

**ETHNIC
VIOLENCE
in
GALLE**

*A Report of
the
Independent
Committee
of Inquiry*

June 2, 1995

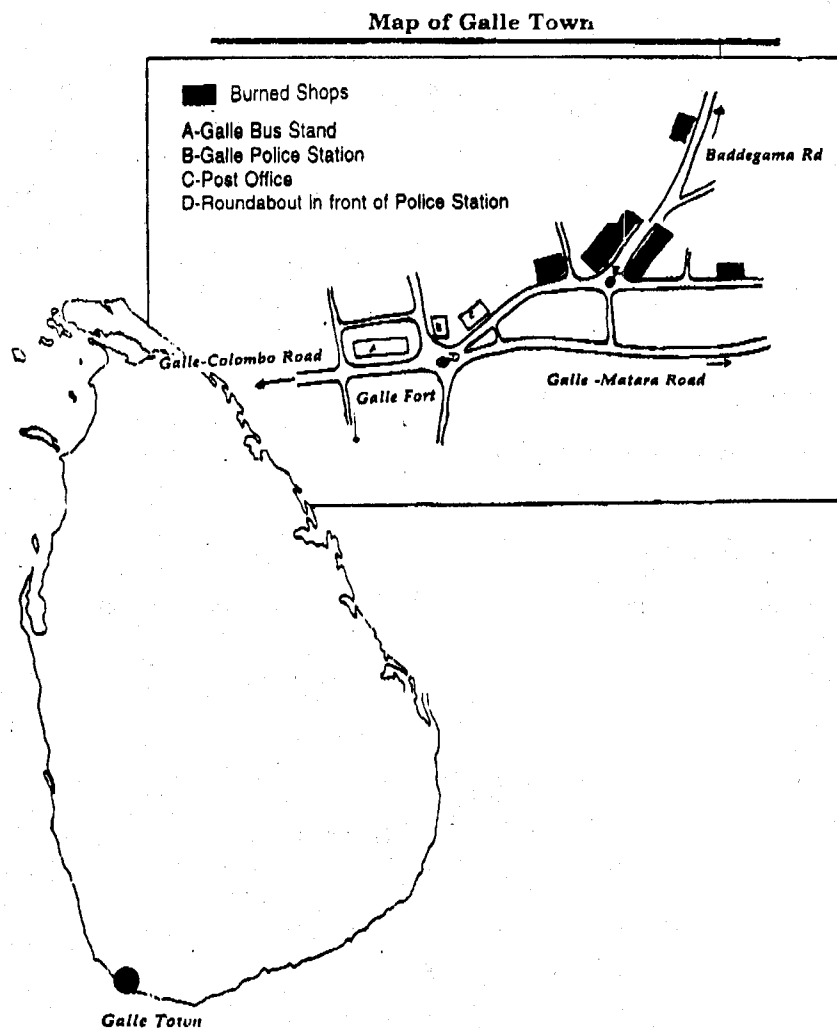
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*** Contents ***

| | |
|------------------------------------------------------------------------------------|----|
| Map of Galle Town | |
| Committee of Inquiry | 2 |
| Terms of Reference | 3 |
| Introduction | 4 |
| The Violence in Galle | 5 |
| The Events Preceding the Violence in Galle | 7 |
| Account of Franklin Burke, S.P. Galle District | 8 |
| Accounts of the Individuals Affected by the Galle Attacks | 10 |
| Analysis of the Accounts Under International Standards | 21 |
| The President's Response | 23 |
| Security Measures | 24 |
| Recommendations | 26 |
| Appendix I: Tamil Business Establishments Burned in Fires | 27 |
| Appendix II: Sinhalese and Muslim Establishments Burned in Fires | 28 |
| Appendix III: Account of Neville Kanakeratna, Governor of the Southern Province | 29 |
| Appendix IV: Statement of Chandrika Bandaranaike Kumaratunga | 31 |
| Pictures | |



The Committee thanks Ananda Jayasekera for preparing this map.

THE VIOLENCE IN GALLE

A REPORT OF THE INDEPENDENT COMMITTEE OF INQUIRY

On the evening of 2 June 1995 twenty-eight shops in the city of Galle were attacked and burned. Those shops targeted in the attacks, and the majority that were destroyed in the fires, were Tamil owned. On 6 June 1995 the International Centre for Ethnic Studies, a research institute based in Colombo, sent an independent committee of inquiry headed by the Venerable Baddegama Samitha Thera to Galle to investigate and report on the attacks and to make recommendations for subsequent action to be taken.

Committee of Inquiry

Ven. Baddegama Samitha

Chief Incumbent Dutugemunu Vihara Baddegamma;

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D.S.S. Mayadunne

journalist and Sinhala writer; and

Sharmini Peries

Center for Refugee Studies, York University, Toronto, Canada
and Executive Director of the Ontario Council of Agencies
Serving Immigrants.

