

FROZEN MINDS
&
THE VIOLENCE OF ATTRITION

REPORT NO. 13

BY
THE UNIVERSITY TEACHERS
FOR
HUMAN RIGHTS (JAFFNA)

Issued: 15th June 1994

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PREFACE

There is little that is happening in the country today that could be understood without reference to the presidential and parliamentary elections scheduled for the year's end. The ruling party is desperate to keep its hold on power and its nervousness shows daily in its actions. Not having any card to play for this election they may wish to use war hysteria as the last one. They may like to push the military to do some manoeuvring on the northern front. But the ground reality seems to be very unfavourable and the Government continues to be mired in confusion.

The LTTE is also making some moves- a series of small but widely dispersed attacks over much of the North-East, renewed calls that it is ready for peace talks, and a concerted effort to curb dissent among Tamils in the West through a geographical extension of its terror. It is again a confirmation of its search for a 'peace' where its denial of accountability to the Tamils and its hegemony over them are given legal sanction and perhaps international respectability. We have always argued that such an arrangement would be internally contradictory and practically disastrous. It is an illusion of the kind of peace making that conceptually sees as important mainly the Sri Lankan state and the LTTE, and seeks an arrangement that would stabilise them through an apparently non-conflicting balance of their claims. The masses- be they Muslims, Sinhalese or Tamils -are practically left out in the cold.

The present conflict was no doubt begun by the state's increasing identification with an exclusively Sinhalese nationalism, leading to arrogance and an inability to represent the multi ethnic character of Sri Lankan society. Even after its disastrous record of murder and mayhem it has not even conceptually grasped the need to make an independent gesture of good-will towards the Tamil people. Its continuing record is one of bombing and shelling Tamil civilians in the North, torture and disappearances in the East and lying to glory. Its actions are impelled far less by the merest hint of intelligence than by corruption and abuse of power in their multitudinous forms.

However things may seem on the surface, the grim reality confronting the state and the LTTE is a sobering one. In village after village in the interior of the Sinhalese South unemployed youth, often with their A Levels, are offered two unenviable choices: "Join the army or work for some cause like that of the JVP". On the other hand 30% or so of the national budget that could have gone a long way towards their upliftment is spent on a war that owes much to political bankruptcy more than anything else. Parents whose sons are in the army often adorn their humble dwellings among other things with a picture of the late General Kobbekaduwe, one of their son, sometimes crippled, and even slogans circulated by anti-war groups. Their despair is made the worse through confusion.

We show in **Chapter 6** of this report, "**Time's Wasting Hours**", that the seemingly solid ground is also shifting inexorably beneath the LTTE. To a large extent its recent successes were Pyrrhic victories. The ordinary Tamil people are passively distancing themselves from the LTTE in different ways. One stark development is the sharp tapering off of recruitment in the East.

In **Chapter 1**, "**Trends and Issues**", we summarise current developments and discuss issues arising from them. This includes a section on the armed forces. Also discussed are the emptiness

of the claims and reasoning that lie behind the aerial bombing of Jaffna that has claimed nearly 100 civilian lives since last October. This is another demonstration of political bankruptcy leading to military paralyses.

Chapters 2,3 and 4 discuss in some detail current trends in the East based on over a year's monitoring. **Chapter 5** deals with the North.

One problem that will have to be faced squarely is the kind of impossible situation created by this government in areas like Trincomalee [see 1.7]. The population balance has been deliberately shifted through murder, displacement and deprivation of Tamils on the one hand, and on the other the numerical rise of a Sinhalese population maintained by a diversion of public resources in various forms. To treat this as a fait-accompli would leave a wound so deep as to prolong disaffection in one form or the other. The problem also touches on ideological use made of ordinary Sinhalese who are themselves victims of war and misrule.

We mentioned in the preface to Report 12 that our work will undergo a radical change in form and emphasis. By now we have covered in some detail several aspects of the conflict and have also covered most of the North-East. We would allow our work up to this time to stand by itself as a record. Our future energies would be devoted much less to detailed reporting and more towards shorter special reports highlighting specific issues of current concern. Our comprehensive reports would tend to become an annual feature.

CHAPTER 1

TRENDS & ISSUES

1.1 The UNPs' Troubles

The late Dr. Rajani Thiranagama wrote during the early months of 1988 when the **Prime Minister Premadasa** was vying to become the UNP's presidential candidate: "The Prime Minister represents, and depends on, the chauvinists for support and thus could only turn to the electorate and populist forces to resolve the internal power struggle. Therefore he is directly appealing to the ordinary masses with his grand grass roots programmes tainted with anti-Indian populist politics. Ultimately this may lead him to alliances with other chauvinistic forces outside the broad front. Such alliances will have far - reaching consequences for the UNP as a parliamentary party." [The Broken Palmyrah, 1st edition.]

That should give us much to reflect on the turbulent six years which have flown since the passage was penned. Although running a crisis - prone presidency, Premadasa when he did not allow his feelings to get the better of him, showed himself to be an able manager of men and a good tight - rope walker. But there was almost nothing that he could do decisively, particularly with regard to political measures to end the war. Though not instinctively a chauvinist, he perhaps felt that he would ultimately have to bank on them. With India he more than made up for the public humiliation inflicted on her through his rhetoric and the treatment of the IPKF by providing ample space for Indian economic interests. It was left to his successor **D.B. Wijetunge** to more or less make an overt appeal to the chauvinist forces. His personalised campaign during the Southern Provincial Council elections in March calling for a strengthening of his hands to pursue the war, in addition to a superfluous promise never to grant Eelam - a separate state for the Tamils - made no impact. The result was a humiliating defeat for the UNP.

Perhaps Premadasa and Wijetunge were misled into overestimating the strength of the chauvinist forces. The Sinhalese have also been going through a period of disillusionment and reappraisal, like the Tamils in the North-East, and were looking for a new direction and leadership.

More decisive perhaps is what many writers have termed the criminalisation of the UNP as exemplified in the transfer of a respected Bribery Commissioner and a presidential pardon for two persons summoned to face charges of attempted murder. The question regarding most UNPers was how many removes away were they from underworld elements? There was also the public school type of UNPer like the late General Ranjan Wijeratne who believed in the use of unlawful violence, but also that it should be within the auspices of the state. He was killed in February 1991 while cracking down on underworld elements some of which had close links within the UNP hierarchy. But the actual blasting of the car bomb is believed to have been done by the LTTE. Even with the killings of Athulathmudali and Premadasa himself, although an LTTE involvement seemed plausible or certain, the police investigations were seen to cover up or gloss over many uncomfortable facts which do not fit in with a straightforward LTTE operation. Even the links of President Premadasa's killer are said to be traceable within a couple of removes to very awkward places.

When criminal elements are used, the user very likely indicates or drops a hint to an agent and does not wish to know what happens down the chain. But may at the same time have an uncomfortable feeling about the possible repercussions. The chain leads to a murky world of operators where groups like the LTTE would have their links and gather useful information. The tell-tale signs after an event, or strange signs before it, would of course activate many to take steps to conceal their compromised position even if they had no direct link in initiating it. Such was possibly the case after Ranjan Wijeratne's killing when many preferred not to have known their buddy Joe Sim, the Singaporean gambling magnate deported by the deceased.

Such an unfortunate history led to public cynicism towards the UNP. The demoralising influence on the armed forces was also enormous. They did not know who was fighting whom and for what they were giving their life. The end result was a paralysis of government. The cleansing of these Augean stables will undoubtedly prove a Herculean task.

1.2 The war

Just prior to the traditional New Year of 13th April, long lines of people were waiting at the Tandikulam check-point to be allowed to proceed north. They were carrying gifts for their families and aluminium vessels in which to prepare the festive meal. The army confiscated these vessels and much more. The place was littered with ordinary plastic carrier bags which too the travellers were forced to discard. People of Indian origin who cross the lines daily for some small scale trade were brusquely ordered by the soldiers to pick up the bags and dispose of them. No doubt causing such unhappiness to others who ought to have partaken of the felicity of the shared occasion with them was a very sensitive matter for the ordinary Sinhalese soldier. Why were they doing it? Did they really believe that these cooking vessels and plastic bags taken for individual use would make such a difference to the Tigers? Or were the Tigers waiting at the other end of no-man's land to confiscate these vessels themselves and turn them into mortars?

A piece by Ravana in the Island of 30th January titled 'Is it corruption or ignorance, or both?' gives us some idea of the complexity of the problem. On the one hand he addresses the well-known corruption involved in transporting banned items to the North. But then he goes on to describe other items supposedly useful to the LTTE. The list includes polythene wraps, nails, glue etc. Even coconut oil commonly used for cooking is said to be useful for the LTTE to run its vehicles. The writer argues ingenuously that the Jaffna citizen is known for the use of gingelly oil (a relatively expensive item now) and sees something irregular in large quantities of coconut oil going North.

The resulting trend of thought is one which could with good reason ban almost anything. An officer trying not to harass the people unduly runs the risk of being branded as corrupt. To play safe orders are sent down the line to confiscate anything of possible military value. The entire tragic business of the conflict becomes trivialised into arguments such as whether 'Kotex' sanitary tissues used by women have military uses or not.

The paralysis of the military is in the final analysis traceable to the absence of political leadership and confusion about goals. More thoughtful Southerners have become disturbed by the administration having no qualms about depriving a part of the country of essentials almost on a permanent basis, without any serious thoughts of ending the war. Those concerned have also pointed out that the present state of affairs is creating the very institutions and mind-set of separation that the government claims to be fighting against. They point out that such deprivations, like emergency rule or curfew, when imposed should be of short duration to meet a clearly defined contingency. Their casual sustained use lacks intellectual clarity and sets off processes leading to an erosion of the state itself.

As for the army itself right down the line they lose confidence in the political leadership and see no meaning in their tasks. The higher ranks also live in close proximity to a national culture where unscrupulous money-making is the norm. Every other person holding high office is building houses in Colombo on a salary that is absurdly low in comparison. What is to be expected then happens. Money changes hands and banned items cross the frontier. It is far from clear if the Tigers are ever in want. The ordinary people suffer much more. They are harassed at check points as if they carry small quantities of medicines, batteries and aluminium vessels to give the Tigers. The Tigers are also helped to earn an additional income through a lucrative black market. There is an absurd situation where torch batteries are available in LTTE controlled areas, but not in a 'cleared' area like Mannar Island. Stocks of medicine in Jaffna are also such that even if they are adequate for routine uses, they are insufficient to meet sudden outbreaks of epidemics which are to be expected given the low resistance of the people.

Hundreds of troops with their minds disengaged are employed to seek out polythene bags and the occasional smuggled battery. In a war that requires a strong political thrust a soldier at a sentry point should be able to tell a civilian why he is not allowed to carry a certain item giving reasons beyond its mere possible use for the Tigers. But when he shrugs his shoulders instead and says with a smile, 'rakiawa' (my job), it shows his total alienation from the job. Along FDLs there is a regular toll on troops. About 200 are said to have been killed in Palaly over the last year guarding the defence lines. After an incident where one or two soldiers are killed, their embittered comrades fire a few volleys of cannon into civilian villages and go to bed. Often some old lady or children get killed.

After what happened during the JVP troubles the army also knows that its popularity rating in the South is very low and it is in no position to offer leadership to the country. The Peoples' Alliance which fielded a very enlightened retired brigadier at the Southern Provincial Council elections discovered early from grass-roots reactions that he was not going to receive many votes. The white-clad political establishment had successfully rubbed off much of its own dirt onto the armed forces.

The rank and file of the army, at least, are looking for a new political leadership. This would make another election result that is seen to be rigged far more hazardous for the country than in the past.

Where the war itself is concerned, things have not gone well for the LTTE either as we try to show in the inner pages. This is not due to anything the government has done - in fact almost anything the government did enhanced the credibility of the LTTE's pretensions. It is but due to the ongoing inner collapse that is integral to the LTTE's brand of politics. Appearances are also often deceptive. In one sector where the SL Army actually made a withdrawal last year, the LTTE's credibility among the people of the area noticeably plummeted. Given that both sides have cornered themselves and are essentially weak, the war may yet end in ways more surprising and more sudden than any of us could predict.

1.3 The Airforce: Hitting Prabakaran from the Air

During the 3 months ending 6th January 1994 more than 90 civilians in Jaffna were killed by exploding missiles mostly delivered by aircraft, in what is known in Pentagon newspeak as collateral damage. The article by 'Gadfly' in the 'Counterpoint' of January 1994 gives a good account of the capabilities of the Airforce. Attacking targets in Jaffna turns out to be mainly a game of nomenclature - name a blunderbuss a 'smart weapon' and the operation becomes precise by definition.

There was of course a good deal of public indignation, both local and international, about the work of the Airforce. Evidently the Airforce Chief was himself uncomfortable about what was going on and asked for early retirement. **Air Marshal Terrence Gunawardene** told the Sunday Times (16/1/94) that he was 'tired of bloodshed and will seek a spiritual way of life.' According to circles close to him, he had not wanted to carry out bombing operations where civilians would be the likely targets, but the government had insisted contrary to his wishes.

Further confirmation of this came from the irrepressible 'Special Correspondent' writing in 'the Sunday Island' of 6/2/94: "Meanwhile senior and middle level officers have expressed displeasure at the outgoing Air Force Commander's decision not to engage enemy targets from the air during the past two weeks. The reason behind this is not known. But some speculate that as the Air Force Commander is scheduled to leave the Air Force and does not want earn the wrath of the Tamil civilians over the last few weeks of his service...."

Among the last few operations during Commander Gunawardene's service was the bombing of Chavakacheri market on 30th December 1993 when the nearby church was also hit. 11 civilians were killed, 9 immediately. The Defence ministry claimed that the 9 killed were LTTE although missiles fell in a wide area around the town centre.

What happened was a statue of Kittu was erected in the Chavakacheri market. In due course it was made known that the monument would be unveiled by Prabakaran himself at 5.00 p.m. on 30th December. It was a familiar gauntlet thrown by the LTTE, "Bomb if you dare and face the foul publicity from the bloody mess." This information that was public knowledge very likely reached Military Intelligence in Vavuniya on the 30th late morning through travellers from Jaffna as was intended. The information was transmitted to the Ministry of Defence, which as reported went into top level conference.

The official MoD version given in Waruna Karunatileke's piece in the 'Counterpoint' of January 1994 says: "After debating the timing of the strike, knowing the LTTE supremo would come either a little early or a little late, the Intelligence officials decided on five minutes past five." The reasoning is based on some Mickey Mouse version of the LTTE leader's supposed conduct and is worse than amateurish if not patently silly. The writer should have known better. It was as if the LTTE leader would slink in at 5.05, unveil the statue by quickly pulling the chord and then run away.

That the MoD should put out such facile reasons shows how uncritical the press has become. If the MoD themselves believe it, it puts in question their intelligence, professionalism and sense of responsibility. Anyone with a passing acquaintance of the LTTE's methods would know that the information received was useless. From May Day of 1987, whenever it was announced that the LTTE leader would attend a public meeting, he did not turn up when expected. The exceptions were during bouts of peace. During late 1991 it was announced that the Leader would address a meeting in Chavakacheri and the area was shelled from Elephant Pass. The leader arrived instead late in the night when people were woken up and directed to the meeting place. To reason that the Leader would arrive 5 minutes early or 5 minutes late would be equally valid or invalid if the 5 minutes were changed to 5 hours.

One consideration that may have weighed on the MOD, which does not make the matter more excusable, is that if they ignored the information it was bound to be leaked to chauvinistic sections of the mainline press. These would not acknowledge the information to have been useless (if they could think that far) or even give credit for sparing Tamil lives. There would very likely have been headlines to the effect, "MoD Suppresses Vital Information - Prabakaran Escapes." That killing Prabakaran even at the cost of killing hundreds of civilians should be seen as facilitating a solution to a problem older than Prabakaran himself, is a reflection of the aridity of national politics.

The new Airforce Chief **Oliver Ranasinghe** told the Sunday Island (20th February) that they bomb pre-determined targets supplied by Military Intelligence. As an example of a mistake he cited the bombing of St. James' church in Jaffna, "Our pilots spotted a vehicle speeding away from an operational area during curfew and attacked it. Unfortunately they missed and hit the church" - nothing surprising in that. He added that such mistakes would continue to happen as it was war. The LTTE, he said, must take its share of the blame because they take cover under civilians to prevent us from attacking the terrorists. He also claimed that the Air Force 'was trying to fight a clean war.'

1.4 Strands of Southern thought

We have always argued that those at the helm of this country's affairs should be pressed upon to think big and occupy the moral high ground instead of insistently hugging the low. The latter state of mind fears to be generous, thinks in a defeatist vein, acts brutally, alienates the people and reinforces its own fears. This state of mind is very much in evidence. It is there in the restrictions placed even on people carrying small quantities of things to the North for personal

use. It appears in the speech made in parliament last November after the Pooneryn disaster by S.L. Gunasekera. He called upon the country to be placed 'on a war footing' and 'to galvanise the nation behind the armed forces'. Those calling for a political solution to the minority problem were represented as talking about the 'grievances of the LTTE.'

It also appears in the piece by the 'Special Correspondent' in the Sunday Island of 6th February where he is critical of the retiring Air Force chief's sensibilities about bombing Tamil civilians. The 'Special Correspondent' argues: "However to compromise national security for personal reasons by allowing a heavy build up (of the LTTE) in any area will be too costly to bear at this juncture. Interestingly, the LTTE never claims that any of their cadre have died as a result of an air strike as this would give credit to the flyers as well as confirm the accuracy of their intelligence."

A point we would like to make is that the coming elections do offer possibilities for an Opposition that would eschew communalism and squarely face up to the issues underlying minority alienation. The people wait, nay, long for it. Are the politicians ready? Sadly the public debate is still being conducted among politicians and intellectuals nurtured in communal assumptions and who are way behind the ordinary people. Thus a statesman wishing to make an impact will need to leap out of the gravitational pull of this milieu. In other words a leader will have to lead- the "intellectuals" if not the people.

If not the initiative will remain with a handful of intellectuals generously backed by a section of the mainline press, who are identifiable by certain stock positions and expressions. One of these is: "What problems do the Tamils have? Tell us!". Another symptom of their mental set up was the appearance of a number of editorials and articles indicating no little alarm at the widespread claim about what the recent Southern polls had signalled. A wide range of commentators observed that the supposedly nationalist voter of the South had rejected communalism to the chagrin of the intellectuals in question.

As for the problems of the Tamils, a number of visitors to the North, the latest being the BBC correspondent, have observed that the LTTE's work is cut short by the government's bombing and shelling of the civilian population. The psychology behind these actions is indicative of the deep gulf that exists between the Government and the Tamil people, as well as the dangerous alienation of the latter. Even this has failed to make the slightest impression on this group of intellectuals. Often the columns of these intellectuals appear in the same journal where other columnists admit that Tamils have a serious problem, argue that the military approach alone is counter productive and advocate a political approach. Thus it appears that in 'the Island' one or more of the editorial writers and 'Sena' are not on talking terms with either 'Ravana', 'Agni' or Jehan Perera among others. The state of mind of this group of intellectuals as among their adversarial counterparts is also a symptom of a deep crisis in ideologies of ethnic chauvinism.

We next present an excerpt from a closely reasoned article by Brigadier Ranjan de Silva which appeared in the Island Tuesday Magazine of 21st December 1993. Concerning 1000 or so armed forces personnel killed or missing after the Pooneryn disaster the previous month, he

says that the people have learnt to take such stoically and that it is time for the armed forces to act with restraint. Regarding the reprisal bombing raids over Jaffna following the disaster when a church was hit and a number of worshippers killed, he observes that after ten years of fighting we still seem to be at square one while the people have learnt restraint from their experience. Officers who tried to think politically and win over the people, he says, have been regarded second rate and have been discriminated against:

"Certain misconceptions regarding fundamental issues entered our thinking on the north-east problem from the very beginning. Our approach to the problem was never clearly chartered, complicating its solution. However this is not to say that it is the only reason why a solution has eluded us.

"For example, we routinely use the word "war" when discussing the northern problem and instinctively interpret it in terms of conventional warfare, frequently drawing parallels from World War II. Thus in the early years of the conflict, a former president sent to Jaffna an officer who later became the army commander with a mandate described in terms similar to the one Churchill gave General Montgomery in World War II when he sent him to the Middle East to clear the area of Nazi forces. Even recently, during the recent budget debate a parliamentarian sought to draw a parallel between Hitler and Chamberlain, Baldwin and Halifax on the one hand and Prabhakaran and those intellectuals who support a political solution on the other. He conveniently forgot that was between Germany and England- two different countries, while in the case of Sri Lanka it is very much a domestic problem between two peoples who have lived together within a common border for over two thousand years and must live together for another two thousand years or more in the future too within the same border. There is a big difference between an international problem and a domestic one.

"War implies belligerency between two states - two different countries. (The only exception is civil war; and civil war has not been declared in this case.) Can you then wage war against your own people? When you use the word "war" you imply a division straightaway. The presumption is the existence of two states; you are tacitly conceding what you are vociferously denying. The psychological damage which such careless use of words can cause is tremendous...."

1.5 The Uma Prakash Affair

October 1993 saw the beginning of a sinister operation in Colombo where a large number of Tamil youth were picked up, taken to secret locations and tortured. Most of them were later released. The local police though surprised at the beginning, did not interfere. It was clear that the operation had top level sanction. An 'expose' in the 'Counterpoint' of November 1993 stated:

"The current operation in Colombo is being conducted either under the aegis of the Directorate of Military Intelligence (DMI) or the Police DIG, Greater Colombo, **Merril Guneratne.....** Some of those brought in (for the operation) are **Dias Richard** (better known as **Captain**

Munas), Captain Nilam, ex-PLOTE Mohan (of Batticaloa fame) and **Uma Prakash** Uma Prakash had left the PLOTE and had taken along with him to India 15 to 20 of its cadre. A Tamil officer of Superintendent rank in the NIB was sent to India, and persuaded Prakash and his followers to work for the Government, after guaranteeing substantial benefits. Once in Colombo in the face of objections from other Tamil groups working with the Government, **Uma Prakash** held a meeting with Prime Minister **Ranil Wickremasinghe** and Defence Secretary **Wanasinghe**, and reportedly promised to bring down 1000 trained cadre to help the armed forces. He is yet to honour this promise. Uma Prakash is now seen wearing army camouflage uniform and announcing to all and sundry that he is working for the DMI in what may be an attempt to hide his real pay masters." It went on to say that the lack of control over this operation led to a row with the Maldivian government when two Maldivians were reportedly abducted and tortured. Prakash was also accused of extortion and of possible abduction torture and killings.

Uma Prakash was gunned down by 3 killers on 26th January 1994 near his head quarters in Vanavasala, Kelaniya.

A report by a '**Special Correspondent**' in the Sunday Island of 13th February purports to clarify matters. It comes out with known facts such as Prakash was close to the deceased PLOTE leader **Uma Maheswaran** and the PLOTE from which he broke away to form the PLOT-PLO was wary of his activities. It then makes the extra-ordinary claim that the UNP hierarchy which was having discussions with him was unaware of his clandestinely assisting a police team from Greater Colombo to identify and crack down on LTTE cadre and "After a while when senior officials of the government became aware of it the police team dropped Prakash." The report adds:

"About this time there was reliable information that two EPRLF cadre had been abducted by the PLOT-PLO. A few days later the bodies of two badly tortured EPRLF cadre were found in a lagoon north of Colombo [See 3.3.6 of Report 12]. The inside story was that **Uma Prakash** who did not have any firearms to operate thought that these two EPRLF cadre will, under interrogation, reveal where their caches were.

"....Had the government intelligently evaluated the pros and cons of assisting the PLOT-PLO, brought about a settlement between the PLOTE and PLOT-PLO, and extended limited support to fight the common enemy - the LTTE - then Prakash may have survived.

"The cost of allowing **Uma Prakash** to operate in Sri Lanka was not only high for the country but also for the PLOTE. There is reliable information that it was a team led by **Alavangudasan**, a military cadre of the PLOTE which killed **Uma Prakash**. Can PLOTE be blamed totally for killing a man who had vowed to kill its leader?"

Four corpses had appeared around Negombo during the first two weeks of October 1993 when the operation in which **Uma Prakash** was involved was a going concern. Any large scale EPRLF arms caches not discovered by the LTTE are almost certainly in places inaccessible to **Uma**

Prakash. The operation was suspended after it became exposed. DIG Merrill Gunaratne was transferred and the 'Special Correspondent's friend 'Ravana' wrote that Munas was killed in Pooneryn during mid-Novemebber 1993. Although many names have cropped up and much that was incongruous surfaced no investigation was launched. The government was also evidently concerned about the Amnesty International report on the operation itself.

We allow the reader to form his opinion about the Special Correspondent's piece. The whole affair is a reflection on the manner in which affairs of state are conducted. It stinks. Did the killers of Uma Prakash act without the knowledge of the state? Was he costing more than he was deemed worth? Like with late President Premadasa, the coffins of the dead are also a useful resting place for the sins of their erstwhile associates.

Uma Prakash's wife and child later committed suicide by swallowing poison. The NIB for its part has far more useful matters to investigate rather than how the Amnesty gets its information.

1.6 The late Rohana Wijeweera's family.

The late JVP leader and some of his close associates died in November 1989 while in the custody of the Special Forces under circumstances that led to much speculation. Their bodies were also disposed of secretly without the standard coroner's report citing security reasons. Since that time Wijeweera's wife and six children have lived in military premises ostensibly for their own protection. Recently the press reported that a daughter of Wijeweera's had tried to commit suicide in Trincomalee by swallowing poison and had later made a recovery in hospital. Like with the family of Uma Prakash, the strain on Wijeweera's family is evident, and is hardly improved by the circumstances of their 'protective custody'.

Much has been written about the JVP's usefulness to the UNP. Its leaders were released from prison by the new UNP government after 1977 and its becoming a political party was claimed to be an exercise in democracy rather than, as was widely believed, a move to divide the opposition. The same democratic UNP, after getting through the 1982 presidential elections and the referendum, banned the JVP in 1983 accusing it of complicity in the anti-Tamil violence. The JVP in the same cynical fashion hit back in 1987 using the UNP's compromised position over the Indo-Lanka Accord and the general discontent to mobilise support. The unsettled situation created by the JVP also proved an asset to the UNP to get rid of opposition activists (vide Udugampola allegations, Report No.10)and also to win the 1988/89 presidential and parliamentary elections. The new president, Premadasa, in early 1989 invited both the JVP and LTTE for talks, which the JVP spurned. The rest is history. There is a strong suspicion in the country that Mrs. Wijeweera knows too much that the UNP does not want others to know and that she owes her life to the difficulty in staging more accidents.

The government could have placed Mrs. Wijeweera on trial under the PTA clause which makes not having provided information about her husband's whereabouts an offence. Apparently the government wanted neither Wijeweera nor his wife testifying in open court. Protective custody seemed a convenient way out.

