

Asylum-seekers' ordeal

AS 150 Tamil detainees in Kalutara prison in Sri Lanka began a protest fast in late January opposing prolonged detention without trial, the condition of 16 asylum-seekers on a month-old hunger strike in Britain against lengthy custody began to deteriorate.

Three hunger-strikers in Rochester prison in Kent were taken to hospital in early February for dehydration treatment. In Britain asylum-seekers can be held in prison for an unspecified period without being accused of a crime and without a right to challenge detention.

Prisons minister Ann Widdecombe insists that there are compelling grounds for detaining some 180 asylum-seekers, but the Home Office has refused to give written reasons. The Refugee Council's Chief Executive Nick Hardwick says imprisonment of those seeking protection from persecution is inhuman and has called for judicial review of refugee detentions.

Detention of asylum-seekers is one of the deterrent methods used by Western nations. With around 240,000 refugee arrivals in Western Europe in 1996, including 10,000 Sri Lankans, governments are expected to push ahead with legislative and administrative restrictions. Under new regulations introduced in November 1996, those applying for asylum after entering Britain will lose their rights to social security. Germany is expected to follow suit.

In a bid to strengthen "Fortress Europe", the European Union has developed the concept of a "safe third country" to which refugees can be returned, and has adopted a restrictive definition of a "refugee" to deny asylum rights to those fleeing from non-government

Detentions and drownings spark new fears

groups. Arrangements with countries of origin, similar to the 1994 agreement between Switzerland and Sri Lanka, for the return of rejected asylum-seekers are also on the cards. The European Council on Refugees and Exiles (ECRC) says that there are fewer asylum-seekers in recent years who reach the stage of receiving full refugee status.

Other refugee agencies say government curbs are forcing refugees fleeing persecution to take dangerous routes to reach safety. Concern is growing over the exploitation of refugees by unscrupulous agents who deal in the million-dollar human cargo business.

A boat attempting to land 82 refugees on Lampedusa Island, south of Sicily was intercepted by Italian police on 18 January. The remote Italian island has become a favoured transit point in the mediterranean for entry into southern Europe. Six Tamil refugees drowned near Lampedusa in April last year. Currently Italy is a key entry point into Europe.

Reports say over 154 refugees in a boat, including 78 Sri Lankans were saved by Italian rescue services on 24 January from a sinking ship south of Italy. Ninety two Sri Lankans were among over 280 refugees from the Indian sub-continent believed drowned on Christmas day when they were forced at gun-point by the ship's crew to board a cramped boat between Malta and Sicily.

Most of the refugees had flown to Cairo and boarded the ship in Alexandria. The Cairo connection is one of several points such as Moscow, Kiev, Nairobi and Singapore used for transit.

Each Sri Lankan had paid Rs 720,000 (\$8,000) to an agent for the journey to Europe. Fifty one Sri Lankans saved from the tragedy were

arrested by Greek police who have issued a warrant for mass murder against the ship's Greek and Maltese crew.

The refugees were deported to Sri Lanka from Greece in late January and on arrival in Colombo were taken into custody. Senior Police Superintendent Mithra Siriwardene assured that they would be released after enquiries when parents and relatives expressed fears. Police say a new investigation to track down human cargo agents in Sri Lanka has been launched.

There is concern over return of rejected asylum-seekers from Europe, while the war continues in Sri Lanka, without proper safeguards or monitoring after return. Five Sri Lankan refugees began a hunger strike in Oslo in late January after deportation notices were served on them. Social workers say a refugee was taken to Sweden and after the Sri Lankan embassy in Stockholm issued them passports, deported to Sri Lanka. The applications of 311 of the 400 Sri Lankans who sought asylum in Norway in 1996 were rejected. Others were granted humanitarian leave to remain, but no one was given full refugee status.

Denmark received 126 Sri Lankan refugees in 1996. Around 150 are currently facing deportation. Reports say that Scandinavian Interior ministries have decided to post a special attache to Colombo to investigate refugees from Sri Lanka. The attache will also monitor conditions of returned asylum-seekers from Scandinavia.

