

Ranil pleads the 13th Amendment

Sri Lanka's main opposition United National Party (UNP) leader Ranil Wickremasinghe announced in early November that his party rejected extensive devolution to the regions as currently proposed by the People's Alliance (PA) government, but would support asymmetric or selective devolution, based on the needs of each region. The UNP leader cites the case of Britain where differing degrees of power will be devolved to Scotland and Wales.

In late October the government tabled an incomplete draft constitution in Parliament. Mr Wickremasinghe rejects the union of regions concept proposed by the draft constitution as an alternative to a "unitary state", saying that the Indo-Sri Lanka agreement of 1987 and the 13th Amendment to the constitution have settled the unit of devolution issue.

Under the Indo-Sri Lanka agreement the northern and eastern provinces were merged temporarily with provision for a referendum in the east to decide the issue of permanent merger. The Parliamentary Committee on Constitutional Reform failed to achieve consensus on permanent merger which the Tamil parties insist as non-negotiable.

The Liberation Tigers of Tamil Eelam (LTTE) had earlier indicated that it would consider only a peace proposal made jointly by the UNP and the PA. In April the two parties agreed on bipartisan cooperation brokered by Britain. Since then there has been more backbiting than handshakes. Mr Wickremasinghe accuses President Chandrika Kumaratunge for failing to create a climate of confidence raising doubts over her commitment to bipartisan approach to the conflict.

President Chandrika threatens to breach the present constitution by holding a direct referendum endorsing the PA devolution plans as part of a new constitution if UNP does not provide a two-thirds majority for the proposals in Parliament. Mr Wickremasinghe in turn says that the new constitution must come

The opposition leader proposes asymmetric or selective devolution based on the needs of each region.

from consensus and warns that only measures with UNP support will stand the test of time.

Justice minister GL Peiris rejected Ranil's proposal for asymmetry saying that all people in the island must equally share the economic benefits of devolution. Observers are concerned over government's inflexibility and refusal to seek compromise, making it even difficult for the other Tamil parties to fully support the devolution package.

At a Norway conference in February last year, LTTE's V Rudrakumaran suggested asymmetric devolution for the regions and greater power-sharing for Tamils in the central government. Observers believe that accommodation could be achieved in this area which the government should pursue.

Mr Wickremasinghe points out that there can be bipartisan cooperation only when the government decides to talk to the LTTE. The Tiger leader V Prabhakaran declared in his annual *Maveerar Varam* or Great Heroes Week message in late November, that the government's devolution package and its military objective are similar, like the two faces of the same coin.

Mr Prabhakaran says that any solution

to the Sri Lankan conflict should be based on three principles promoted by the Tamil parties at the Thimpu peace talks in 1985 - recognition of Tamil nationhood, Tamil homeland and the right of self-determination. Mr Prabhakaran stresses that a Tamil homeland in the north-east is fundamental to any solution since the territory is crucial to Tamil life and identity. The Tiger leader has pledged to continue fighting.

The LTTE struck in Colombo even before Heroes week began on 20 November. Tiger cadre infiltrated the high security Kelanitissa thermal power station, north-west of Colombo near Urugodawatta on 14 November, blasting fuel tanks with limpet mines. In the Vanni, the LTTE launched a massive assault on advancing *Operation Jayasikurui* (Certain victory) troops, at Kanagarayankulam on 4 December killing 146 commandos and wounding another 396. The government's aim of opening a secure landroute to Jaffna before the 50th anniversary of independence on 4 February seems in jeopardy.

The Tigers also intensified attacks in Army-held Jaffna peninsula. Reports say LTTE intelligence chief *Pottu Amman* who has masterminded many successful attacks, is now in charge of Jaffna operations. As the government appointed military intelligence officer Maj. Gen. Lionel Balagalle in November as the Jaffna commander to counter the *Pottu Amman* threat, the Army carried out search operations and detained several people.