Mrs. Wijeweera and her children have suffered enough and deserve a fresh start. It is best that they be offered asylum in a country where they would be in least danger from hired assassins. Then the government's bluff could be called.

1.7 Developments in Trincomalee

With elections around the corner, the Tamils in Trincomalee District are in for an unpleasant surprise. The government's colonisation policies followed by violence and destruction directed against Tamils' coupled with the response particularly of the LTTE, are about to usher in a drastic turn in the fortunes of the Tamils. The 1992 voters' list had approximately: Tamils: 61 000, Sinhalese: 68 000 & Muslims: 52 000. In 1989 it was Tamils: 48 000, Sinhalese: 47 000 & Muslims: 43 000. The farguing character of the demographic change can also be seen by comparing the breakdown of the recent voting population with the 1981 population figures: Tamils : 93 510 (36.4 %), Sinhalese: 86 341 (33.4%) and Muslims: 74 403 (29.2%), Total: 256 790.

In a political system where numbers rather than a sense of natural rights of the local community are what matter crucially, the effect on the Tamils is going to be severe, as would be the effect on the Muslims in consequence. Of the 4 parliamentary seats in the district, the Tamils have usually commanded 2, Muslims 1 & Sinhalese 1. It is now likely to be Sinhalese 2, Tamil 1 & Muslim 1. State patronage which is normally used in favour of the Sinhalese and also to bring about division between Tamils & Muslims is bound to have a very destabilising influence.

The reduction in the relative Tamil voting strength was brought about partly by the expulsion of entire villages by the SL Army. Among the villages that remain empty or are almost empty are: Tennamaravady & Amarivayal 900 voters, expelled on 1st December 1984 on account of the Army's and Mahaveli Authority's Weli Oya project, now refugees in the Mullativu District; Thiriyai: 3000 voters, now only about 18 left, expelled in June 1990; Kumburupiddy: 900 voters, and Kuchchaveli, refugees largely in Inda and Jaffna. A large number of refugees from Thampalakamam and Pankulam are also outside the district. The number of Tamils killed and disappeared from June 1990 is about 900. The number before July 1987 is considerably larger. Two army massacres in the Mutur area in 1985/86 themselves accounted for 100 dead [See 1.8].

Militant casualties and killings in internecine clashes also contributed significantly. Of the cadre from Trincomalee District who fought for the LTTE during the current phase of the war (post 10th June 1990), local sources say that the majority of them have been killed in action. These sources confirmed that recruitment in the district has virtually dried up. However Trincomalee refugees in the North are still a source of recruitment [see 1.8]. Of those who had fought for the LTTE during the current phase, some estimates are: Cottiar (Muthur) Division: 600, Thampalakamam: 125, Kumburupitty: 60. A large number are said to have joined from Thampalakamam, Kuburupitty and Kuchchaveli through caste based sympathy with the Leader.

During mid-1986 about 200 TELO cadre from Trincomalee District are said to have been murdered by the LTTE in and around Jaffna. A considerable number of survivors are also refugees abroad. Two thousand Tamil men from all districts, according to a Tamil spokesman, are said to be married in Kerala alone, many having forsaken their wives living here.

The padding of the lists of Sinhalese voters has been achieved through deliberate state policy - armed forces personnel, migrant fishermen, corporation employees and encroachers brought into Trincomalee for all of whom strenuous efforts are instituted to find land and housing with a view to making their presence permanent [see Reports 11 & 12]. The armed forces alone contribute about 10 000- nearly all Sinhalese - to the voters list.

The effect of the demographic and administrative changes is compounded by the desertion of the two EROS MPs elected in 1989 leaving only a Sinhalese MP and a Muslim MP. For example out of the Rs. 3.4 million USAID allocated to the district for irrigation maintenance in major schemes under the ERRP, effectively almost nothing was destined for Tamil farmers.

Recently Rs 650000/- was allocated by the Ministry of Agricultural Research and Development for repair of minor tanks. All of it went to users who were Sinhalese (Talgaswewa, Kudaethabandiwewa & Eramadu) or Muslim (Thoppur, Pommandakulam, Mahamarkulam). Thampalakamam having recently been made a Sinhalese DS (AGA) division (which was earlier Tamil) is also having its effects. Through the GA money was given to the division for the same purpose. Except for the Muslim area of Ichchankulam, the rest (Indiwewa, Kudagalmitiyawa and Ulpothwewa) are Sinhalese. Ulpothwewa, a long abandoned tank, is occupied by encroachers. They are people who had suffered much and needed relief. But the government chooses to use their desperation for a cause that means little to them.

The position of Tamils is not improved by corruption and indifference even from Tamil officials. In the case of channel maintenance in the Cottiar Division for instance money is often allocated and contracts given, but the work is not done. It often requires an active MP to take a personal interest and see the work is done. The current situation is one where those who have actively looked after the interests of the Tamils in the past need to face dangers from the LTTE in visiting these areas. The Tamils cannot afford to go on like this for long.

We give below a routine incident in the district which reflects the accountability that prevails after the 'restoration of democracy' claimed by the government following the local elections. The 'independent press' continues to blissfully report fantasies of military spokesmen. 'The Island' of 10th May published the following report of the incident of 8th May under the title 'Troops recover gold jewellery of poor Tamils robbed by LTTE:

Troops lying in ambush routed a band of LTTE brigands who were returning to their jungle hideout after robbing a poor Tamil family of their gold jewellery, Sunday at Kattaparichan in the eastern Trincomalee district. Military spokesman Brigadier Gemunu Kultunga said that the LTTE area leader for Kattaparichan, 'Tennyson', was shot dead in the ambush by government troops around 11.30 a.m. on Sunday.

He said that three gold bangles, a gold chain, two earrings robbed from the poor Tamil family were recovered by the troops (from the brigands,) many of whom had fled when confronted by the army.

He said that 200 rounds of 7.62 ammunition, hand grenades and ammunition pouches has also been captured.

It is a Tamil tradition that even the poorest families should wear gold jewellery.

The truth is that the LTTE had made extortion demands from some people in Peruveli and Manalchenai in Cottiar which had suffered from being scenes of SL Army massacres in the mid 80s. The payment was to be made in Kattaiarichchan. The army having received information waited in ambush. When the parties arrived the army opened fire killing 4 civilians, 2 LTTE members and two helpers. After all these years no allowance was given to the fact that civilians refusing LTTE demands would be dealt with harshly and neither could they contact the armed forces. The Army is undoubtedly well informed about Tamil culture, particularly women wearing jewellery. Some officers had the title 'Ran' (Gold) prefixed to their names by colleagues in honour of their battle field preoccupations.

1.8 Some statistics on Refugees in the North-East.

The following gives a breakdown of refugee populations connected with the ongoing conflict:

District	Staying with friends & relatives		Staying in camps		Total in January 1994	
	No. of families	No. of Persons	No. of families	No. of Persons	No. of families	No. of Persons
Jaffna ¹	50166	147 753	30 105	118 141	80 271	265 894
Killinochchi -					11 445	
Mullaitivu ²	2421		4659	19 387	7080	29 136
Mannar ³	4981	20 024	7989	31 760	12 970	51 784
Vavunia ⁴			150		150	
Trincomalee ⁵	3384		4958		15 053	
Batticaloa ⁶	12400		1191		13 591	
Amparai ⁷	872		1188		2060	
Anuradhapura ⁸					2697	12 498
Puttalam ⁹						38 000
Polnaruwa					633	2950
Kurunegala ¹⁰					721	3358

Notes:

1. Includes 230 families returned from India. Number of camps 233.
2. The number displaced within the district presumably includes at least 5000 families displaced by the Army & Mahaveli Authority to institute the Weli Oya colonisation scheme. A further 13675 families were temporarily displaced by floods during December/January 1993. The number of refugee families originating from outside the district is stated as 2902. See 5.
3. The majority in camps are at Madhu and Palampitty. About 2000 families are in Pesalai. The fishing families affected are 2500 in cleared areas and 2000 in uncleared areas.
4. This figure consists of India returnees at Chettikulam. There must be a large number living with friends whose figure is not available to us.
5. These are figures from 'Trincomalee Today' published during the January 1993 Presidential Mobile Secretariat. No figures for January 1994 were available. The figures for displaced persons within the district would have changed markedly since some resettlement took place in during 1993. Originally 50 902 families were displaced in the wake of the June 1990 troubles. However the 6711 figure for refugee families outside the district must also account for about 1000 Muslim families from Kattukulam Pattu who fled the district. About 600 families returned from India last year. We may take it that 5000 plus refugee families still outside the district are nearly all Tamils. It is this figure that is relevant to the current electoral lists.

Of the 6343 families who arrived from India up to the end of 1992, about 2500 were from Trincomalee. We may also take it that the 2902 families in the Mullaitivu District who are recorded as being from outside the district, are in fact from the Trincomalee District. Local sources suggest that a further 2000 plus families who fled the district in June 1990 are distributed mainly between Jaffna and India in roughly equal numbers. The fact that few from Trincomalee returned from India during 1993 probably means that those now in India are generally not in camps and would wait for peace to return.

6. The handbook issued for the Batticaloa PMS of July 1993 placed the affected/displaced families as at 31/12/92 as: Pre June 1990: 90884 & Post June 1990: 103 778. Out of the first 4846 are from Kattankudy and 18894 from Eravur Pattu. Out of the second (Post June 1990) 6299 are from Kattankudy and 21123 from Eravur Pattu. The entire figure from Kattankudy and a significant portion from the Eravur Pattu figures would account for Muslims. A number of affected Muslims from Polonnaruwa District and from Paduwankarai are also refugees in Eravur.

7. Those not resettled are mainly from the Kanjikudichcharu - Thangavelayuthapuram area. 63334 families, nearly all Tamils, were resettled during 1992/93 as follows in mostly areas coming under the Gal Oya scheme: 1992: 1144, First half of 1993: 209, July-September 1993: 650, October - December 1993: 4331.

The first to be resettled was Veeramunai(556) on 11/3/92 and next Sorikalmunai & 6th colony (588) on 3/10/92.

8. Mainly Sinhalese and also some Muslims.

9. Approximate figure. Nearly all Muslims from the North.

10. Presumably Muslims displaced from the North.

India Returnees; About 1200 families (3500 persons) returned from India to Talai-Mannar early this year. No one was from Trincomalee. About 17 000 persons are in refugee camps in India and a similar number with friends. There is no information on further 'voluntary' return this year.

1.9 A murder in Paris : S.Sabalingam, former militant activist, writer, publisher and human rights activist: Sabalingam (42) who was in the early 70s a student at the Katubadde Technical College, the present Moratuwa University, was a founder member of the 'Manavar Peravai' (Federation of Students) and a member of the TULF's youth movement. It was largely from these two that the leadership of the incipient militant movement emerged. He was twice imprisoned and had once sheltered V. Prabakaran, later to emerge as LTTE leader, for a number of days. He therefore knew the militant leaders intimately, together with their strengths and weaknesses. Having gone to Paris in 1981, he supported the TELO of which the LTTE leader Prabakaran, once disillusioned with the LTTE, had been briefly a member.

Once Sabalingam saw that killings within and among militant groups had become irremediable, he distanced himself from them and became a major focus of alternative opinion, creative arts and publishing among the Tamil diaspora. Through his own energy and very much out of his own pocket, he helped and maintained touch with large number of writers and publishers. When 'the Broken Palmyrah' was published in 1990, he was among the first to order 25 copies for distribution in France. He was also a regular distributor of reports of the UTHR(J). He did much to uphold the morale of dissidents among the diaspora against onslaughts by the LTTE machine to achieve hegemony.

Sabalingam was gunned down on 1st May by two young Tamils who entered his Paris flat in the guise of seeking help. His wife and child witnessed the incident. Among his current ventures was to publish a book on memories of the early history of the Tamil militant struggle which he co-authored with Pushparaja.

The LTTE has cast a wary eye on activity of this kind because it would seriously challenge its

own version which it seeks to impose, in which the Leader is given a mystique approaching godhead. In its kind of politics the Leader is not allowed to have foibles. What are in him plainly inhuman and vulgar need to be portrayed as inscrutable actions based on divine prerogative.

The purpose of killing Sabalingam, as it was with Rajani, was not in the first instance to prevent the publication of a book - a book even in an unfinished photocopied form will be more eagerly sought after, following an author's murder - but it was rather to prevent others from writing awkward memoirs. Indeed the exercise has been largely successful. Given the magnitude of the tragedy of a people, now stretching over 15 years, there have been very few books.

The first act of censorship was the murder by the LTTE of Sunderam, editing the PLOTE's 'New Path' in 1980. In 1985 PLOTE dissidents bearing the name 'the Sparks Group' exposed internal killings within the PLOTE in their publication, 'A New Kind of World'. The LTTE used the publication to attack the PLOTE, but by 1991 had detained the available surviving members of 'Sparks'. Though inactive by then, they were considered too risky to left at large [See Report 8, Ch 5]. The next significant publication that looked into internal aspects of the struggle was 'the Broken Palmyrah' which appeared in its final form in 1990. It largely discussed events, the underlying politics and the plight of the people. Something more personal, giving a thorough inside account has long remained a crying need. But thousands who had become disillusioned, left the struggle and are leading lives in exile, chose to remain silent, even though they were once willing to die confronting the Sri Lankan forces. Those who killed Sabalingam with several other dissidents, and tortured many more, would continue to do the same even in European capitals as long as they believe that near silence of their critics could be achieved. Sabalingam's murder should be taken as a challenge to bring out several more inside accounts of the Tamil struggle. This loutish manner of doing politics with the gun must be challenged for the sake of the long-suffering Tamil people. No more individuals like Sabalingam should be allowed to pay the price for the silence and lack of civil courage on the part of hundreds of others.

CHAPTER 2

REPORT ON THE DISTRICT OF AMPARAI

This section was drafted in August 1993. Updates have been added in the form of notes at the end of sections.

2.1 General: Lush green rice fields against the distant blue hills of Uva and the busy toil of peasantry are reminiscent of the district in better times. These signs of a good summer (kalapoham or yala) harvest and other signs of returning normality have done little to lift the gloom in the minds of people weighed down by a myriad unanswered questions. In Akkaraipattu and elsewhere Tamil and Muslim farmers and labourers are going into the fields together. Several migrant Tamil workers have after more than three years come down from the Chenkalady area in Batticaloa District to work Muslim fields in Akkaraipattu, and are being accommodated by Muslims as was customary. Although routine security checks cause delays and public transport is far more cumbersome than in Colombo, one could travel quite freely north of Comary. The security situation is very similar to that described in Report No. 11. The last incident of some magnitude was the bomb explosion in the market at Sainthamaruthu on 3rd September 1992, killing 3 Muslims and wounding several others. Among the Tamils killed in reprisals were Sellathurai Master from Karaitivu and a driver and cleaner of a lorry from the Valaichenai paper factory. At least 3 shoppers from Karaitivu are said to be missing.

The general acceptance of the STF, at least among the middle classes, though welcome, must be qualified. The enlightened approach of several STF OICs has enabled young boys who joined the LTTE to return to normal life in their villages. Recent instances (in 1993) are one in Thirukkivil (about March), two in Karaitivu (about May - Vadivel(35) and Aruliah's son(22)) and about five in Mandur. Those wanting to leave the LTTE had informed relatives, who in turn approached the STF and obtained written authority to fetch them from say the Batticaloa District and escort them home through check points, to the STF camp near home. They were then released as previously agreed after a day or so of detention.

Despite these advances, the STF's past as an institution does not seem to wear off totally. The STF in Thirukkivil has had a particularly good record over the last two years. Arrangements were made earlier this year to extend paddy cultivation further into the interior towards Rufus Kulam (Tank) and two tractors for ploughing were allowed. The LTTE took away one tractor ostensibly to transport some of their things. The STF reportedly responded by arresting two elderly folk in the village, members of whose family were in the LTTE. They were then taken from camp to camp over the next few weeks and are said to have been mistreated. They were released after the tractor was returned by the LTTE, supposedly after money was paid to them. On 20th July several civilians on the road are said to have been beaten following an incident where a former TELO member was killed and 3 STF men injured in Thirukkivil.

During June, Kopal, a former refugee and owner of a bucket shop in Veeramunai was taken by the STF. There had been no information of his whereabouts for over a month except for a rumour that he was seen at the Sorikalmunai camp. These are a small number of violations which cannot be compared with what happened during 1990. But the fact that such do happen when LTTE activity is almost nil is disturbing. The ordinary people are thus far from confident that their rights as non-combatants will be respected at all times. This is closely tied to fears refugees have in returning to homes in places which are vulnerable during conflict - such as colony areas and Amparai town.

There is thus a pressing need to have an impartial investigation into the conduct of the armed forces from 1984-1991 inclusive and lay bare the facts. The nature of disciplinary action could be left for a political consensus that will ensure that justice is done to all concerned. Unless the basis of fear is removed, communal suspicion and the internal destruction that is taking place behind a facade of normality will continue. To leave things to speculation keeps unwarranted suspicions and prejudices alive.

Although the LTTE has been generally responsible for violations against Muslim civilians since June 1990, this may have exceptions. That the forces used Muslim home guards against Tamil civilians is well known. Tamil groups with the forces too may have on occasion acted against Muslim civilians. Two years ago a Muslim boy from Nintavur, who upon arrival from the Middle-East went into Karaitivu to deliver a parcel to the family of a Tamil friend was killed. This led to a great deal of anxiety among Muslims. Leading sources in Karaitivu attribute the murder to a Tamil group working with the forces. There are many such cases which lie uninvestigated leading to unnecessary fears. One is that of Arasamma in Veeramunai who disappeared at the end of 1991. This is linked by Tamils to her allegedly leaving behind her jewellery with a Muslim neighbour for safe keeping. Such speculation tends to diminish the effect the local Mosque Committee's untiring efforts at restoring to Tamils whatever was due to them from Muslims.

The need of the hour is for groups of Tamil and Muslim citizens who will work together in several spheres. Only this will bring about the kind of social discipline and trust that would prevent things from going out of control during times of crisis. There is potential for such bodies particularly among those who came to maturity before the 80s. Unfortunately, many of the educated in this category are moving out of the district owing to insecurity - Muslims to Colombo and Kandy and Tamils to Batticaloa.

A notable good sign is that prior to the return of Tamil refugees to Veeramunai in May 1992, their leaders had 8 meetings with Muslim community leaders in Sammanthurai. Where social relations are concerned things have since then gone reasonably well, despite reticence and suspicion on some matters. Both sides have expressed a desire for the kind of help that would bring about understanding.

2.2 Civilian casualties: We do not as yet have figures for the whole district which have been adequately cross checked. Some indications can however be given for those interested in rehabilitation work. The figure of about 600 killed and missing in the Kalmunai Tamil AGA's division is an average of those that have been around for some time and is affirmed by a citizens' organisation on the basis of affidavits. This division has a total population of nearly 30 000 living in about 30 villages with an average of 200 families to a village. The casualty rate is about 20 killed per village and around 15 widows per village. The figure could be twice or thrice this number in a few villages which need to be identified.

Their experience of the armed forces appears to be similar to some of the villages in Mutur electorate of the Trincomalee District where we have taken soundings [See chapter 4 of Report No.12].

In Veeramunai which had a particularly bad experience there have been 154 dead and missing according to village elders. The village has about 600 families. The toll is therefore about 50 for a group of 200. This is consistent with the higher figures quoted in Special Report No 3 of October 1990, since those figures also involved folk from Malwattai, Mallikaitivu, Veeracholai and Valathapiddy who were also in the ill - fated refugee camp at Veeramunai. Some of our sources place the experience of Tamils living in widely dispersed villages in the colony area west of the Ampari- Karaitivu Road to have been similarly harsh, or in some cases even harsher. The population consists of about 18000 persons in 4100 families, living in 17 villages, including the above as well as Sorikalmunai, Savalakadai, Colonies 11, 13, 14 and colony 4 of Central Camp, lying between Amparai and Mandur. Administratively these fall within the Sammanthurai AGA's division. Akkaraipattu and Pottuvil also had very bad experiences.[See Sepecial Report No .3 of October 1990].

Resettlement of Refugees

Around 60 000 of the 80 to 90 thousand Tamils in the district were refugees for some time after June 1990. Those who are still refugees are from the colony areas mentioned above, Amparai Town, Inginiyagala and Pottuvil. They are presently in Thurainilawanai, Kalmunai, Karaituvu, Thirukkovil and Komari. In Veeramunai itself the majority has returned. In the colony areas the return has been piecemeal. The refugees have had to make a difficult choice between staying in the relative security of suburban camps where rations are given but where both family life and the education of children suffer [like in the case of Muslim refugees from the North]; and going back to their destroyed homes and restarting their lives under unpredictable conditions with no livelihood or capital, and where rehabilitation officials fail to live up to their promises.

One case is that of Veeramunai where nearly all 600 houses were badly damaged and the best of property carried away in lorries by the forces. The refugees say the Government Agent promised them over a year ago that Electricity, the Rs 15 000/- housing grant, and a post office will be given expeditiously. The first and third have so far not been given. Only 100 families (1 in 6) have received housing assistance. Government servants who suffered along with others have not received any benefits. Others have no proper livelihood. The local Rama Krishna

Mission School first functioned under 20 tents. Now some buildings have been put up. But of the 647 children only 300 have benches to sit on.

Note: The position in March end 1994 was as follows: Out of 600 families in Veeramunai 556 have resettled. That is, returned to their premises and have received Rs 6000 (SIA + PEG). Of these 468 are in category A (Income < Rs 700/- per month). They are now receiving Rs 15 000/- in stages. 200 have completed their houses. there are 30 in category B (Income > Rs 700/- per month, less than Rs 1500/-) who are entitled to an NHDA sponsored bank loan of Rs.50 000/- . They are now receiving these. 86 displaced persons are government officers in category C (> Rs 1500 p.m) who are entitled to a total of Rs 150 000/- from their departments (circular 49 of 1989). So far 7 have received compensation. According to local sources, the CIDA has agreed to replace the RKM school's science laboratory once government approval is given. The village has 105 widows who have formed themselves into an association of whom 65 were widowed after June 1990. The World University Service of Canada has provided Rs 2 lakhs to the local agricultural society. World Vision has promised a loan for women to purchase rice, pound it and sell it. The government has promised Rs 1 lakh for a self employment development society. The school is almost back to normal.

The refugees from Sorikalmunai returned in November 1992. SIA & PEG given. Housing payments proceeding. Of the 40 missing persons taken away by the army unit (described by locals as Kola Kottiya- Green Tigers) which first entered and looted in 1990, two are said to have unexpectedly returned.

Generally most refugees in Amparai District have returned to their villages although most of the returnees either have no livelihood or earn a precarious living. Rations have been largely stopped. Units 4 and 11 in Central Camp for instance have no ready access to medical facilities. In Mawattai, which was destroyed, again by the armed forces, there is no community centre and no school. Thangavelayuthapuram refugees have not been permitted to go back to their farms and pastures near Kanjikudichcharu and are still refugees in Vinayagapuram south of Thirukkivil with hardly any means of livelihood. Veeracholai has also been resettled. Walathapiddy, where about 58 of those taken by the forces from Veeramunai refugee camp are believed to have been killed and burnt, is described as a scene of utter desolation.

645 families in Pottuvil and 50 in Lahugala were resettled during October 1993. But their situation remains desperate. the attitude of the STF in Pottuvil remains threatening. Fear remains. It is difficult for them to earn a living because their ability to move around is restricted both by fear as well as by unstated rules. There are also severe restrictions on relatives visiting them. There are over 130 missing and over 60 women widowed since June 1990 by the actions of the forces. Their experience of 1990 is thus quantitatively similar to Veeramunai. Seva Lanka visited them once in May 1994. But no NGO has done any appreciable work there. There is a desperate need for a foreign NGO to have a permanent presence there.

The Kuravar (Telugu) community who were driven out of Aligampe are still refugees in Thirukkivil [See Special Report No. 3] But a slow return is currently taking place and some

make regular trips from Thirukkovil to cultivate their fields watered by Ambalam Oya. Others continue to travel the country as snake charmers, spending the nights in churches.

2.3 Education: Here there are problems common to both Muslims and Tamils as well as those specific to Tamils. The common problem arises from the continuing exodus of the middle class from the district including experienced teachers, together with the general destruction. The dropping of educational standards is worrying particularly when there is no further scope for Tamils and Muslims to extend cultivation. Sammanthurai Central College, amongst the leading schools in the district, was ten years ago sending annually about 15 students to universities. Last year the number dropped to 5. The district quota system would protect a certain number of university places. But it cannot protect quality. In previous years a large number of graduates from Jaffna used to make up the shortfall of graduate teachers in the district. This is no longer the case.

Most Muslims successful in entering universities would normally go to the Eastern University. But for the last three years they had been unable to go there. The experience of displaced Muslim students and staff in Southern universities was to say the least, humiliating. Muslims now face a dilemma, not dissimilar to that facing refugees- to go or not to go home. One choice is to defy the inconvenience and elements of insecurity caused by the LTTE, go back to the Eastern University, challenge their Tamil colleagues to stop pussyfooting and defend their rights. By doing so they claim and nourish what is rightfully theirs. The alternative is an uncertain future for the Eastern University as well as for the education of Tamils and Muslims in the East.

There have been some changes. The Addalachahenai Teachers' Training college has been made a College of Education. The Sammanturai Technical College has become an Affiliated University College. With little prospect of hiring appropriate staff, these are viewed as mere name board changes and vote -catching gimmicks by politicians.

Problems specific to Tamils: Out of the 59 Tamil schools in the Kalmunai electorate for instance, 19 (in August 1993) were not yet functioning. Many of the displaced students are either in Kalmunai schools or are in schools sharing sessions with others - such as the Veppadiththotam school with classes from grades 1-8, having 388 students. The Veeramunai RKM school with 647 students is an example of a school functioning in a resettled area. It had classes up to A Levels. One of its students, Sivasubramaniam, was admitted to the Engineering degree course at Peradeniya and 10 out of 16 O Level students qualified for A.Ls. Those in its advanced classes are now in Kalmunai. Seven of its teachers, including 3 graduates, disappeared during 1990. Four of them in August 1990 were picked up in Akkaraipattu town, then under close STF control, while travelling by van to join their families in Thirukkovil. The teaching staff of the school has been made up to 25 by recently recruiting 9 volunteer teachers.

2.4 Implications of Developments in Amparai Town and the politics of fear : In Reports 4,7 and Special Report No.3 we recorded the violence unleashed against Tamils during June 1990 in Amparai Town and its environs. The death toll is still unknown. The number killed among a community of Tamil labourers of Indian origin living on the outskirts of town is placed at

about 70. According to a witness a lorry containing about 35 abducted Tamils stopped outside the Methodist Church which was surrounded by hoodlums and another dozen of refugees from the church, including the Malcolm family, were loaded into the lorry. All those taken away are missing. This was just one incident. Amparai Town used to have a thriving Tamil population which has declined with successive bouts of orchestrated communal violence since 1956. In June 1990, just before the troubles, there were 600 pupils in Amparai's Tamil school. Now the number of Tamil families in town is placed at about 25 (August 1993).

