accused of misrepresenting Catholic church's religious doctrines in his book *Mary and human liberation*.

Tiger deaths

In a statement in early January the LTTE says 9,300 Tiger cadre have died in the war in Sri Lanka since 1982, including 1,079 women and 94 from the suicide unit the *Black Tigers*.

Arms

Police say a Tamil businessman and nine customs officers involved in supplying three containers with weapons to the LTTE in 1995 were arrested on 5 December.

Arrest

TNL TV station News Director Ishini Perera was arrested on 31 December under the PTA on allegations of false reporting on LTTE's STF camp attack in Batticaloa on 27 December. She is the niece of Opposition leader Ranil Wickremasinghe.

Threat

EPDP leader Douglas Devananda has threatened legal action against India and Sri Lanka for failing to implement the Indo-Sri Lanka Agreement of July 1987 which provided for some measure of autonomy for the Tamil regions.

Sickness in the Vanni

THIRTY SEVEN people admitted to the Akkarayankulam hospital in Kilinochchi District died of disease in the last two months, reports say. The hospital which treated over 41,000 displaced people in November, continues to suffer from shortage of doctors and medicine.

The agony of over 400,000 refugees continues in the rains now lashing the Vanni. Although NGOs say there has been no major outbreaks of diarrhoea despite heavy rains, malaria is on the increase and there is a shortage of anti-malarial drugs. Several students who became ill during the GCE (Ordinary Level) examination were found to have contracted malaria.

Water supply to the refugees in the

Vanni remains a problem. Though many wells are now replenished, rains have affected shelter construction and brought the danger of tanks overflowing. After a tank at Maniyarkulam in Kilinochchi was breached in mid-December, 300 families were forced to flee the area. NGOs face difficulty in water supply projects as the government continues to deny permits to transport equipment from Colombo.

According to reports there is no significant improvement in the food situation in the Vanni. Following clashes in Kokkuvelli, food lorries were denied permission for three days to pass Vavuniya in mid-December. Lorry owners say the Department of Essential Services continues to deny payment of Rs 2.5 million

(\$50,000) due to them and they may be forced to abandon transport of food.

Following clashes with LTTE in which five soldiers died, populated areas were heavily shelled from Kilinochchi town, now occupied by the Army. Seven Tigers were killed in a clash at Kokkuthoduvaai in the Veli Oya area on 4 December. In two LTTE attacks in the same area in mid-December 17 soldiers were killed and 12 others injured.

Two civilians who went to see their house at Vinayagapuram in Kilinochchi died of Army shelling in late December. Three Jaffna refugees were shot dead by the Army on 28 December when they visited their places of residence in Kilinochchi.

■ Army offensive in the east

Tigers hit-and-run

OVER 500 Tigers launched an assault on remote Pudukunawa Special Task Force (STF) camp, 20 miles north-west of Amparai on 11 December, killing 38 security personnel and wounding 40 others. The LTTE intercepted Army reinforcements at Kohongastalawa and destroyed two armoured vehicles.

There is growing concern within the government after the attack, over the capture of long-range artillery by the LTTE. Security forces in the east have been considerably weakened after troop withdrawals for northern operations and the closure of a number of military camps.

The Army began *Operation Singing Fish* on 12 December to evict the LTTE from jungle bases in Paduvankarai, west

of the Batticaloa lagoon. Troops advanced in a five-pronged attack. Airforce planes bombed the area damaging a building in Vinayagar School. Three injured Tigers in the building receiving treatment were killed. A soldier died and four others were injured at Ayithiyamalai on 14 December. Food supply to Paduvankarai was restricted and a *Reuter* report says advancing troops found only women and children in villages.

According to the military the Tigers had withdrawn from several camps including the large *Nissan* base. On 17 December the LTTE struck back when a suicide bomber crashed a motorcycle on to a jeep killing senior STF officer in the

east, Upali Sahabandu. Reports say the Army launched another operation named *Rivijaya* (Sun Victory) in Paduvankarai on 31 December.

