

## Terror amongst civilians

Widespread concern has been expressed over the possibility of peace efforts in Sri Lanka being pushed further back following the massacre of civilians in the north and east of the island in September.

In a display of extreme brutality, a 75-strong sword-wielding band of suspected Tamil Tiger rebels descended on Punchi Sigiriya, near Uhana, eight miles north-west of Amparai town in the Eastern Province, on 18 September. Before the carnage was over, 48 Sinhalese people lay dead. Six others were killed in Borapola and Bedirekka. The dead included 14 children. Four people were seriously wounded.

The Liberation Tigers of Tamil Eelam (LTTE) have denied involvement, but observers have no doubt that the Tigers carried out the massacre. The LTTE have killed hundreds of Sinhalese civilians on the north-east border of the conflict zone, including 120 people in Anuradhapura, Polonnaruwa and Amparai districts in October 1995. Although small attacks continued after 1995, no large-scale assaults on villages were launched, allegedly on the instruction of LTTE leader Velupillai Prabhakaran. New orders have apparently been issued.

Amnesty International condemned the deliberate killings and called on the leadership of the LTTE to immediately halt attacks on civilians and instruct members to comply with humanitarian law. Mr Prabhakaran wrote to the Human Rights Commission in February 1988, confirming that the LTTE had transmitted a notice to the UN and the ICRC, accepting the Geneva Conventions.

The Tiger attack is said to be a reprisal for the Sri Lankan Airforce bombing in the LTTE stronghold of Mullaitivu District in the Northern Province. An Airforce plane swooped down on Puthukudyiruppu, 20 miles south-east of Kilinochchi town on 15 September and bombed a crowded market place at Manthuvil junction. The ICRC say 15 Tamil refugees, including two children, were killed in the market

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and six others died later in Puthukudyiruppu hospital. Many of the dead were from Jaffna. Thirty five people suffered serious injuries. A number of shops and huts were also destroyed.

The military initially claimed that LTTE camps near Nanthikadal lagoon were targeted on the basis of intelligence reports and denied that civilians had been killed. Relief workers say that the refugee settlement had been in existence for more than three years and could not have been mistaken for a Tiger camp.

Local people believe that the attack was in retaliation for Army losses in *Operation Rana Gosha V* (Battle Cry) in Mannar, three days earlier. The Airforce has killed hundreds of civilians in the north-east. Military planes bombed the Naval Church in Jaffna in July 1995 killing 65 people. In September that year, 34 school children died in aerial attacks.

Amnesty International has written to President Chandrika Kumaratunge expressing concern that not all precautions are being taken to protect civilians. Care must be exercised in selecting and vetting targets, choosing the timing and the manner of carrying out attacks. Civilians must be given advanced warning when possible. Amnesty has asked to receive relevant details of the rules of engagement and other instructions given to pilots to assess whether these comply with the rules of humanitarian law.

The ICRC was concerned over the alarming upsurge in civilian deaths and

called on the Sri Lankan government and the LTTE to desist from brutal and indiscriminate acts which spread terror amongst civilians. The UN office in Colombo also expressed deep concern over extensive civilian casualties in the two incidents.

Government-controlled Colombo newspaper *Daily News* says that Foreign minister Lakshman Kadirgamar, who was in New York to attend UN General Assembly sessions, was furious and declared that UN agencies have no authority to speak on Sri Lanka's domestic problems, accusing them of attempting to expand their mandate. He declared that the Airforce attack was an accident while the LTTE killings were not and criticized the ICRC for failing to make the distinction. The response of Mr Kadirgamar for the Naval Church killings in 1995 was similar. He censored the ICRC for releasing news of the incident before informing the government.

Observers are concerned that this may be the beginning of a return to large-scale revenge killings which may harden attitudes on both sides and affect peace initiatives such as the one in which the Sri Lankan business community is involved. This will also strengthen Sinhalese and Tamil hardliners who are against peace talks and want the war to continue.

