

THE TRAPPED PEOPLE
AMONG
PEACE MAKERS AND WAR MONGERS

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by

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PREFACE

This report concentrates mainly on the situation in the Eastern Province and on some unhealthy aspects of the militant phenomena which have major bearing on the human rights situation in our community. The plight of the prisoners in the North as well as the general situation are also addressed. There is a chapter on Mannar Island as well.

As we have pointed out in our earlier reports, the human rights violations are still continuing unabated. Torture and beating up of any one who is arrested on flimsy evidence is still continuing. Of course in Batticaloa some who are monitoring the human rights situation might say that the number of disappearances have decreased now and that there seems to be a concerted effort made at least by a section in the higher echelon of the security establishment, to convince the people that they are trying to bring about the rule of law and some accountability. But cynics might say that the sheer brutality of the random killings and large scale disappearances have led to a situation where virtually no youngsters are left who can be accused of any involvement. Most of those who escaped from the wrath of the army and the STF forces have either been forced into the arms of the LTTE or have escaped to Colombo and other areas. Only some youth who have managed to get a chance to convince the forces that they were innocent are still staying.

In a similar vein, there are Tamils who argue that in the Tiger-controlled areas in the North, not many killings are taking place openly now, and that there is no need to talk about Human Rights violations by the Tigers. Of course, the large number of prisoners in the Tiger bunker prisons and the continual arrests of individuals for the simple reason that they had or have different views, have no bearing on the thinking of these people. The inhuman conditions in which these prisoners are kept, and the torture and other sadistic acts meted out to them, have come to light only recently.

Therefore the decrease in the number of disappearances or killings alone cannot be a true indicator of the state of the human rights situation. The real test is to see whether the process which had led to large scale massacres, killings and disappearances has been arrested, and whether it has been replaced by a new course or direction. The number of disappearances in the Batticaloa area alone exceeds 3400. In front of the University staff in Vantharumoolai University refugee camp, nearly 152 persons were taken away. All attempts to trace them were futile. It is an insult to the whole community when the responsible officers come out and say that they had only arrested 32 people and had released them all.

Unless real efforts are being taken to trace them and unearth the truth about these missing people and the Government is prepared to help those families to overcome the tragedy by accepting responsibility, we don't think the situation will begin to improve. The parents and the children who have lost their kith and kin are going through a tortured existence as they do not know what has happened to their loved ones. Moreover the arrogant way in which the officials dismiss these claims is adding insult to injury. Even getting compensation for the families who have lost their loved ones becomes possible only when the killing is done by the "Terrorists".

In the South, thousands of parents are longing to find out their children's fate. But they are being treated like criminals and are made to feel powerless. Of course some one might cite the atrocities of the JVP and LTTE to justify the collective punishment of a group of people. When some politicians candidly declare the failure of the major parties in the past as the root cause of the present crisis, one may wonder whether the whole purpose of pronouncing these enlightened statements is as not so much to change the direction from that of the past, as to abdicate their responsibility and to fool the people for yet another generation. If not, how can they penalise all these tragically stricken mothers, wives and others in the family for what happened in the past? Today even the Government is devising new schemes to give employment only for the families who have been affected by the violence of the anti state forces ("25 marks for those affected by terrorist activity": *The Island*, 29th Jan, 1992). There is nothing wrong in helping out families who have lost their kith and kin in the recent violence. But it has to be done in such a way as to assist all the people who have been affected, without any discrimination, with a vision of bringing them all into one society. It should not be done purely on the criteria of who did the the killing but through an understanding of the plight and grievances of the bereaved. Moreover for public service appointments, giving preferential treatment to those who have lost some one in their family by the act of "terrorist" violence might lead to a very unhealthy environment indeed.

Similarly the LTTE should show its sincerity in achieving peace through negotiation by bringing basic human norms into their behaviour, and be prepared to reform themselves and be ready to give space for the people to think and articulate their fears and aspirations. It sounds very reasonable, when they say that they are prepared to negotiate without any preconditions. But the fact that matters is that the LTTE has already imposed conditions on the people and various political forces and civil organisations in the society, by unleashing internal terror. When those conditions prevail, talking about negotiations without any pre-conditions is merely a facade. Yes, we need conditions imposed to make sure that it will open up spaces for people so that they can exercise their democratic rights to influence those who decide their fate, as well as make those forces accountable to the people. It's a long process, and any democratic or human rights organisation should understand and grasp the reality, where people have been forced to abdicate their civil responsibilities. It will be far

more effective and will contribute much to the people who are struggling to preserve sanity in an irrational environment if these organisations try to make the state, the LTTE and other groups accountable for their misdeeds. No outside force or organisations or any international committee can create a democratic environment for us, unless the society itself is prepared to chart that course. They can only assist and show solidarity for those who are struggling towards this goal. It is up to those who are struggling inside to widen whatever small spaces appearing. Due to external pressure, the powers in authority might be prepared to give some concessions in the hope that there won't be any major threat to their control from within the society, as they feel that they have already instilled enough fear among the masses. If there is no objective force which can use this space to widen it further, then our society probably does not deserve to have democracy in the near future. But we feel that our community, although temporarily stifled, has a potential which can be tapped. We appeal to those who are concerned about humanity to show their contempt for the dastardly acts perpetuated by those forces which are in control at present in Sri Lanka as a whole and in the Tamil community in particular.

CHAPTER 1

Peace proposals and Human rights

1.0. Introduction

Bluffing has become a fine art in our political discourse and rhetoric is the order of the day. If we see the Government's public relations activities regarding human rights issues, one wonders whether we are on the threshold of a breakthrough in the human endeavour to institutionalise human rights to such an extent that we may become the leading light for others in the world. If we remove all those veils and take stock of the situation, we see that what has been done so far will end up as mere window dressing. Yes, of course, even for tactical reasons if the state can respond to certain demands from the International and local community and show some changes, at least in the form itself, in the first instance, it can lead to changes in the content, provided there is a concerted effort mounted by the democratic forces with a clear perspective.

Recently, there has been much talk about peace proposals and negotiations to solve the ethnic crisis. Suddenly out of the blue Minister Thondaman put forward a proposal and claimed that he had the key to the solution and if allowed he could bring peace to this country. Following this came an offensive, from the Buddhist clergy and various individuals, which ended up with scores of articles raising a hue and cry and the formation of various groups. Then some individuals who are concerned about the plight of the people and bitter about narrow political perceptions, defended Thondaman and pleaded for peace to be given a chance. There were peace appeals and demands to stop the war and to start negotiations. The LTTE stated that if anybody was interested in peaceful resolution they needed to begin now and they would come for negotiations without any pre-conditions. The President, meeting after meeting, preaches of consultation, compromise and consensus as the only method to solve the burning problems. But he is evasive on any concrete proposals. Bodhi Poojas conducted all over Sri Lanka asking for blessings for the President, the armed forces and the peace loving people in Sri Lanka (in the assumption that the first two do not belong to the third category) up to now have not yielded the desired results.

1.1. The reaction of the press:

As soon as Thondaman's proposals came to light there was a concerted effort made by the leading papers in English and Sinhala to question his legitimacy, and there were articles dealing with various aspects of his proposals. The selective way in which "political analysts" and "historians" were resurrected and called upon to give

the verdict on the concept of the traditional homeland of Tamils has left the Tamil people bewildered.

Many mainstream Sinhala papers came out mainly with articles to rouse the passion of the Sinhala people, after all the inexplicable and unwanted tragedies of the past. Yes, there were also articles trying to turn the discourse into a more rational one. The state-controlled papers managed to come out with sober editorials and views expressed on this matter, but their weakness as a result of their being a mouthpiece of the government and their concerted mudslinging journalist approach have left the people cynical.

But the weekly and monthly papers like "Ravaya", "Yukthiya" and a few others are playing a positive role in promoting a rational discourse. Their contribution to the internal process of self evaluation is a healthy one and it is refreshing.

1.2. Thondaman's failure:

It is wrong to give a negative picture about everything and be pessimistic about the future, as there have also been strong opinions expressed in several quarters to dampen the rhetoric. The doubts aired by raising questions about the feasibility and possible future developments of Thondaman's proposal at this juncture cannot be termed and branded simply as an outcome of Sinhala chauvinism alone. The people in this country have their bitter experiences with all the political parties. As Tamils have their mistrust of the Sinhala polity the ordinary Sinhalese also have their fear and mistrust in the Tamil polity. The acts of the LTTE during the last 10 years and the experience of the outcome of the famous peace negotiations with the Government also have created legitimate fear among the ordinary people and different sections of the society. In such an environment the Minister came out with a set of proposals only to negotiate with the Tigers, without developing any mechanism to see that the past won't be repeated; brushed aside all legitimate concern expressed about the trustworthiness of the LTTE and the Sri Lankan government, and the sorry state of the basic human and democratic rights of the ordinary people. Without any of the possible safeguards to ensure that he can achieve the desired results, he has come up with a proposal trying merely to legitimise a force which has shown its brutality and its sheer destructive capacity. His naivety as well as the lack of commitment he had from the Government when he launched his peace initiative have thus led him to play into the hands of the extreme elements in the South. His inconsistent stands on the LTTE, on the one hand declaring that the LTTE is the only group fighting (forgetting that they have ruthlessly denied the right to others to fight for the same cause), and that it is the representative of the Tamil people, and on the other hand claiming that the Tamil people have no leaders, shows his insensitivity to the tragic reality.

1.3. Peace makers and their lack of grasp of the reality:

The other peace makers involved in these types of approaches to bring the two parties to the negotiating table also do not understand this: that if these two parties do not have any concern for the ordinary people and are only concerned in preserving their own power, then the natural outcome will again be a continuing tragedy for the people. Their inability to grasp this fact has allowed them to concentrate only on asking the LTTE what they want and then reporting back to the other side, and releasing empty statements which repeat the LTTE pronouncements, such as the one that they are prepared to talk without any preconditions and so on. Suppression of all democratic alternatives, prisoners being kept in inhuman conditions, continuous arrests and detention of ordinary civilians, massacres of Sinhalese and Muslim people, recruitment of children for military service as well as to act as torturers, are all continuing in the North and East. Deliberate attempts to create clashes between the Muslims and Tamils are on the increase. But these organisations which go and meet the LTTE never want to put pressure on them to make them accept at least a minimum human norm. It has become an art among the apologists of the LTTE and the spokespersons of the LTTE, to con these type of people. Even the people in the South who really have sincere concerns and who are crying at the plight of the Tamil people, have not spent the time and energy necessary to understand the reality in the North and East, the distorted development of its political culture, and its stranglehold on the people. They need to support the people in their struggle for ethnic justice, and at the same time they should avoid legitimising the imposition of an unjust regime in the name of ethnic struggle. It is a very difficult task indeed! But fighting for justice is always a difficult struggle.

Peace makers from abroad, on their flying visits here, some times express the opinion that if the Tigers are not there, then there would be nobody to defend the Tamil people, or that the Tigers are the only people who are fighting, and so on. They don't relise the harm they are doing to the whole Tamil community by perceiving things in this way. Legitimising unhealthy forces just because they have the most destructive power, and do not have any inhibition in directing it against any one (whether they are from their own community or from any other community), is against the interest of humanity at large, and therefore against the Tamil people. How on earth can a group 'defend' them by destroying every aspect of human values - by trying to crush the sprit of independent thinking and action, by terrorising the people into dumb obedience and servility, by making a supreme virtue out of violence, brutality and death-dealing - and by negating the Tamil people's broader interests in a culturally diverse, non-authoritarian society, free of racism, gender oppression, national subjection and arbitrary rule?. Is it imagined that for the Tamils their identity, liberation, happiness, and fullness of life can be

realised in an extremely violent, xenophobic, fear-stricken and undemocratic regime provided that the dictatorship to which they must submit is exclusively Tamil?. When such individuals and peace organisations claim that they can deliver the goods (if their role is accepted), they show very clearly their naivety and the contempt they have for the people here. If they can consistently and courageously expose the unhealthy tendencies among the protagonists, namely the state, the LTTE, other armed groups and extreme forces in the south, as well as spend some time to understand the real issues and the complexities, then they can do much more to achieve peace in this land. The people in this country cannot suffer further by reinforcement of the unhealthy forces for the sake of individuals' ego trips and their naivety.

1.4. Reaction of Sinhala extreme forces:

Reacting to Thondaman's proposal, extreme elements have gone to the extent of forming an organisation called Sinhala Arakshaka Sanvidanya (Sinhala Defence League) headed by the former minister Gamini Jayasooriya. A pressure group in the SLFP has been formed called "Hela Urumaya" (National Heritage). The existence of these groups is dependent on anti Thondaman - anti Tamil sentiments and on the call to defend the rights of the Sinhala race. Recently they openly declared their agenda as removing Thondaman and fighting against racism. In Sri Lanka the only problem is a "Frankenstein" called Thondaman; by an involuntary removal of him, these "patriots" are going to achieve peace!. When such people say that they are going to fight racism, we wonder whether they want to take cyanide and commit suicide!

By showing Thondaman as a bogey man, they have gone to the extent of covering up the injustices which had been done to the estate workers who are still living and working under very poor conditions. At the same time they can fool the Sinhala peasants who are also equally in a disadvantageous position by not allowing them to see the real issues. This Thondaman bashing has reached such a hysterical level that anybody who has never been to the estates will think that those workers are living in paradise, thanks to the dedication of Mr. Thondaman.

The behaviour of some SLFP parliamentarians today shows the repetition of the stupid way in which the party had handled the early stages of the resistance of the Tamil youths in the Northern province, and how they had forced large number of youths into the wings of the armed struggle.

Another general theme is that Sinhala people are not united and only because of that the country is facing the crisis. The same theme was used by the Tamil leadership to suppress differing opinions among Tamils; and as a result of that today they are facing the consequences of not having asked the pertinent questions during that time, such as behind what values we unite, and so on. There are intellectuals

writing articles about the betrayal by the Sinhala leaders, and so on. Today they come out with the simple argument that since the Tamils are living in the South and the language problems have been solved what is there to complain about. They do not want to understand, the way in which the state evolved exclusively as a Sinhala state and how Tamils were forced to feel alienated. The state can pass resolutions by a stroke of the pen which affect a whole community on an ethnic basis. The standardisation based on ethnic ratio is a case in point. Any "National party" could take a decision without any just basis which is detrimental to one ethnic community and use its vast Government machinery to justify its acts and cut off the desperate voices for social justice. There was no avenue for any redress, either. When that type of power is poised over its neck, an ethnic community which is forever beyond the political, economic possibility of self-determining, equally with all others, faces a highly insecure future. Worse still: when the nature of the present state is a hegemonistic one dominated by an ideology which in a short-sighted way tries to represent the sectarian and narrow interest of the sinhalese community in the name of 'Sinhala - Buddhist' ideology, then all other Sri Lankan communities are permanently condemned to the humiliating status of colonial subjects of the master-race. Such a regime is not conducive to developing in the 1990's, a national identity encompassing the diverse ingredients of actually existing cultural, social, religious and linguistic variations rooted in history in Sri Lankan soil.

