

## Denying NGO freedom

The Human rights NGO, Peace Brigades International (PBI), was forced to close its offices in Sri Lanka in March following difficulties with the government in renewing its agreement to operate in the island.

PBI, whose mandate allows it to provide international observers to accompany local peace and social activists threatened with violence, as well as other peace initiatives, began its work in Sri Lanka at the request of the Sri Lanka Bar Association in October 1989.

The Defence Ministry demanded that PBI should submit its situation reports from eastern Sri Lanka for "editing" before publication and provide the names and addresses of PBI's clients and contacts. PBI says that agreeing to these demands would make its non-partisanship meaningless. Furthermore, the agency finds it hard to fathom the rationale behind the Defence Ministry's new demand for censorship.

Humanitarian space is increasingly restricted. In a Relief and Rehabilitation Network (RRN) paper titled *The coordination of humanitarian action: the case of Sri Lanka*, the author Koenraad Van Brabant, says that the single most important impediment to effective humanitarian coordination is the Sri Lankan government and, more particularly, the military, retaining the final authority and keeping agencies outside their mechanisms.

Military and political objectives, the author argues, are allowed to override humanitarian concerns, though not to the point of creating a mass emergency, which would generate more international pressure. The paper also points out that representations by agencies in the north-east to the government on the needs of the people have led to suspicions that they are manipulated by the Liberation Tigers of Tamil Eelam (LTTE).

The Sri Lankan government believes that the bans by the US and Indian governments on the LTTE is a recognition by the international community that it is the only viable political organ in the island. This, the argument goes, makes

*Military and political objectives are allowed to override humanitarian concerns, though not to the point of creating a mass emergency, which would generate more international pressure.*

NGO policy of non-partisanship redundant and has also meant the need for assurances that no NGO is in league with the LTTE.

The Sri Lankan government has in the past accused NGOs of having links with the Tigers, whose 15-year war is aimed at establishing *Eelam* or separate Tamil state in the north-east of the island. In January the LTTE was proscribed by the government, following an attack on Sri Lanka's holiest Buddhist shrine, the *Dalada Maligawa*.

Analysts believe NGOs will face increasing pressure not to deal with the Tigers thereby stultifying humanitarian intervention and peace involvement. Consequently, the condition of civilians in LTTE-held areas in the northern Vanni region and the east is expected to further deteriorate. There are already signs in the eastern province of dislocation as a result of NGOs and government officers being unable to contact the LTTE to arrange relief to the beleaguered population.

There is also concern over the powers granted under the Emergency regulations banning the LTTE which allows the Defence minister to seize money and property of those suspected of funding the Tigers. The minister's decision is final and cannot be challenged in courts.

It is alleged that the government is encouraging inter-governmental agencies

to operate in conflict areas while imposing restrictions on NGOs. Reports say that the government and the Army have indicated their opposition to the international development agency UNDP, which has been permitted to clear landmines in Jaffna, working with local NGOs. Soon after the Army capture of Jaffna in early 1996, cooperation between local and international NGOs was prohibited.

Observers say the setting-up of new subsidiary organisations by inter-governmental agencies in the South Asian region may reduce funding for NGOs and affect their humanitarian work. The relegation of NGOs in Sri Lanka is aimed, they contend, at manipulating information about conditions in the war zone which will help facilitate return of asylum-seekers from Western nations.

In March, a controversial amendment to the Voluntary Social Services Act was passed allowing the Social Services minister to appoint an interim board to run an agency suspected of fraud or misappropriation. Although the provisions do not apply to foreign agencies, there is concern that the government measure represents the shape of things to come.

The amendment, introduced in 1995, was not passed at the time, after agencies condemned it as a violation of freedom of association. The Bill was retained on the parliamentary Order Paper and rushed through Parliament during the absence of the main opposition United National Party (UNP) which began a month-long boycott of the legislature on 3 March accusing the government of abusing democratic rights and unleashing violence against opponents. Sources say President Chandrika Kumaratunge is unhappy over the law which had been passed without consultation with her.