Tamil party EPDP say, since the Amparai killings Army harassment of Tamil civilians in the east has increased and have demanded protection for Tamil villages. Digamadulla MP HM Weerasinghe has urged the government to issue machine guns to 600 Home Guards in Amparai to ensure the safety of the Sinhalese villagers.

The NGO-led National Peace Council (NPC) says that these killings will only serve to undermine the credibility and the legitimacy of the parties in taking any possible peace process forward. Barbaric behaviour, NPC says, only results in misery to the victims and demonisation of both parties among the general population, which is harmful to any potential peace process.

JAFFNA

# Jaffna detentions

REPRESENTATIVES of humanitarian agencies demanded at a meeting in Jaffna Central College on 23 September that a list of people held in prisons, Army camps and police stations should be published immediately to prevent further disappearances.

The meeting was arranged to provide information to the public about the excavation of mass graves around Chemmani. The investigation follows claims by soldier Somaratne Rajapakse that bodies of people killed in Army custody are buried at Chemmani. Seventeen skeletons have so far been found. Mr Rajapakse has expressed surprise that many of the 26 gravesites identified by him did not contain human remains.

Mr Rajapakse has also identified 20 soldiers involved in the disappearance of civilians in Jaffna in 1996. Jaffna magistrate M Ilanchelivan ordered the police to carry out investigations and postponed court hearings to 6 December.

State Counsel Yasantha Kothagoda said at the Central College meeting that complaints against security forces could be made to police officers of the Criminal Investigation Department (CID). Observers say people are reluctant to complain to the CID for fear of reprisals. Relatives have complained to the Human Rights Commission that Mahadevan Mathivathanan, 24, is missing since 17 September.

NGOs say that 45,000 Jaffna fishermen continue to suffer as a result of

Army restrictions on fishing. Fish production in the peninsula in 1983 was nearly 50,000 tons. It fell to 2,420 tons in 1998. Fishermen say the time allowed for fishing is inadequate and there is no proper storage or marketing facilities.

Following a report by the National Water Resources Development Board, Fisheries minister Mahinda Rajapakse said on 28 September that he had instructed officers to solve the problems of Jaffna fishermen. Minister Rajapakse says that he would also take up the issue at Cabinet level. But observers believe that it is unlikely that the Defence Ministry will cooperate with the Fisheries Ministry.

Reports say ship services to Jaffna remain a problem and prices in the peninsula continue to rise. Some private firms have accused the government of preferential treatment and denying them permits to run services. Tamil MP Joseph Pararajasingham says it is cheaper to send goods to the US than to Jaffna. The LTTE threat to ships in the eastern sea remains a concern. The military say the Tigers damaged a Chinese ship with a rocket-propelled grenade on 25 September. The ship was carrying fertilizer to Chennai (Madras).

A soldier was injured in a Tiger grenade attack on a checkpoint at Thirunelveli on 27 September. Three days later, a soldier was killed and two others were wounded by a claymore mine in Navakkiri.

## Language

Education minister Richard Pathirana said on 21 September that Tamil will be taught in all Sinhala schools from January 2000, as a measure to promote ethnic reconciliation. He says 6,500 new teachers will be recruited to teach Tamil. Justice minister GL Peiris says that the government also intends to introduce an Equal Opportunities Bill in Parliament aimed at reducing fragmentation based on gender, ethnicity and other social distinctions.

## Threat

Sri Lanka Muslim Congress (SLMC) leader and Rehabilitation minister MHM Ashraff threatened in late September to quit the ruling People's Alliance (PA), after Education minister Richard Pathirana declared that the PA did not need SLMC's support.

## Opposition

Sri Lanka voted against the establishment of a commission of enquiry for East Timor, at the United Nations. The commission would precede a tribunal to probe crimes against humanity by the Indonesian army and the military-backed militias in East Timor.