TERMS OF REFERENCE

The Committee of Inquiry traveled to Galle on 6 June 1995 and spent the day visiting the sites of the attacks, meeting with officials, and talking with the affected parties. The committee met with Neville Kanakeratna, Governor of the Southern Province and Franklin Burke, S.P. of Galle District. In interviews carried out at the Sivan Temple refugee camp and during subsequent follow-up work, the Committee interviewed a total of 16 individuals who were affected by the attacks. The Committee attempted to answer the following questions:

- Were the Police informed that attempts were being made to attack the Tamils in Galle?
- Why was no action taken on this information?
- Was the violence planned or was it spontaneous?
- When the first acts of arson took place at 9.45 p.m. why was no action taken to prevent further acts of violence?
- Was there an attack on a Tamil home the following night?
Who was responsible for this attack?

INTRODUCTION

Galle, the capital city of Sri Lanka's Southern Province, is a city with a mixed population of Sinhalese, Tamils, Muslims, and Burghers. Although the Sinhalese Buddhists form a majority, Sinhalese Christians and Tamil Hindus also are well represented within the city.

The Galle Harbour is the site at which the Portugese disembarked during the first phase of European expansion before they proceeded to Colombo. Galle has been an important town ever since. During the British colonial period Galle, in itself, as well as the entire southern province were centres of Buddhist and nationalist revivals.

The Galle district has high literacy and education rates. Two of the leading Christian schools as well as two distinguished Buddhist schools, which were started in response to the Christian schools, are located in Galle. Furthermore, the district of Galle has produced some of the island's leading figures in commercial and economic enterprises.

In the post-independence period, Galle has developed a liberal reputation and has typically been represented, in the national legislature, by left-leaning politicians.

THE VIOLENCE IN GALLE : JUNE 2, 1995

On the evening of 2 June 1995, at approximately 8.30 p.m., twenty-eight shops and business establishments in the city of Galle were attacked and burned. Those business establishments targeted in the attacks, and the majority that were destroyed, were Tamil owned. (See Appendices I and II) Seven non-Tamil business establishments, five of which were Sinhalese and two of which were Muslims, suffered damage or destruction when the fires spread to their shops. Subsequent to the attacks, twelve houses either owned or rented by Tamils were targeted and damaged.

Prior to the outbreaks of the fires, at approximately 5.00 p.m., a boy who works for Prasad stores was attacked when he went to retrieve something from the store. The attackers locked the boy in the shop. By 7.00 p.m., the boy managed to release himself and escape. Although the police were informed of the incident, no guards were posted at the Tamil shops or homes.

From all accounts, it is clear that the police failed to adequately respond to both warnings of impending attacks in Galle and the attacks themselves. Education Minister Richard Pathirana was instrumental in eventually provoking a police response the night of the attacks. Despite his attempts, however, the police were unable to contain the fires when they did respond because of the well-organized nature of the attacks. According to official reports, the fires broke out at the same time on three different streets of the Bazaar. (See Map of Galle Town) The fires could not be extinguished until the next morning when assistance was received from the Koggala free trade zone. Reportedly, Mr. Pathirana remained on the scene from 9.30 p.m. until 2.00 a.m.

and was instrumental in limiting the damage that occurred subsequent to the attacks on the original shops.

A van and three tri-shaws were taken into custody soon after the attacks. The occupants of the vehicles, however, escaped. According to the victims, at least one tri-shaw was captured with weapons. According to S.P. Burke, however, there was nothing incriminating found in the vehicles and thus they were released.

Subsequent to the Galle attacks, three police officers were transferred out of Galle District. Although the transfers were linked to the attacks, one of the transferred officers reported that he was not, in fact, working the night of the attack.

More than 400 people are currently residing in two refugee camps set up to receive those who have been displaced by the violence. Security has been provided for both camps. The refugee camps are, however, overcrowded and unsanitary. Although the government claims to be providing sufficient provisions for the people living in the refugee camps, people residing at the camps report that the government provisions are insufficient to feed them.

Since the attacks, the Government has publicly stated that it will compensate the individuals affected by the attacks.

THE EVENTS PRECEDING THE VIOLENCE IN GALLE

On May 27, 1995, Ven. Matara Kithalagama Seelalankara Thera, popularly known as Dimbulagala Thera, was assassinated. Ven. Dimbulagala Thera worked with the government settlement programmes in the eastern province. Because he had been under threat by the LTTE for a long time prior to his assassination, the government had been providing him with security. Although originally from the southern province, Ven. Dimbulagala Thera had relocated to the east forty years prior. It is widely believed that the Liberation Tigers of Tamil Eelam (LTTE) are responsible for the assassination, which came after the massacre, by the LTTE, of 42 Sinhalese villagers in Kallarawa. Subsequent to the resumption of hostilities between the LTTE and the government of Sri Lanka, these two incidents triggered ethnic tension in the south.