There are arguments put forward that the 'Sinhala-Buddhist' ideology should be the core of this country's ideology. The whole weakness of these arguments is that we can artificially impose an ideology by declaring it as the dominant one. From this point of view it becomes difficult to envisage a solution to the ethnic problem through any form of arrangement which will give security in the full meaning of the term to the people whose ideology it is not or cannot be. They include the large numbers who belong to minority communities. They include also many Sinhalese and Buddhists, too, in the different communities. Such an ideology negates the basic rights of "others" by abstracting concepts such as "Sinhala" and "Buddhist" in isolation. Other communities become mere appendages rather than citizens with equal (social, economic, cultural...) rights when the 'Sinhala-Buddhist' ideology is prioritized in the national ideology in such a manner. The tragedy of Burma, which is a Buddhist country in its performance of rituals is that in concrete reality it negates all aspects of Buddhism and the people are living under most gruesome conditions. Closer home, by abstracting the concept of "Tamil", the Tamil people are living in the North and East in a sanitized environment and in lies, specially in the North. If these intellectuals in the South just spare a few minutes and stretch their imagination, they would undoubtedly see to how much trouble they would have gone to get the post which Mr. Anton Balasingam is holding dear to his heart, if they had been born as Tamils in the North.

If any group of politicians claim that they are trying to save their race and are calling others to unite under their banner without considering the various complexities, then we need to look into their activities with serious suspicion.

The Tamil community has learnt from its bitter experience the fallacy of uniting under one leadership slogan based on race and the consequences of it. In certain circumstances if these simple slogans take some legitimacy by purely appealing to the national or ethnic aspects, they will trap the people before the people can realise the danger, into a mental prison from which only a narrow authoritarian politics will emerge. We have enough experiences in world history and from our own history. But ironically we can see again that in the South an intellectual base is being laid by certain politicians and intellectuals, which is getting a wide currency. Yes, they are also raising issues, some of which are legitimate. But the final analysis and the panacea they propose has all the ingredients of an authoritarian social order.

Why does a country like Sri Lanka with so much potential again and again desperately choose a suicidal path?. Unless this question is squarely faced we will continue to live in a cycle of cynicism, desperate moves to destroy the system, natural tendencies of more authoritarianism, reinforcement of the status quo, and so on.

We just give a humble conversation an ordinary civilian from Jaffna had with an army officer at the Vavuniya check point to enlighten our learned friends in the South, who write articles, letters and organise meetings to save the Sinhala race:

Recently a visitor on his way from Jaffna to Colombo got held up at the Vavuniya check point and he was staying in the shade. An army officer came and began a conversation with him. He was in the Elephant Pass camp when the LTTE attack took place and he was telling his experience, how they all were taken aback by that attack and for the first two days they almost lost control of the situation as well as how on the third day they managed to raise the moral of the soldiers to stay put and fight back. A few officers also came and joined in the conversation. Then he inquired about the situation in Jaffna. Our friend told the sufferings the people are going through and how they all are really scared about the entry of the army into the Jaffna peninsula, as well as the uncertain future which they are facing. The officer nodded approvingly and said he could understand that and tried to console the visitor by saying how difficult it was to control the boys who have been given a few months training, and how they are now trying to educate them not to harm the civilians and that they are making all efforts to avoid those type of acts which alienate them from the people.

Then suddenly, pointing towards the people in the queue he said *"Look around, how the ordinary people are suffering. And we and the cream of our youth from both sides are giving our lives. Those who are in the South who use a lot of rhetoric should come and see the real plight of these people. Yes, we have to bring sense into the LTTE and if necessary destroy them, but more than that we need to bring sense into the extreme forces in the South also, who are using Sinhala Chauvinism to become heroes. They are making our task more difficult by rousing a false passion!"*.

May be Buddha's teaching has had some impact on this officer, enabling him to see the reality and allowing him to ponder what is happening around us!

1.5. Human rights rituals and concrete realities:

1.5.1. The bodies found in Mandaitheevu Island and the missing Children in Embilipitiya.

In August 1990 "Operation Major" was carried out in the Islands adjacent to the Jaffna Peninsula. In our Special Report number 2, we brought out some details about that operation. Although we were able to bring out approximate casualties in many of those islands, the death toll in Mandaithevu was put as high as 50 on the information of the people who fled from that area. Since the army was controlling that island and civilians were unable to visit, we had to rely on the information of the civilians who had fled from there to gauge the situation. Until recently people did not have access to that island and were unaware of the fate of those who had been left behind. A few months back it came to be known that people have found large number of bodies inside wells and under heaps of cow dung. Nearly 70 decayed bodies were uncovered. As we mentioned in our Special Report no 2, about 49 newly inducted LTTE cadres were trapped in Mandaithevu and when they asked for reinforcement from the mainland it was not sent and they were told not to leave the island by the LTTE leadership in Jaffna. Eventually all of them took cyanide and killed themselves. It seems that those bodies are also included among the above total. Apart from them, some youths who had been arrested by the army in Mandaithevu and other Islands were even used as manual labourers by the army. A few of them were released later. It seems now that most of them have been killed by the army. The recovery of these bodies conform with that suspicion.

Will the Human Rights task force visit and inquire into this? Will immediate action be taken against those who are responsible for these type of activities?

In the South, recently, the case of 31 school boys from Embilipitiya, reported missing between August 1989 and January 1990, has been highlighted. The parents have demanded an inquiry into this, and they are prepared to give evidence to identify

the culprits. But the Government has shown its callousness by ignoring the demands of the bereaved parents. A similar appeal was brought when Richard de Soyza, a well known journalist, was gruesomely killed on the fateful day 17th of February, 1990. The Government ignored the appeal and no external pressure could force it to unravel the mystery.

1.5.2. The Government and the Non-Governmental Organisations and their Rituals:

Yes, today due to external pressure the Government is involved in "Human Rights Rituals" to charm the "Aid Goddess". Will they go beyond mere rituals for which they have found some "High priests" who are well versed in "Marxist" jargon as well as the "Human Rights" vocabulary. *"If the international community demands rituals, we will perform them to perfection"*; that is the motto of the present Government. The World Bank and the IMF don't demand rituals but concrete actions regarding economic management, which take away so many hard won rights of the workers as well as other sections of this country. But to stop the people becoming aware of the direction in which the country is moving, once again the ritualistic condemnation of the IMF and the World Bank are performed by the high priests. Then, in the same vein, they will boast about the World Bank's commendation of our economic performance and beg them to recommend us for aid. This pathetic state of affairs will go on until we become aware of our weaknesses and take steps which we feel are right and necessary to rectify and strengthen our society by keeping the government open to the people. The present reality is the reverse, where the government is open to the international power structures but closed to the people. Pacifying the people and the international conscience by ritualistic rhetoric and totally surrendering to the International power structures is what is happening at present in our country. Even the religious rituals performed all over the country fall into this category.

Some of the NGOs have played a valuable role in defending human rights. But there is a tendency for the present activities of the NGO's in the field of human rights to concentrate primarily on meeting and talking to the international lobby. Although that is a necessary activity, in the present situation, the intensive activities of various NGOs end up most of the time with having meetings and conferences most of which are becoming superfluous. It is also slowly and steadily absorbing the individuals who are involved in these activities into continuous involvement in attending conferences, writing reports at a conceptual level, and writing project proposals with little relevance and meaning to the concrete reality. These individuals also get trapped unknowingly into a form of "ritual" where they never have the time or energy to reevaluate their role. They get involved in so many organisations with different names, and the activities of these organisations have become so much dependent upon impressing the

"funding organisations", that there is little effective contribution made by these various organisations to the needs of the community, though on paper the portrayals of the activities are very impressive.

The reality of the present day international situation and the rapid development of information technology demand an effective campaign network to counter the vast resources of the Governments and other International organisations (such as Multinationals, etc) which make the people powerless. Although the world is becoming smaller and smaller to the people who possess the resources, it is becoming remoter for the people who live in poverty or who are silenced by terror, etc. In this environment, those who are concerned about the plight of the ordinary people also need to utilise the above resources to highlight the injustices done to the people who have no power. Those in the "developed world" who believe in humanity and who share the same vision try to link up with the people in the "Third World" through NGO's that succeed in getting their attention. But the objective reality of the economical disparity between these countries, continuous unequal power relationships and conscious activities of various intelligence agencies of the "developed states" who want to keep the status quo, distort these type of links. It is a long drawn out struggle, indeed. It requires continuous vigilance from the activists from both the Third World and the other part of the world.

This paradox cannot be solved by simply taking an anti NGO stand or by ignoring them. There is no simple answer for this reality. But it is essential that the activists themselves should develop some ethics to constrain themselves and develop some checks and balances to enable them to continuously represent the interests of the people. They have to fight against activism becoming careerism, and try to find ways and means to effectively influence the different segments of the people here without merely having "ritual" conferences among the converted. The internalisation of the reality in its fullness is essential to keep ourselves conscious and to communicate our ideas in meaningful terms to the ordinary people. The danger of conceptualisation and abstraction, which is essential for theoretical development, sometimes leads us to a situation where we, by becoming mere interpreters of the reality at the Global level, lose any confidence or belief in the role of the people in determining history. We become simply worshippers of the objective forces and ignore the subjective role of the people as those who must transform the present death-dealing conditions. Issues of ethics and morality affect people and we need to take them into account to promote a new value system. Their existential crisis in a world of growing powerlessness can be utilised by narrow political forces such as ethno-nationalists, religious fundamentalists and others in a destructive way. Unless the NGOs concerned about human and democratic rights take a courageous stand and use their resources fully in assisting and spearheading the development of an internal process which will unleash the internal forces to play a role in determining the future

of our country, the whole exercise of human rights activities will be again utilised by the powers whose interests are directly opposed to the vast majority of the masses in this and other third world countries. Our country is in a crucial period and there is cynicism all around. If we want to challenge the rituals of the Government or force it to go beyond rituals, we need to have some confidence in the people and prioritise our objectives, and put energy into activities which will inform and inspire the masses rather than indulge in activities which will only benefit us financially and emotionally. This is a challenge that has to be faced squarely if we want to have an impact in our community and want to create a healthy environment.

CHAPTER 2

REPORTS AND ANALYSIS: THE EASTERN PROVINCE

2.0. The Trapped People in Kokkadicholai

After the massacre at Kokkadichcholai on 12th June 1991 a presidential inquiry was ordered, and sittings are continuing up to now. With all the risks involved, the victims have courageously gone and given witness to the commission. They hope that at least this inquiry might produce some results which will put an end to these types of massacres which forced them to take this risk. Every one is eagerly waiting for the commission's report, but there is scepticism at large about the final outcome.

But the day to day life of the people in those hamlets still continues to be very uncertain. We bring out below a few incidents which occurred after the massacre to show the real plight of these people who are trapped in between the LTTE and the Government forces and their allies TELO. As we have mentioned in our earlier report (NO.8), though Kokkadichcholai is a collective name for the three hamlets, Mahiladitheevu, Muthalaikuda and Kokkadichcholai, the name refers to the main hamlet in local parlance.

2.1. Tiger ambush and TELO's reprisal, 25th Oct. 1991:

As usual when the Army was trying to bring the provisions to their camp from the jetty, a group of Tiger cadres suddenly ambushed them nearly 200 yards from the jetty. Eight(8) soldiers were killed in the ambush and in the following shoot-out two Tiger cadres were also killed. It happened round about 3.00 pm and the army left the place and came later to take the bodies. They were able to take only a few bodies and for the rest, they seemed to have approached the ICRC.

In the evening a group of TELO members came near the Methodist church area and beat the old man who is a circuit steward in charge of the church and another man who is a barber, and ransacked the place.

After the earlier massacre the NGO EHED had organised to distribute dry rations, 500 sarongs, 200 sarees, and stitched uniforms for the school children, with the Brigadier's permission. They had distributed some of these the previous week and left the remainder with the circuit steward in the church. All these were ransacked by the TELO group. The army did not get involved in any reprisal attacks.

2.2. Incident on Nov 9th, 1991:

On the 9th of November a large number of TELO members came in an army truck with some army men who were in civilian clothes to the Methodist Church area. Once again they beat up the old caretaker and removed all the furniture and kitchen utensils from the church as well as from a neighbouring house. The old man was found unconscious when some others came into the house. He is still having pain in his leg and finding it difficult to walk. All the medicines and furniture from the nearby dispensary were also removed by the TELO group.

On the 12th some army men came to that place on their normal routine. When they saw that there was no furniture in the house, they inquired about it and when they came to know about the earlier incident they promised to inquire into it. They blamed the TELO and promised to find the things, saying that TELO might have sold the furniture for a booze. Nothing happened. But recently, during the first week of December, the TELO boys came and removed the only things left, the flower pots. People are wary about the army's version as they don't believe that TELO could have come in an army truck without it's knowledge. The people are keeping quiet for not wanting to loose other things in the neighbourhood.

Here we want to qualify the term TELO boys as there is some confusion regarding this. It is a well known fact that there are TELO boys with the army in the camp at Kokkadichcholai proper. At the same time there are some errant boys from that village who do not belong to any movement but are with the army. Then there are some boys who were earlier in the PLOTE and later joined the army. They were called Mohan's group. Most of these boys are from the same village Kokkadichcholai and the above incidents all happened in Mahiladitheevu. There was a general animosity between these two hamlets and people are feeling that these boys are also settling old scores. We shall discuss the behaviour of the TELO and PLOTE in a separate section.

2.3 Incident on the 30th of November: Killing of the Grama Sevaka. Here we quote a paragraph from our previous report number 8, which is very relevant here:

"When food is brought for the army, a patrol would commandeer a local tractor and set off to the jetty, posting sentries along the road, with perhaps half a dozen men at the Methodist church. since this is a regular operation: It is here that soldiers are most vulnerable, as experience has shown".

As we have pointed out, the earlier pressure mines were planted under the tree inside

the Methodist Church compound where usually the army stays for sentry duty. On the 30th, Saturday, as usual they came there and one soldier got wounded due to a pressure mine.

Next to the compound is the circuit steward's house. They had already lost their furniture and in an earlier massacre one of his daughters had been wounded in the legs and is still in Batticaloa unable to walk. In the 1987 massacre one son got killed in a prawn factory and recently the old man was twice beaten up badly by the TELO. They did not have any idea that the mines were there. Usually the mother of that house sweeps the compound every Saturday for Sunday Church prayers. For some strange reason she decided to sweep the place in the evening instead of in the morning and thus narrowly escaped losing her leg.

Immediately after the incident two army men rushed towards the adjacent house and one was pointing the gun towards the old man and was about to shoot when two colleagues of his came and stopped him. After things cooled down they explained that they didn't have a clue that the bombs were there, and if they had known they would not have been there, and thus convinced the soldiers of their innocence.

After that the army left the wounded soldier in the camp, and returned to the village at about 5.30pm. Meanwhile the people who had moved out of their houses started to come back in the belief that the army had gone to the camp and that they wouldn't be returning. When they realised that the army was returning it was too late. The army stopped those whom they met on the way and ordered them to follow them. When they reached the house of Mr. Wijyaratnam, Grama Sevaka for the village Ambalanthurai, they fired through the cadjan fence, seeing his movements. Three shots were fired and only after the third shot the shout "Aiyo" was heard by others. Then the army moved with its captives further down. After that no serious incident happened. All others were released later.