On 3 December, Elections Commissioner Dayananda Dissanayake announced elections for the 18 local government bodies in Jaffna peninsula, last held in 1979. Nominations for the elections will be accepted between 16 to 23 December. Observers believe Jaffna may become further destabilised as the LTTE targets election candidates who would be mainly from the other Tamil groups armed by the government and currently operating in Jaffna.

THE VANNI

No way home

SRI LANKAN Airforce planes bombed the Pooneryn area of Kilinochchi District on 20 November killing three people and seriously wounding another nine. The Airforce also attacked Mankulam, further south-east on 8 November damaging several houses.

Shelling killed S Thayanadevi on 27 November at Unionkulam. Two Vanni refugees visiting their houses in Army-held Kilinochchi in early November were attacked by soldiers. Thiruchelvam escaped, but the fate of Shanmugasundaram is unknown. The Army arrested four other visitors at Bharathipuram on 18 November.

Many of over 380,000 Vanni refugees have been displaced several times. Denied shelter, adequate food and medicine, they are increasingly vulnerable. Heavy rains have increased disease. Several tanks are in danger of breaching banks and government officers have advised the people to move to safer areas. Shortage of food in the Vanni continues and prices remain high. Sugar is sold at Rs 40 a kilo and a bottle of kerosene costs Rs 120. Food aid is irregular and reports say many are surviving on one inadequate meal a day.

Thousands of refugees are waiting at Thunukkai, Jeyapuram and Mallavi west of Mankulam for the resumption of shipping services from Mannar to return to Jaffna. Entering Mannar is increasingly difficult as the four-mile no-man's land between the LTTE checkpoint and the

Army checkpoint at Uyilankulam has become muddy and there are no shelters. The Army allows only a limited number and many are forced to return.

Operation Jayasikurui troops are 20 miles south of Kilinochchi, the target to open a landroute to Jaffna. As the Army advanced on two fronts, the LTTE launched its sixth major attack at Kanagarayankulam and Mannakkulam on 4 December killing 147 commandos and injuring 396. The LTTE handed over 110 bodies of soldiers to the ICRC and claims it suffered only 35 casualties.

The Military says the Airforce destroyed two major LTTE camps north of Mankulam in late November. Two Airforce helicopters crashed in Kokkilai in Mullaitivu and Pallimadu, east of Puliyankulam. The military suspects that they were shot down with missiles.

Further south in Vavuniya, a number of murders have rekindled fears of death squads. T Krishnapavan was shot dead by gunmen at his home on 20 November. On the same day Nathan was killed at Poomankulam allegedly by Tamil group PLOTE. Nadesan Thurairajah was shot dead at Thonikkal and police accuse LTTE's pistol group.

In the Vavuniya refugee camps 12,000 people from the Vanni wishing to travel to the south are still detained under insanitary conditions. Press reports say that 90% of 142 people admitted to Vavuniya hospital in the last six months with poisoning, had attempted suicide.

Budget

Rs 45 billion (\$750 million) was allocated for defence in the 1998 budget presented in Parliament on 5 November, while the budget deficit is Rs 112 billion. The National Security levy of 4.5% will remain and the Save the Nation tax of 2% on earnings between Rs 15,000 and Rs 30,000 and 3% above will continue.

Challenge

Tiger supporters have retained former US Attorney General Ramsey Clark to lead a legal team to challenge Clinton administration's 8 October designation of the LTTE as a terrorist organisation.

Landmines

Foreign minister Lakshman Kadirgamar says Sri Lanka will not sign the Ottawa treaty for the ban on mines as the security forces heavily depend on landmines in the war. Reports say the UN may assist to clear 10,000 landmines in Jaffna.

Denied

The Sri Lankan government in late November revoked its permission to the BBC for filming author Salman Rushdie's novel *Midnight's Children* in the island, following protests by Muslim organisations.

Arrest

Eight armed members of Tamil group EPDP were detained on 13 November after an attempt to abduct MP R Rameswaran's secretary V Gunaseelan in Colombo. Mr Rameswaran and his brother Ramamurthy were sacked from EPDP in May.

