

Sri Lanka Project Briefing

13 May 2004



This briefing is further to the briefings published in November and December 2003, February and April 2004, which are available on the Refugee Council website at www.refugeecouncil.org.uk.

Elections produce unstable government

UPFA gains largest number of seats

The hopes of a stable government which can confidently pursue the peace process were dashed when no party gained an overall majority in the 2 April general elections in Sri Lanka. The United People's Freedom Alliance (UPFA), led by President Chandrika Kumaratunge, gained the largest number of seats in Parliament and the ruling United National Front (UNF), headed by Prime Minister Ranil Wickremasinghe suffered defeat in most districts. The contest was for 196 seats in the 225-member legislature and the other 29 are nominated on the National List on the basis of the votes received by each party. The UPFA gained 105 seats, eight short of an overall majority, while the UNF won only 82 seats. The Tamil National Alliance (TNA), backed by the Liberation Tigers of Tamil Eelam (LTTE) gained 22 seats while nine Buddhist monks contesting on the ticket of Jathika Hela Urumaya (JHU) (National Sinhalese Heritage) entered Parliament. The Sri Lanka Muslim Congress (SLMC) won five seats and the Eelam People's Democratic Party (EPDP) and the Up-Country People's Front (UPF) won one each.

A significant outcome of the election is the rise of the Marxist People's Liberation Front (JVP), a constituent of the UPFA.¹ The JVP increased its seats in Parliament from 16 to 40 while the Sri Lanka Freedom Party's (SLFP) seats were drastically cut from 95 to 57. In ten districts, including Colombo, Kandy, Galle and Anuradhapura, JVP members polled the highest number of preference votes among the UPFA candidates.² The JVP has emerged as a much stronger party and is now in a position to make demands to the President and the SLFP.

Nearly 76% of the 12,899,038 voters turned up to vote. However, in Jaffna the turnout was as low as 47.4% and in the Vanni it was 69.2%. The European Union Election Observation Mission says that the inconsistency between the number of the voters registered to vote in Jaffna District and the approximate number of residents may account for the low turnout in Jaffna. The UPFA secured 4,223,970 (45.6%) of the votes while the UNF gained 3,504,200 (37.8%). Only nine women have been elected to Parliament.

¹ The SLFP and the JVP signed a co-operation agreement on 20 January 2004 forming the UPFA.

² Under the proportional representation system, a voter is entitled, in addition to his/her vote, to indicate preferences for not more than three candidates nominated by the same political party or independent group.

New Prime Minister

Mr Wickremasinghe conceded defeat and President Chandrika Kumaratunge appointed her Cabinet on 10 April. She also proposed Lakshman Kadirgamar for the position of Prime Minister. Observers say that President Chandrika wanted a person as who would resign to enable her to become Prime Minister when she enters Parliament after her proposal to amend the constitution to abolish the presidential system of government is implemented. Her term of office as President expires in 2006 and under the current constitution she is not entitled to contest for the presidency again. Her choice came under severe criticism from party members, who pointed out that Mr Kadirgamar was a Tamil and a Christian, while there are several senior Sinhalese-Buddhists in the party who are eligible. They also noted that Mr Kadirgamar was not an elected member of Parliament. He was nominated as an MP by the UPFA on the National List.

Discontent within the party, forced the President to appoint Hambantota District MP Mahinda Rajapakse, 58, as Prime Minister. Mr Rajapakse, a former Minister of Labour and a senior member of the Sri Lanka Freedom Party (SLFP), has been involved in human rights work for many years. According to press reports, the President has obtained an undated signed letter of resignation from Mr Rajapakse and has also demanded assurance from him that he will not occupy the official Prime Ministerial residence, the *Temple Trees*. The JVP preferred Mr Kadirgamar and is unhappy over the appointment of Mr Rajapakse. Mr Kadirgamar was appointed Foreign Minister, a position he held earlier and Amarasiri Dodangoda was made Minister of Home Affairs and Public Administration. President Kumaratunge retained the Defence, Education and Constitutional Affairs portfolios.