Why was Mr. Wijyaratnam killed? This puzzles everybody. In the earlier massacre his two daughters were molested by the army. One of his sons is in police custody for a long time purely on suspicion that he has links with the LTTE. The previous day Mr. Wijyaratnam had been in the Batticaloa town where his two daughters are staying after their earlier ordeal. He went to his home in Mahiladitheevu on the day of the incident. His daughters asked him to stay there. But he told them that it was his duty, and he insisted that he should be there, and went. Even when the people left the place after the incident, he continued to stay in the house, confident that since he was a Government servant no harm would be done to him.

Was he killed to terrorise the people who are giving evidence to the commission? People who are closely monitoring the commission proceedings don't think so. There is a feeling that the army is looking for his brother's son, who is suspected to be

involved with the LTTE and planting mines in those areas. The poor man may be an innocent victim of the army's revenge.

Of course his death is put into the category of "killed by unidentified persons" as people are scared to give witness. More over to get at least some compensation for the tragic family which has suffered a lot, it is necessary that the Killers should be "unknown". Only when somebody is killed by the "terrorists" does the Government pay compensation. Mr. Wijyaratnam is a government servant and only because of that, he returned from Batticaloa and stayed at Mahiladitheevu. He has been killed by the Armed Forces, and if the Government really has any notion of reducing human rights violations, then it should make a full inquiry into it and pay the compensation for the family and punish the people involved in the crime. The whole question of paying compensation to the victims of state terrorism has to be squarely faced if the government wants to build confidence among the people. There is no point in military officers and the government asking the people to forget the past when hundreds and thousands of people have lost their loved ones just because they were in the wrong place at the wrong time.

24. 11th December, an incident at Ambalanthurai.

Ambalanthurai is another village in the Kokkadichcholai area. LTTE's presence is very high and the army goes there very seldom. On the 11th of December, the Army surrounded the village and did a cordon and search operation. Naturally the Tigers had vanished from the scene, and only the innocent civilians were harassed. They arrested seven fishermen and brought them to Batticaloa. When they approached the fishermen, one person who was about 45 years old tried to run and he was shot dead. It is ironic that the person's brother who is called Pandian is with the army in Kokkadichcholai and belongs to Mohan's group. Moreover the dead man's son is a Tiger. But he is a family man and he was killed because he got scared of the army and wanted to get away from them.

Moreover it brings out the complex reality of these families where it is natural for brothers from the same family to be on different sides. It is more accidental than any commitment to the cause. The next day the Sri Lankan TV Rupavahini claimed that a terrorist was killed in Ambalanthurai and seven others were arrested. Here we want to bring out another incident in which the army moved in to the Kalai podda madu village where they set fire to 40 - 50 houses. In that "operation" a boy who had a hearing problem was shot at and later admitted to the Hospital.

The people who are living in these areas are very poor and live in huts thatched by cadjans. It is very difficult to take provisions to those areas as well as other items which are needed to rebuild these huts as the army won't allow them for "security" reasons.

People have to go to Kokkadichcholai Army camp to get their provisions and medicines. In places like Mahiladitheevu the boys with the army have attacked the

cooperative and the dispensary. But people are scared to go to the army camp in Kokkadichcholai as invariably they are beaten up as Tiger supporters. People believe that youth who are with the army in Kokkadichcholai are purposely spreading this rumour to punish them as they had village rivalries which have nothing to do with the present politics. So, only the older women go to the camps to collect their provisions. On the other hand the people in Kokkadichcholai fear that there will be a massacre if the army moves out, as the LTTE thinks the Kokkadichcholai people are with the army. In reality the people hate both the parties and are angry about the whole situation. They are also scared about their future.

2.5. Latest incidents in Kokkaddichollai 3rd Jan 1992:

Just before the New year, people at Kokkadichcholai became suspicious that the boys were planning an attack. So they used to flee away from their own village. The villagers expected something to happen on New Year's Day and most of them fled. The Christians had their New year service. The army had come and inquired from them about the others. They had said that the others had gone away expecting something to happen. Again on the 2nd night villagers had heard dogs barking in a way which indicated that there are strangers roaming around. So they all fled to Pandariavadi, a village two miles from Kokkaddichollai. The army had come on 3rd morning up to the Mahiladitheevu junction where the Methodist Church is situated and they noticed that the whole village was empty. So they returned back to the camp and came back again with more forces. They moved with TELO in front. As they proceeded towards the jetty the army started firing and the LTTE cadres who were a little away started retaliating. The shoot out went on for an hour. Helicopters also were in action. The army was forced to retreat into the camp. Two TELO cadres and two army men died.

The people at Pandariavadi moved to Ampalanthurai when they heard the firing. At about 3.30pm the LTTE cadres returned from K'cholai and villages had seen nearly 500 of them including 20 girls. They were carrying a dead body and an injured person.

After this incident when the army comes to the village the people flee away fearing reprisals. There was no harassment reported.

2.6. Dumping the bodies in the Lagoon:

In middle November, 5 to 6 bodies were burnt inside a notorious army camp (housed in Forest Dpt. building) and people around that place came to know about it. When the Superintendent of Police (SP) was approached by the Peace Committee he said that the army had asked them to dispose of the unidentified bodies and that's what they had done. The Peace committee raised the point that even if those were unidentified bodies, there should have been a proper procedure adopted and that

there should be more sensitivity towards the people and protested against the burning of the bodies. The SP promised that it wouldn't happen again and assured them that they would follow the proper procedure in the future.

But, on the 1st week of December nearly 10 bodies were burnt in the early morning near the Kalladi bridge and half-burnt hands and limbs were found in neighbouring compounds!.

2.7. The livelihood of the fisher folk:

There are large numbers of fisher folks who earn their livelihood by fishing in the lagoon in Batticaloa. The famous area for fishing is along Lady Mannings Drive which is opposite to the District Judge's bungalow (formerly). Today nobody can use this area for fishing as the army does not give permission. Due to this, hundreds of families are affected. There are no convincing reasons given for this ban.

Since security reasons were given for the ban, the people approached the Army and pleaded saying that they are prepared to adopt any restrictive practice such as having specific identity cards, fishing during a specified time such as in between 8am - 10 am, and 2 pm-4 pm and even to fish in a confined area. But all was in vain.

Suddenly a few fisher folk began to fish in the lagoon after an incident in Manmunai Lagoon. In that incident one Navy personnel was killed due to a Tiger ambush. After that people noticed that there was no Navy patrolling around the Lagoon and they started fishing. A few days later the Navy came and beat up the fisher men and then everything stopped abruptly.

Bringing normalcy means making the people feel that they can have their own livelihood without any disruption. People are pragmatic enough to understand any security reasons given with sincerity and will be prepared to adapt themselves. But when they are put under unreasonable constraints, how is the state going to build confidence? Is it because the lagoon is filled with human remains that the army feels embarrassed about it and prevents the fisher folks from fishing there? Legitimate question indeed.

2.8. Arrest of two fishermen:

Thambiraja Thiyagaraja and Thevanayagam Thambiraja both 21 years old were fishing along the sea coast near the Bar area at 7am on 9.11.91. The army came and arrested them on the information given by the TELO. They were from the village called Arumugathan Kurippu in Earuvur and came to Batticaloa after the massacre at Savutkady.

For two or three days relatives could not trace them and the peace committee approached the Army. Col. Vipulaguna promised to find out and later traced them in their captivity. Now immediate family members are being allowed to visit them.

Those people who escaped massacres and came to Batticaloa for safety are also feeling insecure by the activities of TELO cadres. There is no hard evidence or reasons for the arrests of the large number of innocent civilians, apart from personal reasons of TELO members, simple suspicions or because of some prejudice they have against a village. They randomly identify some individuals as Tigers and put their lives at risk.

2.9. Killing of KANISTON MICHAEL:

Kaniston Michael is from Navatkuda. He was earlier arrested by the army and later released and asked to report to the Army camp every week. He was doing so regularly and on 12th November the TELO took him into custody and his body was later found on the 13th with his throat slit by a razor blade.

People resent the activities of the TELO and they made complaints against them to the Army and the police. The Police had declared that they have nothing to do with the TELO. People still wonder about the role played by the TELO and try to figure out whether the TELO is being used by the army in such a way as to put the blame on them for dirty work the army wants to do.

The famous Captain M who used the TELO for his dirty work had been transferred to somewhere else. Some senior citizen said that the TELO is freely moving around and behaving like an "executing squad". The pattern seems to be the same everywhere.

2.10. Killing of Dick in Navatkuda, 8th Dec 1991.

A boy known as 'Dick' from Navatkuda, who belonged to the Catholic Church, was in the seminary to become a brother. On the 8th evening he had come home to have his dinner. On the way home TELO had stopped him. So he had run into a neighbouring house and the lady of the house had hid him and stood at the door. The TELO had demanded for Dick. The lady was hurt by TELO. The boy Dick was taken away. The lady of the house ran to Dick's parents and informed them of the plight of their son. The mother and sister ran to the nearby camp and informed the army. They said that nothing of that sort had happened. Next day morning some people reported that a body was lying near a river bank. The parents went to the scene and found that it was Dick's body.

The body was cut with a blade. They had cut open his throat and inserted the rosary through his mouth in to the throat!. The blade too had been inserted through the mouth.

2.11. Mysterious Killing of Elizabeth:

The killing of Elizabeth, aged 16, created a lot of panic in the Batticaloa Town. She was a student at the convent school and was engaged to a reserve police constable. Her body was found in the lagoon. There was evidence of multiple rape. She was seen by some at Anaipanthi Pilliar Kovil in the company of TELO boys. People had seen a red car with boys approaching the lagoon at about 2.30 pm in daylight.

People still don't understand how this car was able to pass all the check points without being detected. Whether there was a connivance of the army in the whole sordid affair or some TELO persons involved had the sanction of the army to move around is unclear.

Recently police arrested a boy named UKKAN in this regard, who is notorious for his dominating and insulting behaviour towards the people. He was earlier in the group ENDLF and later was moving around with the TELO.

2.12. Kaththankudi bomb blast:

In August an old van was left near the Kaththankudi sentry point near Dr. Kaleel's dispensary, loaded with explosives. The explosion cost the lives of twelve Muslim civilians. After the incident the Tamils were expecting some retaliation but no serious incident occurred.

Related to this incident is the arrest of Mr. V. Balasingham a retired CISR research officer from Puthukuddiruppu, who is in his 60's and a young Franciscan brother called Mark. Since the van was parked in the church compound a few days before, it led to the arrest of the father. According to the people the van was in an unusable condition and it was sold to some one and they were towing it to their place. Since it got late they left it in the church compound and went. Only the next day they came and took it. Then the van was taken to the place of the explosion in the same condition and people left it there. It is very unusual that nobody suspected this to contain explosives.

Mr. V. Balasingham is an expert in cashew cultivation. He processes cashew wine and other products. He was a tireless worker and was actively involved in environmental issues. People know him feel that he is a straight forward man, an asset to this country. He was asked by the Government to survey the Valaichenai river for a development plan. His two sons who have done PhD's are residing abroad. His third son is a motor mechanic whom the police must be suspecting of having some connection with the explosion. The father who has no involvement in this incident is

being held in custody. The allegation against both Bro. Mark and Mr. V. Balasingham is that the previous day the van was parked in their compounds. But every one thinks that they are keeping him to arrest his son. The son is missing and nobody knows whether he has any connections with the Tigers. Even if he does not have any connections, it is unlikely that any young person will voluntarily go and surrender after so many fateful experiences of youngsters. For three months Mr. V. Balasingham's wife was not allowed to see him. Only recently she was allowed to visit him.

2.13. Maturing of opinions:

Noting the absence of reprisals after the bombing incident, a senior citizen expressed that it has shown the "maturing of opinion". He compared the way in which the mood of the people in Kaththankudi had changed from abnormal frenzy - found at the time when the pilgrims were killed by the Tigers - to that of a more mature state.

He related the feeling of the Muslims during and after the massacre of Muslims of Kaththankudi who were coming from Colombo in the first week of July 1990. Immediately after hearing news of the abduction of the passengers, a few Muslims went and approached the prominent people in Batticaloa, who were from the Catholic Church to find about their whereabouts. A party of prominent people including Fr. Miller went to the scene to find out what had happened. On the way when they approached Kaththankudi the people wished them well and gave cool drinks and were waiting eagerly to know the outcome. When the party came without any success the mood began to change, although the group of people who went to the scene were not sure as to what had happened to the passengers and were asking people to be calm. Rumours began to spread that all were killed. Banners were hoisted all over the place and announcements were made through a loudspeaker asking for tit-for-tat. When senior citizens approached a responsible person from the Muslim community to find out what was happening he was very helpless. He said that a few young extreme elements were involved and that emotions were running high and that even if he tried to calm them he would be killed. We saw the outcome of this in the next few weeks. The Tamils were scared to go to the outskirts of Kaththankudy and people in Kaththankudy also lived in fear of further Tiger onslaught. All these things have been in our earlier documents.

2.14. The need for re-evaluation and the negation of the past:

The response after the recent explosion has shown that passions have died down and that the people have had time to reflect on what has happened on those fateful days. There is a need for a serious re-evaluation of the past by both communities. A group calling itself a Liberation Group is involved in massacres against a community which it also claims to represent. The ordinary people can claim that

they have nothing to do with it. But the question still remains, how it is possible for a group to do these type of dastardly acts and still feel confident that they can claim to represent the Tamil people? Isn't it that they have appealed to the gut feelings of the ordinary Tamil people and there is a passive approval or willingness on the part of a section of the Tamil community to rationalise it? *Unless the Tamil community begins to re-examine, and show their disgust for these types of acts carried on their name, there is no hope for our community.* Similarly the attacks and brutal murders by a section of the Muslims against innocent Tamils in various places cannot be explained away as a spontaneous act done by a small number of people. It may not have been done by an organised group such as the Tigers, but those who have done the similar types of dastardly acts cannot be allowed to go scot free. The community should take the responsibility and find ways and means to overcome the sordid past. At least organised bodies should come out and condemn those acts and commit themselves that in the future their community won't be high jacked by a few unruly elements, and ensure that there will be organised forces to combat it. *It is a challenge for all political groups in their respective communities.*

The peace committees in these areas which have to some extent articulated the urgent needs of the people, now need to attend to these issues, and find ways and means to bring different communities together by breaking the narrow mould of thinking which still govern our politics. By doing so they can create an environment in which people from different communities need no longer look for safeguards on specific structures only. No specific structure can guarantee safety when our politics is going to stress only the ethnic aspect without considering the other basic issues such as economic, social, civil and democratic rights (ie; human rights in a wider sense).

2.15. Latest information from Kaththankudi and Kalmunai.

When we were writing the report we received news about bicycle bombs which exploded in Kaththankudi and in Kalmunai. According to the news the two bombs placed on bicycles exploded and four people were killed and a number of others were injured. In Kaththankudy which is a densely populated Muslim area a bicycle was parked in the middle of the town with a bomb. The explosion took the lives of three civilians and injured about 20 people. Immediately after the incident the buses carrying Tamil passengers were stopped before entering Kaththankudy and normalcy was restored. The passengers in a van which was already inside the town, when the explosion occurred, were manhandled by the angry crowd. But due to the immediate intervention of the police and elders from the community it was stopped.