Meanwhile, Chitra Rajendran who was deported from Denmark in November has complained that the Sri Lankan police is hounding her. The Crime Detection Bureau (CDB) detained Chitra and her brother-in-law for a day in early January and seized their passports. Chitra's lawyer says the detention and the seizure of passports are illegal. Reports say as a result of continuous harassment by the CDB she is unable to find proper accommodation in Colombo.

■ Constitutional Affairs minister GL Peiris says the proposed referendum, if the opposition United National Party (UNP) opposes the devolution proposals in Parliament, will be non-binding and for five areas: devolution of power to the regions, abolition of the executive presidency, transfer of current executive powers to Parliament, establishment of a second parliament chamber to allow more representation to minority communities and increase of powers of the Supreme Court.

THE NORTH

Tigers strike Paranthan

OVER 2,000 Tigers stormed Paranthan at dawn on 9 January smashing through defences built up after the town was captured by the Army in July last year. The two-pronged assault, preceded by suicide bomb attacks briefly cut off Army-occupied Kilinochchi, four miles south and a simultaneous LTTE offensive on Elephant Pass camp in the north prevented Army reinforcements. The main thrust of the attack came from Tiger-held Mullaitivu in the east and Pooneryn area in the west taken over by the LTTE after the Army withdrew in October 1996.

Over 230 soldiers died in the human-wave offensive and 400 were wounded. The government put Tiger deaths at 500. Other reports say 170 Tigers were killed and another 300 injured. According to the military, 18 tanks and nine long-range artillery guns were destroyed to prevent them falling into Tiger hands. The Tigers say three 120mm guns are among substantial quantities of arms they have captured.

Political observers believe that despite setbacks the LTTE retains its strength and the government may be forced to increase its defence budget allocation of \$1 million for 1997. Diplomatic sources say the Paranthan attack illustrates the difficulties of opening a land route between Vavuniya and Jaffna.

Four military personnel were killed in a LTTE attack at Katurupotana in Vavuniya District on 7 January. On the same day the Tigers killed eight soldiers

and wounded 15 others at Thanthirimalai. Airforce planes bombed Visvadamu on 9 January. Three refugees were killed and ten others injured. Several buildings were damaged.

Army defence positions in Cheddikulam were attacked at dawn on 12 January killing five soldiers and injuring ten. The Defence Ministry says four Tiger spies were shot dead in Kilinochchi south on 18 January. On 30 January civilians K Rajakumar and K Vallimayil were blown to pieces by Airforce bombs at Udayarkaddu. Sarojadevi was seriously injured.

The continued fighting has badly affected education in the Vanni. The North-East Education Secretary says over 30,000 refugee students have not attended school since arrival from Jaffna in December 1995. Vanni Government Agents complain that students have not received school uniforms and books.

Students are unable to concentrate on education without adequate food, reports say. The Kilinochchi GA says many are malnourished and it is not uncommon for students to faint while attending school.

Displacement of large numbers of youths from Jaffna and the lack of educational facilities have boosted the LTTE recruitment drive. Human rights agencies accuse the Tigers of recruiting children and using them in frontline battles. Reports say that in January the LTTE imposed a ban on anyone below the age of 45 leaving the Vanni.

Killed

Kalutara prisoner Amaratunga Rohitha, accused of attempting to assassinate Industries minister CV Goonaratne, died in custody on 6 January. Another prisoner told a magistrate that after jailors took him into a room at gun-point he was seen bleeding profusely.

Crashes

An Israeli-built unmanned spy plane disappeared on 16 January in the Vanni. A Chinese Y-12 transporter with three crew was lost after take off from Palaly airbase on 20 January. The following day an Israeli Kfir fighter crashed into the Negombo lagoon.

Commission

The civilian-appointed Sinhala Commission headed by former judge SW Walpita to enquire Sinhalese grievances in the last 200 years, began sittings in Kandy on 26 January.