JVP ministers

A total of 36 ministers and 35 deputy ministers were appointed. The appointments included four Cabinet ministers and four deputy ministers from the JVP. The ministries are Lands and Agriculture, Culture and Heritage, Rural Economy and Fisheries and Marine Resources. The JVP ministers were not present when the Cabinet was sworn in on 10 April. The JVP says that the Mahaweli Authority, which was part of the Agriculture Ministry, had been removed by the President and added to the new River Basin Development Ministry, under SLFP stalwart Maithripala Sirisena.³ They also say that the Film Corporation has been removed from the Ministry of Culture and Heritage. The JVP claimed that the President promised them control of these departments and said that the ministries would not be accepted until the issue is resolved.

After several discussions, the JVP members decided to take charge of the ministries in late April. President Kumaratunge has said that she may consider re-annexing the Film Corporation to the Ministry of Culture. But she has made it clear that under no circumstance the Mahaweli Authority would be brought under the control of any JVP member. At a meeting of the SLFP Central Committee in late April, minister Sirisena

³ A Master Plan for the development of the Mahaweli river basin was formulated following a UNDP/FAO team from 1965 to 1969. The Mahaweli Development Scheme, the largest rural development project in Sri Lanka, was launched in 1970.

revealed that an armoury of weapons and some 800 security personnel are under the direct control of the Mahaweli Authority, to safeguard more than 200 waterways and five major dams. Furthermore, the Mahaweli Project, launched in 1970 for agricultural irrigation and hydro-electric power, covers 39% of the whole island and the Mahaweli Authority employs 4,600 persons and oversees the rehabilitation of 10,000 irrigation tanks, 8,000 canal networks and the development of 320,000 acres of land. Observers say that the President does not want all these under the control of the JVP, which was involved in insurrections against the Sri Lankan government in 1971 and 1989/90 resulting in the death of tens of thousands of people.

TNA position

Initially it was believed that the five members of the TNA who became MPs in the east would be urged by LTTE dissident Col. Karuna to break rank to extend their support to the UPFA. But on 7 April, 20 TNA MPs issued a statement following a meeting in Colombo. The statement says that normalcy has not returned to the Tamil people of the north-east, although more than two years have elapsed since the ceasefire agreement. Normalcy is achievable only through the establishment of an Interim Self-Governing Authority (ISGA) for the north-east region with substantial powers of governance as proposed by the LTTE in a document made public on 31 October 2003.⁴ The TNA urged immediate steps to commence negotiations for the setting up of the ISGA, recognizing the LTTE as the sole and authentic representatives of the Tamil people. They declared that the elected MPs of the TNA commit themselves, on the basis of the unequivocal mandate given by the Tamil people of the north-east at the general election, to strive both within and outside Parliament, particularly to muster support of the international community to ensure that negotiations commence with the LTTE and the ISGA is established.

Election of Speaker

The election of the Speaker of Parliament on 22 April, amidst chaotic scenes, proved a trial of strength between the UPFA and UNF. The UPFA nominated Communist Party General Secretary DEW Gunasekara and the UNF's candidate was former Justice minister WJM Lakkubandara. The first vote ended in a tie with each candidate receiving 108 votes. Batticaloa TNA MP Kingsley Rasanayagam had resigned earlier and Ariyanendran who had been nominated in his place was not present in Parliament, because his name had not been published in the government Gazette. Two of the nine Buddhist monk members of the JHU participated in the secret ballot. The other seven said that they would not take part and remain neutral. The SLMC, CWC and 21 members of the TNA appeared to have voted for Mr Lakkubandara.

Parliament Secretary General Priyani Wijesekera declared the second vote void after some members showed the ballot papers to other MPs before voting. In the third round of voting, Mr Lakkubandara received 110 votes against Mr Gunasekara's 109 and was declared Speaker of Parliament. The elections for the Deputy Speaker and Chairman of Committees will be held when Parliament meets again on 18 May.

⁴ Under the proposals, the ISGA will control administrative and financial functions, including taxation with powers to borrow internally and externally, receive aid directly and engage in internal and external trade, control land, natural resources in the north-east, marine and off-shore resources of adjacent seas and have power over law and order.

As it appeared from the votes cast in the election of the Speaker, that some of the JHU members had voted with the UNF, the Buddhist monks came under verbal and physical attack by members of UPFA in Parliament. According to JHU member Ven. Omalpe Sobitha Thero, the Bodhi Raja Dharma temple in Embilipitiya was among several Buddhist temples that were attacked by UPFA members.