## March

Sri Lankan development NGO *Sarvodaya* leader AT Ariyaratne said in early September that he will lead a million-strong peace march into LTTE territory in the north to urge the rebels and government troops to lay down arms. The march is scheduled for February 2000.

# Army halted at Periyamadu

THE Army launched *Operation Rana Gosha V* (Battle Cry) in Mannar on 12 September. Troops advanced northwards from east and west of Palampiddi to encircle Periyamadu, four miles north. The operation was halted under LTTE artillery attack and hopes of a quick victory before the rainy season ended.

The Defence Ministry say 53 soldiers died and 411 were wounded, 92 of them seriously. The LTTE claim that only 27 cadre died in the battle. Analysts say the LTTE have returned to conventional resistance after ten months. The Tigers were engaged in recruitment during this period and are said to have acquired substantial quantities of military hardware.

On 14 September the Army began *Operation Relu Pahara* (Wave Assault) east and west of Paranthan, three miles north of Kilinochchi. Eleven Tigers are reported killed in the operation. On 16 September, 11 soldiers were killed and 20 wounded in a Tiger landmine attack at Thatchanamaruthamadam, further south.

Thousands of refugees want to leave the Vanni because of continuing military operations and lack of food and shelter. Sources say that the failure of the *Maha* cultivation due to drought will make the situation worse. Many people are fleeing by boats to Jaffna from the western coast and some to the southern Indian state of Tamil Nadu. A boat carrying Tamil

refugees capsized in the Palk Strait on 22 September. Twelve bodies washed ashore at Nainativu and Punkudutivu islands, west of Jaffna.

Following a visit to the Vanni, Mannar Bishop Rayappu Joseph described to the Health minister Nimal Siripala de Silva, the conditions of the people and the appalling state of health facilities. The minister promised to send more ambulances to the Vanni, if the Defence Ministry permitted. Reports say North-East Governor Asoka Jayawardena has ordered funds allocated for the development of LTTE-controlled Kilinochchi and Mullaitivu districts to be transferred to Jaffna District.

## ■ Government cuts development funds to LTTE-controlled areas

# LTTE mine attack

EIGHTEEN soldiers were killed and 17 others wounded in a Tiger landmine attack on an Army convoy on Trincomalee road in Batticaloa District on 24 September. The police believe that the mine was detonated from a nearby building. Following the attack, ten people were arrested in the area.

The security forces are unable to prevent Tiger infiltration of high security zones in the east. The LTTE have launched a number of attacks in Army-controlled areas in the last two months causing high military and civilian casualties. Observers say these attacks may be aimed at diverting the military's attention from the Vanni, where the Army has captured vast territory.

The Tigers attacked Uthayapuram checkpoint on Kalmunai- Amparai road on 21 September killing a policeman and injuring another. On the same day, the LTTE's *Pistol Group* shot dead Army intelligence officer, Kandiah Gopalapillai in the high security Puliyantivu section of Batticaloa town.

The Army arrested 34 people in the town and detained six. Soldiers attacked and wounded farmer S Sathasivam on 19 September at Valaichenai. He was admitted to Batticaloa hospital with injuries. The Tamil groups operating with the Army, shot dead M Puvanarajah, 28, S Yogarani, 30, and V Nageswary, 14, at Kaluvankerni on 28 September. The Army claims that Mr Puvanarajah was a

senior intelligence officer of the LTTE. But others say all three were civilians. Batticaloa MP Joseph Pararajasingham has complained to the CIUAD that Alagan Thavamani, 47, a mother of 11 children, remains in detention from 7 August without adequate reason.

The government's response to LTTE intrusion has been to impose new restrictions on Tiger-controlled areas. In September, North-East Governor Maj. Gen. Asoka Jayawardena ordered the suspension of all resource development programmes in LTTE areas of the eastern districts. A government order already prohibits NORAD-funded programmes in Tiger areas. Provincial Land Commissioner's funds for excavation of water wells to improve food production have also been withheld. Local MPs have protested saying that these will have no effect on the Tigers, but will badly hit the civilian population.

