

## Agreement on federal solution

A federal political structure as a solution to the Sri Lankan conflict and the concept of a Tamil homeland were accepted at the third round of talks between 2 and 5 December in Oslo. A statement by the Norwegians after talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) says that the parties decided to 'explore a political solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil-speaking peoples, based on a federal structure within a united Sri Lanka'.

UN Secretary General Kofi Annan and British Foreign Office minister Mike O'Brien welcomed the breakthrough. Indian Foreign Secretary Kanwar Sibal expressed support but stressed that the principles of democracy, pluralism and human rights are respected on the ground. In the coming months, the Sub-Committee on Political Issues is expected to visit several countries to study different forms of devolution.

A federal solution was first proposed in the late 1940s by the Tamil Federal Party. But the idea has been denounced by large sections of the Sinhalese community as a stepping stone to separation. The rejection of the federal solution gave rise in later years to the Tamil demand for a separate state and culminated in the armed conflict.

The two parties agreed to initiate discussions on power-sharing between the centre and the region, as well as within the centre. Geographical regions for devolution, human rights protection, administrative mechanisms, public finance and law and order will be examined. A committee of women will explore inclusion of gender issues in the peace process. The LTTE will work with UNICEF to restore normalcy to the lives of war-affected children.

LTTE leader Velupillai Prabhakaran's annual *Great Heroes Day* speech on 27 November made the task of the negotiators easier. He declared that the Tigers were prepared to consider favourably a

*The Tamils want to live in freedom and dignity in traditional lands without domination. They want to protect their identity, pursuing development of their language, culture and economy.*

LTTE leader Velupillai Prabhakaran  
27 November 2002

political framework that offers substantial autonomy and self-government in the Tamil homeland on the basis of the right to internal self-determination.

Mr Prabhakaran indicated, for the first time in 25 years, that the LTTE would seriously consider a solution within a united Sri Lanka. He assured that if a reasonable settlement could be realised by peaceful means, the LTTE would make every endeavour with honesty and sincerity to pursue that path. He warned that if self-determination is denied and the demand for self-rule is rejected, the Tamil people will have no alternative other than to secede and form an independent state.

Mr Prabhakaran also called on the Sinhalese people to identify and reject racist elements opposed to peace and predicted that the politics of the Sinhala nation will eventually determine whether the Sinhalese could peacefully co-exist with the Tamils or compel the Tamils to secede. In his speech, Mr Prabhakaran praised the international community for the encouragement given to both parties and the assistance promised for rehabilitation and reconstruction.

More than a hundred representatives from 37 countries and international institutions took part in an aid conference in Oslo on 25 November. Participants included British Secretary of State for International Development, Clare Short

and US Deputy Secretary of State Richard Armitage. Announcing a £10.6 million aid package for quick impact projects, Ms Short said that the dynamic peace process demanded rapid and flexible responses. She urged improved delivery and readiness for prompt action on practical initiatives.

The European Union agreed to strengthen its role in the peace process and in this context also engage the Tamil diaspora, expand dialogue with all parties and mobilize funds to support immediate activities, focusing on the priority areas of de-mining and rehabilitation of internally displaced people. It was also announced that a larger aid conference will be held in Tokyo in mid 2003.

A notable absentee at the aid conference was India. All attempts by the Sri Lankan government to ensure high-level Indian participation failed. Reports say that Indian Janata Party leader Subramaniam Swamy filed action in court to restrain Indian delegates attending the conference in which the Tigers are participating. The LTTE remains a banned organisation in India.

The acknowledgement of both parties - the Sri Lankan government and the LTTE - that the proposed federal solution has to be accepted by all communities in the island, indicates the difficulties lying ahead in achieving consensus. The main opposition People's Alliance (PA) and the People's Liberation Front (JVP) continued to voice their opposition to the peace process in and outside Parliament. President Chandrika Kumaratunge's advisor Lakshman Kadirgamar accused Norway of favouring the LTTE.