Constitutional revolution

On 13 April 2004, the Presidential Secretariat announced that the President has appointed a seven-member committee of legal experts headed by Lakshman Kadirgamar to make proposals to amend or repeal the constitution and introduce a Westminster type of parliamentary system in place of the present presidential system of government. The committee will also consider changing the election laws to introduce a first-past-the-post election system instead of the current proportional representation system.

The UPFA argues that it is entitled to change the constitution because it has won 14 or two-thirds of the 22 electoral districts and has emerged as the largest single party in 106 or two-thirds of the 260 electorates in the island. According to reports, the UPFA proposes a constitutional revolution by the adoption of a new constitution by Parliament acting as a constituent assembly. Professor Suri Ratnapala of the University of Queensland says that Sri Lanka's present constitution cannot be abrogated except by the procedure established by the constitution that requires approval by the people at a national referendum in addition to parliamentary approval by a two-thirds majority. He says that in 1972, Parliament sitting as a constituent assembly was able to adopt a new constitution, because parties, including the opposition UNP and Tamil United Liberation Front (TULF), participated in its proceedings. Any attempt made to change the constitution in such manner without consensus of all stakeholders, including the Tamil people of the north-east region, will have no legitimacy and will strengthen the claim of the north-east Tamils for self-determination.⁵

Other legal experts differ in their opinion. They say that a constitutional revolution allows a clean break from the past and need not depend on past events or past constitutions. In 1972, the government sought to establish a constituent assembly although it had a two-thirds majority in the National State Assembly (Parliament). The purpose of such a constituent assembly was to make a clean break from 1946 Soulbury constitution which had been introduced by a foreign nation. These experts are of the view that a two-thirds majority and an approval at a national referendum as required by the 1978 constitution are not necessary. Others point to the fact that the TULF withdrew from the 1972 constituent assembly after its proposals were not accepted. The 1972 constitution was adopted without the consent of the Tamil people. The TULF then went on to adopt the Vaddukkottai Resolution in 1976 calling for a separate state for the Tamils on the basis of self-determination.

The minority parties, particularly the SLMC and the CWC, have expressed opposition to changing the presidential system of government and the proportional representation

⁵ *The Island* (Colombo newspaper), 28 March 2004

(PR) system of elections. They say that minorities have benefited under these systems and contend that an all-powerful President has been able to take prompt action on representations made by the minorities which was not possible for a Prime Minister with much less powers under a Westminster parliamentary system. The PR system has given minority parties a voice in the formation of governments but under the first-past-the-post system, it was easier for major parties to obtain large parliamentary majorities by themselves and have in the past neglected minority rights and the minority parties.

Election violence

The Election Commissioner Dayananda Dissanayake gave official recognition as election monitors to two NGOs - People's Action for Free and Fair Elections (PAFFREL) and Centre for Monitoring Election Violence (CMEV). Observers from these NGOs were allowed to enter polling centres on the day of elections. CMEV says it deployed 4,347 election monitors, including 25 international observers to monitor 6,215 polling stations (ie. 58% of the 10,670 polling centres). Up to 30 March, the CMEV recorded 1,485 violent incidents, including murder, grievous hurt, assault and intimidation. On election day, CMEV recorded 368 incidents of violence and election violations. Largest of the latter were in Amparai, Kandy, Kurunegala and Jaffna districts. The UNF was responsible for 38% of the incidents and UPFA 22%. The CMEV also recorded 81 post-election incidents, including two murders in Anuradhapura and Moneragala districts.

The CMEV concluded that the election in April 2004 was considerably less violent than elections in the previous ten years. However, the CMEV recommended to the Election Commissioner that the elections in Jaffna District and the polling divisions of Sammanthurai, Pottuvil and Kalmunai in Amparai District should be annulled and re-election held. Systematic large-scale impersonation was seen in Jaffna. In Amparai, impersonation, intimidation of voters and polling agents, distribution of polling cards in the vicinity of the polling stations and transporting of voters were observed.