As fighting intensifies civilian suffering continues. After the Tigers ambushed an Army patrol killing a soldier in Kiran on 19 December, the village was shelled damaging a temple and four houses. The body of student R Maharajah, 17, taken into custody on 22 December was handed over to the Batticaloa hospital. The Batticaloa magistrate has ordered an enquiry into the killing.

Local people say six year-old Michael Niranjala was killed by an unprovoked gunshot from the Eravur police station on Christmas day. Following a LTTE attack on Vellaveli STF camp on 27 December, three civilians were injured in Army shelling and over 500 families fled from the area.

In Trincomalee District, two *Black Tigers* on a mission to attack the port on 8 December were killed by the Navy outside the harbour. Nine soldiers died in a Tiger ambush at Pangurugaswewa on 22 December. Reports say the LTTE abducted four villagers from Andankulam on the same day and one man was shot dead.

Trincomalee Town Council has requested the Fisheries minister to pay compensation to thousands of fishermen who have lost their livelihood following the ban on fishing. Recent heavy rains have destroyed crops and farmers are also demanding compensation.

Vavuniya drama

DEPUTY DEFENCE MINISTER Anuruddha Ratwatte and senior military officers had a close shave with death when mechanical failure forced their helicopter to land in Tiger territory in Pampaimadu south of Vavuniya-Mannar road on 8 December. The 11 people in the minister's party, including Army Commander Rohan Daluwatte and police chief WB Rajaguru, walked several miles in enemy zone guided by a local Tamil farmer, before reaching safety. The helicopter was destroyed on the ground to prevent it falling into Tiger hands. The Tigers were apparently unaware of the incident while Colombo was alive with nine different versions including styling it as an elaborate ruse for peace talks with the LTTE. Perhaps because their capture would have been a major military disaster.

Over 8,000 Tamils who wish to travel to Colombo are currently held in welfare centres in and around Vavuniya. Refugee Council's Chief Executive Nick Hardwick who visited the camps in early December says people live in appalling conditions without adequate medical and other facilities. Water is constantly in short supply and diarrhoea and other diseases are spreading. Vanni MP R Shanmuganathan says ten people have died of disease without proper medical attention. According to other reports at least 50 youths have disappeared from the camps. People say payment of Rs 50 per day for each person is insufficient and they have to sell their possessions to keep life and limb together. A team of 12 doctors led by UNP MP Jayalath Jayawardena was denied access to the welfare centres in early December.

Closing off Mannar

NEW restrictions, similar to those in Vavuniya, are being introduced for travellers from Army-held Mannar Island to Colombo through Kalpitty in Puttalam District to prevent LTTE infiltration.

Vanni MP Shanmuganathan says over 300 people are held at Kalpitty despite having obtained police permission in Mannar to travel south. Many have been denied permission to proceed and returned to Mannar. Increasing LTTE presence on Mannar Island and the western seas have led to the restrictions and police say a camp would be set up in Kalpitty to accommodate passengers.

According to new procedures a traveller must first apply to the Mannar police. A list of applicants will be sent to Kalpitty police who would make

inquiries about relatives or friends in Colombo with whom the applicant proposes to reside. Only after approval by the Kalpitty police, Mannar residents can begin their journey.

In December the boat service between Mannar and Kalpitty was allowed only on nine days. As all supplies to Mannar Island must be brought by boat from Kalpitty, restrictions on the boat service and passengers have resulted in shortage of food.

Mannar Government Agent Croos urged an UNHCR delegation from Geneva, visiting Mannar on 11 December, to increase assistance to Mannar District to prevent people leaving for India. In the last four months 8,000 people have fled to India.

Judge condemns illegal detentions

Colombo's invisible casualties

SUPREME COURT judge ARB Amarasinghe says in a judgment that Sri Lankan authorities often breach laws and regulations relating to arrest and detention. The detention of Jaffna Tamil youth Vijayam Vimalendran for over three years was illegal the Court declared on 20 December and ordered Rs 25,000 compensation.