The Sri Lankan government is also facing difficulty over the boycott of Parliament by Muslim MPs demanding assurances over a separate Muslim unit of devolution in the Eastern Province. In mid-November, Sri Lanka's Central Bank warned that any setback in the peace process will adversely affect the economy and urged political parties to unite in achieving the twin purposes of peace and development.



**Jaffna Peninsula**

# Resettlement in Jaffna

MANY of the 16,000 people resettled in the southern Thenmaratchy area in Jaffna are facing problems. The government is paying an allowance of Rs 15,000 (\$155) to each family (resettlement - 2,000; equipment - 1,000; self-employment - 5,000; temporary shelter - 7,000). Internally displaced people (IDP) in Jaffna say that priority is being given by government officers to IDPs arriving from the Vanni.

IDPs returning from southern Sri Lanka are also affected. Proof of residence from Regional Council secretaries in southern Sri Lanka are not being accepted by most *Grama Sevakas* (Village Headmen) in Jaffna for rehabilitation assistance. But letters of proof of residence from the Vanni are accepted.

The Sub-Committee on De-escalation and Normalization met in Omanthai on 10 November. Tiger leader Col. Karuna and Defence Secretary Austin Fernando attended. The Committee agreed that fishermen from eight ports on Jaffna islands of Punkudutivu, Neduntivu and Karaitivu and Mathagal in the peninsula would be allowed 24-hour fishing.

Fishermen have welcomed the decision. But the LTTE say that 25% of Jaffna remains as high security zones (HSZ) and this is making resettlement difficult. According to the Tigers, 29,525 houses, 300 schools, 25 roads and many temples lie within HSZs. Over 42,200 acres land cannot be cultivated affecting 16,000 farmers. Forty industries which employed 1,700 workers remain closed.

Jaffna Army commander Sarath Fonseka and Tiger leader Col. Deepan took part in the meeting of the Sub-Committee on Immediate Humanitarian Needs, in Muhamalai on 16 November. The Army refused to consider LTTE proposals for resettlement, alleging that return of civilians to HSZs will jeopardise security. The Army urged the LTTE to refrain from encouraging students to take part in demonstrations.

On 20 November, 2,000 students marched in Jaffna and submitted a petition to the Government Agent (GA) on the presence of the Tamil group EPDP on Neduntivu Island. Two days earlier, over 300 people began a protest on the island, demanding removal of EPDP's office. The police used tear gas and attacked the civilians. According to reports, twenty people sustained minor injuries.

The people say that EPDP had earlier joined the security forces committing atrocities against civilians. EPDP alleges that the protests are inspired by its rival, the LTTE. The EPDP office was attacked on 5 November, but the officers who fled returned ten days later. Demonstrations continued for the rest of November.

The Guardian Association for the Disappeared staged a protest before the Jaffna government secretariat on 2 December demanding information about people disappeared in 1996. The Human Rights Commission says it has appointed a committee headed by former Jaffna GA Devanesan Nesiah to enquire into disappearances in Jaffna in 1996 and 1997.

**Shooting**

The police shot Sundaram Paulraj, 38, while he travelled in an autorickshaw in Maradana, Colombo on 1 November. He later died in hospital. Colombo MP Mano Ganesan says Mr Paulraj was an innocent man who did not realise that a curfew was in force. He accused the police of firing indiscriminately during ceasefire.

**Threat**

Paul Hariss, a journalist of London-based *Daily Telegraph* says that his life has been threatened and visa denied. Armed police visited him on 6 November and asked him to leave the island. The Presidential Secretariat says that he was threatened because he criticized the LTTE for human rights violations.

**Cancelled**

A meeting for Constitutional Affairs minister GL Peiris on 13 November in Melbourne was cancelled after Australian Sinhalese groups threatened to stage a protest. These groups say that Mr Peiris is behind granting too many concessions to the LTTE.