European Union condemns violence

The European Union Election Observation Mission (EOM), which deployed 63 observers from 13 member states, concedes in a 4 April statement that the election administration acted professionally and impartially, but says that the level of violence, although reduced, is unacceptable in a democratic election. Five murders and 15 attempted murders were recorded. Not all parties were able to campaign freely in all parts of the country and problems arose from shortcomings in the voter registration process. Abuse of state resources was less than during previous elections, but there was unequal access to the media. The creation of an independent National Police Commission, the establishment of the Police Election Secretariat, impartiality of the Election Commissioner and police efficiency in enforcement of election laws contributed to the decrease in violence. The EOM has criticized the delay on the President's part in appointing an independent Election Commission and the introduction of a code of conduct for political parties that would prohibit all violent acts and offensive personal attacks.

The EOM noted that in the areas controlled by the LTTE in the north-east, only the TNA was able to campaign and in government-held areas, rival Tamil parties to the TNA were seriously restricted in their ability to campaign. The LTTE was intent on ensuring that no other rival Tamil party to the TNA would be able to claim to represent Tamil interests. The EOM says that the split between the LTTE in the north and the east exacerbated the situation, resulting in the murder of TNA candidate Rajan Sathiyamoorthy, the attempted murder of Batticaloa Government Agent I. Mounagurusamy and the forced displacement northern Tamils out of Batticaloa.

In a statement on 6 April, Transparency International regrets that politicians have failed to display sufficient commitment to fight corruption existing in the electoral process and says that less than 10 candidates out of 5,698 discharged their statutory obligation to disclose their assets and liabilities before the elections. The Commonwealth Observer Group emphasized that balance on the part of the State media is essential for democracy and it was difficult to describe an electoral process as fair when the State media is as biased as it has been in Sri Lanka in the run-up to the general election. The State media, controlled by the President, is accused of supporting the UPFA.

Despite the call by the election monitors, the Election Commissioner decided not to annul the elections and order re-election in Jaffna and Amparai, saying that he had power to cancel elections only if violations were committed in the vicinity of polling centres. Where violations are committed elsewhere the proper remedy was recourse to legal action in the courts.

According to reports, Tamil workers in Ratnapura District have come under attack after the elections, particularly on plantations in Kahawatte, Nivitigala, Delwala and Kiribathgala. The attackers had accused them of supporting UNF. Many Tamils in Kurunegala District have been threatened with death and Tamil teachers ordered to leave the area.

Internally displaced persons (IDP)

Local activists say that there are still some 500,000 IDPs, although according to UNHCR some 345,000 returned to home areas up to December 2003. According to official figures 338,200 people are registered as IDPs and receive assistance from the government.⁶ Of these, 92,000 are in 315 refugee camps and the others live with friends or relatives. Military high security zones, landmines and safety concerns continue to affect resettlement. No action has been taken in relation to the legal issues that affect IDPs and those who have returned continue to suffer from inadequate facilities for rehabilitation. Local activists say that the sufferings of the IDPs will continue in view of the fact that international assistance for reconstruction would not be forthcoming without progress in the peace process.

Following a visit to Sri Lanka, the Chairman of the Executive Committee of UNHCR Jean-Marc Boulgaris says in a report that in Jaffna many of the 62,000 IDPs remain displaced on account of their homes being military high security zones (HSZ). Three

⁶ Jaffna District 62,000, Kilinochchi District 43,300, Mullaitivu District 60,600, Mannar District 33,000, Vavuniya District 44,300, Batticaloa District 27,500, Trincomalee District 20,500, Puttalam District 47,000.

quarters of the coastal areas are in HSZs making access for fishermen to the sea extremely difficult. A number of problems continue because of delays in reconstruction. In Kilinochchi, 65% of schools do not have roofs and classes are conducted in open spaces. The report says that in Jaffna and Kilinochchi, the Chairman emphasized the necessity for IDPs to have legal protection and access to judicial remedies. In Vavuniya, IDPs in camps are keen to return to home areas in the district. But lack of land, shelters and absence of programmes to assist resettled populations to rebuild their livelihoods were major problems. Some 1,800 families did not own any land and many of the lands owned by other IDPs lay within HSZs. Only those who have returned to their own lands are entitled to resettlement grants.

