

Death from the skies

After a number of bombing raids by the Sri Lankan Airforce in northern Vanni in March resulted in death and destruction, Jaffna Bishop Thomas Savundaranayagam urged President Chandrika Kumaratunge not to target populated areas and safeguard civilians in the region.

The Airforce and the Navy have continued to assault the eastern coastal areas of Mullaitivu District, which is under the control of the Liberation Tigers of Tamil Eelam (LTTE). Villages on the isthmus connecting the Jaffna peninsula and the mainland have also come under attack.

The Sri Lankan Airforce celebrated its Golden Jubilee at Ratmalana, 8 miles south of Colombo, on 9 March. President Chandrika, who is also the Commander-in-Chief of the armed forces, participated in the event and urged Airforce personnel to ensure the safety of civilians during military operations.

But in a six-hour operation on 21 March, Airforce planes bombed the areas around Chundikulam, 13 miles north-east of Kilinochchi, killing four civilians at Kurusady. Eleven people were seriously wounded at Puthumathalan and Kurusady. Twenty to houses were destroyed while fishing equipment and boats were damaged. Thousands of people have fled to Ananthapuram, Iranaipalai and Puthukudyiruppu, seeking refuge. Local NGOs say that the people were unable to take the wounded immediately to hospital because of continued airstrikes.

Nallathanithoduvai village near Chundikulam is almost wiped out. Bombing raids and Navy shelling have damaged or destroyed 300 of the 320 houses in the village. According to Grama Sevaka (Village Headman) V Kannappamurthy, nine people have been killed and 13 others injured.

As hundreds of people demonstrated on 26 March in Puthukudyiruppu and Mallavi against the bombing and handed a petition to the UNHCR to be sent to the UN Secretary General, the Airforce struck at Pooneryn, 15 miles north-west

The Jaffna Bishop warns that the current military offensives of the Sri Lankan armed forces may shatter the Norwegian involved peace process.

of Kilinochchi. Fisherman Stanislaus Romy died of shock during the raid. Kilinochchi's civil society organisations have written to human rights agencies, including Amnesty International, to prevail upon the Sri Lankan government to respect international humanitarian standards. Reports say that Airforce planes also bombed rice fields in Thoppigala and Miyankulam in Batticaloa District, destroying paddy and farmers' huts. Military officers claim that the Airforce targeted LTTE's *Beirut Base* in Kakkaddicholai.

The Jaffna Bishop pointed out in a letter to President Chandrika that attacks on civilians will affect the Norwegian peace process. Despite the difficult situation in the north-east, reports say that some progress has been made following the visit of Norwegian special negotiator Erik Solheim to Sri Lanka and India in early March. India is said to have indicated full support for the peace initiative.

Amidst speculation that the first round of negotiations may be held in the Netherlands, press reports suggest that initial talks will concentrate on the Memorandum of Understanding (MOU) between the LTTE and the Sri Lankan government. An international team may supervise the implementation of the MOU which contains confidence-building measures by both parties, such as prisoner release and the lifting of the economic embargo on the northern region.

President Chandrika, who was on a tour of the West in mid-March, pledged to the leaders of Europe and the European Union that the Sri Lankan government will take appropriate measures for devolution of power, constitutional reform, talks with the LTTE and development of the north-east.

Following a visit to Germany in mid-March, Mannar Bishop Rayappu Joseph accused President Chandrika of lobbying to marginalise the LTTE during her discussions with foreign leaders, at a time when peace talks are a possibility. He regretted that the government was attempting to push the LTTE into a vulnerable situation, similar to the powerless state of the other Tamil parties, to ensure that the Tigers are in a weak bargaining position during negotiations.

Reports say that peace talks will begin in May. But the optimism is not shared by observers who say that both sides have not demonstrated total commitment to the peace process, but are involved in undermining each other's position. Sources say despite the apparent progress in the peace process, both parties are preparing for *Eelam War IV* and have accelerated recruitment and the acquisition of new weapons.

