

The road to recovery

Economic Reform minister Milinda Moragoda declared open the A-9 Vavuniya-Jaffna road, at a ceremony in Vilakuvaithakulam, eight miles north of Vavuniya, on 15 February, easing the difficulties faced by the northern people for the past 15 years in entering the Vanni region.

The road passes through territory held by the Liberation Tigers of Tamil Eelam (LTTE). The Army launched *Operation Jayasikurui* (Certain Victory) in May 1997 to open a route to Jaffna, but captured the road only up to Mankulam, 26 miles north of Vavuniya. A crossing point for food lorries and civilians was opened at Mankulam in August 1999. But the military was pushed back to Vavuniya in LTTE's *Operation Oyatha Alaigal III* in November 1999. Pramanalakulam, 12 miles west of Vavuniya town, became the new crossing point the following month.

The Vavuniya-Jaffna road will now be opened up to Mankulam, but the LTTE have declared readiness to open the road up to Jaffna. However, they have demanded the removal of the Eluthumadduval military base, which lies near the road, 18 miles east of Jaffna town, within the peninsula.

The Norwegians continued peace diplomacy in early February to resolve the differences between the two parties on the ceasefire agreement. The contentious issues appear to be movement into territories held by each party and fishing rights in the north-east. The Norwegian delegation led by Deputy Foreign minister Vidar Helgeson arrived again in Colombo on 8 February for meetings with the Sri Lankan government and President Chandrika Kumaratunge. The delegation also held talks with LTTE Advisor Anton Balasingham four days later.

The breakthrough came on 22 February, when Prime Minister Ranil Wickremasinghe and LTTE leader V Prabhakaran signed a permanent ceasefire agreement. (see *Sri Lanka Monitor* Briefing of March titled 'Accord heralds

The overall objective of the government and the LTTE is to find a negotiated solution to the ethnic conflict in Sri Lanka.

Ceasefire agreement 22 February 2002

new phase'). Some observers suggest that Mr Prabhakaran deliberately signed the copy of the agreement sent for his comments, to keep President Chandrika out of the way.

The President was outraged and is said to have declared that she had the power to invalidate the agreement. Later, a press release by the presidential secretariat denied that she made such a statement. She accused the Prime Minister of not notifying the Cabinet about the agreement. Mr Wickremasinghe says that he had earlier briefed her and that she was absent when the Cabinet discussed the agreement on 20 and 21 February.

In a letter to the Prime Minister on 1 March, Chandrika severely criticized the agreement, stressing that it had been signed in an unconstitutional manner. She argued that some articles of the pact could impinge on national security and compromise the island's sovereignty. Sinhalese nationalist organisations filed a petition in the Supreme Court in late February alleging that Prime Minister Ranil had usurped the powers of the President, thus violating provisions of the Sri Lankan constitution.

The Tamil political parties have condemned President Chandrika saying that her stance would plunge the country again into war. The President has declared many times that finding a solution to the ethnic conflict is her sacred

duty. The Tamil parties point out that in 1994, Chandrika signed a ceasefire agreement with the LTTE, without consulting the then President DB Wijetunge.

As local difficulties continued, a number of foreign governments and international agencies welcomed the agreement as a hopeful sign of peace. British Foreign Office minister Ben Bradshaw called on all parties to build on the agreement and make progress towards a negotiated settlement that meets the aspirations of all communities.

A team composed of members from Nordic countries, named the Sri Lanka Monitoring Mission (SLMM), will monitor the ceasefire. The Norwegian head of the SLMM, Maj. Gen. Trond Furuhoide, arrived in Sri Lanka on 2 March for talks and to begin work from 6 March.

A day before the ceasefire agreement, a serious clash took place at sea between the *Sea Tigers* and the Navy, for the first time since the LTTE declared a ceasefire in December. The fighting is not expected to affect the peace process. But President Chandrika says that the agreement is inadequate on rules of engagement at sea and naval powers regarding interdiction of illegal arms shipments.