Government officials had expressed concern that some international humanitarian agencies were departing or scaling down their work and, due to the political situation, development actors and other agencies were not yet fully operational, resulting in gaps with some basic needs of the people not being met. Government officers urged international donors to engage with the Sri Lankan people and the government during the suspension of the peace talks. The peace process had not yet yielded tangible improvements in the daily lives of the population at large. For the IDPs too, progress had been slower than hoped in finding solutions, whether in the form of assisted return to their original homes, local integration in the areas where they are presently displaced, or voluntary relocation to new areas of permanent settlement, says the report.

In a statement on 13 May following a two-week mission to Sri Lanka, UNHCR's Inspector General Dennis McNamara called for renewed focus on removing the obstacles for solutions. Addressing the high level of destruction of housing, returning land and property to the rightful owners, accelerating clearance of landmines and unexploded ordnance, identifying pragmatic solutions for those in HSZs are some of the needs. Mr McNamara says greater investment is necessary to ensure conditions in return areas are conducive to the safe and dignified return, that families are able to earn a living, send children to school, have access to health facilities and live in safety. He has stressed the importance of attention to the return of minority groups such as displaced Muslims.

Peace process

In her first speech to the nation after the elections on 7 April, President Chandrika said that the new government would take immediate steps to recommence peace talks with the LTTE. Soon after his appointment, Prime Minister Mahinda Rajapakse also announced that the peace process would be his priority. However, there are grave doubts whether he would be able to play a significant role, as all power lies with the President, who retains the important portfolio of Defence Minister, would be directly supervising the peace process. She has also retained the portfolio of Minister of Constitutional Affairs. The new Prime Minister and the President do not see eye to eye on some issues and have clashed on several occasions.

Some observers say that the main stumbling block now for the resumption peace talks is the JVP. The JVP has been openly opposed to talks with the LTTE or power-sharing. However, the President appears to be keen that the peace process resumes with the minimum of delay, particularly in light of fact that the international

community has linked reconstruction aid to progress in the peace talks. The observers believe that she has taken a decision to go ahead with the peace process despite any objections from the JVP. Reports say that she has also decided against allowing a separate Muslim delegation for the peace talks in order to get the LTTE to the negotiating table.

On 22 April, she telephoned Norwegian Prime Minister Kjell Magne Bondevik and requested he resumption of Norway's role as peace facilitator. The Norwegians indicated that a similar request must come from the LTTE. Tiger Chief Negotiator Anton Balasingham said that a decision will be taken only after the government's position is clarified on three issues: 1) acceptance of the LTTE as the sole representatives of the Tamils; 2) acceptance of the LTTE as an equal partner in the peace process; 3) resumption of peace talks on the basis of the LTTE proposals on interim administration.

There were moves that indicated the parties were preparing to resume peace talks. Norwegian Deputy Foreign minister Vidar Helgesen and special envoy Erik Solheim met President Chandrika in Colombo on 2 May and thereafter Mr Solheim travelled to the Vanni to meet the LTTE leaders. Mr Balasingham returned to Sri Lanka on 7 May after a brief discussion in London with Mr Solheim. Norwegian Foreign minister Jan Petersen arrived in the island on 10 May for discussions with the leaders of both parties. A day earlier, the BBC reported that the ruling UPFA has now agreed to recognize the LTTE as the sole representatives of the Tamil people. The LTTE, however, has insisted that peace talks must be based on its proposals for interim administration and must be held outside Sri Lanka. The JVP's reaction to all these developments is still unclear.

In the absence of an overall majority in Parliament, the UPFA will find it difficult to introduce legislation and consequently the entire work programme of the government may be affected and governing the country may become impossible. The NGO-led National Peace Council has called on all new parliamentarians to work together to resolve the ethnic conflict and put in place a new constitution and system of governance that is both consensual and democratic.

Indian involvement

Prime Minister Rajapakse as well as Foreign Minister Kadirgamar say that India will hereafter play a role in the peace process. The main players in the peace process so far have been Norway, Japan, the US and the European Union. Indian High Commissioner in Sri Lanka, Nirupam Sen confirms this position but has not provided any details. According to sources, Mr Sen had, after the elections, urged some of the minority parties to support the UPFA to establish a stable government. Following a meeting with Mr Kadirgamar at New Delhi in late April, Indian External Affairs minister Yashwant Sinha said that he had sought clarification from the Sri Lankan government about India's role in the peace process. Mr Sinha pledged support for the peace process and stressed that a solution cannot be imposed by the international community on Sri Lanka. He says that India was keen to ensure that the refugees in India return to Sri Lanka in safety.

