

Suicide bomber kills minister

Sri Lankan minister for Industrial Development, C V Gooneratne was assassinated by a suicide bomber while attending War Heroes Day ceremonies in Ratmalana, south of Colombo, on 7 June. The bomb also killed 21 others, including Mount Lavinia deputy Mayor Anura Silva and seven policemen. More than 60 people were injured and Mrs Gooneratne who was wounded died later in hospital.

The government immediately issued a statement calling for calm and strengthened security. The police imposed a curfew in the area and arrested over 100 Tamils. Thirty three of them were handed over to the police Terrorist Investigation Division (TID) and others were released. Fifty nine Tamil students at the University of Moratuwa were also taken into custody and seven were detained.

Some 50 people armed with knives and batons attempted to attack Tamil residents in the nearby Soysapura flats, but dispersed as soldiers arrived on the scene and fired in the air. A shop near the flats was smashed. Some Tamil-owned shops near the Ratmalana bus depot were also looted and damaged.

The Liberation Tigers of Tamil Eelam (LTTE) are believed to have carried out the suicide attack. The Tigers may have planned the strike to disrupt the event which was organised to raise funds for the war effort. Mr Gooneratne was a strong advocate of full-scale war to wipe out the LTTE. Amnesty International condemned the deliberate killings and called on the Tigers to respect principles of humanitarian law. Activists are appalled and say the murders are a blow to the international campaign for Sri Lankan minority rights.

Analysts point to the urgent need for lasting peace to prevent such killings. The ruling People's Alliance (PA) and the main opposition United National Party (UNP) continued talks in June on constitutional reform, said to be aimed at achieving peace. But it is now clear that the two parties are engaged in the dangerous 50 year-old political game that

The LTTE's legacy of bombing, assassinations, massacres and torture has alienated the people of Sri Lanka and the international community, and has done nothing to promote the legitimate needs and aspirations of the Sri Lankan Tamils.

US State Department

has cost the lives of over 60,000 people.

According to reports, the two parties reached agreement on several issues, the PA going back on assurances to the Tamil political parties in order to satisfy UNP demands. Some observers say the new agreement is inimical to devolution of power and the promotion of human rights. Others believe that PA has agreed to many of the UNP demands, because President Chandrika is keen to adopt the new constitution, which will also contain interim provisions enabling her to continue as President for another six years, with the extensive powers that she currently enjoys, before the final abolition of the executive presidency.

The government proposals provide that a regional statute would become law when signed by the speaker of the regional council. The UNP wants the regional governor to be vested with the power to reject regional statutes, as in the case of the 13th Amendment to the Constitution. (The governor would be an appointee of the central government). In 1991, the regional governor under the 13th Amendment, rejected a statute by the North-East Provincial Council to acquire the bus transport authority.

The government proposals also envisage national policy only in some areas such as finance and defence. But the UNP wants national policies for all areas, including those that are listed as regional subjects. The UNP has also opposed the

inclusion of social, economic and cultural rights in the 'Fundamental Rights' chapter of the proposed constitution. Special rights for children, right to safe conditions of work, freedom from forced labour and other social rights will be included under 'Directive Principles of State Policy' and will not be enforceable.

An interim council in the north-east is also proposed, before a referendum in the Eastern Province to decide whether it would remain merged with the Northern Province. The interim council will be appointed by the President based on the ethnic ratio in the north-east. The Tamil political parties are adamant that the two provinces must remain permanently merged for the purpose of devolution and oppose a referendum in the east. They say that large-scale displacement of the Tamil population and government-led Sinhalese settlements in the eastern province will have a major impact on the outcome of the referendum.

The Tamil parties also insist that control over land in the region must remain with the regional council. The Tamil United Liberation Front (TULF) told Norwegian peace negotiator Erik Solheim in Colombo in late June that any proposed solution without the consultation of the LTTE is unacceptable.