Most of the violence in mid-June 1990 was by a number of accounts orchestrated by the police. Some of our records also speak of army involvement. On 11th June 1990 when the LTTE surrounded police stations in the Tamil speaking areas, there were calls for help coming over the radio with expletives and curses directed at President Premadasa and Ranjan Wijeratne, then Minister for Defence. This by itself would not have led to violence against Tamils, unless the police had taken a hand. A man identified as a prime mover is a well known police sergeant with some interesting associations. During the JVP troubles of 1988-89, the JVP recruited significantly among the Sinhalese colonists, particularly in Paragahakelle and Ambagahawella. This sergeant was then equally zealous at killing Sinhalese youth. On one occasion he received a gunshot injury on the Dhamana Road and was hospitalised for a few days. For several months thereafter, on the same day of the month, a corpse was found burning at the same spot where the sergeant was injured.

During the late summer of 1990 when the corpses of policemen murdered by the LTTE were discovered at Rufus Kulam, a large convoy including dignitaries and religious leaders, proceeded to the area for a ceremony. The convoy was unexpectedly detained at Thirukkovil for more than an hour. The reason which came down through the armed forces grapevine was that this sergeant who had gone to Rufus Kulam earlier had caught some Tamils and performed a blood sacrifice. The dignitaries had to wait while the remains of the Tamil victims were disposed of before the religious leaders arrived to pay homage.

While this sergeant's superiors such as of ASP rank and above felt uncomfortable with his excesses, they presented the impression of being scared of him. The sergeant appeared to be above them and exceedingly powerful. More disturbing is the revelation that whenever the MP for the area, who was also the powerful minister for Lands, Irrigation and Mahaveli Development (and now Rehabilitation and Social Services) the **Hon P. Dayaratne** visited the electorate, this sergeant was regularly part of his entourage. In recent months the minister is said to be distancing himself from this man. The minister reportedly was in town while the orgy against Tamils was in full swing during June 1990, lasting about 3 days. Nothing in the way of commiseration or apology was offered by the minister. The minister may be a gentleman and a professional engineer. But post 1977 UNP politics makes peculiar demands on its practitioners.

We know that the violence against Tamils in Amparai town did not end in June 1990. There were the gruesome disappearances of Tamil patients from Amparai hospital during August 1990 [Special Report No.3]. Another chilling episode commenced on 26th November 1990. M. Kathiresapillai, GS of Nintavur, and his wife were travelling by bus from Kalmunai to

Amparai. At the check-point on the outskirts of town, a Tamil police reservist was identified among the passengers. The Kathiresapillais, the reservist and 12 other Tamil passengers were taken away by a police sub-inspector of some notoriety. The CTB driver, Tharmasingam from Karaitivu was allowed to proceed. Tharmasingam later informed a leading Tamil citizen of this incident, who in turn informed Colonel Jayewardene, then in Amparai town. Apparently unable to trace the 15 missing persons, Jayewardene is said to have informed the CID. About early December 1990, Tharmasingam parked his bus in Amparai and went into town. The conductor and passengers waited. But Tharmasingam never appeared again.

The sergeant named above is still in the police force at Amparai. The officer-in-charge at the Pottuvil Police station when over 120 returning Tamil refugees disappeared on 2nd August 1990 is also in service. All this begs the question of security for Tamil refugees who are now being asked to return to areas where they faced the greatest insecurity from state forces. How tangible or serious are the assurances given?

Sinhalese were about a quarter of the district's population when it was formed in 1963 and are now about half. Although Amparai town is the capital of a Tamil majority district, Tamils and Muslims have been progressively evicted. A variety of sources strongly suggest that the minister named is himself spear-heading moves to ensure that Muslims are strongly dissuaded from owning business premises in town. There was some consternation recently when a Sinhalese leaving the district, unable to obtain a satisfactory price for his business premises from Sinhalese, secretly sold it to a Muslim and left. The minister was reportedly canvassing for a Sinhalese buyer. There are other stories of similar import. This also gives us some insight into what may be in store for Trincomalee if present trends continue.

The resulting trend among Tamils and Muslims was a tension between radicalisation and a hope that they could hold their position and save their lands by supporting the ruling party. During the 1989 parliamentary elections the former mood was dominant and the Muslim Congress gained a large number of votes. The Muslim UNP candidates faced humiliation. Two prominent UNPers were made national list MPs and the one became a very visible minister. The Muslims in general see the latter as persons with no independent voice who can merely throw crumbs without being able to make an impact on government policy. The Congress, unable to fulfil the militant hopes it raised, has moved in the same direction as the other UNP MPs by at various times trying to appease the government through political footwork that has not looked too dignified. The result is despair and fatalism that is intrinsically dangerous. Through playing on the fears of Tamils and Muslims over land and security, the UNP, may like in Colombo, poll a large number of votes from Tamils and Muslims as long as it looks like being in power. But what develops beneath will have an unhealthy volcanic character.

2.5 REPORTS

Thandiyady (Between Thirukkivil and Komari) : September 1993 - mid October 1993: Nadarajah and Wilson from this village were taken by the LTTE charged with being close to the STF and were executed by exploding a bomb at Kanjikudichcharu junction.

During mid October the local STF took six persons whom they alleged had fed the LTTE. They included Sivarajah, a son of the Nadarajah mentioned earlier, Sivarajah's brother - in - law's elder sister Lali and Lali's husband. Of this number at least four are said to be missing.

The STF also burnt the house of Sivarajah's sister after removing the stocks of rice which farmers store pending a good price.

Veeramunai : 23rd November 1993: Veeramunai as we know is a Tamil enclave of the Muslim village of Sammanturai. Chelliah Mehalingam (17) of Veeramunai was said to have been a good student by the principal of the local RKM (Rama Krishna Mission) school. About two days prior to the 23rd, Mehalingam was walking towards Veeramunai along the access road from the main road after sun-set. He was stopped, according to his mother, by Muslim home guards at Point No.9. He refused to stop and told the home guards that he objected to their stopping only Tamils while Muslims were allowed to pass unhindered. He later mentioned this incident to his mother, naming the home guards in question, adding that they had threatened to teach him a lesson. The mother said that they had taken the matter lightly and on reflection should have informed the police.

On the 23rd while returning the same way from Korakkovil at about 6.30 p.m Mehalingam disappeared. The last that was heard of him was that he had stopped at a rotti shop a few yards before Point No. 9 and had eaten rotti with potato curry.

The family reported the matter to the police and the STF, but no action was taken nor any investigation carried out. Home guards technically work directly under the police. According to the mother, a number of Muslims had told her privately that they had seen what happened, but were afraid to testify in public or give a statement. One of them was a housewife near Point No. 9. According to these statements, the Muslim rotti shop owner, perhaps sensing something amiss, offered Mehalingam a lift home on his bicycle. Mehalingam had said that he could manage and went alone. Some minutes later, Mehalingam was led screaming by the home guards through a lane near the Mosque leading to the paddy fields east of the village. Nothing more was heard of him.

The Mosque Committee when apprised of the matter, made an announcement through its public address system, asking those having information on the matter to contact them. They were also apprised of what information was available.

With the arm of the law in abeyance, a dark shadow was cast over relations between the communities that had been on the mend. The historical sense of grievances came to the surface. The Tamils began saying that the Muslims were out to finish them off. Old memories came back. One Tamil gentleman recalled how his mother, mother-in-law and wife's two sisters had been killed during the tragic events of July/August 1990, culminating in the attack on refugees.

A Muslim gentleman remarked, " These Tamils are always trying to give us a bad name. My son was almost killed in 1989 when Tamil militants having close connections in Veeramunai

accused a group of Muslim school boys returning from an outing, killing several of them. Moreover, Jeeva, the leader of the group is still at large. If we had, as the Tamils say, used the Sri Lankan armed forces to take revenge, few Tamils would have been spared. We made a genuine effort to calm the situation."

It is also suggested that there may have been an element of revenge in Mehalingam's disappearance. His brother Uruithiran is a body guard of Jana, an MP and a leader of TELO which was collaborating with the government forces. Jana is associated in past violence against Muslims. But Mehalingam and the other brother Chandran have no militant links. Early this year Vasudeva Nanayakkara, MP, NSSP, complained in parliament that the disappearance was not investigated by the police. According to NSSP sources the ASP, Police, in Sammanthurai subsequently questioned the rotti shop man and one of the home guards accused, but no statement was yet made available.

There was an incident in Mehalingam's life some months prior to his disappearance. The connection between the two, if any, is hard to assess. Mehalingam had gone with two school mates to bathe at Valukkamadu, a weir in the irrigation canal 1 1/2 miles along the Mandur Road. The three it is said were accosted by LTTE cadre who took them along with them. Mehalingam and another reportedly escaped and surrendered to the forces in the Batticaloa District. The third person Ramesh is said to be with the LTTE. According to the mother, the LTTE had taken them by force. Karunaratne the local STF chief appears to have accepted this version. He had personally reinstated Mehalingam in school and helped him with stationary. Mehalingam who was when 14 years old in the Saraswathy Vidyalayam refugee camp would have witnessed events there, and like any young man, would have felt angry. But his elder brother being in the TELO would have deterred him from contemplating joining the LTTE.

As months went, tensions once again cooled. An elderly Tamil farmer whose family have still not returned to Veeramunai reflected, " You cannot put all the blame on the Muslims. When our boys carried the guns, they too ill - treated the Muslims. It is our boys who taught the Muslims to behave like hooligans bearing guns. Before this gun culture came here relations between the communities were fairly smooth and manageable. Whatever the Muslims had done recently, it is our boys that taught them".

There were other ironies too. The Muslim home guards accused were well known to Mehalingam's family as people from one village. Mehalingam's father had been a member of the SLFP and the father of one of the home guards the local SLFP, organiser. The two had worked together closely.

More surprisingly, the grieving mother did not evince anti-Muslim sentiments. She said, "Several Muslims came to me privately and told me what they knew and what they had seen. They too shared my grief. But they were afraid to testify and I do not blame them. When our boys carried guns, we too were afraid to speak up for the Muslims."

An elderly member of the Mosque Committee and a man of letters, confided apologetically, "We could not proceed further with the matter". His meaning was clear. The root of the matter lies with the state's calculated and purposeful indifference to the law and the course of justice. For its own purposes it employs gun men from both communities enjoying considerable impunity, who are at best a nuisance to their own community while being dreaded by the other. Moreover, the history of violations by the forces themselves remains a Pandora's box which the government in power dare not open, nor can totally close.

As for mending communal relations, both communities have come face to face with a practical limitation resting largely on a lack of political will in Colombo to enforce respect for basic human rights and the rule of the law.

Thirukkivil : 15th December 1993: Two LTTE members Raju (alias Arjun) and Shantamoorthy had surrendered to the STF. On their request the STF had housed them almost opposite their camp on account of their safety. The LTTE seems to have believed that valuable information provided by Shantamoorthy had helped the STF to apprehend several of its sympathizers in Thirukkivil - Thambiluvil and Akkaripattu. On the night of the 15th, the LTTE approached the house and called him by name. Raju came instead to the entrance unsuspectingly and was shot dead. Shantamoorthy received injuries. By the time the STF crossed the road, the gun men had escaped.

Veeramunai : January 1994: Four boys from Veeramunai, P.Asokarajah, Thiagu, Vive and a grand son of the Vidane left the village and joined the EPDP- a militant group whose leader with his followers left the EPRLF in 1987. The EPDP is said to have contacted the 4 boys in Kalmunai, who are said to be either school dropouts or poor students of around 16 or 17 years. Their parents reported the matter to the police. A local elder said, that among the reasons why people went to the police is that once the STF hears that boys are missing, the families would be harassed on the suspicion that the boys had joined the LTTE. The EPDP is however close to the government. This was the only case in Veeramunai of recruitment by the EPDP. The event, according to Tamil elders, has no connection with the Mehalingam affair.

Thirukkivil: Late April 1994: An STF night patrol was attacked by the LTTE following the exploding of a cylinder bomb. Three were reportedly killed and eight injured. There were searches but no reprisals. The brother of an LTTE member was taken in. At first the worst was feared. The STF later gave the assurance that the boy would be returned after a precautionary stint at the Badarawela reformatory.

Thirukkivil 21st May 1994: Suthakaran, a recently elected local council member from Independent Group 1 and reportedly close to the STF, was shot dead as he was leaving for a temple festival. A week earlier he is said to have been involved in a bitter private quarrel with another family, where local sources described him as the aggressor. Although an LTTE involvement is suspected by some, speculation is wide and varied.

CHAPTER 3

REPORT ON THE DISTRICT OF BATTICALOA

Note: 3.1 - 3.7 were written in September 1993. See also Chapter 4

3.1 The main trends: Official concern over the last 4 months centred around the Presidential Mobile Secretariat scheduled for 23rd July 1993. Its bungling as a public relations exercise exposed the general insensitivity of the authorities. At one point masked informants were deployed at sentry points and security arrangements such as regular nocturnal visits to homes in town ensured that few were left undaunted to attend the PMS. When Minister Munsoor apologised for the non-arrival of the chief guest, another minister contradicted Munsoor in a belittling manner, suggesting the meaning that President Wijetunga had more important things to do than to see the people of the East. The attack on the fellow Easterner went down badly. When Prime Minister Wickremasinghe attended briefly, security was taken so seriously that people got pushed around.

Where diplomacy was concerned all was not lost. A host of village girls in police uniform from places like Polonnaruwa and Moneragala were brought into Batticaloa. The village girls hit it off so well with children around the place where they were staying, that people were afterwards prepared to see them as very loving lot. One mishap occurred which many swear was why the chief guest did not arrive. A child went to a temple festival and brought home a lethal looking toy pistol. Seeing the child play with it, a police woman mistakenly took it to be a real weapon and set off the alarm "Kottiya avilla" (The Tigers have arrived). The area was surrounded and the cordon slowly closed around a gaping boy holding his toy!

A young Sinhalese policeman went into a house to eat his lunch packet and got into a conversation with the people of the house who offered him extra curries. He explained that he was from Moneragala. Lacking other means of employment his two elder brothers had gone into the army. His parents had made him follow them into the army against his wishes. He later deserted the army and joined the police. He has not told his colleagues that his name was on the army lists as one among several thousand deserters, who were subject to arrest by the police.

It became evident in the relative thaw that prevails now that Muslims, Sinhalese and Tamils can all get on very well as ordinary people. Although no political alternative has presented itself, there is deep disillusionment among ordinary people with ideologies of group exclusivism that are at the root of the conflict.

If the security forces find themselves in a quagmire because of the moral collapse of the state, the Tigers too are paying a heavy price for their past. The Tigers being picked off, often by fellow villagers from groups they violently alienated, are most often young boys who joined the LTTE after June 1990 through fear of the army. Recent military successes for the LTTE have drawn attention away from its deep crisis.

A disturbing undercurrent that is widely talked about is the ubiquity of corruption. Compared with widespread extortion by the LTTE two years ago, there is hardly any talk of it now in the town area. The visible face of extortion is now worn by Tamil groups working with government forces and there are many testimonies to this. Farmers for instance bring in rice from the interior and sell it to Muslim traders at Valayiravu bridge. When one farmer came to the bridge, a Tamil militant at a the sentry point asked the Muslim trader to hand over to him the payment due to the farmer. Had the Tamil farmer protested, he would have been invariably arrested as an LTTE sympathiser. The Muslim trader tried unsuccessfully to shield the farmer by saying that he had unsold stocks and would need time to procure the money. In the end the entire price of Rs. 26000/- was paid to the militant. An obvious question is why such things are allowed to happen in public view under the very noses of the authorities?

One is hardly surprised when leading citizens allude to a more insidious invisible network of corruption and extortion that uses the draconian powers that are available to the state machinery. Testimonies include large sums of money passed on to leading security officials through intermediaries for the release of detainees and extortion and protection rackets where private gain smoothly intermingles with local UNP politics. **The SSP is seen not as a government servant but as a UNP organiser.** There is a deep sense of fear among those caught up in this. [Some police transfers had since taken place. But talk of corruption among the forces is still widespread.]

3.2 Disappearances

3.2.1 Disappearance of 16 farmers, Vannathivattai, 15th February 1993:

Early morning on this day army personnel believed to be from the Karadianaru camp rounded up 17 persons comprising an elderly watcher, 15 farmers from Puthukkudiyiruppu and one from Thalankudah. Some sources say that the army had come on information to the effect that these farmers were harvesting fields cultivated for the LTTE. Another source said that the soldiers who had first lain in ambush for the LTTE, were later ambushed by the LTTE and were in a bad mood. The fields concerned were irrigated by the Unnichchai and Rugam tanks and were off the Chenkaladi - Maha Oya Road. The womenfolk who were in the wadis protested. The soldiers promised to release the men after inquiry. The women however followed the prisoners. The soldiers threatened them with the gun and sent them back. Except for the old caretaker who was released, the other detainees have not been accounted for.

The matter had been raised by the MPs and the Batticaloa Peace Committee. But the Brigade Commander in charge of Batticaloa has continued to deny that any such incident took place. A senior member of the Peace Committee told the brigadier, "We have always played straight with you. If we say someone was taken, then he or she was taken- Now come on, this incident was witnessed and the men were taken away by army personnel in uniform." This member said that unlike on an earlier occasion when the duty roster was called for by the second in command to check on units moving in a given area at the given time of interest, the brigadier seemed reluctant to do it on this occasion. But he maintained the denial. Another member of the Peace Committee said that the army later said that the roster was checked and there was no relevant record.

A second member of the Peace Committee said that most disappearances reported to them upto about mid-1991 are not accounted for. But that after this date many cases reported to them were later released. Since many of them lived in the rural areas only a small fraction of the releases were reported to them. They now had close to 5400 cards, he said, but are unable to give the exact number of the disappeared. Asked about a large number of disappearances reported in the Tamil press as having taken place in recent months (middle of 1993) towards the Polonnaruwa border, he said that the area was more than 20 miles from Batticaloa. The Peace Committee had contacts in Valaichenai who often sent them people in need of help. Thus relatives of a fraction of persons detained from those parts and even from places like Kallar, Mandur and the Amparai District, regularly lodged complaints with the Batticaloa Peace Committee. He added that while he cannot say anything definite, if the phenomenon was significant, they would normally have got wind of it.

3.2.2 Disappearances and the resulting undercurrents in the social fabric.

A queue of persons whose near ones had disappeared was waiting to make representations before the Presidential Mobile Secretariat. The mood among these grey haired emaciated folk was one of sullen defiance. One of them told the others not to expect anything from this exercise adding, "Avan engal inaththai Kooru pottu vikkiran" (They are dividing our kind like chopped fish in a market and selling us down the drain). Why were then these people there? These lean and hungry folk were determined to go on until the mighty got off their seats and said either a simple 'yes' or 'no' to whether or not they killed their sons and daughters.

So far the issue has been fudged. There is, as the Peace Committee spokesman pointed out, no absolute accountability. Anyone could disappear today as much as happened three years ago if anyone in authority fancies it. By refusing to face up to it, the government continues to lose legitimacy while something unpleasant is brewing below.

The lack of any word about the disappeared has multiplied the misery in families several fold. Even after more than seven years people wait in hope, minutely examining every rumour of the loved one having been seen somewhere, leading a restless existence. This is true of all cases whether the party responsible was a state force or one of the Tamil groups. In such families education is disrupted and one sees intelligent children stagnating. If the leaders of the party responsible could just come down to saying 'We are sorry. Your son is no more. Please allow us to help you get over it', it would go long way. If not a volcano may erupt where and when it is least expected.

How complex and tragic the problem is, is close to the surface in every village. The case of the Vyamuththu family with 3 boys and 6 girls is not untypical. The eldest son Dr. Vyamuththu Thayaseelan disappeared after being taken by the STF at Kallady in 1985. The second boy Uthayaseelan then joined the EPRLF and was taken prisoner when the LTTE took on the EPRLF in December 1986. He was among those executed by the LTTE in their Jaffna Kanthan Karunai camp four months later. The third brother Elango was

in the conscripted Tamil National Army and was among the many TNA cadre killed by the LTTE in concert with the Sri Lankan forces. One sister was engaged to Jeyadevan taken in by the late Mr. Theophilus, D.I.G., Police, when he came looking for his brother Beto, a member of the TELO. Jeyadevan was killed while escaping. Another sister was registered to Kandasamy, a security guard in the Eastern University. He was one of the 158 who disappeared on 5th September 1990 after being taken away by troops under Brigadier P.A. Karunatilke. Out of the five members of the family who disappeared, no corpse or any other trace was seen by the family.

3.3 The case of Zacky Nathaniel, Sinthathurai (Born 18th February 1969)

How persevering most parents are in trying to trace disappeared sons is reflected in many instances. We give one which also exposes the hollowness of the machinery intended to provide redress. Zacky was an A-Level student and senior prefect at the Jesuit run St. Michael's College Batticaloa. Shortly after the army entered he was taken from his residence in Lake Road in a general round up on 5th July 1990 and released. He went home and was talking to a friend at the entrance when he was again picked up by uniformed army personnel. His companions in Batticaloa prison saw him last on 12th July 1990 and are aware that two prisoners were taken away in the night. Zacky's arrest was witnessed by neighbours including his mother Therese (53) and sister Jennet who is fluent in all three languages and has also taught in Sinhalese schools.

The father, K.Sinthathurai (61), a carpenter, has a file full of documents and letters of acknowledgement from the both governmental and non-governmental bodies witnessing his search. He said apologetically that he has even more letters at home besides those in his file. He accomplished the unusual task of obtaining a police report authenticated by an officer of the CIB, Batticaloa (25th July 1990). The ICRC and the Batticaloa Peace Committee were among the first to be informed. Here are some of the responses received by him.

Joseph Pararajasingham MP: 26/2/91: Copy of letter to Air Chief Marshal Walter Fernando, Secretary/Defence, enclosing affidavit.

Mrs. R.M.Pulendran MP, State Minister for Education: 6/2/92: Copy of letter to General Wanasinghe.

Duty officer, Legal Aid Centre, Bar Association, Colombo 12 18/4/91:

"Please await further communication".

Informed Organiser Foreign Peace Committee on circuit in Batticaloa. 11/10/91".

A.M. Weerakoon, Secretary to Presidential Commission of Inquiry into Involuntary Removal of Persons: 4/9/91: "Regret outside terms of reference as published in the Gazette Extraordinary No. 644/27 of 11/1/91.

S.Wijewardene, Human Rights Task Force: 6/2/92: "Will keep a lookout for him in the course of visiting camps to prepare comprehensive register."

Civil Information Officer, Commissioner General of Essential Services: Colombo: 12/3/91:

Acknowledged complaint on a cyclostyled letter.

For Secretary/Defence at Presidential Mobile Secretariat in Batticaloa: 1/3/93:

Acknowledged complaint by mother, K.S.Jennet.

Civil Affairs, for General Officer Commanding, Joint Operations Command, Colombo 3: 27/5/93, to K.S. Jennet: "It is reported that a person by this name was not taken into custody by the security forces."

Some letters contained lines like: "If you have further information, please do not hesitate to contact us." Many have taken the whole exercise to mean that while huge resources are being spent, mostly on public relations, the onus for the actual search and conclusions is with the relatives. The mother goes to church every week, lights candles and prays for the restoration of her missing son. Most of these complaints directed through different routes, no doubt end up in what is literally the waste paper basket at the Ministry of Defence. In this case, like in the case of over 170 persons taken from the Eastern University, the government would have had no problem in giving an answer if it wanted to.

There are two significant events in Zacky's past possibly connected with his disappearance. During the IPKF presence a member of the TELO was being a bit of a nuisance to a school girl at St. Michael's. Zacky as a prefect pulled him up. Zacky was later taken to a TELO camp and the father summoned. Zacky was then released. He skipped his A Levels that year because he could not concentrate. When Zacky was missing after his arrest in July 1990, his sister who had taught in Wattala, made contact with the famous Captain Munas at Batticaloa Prison on a morning. Munas called for the prison register and perused the names. He then asked the family to return at 4 o'clock in the evening. When they returned they were told that Munas was out. The father dreaded trying again and gave up this line of search.

The Swiss Connection

Following Zacky's disappearance, Jennet's husband Colvin went off to Colombo and then to Switzerland. After receiving news about Zacky, his brother Rocky Barnes (26) then in Oman was anxious to see his parents. The father did not want the son to come to Batticaloa, but had intended to meet him in Colombo upon his arrival in December 1990. The arrangements went wrong and Rocky suddenly turned up in Batticaloa. His father sent him packing telling him not to remain one day in Batticaloa. Rocky too went to Switzerland. Very little of the fear felt by ordinary Tamils is reflected in the Sri Lankan press which is now (August 1993) in a state of undisguised glee over plans to send back Tamils from Europe. In recent times we have been treated to more features from Europe from where these refugees may be sent back and almost none from Pottuvil, Batticaloa or Trincomalee where they originate, and which are easy of access if the press is in the least interested.

One hopes European governments will not talk of deportation until there is accountability, and not costly public relations, over disappearances, and tangible assurances that they will not happen again. Also people like Mr. & Mrs. Sinthathurai should be told officially what became of their son, so that they could burn their files full of standard English evasion and start life anew.

3.4 Muslims in the Batticaloa District

Senior citizens of Eravur and Kattankudy speak of a general thaw in relations with Tamils. Tamil workmen are to be found in every nook of Muslim villages, whose loss was greatly felt. The LTTE seems to have been making overtures to Muslims by passing messages through those venturing out. The Muslims would like a public declaration of its intentions. But for the LTTE this may be an admission of culpability for past actions. The result is a certain amount of nervousness, considering that the LTTE had been responsible for four large massacres in the district from December 1987 to August 1990.

The worst hit among the Muslims are the paddy cultivators who have been without an income for more than 3 years. Some started receiving rent for their fields from Tamil cultivators when the army moved into the interior. Muslim traders are also moving into the interior and staying overnight in villages like Kakkadicholai. Talks are still going on about Muslim farmers returning to their fields in the interior. Tamils in that area expect the outcome to be positive. A Muslim elder remarked, "We are people from this area and we have to live with the Tamils. If the government can talk to the LTTE in 5 star hotels, who can tell us not to talk to them in order to protect our livelihood?" Only a small fraction of cattle owned by Muslims has been traced.

Some of the current anxieties of the Muslims concern education and administration. Although Tamil doctors and hospital staff have returned to Muslim areas, not so with the teachers. For this reason most Muslim schools are handicapped in the teaching of Science and English. Some Muslim children have returned to big schools in Batticaloa town. Others rich enough have sent theirs to places like Kalmunai, Gampola, Mawanella and Colombo. With regard to administration there is a general feeling that although moves to get rid of administrators from Jaffna in favour of people of local origin was largely successful, Muslims are now more discriminated against. Further the general trend towards homogeneous AGA (DS) divisions, ethnic appointments and the fact that Muslims while living in compact areas have their economic life outside has resulted in Muslims who are 25% of the district population having AGA divisions comprising less than 5% of the land area. Since land alienation for agricultural and residential purposes is now a subject originating with the AGA (Divisional Secretary), the Muslims are now at a disadvantage. Although there was a clamour for new Muslim AGA divisions when there was an intense security threat, there are now considerable reservations. These are similar to Tamil reservations about the Divisional Secretariat system in the Trincomalee District where recently many thinly populated Sinhalese divisions were carved out.