In Trincomalee District the LTTE attacked a police post in Muthur on 13 September, killing two policemen and wounding 11. A patrol was ambushed two days later in Kinniya and two policemen were killed. On 28 September, the Tigers ambushed an Army patrol in Kantalai killing four soldiers and injuring two others.

In late September 464 refugees from other districts arrived in Trincomalee and were accommodated in the Glass Factory refugee camp. On 30 September, 1,250 people, including the refugees, left for Jaffna in the ship *Lanka Muditha*.

# Murder of editor

ROHANA KUMARA, the editor of Sinhala journal *Satana* (Battle) was shot dead by an unidentified gunman on 7 September in Mirihana, east of Colombo city. Mr Kumara had worked in association with presidential media advisor Sanath Gunathillake, but later turned against him. He accused Mr Gunathillake and the People's Alliance government of corruption. He was being investigated by police over an audio recording he made public on the "Channel 9 Affair" which relates to allegations against Mr Gunathillake of a corrupt deal with a businessman. Mr Kumara's family and friends blame elements within the government for the assassination. Colombo Editor's Guild says that the government is encouraging the alarming trend towards physical attacks on journalists who criticize those in high public office. Last month, the CID questioned Lasantha Wickrematunge, the editor of *Sunday Leader* which exposed the Channel 9 Affair. He has written to the Inspector General of Police saying that he faces danger following the comments of Media minister Mangala Samaraweera that 'the editor of *Sunday Leader* can be a disposable sacrifice for politically motivated elements'. Reports say BBC's Colombo correspondent Susannah Price is among journalists who received death threats.

UN Rapporteur on Freedom of Expression, Abid Hussain and Rapporteur on Independence of Judges and Lawyers, Dato'Param Kumaraswamy attended an *International Colloquium on Expression and Defamation* on 15 September. The Colombo meeting called on all states in the region to repeal criminal defamation laws, including those providing special protection to Presidents and public officers. Defamation laws have consistently been used against journalists in Sri Lanka.

## GA arrested

MANNAR DISTRICT'S senior state officer, Government Agent (GA) SM Croos was arrested on 4 September. Police allege that explosives were found in his home in Mannar. The arrest followed police interrogation of Mr Croos' driver. By end of September he had not been produced before a court.

The LTTE continue to infiltrate Army-held Mannar Island. The Tigers fired on a passenger bus travelling from Talaimannar to Mannar town, at Nadukkudah on 24 September. A naval officer and a policeman were killed. Two policemen and student P Arulseelan, 17, were injured. The following day, a bomb wounded a policeman and two civilians at a checkpoint in Mannar town.

Further east in Vavuniya, police say they stopped an armed gang heading to attack Poonthottam refugee camp on 20 September. Gangs also attempted to attack Tamil villages in the District following the massacre of Sinhalese civilians in Amparai. The Army searched Vavuniya town on 21 September, after reports that Tigers had infiltrated the town and paraded people before *Talayattis* or masked informers.

After PLOTE leader D Sitharthan alleged of a plot to kill him, the police hunted for the group's new military commanders Jegan and Jeeva. In mid-September, the Army arrested Haribabu, another member of the faction of Manikkadasan who was killed in August.

## Amnesty alleges torture of detainees

# Bombs in the south

THREE people were wounded by a bomb in a bus at Negombo, 25 miles north of Colombo, on 22 September. Another bomb ripped through a passenger bus at Thangottuwa, near Negombo, injuring 20 people. In a search operation the following day, the police rounded-up 150 Tamils and detained 15 suspects.

On the same day, two bombs were found near Fort police station in Colombo. Following the discovery, 13 Tamils in the Vavuniya-Colombo train were taken into custody. Twenty two more Tamils were arrested during a search of the Fort commercial area. One person was killed and 28 were seriously wounded by a bomb in a bus near Badulla in the Hill Country on 26 September. Over 50 Tamils were rounded-up in Kalutara on 27 September and eight were detained.