The whole episode once again brings out the destructive nature of the LTTE. The bomb was targeted towards the Muslim civilians and they expected a backlash

against Tamil civilians. Although no serious incident occurred immediately, news reports show that two fishermen were killed by the Muslim homeguards later.

A similar incident happened in Kalmunai on the same day. Another cycle bomb had been placed near the police barrier in Kalmunai. In that incident police claim that they have arrested three of those involved in planting the bomb. After the incident the police, the majority of whom were Muslims, started attacking the Tamils. But because of the intervention of the STF it was brought under control. After these incidents the Muslim youths in Batticaloa town also went on the rampage and the Batticaloa police managed to control them by taking stern measures.

CHAPTER 3

The Tortured community

3.0. Introduction

Yes, Sri Lanka is a tortured nation in which the Tamil community, in the process of its struggle against ethnic oppression, has legitimised and institutionalised torture and killing to such an extent, that the cadres in various groups today are brutalised. It is imperative that these cadres and the community at large need to go through a rehabilitation process. In the late seventies when the youth were protesting against discrimination, large numbers of youths were arbitrarily arrested and tortured by the Sri Lankan security forces. This combined with the 83 July holocaust, had forced many of them to join various militant movements. Each and every group in its name has the term Liberation, but today it is void of content and meaningless. After the 1983 riots the involvement of India led to a massive recruitment drive and various groups became big organisations with thousands of trained cadres. The LTTE which from the beginning articulated a politics of physical annihilation for any one deviating from their own perspective, had taken the cue from the TULF leadership's notion of "traitor to the cause" to its extreme logical conclusion. This led to internal killings as well as killings of individuals outside the organisation, without any inhibition.

The other groups who criticised the Tiger politics and talked about mass politics had some basic democratic structures in the early stages. But after they had begun to develop as big military units they were confronted with various problems even among their own ranks, since neither organisationally nor politically did they have the ability democratically to handle the problems which cropped up among their cadres. Naturally this led to internal killings and torture based on paranoia and suspicion. The level of this degeneration led PLOTE and TELO into large-scale systematic torture, which was documented to some extent by the cadres who had escaped. Due to internecine strife between the groups and internal repression, for which LTTE, PLOTE, and TELO were famous, a large number of cadres were killed.

The organisations which were trying to maintain some democratic norms were faced with manifold problems and pressures. On the one hand the LTTE, which belittled all forms of mass struggle, concentrated only on a destructive military approach which determined the phases of the struggle, to the disillusion of others. On the other hand their notion of people and the contempt they had for them, allowed LTTE to concentrate on military activities without looking into the dire consequences. It effectively kept its cadres under a blind faith, and by the nature of its tightly-knit organisational structure annihilated all dissent physically from the start. Every member becomes an incendiary matter. The whole personality becomes devoid of

any meaning without the organisation. The people who have some potential to sustain their own personalities are being watched and disposed of or assigned roles which can be utilised for the benefit of the organisation without their being a nuisance.

3.1. The Green boat ride:

The following facts about the Green boat came to light after certain top ranking members left the movement, which would explain a lot about the characteristics of the LTTE. During the training period in India the cadres were monitored attentively. The cadres who had the potential to decide what is right and wrong on their own and who had the rebellious tendency to act by themselves, were identified or marked as a potential threat to the movement in the future. After finishing the training all the trained cadres were sent to the North and East of Sri Lanka in several boats. Those who had been identified or marked as "potential threat" were made to travel in the green boat. Thus those who enjoyed the "Green boat ride" never reached the shore. In the middle of the sea their destiny was decided. After killing them, the bodies with their stomachs slit open are thrown in to the water.

3.2. Prisoners in the LTTE camps:

Although the Tigers had banned the other organisations after killing large numbers of the cadres, there were some who were able to escape from them. The process of hunting the remaining cadres is still going on. Those who get caught by the LTTE are being tortured brutally in order to get certain internal information about the movements which they earlier belonged to. After the IPKF withdrawal i.e. with the commencement of peace negotiations with the Sri Lankan government, the arrests have been on the increase. Some boys who sought refuge in Colombo were taken to Jaffna with the connivance of the Sri Lankan security forces, on the basis that they belonged to certain movements which were banned earlier by the LTTE. Similarly the prisoners from Jaffna were taken to the famous camp in Thunnukai, passing the Elephant pass camp which is manned by the Sri Lankan forces. The number of prisoners now in captivity under the Tigers ranges from 2000 to 6000, according to various sources. But reliable estimates put the number in between 3000 to 4000. The brutal manner in which the LTTE torture the prisoners, using young boys who are even below the age of 16 to torture them, in the underground bunkers, and the sadistic nature of the boys who are involved in this dastardly act bring out the true colour of the nature of the struggle.

It is sad enough to note that neither responsible organisations nor religious institutions such as churches have raised these things with the LTTE. Some Church

dignitaries who go abroad and speak about justice to the Tamil people, and some leading intellectuals from the expatriate community who are the apologists for the LTTE, never ponder why these things are happening in the midst of a liberation struggle. They will pretend that nothing of the sort is happening, or brush these practices aside as minor mistakes. When concerned people do raise these types of issues, they get offended and accuse them of weakening or tarnishing the struggle by exposing these things. But the people who defend the LTTE in this way do not understand that if they say that the truth weakens the struggle, then it by all means is not a healthy one. Indeed it must be a weak struggle!

Here below we give some excerpts from the affidavits of an escapee to highlight the gruesome reality which prevails in the Tiger prisons:

....." The following morning they took me to wash my face. Around 8 o'clock a tall man who came in a white van, having talked to Pon master, ordered me to get into the van and asked me to lie on my chest in a threatening voice. When I got in to the van there was another person already lying like that. After a fifteen minute drive, the van stopped. They took us into a beautiful house with upstairs. The house was so roomy, that, I could count nearly 10 rooms when I was entering. They locked me in a room where another 15 persons were already detained.

For about two hours no one spoke to me. Then I started the conversation and asked when they all had got arrested?. They gave various dates. It varied from 5 to 10 days. When I asked them about the location of the place where we were staying, they said they also did not know the place but that they hear the sound of a temple bell ringing very often. Since Nallur Temple festival was going on at that time we assumed that we were kept some where near Nallur.....

At about 3.00 PM a boy of nearly fifteen years old came with a gun and asked whether any of us wanted to ease ourselves. He took us two by two and warned us that if any body tried to escape that person's head would be blown up. There were nearly 50 Tiger who cadres were staying in that house at that time.

At about 5'clock somebody came and took me to a room where the tall person who had brought me was.

As soon as he saw me, he asked me in an angry voice from whom I had purchased the van and where the driver was, and insisted that I give all the details about him. I did..... After that he started to beat me with a big baton saying, "where the hell were you all hiding without getting into our hands?". Later they put me again in the same room.....

.....There were about 10 boys aged 15 to 18. All of them were armed with big batons. After finding out our names and other details they locked us in a room where there were already another 30 prisoners. It is a 10 X 10 sq ft room. All of them had been brought in, within the interval of one to two months. They all advised me to tell what ever I knew and warned that if I did not, the Tigers will send me to the 'butcher's shop' from where nobody ever returns.

On the 2nd morning at about 11 o'clock some one entered the room shouting with rage and asking, "Who the hell is that TELO bastard R!". From the day I entered they have given me a number and they didn't use my name. But this time they called me by my name and took me to a pillar and tied me to it. I saw the driver lying motionless on the floor nude. I saw injuries all over his body due to severe baton beatings. There were four boys, armed with batons. I am pretty certain that they were less than 15 years old. They told me that the driver was dead, and started to beat me, asking several questions such as, how many people I have killed and where I have kept my arms, how many houses I robbed etc.etc. I pleaded that I never had been involved in any of those activities. But my words fell on deaf ears. They continued to beat me until I became unconscious.....

.....On the 3rd morning they took me again and told me that the driver had confessed everything. *"Look what happened to the driver. The same thing will happen to you if you don't tell the truth"* One of them inserted quite a big piece of wood in to my mouth and the rest laughed at me. They went on torturing me and asked all the details of my family, including the names and addresses of my relatives. They prepared a thirty page statement comprising all other details of the TELO organisation, the role I played, the names of other members and so on. There was a boy by the name of Kauthaman from Trincomale who took the statement.....

In that prison we were allowed to answer the call of nature twice a day both in the morning and in the evening. On and off, 15 year-old boys came and assaulted us with big batons...

On the 10th morning they called all the prisoners from all the rooms, who were not chained. There were 35 people who were not chained up to that time.... They asked us to stand in a line and started to blindfold us. Ten by ten, we were taken to another place. They chained our legs with a chain made out of six heavy metal balls, (normally this type of chain is used for lorry doors) using gas welding. At about 3 o'clock they brought us back to the previous place. After they blindfolded us again, they asked us to get into a big van holding the sarong of the person in front of the each one. After nearly two hours of journey, the van stopped at a place. It looks as if we have travelled about 20 miles from the speed and the time it took....

3.2.1. The formation of the camp.

It was inside a big coconut estate in an isolated location. There was a big house. Adjacent to that there was a shed, about 30ft width, 10ft length and 8ft height. That was divided into three portions. The side was covered with a closely knitted fence made of wire mesh. Around that another fence made of curly wire mesh. Then again another fence made of the same wire mesh as that of the first one. There was a steel gate for that shed and it was locked with a padlock. From the rafters around that shed about 10 prisoners were hanging with Nylon ropes tied to their hands. They were all naked. Only the chains around the legs remained. There were about 30 people inside the shed. There was an open toilet and we all had to use it in front of all the others. All 30 prisoners looked like hunters in the jungles with long beards and hair. It was a terrible scene. After I eased my self I went back to the old house.

All the 35 of us were taken to the Shed. At about 5 PM, we were put in to one section which was 10 X 10 sq ft area. After we had some porridge, we were allowed to sleep. All were chained again and there was hardly any space to stretch ourselves.

If any one talks in his sleep, the following day morning they will ask who it was; we may not know who made that noise, as all were fast asleep. If nobody admitted we will all be called out and get beaten. If any body accepts then he will be asked to roll on the ground for hours in the hot sun. If any body had a loose motion in the night he had to sleep until the morning....

Second day of our detention: Around 8 o'clock in the morning one of the detainees was asked to bring 20 chairs and a table as well. About 20 people came.... They called the prisoners by name and started the interrogation. Some of the detainees were forced to lie down on the ground, and water was poured on their faces. Some of them got beaten mercilessly. They were pleading with them not to beat them. They were all screaming in pain and called all the gods and started praying for an end to their sufferings. Others were hung on the rafters, their hands were tied together with nylon ropes and their toes were allowed just to touch the ground. Up to 11 am the barbaric tortures went on. After that we were all put back in the cell where we were given porridge without salt and boiled beetroot water. At 5pm we were again chained together.

....There is a bed made of a cement slab which is kept in a slanted position. Its width is 4ft and length is 7ft. There is a chain fixed on to it permanently. Each prisoner is made to sleep with his head downwards and the legs upwards while he is chained. This awkward posture reminds me of Jesus Christ on the cross. The prisoner's chest is also tightened by a belt. Apart from the head, no other parts of the body can be moved. Then the face is covered with a thick towel. An LTTE boy holds down both

sides of the towel with his legs and pours water on the face. At this point the prisoner can't breathe and he screams. He is asked to tell the truth, and they insist on confirming their allegations. If any body is adamant, they will keep on pouring water. You can expect more than 10 buckets of water.

Keeping the prisoner in the same position they will roll a wooden roller with an iron bar inserted in it, from top to bottom all over the body. The roller may weigh about 300 lb. When they do that, bones will get cracked and the skin of the body will peel off.

There is a room, very small in size, like a tiny bathroom, even without ventilation holes. They will leave the prisoner in that room and send chilly smoke inside. If they don't answer, the act will continue. The prisoner, who is fully naked, starts to cough and sometimes he bleeds. In additions to this, common tortures are rampant.

We have spent so many days there, going through this ordeal. On 01-09-90 at about 11am, we heard aerial bombing. Whenever the Tigers hear the sound of planes and helicopters, immediately they close the prison gate. That day also they did the same thing. A few minutes later a bomb fell near our prison building. We cried for help and called them to open our door. But all the guards had gone about 300 meters away. The next bomb fell on the old house and the wall was destroyed. The third bomb fell on our prison. I was thrown away. When this incident happened there were 152 detainees under their custody. During this bombing only 70 escaped. Even among them 17 got seriously wounded. When we started to run in fear of the next bout of bombing, Tigers caught us saying that we were trying to escape and tied us to palmyrah trees about 100 meters away. After some time we heard shooting noises near the prisons. Later only we realised that they had shot all the other prisoners who were badly wounded lying near the prison. At about 11 pm a tractor arrived on the scene. About sixteen of us who had sustained injuries were unconscious due to bleeding. They took them in the tractor. Later at 1am another two tractors came and all the 54 of us were taken to a place about 15 miles away. We were blindfolded again.....

.... That was a quadrangular house. There were two big rooms and fourteen small rooms (cells). Each room had a steel gate. The big rooms were about 10x10 sq ft. The small rooms were about 7 x 2 sq ft and in that 2 x2 sq ft allocated for toilet usage. Those were dark rooms. From 10am to 3pm a bit of light will pierce through. They don't open these rooms for months and the prisoners have long beards and hair with full of lice and they suffer from head ulcers. They don't get any medicine and the place stinks and it is unbearable.

Only a single meal of porridge was provided at 4'o clock everyday. That was our life. ...

.... If any body pleaded for food he would get beaten. After nearly three months of sufferings we were taken to a different place in December. Then they cut the chains, and forced us to do manual work. About 500 prisoners were involved in removing railway girders, sleepers, breaking stones all day and night with only a few hours of sleep. We were given only one cake of soap for a month. They used to give us white rice and dhal curry made of 1 1/2 kg of lentils for 150 people. Those who tried to escape were beaten and their legs have been broken and are permanently crippled. Still, I thought it is better to die or escape rather than go through this ordeal and I decided to escape. After spending four months there I managed to escape.

[This is a personal experience of a prisoner who escaped and who is now in safe hands. For the safety of his family, we have withheld the names and other information.]

3.2.2. Psychos who love weapons:

Samaran, an escapee, from the LTTE's detention camp, has related the horrifying experience he and the other detainees went through in the LTTE's detention camps, especially in Thunnukai, in a booklet called "Psychos who love weapons". The UTHR(J) has verified this account independently and through other sources and accepted the version given in that book as a true experience. Here below we give some excerpts;

"I was taken into custody by the LTTE for no tangible reason other than that they had received some anonymous petitions against me. I strongly feel that the brutal manner in which we, the detainees, were tortured should be brought to light. It is my duty to show the true colour of the LTTE to the innocent Tamils who still hold the LTTE in high esteem as freedom fighters, martyrs.. fighting for a cause etc...