Settlement in Mahaveli System B along the Polonnaruwa District border

A Muslim administrator was questioned about anxieties expressed by Tamil leaders that Tamil applicants have not been called for while moves are going ahead to settle the Muslims as a buffer between Sinhalese and Tamils. This system of placing the Muslims in an unenviable position, which presupposes the permanence of conflict, was one of the contributory factors behind the massacres of April - October 1992. The administrator in Eravur explained that 50

Muslim families from the village were given allotments between 1983 and 1990. A further 50 were given land after December 1991 up to August 1993. These were from MPs quotas. He said that the allottees were not keen on accepting, but did so because they have been mostly unable to cultivate around Eravur since 1985. Even so they were not going to live permanently on the Mahaveli lands, he said, besides the profits have been very low.

It is remarkable that despite a number of organisations being present in the area, the single peace effort bringing unforeseen success, without having intended to be one, was marked by the visit of Moulana Abdul Cader [See Report No11]. One reason was that the visit co-incided with a rising practical realisation by both communities of the need to co-exist. Also remarkable is the fact that the thaw came less than a year after the LTTE published a threatening article against the Muslims in its European journal 'Kalathil'in mid 1992 and the Palliyagodelle (Pallithidal) massacre of October 1992. There is perhaps also a realisation that the LTTE's present discomfiture in the district has nothing to do with the Muslims, but rather has much to do with the tragedy within the Tamil community of which it (the LTTE) was the main author. Increasing openness is also to be discerned among the Tamils, many of whom blame the LTTE's actions against the Muslims as being among the chief causes of their own sufferings.

3.5 Arrest and Detention

Local reports that the ICRC now acts only in cases where the person detained has not been released for more than 24 hours confirms the general improvement reflected in Report 11. However there is much that remains unchanged. It is still common, if not always the case, for those arrested on the basis of suspicion or false information to be beaten for about 5 days and kept for an indefinite period - sometimes for money. A detainee released after a month said that he was allowed to go only because he had caught an infection. He had been detained on the charge that he took provisions to the Tigers. Conditions under which women taken in for questioning are held could be extremely crude. Recent cases of rape and molestation in police custody are known, against which preventive measures could be weak and mainly at the discretion of the OIC.

Informed sources said that in early August 1993 there were 97 prisoners on the ground floor of Batticaloa prison, being interrogated under suspicion. There were upstairs about 45 prisoners, who were said to have surrendered after deserting the LTTE, many with their weapons. This trend is an indication of the LTTE's troubles in the area. The ex-LTTE prisoners are said to have become obese, eating good food and constantly watching videos. It is said that these could go home if they wished. All these prisoners receive regular visits from the ICRC, about which they are happy. [The trend of surrenders has continued into the spring of 1994 and these are now more widely talked about.]

A particular case which caused some alarm was the detention of about a dozen of women from Batticaloa taken to Kandy and Nuwara Eliya for training by the Women's Development Centre during mid-July 1993. The affair originated with one or more of the questioning of a girl Somawathy from Kallar living in Batticaloa and the detection of a letter to her from one of the girls Meena on the programme, also from Kallar, mentioning the word 'training'. It has also

been suggested that one of the three girls being questioned had done a spell in Boosa for alleged militant involvement. The conditions under which the girls, including 3 instructresses, were held by the Kandy police caused alarm. When being transported to Batticaloa, to be held in the Forestry Camp, the girls were held needlessly for a night in the Polonnaruwa jungles, where they felt very frightened. One of those beaten by the police in the affair is said to be a Sinhalese driver in the WDC. All except two of the girls concerned were released after a magistrate's inquiry 4 or 5 days later.

A spokesman for the Batticaloa Peace Committee said that to inquiries made by them, the girls had not complained of ill - treatment. He said that there had been a case of rape at the Forestry Camp un-connected with this affair, in which medical examination proved too late for verification. Orders, he said, had been given to OIC Nethasinghe to place an officer under arrest. The spokesman added that the Peace Committee always advised people taking groups out to contact the SP and obtain formal clearance - something that could save unnecessary trouble.

3.6 The Social Back Drop to the Shifting Military Balance in Batticaloa

Hardly anyone on the ground disagrees that the LTTE is in trouble in the Batticaloa District, despite this ongoing attrition to its fortunes being hidden by sensational successes like in Welioya (and later in Puneryn). Two years ago extortion by the LTTE in Batticaloa town was much talked about. Well known were suburbs where LTTE cadre could be regularly encountered. At present LTTE movement even in villages just across the lagoon, near the west bank, are severely restricted. LTTE cadre come unarmed in ones and twos by day in civilian dress carrying at most a pistol or a grenade. Thanks to the attitude of the government and the terrible behaviour of groups with its forces, the LTTE does retain some legitimacy. But people feel less inhibited about criticising it. That its agenda has little to do with the well-being of the people is understood. That it set off a mine two years ago in Kokkadichcholai and allowed a handful of soldiers to burn, loot, kill and to rape for several hours without firing even a warning shot, and came the following day to take photographs has not been forgotten. The government too continues to be seen as callous and has done nothing to win back trust. The cry for Eelam remains a strong driving force to a people who have lost so much and think of a separate state as the only means to arrest their steady decline and powerlessness. Why does the LTTE find itself in difficulties?

It has as mentioned nothing to do with the Muslims. It has little directly to do with the Sri Lankan army. The Sri Lankan army is mostly in camps, making an occasional sweep with 300-400 men and, now and then setting up ambushes on receipt of information. One sees little of the competent soldiering and intense foot patrolling of the IPKF. Some villages do not see the army for several weeks at a time.

The answer has much to do with what the LTTE did to Tamil society from 1986 by its attacks on other groups. In the Batticaloa District among other places the resulting deep sense of disillusionment is part of an intense tragedy. They know that their sons are stalking each other and blood is flowing to no purpose. Worst of all there is no force offering a politics of healing.

Much of the hunting locally is being done by the TELO and a splinter group of the PLOTE led by (PLOTE) Mohan [see Report 11, Chapter 6]. One source put the strength of these groups operating around Batticaloa at 500. Others deem the number possible, but as probably being on the high side. With army camps in strategic locations these groups seem confident enough to move about in small numbers like four.

A man in his early 50s who is a government servant is known to his colleagues as the father of a Tiger area leader and take that as indicating the main thrust of his loyalties. But talking to him, the basis of his interests and motivations is far from simple. His eldest son was in the Tamil National Army. When the TNA was hunted by the LTTE as the IPKF left in late 1989, the father got the son into the Reserve Police. The son was posted in the North when the June 1990 war began and fled to Colombo with his colleagues who escaped. He was jobless for 7 months. The father approached an inspector of police and got him reinstated. Another of his sons was a good student who obtained 3 As for his O Levels and was taking tuition for English and Mathematics which he had failed. When the war of June 1990 began, he joined the LTTE out of fear of being killed by the incoming Sri Lankan Forces. The estimates of those who joined different groups from the village conform to the general pattern in the East. From this village about 25 joined the PLOTE before 1987 and about 25 the LTTE after June 1990, of whom about 9 have been killed (August 1993). Thus the son of this man who joined the LTTE may be stalked by his own nephew. His second son is at home afraid to go out and farm. Whenever someone from the LTTE visits the village, information reaches the other groups in a short time. The man's family is regularly harassed. His wishes have little of the colourful rhetoric of the LTTE leadership: "I want peace so that I could get my son back home, send him to the Eastern Technical Institute, and train him to repair vehicles."

In Mahiladitivu, once considered an LTTE stronghold, the feelings are mixed. The association is also connected with the LTTE leader Kumarappa marrying there. But the village also has associations which give the people other lines of thought. The village also produced Vasudeva, a prominent PLOTE leader, and Paramadeva, a well known LTTE leader, who were brothers. Paramadeva was killed during an unsuccessful attack on the Kaluwanchikkudy police station in 1985. Vasudeva was killed by the LTTE during the small interlude of peace soon after the IPKF arrived in July 1987. Vasudeva and 11 companions were unarmed and were returning after a swim in Pasikudah by van when they were gunned down. The LTTE had also shown its callousness during the Kokkadichcholai massacre. The number joining the LTTE from the village now is said to be almost nil. Among the surrendered LTTE cadre in the Batticaloa prison, about 15 are said to be from Kokkadichcholai. Surrender, rather than recruitment, appears to be now the more significant trend.

The disillusionment here is therefore born of a very intimate experience of tragedy. The presence of the Sri Lankan army, though as a repressive force, has given people space to think. But the LTTE will hold some ground because there is no political force to offer ideas responsive to their deeper needs - the first being to stop their sons stalking each other.

3.7 Reports: Military Operations in the Batticaloa District

The pattern of operations continues the trend described in the Report 11. A typical army sweep through Paduvankarai was as described below:

On 29th July at 6.00 A.M. about 200 or 300 soldiers came to the village of Pavatkodichchenai and called out the villagers. All passers by were stopped among whom was a baker. With the army were 3 armed persons in trousers described as either PLOTE or TELO and an unarmed LTTE deserter. The deserter identified the bread man as one who supplied the LTTE. He was then beaten by the Tamil militants. The baker replied that he supplied the army and of course on occasions some young men stopped him and bought bread and it was not his to ask who they were. The captain got Unichchai camp on the wireless and verified the bread man's first claim. The Tiger deserter kept assaulting the bread man telling him, "You liar, you sold me bread." The captain was riding around on the bicycle of one of those stopped, nominally telling the militants every time he passed not to beat the wretch, but to little effect. A village elder standing there attributed the behaviour of the non-LTTE groups to 'virakthi' (frustration and alienation). About 7.30 A.M. those going to school, including the principal, were released. All were later released except the poor bread man who could not choose his customers.

We note down some of the other typical incidents.

Pavatkodichchenai: April 1993: A senior LTTE member, Lal, was visiting his wife and family. The army acting on information rounded up the place at 2.00 A.M. Lal was held and his hands tied. The army was waiting for dawn to move out. Lal gathered from the conversation between soldiers that he was to be finished off. When Lal's hands were untied in the morning for him to go to the toilet, he hit a soldier on the jaw and escaped. In the resulting firing and confusion it is reported that one soldier was injured and possibly one killed. Lal's wife and mother were unhurt. During July, the local school principal was beaten up by Tamil militants for employing Lal's wife as a volunteer teacher. The latter now lives in Batticaloa.

Kannankudah; June 1993: Two LTTE girls killed in an ambush

Navatkadu 9th June: When the army first arrived in July 1990, 14 were taken away and about 3 were released. Thereafter several youths joined the LTTE from what was earlier a mostly PLOTE village. Among those who joined from the area were three friends Anatus (born 1972), Atputhan and Mathan. At the time above Atputhan came to the village for collection of money and was returning to Karaveddy 5 miles away when he was ambushed by members of a group close to the army. The body was brought in a tractor to Anatus' place. The father and brother immediately slipped away. The dead body was brought into the hall, dumped in front of the mother and married sister. A shot was fired into the head and was taken away after the mother was told that this would be the fate of her son too.

Mathan was later ambushed at Mahilavedduwan 9 miles away. The body was brought to Navatkadu by tractor. On finding no one at Anatus' place, it was taken to the hospital and burnt under the Tiger news board (The Tiger's Roar). Earlier another LTTE member Mano was

ambushed. Mano escaped with a leg injury and was taken to Jaffna for treatment. During May 1993, armed persons walked into Anatus' home when the mother and sister were at home and walked away with about Rs 8000/- worth of items.

During early July members of other groups arrested Karukka (23) a former LTTE supporter and father of two, who is now held in Batticaloa prison.

Mandapathady; early July 1993: The school sports meet was going on and Mahapody was the announcer. (PLOTE) Mohan came with 3 others on 3 motorcycles. One was wearing a red scarf. They grabbed Mahapody, while other villagers tried to grab him back. Mahapody was taken to Batticaloa prison and released a few weeks later. Villagers take it for granted that money was paid - the time being just after the harvest. Mohan had given summons earlier to Mahapody to meet him at Batticaloa Prison. Mahapody had been afraid to travel past sentry points because he had lost his identity card.

Navatkudah: Over a year ago the TELO had shot and killed a lady on hearing that she had visited her son in the LTTE [See Report No9]. On the same night a lady GS who visited her husband in the LTTE was also killed. Her two younger sons, 10 & 5 years of age, were then brought up by an uncle who was a peon in the Fisheries. Their father, a carpenter in Mannar, has not visited Batticaloa for a long while. Recently, the 10 year old boy joined the LTTE, upon hearing which the TELO beat up the uncle. The eldest in the family, a girl, had joined the LTTE in 1989.

Outskirts of Batticaloa; July: Two policemen on picketing duty along the railroad went to a house where they frequently drank water. One policeman who was very friendly with the children of the area was strumming his automatic imagining it to be a guitar. The other warned him against it. When a school boy brought water, the gun went off killing the boy. The policeman tried to shoot himself and was prevented by the people. He then went on knocking his head against the wall until he was taken away.

Kokkadichcholai; Late June: Mahendran (26) who was earlier in the EPRLF and now in the TELO came home for his son's first birthday. The home was near the army camp and the previous night friends and relatives were decorating. His friend, recently arrived from the Middle - East was helping. Two men in civil smoking cigarettes came home and asked for Mahendran. Mahendran sensing something amiss quickly hid in the ceiling. The men called the friend and shot him. Mahendran's wife in a state of advanced pregnancy, ran to the aid of the friend. The intruders fired again, killing her as well. The general talk was that the killers belonged to the LTTE. Other rumours were also being spread to the effect that the incident resulted from a feud among friends. An old lady who attended the funeral said that there was no doubt about the killers and moreover that the LTTE had sent its regrets over the killing of the expectant mother.

Mavady Munmari; 27th June 1993: The LTTE was holding court sessions in the village. LTTE courts are said to be preferred by farmers to the normal courts because disputes were

quickly settled. Unknown to those involved, the army on receipt of information had set up an ambush the previous night. The army opened fire killing 3. One source in the area said that all killed were LTTE men. Another said that one was a civilian.

Chenkalady - Pankudaveli Road; Mid-July: Special forces acting on information went to a wadi where 6 LTTE members were hidden and opened fire. 4 died while 2 escaped.

Rugam; 17th September 1993: Narayanapillai Illango (23), a farmer, was taken by the army from Unnichchai and is still missing.

Paduvankarai ; About September 1993: Three young men accused of helping the LTTE, one from Ichchantivu, one from Soruwamunai and Adiyam from Mahilavedduwn were reported killed by the Mohan group. The body of Adiyam a former member of the EROS is said to have been cut into 16 pieces.

Pavatkodichchenai (near Unnichchai, Paduvankarai (West of Lagoon)); 16th October 1993: Area surrounded by army and Albert Master was shot dead and his man Kanapathipillai(aged 70),married in Koththiavalai was injured. Albert Master was a kind of organiser for the LTTE who did some teaching, facilitated recruitment and arranged supplies. Kanapathipillai was used to carry supplies into the interior and was known locally as ' Kadaththal Appu' (Old Smuggler).On 14th November a shop owned by Maniam, a man of Indian origin, which was next to the nursery run by Albert Master was broken into by the army and the goods removed. The nursery was on premises owned by a Muslim from Eravur now effectively debarred from the area.

Padukadu (Deep Jungle), 2 miles from Pavatkodichchenai; 18th October 1993: 7 persons sleeping in a hut, of whom 4 were LTTE members were apprehended by the army who surrounded the place during the night. Two, including the owner of the hut, were released after a beating during which they sustained fractures. Five, including Susiharan (alias Anatus, the area leader of Navatkadu referred to earlier), were taken to the Commathurai Army Camp . Sooty, one of the five, who had left the LTTE, married, had two children and was expecting the 3rd, was later sent to Batticaloa prison. The remaining 4 are not accounted for. Other sources said that Susiharan was taken to the notorious centre in Batticaloa by (ex-) PLOTE Mohan who personally went to Commathurai and asked for him. There is grave concern over the fate of these four.

Pavatkodichchenai, 19th October 1993:

Koppalapillai Ravindran who was disabled in both hands was the owner of a shop where some passing LTTE boys had once slept. On this day the army had asked a number of people to report to the Unichchai army camp for a meeting. Ravindran who went was detained.

Pavatkodichchenai, 6th November 1993:

7 Persons sleeping in a house, some of whom had an LTTE involvement, were apprehended by the army. Two were released. The fate of the rest is unknown.

Uppuryankulam, 8th November 1993: A new army camp was installed using some of the personnel from Unichchai. The army then went into Pavatkodichchenai and broke down about 13 houses whose occupants had evacuated during the troubles to obtain materials for the camp. The owner of two of the houses being broken protested. The army continued breaking promising to return the materials when the camp is withdrawn.

Pavatkodichchenai, 18th November 1993: The army from Uppurayankulam entered the house of Rasiah Vethanantham during the night, and asked for him. His wife said that she would bring him to the camp in the morning. The soldiers flashed a light, scolded the wife and took Vethanantham away. Previously his cousin-brother Jeyakanthan who was taken in for questioning when asked to come out with names had mentioned Vethanantham's. Vethanantham was beaten for 7 days with poles on his chest, back and feet. The camp authorities denied for 5 days his arrest to his wife who kept going to the camp. After ten days, he was transferred to Batticaloa Prison, from where he was released after a further ten days.

After returning home Vethanantham was in no condition to work. 4 acres that he had sown with rice, chlolan (Indian corn) and Payaru (green gram) were lost because he was arbitrarily detained at a time when some crucial operations in cultivation had to be undertaken. In addition to his crop he had also lost 2 houses broken down by the army. Such is the fate of many farmers and their families in the area as we approach 4 years of pacification and the return of "democracy". In most cases the reasons why people are picked up and tortured are even sillier and far less explicable.

Vethanantham's cousin Jeyakanthan refereed to was a 13 year old who had once for the thrill of it accompanied Albert Master (see 16th October above) on a trip. After he returned, he was arrested by the army on a tip-off.

Thumpalai (Unnichchai area, 1 1/2 miles from Pavatkodichchenai); Late November 1993: Sivasambu Podiar (60), Lingan, Mahrasa(25) and Moothavan (25) were detained by the army. The last two had been released within 2 weeks.

Kalaipottamadu; 27th November 1993: On the 26th night 4 LTTE men organised a celebration of the Leader's birthday. At 4.30 AM two LTTE men escorted the speaker for the occasion out of the village. While returning the two were shot dead by the army waiting in ambush. The other two in the village attempted to escape. The leader who had Rs 23 000/- of collections on his person was shot dead. The other escaped.

Sillikkudiaru (Munthiraiyadippallam on Kokkadichcholai Road); 27th November 1993: LTTE men came into the village, gathered the villagers and proceeded to celebrate their leader Prabakaran's birthday which fell on the previous day. The army under the officer from the Unnichchai camp which had encircled the village the previous night closed in. On seeing them approach, the villagers mixed with the LTTE and created confusion. The officer restrained his men from opening fire. In the meantime the LTTE escaped through a gap in the cordon. This was one instance of commendable restraint on the part of the army.

Paduvankarai; November 1993: About 20 members of the LTTE, including Podi, a man in the finance section carrying a large sum from 'tax collections', were moving towards Jaffna by the interior jungle tracts. Somewhere near Unnichchai they reached a rock and 2 of the party were sent to obtain bread. The main party was surrounded by the army which had received a tip off. The LTTEers scattered leaving behind loads of baggage including the money. Subsequently the LTTE relieved Podi of his job. Fearing further punishment, Podi surrendered to the army and is said to have given many names of persons from whom taxes were collected. Many among them, it is reported, were nominated by the army as candidates in its own "Independent Groups" for the local elections held on 1st March 1994. They were in turn summoned by the LTTE to whom they explained their position. Three businessmen said to have been named by Podi were taken to prison for possible extortion. Mohan reportedly berated them, "Neengal Yarlpani!" (You all are Jaffnese).

One man so ruined is said to be Jeyapal from Ichchantivu, adjoining Navatkadu. Besides having his head cropped, he is said to have been asked to pay Rs.6 lakhs. He had paid Rs.3 Lakhs after selling much of his property. Another LTTE member who had surrendered took the army to a house near Vantharumoolai where he claimed he was fed.

Unnichchai; 6th December 1993: Three old men, including Pari Podi aged 70 from Munaikkadu had gone about 12 miles into the interior in search of cattle. When they did not return others went in search of them. At one place they found Pari Podi's betel leaf vessel (vettilai kinni) and his cloth shawl. Blood stains leading away from the spot suggested that the old men had been shot and dragged away. After another two days, 9th December, the villagers gave up the search for the bodies. The nature of the signs point to the army.

Irunooruvil: (2 miles from Pavatkodichchenai); 7th December 1993:

The village whose name literally means 200 fields had earlier belonged to Muslims and was later bought over by Tamils. This is probably another of those land transactions influenced by security exigencies of the kind remembered with bitterness by whichever community that was affected. On the night in question a cow-herd Pakiarasa, a married man of about 35 years, was out minding his cattle. On the approach of an army patrol he was heard shouting 'Maadu' (cows) to indicate his business. He was later missing and his arrest was denied. His identity card, shirt and bicycle were found. The ICRC was informed.

Siththandy: Christmas Eve 1993 : Soldiers said to be from the 'Independent Brigade' detained at 2.00 p.m. 16 farmers working near Santhanamadu River in Kodaikadu. 11 were released the following day. The remaining 5 are still missing. They are with their ages: Tharmalingam Rajeswaran (18) Kathirkamathamby Karunakaran (20), Kathiravel Chitravel Sivkumar (16), Konesapillay Sathiarajah (14) and Perian Sivalingam (35). Rajani, the mother of Sivkumar sought advice and was directed to the army camp at Pulipanjakal. She subsequently reported that her son was not there.

The Batticaloa Peace Committee took up the matter with Brigadier Gunawardene during the second week of March. The Brigadier reportedly asked an army officer in the area to obtain

statements from those released. The officer, it is said, reported back to the Brigadier that the parties concerned were unwilling to make a statement. The Brigadier is said to have retorted, " I ordered you to get a statement, not to request them for one ! "

Vellavelly; 26th December 1993: David of Vellavelly was killed by the STF and his body was later recovered from Kaluwanchikudy hospital. An affidavit was produced in parliament by Joseph Pararajasingam, MP.

Palugamam; 26th December 1993: The army went to the house of a boy whose name had arisen in connection with an LTTE member who was apprehended. The boy was shot and his body burnt.

Kathiravelly; 10th January 1994: Sellathurai Vimalanathan from Ninthavur was staying with his relation who was GS (Village Headman) at Kathiravelly and was working there as a volunteer teacher. He was helping his mother K. Sinnamuththu, an attendant at Ninthavur hospital to look after his 4 siblings. Vimalanathan was taken by the army who raided the house at mid - night and was sent to Batticaloa Prison about a month later after the usual works. He may be another of the hundreds detained for no good reason, possibly disabled and sent to a reformatory for years in place of the miscreant authorities.

Munaikkadu; Early February 1994: An LTTE helper living with a woman estranged from her husband was in a boat with two others at 7.30 A.M plying his trade of lagoon fishing. (Ex-) PLOTE Mohan appeared on the shore and called the man by name. As the boat came ashore Mohan fired with his pistol and hit the man on his thigh. The man pleaded in an attitude of worship. When the boat touched the shore Mohan shot him through the temple. While passing the victim's house on his way out, Mohan called the man's companion and asked her to perform the funerary rites.

Chippimadu; Mid February 1994: This is a village from which a number of persons had joined the LTTE. The army went in and took 15 persons including at least one expectant mother to the Unnichchai camp. The harvested paddy stored in some of the houses was also stolen by the army, including from the house of none Jeevaratnam. The persons were later released - the men 15 days later after being beaten.

Kathiravelly; 4th week of February: In this village a few miles south of the Verugal river, the army camp is to the east (sea side) of the main road running south-north. The elementary school is to the west of the road and the jungle further west borders the village. The school's morning session was interrupted by a fire fight between the LTTE and an army patrol in the jungle beyond. Soldiers in the camp rushed from across the road and began assaulting the school children, causing them to scamper. Four children, ages 14 and below, did not get home that day. They arrived home two days later having spent two nights in the jungle without food or water. They had feared to return home earlier because they would have had to pass within view of the army camp while crossing the road.

At least 4 persons are missing from Kathiravelly. The four had gone fishing shortly after the army encamped there in 1992.

Eravur; 24th February: Theivanayagam Chandrakumar and Veerakuty Mathan were taken by the police. When asked by the parents of Chandrakumar, the police promised that they would be released. Mathan's relatives were allowed visits. Yuan Fonseka Catherina, the mother of Chandrakumar approached Joseph Pararajasingam, MP, on 4th March. When contacted by him ASP Kudahetty first denied the arrest. The MP then threatened to take up the matter with the Defence Ministry. Kudahetty then came out with a different story. He said that while Chandrakumar was leading the police to an arms cache, there was a confrontation with the LTTE in which Chandrakumar was fatally wounded. The Police had evidently cremated the body without a post mortem. This piece of Police fiction was published in 'the Island'.

Kanjirankuda; About 7th March: The victim, once an LTTE helper, was in the fields with other farmers threshing the newly harvested paddy. A gun man, dressed as farmer, but identified as a member of the TELO, walked up, pulled a revolver from beneath his folded sarong, shot the victim dead and walked away.

Palugaman; About 10th March: Balan, a tax man from the finance section of the LTTE surrendered to the army with a quantity of money in Tikkodai. It is talked about that the LTTE wanted to question him about alleged irregularities.

Pavatkodichennai; 19th March: the story got around that the army had come into the village and apprehended a man close to the LTTE. It was also speculated that the person who had tipped off the army was a neighbour of Indian origin who had recently come to inspect his premises and went away. As more details emerged, people changed their mind.

Nadarajah Karunanidhi (alias Yaman) about 33 years of age was known to be close too the LTTE. He was married and a father. On the 18th night he came home dressed in army fatigues, carrying several knives, a grenade and wearing 4 cyanide capsules around his neck. He consumed a sumptuous meal prepared by his wife with a good dose of liquor, laid aside his weapons and fell fast asleep. His wife attempted to wake him up and send him away, but to no avail.

At 5.00 A.M the army entered the house and a soldier placed his boot on his chest and apprehended him. Whether because of his state or for other reasons, the 4 cyanide capsules did not help him to end his life as the LTTE required of him. Although feeling sorry for Yaman initially, the people subsequently came to believe that the facts suggested a pre-arranged drama to make a surrender look like a capture. Anxiety spread quickly. Every other person as happens in every isolated village, has no alternative but to deal with the LTTE. Passing LTTE men may sit down and chat, ask for water, for a meal or even ask for a night's lodging. People began to believe that Yaman would come out with names which would be used as an excuse to harass, detain, torture and perhaps much more. According to one informant, the ICRC has been notified in advance.