Rohan Edrisinha of Colombo's Centre for Policy Alternatives (CPA) says the law is a dangerous tool in government's hands to control independent associations. The CPA's challenge over the constitutionality of the law was dismissed by the Supreme Court on the ground that it has no power to review legislation.



## THE VANNI

# Refugee agony

SENIOR government officer, Vavuniya District Government Agent (GA) K Ganesh says there is an acute shortage of medicines, such as anti-biotics and pain killers, even after hospitals in Vanni's LTTE-controlled areas received the approved quantity of medicines for the first quarter of 1998.

The food shortage also continues. In March, the government stopped sending rice to the Vanni, but permitted the GAs to buy rice from local farmers in Tiger areas, who are struggling to market their produce. The Vanni needs 1,500 tonnes of rice each month. Mr Ganesh says the monthly dry rations, consisting of rice, flour, sugar and lentils is inadequate for families with more than three members and the current ration of 10 kilos should be increased to 15.

Army restrictions on traders at the Uyilankulam crossing point in Mannar District have led to price rises. Vanni MP Y Balachandran told Parliament in mid-March that people displaced by the current military operations are not receiving any assistance. Estimates say over 70,000 people were displaced by the operation. When the operation began on 13 May last year, there were 310,000 refugees in the Vanni.

On 14 March, the Army resumed its attempt to capture Mankulam in *Operation Jayasikurui* (Certain Victory), launched to open a landroute to Jaffna. Troops advanced on three fronts from Olumadu on Mankulam-Oddusuddan

road, Mannakkulam on the south-west and along Mundrumurippu road. In three days fighting, 34 soldiers were killed and another 110 injured. The Tigers say 18 cadre died.

Army's 55 Division General Staff Officer Lt. Col. Priyantha Ranasinghe was killed and brigadiers Sarath Fonseka, Thuvan Bohran and Sisira Wijesuriya were injured in LTTE artillery fire. Observers say Tiger resistance forced the Army to halt the advance on 15 March. Bombing and shelling, however, continued. Five civilians were killed and four others injured when Airforce planes bombed Puthukudiyiruppu on 26 March.

In Vavuniya, fear of death squads remains. Two unidentified bodies burned on tyres, were found near Rasendrankulam in early March. Police say many killings were carried out by the LTTE and 42 assassins of the Tiger *Pistol Group* have been arrested in Vavuniya town.

The security officer at Tamil party TELO's office shot a civilian dead on 16 March fearing he is a Tiger cadre. Tamil party EPRLF says, soldiers went into Puthukulam, south-west of Vavuniya, in the night and threatened the villagers. A young woman was abducted at gunpoint and the villagers fled to nearby Andyapuliyankulam.

Over 1,630 among the 12,000 refugees from the Vanni in Vavuniya are currently registered to go to Jaffna.

## Charles Abeysekera

Dedicated peace activist, Charles Abeysekera, died of a heart attack in Colombo on 3 April. Mr Abeysekera, a champion of human rights and democratic development, was a founder member of a number of human rights agencies including the Movement for Inter-Racial Justice and Equality (MIRJE) and INFORM.

NGO solidarity under his guidance following human rights violations on a massive scale during the 1989 state suppression of the People's Liberation Front (JVP), led to the formation of the NGO Forum on Sri Lanka, a world-wide network concerned with human rights and development issues.

His unwavering commitment and relentless campaign for peace in Sri Lanka won him admiration at home and abroad. In 1995, he was selected as a member of the government delegation for peace negotiations with the LTTE in Jaffna.

Mr Abeysekera's death is a loss to the cause of human rights in Sri Lanka. His absence will be particularly felt in the NGO sector which is facing unprecedented crisis.

## Bomb

A Tiger tractor bomb killed four civilians and a policeman at Eravur town in Batticaloa District. Over 15 shops and a clock tower were damaged.