.... Thus my life started in a very strange terrorised atmosphere. There were about 1000 detainees. We were strictly told not talk to each other. Yet, somehow, in the absence of the guard's watchful eye we used to share our grievances. We came to know later that the place where we were kept as captives, was Ex. M.P. Mr. Navaratnam's house. More than hundred armed tigers were on sentry. The chains on our ankles were removed here....

... Mr. Nadesu, a TULF stalwart and ex member of District Council also was with us. The LTTE was accusing him for giving a feast, when a tiger called Thumban, (who was notorious and has killed a number of innocent civilians) got killed by the

IPKF, during the operation. ... But Mr. Nadesu denies the allegation and claims that it is baseless...

There was an A/L school student attached to Skanthavarothaya College also with us. Tigers had found a photograph of him with an AK47 at his place. They were demanding the gun in the photo and accused him of having hidden it somewhere. But the student narrated his sad story in tears. That is this. Once he liked to take a photograph with a gun. So he borrowed a gun from a friend who was in a militant movement from his area and got a photo taken. Unfortunately the photo got into the hands of the LTTE and they arrested him...

...six employees who were working at the mortuary of Jaffna Teaching Hospital were also with us. They were arrested on the basis that, they were not helpful to the LTTE when they were trying to take the six dead bodies of the LTTE men in the mortuary during the IPKF operation....

.. The Tiger who is in charge of Charles detention camp is a "Psycho". Some times he used to act fanatically. He hardly spoke anything except obscene language. He assaulted me several times. He enjoys beating the detainees. When the detainees scream he sadistically enjoys the scream of the tortured detainees.

He puts about hundreds of prisoners in a tiny room (10'X 12') and shuts them in. Later he chooses 10 of them and chains them in a strange way, ie: right leg with the left hand and left leg with the right hand and asked them to walk and he enjoys the suffering. While he tortures the prisoners, he mocks at them and laughs. While he assaults us with cables and batons he asked whether we had allowed our mothers to flirt with the IPKF (in obscene language). He keeps on saying that he won't get any sleep unless he breaks somebody's head and then begins to attack the detainees with big batons....

.... when we were in the prison we were totally cut off from the world outside. We had no idea about day and night. In short we were completely in the world of darkness....

.... One of the LTTE cadres, said that we all will be released soon. One night 200 detainees' names were read out including mine. Two prisoners were chained to each other. My partner was an old man of about sixty years. We were chained together. After chaining us, they asked us to get into three different lorries. In each lorry about 65 detainees were put. The lorries were fully covered and we found hardly any space to let the air come in. As a result of this we felt rather suffocated and thirsty. After about a 45 minute wait the lorries started off. We thought we were taken for our release. Through the conversations we realised that we were going through Elephant Pass army check point and the LTTE did not have any problem as the army was having a cordial relationship with the Tigers at that time. About two hours later we reached a place which was illuminated with powerful bulbs. It was actually a ground with two big buildings. There were hundreds of LTTE cadres moving around without arms.

We were under the impression that we were going to be released. But after we reached that place we felt rather disappointed. We were led into one of the buildings, where lots of detainees were sleeping escorted by hundreds of LTTE's armed cadres. The whole place was stinking and we could not stand the smell. We were asked to lie down. For us, lying down was impossible as we were chained to each other. My partner, the old man, fainted in the lorry because of suffocation. After we came here, we sprinkled water on his face and brought him to his normal senses. The old man was in tears. The whole atmosphere terrorised us. We felt the fear of death. We could not sleep at all.

.. They allow the detainees 100 by 100 in a row to defecate at a time. Only two minutes are given. If a detainee can't finish within two minutes he is sure to get beaten up. We were asked to wash with water given in a condensed milk tin and that's all for the whole day. No one can defecate more than once. If a detainee gets diarrhoea, he is allowed twice. The camp was fenced with barbed wire. A group of 300 armed men were guarding the place. There were 30 Tigers with out arms inside the camp, always keeping an eye on the detainees. The camp was fortified with 8 security posts made of sand bags with heavy arms and two LTTE armed men in each of these. In addition to this there were 12 other security posts surrounding the camp. Guns from these posts are always aimed towards the camp.

Inside the premises we were not allowed to go to a side of the camp. There were tunnel like trenches about 15 -20 deep with heavy logs covered. Prisoners were kept inside these deep trenches. Prisoners were sent inside with the help of ropes.

Since the bunker is closed, there is no ventilation at all. No lights either. Prisoners were given a bottle to use to pass urine. The plight of the detainees who undergo this type of punishment can't be expressed in words. At night LTTE cadres who are on duty, staying on the logs of the roof urinate on the detainees, sometimes they drop frogs into the trenches. In additions to this they put a huge snake - python into the trench. Then the prisoners scream in fear in the dark not knowing what it is. On hearing the scream the LTTE cadres on duty have a hearty laugh and enjoy it sadistically. When the LTTE cadres torture my fellow human beings my blood boils with anger..

Upto my escape, to my knowledge about five prisoners had become insane due to severe head injuries as well as the trauma they went through during the torture sessions. But they were tortured more cruelly than earlier because it was thought that they were only pretending to be mad.....".

3.2.3. A few more individual cases at Thunnukal detention camp:

The following information might throw some light on the kind of people who are detained at Thunnukkai as traitors:

A fishmonger from Myliddy, who is a father of five is detained in the LTTE torture chambers for having sold fish to the IPKF.

A Sinhalese who had strayed into the North when he was pursued by the Sri Lankan police, is now being kept in Thunnukai and tortured on the suspicion that he was a JVP'er and a Sinhala spy.

Another young man from Gurunagar has been arrested for having purchased a vehicle from the brother of an EPRLF member. The one who sold the vehicle [his own] escaped to the South since he also was searched for by the LTTE.

Babu from Palaly has been taken in for having purchased things once used by the EPRLF. A man who had a shop close to the IPKF camp at Palaly was arrested on the allegation that he had sold things such as radios, TVs etc to IPKF personnel.

Many commodities are scarce in Jaffna today. It has become a common practice among the people to earn their living by purchasing these things in Vavuniya and selling them in Jaffna. People undergo a lot of hardship to do this. When three young boys of hillcountry origin involved in such activity once came to Jaffna for trading, they were searched by the LTTE and asked as to what they were carrying in their bags. The youngest of the three, a twelve year old replied "Bristol" meaning "Bristol cigarettes". The Tigers had mistakenly heard this as "pistol". The other two boys told the Tigers that they were only carrying cigarettes and a few other items and not a pistol. But the Tigers were not convinced. Without checking any further, they hit the little boy and took him into their custody and demanded the pistol. This sounds unbelievable but such is the nature of the cadres who are delivering justice at gun point.

A ten year old boy was arrested for having sold the newspaper "Viduthalai" during the period when the North East Provincial council was functioning. This paper was published by the EPRLF when they were in power and was banned by the LTTE. Most of them who sold the paper were doing so for their livelihood and not because of any particular political affinity.

1984 - 85 was the period when all the movements in Jaffna were thriving and running various village level organisations to impress the people. Kanagaratnam of Stanley road, a principal of a college had been the head of a local Board which deals with family disputes at that time. He is being detained on the accusation that the EPRLF had helped in the activities of the above board during that period.

The owner of "Rolex" tea boutique of Jaffna Hospital road, has also been imprisoned. He had once been a supporter of the LTTE. Later when EPRLF was in power he had had links with it as any other businessman would have. Due to his past affiliation with the Tigers he had to play the game to survive. Today he is termed as a "traitor" by the LTTE.

A 70 year old man from Chulipuram who is fluent in English used to assist the villagers when they confront situations such as the need to visit the IPKF camps regarding release of their relatives etc. He visited the camp to translate their conversations as most of the IPKF officers were not Tamil speaking. This old man is also branded as a traitor and kept as a prisoner by the LTTE now.

Three mechanics who had repaired Provincial Council vehicles are also being detained.

3.3. Torture during the IPKF presence:

After the war between the Indian army and the LTTE began, once again the people went through a bout of torture, killings and so on. The groups who were with the IPKF, especially EPRLF and ENDLF played a major role in arresting and torturing those suspected to be LTTE supporters. The IPKF was directly involved in torturing these detainees and at certain instances used the EPRLF cadres for that purpose. The Office of the EPRLF which was in the Ashok Hotel became famous for interrogation where torture was used as a means to get information. The ENDLF was notorious for its torture and in one incident they poked a coca cola bottle through the anus of a detainee and the rupture of the muscles led to the whole bottle being drawn into the body. The victim was left in the hospital and he miraculously escaped. The only consolation is that they did not kill him and dispose of the body without bringing him to the hospital. It is also important to note that all these groups were trained by retired Indian Army personnel in various places in India. Part of the training included methods of torture.

3.4. Cadres of TELO, PLOTE and ENDLF:

Today the two groups TELO and PLOTE are side by side fighting together with the Sri Lankan forces against the LTTE. We bring out certain features of these cadres and their plight to make their leaders re-evaluate the role they are playing at this juncture. The third group EPDP is also working with the state forces, but we are not dealing with any specific characteristic of their cadres due to lack of information, since their theatre of operation is in the islands in the North, which are inaccessible to us. But general features are the same in almost all the groups.

As we have mentioned in the earlier section, the people in the Eastern province are also harassed by the TELO cadres and people are not clear about the role played by these organisations. Large numbers of cadres have left these organisations with disillusionment and have gone abroad as refugees. Qualitatively there are no policy differences between these groups as none of them have any serious agenda. They are functioning as separate organisations simply because they have had different origins. One common feature among these groups is that most of the cadres are from the Eastern province. This shows that the cadres from the North have had avenues to go abroad. The Eastern province cadres have no avenue to leave as most of them came from poor backgrounds and do not have the means to go abroad. They do not have any clear political vision. They are not certain about their future. They are angry with the Tigers. They can not lead a normal civilian life without being hunted by the LTTE.

All these cadres are being treated by the army with much contempt. They are involved in many killings and robberies and are casual about them. When you talk to them you find that they will innocently come out with their degraded state.

In the Eastern province the LTTE is involved in extracting money from various people at gun point. The TELO boys are also involved in that activity. They have the simple logic that if the people can give it to Tigers because of fear, why can not they give us also? Even in Colombo there were incidents in which the organisations such as the ENDLF were involved in robbery. These cadres are a frustrated lot without any political guidance and nowhere to go. They think their days are numbered and only want to take revenge.

The political reality is such that in our community nobody can preserve his or her sanity and at the same time try to contribute positively to the betterment of society. Since this will naturally lead him or her to raise questions about the overall politics, s/he will invariably fall into the category of dissident which will eventually lead her or him to fall into the group of traitors or 'antisocial' elements. The only way you can contribute, is to be subservient to the LTTE, which for any one who has a broader view about society is anathema. There is no room or space for those who are sincerely concerned about the society and who want to contribute politically in an independent manner. To be human is a challenge every one faces in a dehumanised social environment. But the challenge becomes so great in a narrow authoritarian political environment, under the hegemony of the politics of destruction. That pressure leads all individuals and organisations, who may have had some broader perspective but did not have enough strength to withstand the onslaught, to a very degenerated level indeed.

Recently a PLOTE cadre who is out of the country described in gruesome detail the way in which they have killed people in Colombo itself. One of their old members who was in the Boosa prison, went and joined the ENDLF, a splinter group of PLOTE, after his release, soon after the INDO-SRI LANKA pact. He was second in command in the Kilinochi area in the heyday of ENDLF. He is alleged to have killed some PLOTE cadres who had refused to join the ENDLF. After the withdrawal of the IPKF he must have moved to Colombo. When the PLOT cadres including himself (the narrator) travelling with their military commander in a van in Colombo, accidentally saw the mentioned person in a shop they immediately took him into their van and on the way started to beat him up. He queried whether they were going to kill him and without any resistance did as he was told. One of the colleagues chopped his head with a knife and blood splashed every where. They dumped the body into the sea! The next day there was a news item in the paper that an unidentified body had reached the shore!.

The person who was relating the story did not have a qualm about the whole episode. He was cold and calm. More than that the way in which the victim accepted his fate without any resistance shows the frame of mind of these youths. He also related many other killings they had done for personal reasons.

When you talk to these cadres you find the emptiness they have and the frustration they undergo. They know that their days are numbered. They have a serious belief that they have come to the struggle to contribute much to society. They feel angry about every thing. They have severe contempt for the people. But there is no escape for them. Of course the leaders who reside in Colombo will come out with rational statements. But whether they are really concerned about the plight of their cadres, who have been brutalised and used by the army, with much contempt, is doubtful. The powerlessness coupled with lack of dignity has led them to behave as lumpens.

The time has come for all these groups who are claiming that they have now come into the democratic process to rethink their military role and the wellbeing of their cadres and to dissolve their military structures which have become a burden to them. After all these tragedies our society has gone through, if this leadership can not reevaluate their past and are unable to come out of it, then history will never pardon them.

It is a sad fact that the segment which does not have any avenue for social mobility is being trapped in this destructive political culture. The politics is not going to give any substantial leverage for them to come out of their poverty trap but can use them by creating illusions which in the end mean nothing to them.

The behaviour of the TELO cadres in the Eastern Province is despicable. It has become a pattern that has led the people even to complain to the army, and they in turn put all the blame on the TELO for any misconduct. Although the ENDLF is not involved in the current operation there are allegations about their involvement in robberies in Colombo as well as abduction of Sri Lankan Tamils in India for ransom collection.

Of course it is futile to analyze the behaviour of the cadres from different organisation without grasping the general malignancy which has enveloped the whole struggle. At a particular stage there were unhealthy tendencies which were reflected in every group. But in the process, instead of the unhealthy tendencies being marginalised the healthy tendencies were marginalised. Only the unhealthier tendency came to hegemony, and will take its course. We need to keep any healthy aspect remaining to recreate a new history. When we look at the wide spectrum from which the cadres joined the various movements and the sizeable number of them who were killed or tortured by the state forces and by the groups themselves, we can see the impact it has had on the community. Today when children are being drawn into the struggle and are even being used to torture others who have joined the struggle earlier, we see the level of degeneration. When large number of parents silently cry for their sons and daughters and have to keep the plight of their loved ones to themselves so that the LTTE will not turn their wrath on the rest of the family, they experience the torture at a different level.

Arbitrary killings, arrests and torture became routine first with the Sri Lankan army and then with the militants who meted out lamp post punishments and killed each other. Especially in the PLOTE, TELO, and LTTE, they tortured their own cadres. Later when the IPKF came the people went through a similar experience and now, the LTTE in the North and the Sri Lankan army in the East are delivering the next bout. Any one who lives near the Sri Lankan Army camps in the Eastern Province will tell you the awful screams they hear at nights (See Section 4.3). Is there any liberation for the people from this trauma? Unless our people begin to realise the worthiness of human life and come out of their shell to assert human dignity we have no hope. If they try to be selective in their condemnation of these dastardly acts and still have the ability to rationalise or ignore the sadistic sides, then we have to go a long way. We hope the religious institutions and other institutions which have a moral duty to give leadership to the people, will first remove their own blinkers in order to bring the people out of their tortured existence.