In early February, the President also expressed concern over reports that the LTTE is continuing to forcibly recruit children. She called on the Tigers to abide by the commitments made to the UN in May 1998. Foreign minister Tilak Marapane claims that he had not received any complaints regarding recruitment of children by the Tigers.

In order to cash in on its current popularity following the ceasefire, particularly among the minorities, the government announced local elections for March. The LTTE expressed concern and the Tamil parties opposed the move saying that it is unreasonable to hold elections with the current level of internal displacement in the north-east. In mid-February, the government tabled amendments to the local government election laws in Parliament, to facilitate the postponement of the elections in the north-east.

Jaffna Peninsula

Fishermen protest

FOLLOWING a meeting between Hindu Culture minister T Maheswaran and military officers at Jaffna's Palaly Airbase on 6 January, it was announced that fishing between Thondamanaru and Point Pedro in the north-eastern Vadamarchy area would be allowed. Fishing will be permitted between 4.30am and 6.00pm upto a distance of 500 metres from the shore in boats without motors.

Despite the announcement, fishing was not permitted in places such as Thondamanaru and Athikovilady. Fishermen continued to protest before the Jaffna government secretariat in early February demanding removal of all restrictions on fishing. They also want compensation for the denial of fishing between Thondamanaru and Thikkam for the last seven months, and permits for fishing removed.

While protests continued, minister of Rehabilitation Jayalath Jayawardena visited Chavakachcheri in early February and was shocked by the destruction. He said that the town looked like 'Hiroshima destroyed by the atomic bomb'. Some 30,000 books in several libraries in the area have also been destroyed.

Later, at a meeting in the Jaffna secretariat, the minister promised that the Rehabilitation Ministry would hire a ship to transport food and medicines to Jaffna. The peninsula has continued to suffer by shortage of food and medicines and rise in prices, despite the ceasefire. Another meeting at the secretariat on 18 February

decided to open some of the roads in Jaffna which were closed to the public by the military for the past seven years.

Several service stations in Jaffna stopped supplying fuel in mid-February because of shortages. Each family receives only four litres of kerosene per month from cooperative stores. Kerosene is used for domestic as well as agricultural purposes and people say that the amount supplied is insufficient.

The Jaffna secretariat announced that the rule requiring permits to travel outside the peninsula will be removed from 15 February. The rule imposed on Sri Lankan citizens to obtain permits from the Ministry of Defence (MOD) to enter Jaffna, had been removed on 11 February. But travellers must establish their identities at checkpoints. Foreign citizens must obtain MOD permission to enter Jaffna, through the Sri Lankan diplomatic missions in their countries.

Replanting schemes have been urged to replace the trees destroyed in the 18-year war in the north-east. The trees are vital to the local economy and a large number of families depend on the income derived from their products. Reports say 2.5 million palmyrah trees and 600,000 coconut trees have been destroyed.

The Jaffna police received complaints that a 13 year-old girl was sexually assaulted by a soldier at a checkpoint in Mallakam, seven miles north of Jaffna town, on 14 February. Local people say that the soldier has not been arrested.

Sentence

Colombo High Court sentenced two Airforce men to nine years imprisonment on 7 February. They are accused of entering the home of *Sunday Times* journalist Iqbal Athas in February 1998 and threatening him with death.

Arrest

Four soldiers were arrested by police in connection with the abduction and rape of a British tourist on 5 February in Polonnaruwa District.

Custody

Gangster *Moratuwa Saman* was taken into custody by police in Mt Lavinia relating to the murder of Rohana Kumara, editor of Sinhala journal *Satana* (Battle) in September 1999.

Nomination

Sri Lanka Freedom Party's senior member and Hambantota MP Mahinda Rajapakse was nominated on 4 February as leader of the Opposition.

Pongu Tamil

Huge crowds participated in *Pongu Tamil* rallies held in Vavuniya, Batticaloa, Mannar and Trincomalee in February, demanding the recognition of the Tamil right to self-determination.