Batticaloa Town; 23 rd March 1994: Two policemen at a sentry point got into a heated quarrel which led to an exchange of fire. A young school boy was hit and succumbed to his injuries.

The police hierarchy said that they felt ashamed, and to make amends, it is said, they released the boy's father whom they were holding in the Forest Department prison. The irony about the nature of the favour was not lost. There were evidently no charges against the father, giving the police no good reason to keep him.

Palugamam; 23rd March 1994: The LTTE at 5.30 p.m., according to the army, threw a grenade at a passing army vehicle at Palugamam junction, which though failed to explode. Soldiers then arrived and called out people in 1st Division Veerachcheni and Vanninagar. 80 people were then badly assaulted with weapons for an hour. A number of the injured were admitted to Kaluwanchikudi hospital. Megaran(22) was badly injured was taken to Batticaloa.

Popular belief in the village was that no grenade was thrown but that the Army had cooked up the incident to make a case to remain there rather than be posted to the North.

Murugan Kovilady, Verugal road, north of Valaichchenai; 8th April 1994: About 25 army commandos were injured in an LTTE landmine explosion. Subsequently the army ran amok burning all the 60 houses. Veeran Vairamuthu(50) was burnt alive in his house. About 10 villagers were seriously injured as a result of assault.

CHAPTER 4

POSTSCRIPT- APRIL 1994:

A SUMMARY OF DEVELOPMENTS IN THE BATTICALOA & AMPARAI DISTRICTS.

The foregoing material on the two districts - namely the old Batticaloa District - is based on monitoring extending over a year, and has been written intermittently since August 1993. We summarise below current trends as we see them, supplementing the foregoing where necessary.

4.1 Social Problems among Tamils linked to violence and deprivation:

These result from a high incidence of death and disappearance, the trauma of not knowing the fate of missing persons, a lack or absence of decent means of livelihood, general disillusionment, loss of direction in life, and these leading to habits such as resulting in a high occurrence of alcoholism in several areas. According to a Peace Committee spokesman, Batticaloa District alone has 5000 to 7000 widows, 17000 fatherless and 42000 unemployed.

4.1.1 Disappearance: This has been covered in the foregoing. The uncertainty makes this more injurious than death itself. The family members are often overtaken by listlessness and lack the determination to plan and get on with life. For those in school who need to make grade, the whole course of life is irreversibly altered.

4.1.2 Arbitrary Arrest and Detention:

Several villages in the two districts have a large number of men picked up and detained for either no reason or for the flimsiest of reasons. They are routinely tortured, made to sign a confession written in Sinhalese and three months or so later sent to a detention centre or reformatory. If produced in court, the lawyer would advise them to plead guilty to charges made under the PTA. The judge would then admonish them, fine them a sum between Rs 2000 and Rs 7000, on payment of which they are released. A number of villages now have tens of ex-detainees; several of whom are married and now disabled. Their families had borrowed sums such as Rs 15000/- or more on interest to attend to the needs of the detained. Those who had tortured them get away scot free. The law in this country has surely reached its nadir.

We give below an illustrative sample from over 12 tragedies in the Amparai District brought to our notice recently. Most of the cases are from the depressed caste area of Kolavil South in the Alady Vembu AGA's division in Akkaraipattu:

Kailasapillai Jeevarasa was picked up with his brother **Sunthararasa** from a refugee camp on 9th October 1991 by OIC STF/Akkaraipattuu known by the sobriquet **Kalu Ranjit**. They were then led to their home in Kolavil where Kalu Ranjit ordered Sunthararasa to run and shot him dead in the view of some of his family. Jeevarasa was later sent to the reformatory in Bindunuwera, Bandarawela from where he recently returned. He had sustained a ruptured

bladder when kicked in the abdomen during torture. He needs medical attention and the cost of an operation in Amparai, where he has been directed, is estimated at a minimum of Rs 10000/-.

Suntharalingam Jeyathan was picked up by the STF/Akkaraipattu on 7/4/91. Hand broken during torture. Right hand disabled. Pains in chest and back. Sent to Magazine prison 1/10/91 and later to Kalutura. Tried in the Colombo High Court 24/3/93. Pleaded guilty and fined Rs 3500/- by the judge. Released 18/10/93.

In the meantime his wife had borrowed over Rs 15000/- on interest to meet the necessary expenses. One such expense is said to be the money paid to the lawyer to be paid in turn to an employee of the AG's office to advance the order of the relevant file.

Other cases from Kolavil include: **Thambipillai Sathasivam** (28) married & father of two with disabled thumbs and blood in his stools after release recently; **Velupillai Kanthasamy**, breadwinner of a fatherless family of six children, now released without teeth and without the use of his right hand.

Typical cases of arbitrary detention:

Kanapathipillai Pathmanathan breadwinner of fatherless family with 3 sisters and a brother. Bought crabs and sold in Kalmunai market for a living. Picked up by STF in a round up in Kalmunai during 1990, made to sign prepared confession in Sinhalese and did a stint of 2 years RI.

Uthayakumar, Sarvodaya worker, picked up from a bus with everyone who alighted. Tortured and not produced to parents. Letter from Sarvodaya disregarded. Served 18 months RI.

A gentleman in the area who helped prisoners said that some of them were so poor that they did not have soap or a towel during the detention. He said that the NGO Home for Human Rights provided some help to the prisoners which covered a fraction of their expenses relating particularly to legal work. Of the NGOs he knew, that was the only one which replied to his appeal.

Only one instance of punishment for STF offenders is so far known. Sergeant Wijeyarama was detailed to go to Amparai with 9 other men and collect a consignment of new uniforms. Wijeyarama left the task to eight of his men, went to a tavern in Amparai town with a constable and had what is known in local parlance as a 'severe booze'. While trying to rejoin his men Wijeyarama's weaker brother, the constable, collapsed in town to the amusement of onlookers. The matter was reported and Wijeyarama was interdicted, for 'sullyng the good name of the STF'. More ironically, there was some sympathy for Wijeyarama, sent home to Seeduwa on half salary, as he was considered fairly decent in dealing with the public.

4.1.3 Women: The Passive Reapers of a Bitter Harvest.

4.1.3.1 Widows and Women

We earlier encountered the case of Veeramunai which had 105 widows among 600 families of whom 65 were widowed after 11th June 1990. The picture in other places is of a similar order varying with the severity of military action. 4 GS (Headman's) divisions in Mandur have 100 widows and 30 missing persons as opposed to those confirmed killed. 55 of the widows have received compensation of Rs 50000/- each.

Typically, many widows are unable to register their husband's killing to apply for compensation. In the case of a widow in Navithanveli, her husband was a labourer who went to work far away from home. She received a message that her husband had been killed by the security forces. By the time she reached the location the body had been cremated. The GS (Headman) of the area asked her to apply to her own GS for the death certificate. The latter directed her back to the former. After some shuttling, she gave up.

Gnanakirubai was the wife of a 55 years old dhoby (washerman) living in Sangamam, Thandiady. On 15th July 1990 the STF entered their house and beat her, her husband and son unconscious. When she recovered the two men were missing. She cannot establish what became of them.

S. Arasamma (34) (mother of girl(9) and boy(5)) and **Sellakili Saroja**(30) (mother of boy(10) and girl(9)) are secretary and treasurer respectively of a group of 20 widows in Periyaniawanai, which lies on the Kalmunai - Batticaloa Road, just south of the Amparai - Batticaloa district boundary. The idea of a society was given to them by Mr. Sathasivam of the Kalmunai Citizens' Committee. Periyaniawanai has a total of 38 missing persons in 3 GS divisions. The widows had applied to a church organisation for help in starting a co-operative. Asked why they had not started one on their own using a part of their compensation as capital, they replied that only two out of the 20 widows had received compensation.

Arasamma's husband **P.Murugan**, labourer, was shot by the forces on 25/8/90 and compensation has been paid. Saroja's husband **Rasanayagam**, also a labourer, is missing. She has not received compensation, has no income and no parents to support her. The only help she receives is from her old mother-in-law.

A church worker in the area reported that owing to their circumstances, several young, uneducated and jobless girls in the Mandur area go to Kalmunai to sell their bodies for vice. A notable incidence of alcoholism among women has also been reported.

4.1.3.2 Women amidst conflict.

Salhabeebi Maharoo pulled out a framed picture of a handsome young couple taken in 1986. That was taken shortly after her marriage. During the first 3 years of her wedded life her husband Maharoo was most of the time a teacher in Saudi Arabia. He had been the main

support of his brothers and sisters. Following his return they had a son Adhil, now 5. Maharooof was among the 70 odd passengers kidnapped by the LTTE at Kurukkalmadam on 12th July 1990 and subsequently killed. On 3rd August 1990 two of her husband's brothers-in-law were killed in the Kattankudy mosque massacre. In all 15 of her close relatives were killed in the two incidents. Having no male help Salhabeebi thought it better to sell a shop that was in the family. She had passed her O Levels.

Some of the other 90 women in Kattankudy who were widowed in the course of the two incidents are:

Sithi Fareeda(38) Salhabeebi's cousin, with 3 girls - eldest 18 - no family support.
Kulanthayamma Sahabdeen (42), 3 sons & 2 daughters - supported by eldest son (20) who took over his late father's job as Electricity Board linesman.
Jezima Fareed (27) Passed O Levels. Looked after by brothers.

Mairampoo Rahmath Ulla Said (32), Children 18(f), 12(m) & 10(m). No support. Rented out own house in border area for Rs 300/- a month and moved to a Market street house - no electricity or sanitation.

Sakkinamma Sahabdeen (40), children Aziz (21) and two girls (19 & 16). Aziz is working in Colombo and is trying to go to a European country.

These widows received Rs 25 000 /- from the Rehabilitation Ministry as cash and a further 25 000 deposited in savings.

They did not display any awkwardness in relating to Tamils despite what they had been through. Salhabeebi said that she could no longer look for happiness in life, but at the same time felt no desire for revenge against Tamils. She added, " Tamil workmen now come to work in the neighbourhood. I see them eating plain bread for their lunch. I often feel an urge to ask them 'why are you eating bread?' and offer them rice". Sithi added, " I feel no hatred against Tamils. I only hope we could solve this problem without guns so that others need not suffer what we suffered."

A spokesman for the Mosque Federation added, " Kattankudy's loss of over 300 men in recent years has had an indirect social benefit. Our women are now far more independent and feel an urge for better education. We have in fact 25 women in universities including 3 in medicine-related courses. Men have a much harder time trying to control women. Another effect is that we have had to look at the dowry question seriously. Many women are affected because of our economic decline. The Mosque Federation has campaigned against the demanding of dowries. Previously the marriage register at the mosque kept a record of dowry transactions. This has now been stopped. Yet transactions take place privately. Our present success rate is about 25%. But we are optimistic. The return of Tamil labourers and masons is most welcome. For 3 years they were without jobs and we were without skills. There were few skilled Muslim workmen since our main pursuits were trade and agriculture. So we had ended up paying exorbitant charges for shoddy work".

The position of women in Kattankudy appears similar to that of women in neighbouring Tamil areas. There is no notable difference in dress or culture. The veil is hardly seen. It has been suggested that in times of crisis the differences are stressed. But at other times both communities proudly relate what they have in common- a good deal of which is not sanctioned by Islamic orthodoxy.

When it comes to internal developments within the Tamil community and their feelings about them, Tamil men though uncomfortable and harbouring great reservations, are generally afraid to talk about them. It is far easier to find Tamil women who are frank.

A young Tamil woman who often crossed the lagoon at Manmunai to travel to her home in the interior, welcomed the impending return of Muslims to Ollikulam from whence they were driven away by Tamil hoodlums backed by militants. The first to return had been the Muslim tea boutique man at the ferry point, providing much needed refreshment to travellers who often need to walk two miles or more. The woman said, " They had never done us any harm. They were in fact good to us. My family was well known to them. If I was seen walking on the road in the hot sun, they would invite me into their house and offer me refreshment. They would then arrange for a man to take me on a bicycle and drop me at the ferry point".

A woman living in the interior used to frequently encounter the LTTE during the early weeks following the outbreak of the June 1990 war. She disapproved of violence and used to express it to them. Some of the militants became quite open with her.

Shortly after the LTTE massacre at Kattankudy on 3rd August 1990, she encountered Arafat, a Muslim member of the LTTE. She asked Arafat how he could come to terms with being a member of a group that murdered his own people. Arafat was greatly disturbed. He confided that on the night of the attack two parties were to cross the lagoon by boat and meet at Kattankudy. The first had left from Kannankuda. He had been in the second party which left from Kakkadichcholai. The first party had got there earlier and by the time the second party landed the action was over. Arafat had joined the LTTE because he once received a beating from the IPKF. He added, " If we had got there on time I would probably have been posted as a sentry. I don't like what is going on, but I have to obey orders".

The woman did not hear of Arafat for nearly two years, when she received a surprise visit from him in Batticaloa. He said that he had come to observe a sporting event and upon making inquiries, had found that she was in town. He told her what had later become of him.

A few days after he had earlier met her, on 12th August, he received news of the massacre at Eravur and heard that many of his close relatives, including members of his immediate family had been murdered. The LTTE leaders told him that the massacre had been done by the Sri Lankan army. After Kattankudy Arafat had strong reasons to doubt. He secretly went to Eravur to find out for himself. When he found out, he surrendered to the Sri Lankan army. [See 4.1 of Report No 8]

A 26 years old trainee teacher had been the victim of rape by the Sri Lankan army during mid-1991. Her younger sister too had suffered the same fate. Her father was shot dead by the army 6 months later. Her brother was arrested by the army in July 1991 and released in January 1993. As a result of torture he suffers from an eye ailment and a lack of concentration. During the incident where she had suffered along with several others, some Muslim soldiers told the Tamil refugees, " If you can shoot people in a mosque, why can we not shoot you?"

The woman said that she felt no particular anger against Sinhalese or Muslims. Her face was marked by convulsions every time she thought about the past. She felt that Tamils too were much to blame for the state of affairs and referred to the mosque massacre. Her own fate, she said, arose not from the men being Sinhalese, but because they were men conditioned by the brutalised environment in which their institution was reared. On the Tamil militant groups, she said, " They would have been a gain had they stuck to principles on the basis of which people supported them. But they have now gone astray".

4.1.4 Alcoholism

The manufacture of illicit liquor is reportedly rife particularly in areas where poverty and unemployment have attained to unprecedented levels. Examples are Vinayagapuram, Akkaraipattu 40th mile post, and several parts of Mandur, where this has become a cottage industry. The ingredients are sugar, dates and yeast fermented and distilled through locally improvised apparatus. A barrel which is said to be manufactured at a cost of Rs 1000/- fetches Rs 2000/- upon sale. The police who are accused of having been negligent because they were collecting commissions were goaded into action in Thirukkivil after repeated complaints to the STF. The police collected 165 barrels from Vinayagapuram. Several times the number are said to be buried in and around Thirukkivil river.

Accessibility combined with misery has led to significant alcoholism also among women. In the village of Palamunai, near Mandur, about 85% of the men, and a majority of the women are said to be taking this brew which goes under the name 'Kasippu'. Local sources also report a high incidence of marriages becoming strained. Couples regularly call at Thirukkivil Police Station to have their quarrels settled.

4.2 The LTTE

What is passed off as successes for the armed forces comes less from hard work done by them, as we have pointed out, than from the LTTE's self-destructive outlook. The legitimacy conferred on it by the government has also been to a great extent counterbalanced by its own cynicism and its reliance on terror and murder. The divisions it created left the people directionless and doubtful about its cause. The number of informers became too numerous and too diffuse for the LTTE to track down and eliminate. Given the destruction of values in the Tamil struggle which made it synonymous with treachery and deceit, it is pointless to try to divide Tamils into traitors and patriots. This politics has made the average Tamil a schizophrenic person. On one plane the government's record may drive him to admire the LTTE and look upon it as the last straw a sinking people could clutch at.

Then again the LTTE is so distant from his practical need to keep himself and his family going from day to day. Nor is it seen as holding out future promise. More and more Easterners see the LTTE as merely having used them.

Thus without a positive political programme by the state, the LTTE in some shape will be around for a long time. Its presence though more precarious in the East, is real, and so is its network of extortion and ability to strike fear. Its image and legitimacy continues to be helped by the dread in which Tamil militants confronting it are held.

4.3 The Armed Forces

In the absence of a political vision by the state the position of the armed forces is not as secure as they would like to believe. Appearances however suggest otherwise. In distant places in Paduwankarai (Sunset shore - West of the lagoon) soldiers could be seen in twos and threes. Tamil groups opposed to the LTTE (TELO & ex-PLOTE Mohan's group) are seen to move freely. The LTTE presence is marked by missions other than military operations. It thus maintains a small but costly presence. On the other hand a large scale combative infiltration by the LTTE would be something else, where it would dominate a particular area.

It now seems that the STF would extend its area of control further north and take over Batticaloa town, while units of the army would be shifted across the lagoon to Paduwankarai to extend its network of camps. It may thus hope to receive early warning of any large scale infiltration.

The balance is however precarious. Further South in the Amparai District the STF is hardly going into the jungles for the LTTE as the IPKF did. It seems instead to keep the population from moving out of populated areas to their fields in pursuit of their livelihood and is using the Air Force to bomb the LTTE out of the jungles. It is the elephants that are being driven out instead to civilian areas causing much hardship to cultivators. This may have no foreseeable end.

The armed forces are thus in a real sense getting bogged down. Without political leadership from the government, the military commanders need to cultivate a huge ego to persuade themselves that they could finish the war. They are in turn becoming local fiefs preparing their own agendas like sponsoring groups at elections. Two Brigadiers have gone public complaining about the government's lack of support in their efforts at rehabilitation. They think they know what it takes to assuage discontent among the people. The vision of armed forces commanders could hardly go much further, particularly when they have inordinate faith in themselves.

But the people also look for dignity, justice and accountability for the killed and disappeared. A father said on the subject of compensation for his murdered son, "How can I eat over the body of my dead son?" This is a natural and widespread sentiment. Acceptance of compensation from the government is usually with a strong sense of distaste and an act performed in extremis.

The armed forces are thus trapped in an uncertain environment. Their presence seemed more acceptable while things were seen to be improving and disappearances were coming down. Now the bottom line seems to have been reached. There will be no accountability for disappearances. Disappearances will continue (12 in December for instance) as would unlawful reprisals against civilians (e.g. recently in Mankerny & Palugamam). The forces would continue to use impunity to ward off accountability for their actions. In short they would continue an oppressive presence.

There is thus among the people a visible rise of resentment against the armed forces. Their economic life is hindered. The hardships and indignity are being more keenly felt. This is not a healthy sign.

4.4 The Economy

Based on census reports one estimates that over 20% of the population fall within the categories of paddy land owners, cultivators, labourers and their dependents. This activity which is also inseparable from milk production forms the backbone of the region's economy. The service sector and trade are dependent on it. Services which widows propose to offer such as dress making, home gardening and pounding rice, roasting and packeting the flour could hardly be viable if the first is not revived.

Cultivation is now done mainly in fields close to inhabited areas. The conduct of the armed forces forms one of the main obstructions to the extension of cultivation. Our reports above show that a number of persons involved in legitimate activity such as cultivation or looking for cattle had been killed or had disappeared without a trace. In the opinion of farmers in general extortion by the LTTE was more bearable, at least among poorer farmers, as there were some rules in the game (see Chapter 4 of Report 11). Interference and activities of officially sanctioned Tamil militants which seem to be more erratic and ruinous are spoken of with far greater resentment [Report 11 & this report].

Among the worst off are farmers in the Amparai District who have gone through a long history of displacement, and also refugees of Indian origin displaced from Tissamaharama in the Hambantota District during the 1977 violence and later settled in Malayankaddu (Manmunai Pattu South West) and Koralaipattu West.

Some of them were among the 300 families in Kanjikudichchcharu, Vilkamam and Rufus Kulam in the south of Amparai District. Here they cleared lands for chena cultivation and also planted groves of mango and coconut in addition to other cereals. By the 70s they were exporting cholam (Indian corn) and manioc to the Hill Country. Thus they attained to a remarkable level of prosperity.

In June 1990 following the murder of policemen by the LTTE in Rufus Kulam, these people too became subject to reprisals and went as refugees to Vinayagapuram where they remain in a state of utter despondency to this day. Their abandoned groves and fields have become the home of elephants driven out of their jungle home as the result of aerial bombing.

4.5 Local Elections in the Eastern Province

4.5.1 Some general trends:

For reasons best known to them the mainline press had joined the government in celebrating a return of democracy to the East. The impunity which the forces continue to exercise in the face of significant human rights violations(e.g at least 12 disappearances in the Batticaloa District during December 1993) & the vulnerability of a large section of the population who had recently been refugees, have been ignored as mostly irrelevant. Set against blatant vote rigging by the police admitted in the Election Commissioner's report, the situation surely becomes bizarre. During past decades election irregularities had often come up for legal scrutiny. These had been violations by individual candidates which is a far cry from massive violations by officers of the law responsible for the proper conduct of elections.

Rigging by policemen who entered polling booths at Eravur and Kattankudy are well documented. Some of these votes were easily detected owing to the incompetence of the policemen. The incidents were at that time being denied by DIG/Police, Batticaloa.

The almost routine abuse of state power was reported in many places:

- * Policemen in civil are said to have gone around parts of Batticaloa collecting polling cards, including in Dutch Bar.
- * On polling day policemen without identification numbers (as they used to appear in dirty operations) were seen in some areas, including Navatkudah, trying to influence voters by threat.
- * Actual connivance of the police in rigging operations such as at the Convent polling centre in Batticaloa. The leading UNP candidate's car was seen within 20 yards of the entrance. From time to time police sentries at the gate were signalling to a group of impersonators standing in a group who came in twos. A policeman who could not read Tamil came with the card of one Annammah, a Tamil lady of matronly years. A number of impersonators were challenged and sent back.
- * In many instances the forces interfered in the campaign to the advantage of the UNP. The Army in Vaharai and the STF in Mandur rounded up civilians and took them to their camps to be addressed by senior UNP figures who came by helicopter. (Gamini Atulorale in Vahari and Joseph Michael Perera in Mandur.) On other hand when no pressure was used only about 60 turned up for the Prime Minister's meeting in Batticaloa. On seeing this Minister Joseph Michael Perera went away without speaking. On the last day of the campaign (27th February) the police refused permission for an independent group to hold a meeting in Batticaloa, whereas the UNP candidate was permitted. One day in Valaichchenai the Independent Group led by Ramachandran was to hold a meeting at 3.30 p.m and the army did a round up at 3.00 pm.

In Kallady and Valaichenai the people taken in a round up by the army were released by the UNP candidates. Kallar and Kaluwanchkudy were other areas where considerable police interference was reported.

The total effect of such abuses may not be as serious as would appear on the surface, although much rigging in favour of the UNP would have gone undetected. It is for instance reported that 4 of the boxes which came from particular centre in Batticaloa had a sizeable layer of UNP votes on the top. At Central College the police prevented opposition agents from inspecting empty ballot boxes before they were sealed.

Other observers said that once rigging became the name of the game, others who could mobilise sections of the population to collect polling cards and organise impersonations may have been at an advantage. They could moreover have done it without the kind of exhibition caused by policemen. It is alleged that there was rigging by Tamil militant groups in favour of candidates sponsored by them in areas where Tamils were dominant. Leading citizens in Kathankudy alleged that the SLMC too was involved in significant vote rigging.

With all kinds of forces at play the voting pattern may defy analysis. The elections in Paddiruppu electorate for example had long been regarded as 'caste' elections with Rasamanikkam (a Vellala) representing the FP and Ethirmanasingam (a Mukkuwa) representing the UNP in former times. More surprising was the large vote for the UNP from Tamils in and around Kalmunai which has left the SLMC deeply hurt. It is here that fear, patronage and marginalisation or beleagueredness all played a role. In Kattankudy 2 out of 9 seats were won by an 'heretical' Moulavi who evidently wanted to make a theological point.

In Batticaloa at least people seem satisfied that the army kept its neutrality on the day of polling once the matter was raised with the Brigadier. The army was however not a disinterested party. In many rural parts of the Batticaloa District, elections were won by independent groups sponsored by the army. In Vaharai it is said, although the army roped in people to meet UNP big-wigs, the people mostly did not vote. In Vellavelly the winning group is said to be led by a cow-hand. The army it is believed, thought that UNP- led local councils would mean interference in local affairs from Colombo. The armed forces in the East have largely got used to running their own fiefdoms.

4.5.2 Abuses of a more serious nature.

As we hinted earlier, the visible abuses which have been widely reported and most talked about are very likely not as insidious as ones that are hidden. The latter involve the employment of implicit terror by the state using the vulnerability of communities with a recent experience of state terror as reported by responsible persons.

Many abuses of this kind used threats to security:

- * Pottuvil is an area where the Tamils who fled had been recently resettled. The UNP group was led by the brother of Co-ordinating Officer for the East, **Mr. Majid**, Senior Superintendent of Police. It has been reported by Tamil community leaders that Mr. Majid met them and told them in effect that if the Tamils do not vote UNP, they would have to go back. This gentleman has been known for cavalier remarks in the past. He left the police, contested the 1989 general elections on a UNP ticket, lost, was reinstated in the police, and later promoted.
- * We said earlier that two UNP figures, including Gamini Atukorale, addressed a captive audience at the Vaharai Army Camp. The message the people received was that it would do their security much good if they voted UNP.
- * 13th Colony, near Mandur: The STF reportedly told the people that if they do not vote, they would be harassed by round ups three times a week. This was understood and acted upon as a message to vote UNP.
- * Central Camp (Amparai District) : This area has about 8000 voters. 9 out of 19 Grama Sevakas (Village Headmen) were said to be working actively for the UNP. The GS of 4th colony for instance was seen going about in the vehicle of a UNP MP for the area. Some Co-operative inspectors were also mobilised by the UNP. Among the messages given was that if the people do not vote UNP their Janasaviya payments and widows' charity payments would be stopped.

Another serious issue was the political role of the forces in using their power to canvass candidates through means of pressure available to them.

- * Nearly 70 persons who were ex-LTTE or suspects of some sort, either held by them or regularly monitored by them, were forced to sign up as candidates for independent groups sponsored by the army. The forms for their nomination were obtained from the Batticaloa Kacheri, filled by the army and given for their signature.
- * **Chandra Fernando**, DIG/ Police and **Lionel Karunasena**, DIG/STF, we reliably understand were personally involved in canvassing candidates, carrying messages allegedly from **Sirisena Cooray**, then Secretary, UNP. The STF is soon expected to assume control of Batticaloa town and much of the populated areas of Batticaloa. Given the role of these two institutions in widespread human rights violations over the last 10 years which lie uninvestigated and their enormous power, their role in elections where stakes would be far higher, remains a cause for deep concern.