CHAPTER 4

REPORTS : MANNAR

4.1. Killing of Teachers on 17th February 1991:

Two platoons of soldiers were ambushed by the LTTE at Kondachchi and 45 of them were killed. On the same day 4 persons travelling from Mannar Island to Murunkan were stopped by the army at Vankalai. Three of them were teachers - Sebamalai, a school head master in Murunkan, Justin, a member of his staff and Soosai Pillai. Travellers who passed that way later said that they saw what appeared to be three bodies in a well. A Roman Catholic priest who passed that way on a motor cycle reportedly saw Soosaipillai lying injured and appealing for help. Suspecting that he was being watched by soldiers, the priest went without pausing and reported the matter at Madhu, a Roman Catholic shrine and UNCHR refugee centre, who then contacted the army command at Tallady.

Subsequently relatives in search of the missing persons were permitted by the army to look in the area. When they went there, there was no trace of the well. A patch of new plants marked the spot where the well had been. The officer in charge of the area was Major Dias who later became Town Commandant in charge of civil affairs at Mannar town.

This incident took place at a time when Brigadier Srilal Weerasooriya was taking over the command of the district from Brigadier Siri Peiris. After promising to investigate the matter, Brigadier Weerasooriya later told local citizens that he was unable to proceed on the matter since the local area commander totally denied that anything untoward had happened in his area.

It is generally believed by local sources that this incident is unconnected with the Kondachchi incident. The LTTE, it is said, was making conspicuous use of Mr. Sebamalai's school for its propaganda activities. Whatever Mr. Sebamalai's feelings, he had little choice in the matter.

In another incident on the same day, several prisoners held in Talladi camp disappeared that night. Former detainees from the camp put the number at about 12 and believe this to be a direct reprisal for the Kondachchi ambush. Prisoners are normally held in groups, and others became aware that some from a particular group were transferred to other groups while the rest went missing. Those missing were never again seen in the camp.

There are three possible causes for persons to be removed from Talladi. They are either released, transferred to Boosa centre near Galle, or they are finished off. Those held in Boosa are allowed letters and other prisoners routinely write about new arrivals. The first two causes have been ruled out by fellow prisoners in the case of these persons missing since 17th February.

One class of prisoners routinely sent to Talladi are those detained at sea en route to India by the navy. Many of such prisoners are often from outside the Mannar District, and hence usually unknown to the rest who are mostly from the area. This class of prisoners is said to be the most vulnerable as there would be no record outside.

4.2. Change of Brigadier:

In the absence of LTTE resistance,, the army takeover of Mannar Island in early November 1990 was accomplished with no major army or civilian casualties. The first major known instance of disappearances took place at the UNHCR refugee camp in Pesalai on 16th November. The army went into the camp and arrested about 18 persons. Some of those who witnessed the event informed the UNCHR office in Colombo that same day. According to local sources, the LTTE had been seen in the neighbourhood on that day. But those taken by the army were refugees having no connection with the LTTE. Though the matter was pursued by the UNHCR and other NGOs, about 8 of those taken disappeared without a trace.

This was followed by the disappearance of 9 civilians taken by the army in Talaimannar on 21st January 1991. International organisations that were working with the government to prepare Mannar Island for a return of refugees from India, found the arrogance, insensitivity and cockiness of the Brigadier wholly uncongenial. They called for a removal of the Brigadier, and this was forcefully put to the late Ranjan Wijeratne, then defence minister, during his visit to Mannar in February, shortly before his death in a car bomb attack. Thus in February Brigadier Siri Peris was transferred to Trincomalee, where he continued to deliver what was expected from him without nuisances foreigners breathing down his neck.

4.3. An Experience at Talladi:

What follows is the experience of a young man taken by the army and detained at Talladi, Mannar's main army camp, for about 6 weeks in early 1991. The young man was a skilled craftsman as remote from the LTTE as any one could be. He was pointed out to the army in Town as an LTTE supporter by a muslim army recruit. He was held at the camp in town and was badly assaulted for two days. His assailants included officers who were drunk. Two days later, having survived the torture and

having apparently convinced his captors of his innocence, he was sent to the camp at Talladi. But this time several of his limbs were swollen and he had several injuries and cigarette burns. Even now he is handicapped with the movement in several limbs impaired.

At Talladi, his own treatment was relatively mild, and he was not beaten at all after the first few days. He felt miserable and unable to help himself. Once he lay down and cried for water. Ironically it was another Muslim recruit who surreptitiously came to him with a cloth soaked in water and squeezed it into his mouth.

It was indicated to him by the officer in charge of interrogations that his unpresentability was the main cause of his continued incarceration. But staying there was a nightmarish experience. The sounds of torture - beating, screams and groans - were a regular feature of life in Talladi. Sometimes the screams of a victim would reach a high pitch, followed a little later by a total deathly silence. On other occasions there were several single shots in the night. There is a hollow in the camp containing ashes mingled with burnt tyres. This is known to contain the mortal remains of an unknown number of former prisoners.

It is easy to believe that several prisoners would have died under torture. In the first place the beating is often done with stiff objects swung randomly. Our interlocutor himself had received three injuries on his head when beaten with a pole while suspended by a rope tied to his ankles.

Another torture inflicted on several prisoners was to drive nails into the soles of their feet. One prisoner's feet had become infected after going to the toilet, which had a layer of dirty water, with nails in his soles. He then lay down ill, unable to walk.

Subsequently an army medic, presumed to be an army doctor, came on one of his routine visits. The prisoner with infected feet was dragged by soldiers using a rope with one end knotted into a loop taken under the victim's arm pits, and brought to the 'doctor'. The 'doctor' looked at the prisoner's feet and scolded the soldiers. Speaking in Sinhalese that was understood by several of the prisoners, he said "If you want to do this sort of thing, it would be more expedient not to keep them alive." The sense of his words could have a charitable interpretation.

What was witnessed by other civilians who had been to the camp strongly suggests that the practice of driving nails into the soles of prisoners was far more than isolated. A group of civilians who had gone to the camp on business saw about seven prisoners being dragged along the ground by ropes in the manner described earlier. A soldier then ordered the civilians to look the other side.

Our witness was seen by the ICRC after being inside for two weeks. The ICRC lady saw that he could not sign his name properly because of an excessively swollen arm and spoke to him sympathetically. He talked to her without fear about other prisoners who had not been shown to her and how she had been shown the soldiers toilets as those meant for prisoners.

Upon his release the prisoner was politely cautioned by an officer not to speak about his experience.

4.4. After the Change of command:

The situation in Mannar following the change of brigadier in February 1991 serves to illustrate the limits of what can be achieved by a change of command. The new brigadier was considered relatively humane and not one who enjoyed killing and torture. The public judged him to be well meaning though having reservations about his effectiveness. In general, following the change, prisoners were nearly always accounted for, at least when someone was around to pursue an arrest. Visits to detainees also became easier.

But incidents continued to occur which showed that civilians were ultimately unprotected because there was no process of accountability. In mid June two shots were heard in the night. The bodies of two persons previously detained by the army were seen in town the following morning. The incident followed the killing of some policemen in an LTTE ambush. The officer commanding the town at this time was the same Major in charge at Vankalai during the killing of 4 civilians on 17th February.

It was commonplace in the succeeding months for persons detained to be hung by their thumbs and beaten. Among those given this treatment was a businessman well known to the army in Mannar town but arrested by the army in Pesalai about the beginning of September 1991. He was later warded in hospital and released. In such cases persons usually end up with defective thumbs.

There is no getting away from the need for basic discipline coupled to a radical change of politics. Without the latter, few army officers would find the will for the former.

4.5. The shooting of the MSF

The shooting and injuring of 4 MSF personnel and their local driver by a Sri Lankan airforce helicopter on 3rd May 1991 resulted in an inquiry whose supposed findings were categorised as whitewash by the MSF office in Colombo. The MSF personnel were travelling from Mannar to Colombo, after informing the military

authorities in Colombo. According to the airforce an LTTE vehicle was in the vicinity. This was strongly denied by the MSF. Although MSF vehicles had very clear and distinct markings, a witness from the forces said at the inquiry that red cross markings meant little to them as the LTTE also used such vehicles. It was also pointed out by others that the helicopter had fired continuously without going through the often used procedure of firing warning shots and giving those in the vehicle a chance to establish their identity. Under further pressure the government agreed to procedures that were aimed at preventing recurrences. NGOs operating in the North-East agreed to give these a try and no more was said on the MSF matter.

Sources well informed of the situation in Mannar believe that what did surface in public did not get to the heart of the truth. They point out that the MSF had fairly good relations with the forces evidenced by the fact that in keeping with its principle of strict neutrality, the MSF had two weeks before the incident treated injured army personnel from Silavatturai who were brought to Mannar hospital where the MSF maintained a presence. MSF personnel have been known to get rides in airforce helicopters when travelling between Mannar and Colombo. It was understood by both sides that the MSF would treat any injured person brought to them irrespective of military allegiances.

The MSF enjoys a reputation for taking medical aid to difficult places at considerable risk. The fact that MSF personnel are rotated frequently suggests that the MSF took a deliberate decision to concentrate on this objective to the exclusion of any involvement in other such as human rights etc.

4.6. The LTTE and the Civilians:

The LTTE has been responsible for several disappearances in the Mannar District, but the public in general is not aware of large scale massacres of persons with dissident connections such as in the East.

There are perhaps two important reasons for this. The population of Mannar District is small. The LTTE having been largely a Jaffna based group, it was a late comer to the East where the other groups had been established for several years. The LTTE's brazen ruthlessness in the East was partly owing to the insecurity it felt. In Mannar on the other hand, the membership of militant groups has been diffuse from the beginning. It has been common place to come across instances where say three boys from a family belonged to two or three deferent groups. This combined with the easygoing nature of Mannar folk and the fact that Mannar cadres were generally low in the leadership hierarchy, frequently made feelings of rivalry and hatred less intense. It has often been possible for a family worried about a son who was in a group opposed to the LTTE to approach a close relative with an LTTE affiliation.

4.7. Disappearances:

People thus disappeared individually rather than in conspicuous groups. Among those who disappeared were Ravindran and his brother Sasitharan. Ravindran, whose mother is on the staff of Mannar hospital, was a member of a group opposed to the LTTE. With the departure of the IPKF imminent in late 1989, Ravindran fled to Colombo with the aim of going abroad. Sasitharan who had no militant connections had accompanied Ravindran to Colombo. Both were picked up by an LTTE party then operating in Colombo with the blessings of the government. Nothing more has been heard of the boys. We had earlier pointed out (Report NO.4) that those so detained were often transported to the North chained to their seats in passenger coaches, through check points manned by Sri Lankan forces.

Another who disappeared about mid-July was Sergeant Namasivayam of the Mannar Police. Namasivayam was returning to Mannar Island after visiting his family in Jaffna when he passed through the last LTTE check point before his destination. Namasivayam who was wearing Khaki trousers was asked what he did for a living, to which he replied that he was working for the anti - malaria campaign. He was allowed through, then recalled and detained. Also similarly detained about this time was a police constable. According to sources in Mannar the fate of such prisoners is usually to be put to forced labour, such as involving digging bunkers in forward positions. As we have reported earlier, Tamil policemen in particular have been at the receiving end from both sides. Namasivayam would be lucky if his fate was no worse than that of digging bunkers in exposed positions on one meal a day.

4.8. Painting Stripes :

The LTTE's programme of cornering Tamil civilians by painting stripes on them is very much at work in the mainland parts of the district. Slogans such as one cadre from every family have been pushed hard in the interior villages. The pressure mounted on the young and children to join up is said to be just short of conscription. The phenomenon of painting stripes on people is at work in a variety of ways. Most people in this farming district are out of work and live in refugee concentrations. Their survival depends crucially on government rations. These rations supplied free by the government are controlled eventually at the distribution end, by the LTTE. This basic need has been used as a means of obtaining forced labour.

Government officials are often forced to fill one set of forms for the government and another for the LTTE. A certification of one day's labour by a member of the family from the LTTE must be produced before the family's weekly rations are

released. This irony of fighting a liberation war on government rations provides a funny side to the public rhetoric, giving rise to much private resentment by the people. But their past experience of government forces makes them equally fearful of what may happen to them in the event of the army moving in.

For much of the year (1991) the LTTE anxious over the loss of civilian cover ensuing upon displacement, had been importuning the refugees to get back to their villages. During the run up to the rainy season-August, September-pressure in the form of a need for cash combined with forced labour in refugee camps compelled many civilians to move into their villages. (More than 70% from these villages had already fled to Mannar Island and chiefly to India). These villagers sowed some of their rice fields. But they also left representatives from their family guarding their place and valuables at the main refugee camp in Madhu, in preparation for a dash back whenever the situation changed.

4.9. The shrine

The following incident is symptomatic of the fate of the Tamil people under a politics that has gone far to destroy any community feeling. Instead of settling divisive issues by a principled approach, they are driven to desperate manipulation. While the deeper and real problems lie buried, the entire community becomes the tool of repressive interests.

It started during the IPKF presence when members of the TELO operating with the IPKF put up a small Hindu shrine in the administrative centre of Mannar. The small rude structure remained virtually unnoticed after the IPKF left. The problem started after the current war which began in June 1990. Under the cover of the confusion of the Sri Lankan army's takeover of Mannar Island, some influential Hindu government servants built a permanent structure over the shrine and gave it a ceremonial opening. This new development angered many of the Christians who were the majority in Mannar.

We will not go into the internal politics of this matter. This phenomenon is a vexed issue in the country as a whole and different religious groups had cause to complain in different parts of the country. The parliament ruled in recent times that one religious group should not construct a place of worship within a given distance of another's. The ruling, though allegedly at the behest of Buddhist interests as against newly emergent Christian groups, is arguably fair.

It suffices to say that circumstances rendered the law and appeal to principles of little use in Mannar. Both sides used envoys to lobby the powers that be. The LTTE reportedly kept aloof. The Sri Lankan army authorities needed no finesse to use the

dispute to serve their ends. The Sri Lankan army officer in charge of civil affairs gave conflicting hopes to both sides. He reportedly agreed in an audience with the Christian partly that the erection of the shrine contravened the law of the land and therefore had to be brought down. The Hindu party was reportedly told in a separate audience that if the Christians did anything to shrine, he would level down every church in Mannar. The officer concerned was a Christian!

4.10. Flying the Flag:

It was clear that at the end of October 1990 that the army was moving in and the LTTE was making its exit. Having heard numerous stories of the army's conduct, the parish priest of a village in Mannar Island took the lead in dismantling the LTTE's flags, festoons and monuments from its prominent local office. On seeing this, LTTE cadre approached him threateningly, asking whether he thought they were going. The homely wisdom of local villagers saved the day. They came to LTTE and told them, "When Eelam dawns with your victory, we will put up monuments that will leave these in the shade. Now why don't you leave Father alone? "

4.11.0. FEATURE

4.11.1. The Muslims of Mannar:

Mannar Island forming the bridge of trade between Ceylon and India, and hence the rest of the world, from ancient times, invited a variety of human inhabitants. The renowned pearl fishery at Kondatchi Bay six miles south on the mainland served to enhance this influence. As one would expect, colonial writers of an age when modern national barriers did not exist, saw the human community in Mannar having intimate links with Rameswaram across the straits of Palk while being relatively cut off from the hinterland in Ceylon by jungle.