Elected

Jayalalitha Jayaram won the by-election in Andipitty electorate on 21 February in the southern Indian state of Tamil Nadu, by a majority of 41,000 votes. She was appointed Chief Minister of the state on 2 March.

The Vanni

Sea Tigers and Navy clash near Chalai

FIGHTING broke out at sea off Mullaitivu on 21 February, after the Navy attempted to intercept ten *Sea Tiger* boats on accusations of arms smuggling. In clashes near the *Sea Tiger* base at Chalai, three Navy personnel, including an officer, were killed. Two LTTE cadre died in the clash and seven were wounded. During the fighting, the Sri Lankan Airforce bombed coastal areas between Chundikulam and Mathalan. Five civilians were wounded, including refugee Suntharam Thivakaran. Some huts were also damaged.

Further south-west in Vavuniya, after the Jaffna road was opened on 15 February, hundreds of people carried articles that were earlier banned, across

the frontline. Rehabilitation minister Jayalath Jayawardena says 530,000 litres of fuel and 11,500 bags of cement were supplied to the Vanni in mid-February.

Although some of the restrictions on the freedom of movement were removed, the security forces continued to demand permits from travellers in some areas. Of the 29 types of passes, such as weekly and monthly permits, 15 are said to be still in force. In mid-February, the Supreme Court ordered the Attorney General to consult the government regarding permits in Vavuniya and clarify the issue before 3 March. The order followed a petition by two Vavuniya refugees that the requirement of permits violated their right to equality before the

law and freedom of movement guaranteed in the Constitution.

Mullaitivu Government Agent S Sundaram informed Prime Minister Ranil Wickremasinghe in early February that 29,000 families are qualified in the district, but only 12,000 received dry rations. Ceylon Tamil Teachers Association's T Mahasivam says that over 2,000 new teachers are needed in the district. The government has not taken any action to confirm the appointments of 1,200 voluntary teachers.

Reports allege that a Tamil woman was raped by a soldier on 5 February at Cheddikulam, 14 miles south-west of Vavuniya town. The Vavuniya court has ordered him to be remanded.

Batticaloa and Amparai

Muslims abducted by LTTE

ACCORDING to reports, 21 Muslim fishermen were abducted by the LTTE at sea off Valaichenai in Batticaloa District on 16 February. After residents in the coastal village of Kalkudah, 16 miles north of Batticaloa town, launched a *hartal* (general strike), the fishermen were released the next day.

The Muslim people in the east have been complaining of harassment and abductions for ransom by the LTTE for several months. Muslim businessmen have specially been targeted. According to sources, relatives have paid huge sums of money to secure their release. In January, Sri Lanka Muslim Congress (SLMC) leader Rauf Hakeem wrote to Tiger chief V Prabhakaran about the

problems faced by the Muslim community and urged his intervention. The abductions have continued despite meetings between LTTE's deputy leader *Karikalan* and local religious leaders.

Concerns have also been expressed regarding people disappearing in the district. Samithamby Ganesh of Central camp in Amparai District is missing after he went to work in rice fields in 16th Colony village on 3 February. The Human Rights Commission (HRC) has received complaints that Ibralebbe Rahuman of Nintavur is missing since 21 February. Kathirgamathamby Mathan, 18, a student from Mavadivembu went missing on 25 January.

According to reports, security force

harassment of civilians at checkpoints at entrances to LTTE-controlled areas, continued. Farmers say that armed Tamil groups are still present with soldiers at Valayiravu and Karuthapalam checkpoints and are imposing a tax of Rs 10 for each bag of rice. After Batticaloa Government Agent S Shanmugam brought the issue to the notice of the Prime Minister, Economic Reform minister Milinda Moragoda arrived in Batticaloa in late February for discussions with the Army to resolve the issue.