Although Emergency regulations give wide powers to the security forces there must be adequate grounds for arrest. The Court says the Defence Secretary should have sufficient evidence before signing detention orders. Even those detained under Regulation 17 (i) as posing a threat to national security, should be informed of the reasons for arrest. According to the Human Rights Task Force (HRTF) over 900 people are held on detention orders in prisons and police stations.

Human rights agencies say safeguards in the law are being circumscribed by authorities. In the north-east arrested persons are held for 60 days under

Emergency regulations and then under the Prevention of Terrorism Act (PTA) which provides for 18 months detention without being produced before a court.

In southern areas, including Colombo, suspects are generally detained for seven days under Emergency regulations and then under the PTA on the orders of a magistrate. Agencies say such prolonged detentions are illegal. Twenty three prisoners in Kalutara prison for over two years allege that their detention is illegal and say they will fast unto death if they are not released before 19 January.

Batticaloa prison Superintendent A. Skantharajah says prison officers face difficulty in carrying out orders of the High Court for release of prisoners, while cases filed on the same charges in the Magistrates Court or detention orders by the Defence Ministry remain. Currently many Tamil youths continue to languish in prison even after orders for release.

Police believe many LTTE cadre are hidden in Colombo, among the 150,000

refugees from the north-east. Tamil arrests in the capital continue and police say tight security has prevented Tiger attacks in the last two months. In early December the police issued a public notice for information on LTTE suspect Thambipillai Gnanasekaram who is alleged to be involved in smuggling explosives into the city.

There is a fear in Colombo that military death squads have returned. Retired Tamil engineer Mahadeva was abducted in the dreaded "white van" on 25 December from his residence in Bambalapitiya. Relatives have complained to the HRTF.

The HRTF has been able to trace only 6 of the 18 persons reported missing during October. Local NGOs say HRTF is ineffective. The requirement that arrests and detention orders must be brought to the notice of the HRTF within 48 hours is often flouted by security forces and HRTF has also failed to inquire into illegal detention.

Jayalalitha arrested

FORMER Tamil Nadu Chief Minister and AIADMK leader J. Jayalalitha was arrested in Chennai (Madras) on 7 December on corruption charges. Five members of her former cabinet were detained earlier accused of plundering the state's treasury.

Jayalalitha and her erstwhile confidante Sasikala are alleged to have amassed wealth to a staggering Rs 1 billion (\$20 million). The two leading ladies owned a string of posh houses and received monies from abroad under tax relief schemes.

Current Chief Minister Karunanidhi denies that corruption charges are a political vendetta against his chief opponent in the state. New Delhi-based journal *India Today* says that by keeping the pressure on her, Mr Karunanidhi is preparing the ground for his son MK Stalin, recently elected Mayor of Chennai, to succeed as Chief Minister.

After Indian MPs expressed concern that Ms Jayalalitha faced danger from the LTTE, security in Chennai's central jail was strengthened. While in office Ms Jayalalitha set in motion measures to curtail LTTE activities and was the most

protected person in India, guarded by elite *Black Cat* commandos.

Vigilance against LTTE infiltration continues in Tamil Nadu and in the Palk Strait dividing India and Sri Lanka. The

Indian Navy has intercepted many boats carrying refugees from Sri Lanka. Reports say that the Indian High Commission in Colombo has been instructed by New Delhi to exercise extreme care in issuing visas to Sri Lankan Tamils.

Tamil Nadu police arrested Thani Thamilar Movement Secretary Suba Veerapandian on 5 December after he encouraged support for the Tigers at a conference on 19 November. Communist Party Secretary P Maniyarasan who called for lifting of the ban on the LTTE was detained on 10 December. Sources say that Mr Karunanidhi told Tamil expatriates who met him that the LTTE was the cause for his government's removal in 1990 and there will be no repeats.

Indian fishermen in Rameswaram began a two-day demonstration in mid-December after two of their colleagues were shot dead near Kachachativu by the Sri Lankan Navy which has intensified its patrols to prevent LTTE smuggling fuel and food across the Palk Strait. Another fisherman was killed by the Navy on 11 December.

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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