The incidents in Galle are said to be linked to the funeral of Ven. Dimbulagala Thera. For several days after his assassination, the atmosphere in Galle was changed. In the days preceding the attacks, posters threatening the Tamils appeared in several places. Tamil merchants informed the police about the posters and fearing for their safety requested protection. No such protection, however, was provided. On Friday, June 2, all the Tamil shop owners closed their shops early, at approximately 5.00 or 6.00 p.m., because they were afraid that something would happen that night.

ACCOUNT OF FRANKLIN BURKE, S.P. GALLE DISTRICT

Mr. Burke reported that the attacks in Galle started at approximately 9.30 p.m. on the night of June 2. He stated that 24 shops had been burned including 17 Tamil shops, 4 Sinhalese shops, and 3 Muslim shops, as a result of the attacks. According to Mr. Burke, the attacks in Galle were well organized and well planned. This, he said, was evident because all the fires, which occurred on various streets, were set at the same time.

Mr. Burke admitted that the police were unprepared for the attacks that occurred on June 2. He said that the police had responded to rumors that something was going to happen in Galle. However, the police believed that such action would occur on June 3 and prepared accordingly. On the day of June 2, according to Mr. Burke, the police did respond to complaints lodged by Tamil shopkeepers, investigating such complaints earlier in the evening. However, Mr. Burke admitted that the shopkeepers were not given any special protection. He stated that some Sinhalese shopkeepers complained when the police gave Tamils such protection, alleging that the police were accepting bribes from Tamil shopkeepers.

Mr. Burke contended that three police vehicles were sent to the Bazaar when the attacks broke out. He stated, however, that the police could not act until he arrived. When he did arrive, at approximately 9.45 p.m., most of the fires were a blaze and very little could be done. This, Mr. Burke contended, was due to the fact that the area targeted by the attack was quite large, with many tight places; that the attackers used both the front and back doors of shops, easily eluding the police; that people were

coming from the roofs; that there were no iron gates to keep people out; and that the attacks were so well organized. Furthermore, Mr. Burke stated that the police were unable to contain the fires because they lacked proper apparatus for putting out the fires. In an effort to disperse the crowds Mr. Burke reported that the police opened fire, away from the crowds, and used large amounts of tear gas.

Although the police were unable to protect the common sundry shops, Mr. Burke stated that they did protect the jewelry shops.

When asked about the anti-Tamil posters that had been reportedly hung throughout the Bazaar, Mr. Burke admitted that there had been posters that the police removed at the request of the shopkeepers.

In regards to the reason for the attacks, Mr. Burke stated that Galle is a very sensitive place, with a history of racial tensions. Although stating that investigations were still under way, he believes that the wholesale trade monopoly of the Tamils and Muslims may have provided the motivation for the attacks. He also stated that some Muslims were responsible for the attacks on individual homes in Thalapitiya.

Mr. Burke confirmed that the police had arrested people in connection with the attacks. However, he clarified that they had not arrested the arsonists. Rather, the arrests were of secondary actors — those who had looted the stores subsequent to the attacks.

Mr. Burke reported that after the Galle attacks, at the request of the Minister of Education, three police officers had been transferred to different stations.

ACCOUNTS OF THE INDIVIDUALS AFFECTED BY THE GALLE ATTACKS NOW LIVING AT THE SIVAN TEMPLE

Mindful of the fact that the affected individuals with whom the Committee spoke have already been targeted by violence, and in an effort to respect the privacy of these individuals and to ensure that this report does not lead to further victimization, the names of those interviewed have been replaced by their initials.

Mr. P.S.:

About a week ago there was a poster in front of my shop advocating that the Tamils be killed. Some Sinhalese themselves told me to inform the police about it and to get it removed. There was talk among the people that if there was any trouble the army and the police would not intervene. We did not take that seriously. After 4.30 p.m. on Friday we felt uneasy and told the police. The police told us that there would not be any trouble and if any trouble occurred they would see about it. After 5.30 on Friday we decided to close the shops. I closed both my shops, advised the employees to go to their residences and I went home. Because it was Friday I went to the Kovil to worship. There were a large number of Sinhalese there and I was glad because I thought it was an indication that there would not be any trouble.

At about 7.30 p.m. I went home from the Kovil. When I was at home a big commotion was heard from the town. We were living in a house rented from a Muslim. When the noise was heard I got onto the road. The Muslims told me that some trouble was going to take place and asked me to get into the house, and

to go to a still more secure place if possible. We went to a nearby house and hid ourselves. Then a group came and asked whether the people of our shop were there. They were Sinhalese. Then we came to know that our two shop were being burned. But because there was no security we did not go to see them. When such things happened on other days the police used to come and take us there, and help us to put out the fire. However, it did not happen this time.

On the third, a group of some people informed the police and the MPs about what had happened. Thereafter the police provided security. The police turned the two Kovils into refugee camps and got all the Tamil people to stay there. By that time I had noticed that both of the shops had been burned down. The stores of the shops had been broken into and the goods — rice, sugar, milk powder, chili, etc. — looted.