In an interview to London-based *Tamil Guardian* on 29 June, LTTE's political advisor Anton Balasingham again rejected government proposals, alleging that they have been further watered down leaving only a 'skeleton'. Mr Balasingham says the proposals fail to address the 'key demands or the national aspirations of the Tamil people as articulated in the cardinal principles of the Thimpu declaration'.

The 1985 Thimpu principles demand the recognition of the Tamil right to self-determination, the north-east Tamil homeland and that Sri Lankan Tamils constitute a nation. Science minister Batty Weerakoon says that the government is determined to take forward its peace proposals even if it is not accepted by the Tigers or the UNP.

JAFFNA

Displacement ordeal

REPORTS say 40% of the people who took refuge in western Valikamam area returned to Jaffna town in June, as the expected LTTE offensive failed to materialise. As the military-imposed curfew throughout the peninsula was relaxed, some refugees from the south-eastern Thenmaratchy who fled to north-eastern Vadamarchy also arrived in Jaffna town. Shops and schools have been reopened, except in Columbuturai and Ariyalai, east of the town, parts of which are controlled by the Tigers.

In Vadamarchy and Valikamam, more than 16,000 people are accommodated in 138 refugee centres and provided food by the government. Most of these centres lack basic sanitary and water facilities. Thousands of others are living with friends or relatives and most are not receiving any assistance. In late June, Tamil party and government ally, the EPDP, told President Chandrika that dry rations to the refugees and fuel supply were inadequate.

Jaffna's NGOs say that they are unable to assist refugees because the government has severely restricted their activities and funding for the last five years. The ban on local NGO collaboration with international agencies remains in force since 1996. Some 500 students from the Vanni and the east, studying in the Jaffna University, are in great difficulty without sufficient food. As a result of disruption of postal, bank and other public services, money from parents is

not reaching them. Following the disruption of telephone services, thousands of people dependent on relatives in other countries, are not receiving money.

In Thenmaratchy Division, 55,000 people, 75% of the population, are displaced. Reports say schools in Vadamarchy and other areas are unable to accommodate the 19,500 students displaced from Thenmaratchy. Fifty nine schools and 84 nurseries in the region remain closed. Ten churches and 75 Hindu temples are also closed. Eight temples, including the Sivan temple at Chavakachcheri, have been damaged.

The LTTE sunk two naval boats near Vetrilaikerni off the eastern coast of Jaffna on 5 June. The Tigers also launched a suicide attack on the ship *Uhana*, belonging to the Mercantile Shipping Company, off Point Pedro on 26 June. According to reports, *Uhana* carried 1,850 tonnes of food and non-food items worth Rs 350 million (\$5 million), sent by 20 private traders and agencies. The Tigers claim that the ship was also transporting weapons for the military. Twenty one sailors on the ship were saved, but seven are missing.

As clashes continued in Sarasalai area north of Chavakachcheri, the Army and the LTTE continued shell attacks while the Airforce bombed Thenmaratchy. Reports say ten people, including K Sinnathamby, were killed on 9 June at Madduvil. Some of the civilians wounded were taken to the Vanni.

Pending

Sources say that the new Human Rights Commission (HRC), appointed on 23 March, headed by Faisz Musthapha, has over 11,000 cases pending. Apparently, the earlier HRC had hardly done any work.

Devalued

Sri Lanka devalued the rupee on 20 June by 4%. Central Bank officers say the adjustment was to maintain economic stability in the face of increased fuel and defence imports. Consumer prices are expected to rise further.

Died

Sri Lankan political scientist and author Jayaratnam Wilson, 71, died on 31 May in Canada. Mr Wilson wrote a number of books, including *The break-up of Sri Lanka* (1988). In the late 1970s he was involved in shuttle diplomacy to resolve the island's problem.

Debate

In a parliamentary debate on 7 June, British MP Simon Hughes called for sanctions on arms sales to Sri Lanka, more monitoring of human rights and relief to displaced people.