The LTTE extended its unilateral ceasefire for a further month till 24 April. But the government again announced that the war against the Tigers will continue. The Army launched another offensive in Jaffna on 28 March at Eluthumadduval, 12 miles north-west of Elephant Pass base which the LTTE now controls.

Analysts say the budget for the year 2001 tabled in Parliament on 8 March by Deputy Finance minister GL Peiris, appears more like a war budget and shows the lack of government confidence in the peace process. The allocation for defence is Rs 75 billion (\$850 million) which is 50% of the budget deficit. The National Security Levy on all goods and services has been increased from 6.5% to 7.5%. Last year defence expenditure rose from Rs 51 billion to an unprecedented sum of Rs 83 billion (\$1 billion).

THE VANNI

Vavuniya court warning

THE Vavuniya court declared on a number of occasions in March that the police were acting in breach of international and domestic law. The court warned that police should not subject arrested LTTE suspects to degrading treatment by covering their eyes or tying their hands. The court criticized the police practice of using ambulances for apprehension of Tiger suspects.

A police team led by Inspector Mahinda Pathirana is alleged to be involved in abduction of civilians in Vavuniya, using ambulances and white vans without number plates. The observations of the court came after a complaint regarding these events by the Sri Lankan Human Rights Commission.

The court indicated that the police were not acting according to domestic law by failing to observe Emergency regulations and Supreme Court guidelines in a number of cases regarding illegal arrests. Under Emergency regulations, the police are expected to issue arrest receipts to relatives and inform the Human Rights Commission within 48 hours of arrest.

The security forces carried out cordon and search operations in Poonthottam area in early March and arrested eight refugees. Relatives have not been informed about their whereabouts. Joseph John was taken into custody for the fourth time on 7 March and assaulted by soldiers. The Army denies his arrest.

The Vavuniya court also stated that

confiscation of National Identity Cards (NIC) of civilians is illegal. The security forces usually confiscate NICs of Tamil youths arriving from the Vanni if they are suspected of LTTE links and order them to report at the Goodshed transit camp the following day. Last month, Visvamadu resident Jeyanthu Balasingham's NIC was taken away by police. She was later arrested and died in security force custody.

In late March, the Vavuniya court ordered the District Medical Officer to examine three youths who allege they suffered torture in custody. One of them, S Prathapan, 23, arrested earlier under the Prevention of Terrorism Act, was released by court after the Attorney General's Department declared that there was no evidence against him of LTTE links. He was arrested again within two months and suffered torture in custody.

In the Vanni, *Sea Tigers* and the Navy clashed off the coast of Chalai in Mullaitivu District on 21 March, after the Navy spotted *Sea Tiger* vessels carrying supplies. Five naval personnel and four Tigers were killed. The Tigers say they boarded a naval patrol craft and removed weapons before sinking the vessel.

South of Vanni in Anuradhapura District, the LTTE shot dead a Sinhalese farmer at Kebbitigollewa and abducted four other farmers on 3 March, according to government officers. The bodies of three were later found. The fate of UB Ratnayake remains unknown.

Proscription

Following a demand by the Sihala Urumaya, the Sri Lankan Elections Commissioner announced that LTTE's political wing, the People's Front of the Liberation Tigers (PFLT) cannot be banned under current law. PFLT was registered as a political party in 1987. The ban on the LTTE in Britain came into force on 29 March.

Dismissed

The Dutch State Prosecutor's office denied an application by lawyer Corjan Schoorl for the arrest of Chandrika Kumaratunge during her visit to Holland in March alleging that as commander of the armed forces she is responsible for torture in Sri Lanka. The Prosecutor said that her command responsibilities were unclear.

Torture

The Asian Human Rights Commission says that Thussara Kumaea, 33, a father of two children, was tortured to death on 24 March in Ja-Ela police station, north of Colombo. Ten days earlier, the Supreme Court ordered Rs 25,000 compensation to Batticaloa resident K Kubendran who had suffered torture in police custody.