Jaffna's enemy within

A sailor was killed and three others wounded when the Navy clashed with Tamil group EPDP on 22 November near Kayts Island west of Jaffna peninsula. Four EPDP cadre were also injured and A Aswath later died in hospital.

EPDP which is fighting the LTTE on the side of the government, accuses the Navy of ramming their boat with a naval vessel. In early November northern naval commander Rear Admiral Chandrasiri ordered an enquiry following an EPDP complaint that sailors attacked fishermen on Eluvaitivu Island, west of Kayts. The clash could not have come at a worse time when the government was about to announce local elec-

tions and the LTTE was stepping-up its attacks in the peninsula.

University student K Kanageswaran and K Baheerathan were arrested after a grenade attack on the Army on 5 November at Kodikamam. Five days later Savunthari Navaratnarajah was injured in crossfire in a clash at Valvettithurai.

Thambu Sinnappillai, 65, was killed in crossfire at Varani in Kodikamam on 10 November. Chelliah Kulasekaram was shot dead by unidentified gunmen at Unavil in Chavakachcheri four days later. S Pathmaseelan was killed at Pandatharippu on the same day. Observers say the Tigers carried out over

16 attacks in the Jaffna peninsula in November. The Army in turn conducted search operations in Vadamaratchy, Thenmaratchy and the Jaffna islands. A number of people were arrested and paraded before masked informers.

Over 20,000 people in 50 refugee camps are yet to be resettled and areas in the north and north-west remain no-go zones. EPDP MP S Sivathasan says only 60% of the basic needs of the Jaffna people is currently provided. Other reports say the Army has restricted food into Vadamaratchy, north-east of the peninsula to deny the LTTE. Observers say such measures may increasingly drive the people into the arms of the Tigers.

■ *Fields lie barren across the lagoon*

Military screens Batticaloa students

AS the LTTE prepared to celebrate its *Great Heroes Week*, the Army took 10,000 students entering Batticaloa town to an esplanade on 17 November for search and interrogation. Another 10,000 were checked in areas outside the town.

Four students from Shivananda College in Kallady were arrested on 11 November after a transformer in the vicinity was damaged by explosives. The Army suspects that Tigers are masquerading in student uniforms. In March the Army ordered schools to provide teachers to screen students. The mass screening has been condemned by MPs and parents as disruptive.

The LTTE attacked the Valaichenai police station on 10 November. As the

police retaliated, two Muslim civilians were injured in crossfire. Batticaloa lagoon is under close guard to check infiltration from LTTE-held areas in the west. Two Tigers attempting to cross the lagoon at Kurumanveli were shot dead on 17 November. Another LTTE cadre was killed at Eechamtivu the next day.

The Tigers attacked a police post at Kallady under cover of darkness after blasting electricity supply lines on 17 November killing a policeman. On 2 December the LTTE launched a grenade attack at Kaluthavalai on a public transport bus in which six Special Task Force (STF) members were also travelling, killing two civilians and injuring 34 others. Local MP Joseph Pararajasingham

has written to President Chandrika urging her to take measures to prevent civilians being used as human shields.

Farmers are unable to plant 35% of over 100,000 acres of land as a result of security operations and restrictions on fertiliser and fuel. Over 90% of the rice lands lie with LTTE-controlled areas. Farmers complain that they are expected to fill forms for permits in the Sinhala language which they do not understand. They received only 1,800 bushels of seed paddy this year whereas 10,000 bushels are required.

Restriction on food and medicines into LTTE areas in north and west Batticaloa continues. French medical agency Medecins Sans Frontieres (MSF) continues visits to civilians in Tiger areas. In September, MSF held 42 clinics in west and north Batticaloa and undertook 6,598 consultations.

In Amparai District, the STF carried out a house-to-house search in Karaitivu on 15 November. Over 150 people were taken to Kannagi Amman temple and interrogated. The STF also conducted major search operations in Central Camp and Bakkiella areas the following day. The LTTE ambushed a police patrol in Central Camp on 14 November killing six policemen and wounding another six.