Torture

Amnesty International says A Amuthini, 31, arrested on 30 May, may have been tortured in police custody in Vavuniya. Four Tamils held at Kantalai police station in Trincomalee also suffered torture. Amnesty says the death of Ganesh Chandrakanthan in custody may have been caused by torture.

Civilians die without medicines

IN a petition to the Indian Prime Minister, the Kilinochchi NGO consortium says that the 500,000 population in the Vanni is suffering due to the economic blockade of the Sri Lankan government. The petition came in the wake of the Indian government's announcement of a \$100 million loan facility to Sri Lanka for humanitarian assistance. The petition says that the total amount of medicines for the first quarter of 2000 have still not been sent to the Vanni and hospitals are in danger of closing.

The Kilinochchi hospital treated 15,970 patients in May for malaria, diarrhoea and other diseases but ten people died because of lack of medicines. A

seriously ill 18 month-old child, died on the way, while being taken from Mallavi hospital to Vavuniya hospital on 14 June. S Sasikala, 3, died of septicaemia in Puthukudyiruppu hospital on 23 June. M Sinthuja, 9, died of pneumonia on 25 June in Mallavi hospital. Mullaitivu District medical officer Dr Sivamohan says that the children could have been saved if medicines were available.

The Vanni is facing additional pressure by the arrival of people fleeing the fighting in Jaffna. Kilinochchi's Government Agent says over 3,200 people have arrived. Some 50 people wounded in the bombing and shelling in Jaffna are being treated in Vanni hospitals and

25 in Vavuniya hospital. Reports say Iyampillai Vamadevan, 65, who was injured at Kaithady in Jaffna, died in Kilinochchi hospital in early June.

In Vavuniya, three members of Tamil group PLOTE were wounded in a grenade attack on 4 June. The Human Rights Commission (HRC) says that seven people have gone missing in June. The Army searched Poonthottam refugee camp on 10 June and took four people into custody. Another ten refugees were arrested in the same camp on 16 June. Student S Sayanthan, 14 went missing 20 June in Chekadypilavu. HRC says he was shot by the Army and taken to the military hospital in Anuradhapura.

■ Provincial Council denies funds for development

Tigers in Trinco

THE LTTE launched an attack on an Army patrol near Kantalai in Trincomalee District on 20 June, killing five soldiers and wounding another four. The Tigers have intensified attacks in the eastern province, apparently to prevent troops being moved to the Jaffna peninsula and the Vanni area.

Two policemen and three civilians were wounded in a grenade attack on a police station in Trincomalee town on 6 June. The following day, shells were fired from LTTE controlled Irakuli area into Muthur town. A policeman was wounded in a landmine attack at Thambalakamam on 30 June. Two days later, the Tigers assaulted a security force camp in Muthur, killing two soldiers.

The LTTE captured another soldier. Three Tigers also died in the attack. Police Superintendent TM Kulatilleke says large amounts of explosives and weapons were found in Kovilgama and Peraru on early June, on information provided by four LTTE cadre in detention.

In June, the passenger ship *City of Trinco* carried 1,500 people to Jaffna from Trincomalee. Another 3,200 are waiting in Trincomalee to travel to the peninsula. Some 4,500 people are registered with the Jaffna government secretariat to travel by ship to Colombo and other southern areas.

In Batticaloa town, Manmunai regional council's former chairman and Tamil group TELO member K Navaratnarasa,

35, was shot dead by LTTE's *Pistol Group* on 7 June. Following the killing, some Tamil youths in the town were taken into custody. The *Pistol Group* also killed Army informant T Vijayan, 24, on 14 June in Valaichenai. Two other TELO members S Manivannan and V Pushparasa were shot dead in Kallady, south of Batticaloa town, on 28 June.