Our request is that facilities be provided for us to continue our business in the same places. I have sustained losses amounting to about 25 lakhs.

Mr. A.T. (as told through an interpreter):

I have lived here for 45 years. My son is a shopkeeper in Galle. He lives in Thalapitiya. My son is in the hospital now. Before the attacks many people were coming into my son's shop, threatening my son and telling him to leave. We did not take the warnings to heart. But then five or six days before the attack a placard was hung on a tree at a prominent juncture in the Bazaar, for all Tamils to see, that said the Tamils should not be in Galle and that the Tamils will be harmed if they don't leave. There were other placards too. We informed the police about the

placards around the 29th or the 30th of May and they removed them. We then went on with our business. The shopkeepers asked the police for protection but the police just told us not to worry. They did not provide security for the shops. On the 2nd of June, as my son was closing the shop, a mob came in his shop. The people were armed. They told us to leave and they looted the shop. There were four groups of people who went to different shops. The mobs were only going after Jaffna Tamils. We were afraid they would harm us so we left the shop and went home. This happened at 6.00 p.m.. I know the police were called about the attacks by 8.00 p.m..

I didn't feel safe in my home so I went to my son's home in Thalapitiya. The mob came to my son's home. They went into his home, looted it, and set his things on fire. They also assaulted my son. They had weapons. One of them used a spear-like weapon and stabbed him — they stabbed him in the arm. Now he is in the hospital. Also when the mob came into his home, one of them picked up one of my son's children and threw the child on the ground, injuring the child. My son's wife took the children and ran to the house next door for protection.

I came to the refugee camp on the morning of June 3. When I got here there was no security at the camp. But then, that night, a group of parliamentarians visited the camp. After that, security was provided.

(NOTE: On 18 June 1995, Mr. A.T. was physically assaulted by a group of ten people in front of the Galle Police Station. Prior to the incident, Mr. A.T.'s son, who was assaulted in the Galle attacks, reported the names of his attackers to the police who subsequently arrested and released the individuals. According to his son, Mr. A. T.'s attack was retaliation for the arrests.)

Mr. T.T.:

On June 2, around 10.30 p.m. a mob of 150 people came to my place shouting. They were armed with shot guns, galkattas and swords. Some of them carried a petrol can. Realizing the danger, I ran out through the back door. I wanted to go to our Muslim neighbors house for protection. Since I could not go there through the main road I had to climb the roof. Some members of the mob spotted me while I was on the roof. They dragged me down, assaulted and stabbed me several times.

Then somebody shouted 'the police is coming' and the attackers fled. By that time my house had been damaged and our belongings were on fire. Our Muslim neighbors took me inside their house and arranged for medical care. I stayed with them until the next morning when the police took me to the hospital around 8.30 a.m.. The doctors could not treat me until 10.30. I heard some of the hospital employees were saying that I should not be given medical care. I was given a bed only after surgery. The hospital environment was very tense. I was given police protection.

I know at least fifty of the attackers. The person who led the attack was known as "three-wheeler Ukku." I know him very well. In fact, he bought 60 sacks of onions from my shop that morning. The names of those who stabbed me are Fahim and Sakir. Most of the attackers were from Galle town. There were some from Rathgama too. I never had any fights with these people. Most of the people who came to attack me were either supporters or members of the United National Party. I have made complaints to the police about the identities of the attackers.

Mrs. C.T.:

On Friday the 2nd of June at around 10 p.m. a mob of about 50 men carrying swords, knives and 'alavangu' (iron rod with tapered end) came to our house. They were shouting and making a loud noise. When we heard the mob coming towards our house, my husband and I took our baby and five year old son and ran to our Muslim neighbor's house. The crowd stood outside our house and shouted my husband's name 'Rajah', demanding him to come out. They threatened to attack the Muslim house if he did not come out. Fearing that the neighbors would be hurt as well, we came back into our house and my husband came out. The mob attacked my husband. One attacked him with the sword, cutting his arm through the bone, and another hit him on the head with the 'alavangu'. Another person took hold of our five year old son and threw him. My son was injured on the head and elbow. Then they set fire to our house. We have lost everything. We have only what we were wearing at the time of the attack. We hid again at our neighbor's house. We were scared to even take my husband to the hospital. We hid in our neighbor's house until the police came the next afternoon at 5 p.m.. They took my husband to the hospital and brought us to the Sivan Temple. My husband is at the Karapitty hospital.