Death

Communist Party leader Pieter Keuneman, 79, died on 23 January. Mr Keuneman was a member of parliament for 30 years from 1947 and served as Housing minister between 1970 and 1977.

Attack

The LTTE attacked a police station at Kanugahawewa, 30 miles north-east of Anuradhapura, on 18 January killing 23 policemen and wounding 17. Sinhalese villagers fled the area and took refuge in Kebitigollewa.

Accused soldiers face trial

PRESIDENT Chandrika Kumaratunge told the press on 31 January that soldiers accused of rape and murder in Jaffna will face trial without a jury.

The President's announcement comes in the wake of widespread criticism over continuing human rights violations in the Army-occupied Jaffna peninsula. The Jaffna Government Agent has received over 500 complaints of disappearances. The US State Department says in its 1996 annual human rights report that the government has not identified or charged those responsible for disappearances.

The body of former government assessor R Krishnalingam, who disappeared in Puloly on 16 January was handed over by the military to

Manthikai hospital. S Sureshkumar was arrested by the Army at his home in Alvai on 16 December. Later his parents were informed that he had died. According to the Defence Ministry, the LTTE killed nine civilians in a landmine attack on 29 January at Ponnalai. But the Tigers have published the names of the nine civilians and say the Army shot them in cold blood.

Reports say civilians in Jaffna continue to live in fear. The arrival of three Tamil militant groups who are themselves accused of grave human rights violations has deepened anxiety. After EPDP, PLOTE and EPRLF opened offices in Jaffna in January, the LTTE warned owners of printing presses that

they must have Tiger approval before undertaking printing work.

After visiting Jaffna, EPDP leader Douglas Devananda told President Chandrika that the food supplied in Jaffna was insufficient and below standard. Reports say several ships are anchored at Kankesanthurai and Point Pedro harbours without boats to ferry the food ashore.

Tamil MP P Joseph has expressed concern over the decision to end poverty relief in the north-east from 1 February without implementing government's poverty alleviation *Samurthi* programme. Following complaints about the thriving black market in Jaffna, former Municipal Commissioner K Sivagnanam has been appointed for investigations.

■ New Army offensive in the east

Gang rape

THREE Tamil women, including a mother and daughter, were raped at their home by soldiers on 9 January at Thiyavattavan in Batticaloa District. Two soldiers were taken into custody a week later by police.

Another woman has identified a Special Task Force (STF) member as the man who raped her on 1 January at Vellaveli. Two others at the STF camp in Vellaveli have also been arrested. Local people are concerned and say several incidents of rape remain unreported. Five soldiers are already in custody for the gang rape of a woman in Kalkudah in November.

Over 1,450 families were displaced in Porativu and Vavunativu, in the military's *Operation Rivijaya* (Sun Victory)

in the vast LTTE-controlled Paduvankarai area, west of Batticaloa lagoon. The Army advanced west towards the Chenkalady-Badalla road with air cover and shelling. Sixteen houses were destroyed by bombs and people say they fled before the Army entered their villages. The military say Tiger vehicles were captured at Ilupadichchenai and a senior LTTE intelligence officer *MGR* was killed in Kitul.

As the Army retaliates after Tiger attacks, civilians are increasingly being affected. The Army shot dead S Sornammah, 40, mother of eight children, on 6 January at Thihiliveddai. Six week-old Sivanesan Prema was killed at Vinayagapuram on 19 January. The fol-

lowing day soldiers shot and injured M Lingarasa, 67, and C Sasikaran and damaged ten houses near Kalkudah after seven soldiers died in a Tiger ambush. On the same day, following another LTTE attack at Kiran, in which a soldier was killed, S. Kengeswaran was shot dead and two others were injured.

The Army conducted a major search operation between Vantharumoolai and Santhiveli in early January. Thousands of people were paraded before masked informers. Some were detained and later released. The Army has denied the arrest of S. Singarajah and S Gnanasekaram. The whereabouts of 15 year-old psychiatric patient P Theivendrarajah, arrested at Nasivantivu on 7 January is unknown.