The Army arrested five youths, including Kulendran Sasi, 20, at Kokkuvil in early June and handed them over to the police Counter Subversive Unit (CSU). Three civilians who went into the jungle at Kattumurivu in Vaharai area on 10 June to collect honey, are missing. Relatives say the Army shot dead Kasipillai Kulandaivel, 48, and arrested the other two. The police took into custody 140 Tamils, who went from Batticaloa to work in 23 rice mills in Polonnaruwa District in late June. The Anuradhapura magistrate has ordered them to be detained.

Batticaloa residents complain that the North-East Provincial Council (NEPC) has not released funds to local government bodies for the year 2000 for development projects in LTTE-controlled areas, where over 80,000 people live. Each regional council is annually given Rs 1 million (\$15,000). Funds have been allocated for Army-held areas and projects have already begun. Reports say that rural development programmes assisted by the World Bank and Asian Development Bank are being implemented in Tiger areas.

Protection denied

THE London-based Medical Foundation for the Care of Victims of Torture says in a June report that the United Kingdom has failed to guarantee Sri Lankan torture victims, the protection they are entitled to under international law. Version 4 of the British Home Office Sri Lanka Country Assessment has a useful analysis of the factors that make torture possible, including the failure to observe provisions to protect the rights of detainees and the climate of impunity from conviction enjoyed by Sri Lankan security forces. However, none of the versions of the Country Assessment specifically states that it is Tamils who suffer these human rights violations. This failure to identify the group of people at risk of torture while accepting that torture occurs is invidious, says the Medical Foundation.

Information on the human rights situation in the asylum seeker's country of origin is relevant to a determination as to whether the events described by the refugee constitute persecution. But in letters refusing asylum to Sri Lankans, the information about the human rights situation in the Home Office's own Country Assessment is never brought to bear on applicants' claims. Instead refusal letters make assertion about the situation in Sri Lanka that is not borne out by the Assessment.

The Medical Foundation has recommended that the Home Office should cease drawing routine, general and negative conclusions about asylum claims and instead properly examine the individual's account. Adjudicators hearing appeals should not accept the view in Home Office refusal letters uncritically. The Foundation has also called on Sri Lanka to ratify the Rome Statute of the International Criminal Court, indicating its willingness to allow perpetrators of crimes against humanity and other abuses to be brought to justice.

Censorship illegal

THE Sri Lankan Supreme Court declared on 30 June that government appointee Ariya Rubesinghe had no legal authority to censor or ban newspapers. Under Emergency regulations introduced on 3 May, Mr Rubesinghe censored newspaper articles and banned Colombo English journal *Sunday Leader*, Sinhala weekly *Irida Peramuna* and the only newspaper in Jaffna *Uthayan*, for six months.

The court ruled that he had acted illegally as the Emergency regulations did not contain provisions for his appointment. Current law provides that extension of Emergency must be approved by Parliament every month. In the light, the ban for six months was also illegal. The court awarded Rs 100,000 compensation

and ordered police to restore equipment removed from the *Sunday Leader* office.

But the government introduced new provisions on 1 July and again appointed Mr Rubesinghe. London-based agency Article 19 says that restrictions on the freedom of expression are only legitimate if they meet strict tests under international law which require that restrictions must be clear and narrow and applied by bodies independent of government.

The police arrested six people on 27 June, suspected of the murder of Rohana Kumara, editor of Sinhala journal *Satana* (Battle). Mr Kumara, who was a strong critic of the People's Alliance government, was shot dead in Mirihana in September last year.

Tamils detained for attempting to go abroad

Airport arrests

HUMAN RIGHTS agencies in Colombo say that Tamils are being arrested at the Colombo airport, even if they have legally obtained travel documents to go abroad. Colombo Tamil newspaper *Virakesari* says that around 200 Tamils arrested by police at the airport are detained in Negombo and Welikada prisons, many under the Prevention of Terrorism Act (PTA). The newspaper also says that another 300 Tamils, arrested under the Immigrants and Emigrants Act, are languishing in prisons.