In Trincomalee District, the Tigers killed three policemen at Thoppur on 14 November. On 22 November, the LTTE released 20 Muslim and Sinhalese people abducted at Irakkandy, north of Trincomalee town, in July.

protection denied

LONDON-BASED human rights agency Amnesty International says in a November report titled *Sri Lanka: Government's response to widespread disappearances in Jaffna*, that although there is no evidence that over 600 Jaffna disappearances were sanctioned by the political leadership, the Sri Lankan government is responsible for failing to protect civilians under its jurisdiction. The government has rejected the report as partial, but the Defence Ministry's Board of Investigation has traced only 180 people out of 760 complaints and the Human Rights Commission is probing 274 disappearances. Amnesty further says the Army tortured hundreds of people in Jaffna and several reports of rape by soldiers were received. LTTE's sporadic human rights abuses in Jaffna, say Amnesty include indiscriminate killing of civilians during attacks on the Army and execution of civilians suspected of collaboration.

Amnesty has urged the government to introduce further measures for prevention and accountability for violations and review Emergency regulations and the Prevention of Terrorism Act which fall short of international standards.

Meanwhile, the Foodfirst Information and Action Network (FIAN) says in its report to the 17th session of the UN Committee on Economic, Social and Cultural Rights in November that the Sri Lankan government's 106-page report to the Committee is silent on the undernourishment and malnutrition in north-east districts where nearly a million people are displaced. FIAN says the government survey on nutrition has excluded the eight districts in the north-east and the supplementary feeding Triposha programme has not reached the north-east in the past two years.

Mannar ambush

THE Tigers ambushed an Army bus on 2 December at Kovilkulam, 15 miles south-east of Mannar, killing seven soldiers and wounding another six. Since the Army captured 700 sq mile territory in Mannar District in *Operation Edibala* (Gallant force) in February 1997, the LTTE has continued infiltration.

The Tigers killed a policeman at Thallady on 12 November. The Army shot dead a LTTE cadre on 21 November at Uyirtharasankulam. Two more Tigers were killed at Marunkan on 30 November.

Reports say the Army has assured government officers that there will be no interference in rice cultivation. Farmers plan to plant over 22,400 acres of land in

the Yala cultivation season, but say no permission has been granted for water supply to 5,300 acres in Adaikalamodda between Army-held and LTTE-controlled areas. Cultivation is allowed only beyond two miles south of military defences on the Mannar-Vavuniya road.

Around 1,200 families from the Vanni are currently waiting at Pesalai refugee camp to return to Jaffna. Reports say that the Thandikulam route to the Vanni from Vavuniya will be permanently closed for civilians and a new route has been opened through Poovarasankulam on the Mannar-Vavuniya road.

Further south in Puttalam and Kalpitty the police arrested 11 Sinhalese youths on allegations of assisting the LTTE.

Colombo's Tamil detainees protest detention without trial

Fast unto death

OVER 220 Tamil prisoners suffering prolonged detention at Colombo's Magazine prison launched a protest fast unto death on 27 November demanding "trial or immediate release". Two days later they were transferred to Kalutara prison as parents and relatives wailed outside.

The prisoners told visiting MPs that prison officers attacked them with batons and metal rods and tore up all their books. They say they gave up the fast after guards forcibly thrust bread into their mouths.

Currently 540 are held under the Prevention of Terrorism Act and over 1,000 under Emergency regulations. Tamils arrests continue every day. Ports Development minister MHM Ashraff says arbitrary arrests in Colombo will not help government attempts to win the hearts and minds of the Tamil people.

Mr Ashraff who summoned a high-level conference on 13 November in Colombo, requested the police, the

Crimes Detection Bureau (CDB) and the National Intelligence Bureau (NIB) to inform the Ports Authority if Tamils working in Colombo port are arrested.