Protest

Over 5,000 people led by Chennai Mayor MK Stalin demonstrated before the Sri Lankan High Commission on 20 March against Navy attacks on Indian fishermen. Reports say some 300 Tamil Nadu fishermen have been killed and 1,500 wounded since 1984.

Islands of fear

THE leader of the Tamil United Liberation Front, V Anandasangari says that civilians in the islands west of the Jaffna peninsula fear to complain about human right violations. The islands are controlled by another Tamil group, the EPDP, whose leader Douglas Devananda is currently Northern Rehabilitation minister in government.

The TULF alleges that an Assistant Government Agent on Kayts Island was killed and no action has been taken to apprehend the murderers. Four people arrested in connection with another murder on Kayts have escaped to Neduntivu Island, after bail was granted by court. The Navy has informed the court that they have no permission to enter

Neduntivu. The EPDP has denied allegations of human rights abuses. In mid-March, it was announced that a special identity card issued by the Navy or a permit must be obtained before entering any of the islands.

Punkudutivu Island student V Suthakaran is missing from 25 March. Concern is growing over disappearance of students in Jaffna. The Army denied arresting three youths during a search operation in Varani in early March. A girl student of a Nelliady school is also missing since 27 March. The Army took into custody Jaffna University student M Ketheeswaran on the same day. Fifteen year-old T Yogarajah is currently held at Kankesanthurai military base. Reports

say since 1996, six students have been killed by landmines in Jaffna and over 50 students have been injured.

Colombo agency, Centre for Human Rights and Development say soldiers assaulted 23 displaced civilians who visited their homes at Nunavil and Madduvil on 1 March in Thenmaratchy area. Displaced people were also attacked two days later despite having obtained permission to visit their homes.

Thousands of fishermen demonstrated before the Point Pedro Regional Council office demanding more freedom in fishing. Currently fishing is allowed in the area only for one or two hours a day. Fishermen also demonstrated before the Valvettithurai Army camp on 31 March.

■ WB team unhappy over implementation of projects

Blockade

AS pressure mounts to lift the economic blockade of the north, security forces have continued to impose new restrictions on LTTE-held areas in the east. The Tigers currently control the Paduvankarai area, west of the Batticaloa lagoon and areas from Mankerni to Verugal in the north of the district.

Government officers and teachers have been ordered to obtain permission from the military before entering these areas. Officers and teachers, who are expected to visit the areas daily, say this is impractical and will adversely affect their work. A team of Education Department officers who went for inspection of schools on 15 March were turned back at the Karuthapalam bridge

in Chenkalady. Ninety of the 320 schools in the district are in LTTE areas. A hundred youths who had been selected for leadership training by the National Youth Services Council were also turned back on 20 March at Valayiravu bridge further south and Karuthapalam. Press reports say the ICRC which escorts food lorries and runs mobile clinics in Tiger areas was also denied permission on 20 March.

Restrictions on food, fuel, medicines, fertiliser and other essential needs, already in force, have affected the daily life of the people, small industries and agriculture. Medical facilities are minimal and reports say that in the last two months, ten people died of rabies in northern Batticaloa.

According to Colombo newspapers, a World Bank team visiting Batticaloa District was dissatisfied with the progress in the North-East Irrigated Agriculture Project (NIAP) funded by the Bank to help affected communities to re-establish a subsistence level of production and basic services. Rs 3 billion (\$32.4 million) was allocated for the programme.

In late March, the military announced an offensive in Batticaloa and asked people to vacate a four-kilometre area around LTTE camps. The security forces say that several senior LTTE cadre, including deputy leader *Karikalan* and *Karuna* have arrived in Batticaloa from the north to launch a major operation.

The police arrested S Sivakumaran at Valaichenai on 12 March after he was accused of LTTE links by a Tamil group allied to the Army. He had recently been released after three years in Kalutara prison. Three days later, the police shot dead S Mathikumar of Mandur alleging that he failed to stop at a checkpoint. The Army killed civilian P Nallarajah, 49, on 22 March in Valaichenai.