**Envoy**

The Japanese government has appointed Yasushi Akashi as a special peace envoy to Sri Lanka. Mr Akashi is head of the Japan Centre for Conflict Prevention. A Japanese delegation led by Mr Akashi met LTTE's political leader SP Thamilselvan on 8 November to discuss rehabilitation and reconstruction.

**Galle and Puttalam**

## Colombo violence spreads to other areas

THE clashes between Sinhalese and Muslims in Colombo in late October, spread to other parts of the island in November. A minor dispute on 19 November flared into violence at Kattugoda in Galle District. Two shops and a petrol station were burned. The police shot dead Casim Mohamed, 22, and wounded seven others. An 18-hour curfew was imposed from 12 noon and Interior minister John Amararatunge ordered an investigation.

The Sirimapuram colony, near Mathurankuli in Puttalam District, was attacked by a gang on 18 November. Four shops and 17 houses were damaged. The attackers robbed jewellery and burned some houses.

Muslim refugees from Jaffna and Mannar live in Sirimapuram. Some of them were injured in the attack. The women in the settlement took refuge in the local mosque. The villagers say that security forces visited the settlement only a few minutes before the attack, which came during curfew hours. Two days later, masked men singled out Muslims in a bus at Arachchikaddu in Puttalam and attacked them. Four Muslims were admitted to hospital.

The police arrested three security force personnel in early November, after a jewellery shop in Puttalam town was robbed. Police say the robbery had been directed by an Airforce officer and arms from the force's armoury had been used.

Allegations have been made that Muslim fishermen were attacked by the security forces accompanied by a gang on 9 November at sea off Trincomalee District. Some of the fishermen were taken into custody. Trincomalee MP KM Thowfeek says that the attack had been planned by the Trincomalee police and called for immediate investigation.

In Vavuniya District, the house of local NGO consortium President Sathasivam Kulathevarajah was attacked by a 15-member gang on 30 November. Mr Kulathevarajah managed to hide and escape, but his assistant Kalimuthu Subramaniam was injured. The gang damaged the house and household goods. The police arrested three people.



## The East

# Tamil Eelam police

Sri Lanka Muslim Congress leader Rauf Hakeem expressed concern to the Prime Minister in early November over LTTE's *Tamil Eelam Police Force* in the north-east. A police station was opened at LTTE-controlled Palukamam in Batticaloa District on 5 November. Another station began work at Sampur in Trincomalee District on the same day.

The LTTE police force, headed by P Nadesan, has been in existence since June 1991 and there are already 16 Tiger police stations in LTTE-held Vanni. The Tigers have called on those who have left the Sri Lankan police to join their force. Tiger officers say that their police have received many complaints from Army-controlled areas.

The LTTE is also making arrangements to extend its court system within the areas under its control in the north-east. A law school is already functioning and the LTTE introduced a penal code in 1993. According to Tiger officers, the courts have handled 23,000 cases and summons issued by them have been respected also by those resident in Army-held areas. MP Joseph Pararajasingham declared open the Batticaloa *Tamil Eelam District Court* at Arasaditivu on 23 November.

The JVP has condemned the establishment of the police stations as a challenge to the sovereignty of the Sri Lankan state. Observers believe that the LTTE will insist on the accommodation of its

structures of administration of justice in any solution to the conflict.

The issue of freedom of movement continues to dominate events in the east. Earlier, the police agreed to open three roads within Batticaloa town, but are now expressing reluctance. One of the roads - Lady Manning Drive - connects the Puliyanativu part of the town to Kallady, further south, and remains closed for the past ten years.

The Sub-Committee on De-escalation and Normalization, which was appointed to examine military high security zones (HSZ), met at Vavunativu on 20 November. Col. Karuna of the LTTE and Army's Maj. Gen. Shantha Kotagoda took part in the discussions.