The LTTE has continued guerrilla attacks in the east. The Defence Ministry says three soldiers on patrol in a dinghy on 16 January near Kalmunai are missing after a Tiger attack. Two LTTE were shot dead at Kaluvanchikudy five days later. Six Sinhalese civilians died in a landmine attack at Kudapokkuna in Polonnaruwa District on 28 January.

Further north in Trincomalee District five soldiers died in a landmine attack on Mavil Aru-Kallar road on 7 January. Another five soldiers were killed in an ambush near Meegagodella on 24 January. In early January 1,350 people arrived in Trincomalee from Vavuniya to travel by ship to Jaffna. They are forced to live in crowded conditions in two welfare centres. Over 7,800 have applied to go to Jaffna.

Death trap

THE death of 110 people admitted to the Mallavi and Puthukudyiruppu hospitals in Kilinochchi District, in December is a grim indication of the deteriorating health facilities for 450,000 refugees in the Vanni. Most of them are from Jaffna, displaced when the Army captured the peninsula in December 1995. The deaths were caused by malaria, septicaemia and typhoid. A senior government officer in the Vanni says that most could have been saved with adequate medicine, medical equipment and hospital space. Despite the Defence Ministry's assurance to NGOs, restrictions on medicines and food continue. Government officers say medicines for the six months from October 1996 where sent to the Vanni in late January but for many people they may have arrived too late.

Further south in Vavuniya town, over 10,800 people from the north spent the mid-January Tamil *Thaipongal* festival in appalling camp conditions. Some 31,400 people entered Vavuniya in the last three months after the Army lifted restrictions at Thandikulam checkpoint in October and 20,600 were allowed to leave welfare centres after screening.

The government is currently hurriedly constructing 100 centres in Vavuniya signalling that the policy of detaining people from the north will continue. A four-member committee headed by Defence Secretary Chandrananda de Silva has been appointed to enquire into conditions in the Vavuniya welfare centres.

Observers believe foreign diplomatic concern has forced the government to act. In January and early February diplomats from Britain, Australia, USA and Canada visited Vavuniya.

Across the Palk Strait

MANNAR DISTRICT magistrate M Thirunavukarasu has ordered a forensic examination following the death of Neelan Karan, 25, in police custody. Karan was detained in mid-January.

Security force search operations in west Sri Lanka to check LTTE infiltration continue. The Defence Ministry says a major Tiger communication centre was destroyed in Nachchikudah by the Airforce on 16 January. Ten LTTE were killed in the attack.

In January 225 Tamil refugees arrived in India from western Sri Lanka. The Tamil Nadu state government continues its vigilance against the LTTE. Fifteen youths at the Mandapam refugee camp in Rameswaram were arrested on suspicion of LTTE links on 27 January and taken

to the Vellore special camp for Tiger detainees in North-Arcot Ambedkar District. Three days later another Tamil youth in a camp at Perumpallam in Salem District was arrested.

The ban on ships from Tuticorin in Tamil Nadu to Colombo remains. Colombo harbour is one of the targets of the LTTE. In late January Foreign minister Lakshman Kadirgamar announced an Indian delegation to discuss an alternative port for ships from Tuticorin.

Mr Kadirgamar also said that fishing in the Palk Strait will be discussed. Several Tamil Nadu fishermen have been shot dead by the Sri Lankan Navy in the past year. In late January Tamil Nadu Chief Minister M Karunanidhi warned that his patience was running out.

Black Tiger commits suicide in Colombo

Return of the death squads

FEARS that military death squads have become active again were renewed when the body of a youth bound and burned, was found in Bolgoda lake, 10 miles south of Colombo. In 1995 several bodies of Tamils were found in the same location. The 22 Special Task Force officers accused of the murders, currently on bail and active duty, failed to appear in court when the case was called on 12 December. Human rights activists say retired Tamil engineer Mahadeva, abducted in a white van in Colombo in December has not been traced.