Mr. S.S.:

The fires started around 8.30 p.m.. By 8.30 I had already called Franklin Burke and informed him about the fires. I live with my mother, father, older sister and her three children. After 9.00 p.m. we heard a mob of about 100-150 people coming down the lane. They were shouting and making a loud noise as they came. We all ran to our Muslim neighbor's house through the back door

and hid in their bathroom. We heard the mob calling for the Pettah Agency people. We had got word that our shops had been burned by the mob. They stood at the gate and shouted and threw arrack bottles and stones at the house. A crowd of Muslim boys from the neighborhood gathered in front of the house and tried to prevent the mob from entering it. We rent our house from a Muslim family. The foot of one of the boys was badly cut by glass pieces from the broken arrack bottles. After what seemed like an eternity the mob left saying that they will be back in an hour. The Muslim family was frightened to hide us and asked us to leave. We were terrified, not knowing what to do. We hid until the police came the next day at 5.00 p.m. and took us to the Sivan temple.

Mr. S. (as told through an interpreter):

I own a hotel and a grocery store, both of which were fully damaged in the attack. On June 2, sometime before 6.00 p.m., a group of people came into my store and told me to leave. They said they were going to burn it down. I took them seriously so I left. I called the police but they didn't come. When I left my shop I didn't see any police in the area. This is because the police are anti-Tamil. After I left my shop I went home.

At about 9.30 p.m. a mob came to my home. They took my things from my home. They damaged my things and my home. It wasn't safe there so I had to leave. I don't know how the people knew where I lived. The address of my home is not listed anywhere except with the police. I think the fires started around 8.00 p.m.. I came to the Sivan Temple on June 3rd.

Ms. R.S.:

I make cigars at home and sell them to raise my three children. On Friday the 2nd of June around 9.30 p.m. a lorry load of men came to our house. There were about 100 of them. They were Sinhalese and Muslims. They attacked our house and broke the windows. We ran to our neighbor's house and hid until the police came the next afternoon and brought us to the Sivan temple. I rent my house from a Muslim family. On the 4th I went to my house to see how it was. The owners of my house scolded me and told me not to come back and that they can't rent the house to Tamils anymore. We hear that there are posters threatening death to anyone who gives houses to Tamils.

Ms. S.V.:

On the 2nd of June, around noon, some of my Sinhalese friends came to the stores and informed me that there were plans to attack Tamils in Galle. There had been rumors to that effect earlier. Posters by a group called Deshapremy Sangvithanaya called its members to kill Tamils.

We have informed the police several times. The answer we got was 'mokuth karanna bai' (nothing can be done). On the 2nd I closed the stores at 7.00 p.m. and went to the police station to make another complaint. I returned home around 8.00 p.m.. Minutes after, a group of people — I could not count them — walked into my house shouting. We immediately ran through the back door. They removed all our belongings including my motor bicycle, heaped them on the road and set fire.

Mr. K.V.:

On the 2nd of June we were repeatedly warned by some well wishers and friends about the possibility of violence against Tamils. We did take that seriously. I, personally, went to the Police station and complained. That was around 5.30 p.m.. I also asked Mr. Sivasubramaniam to lodge a complaint with the HQI. My shop was closed at 5.15. I was not satisfied with the answer from the police. So, I went again to the station around 7.00 p.m. to see whether I could meet some senior officers. I could not meet any officers but lodged a complaint again and returned home. Around 8.00 p.m. we heard explosions in the bazaar area. We were too afraid to go out but managed to find refuge with a Muslim family. The next day around 4.00 p.m. we came to this refugee camp. I have lost all my belongings.

Mr. R.:

We have been listening to various rumors and stories since the killing of Ven. Dimbulagala Thera. On the afternoon of the 2nd, friends came and told us that a group of people are planning to attack Tamil shops. They said that they heard the story at the Galle market. Our shop was set on fire around 9.00 p.m.. There are eye witnesses to this. We have already identified a person called Ranji, a supporter of the ruling party who actively took part in burning our shop. We told the police about him and no action has been taken so far.

An Employee of One of the Shops:

We received information from some of our Sinhalese friends that bombs were being produced by a group of people. I

informed the OIC, Galle and he assured me that nothing would happen. I closed the shop around 3.00 p.m. and returned home. We live close to the Kathiresan temple. From 8.00 p.m. onwards we heard explosions and shouting. This lasted until 3.35 a.m.. I saw a group — 50 to 60 people — running down the streets shouting around that time.

Ms. K.T.:

It was between 9.30 and 10.00 p.m. on Friday the 2nd when a mob of about 100 men making a loud noise came to our house. We ran through the back door and hid in a Muslim neighbor's house. About 25 - 30 Muslim boys stood in front of our house and tried to prevent the mob from attacking the house. Our house is owned by a Muslim family. The mob did not harm the house, but went inside and destroyed all our things and left. Our store also has been burned. We hid in our neighbor's house until the police came the next day, in the late afternoon and took us to the Sivan Temple. The Muslim people saved our lives. If not for them we would all be dead.

Mr. S.S.:

I am a student who is studying business. I was in the Bazaar on the 2nd and saw the attacks. I have come to the Sivan Temple because it is not safe. Right now it's too dangerous for us to go back to our homes.