Reports say that agreement was reached to open roads that are closed and for phased withdrawal of troops and policemen from houses in Batticaloa District. Currently, 345 houses and more than 30 public buildings are occupied by the security forces. The Committee also decided to allow Tamils and Muslims to resettle in their own lands, both in LTTE-controlled areas and Army-held territory, and begin farming.

Concern has been expressed over the continuing rivalry between militant groups in the Eastern Province. Militant group members who are serving as intelligence officers with the security forces have been targeted. On 2 December, military intelligence officer SM Abdul Azeez was shot dead by a gang of youths. Cader Mohideen was wounded.

## Budget 2003

## Defence

FINANCE MINISTER KN Choksy tabled the budget for the year 2003 in Parliament on 6 November declaring that government aim was long-term development and economic reform to support the current peace process rather than immediate relief to the population. Tamil United Liberation Front (TULF) leader V Anandasangaree severely criticized the allocation of Rs 45 billion (\$465 million) for defence and said that the move will discourage peace efforts. MP Joseph Pararajasingham says that governments spent Rs 591 billion (\$609 billion) on defence between 1983 and 2001. In 2000, the defence expenditure reached 7% of the GDP. The Finance minister promised widening of the scope of privatisation and further deregulation. Based on 5.5% GDP growth, the budget deficit target is set at 7.5%. Privatisation proceeds will contribute to financing the deficit. The government will sell 12% of its shares in Sri Lanka Telecom in December and is considering the sale of the Co-operative

Wholesale Establishment, the largest trading organisation in Sri Lanka. In order to boost investment, the government will also seek to amend the Termination of Employment Act and the Industrial Disputes Act to make it easy for employers to sack workers. The move is expected to be bitterly opposed by the trade union movement. The current peace process has raised investor confidence. But major new investments are likely to be postponed until after the aid conference in Japan in mid 2003 and may depend on signs that negotiations between the Sri Lankan government and the LTTE are leading to a lasting solution to the conflict. Observers say the continuing tension between the government and President Chandrika Kumaratunge and the threat of dissolution of Parliament after 5 December will affect investment.

## Hill Country

THE Hill Country trade union and political party, the Ceylon Workers Congress (CWC) has expressed concern in a statement in late November, that sterilization and family planning programmes for tea and rubber workers will result in a drastic decline of the Tamil population. A number of other Hill Country organisations have also expressed similar fears. The CWC alleges that government institutions and some NGOs have deliberately intensified programmes in the last thirty years in an effort to bring down the Tamil population thereby reducing Tamil representation in Parliament.

The party is said to have received information that on some estates, undue pressure is brought to undergo steriliza-

## Sterilization

tion operations and the consequences are not properly explained to the workers, most of whom are illiterate. The Plantation Welfare Trust, which is responsible for improving health standards of plantation workers, denies any wrongdoing, and insists that family planning will improve workers' lives.

Textile factory employee and Mawinne Estate resident T Jeyasudha, 22, was abducted in Ratnapura on 22 November. Her body was later found in a pit. She had been stabbed many times. A man has been arrested, but police believe that several people were involved in rape and murder. People say the police have not carried out proper investigations on other rape cases in the Hill Country.



## Human Rights

## Jury finds Mylanthanai massacre accused not guilty

# Acquittal

HUMAN rights agencies and relatives of victims expressed shock after 18 soldiers accused in the Mylanthanai case were released on 27 November, when the jury returned a 'not guilty' verdict. The jury confirmed the decision even after the judge ordered a reconsideration.

Soldiers from Punanai Army camp massacred 35 Tamils, including 15 children, at Mylanthanai in Batticaloa District on 9 August 1992. This was a revenge attack for a landmine assault on Jaffna's Kayts Island, in which six senior military officers, including Maj. Gen. Denzil Kobbekaduwa, were killed.