Security was tightened in Colombo as 31 January, the first anniversary of the Central Bank bomb, approached. The government believes LTTE *Black Tiger* suicide squads are hidden among the 150,000 Tamil refugees from the north-east. Government-controlled *Daily News* says six Tiger intelligence cadre were arrested in Colombo and Vavuniya in mid-January. Police say there are some 50 Tiger operatives gathering intelli-

gence on high-profile targets in Colombo, including senior ministers.

The police have sought information on eight Tamils, including alleged suicide bomber L Puvaneswary. Suspected *Black Tiger* Rajaratnam Ketheeswary took cyanide and committed suicide when police stopped her at Colombo's Slave Island district on 31 January.

Jaffna youth S Balachandran who returned from Germany after 13 years in early January was held at the Crime Detection Bureau for a week. Jaffna bride Yogeswary was detained for three days along with her relatives when she arrived in Colombo for her wedding on 13 January. Three Tamils were arrested by the police at a bus stand in Kandy on 20 January and another two detained in Rattota. A Tamil nun working in an elders home in Bandaragama was taken into custody on 31 January.

Human rights agencies continue to express concern over prolonged detention and torture. The Supreme Court

ordered the release of D Jeevakanthan and L Premraj who had been detained illegally in Kalutara for several months. Three others who had suffered severe torture in custody were also released by the Court in late January.

Taxi driver S Balakumar says in a fundamental rights application that he was detained in Colombo and Vavuniya for five months from February 1996. He alleges that continuous torture for 19 days in the custody of the Vavuniya Counter Subversive Unit has left him physically and psychologically scarred.

Tamil detainees in Kalutara prison launched a protest fast on 19 January demanding trial or release. Seventeen other prisoners held for over four years in Colombo Magazine prison agreed not to launch a similar protest after the Attorney-General's Department agreed to act within three weeks. Detainees say this is the third promise given from the Department and the Defence Ministry and have little confidence in it.

Local elections in March

LOCAL government elections will be held on 27 March, the Sri Lankan government announced on 22 January. There will be no elections in the north-east and in the south polls will be for 198 Pradeshiya Sabhas or zonal councils, 31 urban councils and 12 municipal councils. Local Government minister Amarasiri Dodangoda dissolved 237 councils on 27 January transferring responsibility of local administration to the Divisional Secretaries who are directly controlled from Colombo.

The dissolution, two months ahead of elections against normal practice is believed to be to remove the advantage of opposition United National Party (UNP) which controls 192 local councils. The UNP suffered a further setback when its treasurer and former Colombo Mayor K Ganeshalingam resigned from the party. There is speculation that Mr Ganeshalingam may join the ruling People's Alliance (PA).

The government has also been busy welcoming Indian Foreign minister Inder Kumar Gujral who arrived in the island on 19 January on a four-day official visit and to participate in the Indo-Lanka Joint

Commission, setup in 1991 to improve bilateral cooperation. The two governments signed an agreement for the promotion and protection of investment between the countries as Mr Gujral

announced removal of restrictions and lower tariff for over 70 Sri Lankan produce imported to India.

If there was any new deal brokered over the ethnic conflict or the LTTE, it was not revealed. Mr Gujral told the Tamil parties at a meeting on 21 January that India had "burned its hands once" and would not interfere in the internal affairs of Sri Lanka. He also said that India was prepared to provide humanitarian assistance of Rs 50 million (\$1 million) for reconstruction of the north-east.

US State Department's South Asian Affairs Assistant Secretary Robin Raphael arrived in Sri Lanka on the heels of Mr Gujral, also on a four-day visit. She flew to Vavuniya after her arrival on 29 January, to observe the military and humanitarian situation in the north. She confirmed US government's denial that increased military assistance to Sri Lanka means it has become involved in the war. Currently two US commando teams are providing training to the Sri Lankans in the south and the US Navy is said to be involved in joint exercises off Tangalle. The US Airforce is also reported to be providing assistance in Sri Lanka.

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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