The influence of Arab traders in Mannar almost certainly predates the birth of Islam in the 8th century A.D. Perhaps the most visible testimony to this is the presence of baobab trees in the district, particularly Pallimunai and Thiruketheeswaram. These trees had typically huge cylindrical trunks topped by several conical shaped branches ending in shoots that formed the food of camels then used by traders. The present day Muslims are decedents of these traders with presumably a large infusion of local (south Indian) blood. During the Portuguese persecution of Muslims (16th and 17th centuries), one would imagine that the Muslims moved to parts of the hinterland less frequented by the former. The 17th century Dutch cleric and writer Phillips Baldeus who mentions the church at Errukkalampiddy does not appear to have noticed a muslim presence. Today Errukkalampiddy is an exclusively Muslim village. One would imagine that the Muslims re-established themselves on the Island

during the British era. Today they form 45% of the districts's population. The historical links of the local Muslim population with the land are not inferior to those of anyone else. Nevertheless Muslims were expelled from the district aliens and traitors.

4.11.2 Refugees

The place was an old house in Kalpitiya (Calpentyn of the Dutch) renovated with coconut thatch. This is now the dwelling of a person we shall refer to as Mohammed, his wife and six children, his sister-in-law's family, his brother's and so on. Mohammed has a continuous stream of Tamil visitors travelling to and from Mannar Island 60 miles north by sea. One such visitor had come to bathe, eat and rest after a gruelling boat journey. The visitor who was going to Colombo on business gave utterance to a sentiment held surely by hundreds of Mannar Tamils; "We chased you from Mannar, and now you have us as guests in your homes". Whatever the LTTE had intended, fraternal links between the two communities have persisted and in a sense the Tamils have become more dependent on the Muslims. The Muslims evicted from Mannar now play an important role in the trade between Kalpitiya and Mannar Island supplying essential food items, including fruit and vegetables, that make life on the Island possible. Dried fish, the principal export of Mannar Island, now passes through Kalpitiya as the land route to Colombo is closed.

Muslim refugees from Mannar now lead a much impoverished existence scattered among Muslim villages that straddle the peninsula across Puttalam Lagoon. There is among them a general eagerness to get back and rebuild their looted homes on Mannar Island. Many of them do regular trips to look over their homes. When ordered to pack up by the LTTE, many of them buried their jewellery in hastily found hiding places. First the LTTE looted the goods they were ordered to leave behind. Soon afterwards the Sri Lankan army came in and launched its own treasure hunt. Next came civilian looters. Depressions created by rain exposed newly dug hiding places. Mohammed was among those fortunate enough to recover his family jewellery.

One of the key reasons for the refugees wanting to get back is the education of their children. At present these children attend afternoon sessions in Tamil schools catering for the local Muslim population. An important feature distinguishing Mannar Muslims is the importance they attach to education. In this they have much more in common with Jaffna than with the local Tamils. One elderly Muslim refugee lady said: "If anyone takes away our money or our property, it matters little. These are perishables. But education is something you cannot take away from a person. That is why we are so concerned about the education of our children". This change in cultural outlook had taken place over perhaps the last three decades. By imperceptible degrees, Muslim schools in Mannar had been built up to a level comparable with good schools in Jaffna and well above those attended by Mannar Tamils.

A variety of pressures are now impelling Muslim refugees to return to Mannar despite a tricky security situation. It is now only a matter of time before they actually do so. Despite the fact that good relations between Tamils and Muslims have survived, the LTTE's attacks on Muslim civilians in the East do give cause for anxiety. In the meantime Mannar braces itself for an unpredictable future with much trepidation.

4.11.3. Muslim Militiamen.

According to Muslim sources, following the expulsion of Muslims, about 300 Muslim boys had joined the army as regulars - a much smaller number than one might have expected. For the largely pragmatically minded Mannar Muslims this is a cause of anxiety given where this might lead to in the event of say an LTTE attack on Muslims. The process that will provide the government with more Muslim recruits is identical to that giving the LTTE additional cadre.

The position of Muslim recruits themselves is unenviable, involving mixed feeling many of them talk freely to Tamil civilians. As we have pointed out some of them have been helpful to Tamils while some others were vindictive. The manner in which they are sometimes treated in public by army officers would normally have been a recipe for mutiny. This loss of dignity also underpins their ambivalence. Their tragedy parallels that of many militants who are now are playing the role of an auxiliary armed force to the Sri Lankan army.

4.11.4. Travel Travails

Condition of Travel:

Robert Percival, a British official writing in the early 19th century boasted that tapal runners working in relays could convey tapal, or mail bags, between Colombo and Madras in 7 to 10 days. The journey of 160 miles through varied terrain between Colombo and Mannar used to take 3 days. That may now seem a golden age of communication.

Passengers travel between Kalpitiya (Calpentin) and Mannar Island in boats taking goods to Mannar and bringing back dried fish. The system of issuing passes could change without notice and the system is so confused that any one wanting to travel must anticipate a wait that could last several days. A time of war does involve inconveniences. But what the system reveals is the lack of guiding principle, of co-

ordination and the absence of central command among the armed forces.

The navy at Kalpitiya and the army in Mannar have their own rules. There is no central authority from whom one could ask for permission to travel or transport goods. The harassment of people is less deliberate than that the whole thing has become a mindless bureaucratic exercise. The officers issuing passes are concerned with playing absolutely safe and there is no question passes are concerned with playing absolutely safe and there is no question of individual initiative. An old man in his 60s wanting to travel to Mannar and having a letter of introduction from a reputable organisation could be sent back from Kalpitiya to Colombo to return with a police report.

In Mannar several copies of passes go into several files. A person obtaining a pass after queuing up the entire morning could later find that he cannot travel because no passes were issued to boats. Alteration of the pass would mean another queue and another morning. The officer issuing passes goes through the immense bother of tracing the copies and updating them as well. In terms of security the whole exercise is self evidently superfluous.

Despite the large fees paid (part of which go to sections of the forces through middlemen), the passengers travel at considerable risk. Not even elementary life saving equipment such as floats are available on boats. When there is a strong breeze, passing Kuthiraimalai Point (Horsehill Head) can be quite treacherous. Waves reflected by the concave shoreline cause them to converge out in the sea the confluence resulting in considerable turbulence. How much a boat caught in a random series of hills and troughs would tilt is a question of chance. It is amazing that there has been no major disaster up to the time of writing despite a large number of women and children regularly making this 60 miles sea journey.

This is one relatively minor instance of how the civilians come to be treated callously and unimaginatively in a war renowned only for stupidity, cruelty and corruption in the absence of cogent political goals. Transport of goods.

This is one area that illustrates the absence of goals, superfluity of measures and the resulting inconvenience to civilians. Like in the case of travellers going North from Vavuniya, those sailing from Kalpitiya to Mannar are meticulously searched and the bars of washing soap carried by each individual are counted. There appears to be great concern about such things getting into Tiger hands, even though Mannar Island is under army control.

The people of Mannar themselves are very sceptical. Like all wars this war too has produced its crop of talented survivors. When one armed force is replaced by is declared enemy, there would be concern for such people. But contrary to expectations

they would survive and prosper, as chummy with the new bosses as they were with the old. A number of sources in Mannar have claimed that the armed forces themselves are behind breaking the fuel ban imposed on the North. They point to one man who was caught with a large quantity of fuel by one section of the forces who were unaware that the sale had been made by another section. The matter was settled amicably. The effectiveness of the ban remains largely in piles of meticulously kept files.

CHAPTER 5

REPORTS AND COMMENTS JAFFNA

5.0. Introduction

The situation in Jaffna began to deteriorate soon after the Elephant Pass battle. After operation "Valampuri" the islands and the Sangupitty ferry came under Sri Lankan army control.

The people who were travelling to the south of Jaffna had only one route left. The lagoon behind the Elephant pass camp was the only route, and due to rain people went through real hardship. Although the Sri Lankan army warned people not to use that path they did not have any alternative. The Army was demanding that the people should travel through the Elephant pass camp, the LTTE did not want people to travel through that as they felt it will open room for the army to use that path to enter easily. So people were left with no option but to take the risk and travel through the lagoon which is called Kompadi.

Travelling on rafts and walking through mud for miles has become an adventure. Once in a way they come across shell attack. Later the army stopped attacking and allowed the passengers to travel although the ban is still officially valid.

It is really to the Jaffna people's credit that they have managed to bear the pain and agony of travelling through Kompatti. Anybody who watches the way traders still carry things and transport goods which they have bought from Vavuniya is amazed!. Human capacity is very versatile and can be stretched to an unbelievable extent.

Prices have become too exorbitantly high. The food situation has become worse. The LTTE which was virtually controlling the food distribution, found that the people were beginning to resent their predicament. In several places the people felt that LTTE was replacing their old stocks with the new ones and distributing the old stock to them through Co-operatives.

A year ago the LTTE was claiming that they could continue the war and boasted that they had enough stocks of food supply. Now they turn around and announce over their Radio that their role is to fight and it is up to the people to feed them. People were bewildered by that pronouncement. The LTTE orchestrated a campaign in front of the Kachcheri demanding food from the Sri Lankan Government.

In January the situation started to ease after the traders were allowed to take

things from Jaffna. At present the prices have come down. This has created some problem for the LTTE, which could not keep the prices up by storing up the things and allowing them to be sold through selected outlets. For one lorry load of goods to pass through the Kompaatti lagoon they are charging Rs 30,000. Each day the LTTE collects nearly Rs. 450,000 from the traders passing through Kompatti. Earlier when the transport was through Keratheevu ferry (in Sangupitty) the LTTE was charging only Rs15,000. But now the prices of things are going down even though the transport cost is very high, because both traders as well as the LTTE are in a hurry to sell their goods before the army's entry. They are not keen on storing them now. Earlier prices were also kept artificially high partially due to the LTTE's policy.

The collection of gold sovereigns continues unabated. Those who have not paid already are sometimes asked to pay double or treble the amount. In many cases the householder was taken into custody and was only released after the family made arrangements to pay up. The age group in between 10 -25 are not allowed to leave Jaffna. But the implementation of these rules varies from area to area. Some people have managed to bring their children belonging to that age group by giving medical reasons or by paying additional money and so on. But those who are unable to pay and do not have proper contacts to do so don't have any option. The ban imposed on this group shows the whole motivation of the LTTE. By trapping them they feel confident that they can use them when the time comes. It is some times funny that the pro LTTE papers abroad deny these things without even trying to find out what is happening.

5.1. The art of propaganda and the falsehood behind that.

Recently a news item regarding the Jaffna Medical faculty created a lot of ripples among the Tamil community here and abroad. We bring out the salient features which might throw some light on the hypocritical attitude taken by various actors. These facts may hurt some people but truth should be faced squarely if we really care for the future generations and want to create a new value system as today's politics represents only the bankruptcy of the present value system.

Jaffna Medical faculty in its early days was almost fully staffed with highly motivated people. The situation began to deteriorate due to the Sri Lankan army's suppression of the militant movements and the escalation of the armed struggle leading to an exodus. The internal unhealthy attitudes in the administrative sector also frustrated many individuals who wanted to contribute to this community. After '86 the Faculty was functioning with a skeleton staff. In the early part of '88, the faculty was even closed for a few months due to lack of staff. There were attempts made by high officials in the faculty to bring academic staff from India and the Indian High commission was also approached.

There was a committee appointed to study the feasibility of running the faculty. Students formed action committees to save the Medical faculty. They wrote letters to the doctors in the expatriate community to come and serve at least on a contract basis. They were asked not to abandon their present positions but to come and spend some time here and by doing so to arrest the exodus and slowly turn the trend. But all in vain. Those doctors who talk a lot about our Nation and Motherland felt that by sending some money and going for meetings they had done enough.

The one who had declined to run his department due to lack of staff earlier, got the faculty reopened with some minor changes when he was elected as the overall head of the administrative unit. This shows how the interests of the institutions are subjected to that of individuals.

It is important to note that the late Dr. Rajani Thiranagama, who was the Head of the Anatomy department, committed herself to run the department alone with some dedicated Demonstrators. When she assured the authorities that she would run the department, the above mentioned committee had asked whether she could give a written assurance saying that she can do that, as the concerned Professor who was heading the committee felt it was a very heavy load and she may not be able to cope with it later. Dr. Rajani Thiranagama was Killed in September 1989 by some unknown "patriotic gun men".

Certain administrators were keen to show certain forces in the community that her loss had not affected the faculty. And thus, to the dismay of the students, some temporary arrangements were made which were unsatisfactory for the students. When the students were trying to commemorate their dedicated teacher and proposed the newly constructed auditorium to be named after her, some senior group of academics thwarted that attempt by suddenly proposing the name of one of the former Deans who had passed away a few years before. When his name was proposed for a honorary degree earlier on in a senate meeting, it had got very negative reactions from the Medical staff themselves. But the eagerness to suppress Dr. Rajani Thiranagama's memory at least brought out the memory of the former dean, which is an apt thing, as she was crying for the forgotten victims whose voices have never been heard but whose numbers were used to keep up the stranglehold of the present politics.

After the June war started a large number of staff have left, and the faculty has come to a standstill. The faculty is being run in name only, with a few staff members. The students feel that they are being let down. Large number of students, nearly 350, applied for transfer to the South. But the Faculty administration has advised the University not to give any transfers. There is a general feeling that the students have

applied because they prefer to get degrees in the South which are recognised abroad and that these students are very selfish. There may be some truth in this. Even the staff who have left are accused of this crime. But the issue is not so simple as that. If there is a healthy environment, even if the war goes on, there will be many dedicated staff who would like to serve in Jaffna. But many feel that apart from the hardship they face because of the war, the poisonous environment in which there is no respect for human dignity and dedication is even worse. They can't air any opinion apart from nodding their heads in approval to certain quarters and have to live like zombies. All these makes them leave.

Then the situation of the students is also a very complex one. Of course there is an inducement that they can get a recognised degree by finishing in the South. But there are students who are even prepared to do some other degree in the south rather than go to Jaffna. They feel that they are being cheated by running the faculty for the sake of running it; a dead institution in every aspect and unable to provide even the minimum academic training for their professional course. It is the responsibility of the institution to provide and consider all the avenues to make sure that the students feel that their interests are being taken into consideration. The students feel cynical about all what is happening around them and the double standards of some of the individuals, whose main concern is to please the forces who are holding the power at the moment. It is unfair to criticise the students alone at this juncture.

Those students who stayed in Colombo for various reasons, including the Muslims students who were chased out of Jaffna, have not been fully accommodated in the southern universities. The reaction from the academics from various universities shows their pettiness and the inability to see things beyond their narrow horizon. Of course there are real problems in taking in additional students from another university when they are also facing shortages of staff. But the attitude taken by several senior academics stems rather from sheer prejudice and chauvinism. Some Senior Professor is supposed to have told his colleagues "let the Jaffna students come here, I'll fail them all". Because of the vocal opposition from these types of elements even others who have more enlightened views also have kept quiet. Only a few were arguing for a serious discussion in this matter. It is a very sad fact that most of the ordinary people have more enlightened views than most of the academics in the universities whether it is in the South or in the North.