Heavy vehicles arriving in the night to Batticaloa were allowed into the district with effect from 19 February, after checks by the military at Mannampitiya, 42 miles north-west of Batticaloa town. For the past ten years, the military detained heavy vehicles carrying commodities overnight at Mannampitiya.

Although a ceasefire is in force, the problems of the internally displaced people have not been resolved. Dry rations have not been issued to some refugee camps in the east since the first week of December. Reports say that 400 families at Kalmadu camp in Valaichenai, 1,035 families in Thirukovil camp and the refugees in Trincomalee are facing starvation. These refugees remain in camps for more than ten years.

Reports say dengue fever is spreading in the east. It had claimed the lives of five people in Batticaloa District up to the end of February. According to the district hospital authorities 55 people have been admitted with the disease.

Internally displaced people

Refugee survey

THE Rehabilitation minister Jayalath Jayawardena and UNHCR's Resident Representative N Wright signed an agreement on 25 February to conduct a survey to establish the number of internally displaced people (IDP) in Sri Lanka. According to UNHCR, this is the first time that such a survey has been launched in the region. Mr Jayawardena says that the survey is vital for the plans of the Rehabilitation Ministry to resettle the IDPs and refugees who have fled abroad. Mr Jayawardena believes that there are a million IDPs. The Essential Services Commissioner (ESC) has for several years disputed the IDP statistics submitted by Government Agents in the north-east. In July 1998, the People's Alliance government arbitrarily reduced food supply to refugees in the north-east by 57%, alleging that the food fell into the hands of the LTTE. The government currently provides dry rations to 726,000 IDPs and reports say it spent Rs 3 billion (\$31 million) last year. A large number of the IDPs remain displaced for the last 15 years and many were displaced several times as the fighting between the Sri Lankan security forces and the LTTE continued.

Mr Jayawardena says that statistics on refugees abroad will also be compiled through the Sri Lankan diplomatic missions. UNHCR estimates that there are 917,000 Sri Lankan refugees in 50 countries. Around 65% of the applications for asylum have been rejected. Several countries are returning refugees under agreements with Sri Lanka. A European-wide agreement is currently being negotiated. The UNHCR estimate includes 120,000 refugees in India, 70,000 of whom are in government camps throughout the southern state of Tamil Nadu. Reports say that some refugees in the Indian camps have expressed the desire to return to Sri Lanka.

Trincomalee, Puttalam and Mannar

Muslim protest

THE ICRC office at Muthur in Trincomalee District received complaints that 27 Muslims working in rice fields were abducted by the LTTE on 4 February. All except one person was later released. On the same day, a boat and a large number of goats belonging to Muslims were taken away. Hundreds of people staged a demonstration on 8 February against the abductions.

Allegations have been made that a soldier from the Plantain Point Army camp dragged a seven year-old girl from Uvarmalai into the Vairavar Hindu temple on 4 February and sexually assaulted her. He was caught by members of the public and handed over to the police.

Reports say that Muslim refugees in

Puttalam have not been issued dry rations for the last two months. There are currently more than 35,000 Muslim refugees in Puttalam. The refugees began a hunger strike on 19 February. The protest ended after three days when the government assured that dry rations will be issued to refugees for six months from January.

Further north in Mannar District, according to press reports, UNHCR was prevented in late February from continuing its work in LTTE-controlled areas. More than 890 sq.km. territory of Mannar's total area of 1,100 sq.km. is in Tiger control. There are over 19,000 refugees in Army-held areas and 31,000 in LTTE-controlled zones. UNHCR has village-level projects in both areas.

Tamils detained under the Prevention of Terrorism Act

Police confusion over registration **AG reviews detention**

TAMIL detainees under the Prevention of Terrorism Act (PTA) in several detention centres continued to protest during February, demanding the review of their cases. Some detainees in Boossa detention Centre in Galle District, 62 miles south of Colombo, were admitted to hospital following a hunger strike.