Tiger supporters say that the government's intention in involving India is to weaken the LTTE and bring pressure at the negotiating table. On 12 May, Mr Balasingham urged India to accept the LTTE as the sole representatives of the Tamil people. He stressed that India can play a role in the peace process only with the approval of the LTTE. He called on India to take meaningful steps to end the ethnic conflict for the betterment of the people rather than needlessly interfering in the process on the instigation of Sinhala chauvinistic forces.

Karuna retreats

The LTTE launched an attack on Col Karuna's forces in the east on 10 April at Verugal, eight miles north of Vaharai in northern Batticaloa District. In a swift advance the LTTE forces outmanoeuvred Karuna's fighters and Karuna was forced to withdraw. According to some reports, LTTE forces crossed Army controlled territory for the assault on land. *Sea Tiger* boats are said to have landed fighters in southern Batticaloa in violation of the ceasefire agreement. Observers say that these moves were not possible without tacit approval from the President. Writer DBS Jeyaraj says that Karuna's withdrawal followed long discussions and an agreement between the two sides. In the brief encounter at Verugal, around 30 fighters and some civilians died. Other reports suggest that a large number of cadre who stood by Col. Karuna were killed. But this has not been confirmed. Col Karuna ordered the fighters under him to return to their homes and disappeared with some of his close associates. By 12 April, the LTTE had taken control of all the territories it held in the east.

The swift fall of has disappointed Sinhalese nationalists, who have accused the President and the government of not using the opportunity to support Karuna and divide the LTTE. Colombo Tamil newspaper *Virakesari* says that the Tiger intelligence service has launched a hunt within Sri Lanka and abroad to identify those who encouraged and supported Karuna. There have been suggestions that Col. Karuna has fled to another country. But in an interview to the Asia Tribune on 23 April, Karuna claimed that he remains in Sri Lanka. Some observers believe that Karuna is still in the island and LTTE's troubles are not over.

Tigers under attack

Unidentified persons attacked an LTTE camp at Ponnankanichchenai, nine miles south-west of Batticaloa town, on 25 April, killing seven Tigers. The LTTE say the camp was a home for disabled fighters and four of those killed were disabled. On 1 May, unidentified persons entered Pendukalchenai area and shot dead Nesalingam, a member of LTTE's *Jeyanthan Brigade*. Two other LTTE members, including Sivanathan Murali or Pahalavan, were killed at Thannamunai, three miles south-west of Eravur on 6 May.

LTTE's political leader SP Thamichelvan alleges that the attackers were assisted by the Sri Lankan Army and warned of dire consequences. An officer of the Directorate of Military Intelligence (DMI), identified as Vasantha Colombage, was shot dead on 9 May in a bus at Thandavanveli in Batticaloa District. The killing of the intelligence officer is believed to be retaliation for the deaths of the Tiger cadres. The head of the Sri Lanka Monitoring Mission (SLMM) Tronde Furuhoide warned in a statement on 10 May that these killings posed a serious threat to the fragile peace process and

called on the government and the LTTE to unite in efforts to identify and apprehend the perpetrators and implement measures to prevent such acts.

Killings in the east

A number of violent incidents have been reported, particularly in Batticaloa District. Ponniah Jeevaratnam of the Karuna faction was shot dead on 2 April on Batticaloa-Manmunai road. Subramaniam Sivakumar was shot and injured at Punnalaicholai in Batticaloa town on 4 April. Nagendra Kubendra who was injured in the incident was abducted by the assailants. A former LTTE member, Mr Kubendra had worked as an intelligence agent for the Army and had later joined PLOTE. Two days later, Sivagnanaseelan Sasikanth was shot and injured at Kiran. He later went missing from Batticaloa hospital and police were unable to confirm whether he had been abducted. On the same day, a man was shot dead at Thalankudah near Valaichenai. He has not been identified. Mahalingam Sathiyaseelan was wounded in the incident. On 8 April, the body of another man was found on the grounds of Vigneswara School in Karuvakerni. He had been shot in the head.