In Trincomalee District, the security forces ordered 4,000 people in Uvarmalai to assemble at Vivekananda College for interrogation on 25 March and took some into custody. Three days earlier, the Army launched an operation west of Muthur in Ralkuli and Navalady. Three fishermen were taken into custody. The LTTE has withdrawn from the area. Local people say rice farming in 50 acres of land has come to a standstill.

Crime in custody

COLOMBO human rights agencies say that security force personnel gang raped and tortured two Tamil women at the police Special Investigation Unit (SIU) in Mannar on 19 March. Sivamany Veerakone, 24, and Vijikala Nandakumar, 22, were arrested at a lodge in Mannar town. They were taken to the SIU where they are alleged to have suffered degrading treatment and rape. Thereafter they were hung naked by their hands and legs and beaten. They were also forced to confess under torture that they were LTTE members and warned not to reveal their ordeal to anyone. The Sri Lankan Navy has denied that its personnel were involved in the rape of the women. After interviewing the women in late March, Bishop of Mannar Rayappu Joseph wrote to President Chandrika, urging her to take immediate action. The Hongkong-based Asian Human Rights Commission has expressed concern that many members of the security forces are allowed to go free after committing horrendous crimes.

Amnesty International says the pace of investigations into several cases of alleged rape, including the case of Ida Karmalita, raped and murdered in Mannar District in July 1999, are proceeding very slowly. Other cases have collapsed because victims or witnesses were threatened or feared reprisals.

In a fundamental rights application to the Supreme Court in March, a Tamil woman alleges that she suffered sexual abuse and severe torture for a week in June 2000 at the Negombo police station. She had been hung by the legs and repeatedly assaulted with batons. Pins were inserted into her nails and heels. Her head was covered with a plastic bag dipped in petrol and a banana inflorescence covered with chilli powder was repeatedly inserted into her vagina. She was forced to sign a confession under torture.

THE *Satyagraha* (non-violent fast) protest launched at Hatton in the Hill Country ended after 23 days on 15 March following an agreement between trade unions and employer companies at a meeting chaired by Labour minister Alavi Mowlana.

Earlier, tea workers received in addition to basic wage of 101 per day, Rs 6 as price share supplement and Rs 14 per day for 85% or more attendance per month. With effect from 15 March, they will be entitled to Rs 15 as price share supplement and Rs 5 per day for 75% or more attendance. Some trade unionists are dissatisfied and accuse government ally the Ceylon Workers Congress (CWC), which led the protest, of a sell out.

Agreement

Reports say that the increase around Rs 250 a month will cost the companies an additional Rs 700 million (\$8 million). The Planters Association laments that the industry incurred Rs 1 billion (\$11 million) loss during the *Satyagraha*. The Association's Chairman Mahendra Amarasuriya also accuses the tea workers of preventing transport of tea to Colombo during the campaign.

According to the London Economist Intelligence Unit (EIU), in 2000, tea production rose by 7.8% to 305.8 million kg, setting a new record for a sixth consecutive year. Export volumes rose by 7% to 288 million kg and earnings rose by an impressive 23% to Rs 53 billion from Rs 43 billion in 1999.

Police arrest Black Tiger suicide squad in Dehiwala *Negombo protest*

THE relatives of 185 people detained under the Immigrants and Emigrants Act staged a demonstration on 14 March before the Negombo court demanding them to be released on bail. A 1998 amendment to the Act denies bail to people arrested while attempting to leave the island illegally. Detainees under the Act in Negombo prison include asylum seekers returned from other countries. According to the British Home Office, the amendment was introduced following pressure from Western countries. The detainees climbed onto the roof of the prison on 2 April and began a hunger strike. Following representations from the Ceylon Workers Congress, Attorney General KC Kamalasekera agreed to review their cases.