As Mr Ashraff addressed the security officers, over 60 Tamils were rounded-up in Kotahena suburb and taken away in lorries despite producing all the necessary identity documents. Six days earlier over 150 Tamils were arrested at Modera in north Colombo and 57 were detained. Vavuniya refugee S Selvananthini who returned from Colombo after a visa interview at the Canadian High Commission was arrested and held at the Mt Lavinia police station from 25 September. Her mother has also been taken into custody.

Over 100 Tamil young men and women were rounded-up in Kochchikade on 20 November. Five days later ten Tamils from 4th Cross Street in Pettah were arrested. Fifteen Tamils were detained in Maligawatta on the same day. A large number of Tamils were also arrested in other southern areas such as

Gampola, Matale, Panadura and Kandy.

Police believe Tiger cadre are hidden among the Colombo Tamil community ready to launch attacks on high-profile targets. LTTE member Anthoymuthu Nandakumar took cyanide and committed suicide when police attempted to arrest him in Mattakuliya on 25 November. Following the incident 35 Tamils in the area were arrested.

Abuse of Tamils in custody continues. Colombo-based Forum for Human Dignity says that Tamil women suspects in Welikade prison are being sexually abused. Seevaratnam Sivarajah who had been arrested on 14 October in Vavuniya and held at the Mt Lavinia police station on allegations of conspiracy to blow-up the Ratmalana airbase, died in hospital on 31 October. He had been admitted to the hospital the previous day. Tamil MP Joseph Pararajasingham suspects that Sivarajah died as a result of torture and has demanded a full enquiry in a letter to President Chandrika.

Tiger link topples Indian government

POLITICAL turmoil beset India following the collapse of the United Front government led by Prime Minister IK Gujral on 29 November after Sitaram Kesari's Congress (I) party withdrew its support for the 14-member coalition.

Since excerpts of the Jain Commission report were published in the monthly journal *India Today*, Congress (I) had been demanding the removal of Tamil Nadu's ruling party DMK from the coalition. But other coalition members have refused to sack DMK. Observers believe Rajiv Gandhi's widow Sonia Gandhi is behind Congress (I)'s aggressive demand.

The Jain Commission was appointed three years ago to probe conspiracies behind the murder of Rajiv Gandhi. A woman suicide bomber assassinated Rajiv during election campaign in Tamil Nadu in May 1991. LTTE leader V Prabhakaran and Tiger intelligence chief Pottu Amman are the two main accused in the court case relating to the killing.

The 17 volume 5,280 page Jain Commission interim report says that the Rajiv assassination would not have been

possible without the deep nexus of LTTE operatives and Tamils in Tamil Nadu and accuses the DMK of assisting the Tigers even when an Indian Peace Keeping Force (IPKF) was fighting the LTTE in

Sri Lanka. The report also blames former Prime Ministers VP Singh and Chandra Shekar for denying adequate security for Rajiv Gandhi. DMK leader M Karunanidhi rejects the findings of the Commission and highlights the roles of Congress (I) leaders Indira Gandhi and Rajiv Gandhi in supplying arms and providing training to the LTTE.

The Congress (I) has undoubtedly seen the report as an opportunity to make a comeback, but with only 138 seats in the 545-member Lok Sabha (Lower House of Parliament) lacks the support to win a confidence vote. The Hindu nationalist BJP with 162 seats also cannot form a government without the support of other smaller parties and the likelihood of fresh election looms.

Meanwhile on 8 November a Chennai court found LTTE members Chinna Santhan and Anandaraj guilty of abetment in the murder of EPRLF leader K Pathmanabha and 14 others in Chennai in June 1990. Former DMK minister J Subbulakshmi and former Tamil Nadu Home Secretary R Nagarajan were among the 15 acquitted.

THE SRI LANKA MONITOR is part of an information processing service set up by the British Refugee Council to keep Sri Lankan refugees in Britain, Europe and elsewhere, informed about the current situation in their home areas.

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British Refugee Council: Charity No. 1014576
Company No. 2727514

ISSN 0955-5943

Funded by voluntary agencies worldwide.

Printed by: Imedia Print, 20 Rushworth Street,
London SE1 0RB