4.5.3 Voting in areas with large Sinhalese populations.

Looking at the official local council results in Amparai and Trincomalee Districts where Sinhalese form the majority, the ratio of votes polled by the UNP to those polled by the SLFP is most of the time of the order of 3:2. But talking to people one gets the impression of widespread resentment against the UNP, not least because of what many of their young men had suffered from the state during the recent JVP troubles. South based democratic groups who probed the conduct of elections give the main reason as being the UNP's powerful grip over the government machinery to an extent unprecedented in this country's history. Being the party that has ruled for 17 years through a system of corruption, patronage and punishments for those who do not fall in line, it has had almost a whole generation of new appointments and transfers to strengthen its control. In dealing with the Tamil areas we pointed out that in Central Camp about 40% of the GSs (Headmen) were actively working for the UNP. In Sinhalese areas the proportion is said to be higher. The GS being the chief village level government officer, his power is considerable. To start with, in preparing voters' lists he could omit persons not likely to vote UNP. It would take an active grass - roots opposition to contact households and ask them to go and make sure that they had been registered. The Opposition has also been notoriously inactive. The GS has also considerable authority in determining Janasaviya aid recipients and in the matter of rations for displaced persons. A UNP affiliation has also widely served as a license for unmolested corruption. The end result is that among the people there is resentment co-existing with pressure to vote UNP.

Documentary evidence of a novel use of the government machinery came for Thampalakamam where the UNP obtained 51.6% against the SLFP's 38.8%, where the total valid votes polled was 8312. Here two individuals, one supposedly a Tamil lady, had signed at the post office and had taken over from the post master something like 100 polling cards ostensibly for distribution. This is totally irregular. Each card is meant to be delivered to the householder by the post man. Given the recent experience of Tamils in Thampalakamam it would be hard to imagine a Tamil lady with so much confidence in the 'democratic process' as to want to ensure that a couple of hundred Tamils exercised their franchise. It seems far more likely a case of the GS registering names of Tamils who had fled Thampalakamam and the post master doing the rest. A total of about 600 cards were removed in this manner. A man who had allegedly signed for two hundred cards when contacted was shocked by the event and said that he had never done anything of that kind. This one instance had sufficient votes to tilt the decision in favour of the UNP.

4.6 The Whirlpool of Eastern Politics.

For a time in the 1950s and 60s in particular Tamil nationalist politics became the common currency of the Tamils and Muslims in the East. Differences of caste and religion were for a time swept under the carpet. In fact the Muslim Congress leader Mr. Ashraff is quoted as having once said that even if others give up the goal of Tamil Eelam, he would fight on. But the major parties which controlled state power played on the underlying differences by dangling the benefits of state patronage. The current crisis of division in the East is a failure to articulate a

principled politics that would look at diversity positively and protect the common interests of the people of the East. We have pointed out before that no group or faction is innocent of trying to use state patronage in an attempt to advance its own position. Most damaging was perhaps the LTTE's use of the UNP regime under Premadasa to eliminate or marginalise other Tamil groups and the Muslim Congress. We have in this and previous reports described several crude uses of state power to buy off sections of the minorities while moving ahead with Sinhalisation of the East. The recent local elections were a reflection of this crisis.

UNP politics is not just communal at national level, but also at local level in a more sinister fashion. It would deploy Tamil candidates to effectively tell Tamils that unless they vote UNP, the next Muslim town or village would get libraries, stadia, schools and hospitals while they remain backward. Many Tamils would then argue that they must vote UNP, for if not the Muslims would move ahead and swallow them up. The reverse is no doubt employed in areas where Muslims feel more threatened. Such politics owes a good deal to the communal hatred that has taken root in the East.

The resulting sectarian politics of Tamil and Muslim exclusivism has led to opportunism that is the reverse of the group rhetoric employed. Tamil factions have courted the state at different times in an attempt to eliminate each other. Everyone seems to be able to give good reasons for their position.

An independent group led by Moulana won the local elections in Eravur. The voting reveals, as the people proudly assert, that they are dead against the UNP and have little faith in the Muslim Congress. But Moulana's joining the UNP has been pardoned on the plea that it is the only way they could get government money-echoes of Kanagaratnam, the former TULF MP for Pottuvil who crossed over to the UNP.

The Mayor of Batticaloa had been a dedicated activist on the Peace Committee. He was elected to office as head of an Independent Group sponsored by the TELO and PLOTE. A question posed by his critics is how a man who had regularly listened to parents of victims complaining about the activities of those groups could accept their sponsorship. The Mayor's defence is that had he not accepted this position, the UNP would have gained control of the municipality, whereas he is now better placed to serve the people. Similar things would be said by thousands of Tamils holding office in Colombo as well as in LTTE ruled Jaffna.

A former close associate of Mr. Ashraff in the Muslim Congress comes out as quick witted, very rational and very articulate in Tamil as well as English. He says frankly, "The Muslims learnt everything from the Tamils, including militancy in politics as well as the associated rhetoric. Leading Muslim politicians were schooled in the TULF. The Tamils wanted a region for themselves and then so did the Muslims". He admits that a politics that unites the Tamils and Muslims is most desirable and goes on to candidly acknowledge that it is now not the stuff for a practical Muslim or Tamil politician. He says that Ashraff betrayed the cause for which the Muslim Congress was founded by backing President Premadasa (of the UNP) during the 'Impeachment Crisis'. Recently this politician's group which fielded candidates against the

Muslim Congress lost in its home base of Akkaraipattu. The politician himself is widely reported as being on course to join the UNP. Here his admirable rationality fails him and he comes out far less convincingly. The two reasons he gives are first: The UNP is less communal than the Peoples' Alliance, and second: He needs to protect his followers from persecution by the Muslim Congress.

All this is a legacy of history for which individuals cannot be entirely blamed. It shows that any political force which merely uses present cleavages and appeals to group sentiments they had given rise to, will make no impact and will only contribute to the continuing marginalisation of the Tamils and Muslims in the East. Any party that wants to make a benign impact will have to go in with a non-sectarian vision that people could be convinced of and practical goals which people could work towards. In the given reality such an approach would require alliances of principle without the horse-dealing of securing power as its principal objective.

Tamil nationalist ideology once articulated from platforms by the TULF, is now sought to be monopolised by the LTTE. TULF sources in Batticaloa admitted that they were preparing to field candidates for the local elections. But that because of indications of a threat from the LTTE, the leadership in Colombo had decided against their contesting. Another prominent TULF associate said, "The LTTE is strongly against having us in the field and have killed our party members who have done considerable service to the people. In fact they killed Sambanthamoorthy during the IPKF period when he visited his paddy fields. They had earlier assured this senior member of the TULF that no harm would befall him. On the other hand leading persons in Batticaloa with others closely associated with the UNP are paying considerable sums of money to the LTTE and are operating freely". Earlier instances of collusion between the LTTE and the UNP are also widely talked about.

CHAPTER 5

REPORT ON THE NORTH

5.1 Jaffna Report

5.1.1 Attacks on civilians by remote delivery

Between 1st October 1993 and 6th January 1994 93 civilians were killed in aerial attacks, land based shelling and attacks on fishermen at sea. Well over 200 civilians were injured. Shells or bombs fell into the ICRC controlled safety zone around Jaffna Teaching Hospital at least 3 times. A Hindu temple in Varani was completely destroyed. At least 45 civilians died in bombing in and around churches - St. James' Jaffna: 19th November, near St. James' again 5th December, Chavakacheri American Mission Church and Town Centre: 30th December 1993.

The apparent reason for bombing near St. James' on 5th December when 23 civilians were killed was a protest march two days earlier over the bombing of 19th November.

During the same period bombs fell in the vicinity of 4 hospitals in the North (Jaffna, Manipay, Killinochchi and Mullaitivu). The maternity ward at Killinochchi hospital was hit on 15th November 1993 killing 2. The pilot had apparently thought that a tank captured by the LTTE during the Pooneryn attack was in the area. From 6th January 1994 to March end at least 19 (11 at sea) have been killed for the same reasons in and around the Jaffna peninsula (January: 2 (at sea), February: 4 (2 at sea), March: 13 (7 at sea)) and at least 38 were injured. Of the 19, one or two died as the result of aerial attacks during the second half of February. Shells fired from Mandativu again fell twice within the Jaffna Teaching Hospital safety zone during January.

On 15th and 16th February, about the time the new Air Chief assumed duties Puccara Aircraft dropped a total of 15 bombs on Nochchikudah, on the west coast of Killinochchi District. Two men and two women were killed and ten seriously injured were taken to Jaffna via Jaffna Lagoon. Since the Pooneryn attack of November, travel across Jaffna Lagoon has generally been without incident.

Air attack on civilians crossing Jaffna Lagoon

A notable exception was 26th February, a week after the new Air Chief pledged to fight a clean war. The crossing which commenced at 7.30 P.M. had almost been completed. It was the day after full moon. The SLAF does not attack on full moon days because of its sanctity for the Buddhists, and when all meat stalls are closed - previously the only guaranteed safe day for crossing the lagoon. At 10.00 P.M. one of the last 10 boats south was mid-way across the lagoon when a helicopter appeared and opened fire. The boat was hit and two were slightly injured. The boatman zig zagged and continued his journey. 15 minutes latter Puccara aircraft appeared and commenced bombing over the entire area.

Strangely, a team of Methodist churchmen with MoD approval was at the tractor point at Nallur, waiting to go by tractor and board north bound boats to Kilaly. They had sought MoD permission to take along with them 3 German church folk from Dortmund and had also got approval for their white van. The aircraft fired rockets at the van and missed. Passengers in a tractor that had just started, stopped the tractor and took shelter under the trailer to watch the fireworks on either side of them. Although a high death toll was initially feared and 3 boats reported missing, in the final count one or perhaps two had died. One was a lady reported to have fallen into snake pit while running for safety and was bitten. The bags of several passengers who had run for safety had been stolen.

The Colombo press published the MoD version which claimed that aircraft had moved in after the LTTE fired at the helicopter from the sea. According to a reliable witness in the boat first attacked by the helicopter, there was no firing from the ground (sea) and the LTTE was not in the vicinity at that time. Others also said that they became aware of trouble only when attacked from the air. The general consensus was that it was a planned attack using visibility provided by the near - full moon.

Shell attack on Jaffna Town: 15th March 1994

Five shells fired by the army from Mandativu fell in Jaffna Town at 10.30 A.M. on this day killing four. Though a routine kind of incident, it was also the day the LTTE massacred Sinhalese fishermen off Kudiramalai. Any connection however is very hypothetical. One shell hit the top of a lamp post in Rasavinthottam near the Holy Family Convent and exploded spraying shrapnel. It was at that instant that Mrs. Indranee Paranthaman (53) was at the gate receiving Dr. Suntharam Sivayogasundaram (56), a veterinary surgeon who had come to treat her cow. One of the former's 4 children, a daughter Gowri(19) and Mr. Pulendran(59) a passer by were also killed. Three others received injuries through shell explosions, including Mrs. Sinnathurai(80), mother of Mrs. Paranthaman. Such incidents are routine.

June 11th to 13th 1994:

This period saw an intensification of shelling which was also random. The areas affected were Valalai, Idaikkadu, Atchuveli and the coastal area near Jaffna town. During this period several church festivals were taking place in the latter area. The people believe that the shellings were deliberately timed for the festivals. Some of the incidents are:

11th June, Saturday 2 a.m: Gurnagar shelled. Three persons killed: Seran Niroji (4), Ushanthini Sindhu (8) and Rohini Gallister Suresh (15). The dead were sleeping in the same house. Six others were injured.

On the night of the same day shells fell about the Bishop's House at St.Patrick's. The building of the social service organisation HUDEC was damaged.

12 th June Sunday : Shells were fired into the Gurnagar market at 8.00 a.m when the market was active. Three were killed and thirty injured.

On the same morning two shells fell in the premises of St. Anthony's, Passayoor, where the church festival was being celebrated. The shells failed to explode.

13th June 5.00 p.m: Passayoor shelled again. Four were injured including a pregnant woman. People in the Gurunagar, Koddadadi and Passayoor areas are moving out. Those around Aichuveli are moving towards Avarankal and Puththur.

5.1.2 Health conditions in Jaffna

Among the worst affected by shortages and general deprivation are the poor, unemployed and refugees whose resistance is commonly low. The latter often live in crowded temporary hamlets on vacant lands which are also subject to flooding during rains. The common ailments are malaria and typhoid. Cholera has disturbingly made its appearance after being unknown in Jaffna for much of this century. Some infectious ailments resulting in fever are said to be undiagnosable and in some varieties lead to certain death. This caused panic in affected areas.

Some of the monthly accounts filed by SCF, the reporting NGO for Jaffna District are strongly reminiscent of 19th century administrative reports from parts of the dry zone where illness and high death rates were endemic:

January 1994 : "Cholera seems to have reached a plateau in most areas but is increasing more rapidly in Pt Pedro. Total admissions as on 31/1/94 1155. There has been a sharp rise in the number of malaria cases, including a number which are Chloroquine resistant. Anti-malaria drugs were out of stock at the end of the month, and Malathion had not arrived. The RDHS had not received the supply of drugs and medicines for the first quarter

February 1994: "The RDHS received the first quarter's drugs this month in addition to 50 barrels of Malathion. Cholera remains a problem in the Pt Pedro area and one school was temporarily closed. Incidence of malaria and septicaemia is still high particularly among children leading to 34 deaths in the paediatric ward of Jaffna Teaching Hospital (JTH) this month.
"NGOs implementing the RFG (German aid) programme are now several months behind because of restrictions on transportation of project materials from Colombo.....
Permanent water and sanitation facilities cannot presently be constructed so that public health, especially amongst the displaced population, will continue to be a perennial problem.
[The number displaced is given as 8968 families of 37 767 persons in camps, and 70 866 families of 226 568 persons outside camps. Total 79, 834 families of 264 335 persons].

March 1994: "Cholera continues to decline. However, incidence of malaria is still high, particularly in Vadamaratchi and Thenmaratchi. According to JTH there have been 1244 positive malarial cases this year..... 68 children have died of septicemia this year which health officials say is symptomatic of a lowered level of resistance among vulnerable groups within the population.With the onset of the dry season there has been an increased incidence of snake bite leading to the JTH running out of anti-snake venom...

If the people have not gone under, it is little thanks to the authorities in the South or to their liberators. But much credit must go to the dedication of the staff of JTH, Pt Pedro and other satellite institutions. Those intimately familiar with Jaffna and with hospitals in the South have commented on the commitment of staff in the former and the corruption that prevails in many hospitals in the South - where not infrequently drugs and facilities provided by the government are used for private practice and profit. Those in the South begrudging anything going to Jaffna hospital argue that it is the best hospital in the Island, provided moreover by the government for the benefit of the Tigers. The widespread bombing, shelling and illness may also make JTH the most hard-pressed hospital in the Island. It may in some sense be the best hospital in the Island though poorly endowed with amenities. But that is inspite of the government and the Tigers.

5.1.3 The Regime

As mentioned elsewhere there is no obvious armed presence on the streets. But the repression has become internalised. Experiences, fears and memories lie buried within. Vehicles with darkened panes travel unobtrusively about the streets. Mothers do get worried if children stay away too long after it is dark, although Jaffna is said to be free of crime.

Sometimes the peculiar internal politics of the LTTE spills over as a public event. Rumours are spread to rationalise the event and the matter is hushed up. Last year a bomb was thrown at the LTTE's intelligence chief Pottu Amman from which he escaped. Later the sensational arrest of Mahattaya and his supporters. More recently was the suicide of a member said to have been very close to the Leader after he went into hiding and a chase launched to apprehend him.

As for the large number of political prisoners held, the LTTE continues to put out contradictory statements. The 'Counterpoint' (November 1993), was told by the LTTE's one time chief spokesman Anton Balasingam (present status not known) that Manoharan and Chelvi, two student detainees from Jaffna University, are alive and well. But since then no indication has been forthcoming.

5.1.4 Expatriates, Australian visas and visas to Vavuniya

While the communal violence of July 1983 was raging, a group of Tamil expatriates in Australia became very active in exposing the culpability of the Sri Lankan regime - a very legitimate activity. But the effective thrust of their campaign was not to help Tamils to live here with

dignity, but for lenient terms on which their kith and kin could migrate to Australia, and in this they were successful. The less privileged sections being left behind no doubt became more vulnerable. This was the thrust in most Western countries. Copies of stories published in the foreign media, horrible and true no doubt, were circulated to thicken asylum applications. Nothing wrong in that. The fear was no doubt real.

Many of them settled down to live in the West and became strong advocates of the Tigers, perhaps to salve their consciences or to feel virile and militant amidst the reality of their humdrum existence. Having successfully negotiated their exit from this country, one effect of their pro-Tiger activity is to condemn their former compatriots in Jaffna to be denied even visas to Vavuniya by the Tigers. While their sons go to prestigious universities, school children in Jaffna are imposed upon, and given little choice but to join the Tigers and die for them, often in disillusionment, preferring to die rather than to live.

Living in this political environment amidst death rained on them by their government, with deteriorating infrastructure and conditions of health, many for a variety of reasons would like to take their children out. Not to Australia, but just to Colombo, Vavuniya or Trincomalee. But most of them are actually or effectively denied visas by the Tigers to make the journey to Vavuniya in the first instance. These people, if anything, should be commended by their compatriots in the West because they had stuck it out through many difficult years after 1983, and now the denial of their right to leave is being legitimised by many of those who had left.

There are many discrepancies in the way the Tigers operate granting of visas. The amenable elite are kept on very good terms and they could take their children out freely. In the course of their travels abroad, they could be trusted to reinforce the LTTE's propaganda, at least by what they fail to say. Then come the rich with capital outside Jaffna who could buy their way out, even giving their house to the Tigers. For the middle class there is the dilemma that if they surrender their house and belongings to the Tigers, they would have little capital left to earn and start life anew in Colombo. For the others there is no way they could go unless they had some special influence within the Tiger bureaucracy.

Many of these people are desperate to leave not for any selfish reasons, but for pressing reasons of health or because of family problems. We give a few typical instances.

*The father of the family, a government servant, was abducted by the police in June 1990 in the Polonnaruwa District, was murdered and burnt with 3 others. The wife in Jaffna never saw the body, underwent a terrible trauma and broke down. She went to Colombo for treatment and is now with two daughters, the eldest and youngest of her three children. Her son, a boy, is in Jaffna and has been refused permission by the Tigers to join the mother. This creates much anxiety in the family and hinders the mother's recovery.

*The father of the family is in Canada, the mother in Colombo with some of the children and two children in Jaffna who have been refused visas by the Tigers.

The father wants the mother and two children in Colombo to join him in Canada as he cannot afford three establishments. But the mother refuses to go to Canada leaving her sons in Jaffna.

- * The daughter affected by the trauma of life in Jaffna broke down and came to Colombo for treatment. The mother is expected to stay in Jaffna with her youngest son, obstructing the daughter's recovery.

Many of these problems arise from a high rate of breakdown in Jaffna and the Tigers wanting to make up in Jaffna their falling recruitment elsewhere [Chapter 6]. However highly the Tigers are praised by their expatriate supporters who relish their videos as part of family drawing room entertainment, their sons and daughters are not going to make up the shortfall in LTTE recruitment. There is a limit to which even the poor and alienated in this country could be driven. If they care even a little for their people, they should look for a healthier way to resolve this problem. They could start by demanding the right of people in Jaffna to obtain visas to Vavuniya as intently as the right of privileged Tamils to obtain visas to the West was pursued in the 80s.

5.2 Developments in South Vanni

In chapter 3 of the last report (No 12) we highlighted a general mood of disenchantment towards the LTTE's politics against pressure from the LTTE on villagers to join its volunteer force. Essentially, these are people with a collective mind with a memory of neglect going far back in time. With the onset of the militant struggle in the 80s and several massacres by the Sri Lankan forces, especially during 1984 & 85, the youth readily joined the various militant groups. The first of the major massacres was the Murungan massacre in the Autumn of 1984 in which more than 100 civilians were killed. As time went more than 200 Sinhalese residents were killed by militants in sporadic violence resulting in their displacement.

An element in the ethos of the people in the westerly part of this area is given in the 1921 Census Report: "The mean infant mortality rate of 380 per mille for the decade is much the highest in Ceylon, being 184 per 1000 higher than the Island rate, and 50 higher than any other district rate. Weakness both of mothers and children due to malaria infection, insanitary habits,.... are the stated causes of this figure Deaths of women in childbirth are also excessive, and the following statement made in 1911 is probably still true: - "This matter has now reached such a state that when a woman conceives she gives up all hope of successfully getting through the ordeal, and makes all future arrangements subject to that contingency. I think this hopelessness and fear are great contributing factors to this disastrous state of affairs."

By pushing them hard to the point of hopelessness the LTTE invoked a kind of opposition that was both instinctive and unpremeditated. The LTTE encountered few problems in dealing with the Church. But with the people it observed some caution. Its collection of 2 sovereigns of gold or the equivalent in cash, more or less compulsory in Jaffna irrespective of affordability, was only directed here at people rich by local standards. Such a person would be say a farmer who

owned a tractor. Non payment exposed them to having the tractor borrowed by the LTTE and returned in a state where the repairs were far in excess of 2 sovereigns (Rs 10 000/-). But people found ways of resisting that as well. An elderly woman insisted that she could not pay. When the LTTE persisted, she said, "I will write off a piece of my land to you. You sell it, take your Rs. 10 000/- and give me the balance." The LTTE rejected this and went away saying they would call again for the money. But they never returned. People also discovered that an effective means of controlling local LTTE leaders was to petition the Chief in Jaffna. The area leader around Parappankandal left his bicycle outside a shop and went inside to make some purchases. When he returned his head lamp and dynamo had been stolen. The young man in his late teens was almost at the point of tears of bewilderment. We seem to see elements of Wannu culture which so exasperated Dutch colonial rulers who found Jaffna smooth sailing.

A notable cause of displeasure among farmers which holds for the entire rural North under LTTE control is the effective monopoly maintained by the group on the purchase and distribution of rice. The group also controls transportation across Jaffna Lagoon to the major market in Jaffna. By means of this monopoly over the staple cereal the LTTE has been able to control the price of rice and make profits. But for the farmer it has often meant ruin. To start with, purchases by the LTTE are not well organised from the farmer's point of view. When a private trader is involved the farmer sells quickly for a better price (about 20% more). Without even sacks to store paddy many farmers have paddy piled up on floors and attacked by rats.

Discipline among the cadre is also reportedly more lax than in Jaffna. A common practice among cadre is to exaggerate the number of bullets used and to retain some for their personal hunting. A cadre on a hunting expedition fired at his prey and accidentally shot dead a farmer in his field. The cadre was arrested and taken to Jaffna for disciplinary action.

Another means by which this disenchantment surfaces is common in Mannar and Vavuniya. Several villages on the frontline have decided to stay put if the army moved forward. There were recently rumours that the LTTE had ordered the people of Naruvalikkulam near Vankalai to vacate when an army thrust from Vankalai was thought imminent.

What alarmed the LTTE most seems to have been the large number of cadre from this area leaving the organisation even before the contract period of 5 years was ended. This means in general an obligatory punitive stint lasting a few months in lieu of service. This was brought home to the LTTE which sent cadre to put an end to an illicit liquor (Kasippu) brewing operation in the jungles near Madhu. What resulted was a near confrontation. The brewers turned out to be former LTTEers. Startled by this event, the LTTE summoned a meeting of ex-LTTE members at Madhu. The episode is said to have brought about a realisation that the numbers from that region leaving the organisation were comparable with, or perhaps greater than, the number joining.

Forthwith, recruitment and training for the Volunteer Force of people from that area was halted. It appears that it has been deemed unwise to train and arm large numbers whose commitment to the LTTE's cause was questionable. For the LTTE this was a consequence of abusing the

people through an instrumental approach instead of raising their standards and maximising their human potential as a liberation struggle ought to do.

5.3 Report on the District of Mannar

5.3.1 General The district has had the misfortune to suffer from the baneful politics of the two warring parties. One aspect of this is the delight both sides seem to derive in hunting down fishermen of the other ethnic group. Where the district is concerned what is more disturbing is the lack of political perspective or direction on the part of the government. On the one hand an announcement earlier in the year that the ban on fishing in of the North was lifted was attributed to the Ministry of Rehabilitation and remained uncontradicted. The NGO community interpreted this as the MRR & SW trying to cut down on the burden of giving dry rations to families of fishermen in the North. It was also pointed out by others that the ban 'legally' remained in force unless sanctioned by the Ministry of Defence. In fact everywhere in the North fishermen continued to be killed by the SL Navy. In Mannar of course fishermen were told by the army that they could fish. But no one was answerable if the Navy shot them. Some who believed that there was a relaxation paid with their lives.

The Navy stationed at Kalpitiya and unwilling to cover the part of the coast between Kudiramalai and Mannar Island were given a substitute drill. This was for two Navy boats to wait off Kudiramalai Point and stop all the boats proceeding from Kalpitiya to Mannar. After all are assembled a roll call is taken and the boats are allowed to resume travel. Passengers arriving in Mannar Island (a cleared area) after an additional 1 1/2 hours wait in the sun are faced with another novelty. They need to stand, including women and infants, in two gruelling queues for what are effectively a customs check and immigration clearance. To someone who cannot look important enough and do some queue jumping the process may at times last two hours. Things are by comparison far more relaxed at Colombo Airport. There are even body checks. It is ironically like entering a separate state. The immigration and customs buildings were gifted as part of a UNHCR Micro Project costing a little under Rs 3 lakhs. The courtesy is erratic. A Muslim businessman carrying a small quantity of naphthalene balls to Mannar Island, had declared this on the form and had got it passed by the Navy at Kalpitiya. While being checked as he was boarding, the naphthalene balls were removed by a naval rating. When the businessman asked for them back on the grounds that approval had been obtained, he was badly assaulted by a petty officer. If one torch battery smuggled or inadvertently carried was discovered at either end, it would be treated as a significant battle won and a suitable justification for the entire rigmarole. As a result, with the town generator broken down for much of April, people living under government protection in Mannar were unable even to listen to government radio broadcasts. On the other hand batteries, though at a price, are freely available in LTTE controlled areas. All this is part of a trend of poor leadership, political indecision and drift.

5.3.2 Incidents

1st April 1994: Kokkupadayan (Near Silavatturai) : During the IPKF presence the PLOTE had been in this village. Acting on the notion that the people had rejected them, the PLOTE cadre treated the people very badly through beating and general infliction of physical pain. Although

there was some relief when the LTTE took over in January 1990, the people had become disillusioned with a struggle that had led to fratricide. Consequently, it is said that not a single youth from the village joined the LTTE and this was a sore point with the latter. As the war progressed, the people left for Madhu as refugees.