Nine Tamils who were legally traveling abroad were arrested on 5 May. In a fundamental rights application, state counsel Chaliya Peiris told the Supreme Court on 30 May that arrests were made on the assumption that they may provide funds to the LTTE after reaching a foreign country. Chief Justice Sarath N Silva pointed out that it is not an offence to go abroad and ordered the release of the detainees. But according to reports, arrests at the airport continue.

The Human Rights Commission (HRC) says that Borella suburb police in Colombo have detained Shanmugam Nageswary, 19, who had obtained employment abroad. The Committee of Inquiry into Undue Arrest and Harassment (CIUAH) has called for explanation from the Attorney General's Department over the airport arrests.

According to human rights agencies, over 600 arrests were made in southern Sri Lanka, including Colombo, in June. Police searched Tamil houses and shops in Hill Country's Gampola town on 19 June and interrogated several people. A Tamil youth from Sanguhar Estate was taken into custody. Hill Country Tamil Kalimuthu Vijayakumar, 35, is in detention from October 1995 under the PTA on allegations that he raised funds for the LTTE. Lawyers say no evidence, other than a confession made in custody, has been placed regarding the accusation.

Following complaints that all Tamil residents of Matale in the Hill Country

are being forced to register with the police, the CIUAH has ordered the Inspector General of Police to give proper instructions to police in the area. Reports say that in Gampola, employers are now demanding proof of police registration from Tamil employees.

Three people were killed and twelve were injured in a cycle bomb explosion at Wattala, nine miles north of Colombo, on 14 June. Police say the person riding the cycle was a Sinhalese and the Tigers may not be involved. However, 61 Tamils, were arrested during a search operation on the night of 24 June, in Wattala. On the same night, 86 Tamils were rounded-up in the Colombo suburbs of Kotahena, Bambalapitiya and Pettah. All were released the next day.

Jaffna resident Satkunam Indrani, 51, was arrested in March last year, accused of failing to provide information about an LTTE member. She came to Colombo for medical treatment and lawyers say her condition has deteriorated in custody.

Refugees stranded in the Palk Strait

INTERNATIONAL refugee agency UNHCR says some 1,000 Sri Lankan refugees have arrived in the southern Indian state of Tamil Nadu since January, across the Palk Strait from the western coastal Mannar region. They include persons who resided in the Vanni and Trincomalee and the reasons for leaving Sri Lanka are linked to shortage of food and the deteriorating security situation in these areas.

UNHCR also says that the Indian government has reaffirmed that no one seeking refuge would be turned away. Currently there are some 70,000 Sri Lankan refugees in government camps in Tamil Nadu and 80,000 outside, 37,000 of whom are registered with the police.

It has become increasingly difficult for refugees to cross the Palk Strait to reach India due to restrictions by both governments. Fearing naval patrols, boatmen from Sri Lanka often leave the refugees on sand bars between Mannar Island and Dhanushkodi, the southern tip of Pamban Island. Tamil Nadu authorities saved some 140 people stranded on sand bars in early June. However, senior

government officers warned that fishing boats bringing Sri Lankan refugees will be confiscated.

Forty four other refugees, including 14 children, on a sand bar in Sri Lankan

waters were saved by the Sri Lankan Navy. They were produced before the Mannar court on 17 June and detained. The refugees survived on raw fish and sea water for five days and some children had become unconscious. Tamil Nadu Chief Minister M Karunanidhi says that he has urged Prime Minister Atal Behari Vajpayee to involve the Indian Navy to save refugees left on sand bars.

Mr Karunanidhi courted controversy in early June, when he said that Tamils should be granted equal rights or there should be a bloodless division of Sri Lanka, as in the case of the separation of Czech and Slovak republics in January 1993. Sri Lankan ministers condemned Mr Karunanidhi, arguing that the division of the island will initiate the fragmentation of India.

Indian External Affairs minister Jaswant Singh, on a visit to Sri Lanka on 11 June, reaffirmed India's commitment to Sri Lanka's unity and territorial integrity. A statement at the end of the visit says that the two countries will jointly and separately work towards lasting peace in the island.

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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