Batticaloa MP G Krishnapillai who visited Welikada prison in Colombo in early February says that 61 women and 18 men are held under the PTA. Two women are detained with their children. Jaffna MP A Vinayagamoorthy met Justice minister WJM Lakkubandara and discussed prolonged detention of Tamil youths without trial. He informed the minister that some were in detention for over four years and some held despite court orders for their release.

The Attorney General (AG) KC Kamalasekera said on 4 February that he had received the necessary information on PTA detainees from the Prisons Commissioner and their cases will be

reviewed. The AG has indicated that detainees under charges of not providing information to the security forces on terrorist activities, may be released.

In a letter to the AG in early February, Kalutara prisoner I Krishnavarathan says he was arrested in December 2000 when he brought his family to Colombo. He suffered severe torture at the hands of the police Terrorist Investigation Division (TID) and was forced to sign a confession under torture. The confession was in the Sinhalese language which he does not understand. His case has been postponed because a witness failed to attend court for the last four hearings.

In a fundamental rights application, Maheswaran Kugadas, 25, a resident of Arayampathy in Batticaloa says he was arrested in a lodge in July 2000, after he came to Colombo to go abroad. No reasons were given and no arrest receipt was issued to relatives. He was held for a week at the Pettah police station and then handed over to the TID. He alleges that

the TID extracted a confession from him under torture. No charges have been brought against him although 19 months have elapsed since his arrest.

The police seem to be in state of confusion regarding registration of visitors to the capital from other areas. Some senior officers say police registration is necessary and others have taken the view that it is not needed. The Emergency regulations requiring registration lapsed in July 2001. TULF leader M Sivasithamparam urged Defence Minister Tilak Marapane in a mid-February letter to urgently clarify the position.

Meanwhile, press reports say that three officers and another soldier have been arrested from the Kirillapone suburb Army camp in connection with a number of robberies in the capital. They had carried out the robberies after entering houses under the pretext of search operations. The Police say they have recovered Rs 3 million (\$32,000) worth articles from them.

Election violence cases

Former Defence minister Ratwatte arrested

FORMER Defence minister and President Chandrika Kumaratunge's uncle Anuruddha Ratwatte was taken into custody by police on 19 February in connection with the murder of ten Muslims. The Muslims died in a hail of bullets at Madawela near Kandy, on general election day in December.

Mr Ratwatte was produced before the Teldeniya magistrate's court on 20 February and remanded till 4 March. On the same day, he was admitted to Colombo hospital on grounds of ill health. Four days after Mr Ratwatte's arrest, his sons Lohan and Chanuka surrendered to the police and were also remanded till 4 March. They were both admitted to hospital in Kandy's Bogambara prison claiming to suffer from high blood pressure.

The police have been hunting for the Ratwatte brothers since December in connection with the massacre of the Muslims, on warrants issued by the Teldeniya court. The Kandy court had also issued a warrant for the arrest of Lohan Ratwatte on charges of possession of illegal arms. After the people in

Madawela demonstrated accusing the police of inaction, the police claimed that several teams were involved in the investigation. But on 31 January, the senior police officer Kulasiri Udagampola who was in charge of the investigation was removed to other duties.

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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Presidential Security Division (PSD) Director Nihal Karunaratne surrendered to the Kandy court on 4 February and was released on bail. The warrant was issued after he allegedly threatened a police officer in Maturata with death. A statement from the Presidential Secretariat says that the allegations are false and that Mr Karunaratne will continue to lead the PSD. Nine persons, including five PSD members, are in custody on charges of shooting, threatening and murder attempt on UNF parliamentarian SB Dissanayake, in the run-up to general elections.

Matale Mayor Rohana Dissanayake was denied bail for the seventh time by the Matale court on 26 February. Mr Dissanayake is in custody on charges of grave crimes during the election campaign. Central Provincial Council chairman Mahinda Abeykoon and two other members were brought under heavy guard from the Bogambara prison for the ceremonial opening of the council in Kandy on 14 February. They are also accused of committing serious violence in the run-up to and during elections.