In an identification parade at Batticaloa Magistrate's Court on 2 April 1993, 24 soldiers were identified. The Attorney General (AG) transferred the case to Polonnaruwa District, without assigning any reason and then to Colombo on grounds of safety for the accused, which made it difficult for witnesses to appear. Indictment was filed in Colombo High Court only in September

1999. Observers have expressed fear that the case will encourage impunity among the security forces.

Economic Reform minister Milinda Moragoda visited Kalutara prison on 21 November, accompanied by Mannar Bishop Rayappu Joseph. Mr Moragoda promised the detainees that a person from the Colombo Peace Secretariat will be appointed to look into their release.

The AG's Department says that 34 detainees under the Prevention of Terrorism Act (PTA) have been released since his last visit in October. There are currently 111 detainees under the PTA in Kalutara. According to the AG, 478 had been released permanently or on bail since the ceasefire. The prisoners told the minister that many are detained for several years without charge or trial on allegation that they failed to provide information about the LTTE. Confessions had been obtained under torture. They also blamed some lawyers for failing to handle their cases properly.

Colombo human rights agency, the Centre for Human Rights and Development (CHRD), launched a signature campaign in late November to demand repeal of the PTA. The CHRD says that some Tamil MPs have refused to place their signature on the petition.

South of Colombo, Samantha Vithanage, 23, was killed when students clashed at the Sri Jayawardanapura University on 9 November. Disputes seem to have arisen over ragging of new students. The police arrested 28 students. A day later, JVP offices in four areas - Battaramulla, Maharagama, Pannipitiya and Migoda - were burned by suspected United National Front (UNF) members.

There was heated debate in Parliament on the issue when the JVP accused the ruling UNF of involvement in the killing. University Student Association President Ravindra Mudalige said that the violence was part of rivalry between students and condemned politicians for attempting to lend political colour to the issue.

## Sri Lanka Muslim Congress

## SLMC leader Hakeem faces rebellion

ALL eleven MPs of the Sri Lanka Muslim Congress, returned to Parliament by 13 November, after a boycott lasting three weeks. The protest was led by Highways minister ALM Athaullah demanding assurances from the Sri Lankan government over the rights of Muslims in any political system that may evolve in the current peace talks.

The Muslims say that their distinct identity should be recognized by the establishment of a separate unit of devolution in the Eastern Province. There is grave concern within the Muslim community over the actions of the LTTE. Despite assurances by Tiger leader V Prabhakaran, harassment of Muslims in the Eastern Province continues and there are allegations that the community is not being allowed to pursue their occupations in the north.

The protesting MPs say that SLMC leader Rauf Hakeem, who is also a minister in the government, has failed to assert the aspirations of the Muslim community. Mr Hakeem and Mr Prabhakaran signed an agreement of cooperation on 13 April regarding the return of Muslims

who were expelled by the LTTE from the north in October 1990. Mr Hakeem is participating in the peace talks as a member of the government delegation.

The MPs returned after Prime Minister Ranil assured that the identity and security of Muslims would be pro-

tected in any new constitutional arrangement. The government also appointed a committee, headed by Interior Ministry Secretary MN Junaid, to examine security in Muslim areas.

Observers say that although the concerns of the SLMC dissidents led by Mr Athaullah are legitimate, the current crisis is over capturing the leadership of the party. On 2 December, the Athaullah faction announced that Rauf Hakeem had been sacked from leadership and suspended from the party pending enquiry over 36 charges against him, including misconduct and unilateral decisions without consulting the party.

Mr Hakeem who was in Oslo for the peace talks rushed back to Colombo on 3 December and declared that the decision to sack him was illegal. The Colombo District Court issued an interim order against Mr Hakeem acting as leader of the party for 14 days. SLMC support is vital for the ruling UNF. A split in the party may destabilise the government and affect the peace process. Reports say that the opposition People's Alliance (PA) is already fishing in troubled waters.

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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Charity No. 1014576  
Company No. 2727514  
ISSN 0955-5943