Everybody knew something was going to happen that day. About ten days before, I called the police and asked them for protection. But they didn't do anything. At 3.00 or 4.00 p.m. on

the 2nd we began calling the police again. We called them every half-hour. We told them about the people who were coming into the shops and harassing the shopkeepers. Each time we asked for protection but the police told us not to worry. The attack was planned but I don't know by who.

When I came to the Sivan Temple it was very unsafe. There was no police protection. But now it's safe here. The police and officials have told us that we should go home and continue with our businesses. They haven't told us how they will protect us.

Mr. S.:

Our shop was set on fire after 12.30 a.m.. I know this for sure because I asked a Sinhalese friend of mine to go and check the bazaar to see whether my shop was burned or not. That was around 12.00 a.m. He returned and told me that other Tamil shops were all on fire but not mine.

I have made several complaints to the police. They have not responded to any of our complaints. The transferred police officers have been very cooperative with us. We do not know why these officers have been transferred. I see this violence as a well organized job of a group with vested interest. The idea behind these events is to chase us out of Galle.

Mr. S.S.:

I have been in Galle since 1968. I haven't gone to Jaffna since 1983. My children, one son and one daughter, have been educated in the Sinhala medium. We loved peace. Due to the

present situation in Jaffna we couldn't go there. As it is, we live in peace. I am fluent in all the three languages. So are my children. There are rumors that no houses will be given to Tamils.

I feel if we are sent out of Galle it will facilitate the division of the country. I don't like that. Sri Lanka should be one country. My son told me we should have a caravan so that if there is trouble in the South we can go to the North and if we are chased out of the North, we can come to the South.

An Anonymous Tamil businessman:

One Tamil businessman, who does not want to reveal his identity, told the Committee that the following persons were behind the violence: Market Dasanayake, Walangada Martin, Lionel Premasri, and George Manamperi.

ANALYSIS OF THE ACCOUNTS UNDER INTERNATIONAL STANDARDS

Governor Kanakeratna's assessment (see Appendix III) that there were no violations of the human rights of the people in Galle is clearly erroneous. While the fact that no one was killed in the Galle attacks is indeed fortunate, human rights guarantees protect more than individual life and bodily integrity. The human rights of the people affected by the Galle attacks were, in fact, violated.

One of the fundamental tenets of international human rights law is nondiscrimination. Article 26 of the International Covenant on Civil and Political Rights (ICCPR) states that:

[a]ll persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language ... or other status.

Thus, according to international human rights standards, the human rights of the Tamil shopkeepers impacted by the fires were violated by the racially motivated attacks. The state of Sri Lanka in general, and the Southern Province in particular, failed to protect Tamil shopkeepers from the discriminatory attacks despite warnings of impending violence and requests for protection against such violence. Whether the attacks arose from business or political competition, retaliation, or something else, they were nonetheless racially motivated; Tamils were directly targeted by the attacks.

Furthermore, in violation of international human rights standards, the police failed to provide equal protection to the Tamil people of Galle. Implicit in Franklin Burke's admission that the lack of police protection was directly linked to Sinhalese pressure against providing such protection is an acknowledgment of the racial bias with which the police acted.

The failure of the police to provide protection to the Tamil shopkeepers before the attacks was compounded by their lack of response during and after the attacks. The Governor admitted that the 'police were a little late in coming' and that, had they responded promptly, they may have been able to prevent the damage.

Lastly, a component of the racially motivated harassment, intimidation, and attack of Galle shopkeepers is an attempt to disrupt an ethnic minority's right to community within the city of Galle. Again, the failure of the state to protect this right to community violates international human rights law. Article 27 of the ICCPR states that:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right to community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

THE PRESIDENT'S RESPONSE

President Chandrika Kumaratunga issued an immediate response to the attacks in Galle, deploring the violence that took place and appealing to the citizens of Sri Lanka to assist the government's efforts at peace. (See Appendix IV) She reported that the police, army and other authorities had been ordered 'to take stern action to quell any acts of violence.' The President also reported that the police had been able to bring the situation under control within one hour. Accounts by the individuals targeted by the attacks as well as Governor Kanakeratna, however, refute this claim.

Additionally, the President appealed to the public for any information regarding the identity of those individuals responsible for the attacks. Although the President accused the opposition UNP of involvement in the Galle violence, the UNP responded that the President's allegations were 'baseless.' The Committee of Inquiry, however, did not have information sufficient to establish the responsible parties.

SECURITY MEASURES

As a result of the Galle attacks and a general escalation of tension in the area, the government has taken steps to increase security. There is presently a visible military presence in the Bazaar area of Galle.

While in Galle, the Committee attempted to take photographs of the destroyed shops. The military, however, quickly responded to the Committee's initial attempts, demanding that the Committee relinquish their camera. The Committee refused to comply with this demand, choosing instead to leave the area and seek assistance from the local police. Ultimately, the Committee secured a police escort that, in turn, allowed them to return to the scene to take photographs. The military personnel patrolling the Bazaar were noticeably irritated by the return of the Committee.