## Delegation

A 15-member Sri Lankan parliamentary delegation visited Norway in late March to study human rights, development and Norwegian policy on the *Sami* ethnic minority.

# Jaffna needs manpower

JAFFNA'S senior government officer Government Agent Shanmuganathan reports that over 12,000 jobs in government departments and other public institutions remain vacant. There are also 5,000 vacancies for teachers in the peninsula.

Manpower needs are expected to delay reconstruction and reports say the Jaffna government secretariat lacks the money needed to fill the vacancies. New Mayor Sarojini Yogeswaran has demanded more funds from Colombo for the development of Jaffna town.

In early March, UNHCR and Japanese embassy officials visited Jaffna to assess funding needs for reconstruction.

Jaffna requires 240 buses but only 39 are currently available. Jaffna MPs say most of the 100 buses sent during local elections in January are unusable.

Jaffna MP R Ramamurthy told Parliament in early March that malaria caused an increasing number of deaths in Jaffna. There is a shortage of malathion insecticide and the Jaffna hospital continues to suffer shortages of specialists, nurses and medical equipment. Medical supplies to Jaffna are always delayed, because of the mandatory Defence Ministry permits for transport of medicines. Mr Ramamurthy says such permits are an unnecessary requirement while the Army is in control of the peninsula.

Sri Lankan press reports say disabled woman, S Selvarani, 28, was abducted at Nayuruvi in Meesalai area, two miles north-east of Chavakachcheri and raped by four soldiers on 17 March. The Army has issued a statement denying that soldiers were involved.

Relatives of disappeared youths plan a demonstration demanding a satisfactory response from the Human Rights Commission (HRC) whose Jaffna office was opened in January. The HRC has acknowledged receipt of 282 complaints. Relatives suspect that some of the youths missing are held in the camps of Tamil militant groups EPDP and PLOTE and have urged the HRC to investigate.



## ■ Security forces evict villagers in Trincomalee

# Curb on movement

REPORTS say restrictions on movement between LTTE-held areas in the west and north of Batticaloa and Army-controlled territory have resulted in a number of deaths. The three main civilian crossing points between the two areas, Vavunativu and Kaluvanchikudi, south of Batticaloa town and Chenkalady in the north are closed to traffic in the nights.

Ferry services at Manmunaithurai and Kurukkalmadam, south of Batticaloa, are allowed only during the day. There are over ten military checkpoints between Valaichenai and Batticaloa town and another five between Batticaloa and Kalmunai further south.

Most hospitals in Tiger areas are not functioning and people depend on mobile

medical services of humanitarian agencies. Sebastian Pushparani, 12, who was injured on 6 March during fighting at Punnaikudah in Eravur, died because of delays in transport to Batticaloa. K Pushpanathan, 9, injured in Valaichenai also died after the ambulance carrying him was stopped at all the checkpoints.

K Sasikala and S Pushparathi were injured in a clash between the Army and the LTTE at Vantharumoolai on 5 March. Four other civilians were wounded when the Army shelled Puthukudyiruppu in Valaichenai following a clash with the Tigers on 14 March.

The LTTE attacked the Army at Chenkalady on the same day killing a soldier. Markandu Thirusivam was killed

and three other civilians injured in the attack. In a retaliatory attack after the LTTE fired shells on Kiran military camp wounding two soldiers, the Army shot dead P Sasikala, 6, and injured K Vadivel, 58. Five Tigers were killed in an Army ambush at Vavunativu on 21 March. Three civilians suffered injuries in the attack.

The detention of heavy vehicles to and from Batticaloa at Mannampitiya led to chaos in the district in early March. The restriction was imposed after investigations revealed that preparations for attacks in southern Sri Lanka, including Colombo, were made in Batticaloa. Following a meeting between MPs and Deputy Defence minister Anuruddha Ratwatte on 17 March, the restriction was removed.