Following the pull-out of SL forces from Silavatturai about August 1993, several people decided to resume their vocation of fishing. Selvam was a partner with his elder brother. During 3 years at Madhu, the elder brother had done some trading and had meanwhile become physically unfit for a fisherman. But he provided the capital. At the dawn of 1st April many of these fishermen were fishing in a bay a few miles south of Arippu. Two SL Navy gun boats on patrol from Kalpitiya made a quick foray into the bay and opened fire at anything that caught their sight. The fishermen promptly left their boats and leapt into the sea. Thanks to a fog that had descended on the bay and had not lifted at that time, no one was hit. But unfortunately for Selvam's brother, three years on land had deprived him of his stamina for swimming. Although Selvam made every effort to save him, the brother had taken in too much brine and died of asphyxia as he was brought ashore. Selvam took him to Madhu for the burial. The boats of the fishermen were restored to them by the Sea Tigers.

25th April (Sunday): Pesalai, Mannar Island.

Even with unofficial permission given to fishermen to fish close to the shore, the catch has been extremely poor and unrewarding given the long hours of work. When the Colombo press announced the lifting of the ban, this was taken as a move towards leniency. But legally as explained above, the ban remained. The fishermen were told unofficially by the authorities that they could put out to sea at 5.00 A.M. On the day mentioned two brothers from Pesalai Ward 4 put out to sea at 3.00 A.M. in the hope of a better catch. The empty boat was in the sequel tossed ashore with bullet holes and chip marks. When contacted by the police at Pesalai, the Navy at Talai-Mannar accepted responsibility for the incident.

5.4 15th March 1994: Kudiraimalai: The massacre of Sinhalese fishermen.

5.4.1 Background: The background to the incident has a long history going back in time to the early British period in which Kalpidy, Kalpitiya or Calpentyn as Dutch called it, played a strategic role. Kalpidy, now the port of destination for travellers leaving Mannar Island and 60 miles south of it by sea, lies in the Akkarai Pattu Division of the Puttalam District. The division according to the Puttalam Gazetteer (Frank Modder, 1908, Reprinted, Navrang, 1993) comprehends 42 villages, and the number of inhabitants in 1831 was reckoned at 5666 in the proportion of one Malabar to ten Moors. Of Kalpidy which lies in the north of the district it says, "The inhabitants are composed of Malabars, Burghers, Javanese and Moors, and according to the Census taken in 1831 amount to 2498." It says later, "The fisheries of Calpentyn have greatly increased within the last few years, by an influx of fishermen from Mannar and Negombo.... The Gulf of Calpentyn is rich in chanks of the best quality, and also in bicho-demar, which latter is occasionally collected and exported to the markets of Singapore and Penang by Chinese merchants".

Thus the link between the fishermen from Mannar and Negombo was a close one. Both were also Roman Catholics, spoke Tamil and in the early British period the region came within the Church's Jaffna Diocese. Both also shared religious festivals at 'Our Lady of Madhu' and at 'St. Anne's Talavillu'. Good relations remained although the Roman Catholic authorities following the 'Sinhala Only' policy of the government in 1956, commenced the Sinhalisation of large Tamil speaking Roman Catholic congregations in the districts of Puttalam, Chilaw and Negombo. The Church itself became communally polarised.

5.4.2 Immediate causes of the incident: Given its duty to articulate a more responsible politics at a time of conflict, much of the blame for the incident must be placed on the Government, and the mindless brutality of the SL Navy. In imposing a fishing ban on the North the Government gave no thought to how it would affect relations between communities. The Negombo fishermen are brought to Kalpidy, taken aboard boats and trawlers owned mostly by mudalalis which sail north and fish effectively in Northern waters, officially at least just south of the banned zone. They also have land facilities in Battalankundu (Karaitivu), an oblong island just south of Kudiraimalai. The mainland of the Mannar District lies almost east across Portugal Bay. The situation resulted in an insensitively discriminatory policy. The Negombo fishermen were given naval protection, nominal as it turned out, to fish effectively in Northern waters. But for the Tamil fishermen on the mainland across Portugal Bay, if they so much as showed themselves, could be mercilessly shot by the SL Navy. There were also in the area small - scale Sinhalese fishermen operating in small boats owned by them.

The military defeat at Pooneryn prevented the Navy from further killing of Tamil civilians travelling across Jaffna Lagoon. Three naval boats and their crew were also lost in suicide attacks during August 1993. Out of a mixture of nervousness and bloody - mindedness the Navy regularly killed Tamil fishermen harassed by poverty all along the Northern coast. The press most often faithfully reported the incidents as successes for the Navy in killing Sea Tigers. At least 15 fishermen were killed by the Navy off the coast of Jaffna during the four months ending 28th February 1994.

During March the tempo of killing fishermen seems to have been on the rise again.

6th March	-	Off Ponnali	- 1 fisherman killed, 2 injured.
7th	-	Off Vadamaratchi East	- 3 killed, 4 injured.
12th	-	Off Pt Pedro	- 1 burnt with boat, 1 rescued with injuries.
20th	-	Off Mandativu	- 1 missing, 2 injured.
20th	-	Off Pooneryn	- 2 killed.

Given the very real danger, it is evident that it was poverty that was driving these fishermen. The pattern in Mannar itself was similar and is given separately. [See 5.3].

A change came to the area in question with the pull-out of the SL Army from large tracts of the Mannar Mainland about August 1993, enabling the Sea Tigers to set up fairly secure bases

around Silavatturai. However the Negombo fishing mudalalis continued to maintain links with the Tigers through smuggling fuel and other banned items from Akkaraipattu to the Mannar sea. With the coming of the Sea Tigers the Navy too generally avoided the area. Kudiramalai marked the northern boundary of the area of responsibility for the Navy at Kalpidy. The 35 mile stretch from this point to Mannar came under the Talai - Mannar command.

Relations between the Negombo fishermen and the local Tamil fishermen was mixed. The latter caught prized items such as 'Lion' Prawns (Singaraal) and crabs for which they were in no position to find a market. They sold these to the Negombo fishermen who sent them on to Colombo through Kalpidy. Also as is the normal practice with fishing mudalalis with capital all the way from Kerala to Negombo, they sometimes damaged the nets of the local fishermen. But this had little to do with the LTTE's massacre.

Since several of the Sea Tigers came from Tamil fishing communities, they too would have felt some resentment that Tamil fishermen were being killed by the Navy while their Sinhalese counterparts were being protected by the same Navy. There was also resentment on the part of the Navy that the Sinhalese fishermen were not giving them information about the hide-outs of Sea Tigers. These are also rather complicated relationships since, according to well informed sources, sections of the Navy accept bribes to facilitate the smuggling operation into LTTE controlled areas.

The decision to massacre was obviously taken at a high level in the Tiger leadership. Why did they so decide? One reason may have been to tap the resentment of fishing communities, particularly when their legitimacy in that area was falling dangerously. As a later development suggests, there seems to have also been an element of killing two birds with one stone.

5.4.3 The massacre & its aftermath.

The information here is summarised from a 'Yukthia' report of 24th April 1994. Anthony Fernando like most of his ill-fated companions came from a poor family. The desperation which drove them to take the risk is exemplified by the fact that Anthony Fernando had been injured 15 times in LTTE aggression. At 5.00 A.M on 15th March Anthony and his companions were boiling water on a kerosene stove. Another boat came close by and Anthony heard a shout in Tamil, "Have you any thing to eat?" This was not unusual because most of the fishermen spoke Tamil at home. Anthony answered, " Yes, some biscuits" and went forward to hand over some. One of the new comers jumped into the boat with a gun and asked, " Are you Sinhalese or Tamil? ". Anthony then knew that the new comers were Tigers. The fishermen replied that they spoke Tamil as well. The Tigers asked them to proceed to the front deck of the boat, and opened fire as they did so. Anthony was wounded on the shoulder. A Tiger trampled his neck and he was later thrown into the water. Anthony feigned death and bided his time. Upon the Tigers leaving, he clambered into his boat and fainted upon seeing his 5 dead companions. Recovering an hour later he took the boat ashore.

The Tigers murdered 25 fishermen on this day. Only Anthony lived to tell the tale. Anthony said that the killing took place in the permitted zone. But the press quoted him as having said that

they were in the banned zone. When Anthony checked later with the reporter, he was informed that this was done as directed by the police.

The testimonies of Malkanthi, wife of deceased fisherman Denzil Fernando(28) and mother of a 1 1/2 years old child; and Anthony Miral, father of Terrence Miral (17) were of similar import. The latter because of poverty had gone to the sea at the age of 11. According to all three witnesses, those killed on that day were all small fishermen who took few risks and kept well inside the permitted zone. They said that while they were hardly allowed 1 or 3 litres of petrol for their own use, there were 4 big mudalalis who submitted false requisitions, obtained large quantities of fuel and traded with the Tigers. The Tigers did of course come to the small fishermen and occasionally stole or requisitioned their engines . On the morning of 11th November 1993, 30 engines were removed by the LTTE. They received a total of Rs 7000/- in compensation for each engine - Rs 5000/- from the Ministry of Fisheries and Rs 2000/- from their Local Council (Pradeshya Sabha). Two mudalalis, they said, were caught by the Navy carrying fuel and other items such as explosives destined for the Tigers. One was sent to Colombo and was released after a month. They had heard that he had paid a bribe of Rs.16 lakhs. The other was released after two weeks. It was understood by them that the LTTE had quarrelled with the big mudalalis on account of goods not being received in return for a large sum paid by them. This they believe was the immediate cause of their tragedy. They were innocent victims of the play of powerful forces, as are countless other civilians.

5.4.4 A week afterwards: About a week later passengers in a boat bound from Kalpidy to Mannar Island saw a speck approaching them fast. It was near them within a jiffy, and its occupants were observed to be Sea Tigers who signalled the ship to stop. The Tigers admitted their responsibility for the massacre and cited the reason as being the Navy killing 'engadde aakkal' (our people). The passengers were then closely questioned about the reactions in Kalpitty. The passengers told them that there had been no reprisals against Tamils at all. The Tigers' manner of questioning also suggested to the passengers their disappointment at the absence of reprisals against Tamils. The government for its part had shown itself incapable of giving any thought to basic political imperatives in counter-insurgency.

CHAPTER 6

TIME'S WASTING HOURS: TRENDS IN THE TAMIL STRUGGLE

Alas for this grey shadow, once a man-
So glorious in his beauty and thy choice,
Who madest him thy chosen, that he seem'd
To his great heart none other than a God!
I ask'd thee, 'Give me immortality'....
.... But thy strong Hours indignant work'd their wills,
And beat me down and marr'd and wasted me,
And tho' they could not end me, left me maim'd.....
..... Why should a man desire in any way
To vary from the kindly race of men,
Or pass beyond the goal of ordinance
Where all should pause, as is most meet for all?.....

- Alfred, Lord Tennyson.
From *Tithonus*.

6.1 Preliminary remarks

Disintegration of a society is very much governed by its inner life rather than by any external actor. When coercion or repression, rather than popular consensus, becomes the chief means of holding the society together, it is then on the threshold of its disintegration.

A living society is one that constantly renews itself. The means of that renewal is the creativity of the young. The exercise of that creativity requires freedom - the freedom of idealistic youth to pose the necessary moral questions concerning our direction and to demand change so as to check both injustice and oppression.

In both the North-East and South of this country, the minds and the spirit of the young are essentially unwanted. That is recent history which touches both our economics and politics, and the swelling of the most destructive of all institutions - the various armed forces.

The Tamil struggle too began in the 70s and 80s with hundreds of young asking questions, and demanding and working for a more moral order. In 'the Broken Palmyrah' and in the previous reports, we have dealt with how the rise of an increasingly intolerant Tamil nationalist ideology ended all that. Starting with the parliamentary TULF many other groups have contributed towards this tragedy. With the oppressive Sri Lankan state on one side which seems determined not to offer the Tamils the possibility of a just alternative, the Tamils themselves would appear to be caught in an embrace of death with the LTTE.

Being concerned also with the internal and moral aspect of the working of our society we have thought it no less important to expose violations by Tamil actors themselves, and in particular the LTTE leadership - still the most important of all current actors. To put it tersely, to stifle the minds of our youth, close their options in life, and to offer them death in its service, particularly in the form of suicide, as the most sublime purpose of life, is not the hallmark of a living community. Moreover this is done not because of the lack of possible alternative courses of action in an international climate where the Sri Lankan state is weak and where human rights concern is well institutionalised. But this is done because of internal compulsions into which the LTTE has been led by its history of murder.

We have seen this tragedy as a broader social phenomenon where the opportunism of intellectuals and the social elite played a key role. A typical and routine example of such opportunism is that of a university professor who with compliments of the LTTE had got his sons safely away to Colombo, telling his students in a speech: "You must not just commemorate the LTTE martyrs, but each one of you must aspire to become one." [See Reports No 6,8,9]. In 9 and 10 we have dealt extensively with the LTTE's political prisoners and aspects of its deceit towards the young it had recruited.

We will here examine continuing trends, based on our own sources and material published by the LTTE. We put these down not just for record, but as before in the hope that these would influence our readers and have a benign impact on current developments. We believe we have no cause for disappointment with our previous efforts.

Tamil political leaders, particularly in an election year, and the expatriates who still back the LTTE, must come up with alternatives for those, including the militant cadre, who are trapped. If the Tamils are to survive as a people, we need to find alternatives to narrow nationalism and militarism without abandoning the struggle for justice and dignity. It is our misfortune that the so called moderate Tamil leadership even after decades of tragedy are unable to identify the darker side of our nationalism, which in turn legitimises an intolerant and paranoid Sinhalese nationalism and vice versa.

6.2 The LTTE and the world

Because of the LTTE's intrinsic limitations, foreign contacts and sympathetic journalistic coverage have always been seen as crucial by the LTTE. Conducted tours for journalists and public relations efforts aimed at visiting peace missions served the LTTE well. Western governments with political and economic interests in Sri Lanka, and with a large number of Tamil refugees whose return was sought, found it in some ways useful to permit the LTTE to have offices in their country despite its other activities. To maintain these advantages the LTTE found it prudent to show some token response to queries from human rights organisations. It has however shown no concrete response to requests concerning thousands of its political detainees. But it had come to the point of admitting privately that it had 'other' prisoners who cannot yet be shown to organisations like the ICRC.

cWestern disillusionment became visible about mid - 1993 when negotiations by the UNHCR with the warring parties to reopen the Pooneryn ferry were scuttled. Privately, much of the blame was placed on the LTTE. Even earlier while peace efforts by organisations like the QPS (Quaker Peace and Service) in association with several other NGOs were heading towards increasing pessimism, the UNHCR became associated in moves to deport Tamil refugees, with or without peace.

These seem to have co-incided with the surfacing of endemic internal problems within the LTTE - namely the arrest and interrogation of Deputy Leader Mahattaya and Yogi. This was a bad time for the LTTE to manage its external relations.

The massacre of more than 20 Sinhalese fishermen off the Mannar coast in March, broke 17 months of restraint by the LTTE. It may point to a new attitude towards human rights pressure. The leader had also been warning people not to place hopes on external powers, but to be self reliant. This is obviously more a warning than a possibility.

On 22nd April the European Parliament at Strasbourg called for a closure of LTTE offices in its member states on the grounds that these are used to "propagate terrorism against a friendly country, and to extort funds from Tamils living in the territory of the European Union, for the pursuit of violent actions." Since the passing of the resolution Tamils living in the apparent safety of Europe and North America have witnessed murder and arson in their midst. The LTTE's own intimidatory behaviour can hardly be other than incriminating. It seems to be bent on snuffing out dissent even in the West. Yet its noises about wanting a negotiated end to the conflict continue in contrast to the intentions otherwise revealed.

Why did the LTTE at this juncture resort to open criminal behaviour abroad? From the earlier phase of local level intimidation and thuggery to a new one, the activities of which include calculated killing and arson, shows that the decision has been taken at the highest level.

There is one plausible explanation - viz. the LTTE has decided that if it can not openly function in the West then it will not allow anyone else to operate there. Moreover the LTTE would not mind even if all Tamil refugees in the West are sent back to Sri Lanka. It would be from the LTTE's point of view a blessing in disguise. Those who have openly identified with the LTTE can of course ask for political asylum, remain in the West and carry on their activities through clandestine means. But the presence in Sri Lanka of frustrated youths sent back from Western countries and living in a hostile environment, far from being a handicap to the LTTE's politics, has right along been an asset.

6.3 The LTTE and the People

Though the LTTE may still be romanticised from outside, internally its relations with the people are governed by a deep seated cynicism on both sides. The idealistic phase of the struggle has long passed its Indian summer, and a reality as cold as steel is setting in. With its distinctive

cynicism, it set about demolishing the moral character of the society for short term gain. Every area of Jaffna produced its professionals who learnt to grab what is not theirs by becoming sneaks and informers. Comic tales about the activities of such persons and their occasional discomfiture are part of the current folklore in Jaffna. But in the long term the LTTE itself is paying a heavy price for its debasement of human values. Its troubles in the East have been documented elsewhere in this report. In other areas the response is varied. In Jaffna the control of the mind is said to be the most complete. There is almost no visible military presence. The barbed wires are described as being within the mind of each individual - people know and accept what they should think and speak and what they should not. In the Wannai area where the people act less as individuals than as a group, the LTTE has been forced to abandon its taxation programmes and its ambitions of building a volunteer force. The people have learnt to play games with the LTTE and the LTTE is not sure of itself.

An example of the control of the mind concerns the arrest in Jaffna of Deputy Leader Mahattaya. Details of the affair have been published in Tamil journals abroad. Those who know least about it are the people in Jaffna. Those in Jaffna questioned would come out with answers such as, "Prabaharan will surely release Mahattaya and is also a good man who has taken into his care Mahattaya's wife and child for their protection" (rather than his!). It is also a tacit admission that the ostensibly serious charges against Mahattaya, such as his complicity with the RAW, are not taken seriously. But any deeper probing is avoided.

An important method of control is through the running of the civil administration which forces people to go to the LTTE for many essentials. The most ironic of these is the distribution of government supplied kerosene with quotas assigned to farmers, students, teachers and so on. Improvisations for the use of kerosene have been multiplying. A visitor wondered whether Jaffna could be called the world's pioneer 'Kerosene Civilisation'. He went on to suggest: "I believe it is within the ability of the Tigers to free the people from the grip of government supplied kerosene and make them more self reliant. The uses of wind, steam and solar power as sources of energy could be explored. But these would also make people more independent and loosen the grip of the Tigers. Even if the possibility of an alternative exists, I do not think the Tigers would be interested."

The corrupting influence on society is a function of the politics and in the case of Jaffna the Tigers are often not directly responsible. When public accountability is replaced by accountability to a totalitarian power many institutions, NGOs and even churches also become oppressive in their outlook. Many of these institutions in a time of crisis have independent access to enormous resources which come as relief or cash for projects. Any official who gets close to the Tigers could circumvent the respective committee or council. Then their power could almost reach the point of arrogance which even an ordinary Tiger may find embarrassing. There is always a dilemma in choosing between cushioning a society in difficulty and contributing to what the political ambience tends to render a corrupting influence.

A report from Jaffna described the pathological condition of the relationship between the Tigers and the people: "Even in this environment people are adapting themselves to living happily. How

long can they live without hope? Sri Lankan bombers can strike at any moment, or shells fired from army camps or from the sea could end their earthly sojourn. Public functions, private functions and even birthdays are being celebrated with the old splendour. These are cooling shadows cast by occasional clouds which dim the scorching sun hovering over their existence. There are few public functions without the Tigers..... [Another report added that the Tigers had even organised carolling last Christmas!]

"Traditional shrines to local deities are being overtaken by shrines to martyrs [dead Tigers], consisting of sheltered 15 feet cut-outs, with a lamp at its foot, beside which flowers are to be placed. Recently the 6th death anniversary of Annai Poopathy, was celebrated. Several of her shrines decked with white cloth, containing her picture surrounded by flowers and lamps appeared in Jaffna. One such shrine was within my vision much of the time. Later in the day the LTTE loud speaker announced, "Crowds of people came in droves to pay their respects to Annai Poopathy." But I had in fact not seen a single person pay homage at the shrine.

"On the other hand there had recently been a cricketing event - an annual big match between two schools. It attracted about 30 000 spectators, and the 'police' and LTTE cadre between 10 and 15 years were deployed in crowd control duties. The game over, the winning team decorated a bullock cart carrying a musical band and headed a procession of jubilant cyclists. The LTTE radio announced that night, "To mourn the death of Ravi, the General commanding the Killinochchi Division who died in an accidental explosion, all activity ceased in the peninsula to give way to the silence of grief."

Another report referring perhaps to the same match gives a picture of the operative cynicism and how it might affect impressionable young cadre, shaping their attitude to the people. The LTTE had given its blessings to what may be described as a 'pure Tamil movement'. The report described how supporters of one team cheered their side with the more than a century old "College, College, Central college". Upon seeing a uniformed patrol approaching a nudge would be passed down the line, "The 'Kavalturai' (Police) are coming". The slogan changes to the pure Tamil, "Velka, Velka, Maththiya Kalloori Velka". The uniformed boys in their early teens pass on with expressionless faces pretending to be unaware of what they could do very little about. The crowd then instinctively resumes, "College, College"

Thus throughout the North - East people see little relevance in this war and have given expression to different ways of opting out. Quite often this opting out expresses itself in an insensitive manner, which is a price the politics has exacted from their humanity.

This insensitivity could sometimes be very harsh. Some recently qualified medical graduates were at a party in Colombo. In talking about Jaffna, one burst out, "These LTTE bastards, they would not even let us use our own cars!" These young doctors had very likely sat through and applauded countless speeches made by dignitaries at the university in praise of the LTTE, knew even about students imprisoned by that group, attended to injured LTTE cadre at the Jaffna Hospital, made sure their passes to leave Jaffna were not jeopardised, and this was their final reflection on the whole tragic experience. This is to be expected. Rather than an individual

phenomenon, it is a social one, and a verdict on the effect of the politics on the tone of the University - in many ways the cradle of the liberation struggle.

The LTTE cadre may be young, but they are also intelligent and alert enough to see through the social reality. But they are also young persons who very likely at some point believed that they were going to die for the others, feel angry about how the society really views them, and are also trapped through having joined the movement. Their attitude to people becomes in time one of contempt and the relationship one of mutual deception.

The first case in the next section shows how this could work itself out in the life of an individual cadre. [See also Ch.2, Report 6 and Ch. 5, Report 8].

6.4 The pains of godhead

Susharitha Thiagalingam (Lt.Sambavi): Susharitha was from a professional family and was boarded at a leading girls' school in Jaffna. She was a bright student and a spirited girl who argued on issues and insisted that right should prevail. Once during the IPKF presence she joined the LTTE and was brought back by her parents a few weeks later. The boarding mistress told her jokingly, "I thought once you put a foot forward you never took it back." Susharita responded with some embarrassment, "Miss, one day I will come back here in uniform and show you!" Susharita graduated to the A.Level class. Sometime about early 1991 she went away and joined the LTTE. She once returned to her school on some business and showed herself to the boarding mistress, "Miss, look at me, I am in uniform!"

The LTTE used her in their propaganda wing as she was spirited and articulate. In time she became less accessible to those who knew her. She was evidently brooding over her state. With some who knew her, upon meeting them, she would snap, "You cowards, you want to lead normal lives while others are dying for you!" But with her intimate friends and teachers she showed a different face. Sometimes she would suddenly drop in and say she was hungry. Having eaten she would sit thoughtfully. Though a Hindu she would ask passages to be read to her from the Bible, and request them for hymns or lyrics she was wont to hear at school. These seemed to soothe her. To her intimate circle she let slip a hint of what she thought of the movement. She said, "Never think of joining this. It is no place for women. Home is the place for women!"

Through all this inner doubt she felt impelled to perform her duties on behalf of the movement, urging others to join and support its cause. When her class got their A.Level results, she wrote individually to some of them. One received a sisterly note, "Congratulations, do not be disappointed with your results. Despite the handicaps you personally suffered, you have done well for yourself. I wish I had sat for the A.Levels with you. I know I would have got good results."

It appears that she decided to end her double life. Though the movement highly prized her work in the propaganda unit, she insisted and was posted to a combat unit. This she communicated to an old associate she met on the road. That was the last seen of her. She was among the more

than 300 LTTE cadre who died at Pooneryn on 11th November 1993 on the first day of the LTTE's 'Operation Frog'.

By now there is probably a wayside shrine for her and a street named after her, and learned folk urging other young to follow her example. But the real thoughts of the reluctant goddess lay interred with her mortal remains.

We give below some salient features in the lives of several dead LTTE cadre taken from the journal, 'The Liberation Tigers'. Their stories are written in the innocent prose of their close companions and do not appear to have been doctored. The first group are Black Tigers.

Captain Mathan (Srinivasan Sivakumar), of Battialoa, born 7/9/75. Student at Batticaloa Hindu. Joined LTTE mid 1989 while in Grade 9. His left leg became maimed during an incident in the Trinco jungles.

Major Varathan (Kanthasamy Ramachandran), of Thodarpakam, Batticaloa, born 11/4/73. Joined LTTE 1989, served in Kallichchai, Vadamunai. Lost right leg in a land mine explosion after June 1990. Transferred to photographic unit after training in Jaffna. His relatives arrived in Jaffna without any knowledge of his family and Varathan thought his family had been killed by the Sri Lankan forces. But this turned out later not to be the case.

Varathan and **Mathan** joined the Black Tigers, and 62 days later on 25th August 1993 they died smashing their explosive laden boats 'Pulendran' and 'Kumarappa' into Sri Lankan navy patrol boats P115 and P121 in the Jaffna Lagoon.

Varathan is quoted as having said: "I constantly think of what the leader told me. I wait patiently for the moment I will ram a 'water jet' (patrol boat)".

The writer says of the two: "They may not have possessed the acumen to give rational reasons why they joined the Black Tigers. Nevertheless they were clear about the necessity."

Puvindran (18) Mother disappeared when Puvindran was 12 during the IPKF presence when she went to Trinco. Father evidently a Leftist and well read in English. Puvindran joined LTTE and suffered a leg injury during the Elephant Pass operation of July 1991. Had elder sister & younger brother. Declined father's request to leave the LTTE.

The writer says of Puvindran: "He was innocent and did not understand the bends and curls of life. He only knew how to be helpful to his neighbour. He joined the Black Tigers and was 'inspired' by the late Admiral Charles to smash an SL Navy Dvora Craft while serving in Kilaly." When alone the limping boy was wont to unfurl a map, point here and there with a long stick and pretend to be a general addressing others on strategy. He would explain how he would smash an explosive laden boat into a Dvora at sea.

Once the time and place were decided, he had the ceremonial meal with the Leader. A

photograph shows the Leader bending down with concern and inquiring about his injured leg with Puvindran blushing at being found worthy of such attention. Puvindran and Captain Maniarasan (apparently 13 or 14 years) smashed into a Dvora off Pt Pedro on 29/8/93.