Additionally, on their way to Galle the Committee was subject to irregular scrutiny. They were subjected to two security checks. The first occurred as they exited a restaurant. The committee was met by several uniformed and undercover police officers who targeted two members of the team, requesting I.D. from each of them. In a subsequent roadside stop, these two members of the committee were again specifically targeted. That time, however, the police also thoroughly searched the vehicle.

Although there is a recognizable need for increased security during times of increased tension, security measures cannot target individuals based on race or ethnicity. Article 4 of the ICCPR states that:

[i]n time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations to the extent strictly required by the exigencies of the situation, provided that such measures ... do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

RECOMMENDATIONS

1. The parties responsible for the Galle attacks must be promptly identified and swiftly brought to justice.
2. The Government must provide just and appropriate restitution to the shopkeepers and their families, including adequate compensation for their losses and financial support sufficient to reestablish their businesses.
3. The Government must provide just and appropriate restitution for those whose houses and property were damaged, destroyed or stolen.
4. The Government must ensure that the shopkeepers are able to maintain their businesses in their original locations.
5. The Government must aid the people displaced by the attacks in securing adequate housing.
6. A Government commission should be established to further investigate allegations of police and government mismanagement.
7. The Government should issue an official acknowledgment of responsibility based on their failure to adequately respond to the attacks.
8. Guidelines should be adopted to provide clear standards and guidance for coordinated and collaborated efforts of the police and military.
9. A public education campaign should be employed in Galle for better police and ethnic community relations.
10. An anti-racism campaign should be initiated in Galle, led by prominent leaders of the community.
11. The Police should be given leadership and emergency response training.

Appendix I: Tamil Business Establishments Burned in the Fires

| Name of Business Establishment | Name of Proprietor |
|--------------------------------|--------------------------|
| 1. Pettah Agency | 1. Sivasubramaniam |
| 2. R. A. T. Traders | 2. Arul Murugathas |
| 3. Raj Ran | 3. S. Thramaraj |
| 4. Latha Stores | 4. Navarathnam |
| 5. Rolands | 5. Nadarasamany |
| 6. Abaya Stores | 6. Parath Kumar |
| 7. Pathma Stores | 7. Rathnarajah |
| 8. Rani Stores | 8. P. Shanmuganathan |
| 9. Sun Agency | 9. P. Shanmuganathan |
| 10. Nilo Traders | 10. Chandran |
| 11. Nava Colombo Stores | 11. Rathnarajah |
| 12. Vanee Video | 12. Krishnan |
| 13. Siva Stores | 13. Sundarampillai |
| 14. Siva Hotel | 14. Suntharampillai |
| 15. Prasad Trades | 15. K. Varatharajah |
| 16. Ananda Stores | 16. Varatharajah |
| 17. Krishna Stores | 17. Krishnan |
| 18. Cigar Factory | 18. Arulananadasundaram |
| 19. Ramachandran Stores | 19. Ramachandran |
| 20. Wijaya Stores | 20. Wijayan |
| 21. Stores | 21. Mrs. P. Kanagalingam |

Appendix II: Sinhalese and Muslim Business Establishments Burned in Fires

| Sinhalese Business Establishments | Muslim Business Establishments |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1. Ratna Pharmacy 2. Visaka Printers and Booksellers 3. Gaminin Stores 4. Orappuwatte Wine Stores 5. Ponnampereuma Stores (Damaged) | 1. S.U. Mohamed Hajjar Building 2. Vega Electricals |

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Appendix III

Account of Neville Kanakeratna, Governor of the Southern Province:

According to Governor Kanakeratna, Friday, June 2, at approximately 10.00 p.m., 22 shops were burned in Galle of which 17 were owned by Tamils, 3 were owned by Muslims, and 2 were owned by Sinhalese. The Governor denied that there had been any violations of human rights because no one had been killed or injured in the attacks in Galle.

Governor Kanakeratna contends that neither himself nor the police had any warning of the attacks prior to June 3, rebuffing rumors of riots by stating that ultimately there were no riots. Furthermore, he claimed that intelligent people should not heed rumors.

The Governor stated that the attacks in Galle were not racially motivated and speculated that they were the result of business competition. He maintained that it was not logical to link the events in Galle with the assassination, six days prior, of Ven. Kithalagama Seelalankara Thera. According to the Governor, there are many places besides Galle where such a retaliation would have occurred. He asked why Galle would have been the site for such actions.

In regard to the attacks, Governor Kanakeratna admitted that the 'police were a little late in coming' to the scene, stating that the police might have been able to prevent the damage if they had responded more promptly.

In response to a question posed regarding other incidents, he reported that there had been one subsequent incident in Galle Fort. According to the Governor, a Tamil house had been set on fire in the Fort after a molotov cocktail was thrown into the house. He did not, however, feel that there was necessarily any connection between the attacks on the shops and the Galle Fort incident.