One senior academic was quoted as saying that he was disgusted with the way this issue was handled at the faculty meetings. He further said that Minister Hameed was keen on finding a solution for the displaced Muslim students because they are Muslims. They were chased out of Jaffna because they are Muslims. The Faculty members in the South are also reluctant to take them because they are Muslims. Nobody wants to see them as students and they don't realise that justice has to be done and that it is a responsibility of every one of us.

Against the above background only, the recent rumour of the closure of the Jaffna Medical Faculty created such varied responses from different quarters. After realising the difficulties the students and the staff are facing, the Chairman of the University Grants Commission wrote a letter to the Dean of the Medical Faculty, Jaffna, stating that if the faculty feels that they have difficulty in running it, the UGC is prepared to assist them in making some temporary arrangements in the South to run the faculty, as there may be more staff even on temporary arrangement. This was basically a goodwill offer and the decision was left to the faculty. These requests were made by several students earlier on an individual basis. Whether it is feasible is another problem. But the faculty could have used this opportunity to explore the possibilities of proper training for one or two senior batches if they felt it was worth while.

What really has happened is that a news item was splashed in the LTTE controlled papers saying that the faculty is going to be closed and moved to the South. This did not create much stir among the students as they were aware of the situation. But since they needed to satisfy some quarters, they just submitted a memo and left it at that. In Colombo the Tamil papers expressed their genuine concern over this by writing editorials raising some issues regarding this. Then the Chairman of the UGC clarified these matters and the whole affair died down after that. But among the expatriate community this was used to the maximum by the LTTE for propaganda. For instance in Amsterdam, there was a march organised by the LTTE supporters condemning the Government for its well planned move to deny the Tamils to have a Medical Faculty and to reduce the number of medical doctors in the Tamil community and so on. This was portrayed as part of the major genocide programme of the Sinhala Chauvinist Government!.

When there are genuine issues which need to be campaigned about and lot of things can be done for the betterment of the community, this type of false propaganda campaigns really weaken the whole cause. These types of campaigns show that a section of the community which has gone abroad permanently has some vested interests in the continuation of the war as well as in showing a black-and-white picture about the real complex reality.

It is ironical that most of the medical faculty students from Jaffna apply to the South or areas other than Jaffna for their placement after they pass out. Because of a dedicated few in the medical staff, Jaffna Hospital is functioning. It would have been worth while if the expatriate community organised some doctors to come to Jaffna on a voluntary basis to teach in Jaffna for the benefit of the students.

REPORTS:

5.2. Further arrests of students at University of Jaffna:

On the 26th of August 1991, students Manohar and Chelvi were arrested by the LTTE. A former student Thillainathan, who is a teacher was also arrested on the previous day. Manohar is a third year student who is an active member of Pax Christi and a pacifist who has shown his opposition to the arrests of other students. The two students Govintharajan and Srinivasan who were taken earlier on allegations that they had contacts with a group "Theepori" have been released recently. But the other members from the same organisation have not been released yet.

Manohar who despised the rampant violence which had enveloped our community, was angry about the role played by the intellectuals in the University and expressed his opinions very openly. He was very much involved in all the activities of the University students and tried his best to keep his independence. This was too much for the LTTE "Policemen" in the University to bear. During the Elephant Pass battle he was there in the hospital donating blood and giving all the assistance to the victims. He cried for the plight of those young boys who were brought to the hospital without limbs.

It is a crime in our society to feel for other people and their well being. People must be treated as dispensable matter, and if we are touching the emotion of the people about the deaths of others, it is only to reinforce our politics and not to question it. Yes, Manohar committed the crime of being concerned about the people and their tragedy, actively involving himself in whatever way he could to alleviate the pain of the suffering masses, and trying to be honest to his conscience. Still the LTTE has not openly given their reasons for the arrests. But as usual they deliberately let it out to certain sources that his crime was that he has been sending information to the UTHR(J). It is well known that UTHR(J) brings out information regarding the university which are publicly known among the university community.

Chelvi is another student who was involved in women's issues and acted in dramas. She was once involved in the Women's section of the PLOTE, and when that organisation degenerated to the level of torturing and killing a large number of its cadres, she became disillusioned and left the organisation. She came back and joined the University to do her degree. She was very much involved in various social activities, including being a member of the University Women's organisation, and very much concerned about the direction in which our struggle is going. The LTTE has not given any reason for her arrest also.

But she was arrested the day before the public staging of a drama in which she was acting. Since all cultural activity is controlled by the LTTE, when the English

society wanted to put on a drama their scripts were passed by the "censors". The drama was basically about a Palestinian prisoner who was tortured by the Israelis, and the defiance of the prisoner who vowed to fight for his mother land. Nobody thought it would offend the LTTE. It occurred to people only much later that torture and mistreatment of prisoners by state powers had been experienced by many Tamils. But this experience was alien to the LTTE. Its cadres had been ordered to take cyanide as a means of evading capture. Those imprisoned and later released were ostracised. To the LTTE, torture and brutality towards prisoners were not things experienced by them but only what they have meted out to the others. And worse, a member of the Jaffna literary scene now working for the LTTE, had commented that the heroine in the play was strongly reminiscent of the late Dr. Rajani Thiranagama.

Thillainathan, a teacher who was a former student was also arrested during that period.

5.3. Death sentences:

During the latter part of October 1991, a number of people were publicly executed and several of their names were published in the LTTE controlled papers. Apart from these, there were also killings outside the peninsula which were not reported in the papers. General allegations against them varied from that of being informants to the IPKF to being involved in minor thefts. Most of the executions happened during the short period after the operation at Sangupitty, when the LTTE as well as the people were expecting the army to enter into the peninsula. The executions happened in such a way as to warn the people of the dire consequences they have to face if they tried to be too smart. People who have witnessed certain executions felt that they could not even identify the victims and only a few minutes were given for them to "confess". Since the victims are invariably from another area, people have doubts about the identity of those victims and feel that the LTTE must be bringing some of their prisoners and getting rid of them as well as use them to frighten the people.

5.4. Release of Prisoners.

We have mentioned earlier the fate of the prisoners in the LTTE prisons. On and off they also release prisoners who have been involved in "minor" offenses. Those who have been released are continuously monitored and warned that they should not utter a word to anybody about what happened to them during the interrogation. Since the threat is against the family members, even those who have gone to Colombo are scared to talk about it. More than that, if they take somebody they give an impression that they will release that person after the interrogation provided that the immediate family members keep quiet. Since the lives of the victim and the family are in the

LTTE's hand they hope for the best and keep silent. The first few months the LTTE will give an impression that they are approachable and send the relatives from camp to camp by giving them hope that if they meet such and such a person they can get some information. After some time they will inform them that there is no need to come every day to the camp and that they will inform them if and when they want to release the prisoners. Relatives unable to do any thing else wait for the release. They feel so powerless about their plight. The ICRC is unable to put pressure on the LTTE either.

5.5. The Bombing of the school in Pandivirichan in Mannar district.

On the 9th of December, when the G.C.E (O/L) exams were on, the Sri Lankan Air force dropped bombs near the Government Tamil School. In that attack a few teachers, the Principal and some students were injured. There was a lot of damage to the exam hall and to the school building. G.C.E (O/L) exams were held by the government and the air force knew that exams were going on in the schools. It was very lucky that nobody got killed.

Government has not taken any action for this type of unprovoked attacks on civilian targets. These type of actions shows the callousness and the disregard the security forces have behind their sweet talk about winning the hearts and minds of the people.

On the 18th of December the students from the university of Jaffna went on a march protesting against the bombing. Students were informed about the march only in the morning. About 250 students participated in the march and handed over a petition to the Government agent.

5.6. The operation from the Palaly camp on 7th Dec 91:

On the 7th of Dec 91, early in the morning the army from the Palaly camp began to move in the North-East direction from the camp towards the villages Iddaikaddu, Paththameni and Kathirippai. Shelling started in the morning at 5' clock. According to some sources, only a limited number of shells caused damage and most of the shells were plastic shells fired to force the people to move away. From the morning nearly 12,000 people began to leave further down towards Avarangai, Puththoor and Neerveli. People from certain areas from Atchuvveli also left their homes and moved to adjacent villages.

At about 8.30 am bombers began their activity for a short spell. In Iddaikaddu few houses were damaged due to the bombing. Three were killed on the spot.

The villages adjacent to Atchuvveli are primarily involved in agricultural cultivation such as chilies, onions and vegetables. The people transported their products and other belongings in tractors and bullockcarts. The hiring charges for the tractor cost RS. 10,000 and for the bullockcarts cost nearly Rs 500 to transport the

things only within a few miles.

The Army has moved into Valalai area, Iddaikadu, a village between Atchuvveli and Valalai is a no man's land. People from there visit their homes in the day time and return to the refugee camps in the night. They expect the army to move in any time.

Refugees are staying in Atchuvveli St. Joseph College, Christian College, St. Antonys Church, Avarangal Sivan temple and schools in Neerveli.

5.7. Shell attack on 10th Jan. 92.

On the 10th of January shells were fired from Mandatheevu Island towards the costal areas of Jaffna town. Manuel Ratnam (age 56) from Gurunagar was seriously injured and later died in the hospital. Winchalos (age 30), P. Vanathiy (age 17) and P. Ravikumar (age 8) were injured due to the shelling. Ravikumar's leg has been amputated. He was playing near the church near Gurunagar sea street. People have moved to the O.L.R church and other camps in to the town. A few houses and shops were damaged.

5.8. Arrest of the three "Traitors"

On 10th January '92, the "Voice of Tigers" the LTTE radio news announced that three people who had contacts with traitors such as Alfred Thuraiappah and Inspector Bastiampillai, in the late 70's, had been arrested. The three are Parinpanayakam from Urumpirai, former C.I.D Inspector Thamothersampillai and one Mr. Chelliah from Madduvil. Alfred Thuraiappah was a former Mayor of Jaffna and was a SLFP supporter. His killing was the first political killing which started a new ugly chapter in our history. Inspector Bastiampillai was involved in hunting down the militants in the early stages of the struggle. He was famous for his ruthlessness and was very much despised by the people. He also was killed by the Tigers in an ambush.

The radio also alleged that "from the beginning of the Tamil Eelam struggle traitors to the race and renegades have been weakening the struggle. Our leader V. Prabhakaran identified these people and meted out death sentences, as punishment for those treacherous acts. Continuing the tradition of pronouncing death sentences on these type of people, has fallen on the LTTE leadership as a historical duty".

Mr. Perinpanayagam was a close friend of late Alfred Thuraiappah. All three of them were arrested three months ago. Only on the 10th of January, '92 the LTTE announced on the radio that three of them have been arrested. But they informed the family that Mr. Perinpanayagam was killed.

5.9. Bomb blast in the Jaffna Hospital:

On the 10th of February at 5.30pm a bomb exploded in the old O.P.D block but fortunately nobody got killed. The Jaffna Hospital is under the supervision of ICRC and it is inside the protection zone declared by the ICRC. Immediately after the incident there were rumours regarding the reason for the explosion, saying that it was either a result of Army' shelling or internal group fighting among the LTTE. According to the ICRC press release, the ICRC has categorically denied involvement of the security forces.

According to sources from Jaffna the fingers point to the Tigers but they could not give any clear reasons for the explosion. It has created panic among the hospital staff. People are giving different interpretation for the motivation. There are people who believe that it might have been caused by the infiltrators from other groups, but people who know the ground situation are skeptical about the claim. As usual the people in Jaffna, who do not want to discuss these things in public do create their own theories according to their whims and fancy.

5.10. Orders to the Post offices in Jaffna:

The LTTE had recently ordered all the post offices in the Peninsula not to dispatch any letters without its permission. Every day the people who are assigned to go through the letters by the LTTE painstakingly do their job by opening the letters with the help of steam. In the process most of the letters get torn and don't reach the people to whom the letters are written. But fortunately the people rarely send letters through the post.

Appendix

Some thoughts on violence and Civil rights groups

.....The issue of violence is far more complex. How does one confront the reality that our civil society is extremely violent, and the oppressed sections rarely have any possibility of articulating their protest in a non - violent manner? Also, can we condemn individual or group violence by the oppressed when the state resorts to blanket repression? Let us also not forget that violence does not shock the oppressed in the manner that it does us, since it is so integral to their everyday life. Nevertheless, there are still a number of arguments that can be made against it.

At one level, the question can be reduced to a moral and ethical one, outside the realm of political consideration. The instrumental use of violence may be justified, if it is likely to succeed in its purpose - that of overthrowing a violent unjust order. But just as state violence is inevitably counter-productive, revolutionary or communal counter violence, even if only as a reaction and as a last resort has few chances of success if it alienates others. More significant, in my view, is that a generalised atmosphere of violence brutalises, hurts the innocent, and slowly becomes the dominant mode of dispute mediation in society. Generalised violence can as easily lead to social breakdown and chaos, helping no cause except that of hatred. And that, in my view, does not serve the larger political aim of civil liberties.

The need for a creative and intensified search for a "secular and non violent" politics acquires greater significance in the current situation wherein there are clear indications of growing alienation - a feeling of loss of direction and control, a feeling of a surprisingly familiar world growing increasingly strange.

In the face of heightened expectation of the Civil Rights groups, there is thus a need for them to redefine their notion of social responsibility. Rarely is it realised within the civil and human rights movement that a blanket denunciation of the state as criminal or fascist, of policemen as only the coercive apparatus of the state, of laws dealing with internal security as only "black, in short, of not visualising democracy as a value which has to be continuously struggled for, may in fact be an act of irresponsibility and may lead to a further hardening of the state. Unless both state and society are seen as a battlefield with cracks, fissures, closures and possibilities that must be grabbed, we remain in the cognitive arena of a ruthless, corrupt and powerful fortress whose power can be smashed only through a direct assault....

This does not imply that we accept meekly the argument put forth by the state. It is necessary to distinguish between genuine arguments, which in their own terms may have force, and the use of these arguments as pretexts to stampede the public in false conclusions. The struggle against any curbs on our democratic rights must be fought, and hard. But the tendency to oppose should not lead to an eroding of the legitimate activities of the state, and that includes law and order.....

[by Harsh Sethi, in BEYOND THE FRAGMENTS: THE CIVIL RIGHTS GROUPS TODAY, Rethinking of Human rights, challenges for theory and action, published by LOKAYAN, New Delhi]

**The Report of the Presidential Commission of Inquiry
on Kokkaddicholai Massacre.**

When we were preparing this report the Commission has delivered the Interim report on Kokkaddicholai to the President. According to the report the Commission has concluded that the death of 67 civilians at Kokkaddicholai was not the result of any military action, but due to the "unrestrained behaviour" of certain soldiers who were provoked by the death of two of their colleagues who died in the landmine explosion, which resulted in the death of 67 civilians. The members of the armed forces who were stationed in Kokkaddicholai were responsible for this massacre.

This is a positive development and people who are concerned about the human rights abuses, are eagerly waiting for the full report to see whether, it comes out with concrete proposals which will affect the future behaviour of the armed forces.