The report adds: "You fulfilled your prophecy before our very eyes... Then we laughed. But now..... we retrieved two cannons and two 50 calibre machine guns from the sinking Dvora."

Major Tambo (Kasipillai Thayaparan), of Mulankavil, Mannar. Injured and went to India for treatment. Arrested with Kittu and Rahim, deported and interned IPKF, Vavunia during 1988. Injured in the left leg while escaping. (A Tiger who had allowed himself to be arrested without swallowing cyanide lives with a sense of guilt.) Tambo had two elder brothers and one younger sister. At home on the day of the sister's age attaining ceremony, a brother and the sister argued. His mother beat the brother. Upon this the sister committed suicide by swallowing poison. A month later this brother joined the LTTE. Earlier his other brother who had gone fishing was missing after being arrested by the Sri Lankan Navy. Tambo became a Black Tiger. His assigned mission was to smash an explosive laden truck into the Sri Lankan Army encampment at Silavaturai on 19/3/91. Just prior to his mission, Tambo crying and scraping the earth with a stick, related his life's tragedy to the writer. The truck was hit and exploded before it reached the target.

Major Kantharuban (Yogarajah Koneswaran), Valvettithurai, born 9/10/71. Almost captured by the SL Army while doing sentry duty at Thondamannaru in early 1987. Was saved after having swallowed cyanide which left him internally impaired. He was with the Leader in Manal Aru during 1988/89. For his condition he was advised to take fresh cow's milk, which was boiled and served to him by Mrs. Prabakaran. As much as he was touched, he felt helpless through his inability to repay the kindness. He requested the Leader to make him a Black Tiger as a means of recompense. Having been an orphan, he also requested the Leader to found an orphanage, adding, "As you have looked after me with great kindness, do also look after them." In assenting to his request the Leader is said to have been greatly touched. Kantharuban died with Captain Vinoth, smashing SLN Command Ship 'Edithara' off VVT on 10/7/90. The Leader's orphanage 'The Red Blossomed Garden' is said to be the fulfilment of the promise.

Other quotes from the testimonies of Black Tigers:

Captain Sithamparam, 20/12/72 - 4/5/91, VVT, Fisherman to aunt (Periamma) who wanted him to go abroad and support the family: "You are giving me as examples others who went abroad. Many of my companions have died. My heart overflows with their memory."

Captain Malaravan Leo (Kasilingam Vijinthan) of Tinnevely. Apparently very young, died suicide attack, Palaly, 23/11/92: "I was seated on my mother's lap with my brother (Sinnannah) when the army entered. They shot my grand father and uncle. My mother was injured in the hand."

The following are from the records of cadre who died during the attack on Janakapura SLA camp, Manal Aru (Weli Oya) on 25th July 1993.

Lt. Thirumalai Nambi Fernando (Varaprakasam Yuktheepan), Colombogam, Jaffna: Asked his mates to wish good bye to his parents. Came and stood before the camera when a video was taken on the way to the attack. Said: "Should I die, the Leader will remember me whenever he plays this video."

2nd Lt. Siyamani (Yogachandran Ravishankar), Trinco, Very Young. Parents refugees in Suthanthirapuram, Puthukudiyiruppu, Mullaitivu. Witnessed atrocities by the SL Army. Used to wake up in the nights crying. Came ashore by sea on day of attack.

Lt. Vasan Thamilvannan (Selliah Vetha), Koyilporativu, Batticaloa, very young, personally witnessed much brutality from the SL forces. Used to carry a knife, saying, "I wish to behead Sri Lankan soldiers and watch their death throats."

The cases above vividly corroborate what we have been saying about the nature of the LTTE and its cadre in our past reports. Most of these cases are from sections of Tamil society marginalised in the first instance by economic and social hierarchies internal to the society. Once they were ethnically branded and subject to unremitting violence by the state, all major militant groups readily recruited from among them. Ironically the Tamil nationalist ideology which these groups articulated in varying degrees, with the LTTE increasingly driven to take refuge in its most extreme form, incorporated the very alienating and oppressive aspects of Tamil elite culture. A well known fact is that nearly all senior cadre in all the groups - indeed non-LTTE groups have very few, if any, recent recruits- come from deprived backgrounds. They are trapped into their present existence. Also nearly all of them are from rural areas, particularly from the East.

The cases also display a certain innocence and childlike trust in the Leader. Their naivete and lack of questioning are deemed praiseworthy. Their resentment against the Sri Lankan state, an often deep sense of personal tragedy and the unmitigated emptiness of a highly controlled totalitarian society have all been nourished into a desire to end their life in service of the organisation. There is frequently also a misplaced sense of gratitude for this privilege. These are not strange revelations to those who have lived in close proximity to the LTTE. Even for those cadre who begin to question the organisation, death comes as the most expeditious release. For, the LTTE has ensured that there are no other structures through which those with doubts can challenge or question the organisation. The Sri Lankan state's continuing oppressive approach must bear, as always, a heavy share of the responsibility for legitimising this internal state of affairs.

The unquestioning innocence of the cadre also made it easy for the LTTE leadership to mobilise them into a politics that was as murderous as it was divisive- in some ways paralleled by the situation in the South where village boys form the same family, some in JVP and others in state sponsored regular and semi - regular forces, were hunting each other.

6.5 The Making of the New Olympians: The LTTE's pantheon of deities.

When a politics ceases to respect human norms and expectations, nothing comes more naturally than an official religion to rationalise the politics. Its beginnings were dealt with in 'the Broken Palmyrah.' It has now developed to a point where it, if not competes with, then seeks to co-exist with established religions. A recently issued hymnody 'Inspirational Tamil Ealam Songs Volume 4' says in its preface that these songs are intended to "nourish our people with love for the land and warlike feelings towards the enemy." These songs it is said 'have today largely replaced cinema songs'.

The following are translated excerpts from this volume. The first group is titled "Songs From the Red Blossomed Garden" ("Sencholai Padalkal"). The "Sencholai" is the orphanage founded by the Leader ostensibly in deference to a pledge he made to the late Black Tiger, Major Kantharuban (Koneswaran), who requested the Leader "to look after them (the orphans) with great kindness as you had also looked after me". This kindness is also portrayed in pictures taken of the Leader playing with the children with self - evident pleasure. The songs reveal motives which go far beyond those formally claimed. The composer's name is given at the end of each extract.

*In our Elder Brother's shade we sheltered
his loving hands gave us motherly ministrations
We were lost and found direction
Our heart's emptiness was filled by our comforters.*

Chorus: *Little little roses growing in the red garden
The little bees have gathered in the hive of love.*

- Navannan.

*We are flowers and we are Tigers
We grow up to bring forth wonders
Equality we cherish, nor approaching death shake us
In the school of knowledge and the sunshine of freedom
This is the song of gathered flowers.
- Pon Ganeshamoorthy.*

*In the Leader's footsteps we shall tread
We shall bring forth Tamil Eelam
In the fight of our generation
We too boldly will do our battle
- Jeya.*

*We shall feed the hungry
Bearing weapons we shall vanquish hate
Through taking to Medicine, Engineering and Trade,*

*We shall uplift our nature-endowed land...
We live as models of the Holy Land of Eelam.*

- Navannan.

The next group consists of songs composed by women which appeared under headings such as 'Awake and be Alert' and 'Songs of birds in search of dawn'. One sees frequent occurrences of the motif of death - 'we will leave our foot-prints in the tomb' -and their womanly longings sublimated into devotion for the Leader. Given the natural role of a woman as the bringer and nurturer of life, the frequent reference to death sounds a tragic note.

*You lived as a flower and arose as the storm
You descended upon the battlefield to write a new saga
As a flash of lightning you were etched in our hearts
Our duties we forget not and for training we go
Our mother - land we shall free
And sing your praises O Leader.*

(A later line reads, 'In the moment you burned you were sown as a seed;)

Chorus: *We worship at the tomb with lamps uplifted
We make your dreams ours and bring them to fruition*
- *Thamilaval.*

*We'll run with haste to join the ranks of the Leader
With our heads held high we free the land of Eelam
The Legendary Hero's (Kaviya Nayakan's) path we follow
And leave our foot prints in the tomb
The vision of a millennium lies before our eyes
Our hearts beat impatiently to attain it.*

- *Dharshi.*

*The tomb shall wait for me
Flowers as offerings shall there blossom
A memorial for me who turn into a myriad atoms
The burning embers shall watch over me.*

The poet then describes a variety of possible deaths awaiting her -such as shells and bullets. It then runs:

*The poison (cyanide) I bore since I became a Tigress
Shall also await me
The hawk and the hound to taste my flesh
Shall stalk the field where I do battle
...All these will I endure for my land
To me a grateful nation shall arise.*
- *Uthayaletchumi.*

[This song has no reference to the Leader.]

The next is a song explicitly for the Leader:

*Fearless of heart and the esteem
of the Tamil Nation became his life
He will dance as the raging storm
The singer who strikes his foes.*

*A mother are you who feeds us milk of courage
A father who daily sings us songs of virtue
A teacher (Asan) whose wisdom will ripen into scripture,
O Big Brother whose great love overflows
- Vasanthamathy.*

What follows is a song for the late General Kittu by the LTTE's poet laureate Puthuvai Rathinathurai. Kittu survived a first assassination attempt on his life by his own group in March 1987. After serving as ambassador in Europe, he took his own life as required when an arms ship in which he was travelling was surrounded by the Indian Navy - something which he failed to do when arrested by the Indian authorities in Madras in 1988. Mahattaya is now alleged by the group of having latterly betrayed him to the Indian state.

*With love you shall dwell in the hearts of Eelavar (Eelam folk)
Becoming Prabhakaran's brother you shall live forever
Desiring a liberated land you came O warrior
You became our Kittu Annan (Elder Brother) O thou Deity.*

The last two are Black Tiger songs composed also by Puthuvai Rathinathurai. The reader should compare these with the reality of the Black Tigers given in the earlier section.

*When with lightning in your eyes you will,
It becomes our command O Big Brother Prabhakaran
We dancing Black Tigers
Move with decision
Transforming ourselves into bombs
We ransom our lives and destroy the enemy.....*

*Inspired by Big Brother's (Annan's) gospel
We bring the sky down to earth
We are the dancing Black Tigers.....*

And lastly -

With the thirst of the motherland in your breast,

*You embraced death - In the very moment
exploding heat consumed your body,
Whom were you thinking of?*

*Did you think of your mother
Who gave you suck and lulled you to slumber?
Or was it the hand of your father
Which held you upon his shoulder?*

*Or did you think of the chosen Hero
Who bathed daily in freedom's fire?
Who [anointed you by] patting your shoulder
and saying, 'fare thee well'?
Did you, did you think of the searing pain of sadness
bearing down his breast?*

The reader familiar with the religious life of the Tamils will have no difficulty in picking out the elements that go into this syncretised religion. These are elements picked up from folk culture which form the common currency of discourse. The Dancing Shiva personifying fate and destruction was long familiar to the Tamils. The motif of the seed that shall not bring forth life unless it fall on the ground and die, from St. John's gospel, is now also part of common currency. It was used by the priest who delivered the funeral oration for the fallen Mannar area leader, Victor, in November 1986.

The last song contains a rationalisation at least partly borrowed from Christianity - the Saviour who voluntarily takes upon him, and dies for, the sins of the world. It provides justification for the Leader whose own life is relatively secure, and at whose bidding others obediently end their lives. The Leader thus voluntarily undergoes immense pain by daily incinerating and purifying himself in freedom's fire. Moreover the pain he feels upon seeing a Black Tiger go on his final mission, is no less than what the victim would feel, as the exploding elements rip his body, and during the prior anguish of expectation.

Note: The Tamil word 'Annan' is commonly a term of address to an elder brother indicative of affection and respect. It also has its sarcastic uses. Given the culture of surveillance and fear within the LTTE which are combined with awe, we have generally translated 'Annan' as 'Big Brother' in trying to give the spirit of the text.

6.6 Shifting Patterns in Recruitment & their Operational Impact

We have in the past given a good deal of qualitative information about the social and regional implications of recruitment by the LTTE. We have also reported certain trends from the ground in the East and parts of the North. Now we move on to examine some aspects in the light of information provided by LTTE publications.

The booklet 'Manal Aru' by 'Mother Tamil' Publishers, Jaffna provides lists of casualties in the sensitive Manal Aru (or Weli Oya) region between March 1988 and 2nd November 1990. One list has 52 casualties from villages in Manal Aru itself, including Tennamaravady. It seems likely, though not clear, that they died in Manal Aru itself. The other list contains nearly 80 names of persons, whose native villages, dates of birth and death are given. These died in action in Manal Aru, but are from outside the area. We divide this into two groups.

The first group saw action against the IPKF between March 1988 and September 1989 inclusive. The second group saw action against the SL forces from after mid-June 1990 up to 1st November 1991. Here as in what follows Vanni generally refers to Vavuniya and Killinochchi Districts. The other names refer to the districts themselves. The breakdown of this group with place of origin and period in which the casualties occurred is as follows:

Table 1

Period (in between)	Jaffna	Vanni	Batticaloa	Trincomal- ee	Mannar	Total
March 1988 - Sept 1989	13	11	4	9	2	39
June 1990 -Nov 1991	15	5	7	9	3	39

We note the approximate equality between Jaffna and Eastern Province cadre. There were also 3 Muslims in the second category who died fighting for the LTTE during or after the massacres of Muslims at Kurukkal Madam, Kattankudy & Eravur. These cadre possibly died not knowing that their own group was responsible for the outrage against their own people.

Another sample consists of a list of 25 taken from LTTE journals during the second half of 1993. Most of them were either Black Tigers or those who died in Manal Aru on 25th July 1993. This breaks down as:

Table 2

Jaffna	Vanni	Batticaloa	Trincomalee	Mannar	Total
9	4	5	5	2	25

Note again the rough equality between Jaffna and the Eastern Province.

An LTTE publication provided photographs with names and addresses of more than 440 cadre who died during 'Operation Frog' at Pooneryn in November 1993. The publication itself groups the casualties.

Three lists make up the cadre who died on 11th, 12th & 13th November. Details of a few more cadre who succumbed to injuries and died subsequently was given in a fourth list.

Table 3 gives the breakdown of casualties on the first three days according to the district of origin. Table 4 is according to the area of origin broadly categorised as Jaffna, Rural North and East. A few cadre whose native places are outside these districts have not been given in the tables.

Table 3

		Jaffna	Vanni	Mullaitivu	Mannar	Batticaloa	Trincomalee	Amparai	Total
11th	Men	89	53	11	9	54	9	10	235
	Women	30	24	6	5	8	2	1	76
12th	Men	14	13	4	5	34	3	6	79
	Women	3	00	00	1	00	00	00	4
13th	Men	10	3	5	5	6	2	2	33
	Women	1	00	00	00	1	00	00	2
	Total	147	93	26	25	103	16	19	429

Table 4

	Jaffna	Rural North	East	Total
11th	119	108	84	311
12th	17	23	43	83
13th	11	13	11	35
Total	147	144	138	429

A sample that is at first glance very different from the ones given earlier is the LTTE casualty list during the SL Army's 'Operation Yarl Devi' launched from Elephant Pass towards Kilaly at the end of September 1993.

Table 5

	Vanni				
Mannar	Jaffna	Killinochchi	Vavunia	Mullaitivu	Total
22	14	18	15	13	82

The only Eastern casualty was a boy from Batticaloa long time resident in Mannar and included in the 22. What is peculiar here is that the LTTE mustered at short notice the experienced units deployed in the area to resist the SL Army advance. The large number of Mannar District cadre killed is another distinctive feature of this list. This list also comes from an incident whose duration was less than a week. It is thus far more likely to be unrepresentative compared with other lists where the duration spanned several months or where a planned thrust was made by the LTTE asking different units to send a certain number of fighters.

According to persons who participated, Operation Frog, which began on 11th November 1993, required initially the marshaling of about 1000 fighters from different units including 100 Sea Tigers. Hence it is likely to be a very informative sample. However the last sample is still consistent with two conclusions that we will draw. These are to do with the diminishing role of Eastern cadre and the enhanced representation of Jaffna among newer recruits.

In the earlier tables 1 & 2 provided above we have pointed to the rough equality between casualties from the Jaffna peninsula and from the East. But for the three samples from 'Operation Frog' which add up to a large whole, a remarkable feature is the markedly higher proportion of Eastern casualties on the second day (12th November 1993) and a far lower proportion of women on the two latter days.

We have mentioned that in 'Operation Frog' the number which took part in the first day's assault was about 1000. If more than 320 were killed, the injured would have been about twice that figure. This would have meant that a large proportion taking part in the attack on day-one would have been incapacitated. On this reading reserves would have been inducted in to carry on the battle on subsequent days. In a sense the LTTE's man-power resources were being stretched. The LTTE would have been faced with a crisis resulting from the huge losses on day-one. Then to press on it would have had little choice but to mobilise available reserves- most of whom it seems happened to be from the East. That this was a crisis reaction is indicated by the seniority of Eastern cadre killed on subsequent days.

We note some of the trends that are evident in spite of several chance elements in the samples:

1. The Eastern cadre proportionately bore the brunt of the fighting in the past and still remain an important segment of the fighting cadre. But among new recruits their significance is dropping. This lends substance to what we observed on the ground: That recruitment in the East is drying up. Since strong pressure on women to join up was a later phenomenon, the smaller number of Eastern women among the casualties also suggests the drying up of recruitment in the East. In assessing the significance of the relative paucity of women recruits from the East, other factors too must be kept in mind. One is the inaccessibility of special Womens' camps unlike in Jaffna.

2. While the role of women was negligible in the past, ie; before 1990, the figures suggest that women make up about 25% of the newer fighting cadre.

3. Unlike in the past the brunt of the fighting among new recruits is shifting towards Jaffna. This to was qualitatively observed to stem from the recruitment drive backed by intense propaganda in the peninsula, helped by the Sri Lankan forces' bombing and shelling. This would also indicate a siege mentality, a drastic drop in recruitment age and high pressure on girls to join.

4. Although greater disillusionment has been reported in the Rural North, particularly between Cheddikulam and Madhu, up to last year at least recruitment seems to have been considerable. There is also, as the casualty list suggests, a notable incidence of recruits of Hill Country origin who had settled in the Rural North.

5. The proportion of casualties from Trincomalee in the last two is much smaller than in the earlier samples. This may be because of chance elements in the choice of units for the latter operations. The other is that recruits of Trincomalee origin are now mainly from among refugees in Mullaitivu and Jaffna, owing to which their main theatre of deployment may be Manal Aru. Another possibility is that a large number of senior Trincomalee cadre who were prominent at one time may have left the movement or died. [See 1.7.]

6.7 The future of the LTTE

The Leader, now in his fortieth year, is no longer a young man. Several among the highest in the sub-continent, including Lanka, have by word and deed acknowledged his "greatness". With few resources other than the widespread alienation around him, and his personal charisma, he conjured up an organisation that shook the sub-continent.

There is a fundamental error on the part of those who have acknowledged his "greatness". Their thoughts and actions were without reference to the Tamil people. Among those awed by him are senior Indian Army officers, presidents and ministers in this country and influential men in the establishment, such as the editor of the Frontline. All of them tried to deal with him on the basis of institutional power and failed. They thought in terms of the interests of institutions they were close to, and the interests of the LTTE. They forgot the Tamil people. When they failed, their comprehension fled them and they were awed. The LTTE's main weapon was the suffering and alienation of the Tamil people. Since the people did not count for others, the LTTE had undisturbed possession of this resource. [See earlier reports, 'the Broken Palmyrah' or 'Someone Else's War'.]

The Leader has thus through his experience learnt a great deal about people and nations. His contempt for intellectuals is perhaps with good reason and will be readily shared by many. He has come to believe in himself, in his methods and moreover that he is right. Experience has done little to shake his self-confidence. An outstanding feature of his success is that it is founded on institutions for death. He created no institutions for life. People listened in disbelief when his spokesman boasted that the overwhelming bulk of the Tamils would die, but their land of Eelam will be saved.

But the Leader's besetting error is that he treated people as passive objects and was unable to distinguish between their outward behaviour and their internal feelings. The people had an

ordinary longing for life with dignity. As the politics drifted more and more into the rhetoric and the trappings of death, helped by the brutality of opposing state powers, the movement got its recruits. But the people are quietly drifting away. The relationship between the LTTE and the people became one of mutual cynicism. To the Leader himself the habit of cynicism and the distancing of himself from the people had an atrophying effect. Everything, including his cadre, came to be regarded instrumentally. There is perhaps an emotional tie with those who do his bidding - more akin to what a hunter feels towards a good hunting dog, or a racing buff towards a winning horse he owns.

In turn the Leader and his organisation were trapped. Having no life giving hope to offer, the movement needed to use the enemy's idiotic brutality and whip up rhetoric and hopes of a religious nature to obtain its recruits. It thus lost the ability to respond to peace settlements that look too mundane. People in search of life began expressing their disenchantment in different ways which are often instinctive and unpremeditated as seen above. The movement itself became a home of persons who generally get disenchanted and in general go away after a few years if they survived.

When an opportunity arises the people themselves often try to get their children out of the movement. Parents contacting the security forces and negotiating the surrender of a son in the movement is now very common in the East. In the Vanni the LTTE has become worried by the drop out rate which is said to be in the region, if not in excess, of the recruitment rate. Under these circumstances it suddenly dropped the idea of arming 'volunteers' in the region. [See Report 12, Chapter 3, on how people 'volunteered' and also 5.2 of this report.]

When people opt out of the LTTE's cause it happens by imperceptible stages, but the signs are surely there. What may amount to a strong indication appears in 'Journeying Together for Peace' - The Report of an International Inter-religious Mission to Sri Lanka in June 1993 issued by APHD-SEDEC of the Roman Catholic Church. A concern raised in a discussion with clergy in the Diocese of Trincomalee and Batticaloa reads: "The imposition of solutions from the North. The East has different problems and the LTTE does not represent the entire Tamil people."

This is in sharp contrast to the sentiments among Roman Catholic religious in Jaffna reported by visiting delegations. It also contrasts with what surfaced when the visiting Canadian delegation had a discussion with Eastern University staff in January 1992 (See 'Pravada', February 1992). It was then suggested that it was the LTTE that should negotiate on behalf of the Tamils. The Roman Catholic clergy in the East are widely travelled in the villages. Many of them have seen the atrocities of the Sri Lankan army at first hand and some of them were even killed. Obviously they have little sympathy for the Sri Lankan government or its forces. But then what is the LTTE offering the people of the East? The clergy are evidently responding to the widespread hopelessness that prevails in the East and the meaningless suffering particularly in the villages.

The spate of information reaching the armed forces in areas under their control today is totally uncharacteristic. This is again in sharp contrast to the late 70s and early 80s. The security

forces were then very angry at the paucity of information. The Colombo press, if it not actually did, was close to accusing the people of the North-East of a heinous collective conspiracy. It was a time when the Tamil elites were mostly feeling uneasy about the militants' activities. But in rural villages, including Muslim villages, the people readily sheltered the militants. In the past the informers actually were and were seen to be individuals. But in the LTTE's rage at what it has today brought upon itself, not individuals but whole communities and villages are accused of being informers. First it accused the Muslims and massacred hundreds of them, even after which Muslim LTTE cadre continued to die for its cause [See the booklet 'Manal Aru' referred to above.] Similarly a large number of Tamil youth of Hill Country origin domiciled in the North have joined the LTTE. But last year some influential local LTTE area leaders in the Vanni reportedly accused Tamils of Hill Country origin resident there of being informers. Many of these hapless folk who had fled communal violence many times sold their goods cheap in preparation for deportation in the same manner as Muslims of the North in 1990. However, wiser counsels seem to have prevailed. Today again some villages close to the army's FDLs in the Vavuniya and Mannar sectors have been accused of giving information. Contrary to what the LTTE may think, the people did not let down the movements. It was the reverse. That the people have been driven to a state where they could be collectively suspect as informers marks a pathology in the politics itself.

In the final analysis the LTTE is paying the price of disregarding common morality. It has readily bloodied its hands dealing with anyone it saw as a threat to its sole dominance. But then the same logic must begin to apply within the movement itself. Once the struggle distanced itself from the high moral ground and placed itself firmly on the low, people doubted everything the leaders said. When Kittu lost his leg in a bomb blast in March 1987, the LTTE controlled press said one thing, but the people believed the opposite. That prominent leaders should fall one by one was seen as only the natural order of things in the LTTE. The recent descent of Balasingam from chief theoretician to apparently interpreter came as no surprise. When with the Leader's approval far-reaching accusations of treachery were levelled against Deputy Leader Mahattaya, they were widely disbelieved.

According to published reports which have not been denied, the Leader found his credibility threatened to a point where he had to lay aside the mystique and inaccessibility he had so assiduously cultivated, come down and personally campaign for an acceptance of the charges against Mahattaya. He is said to have talked to members of the intelligentsia in groups. According to independent reports the people of Valvettithurai, home of both Prabakaran and Mahattaya, took out a procession to demand that Mahattaya be spared. Their reasoning was that in 1989 when it was rumoured that Prabakaran was killed in a fight with Mahattaya, they had also taken out a procession to demand from Mahattaya the restoration of Prabakaran. The Leader is thus snared in his own moral choices. The ground is slowly but surely shifting under LTTE's edifice. It may however take years before the effects show militarily. But the cracks have visibly widened in the last two years.

The Leader has however been innovative in the past. If the government continues to be brutal, or even ambivalent and insensitive about Tamil feelings, new fronts are likely to open up even

if there are no more recruits from the villages. Recent hotel bomb explosions in Colombo reveal a new kind of recruit from a privileged class who has made a deliberate choice. There is a large number of young Tamils in the West and perhaps even in Colombo who could make a comfortable living, but feel alienated by the materialism of their surroundings and even the insensitivity and pecuniary pursuits of their fellow Tamils. In their alienation they want to do something. The LTTE possesses an organised structure and a religious aura to quickly tap their alienation and offer them something meaningful even if it is only destructive. If thousands of Tamil refugees are to be deported to Colombo from the West without a settlement and without being offered creative options to rebuild their community, dangers that could arise from several directions are enormous. There is a certain disorientation among people in both the North and the South. New economic mores have destroyed traditional relationships and have gone far to make money the determining factor in relationships. Factors connected to the war have made social behaviour even more chronic in the North. Many young throughout the country are becoming alienated and are looking for leadership. The challenge facing us today is to offer a political force that will direct their energies constructively. How difficult it is, is shown by the tragedies of the last 17 years. If such is not forthcoming, others like the LTTE are there and are waiting in the wings.

In conclusion we recall what the late Dr. Rajani Thiranagama wrote in 'the Broken Palmyrah' six years ago:

"The Tigers' history, their theoretical vacuum, lack of political creativity, intolerance and fanatical dedication will be the ultimate cause of their own break up. The legendary Tigers will go to their demise with their legends smeared with the blood and tears of victims of their own misdoings. A new Tiger will not emerge from their ashes. Only by breaking with this whole history and its dominant ideology, can a new liberating outlook be born."