The Governor stated that two refugee camps had been established for the approximately 85 Tamil families who have left their homes as a result of the attacks of June 2. He reported that each camp shelters approximately 40 families or 200 individuals, stating that the conditions of the camps were unsanitary and crowded and that efforts were being made to move people promptly back to their homes. He said that protection would be provided to the people when they returned to their homes.

According to the Governor, the Army and Navy had been deployed to the area on June 3. He also said that measures had been undertaken to secure the Bazaar area. The Governor assessed the current situation as 'under control.' He reported that 11 individuals responsible for the Galle attacks had been arrested and were currently in police custody.

Appendix IV

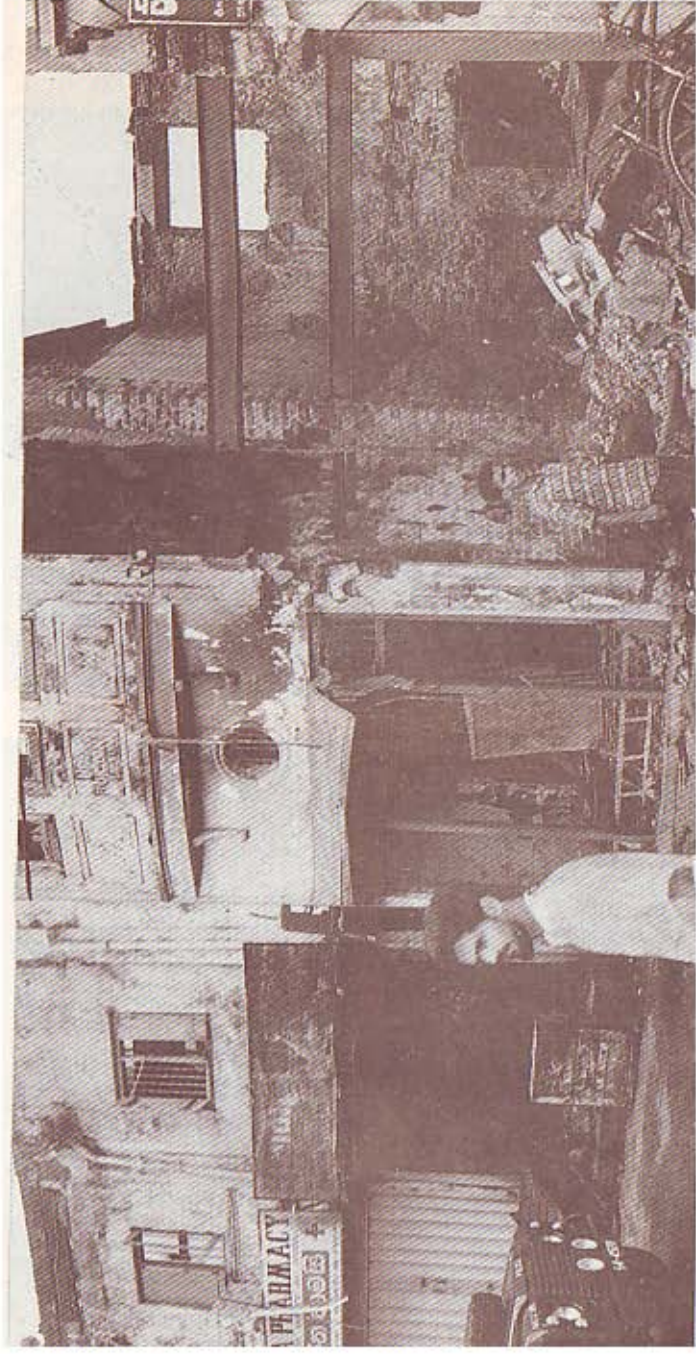
The following is the full text of a statement issued by President Chandrika Bandaranaike Kumaratunga following the attacks in Galle, as reported by The Island, Sunday Edition (June 4, 1995).

In the heart of Galle yesterday the 2nd of June 1995, several shops were damaged and burnt, and the government and the police were able to bring this situation completely under control within an hour.

It is very clear that a leading opposition party is involved in this incident having pre-planned with the motive to instigate communal violence in order to achieve its narrow political gain. It is obvious from the statement made by certain members of Parliament of the Opposition in the press during the last few days that they have tried to provoke the people. It is evident that these conspirators do attempt to lead the people of Sri Lanka to the period of terror by provoking the people of the South to create another Black July. The Government has ordered the police, the army and other authorities concerned to take stern action to quell any acts of violence that would help the separatist terrorists achieve their objectives.

I appeal to you to provide any information to the Police and the government, Members of Parliament in regard to those responsible for the Galle incident and the elements behind this move.

I earnestly appeal once again, to all citizens of this country to rally round at this moment to protect the efforts of the government to consolidate the democratic and peaceful atmosphere in the country after a period of seventeen years.





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