Fifteen Tamils in Kalutara prison began a hunger strike on 14 September protesting against prolonged detention. Mannar resident Anthonipillai Jesudasan,

currently held in Kalutara prison, says he was arrested on 9 June and held for 45 days in a Vavuniya police station. His head was covered with a plastic bag dipped in petrol and he was attacked with plastic pipes filled with concrete. The case will be heard in June 2000.

According to Amnesty International, three Tamils arrested in August suffered severe torture in police stations. Colombo lawyer N Srikantha says 50% of the 800 Tamil detainees in Kalutara under the Prevention of Terrorism Act (PTA) are held for over four years without trial. The protest fast ended on 21 September after lawyer Kumar Ponnambalam was granted an interview with some judges.

Lawyers say cases where witnesses do not appear for several court hearings should be dismissed. Where a confession is rejected by court in one case, the other cases filed against the same person based on such confession should be withdrawn. Where a detainee has several cases

against him in different courts, all cases should be brought before one judge.

After the meeting on 26 September, Mr Ponnambalam said that the judges had agreed to consider the factors causing delay and expedite the cases which have already been filed. But the judges said they did not have the power to instruct the Attorney General's (AG) Department to file cases.

Mr Ponnambalam filed a fundamental rights application in the Supreme Court in September after Helitours Ltd refused him a ticket. Mr Ponnambalam was scheduled to visit Jaffna on 6 September to represent the relatives of the people disappeared in Army custody, during excavation of Chemmani graves. The airline company had demanded a "Ministry of Defence Clearance Certificate" which all travellers to Jaffna are expected to obtain. Mr Ponnambalam says that there is no provision in law for such a demand and his rights of movement and equality have been breached.

## Kadirgamar rejects UN mediation

THE Hong-Kong-based Asian Human Rights Commission (AHRC) called on the United Nations in late September to become involved in ending the protracted ethnic conflict in Sri Lanka, expressing concern over the acquisition of hi-tech weapons by the warring sides which may increase tension in the region. The call follows Sri Lankan Defence Ministry's invitation for applications to supply laser-guided bombs and electronic warfare systems. The Ministry also seeks minesweepers, frigates and destroyers.

Speaking in New York, Sri Lankan Foreign Minister Lakshman Kadirgamar rejected UN involvement, saying that the conflict was an internal affair. Mr Kadirgamar said that Sri Lanka had no hi-tech equipment to defend herself in the face of aggression. The island nation had only the moral sanction of the UN Charter and sovereignty was a precious entitlement.

Addressing the UN General Assembly, the Foreign minister, in a veiled attack against Britain, criticized nations which allowed the LTTE to flourish within their borders.

Sri Lankan writer Jehan Perera says Mr Kadirgamar speaks of foreign mediation and intervention as if they were the same. He adds that the failure of badly planned efforts of the past, such as the

Indian intervention in 1987, is not good enough reason to reject foreign mediation and points out that the experiences of the intervention can be usefully employed in the future. The reluctance of the government to obtain foreign mediation may indicate an uncertainty on its part regarding its position on the rights of the Tamil people, Mr Perera says.

The LTTE continues to insist on foreign involvement and the other Tamil parties strongly favour third-party mediation. The moderate Tamil United Liberation Front (TULF) condemned Mr Kadirgamar for his stance at the UN. Jaffna Catholic Bishop Thomas Savundaranayagam, Mannar Bishop Rayappu Joseph and Batticaloa Bishop Kingsly Swampillai met LTTE leaders in the Vanni on 20 September. They raised concerns over the deteriorating situation of the civilians in the north-east and stressed the need to end the war. Tiger leader Thamichelvan pledged to support peace efforts, but accused the government of giving priority to war efforts with the help of some foreign governments, particularly the United States.

THE SRI LANKA MONITOR is part of an information 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  
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