Manickavel Sabaratnam was abducted from his home at Kaluvankerni in north Batticaloa in mid-April by armed men who told his wife that they were taking him for an enquiry. Later, the police found his body along with two other bodies.

Mystery surrounds the death of a man believed to be Batticaloa resident Kanagasabai Thurairajasingham who was killed by a bomb in Kurunegala District on 26 April. The incident took place near Mahaweli Development deputy minister Salinda Dissanayake. Mr Dissanayake says he had received death threats from another politician. The police took a man and a woman into custody from a nearby house. They are also said to be Batticaloa residents. On 8 May, Batticaloa resident Selvarasa Gunaseelan was shot dead at Thambalakamam in Trincomalee District.

Attack in Colombo

On the night of 26 April, Eravur resident Sinnathamby Ramesh was shot dead and Manickavasagam Mathanaruban was seriously injured. They were attacked by three armed men in a house on Bodhiraja Mawatha in the Colombo's Maligawatta suburb. After the incident, security forces set up checkpoints and began search operations.

In a major search operation on 29 April in the Colombo suburb of Dehiwala, 14 Tamils were arrested, including a woman with a two year-old child. The police claim that all were released later. Inspector General of Police Indra de Silva says that a large number of Karuna faction members have infiltrated Colombo and the search operations are conducted to prevent them selling their weapons in Colombo. The TNA says a number of other Tamil youths have also been taken into custody and has criticized the targeting of Tamils in the capital.

Disappearances in the north

Sources say that four Tamil youths have disappeared in Jaffna. The parents of these youths have brought the incidents to the notice of the authorities. These sources also say that the LTTE is strongly suspected to be behind the disappearances.

Shooting in the Hill Country

Two Tamils, V Jeyaram of Portswood Estate and A Vimalanathan of Park estate were killed and several other Tamils were wounded in police shooting on 28 April at Kandapola, five miles north-east of Nuwara Eliya. An argument following a minor accident involving two vehicles – one driven by a Sinhalese and the other by a Tamil – escalated into ethnic violence. Several houses and shops were destroyed or damaged. Prime Minister Mahinda Rajapakse visited the area the next day in an attempt to diffuse tension.

Local MP Muthu Sivalingam accused the police of failing to act impartially and deliberately firing on the Tamils. According to senior Superintendent of Police G Meegoda, the Nuwara Eliya Assistant Superintendent SP Dharmaratane who was in charge of the area at the time of the incident has been transferred to Kandy. More than 250,000 plantation workers staged a token strike on 3 May demanding action against the police officers involved. The Sri Lankan Parliament is expected to debate the issue on 18 May. President Chandrika, who visited Nuwara Eliya on 5 May urged ethnic harmony and arranged compensation for the two families affected by the deaths. Reports say that the Sri Lankan Human Rights Commission will conduct an investigation into the shooting.

Child recruitment

Human rights agencies and the SLMM have expressed concern over the recruitment of children in the north-east by the LTTE. Under an Action Plan following an agreement between UNICEF and the LTTE on 4 March 2003, the Tigers were expected to cease child recruitment and release all children in their custody. A Transit Centre was opened in Kilinochchi on 3 October 2003 for rehabilitation of the children released. According to UNICEF, the LTTE released 202 children in 2003, but recruited 709 during the same year. On the basis of reports by parents, around 1,300 children may be held by the Tigers. Following the end of the conflict with the Karuna faction in the east, the LTTE allowed children to return to their parents. UNICEF confirms that 259 children have rejoined their families. UNICEF's Sri Lanka representative Ted Chaiban has called for similar release of children in the north. UNICEF further reports that two children in the Karuna faction were killed in the fighting at Verugal in early April.

On 21 April, the LTTE again pledged to end the use of children in military activity. In a press statement on 22 April, the Coalition to stop the Use of Child Soldiers says vans have been circulating in Batticaloa and Amparai districts announcing over loudspeakers that all former LTTE cadres must register for re-recruitment and those not complying will be treated as traitors. The Coalition has urged the LTTE to end confusion and state clearly that the children released recently will not be re-recruited. It has also called on the government to ensure that children who have returned home are not harassed by the security forces.

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