In Trincomalee District, over 200 Tigers attacked the Pachchanur police station, four miles south of Muthur on 9 March, killing four policemen and injuring eight others. Police say the LTTE abducted the Sinhalese owner of a nearby bakery. In mid-March the security forces evicted 101 Tamil and Muslim families from Kinniya and Upparu villages with a 24-hour notice. The Army claims that the villagers were expelled for security reasons. The families have taken refuge in two schools. Local people fear that Iththikulam village in the Muthur area may be targeted next. Tamil MP Chandrakumar has written to President Chandrika demanding an enquiry into the forcible eviction.

# Lingering impunity

AMNESTY INTERNATIONAL says in a February report that although the Sri Lankan government has taken a number of measures, it has failed to implement essential recommendations of the UN Working Group on Disappearances on structural, institutional and policy issues that encourage continuing disappearances. Since the present government came to power in 1994, over 755 disappearances have been reported, including 100 in 1997. Amnesty has raised several issues in the report which facilitate disappearances. Arrest receipts to relatives as required by Presidential directives are not systematically issued and full information on detention and transfer of prisoners is not provided to the Human Rights Commission and the local magistrates. Continuing detention in secret places, especially in Jaffna, Vavuniya and Colombo in contravention of the law is a serious failure of safeguards. Amnesty urged the Sri Lankan government to tackle the root causes, such as, the lingering sense of impunity among security forces and the sweeping powers of Emergency regulations and the Prevention of Terrorism Act allowing incommunicado detention for long periods. Amnesty also called on the UN Human Rights Commission to ensure that Sri Lanka agrees to a programme of implementation of the recommendations and to establish a regular agenda item to monitor progress.

According to reports, four Tamils arrested by the security forces in Vavuniya and Batticaloa in January and February have disappeared. Batticaloa MP Joseph Pararajasingham said in March that 13,000 people have disappeared in the Eastern Province since 1990, over 8,000 women widowed and 6,000 children orphaned.

REFUGEES in Pesalai camp on Mannar Island began a protest fast on 5 March demanding to be sent to Jaffna. Around 4,200 people in Pesalai and Erukkalampiddi camps and another 2,000 living with friends or relatives await transport. The refugees ended the fast after Army officers assured that President Chandrika would be notified. Some 10,000 Jaffna residents are stuck in Mannar, Vavuniya and Trincomalee. Since March last year, 85,500 people have returned to the peninsula by ships from Mannar and Trincomalee.

The refugee chaos in Mannar continues. The Army currently issues 500 permits a day to enter Mannar at Uyilankulam where thousands of people

queue up. Over 160 people without the relevant documents were turned back to the Vanni in March. Further north in LTTE-held Pallamadu, hundreds of civilians continue to live in the open without adequate food or drinking water.

A new Army directive in March says that the Vavuniya route is closed and travel to southern areas from Mannar will only be thorough Cheddikulam and Medawachchiya. A Tiger was killed and two soldiers were wounded in a clash at Cheddikulam on 8 March.

Public services in Mannar are at breaking point. Mannar hospital which has facilities to treat 19,000 patients a month is now expected to treat many thousands more.

# Protest fast



# School children die in LTTE suicide bomb attack

## Colombo carnage

THIRTY EIGHT civilians were killed and over 250 injured by a suspected LTTE suicide bomber at Colombo's Maradana suburb on 5 March. The lone Tiger exploded the bomb at a crowded junction when his mini-bus was pursued by police after an accident with a jeep. Those killed included three school children. The bomb caused extensive damage to shops and vehicles. Police believe that the bomb was exploded prematurely and the target may have been the Sri Lankan Parliament in Kotte.

As the UN Secretary General Kofi Annan condemned the attack on civilians, eight Tamils, including the owner of the bomb vehicle K Subathradevi, were arrested in Batticaloa and taken to Colombo. With increasing pressure in the northern Vanni Army operation *Jayasikurui*, the LTTE may launch more attacks in Colombo and other southern areas, observers say.