The Committee of Inquiry into Undue Arrest and Detention (CIUAH) says that only details of detainees in Colombo and Kalutara are being provided and has called for full details of detainees under the Prevention of Terrorism Act (PTA)

and Emergency regulations from the Commissioner of Prisons. CIUAH chairman and Justice minister Batty Weerakoon saw 48 Tamil detainees in Badulla prison during a recent visit, whose details have not been provided to the Committee. The CIUAH has proposed a committee of lawyers to visit prisons and collect information.

The CIUAH has expressed dissatisfaction over cases under the PTA and Emergency regulations dragging on for months and sometimes for years. The Committee observed that this was mainly due to security force witnesses failing to turn up for cases. CIUAH also noted that the police had no authority to refuse extension of permits to Tamils from the north-east visiting Colombo. Many complaints have been received that the police were refusing extensions and forcing people to return to their home areas.

The police say LTTE suicide squads form the north-east have entered Colombo to assassinate three government

ministers. On 12 March, the police arrested four Tiger suspects in a house on Waidya Road in Dehiwala. A suspect who attempted to commit suicide by taking cyanide was rushed to hospital and saved. Police also found suicide kits and explosives in the house.

Security forces carried out cordon and search operations in Mt Lavinia and Dehiwala on the night of 16 March and detained 24 Tamils. Two days earlier, ten Tamils were taken into custody on Armour Street in Pettah commercial district and 14 Hill Country Tamils were arrested in Wattala, north of Colombo.

Batticaloa human rights lawyer Kanaga Namanathan was arrested at his home in Kallady on 18 March by a police team from Mt Lavinia and taken to Colombo. He had issued a certificate of character to a Tiger suspect arrested in Dehiwala. Batticaloa trader Rajaputhiran Sylvester, suspected of involvement with the suicide squad was also taken into custody the following day.

Presidential Commission on Tamil massacre

PRESIDENT Chandrika appointed a commission of enquiry on 8 March into the October 2000 killing of 27 Tamil detainees at Bindunuwewa rehabilitation centre in the Hill Country. Court of Appeal judge BHK Kulatilake has been named commissioner.

In addition to enquiries into the circumstances that led to the massacre and about persons directly or indirectly involved, including the conduct of officers, the Commission is mandated to make recommendations on preventive measures, the criteria for admission to rehabilitation and the location of rehabilitation centres. The demand of Colombo NGOs that the UN should be involved in the enquiry has been rejected.

The Committee of Inquiry into Undue Arrest and Harassment (CIUAH) voiced its concern in mid-March over the Defence Ministry's practice of sending people to rehabilitation centres even where there is no evidence of involvement with the LTTE. Emergency regulations permit the Defence Secretary to detain a person indefinitely for rehabilitation by a Rehabilitation Order. Amnesty

International says it is possible for people detained for preventive or investigative reasons to find themselves subject to lengthy Rehabilitation Orders.

Meanwhile, in the Chemmani mass

graves case on 13 March at the Colombo Magistrates Court, the Criminal Investigation Department (CID) revealed that tenders had been called from laboratories in Britain for DNA testing. The CID say that the Defence Ministry has not allocated funds for DNA testing.

Eighteen skeletal remains were found at Chemmani in Jaffna after a convicted soldier in the Krishanthi Kumarasamy murder case revealed the locations of the mass graves. Five suspects are in custody and a sixth policeman named Abdul Nazar has fled abroad. The fate of over 400 people disappeared in Jaffna in 1996 during Army occupation of the peninsula remains unknown.

The Supreme Court released three people including Manickam Gangeswary and her two year-old child on 27 March following a fundamental rights application. These Batticaloa residents were arrested on suspicion that they were relatives of the woman suicide bomber who injured President Chandrika in Colombo in December 1999. DNA tests have revealed that they are not blood relatives of the suicide bomber.

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. The Sri Lanka Monitor for a particular month may contain information relating to events of previous months or the early part of the following month.

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