In Colombo, search operations and arbitrary detention of Tamils, sometimes

purely on the basis that they are Tamils, continue. NGOs estimate that 10,000 Tamils were rounded-up in March and early April in the Colombo suburbs Maradana, Kotahena, Pettah, Modera, Fort, Wellawatte and in Mount Lavinia and Dehiwala. Although most arrested are released within 72 hours, human rights agencies are unable to determine how many are detained further, because of the nature of the round-ups.

TULF MP R Sampanthan told Parliament in early March that Emergency regulations requiring issue of receipts and information to relatives about the place of detention are never followed. Mr Sampanthan accused the security forces of continuing harassment of Tamils in Colombo. Deputy Defence minister Anuruddha Ratwatte, conceding that "mistakes" are being made, has pledged strong action against those involved in harassment.

Forty three Tamil asylum-seekers returned from Russia were arrested at a

Colombo checkpoint on 10 March. They were released later, following the intervention of EPDP leader Douglas Devananda. Negombo courts released 158 people who were detained after being returned from Senegal in February, on bail on 17 March. Another 31 are still in custody. Twenty nine Sri Lankans returned from Romania last month, arrested at the Colombo airport and held at the Mirihana detention centre, were released on 13 March by the Fort magistrate on Rs 10,000 bail each. An Amparai resident remains in custody.

Asylum-seeker Manickam Rajan, deported from the Netherlands in February, was arrested on 21 March in a lodge in Kollupitiya suburb. Colombo human rights agencies say appeals by an officer from the Dutch embassy in Colombo who visited the police station were ignored by police. Another deportee from the Netherlands, Edirmanasingham Jeyavel was also detained on 21 March by the police.

## India allows NGOs into refugee camps

A new Indian government order in February permits NGOs to enter Sri Lankan refugee camps in Tamil Nadu. There are currently 70,000 Tamil refugees in 123 camps in the southern Indian state. Another 100,000 are said to be living outside camps, depending on remittance from relatives abroad. A Tamil Nadu government directive in May 1993 banned NGOs in camps. The February 1998 order from Chennai Rehabilitation Commissioner says NGOs may be permitted to work inside camps limiting their role to social services.

The ban on international refugee agency UNHCR into refugee camps remains. The order says UNHCR has no specific role to play in Sri Lankan refugee issues. UNHCR was earlier allowed only screening of refugees to monitor the voluntary nature of repatriation to Sri Lanka. Under the second phase of repatriation which began in January 1992, 63,000 refugees were returned to the island. But in a new wave following the August 1996 Army operation *Sath Jaya* in Kilinochchi, over 8,000 Tamils fled to India.

There seems concern in India that allowing UNHCR into camps may lead to the government losing control over refugees and funds that may flow into the country, jeopardising security measures.

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.

If you have any information you wish to share, or any enquiries you wish to make regarding developments in Sri Lanka, contact

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Four Sri Lankan Tamils were arrested near Mandapam refugee camp in Rameswaram in late March. Police say one of them, Singaraj, was involved in LTTE smuggling operations to Jaffna. Two other Sri Lankans were detained in New Delhi on 31 March.

The order permitting NGOs into refugee camps coincides with the election of the Bharatiya Janata Party (BJP) government in India. There is concern in Colombo over the appointment of Samata Party leader George Fernandes as the new Indian Defence minister.

Mr Fernandes, an outspoken critic of the Sri Lankan government on the ethnic issue, allowed a conference in support of the Sri Lankan Tamils at his home in December, defying an Indian government ban. Sri Lankan Foreign minister Lakshman Kadirgamar, who rushed to congratulate the new Indian Prime Minister Atal Behari Vajpai in late March, did not meet Mr Fernandes. Sources say BJP leader LK Advani, expressed his concern to Mr Kadirgamar over the deteriorating conditions of Tamil refugees in the Vanni.