

British ban on the LTTE

THE international standing of the Liberation Tigers of Tamil Eelam (LTTE) suffered another blow, when on 28 February the British Home Secretary Jack Straw included the Sri Lankan group in the list of proscribed organisations under the Terrorism Act 2000. The Home Secretary's Draft Order contains 20 other organisations, including Spain's Basque Homeland and Liberty (ETA) the Palestinian Resistance Movement, Hamas, and Turkey's Kurdistan Workers' Party (PKK).

The Order comes into force when approved by both houses of Parliament. The proscribed organisation or any person affected by the ban may appeal to the Home Secretary. If the application is rejected, an application for judicial review may be made to a tribunal known as the Proscribed Organisations Appeal Commission. Appeal on a point of law from the decision of the Commission lies to the Court of Appeal.

Widespread concern has been expressed that the ban will affect the Norwegian involved peace process and encourage extremists on both sides opposing peace. The British ban brought to surface the deep divisions in the Sri Lankan society. While the people in the north-east expressed shock and dismay, fearing escalation in the fighting, there was jubilation in the south.

Foreign minister Lakshman Kadirgamar, whose unrelenting international campaign resulted in the ban, was restrained. He told the Sinhalese people not to treat the ban as a matter for exultation and called on the Tamils not to lose heart. Mr Kadirgamar urged the Tamils to 'tell the LTTE to turn over a new leaf and join hands with the moderates'.

Mr Kadirgamar thanked India for its support and declared that as far as the Sri Lankan government was concerned, the peace process would be on track, but reiterated that a ceasefire before peace talks was inconceivable. The LTTE extended the unilateral ceasefire by another month from 24 February, following a meeting four days earlier between LTTE advisor

Legal experts say that the Terrorism Act has the potential of undermining rights of minorities in Britain, including the freedoms of expression and association.

Anton Balasingham and Norway's special negotiator Erik Solheim in London. The Tigers again urged the international community to persuade the Sri Lankan government to reciprocate the ceasefire.

Mr Balasingham says, while adversely affecting Tamil interests and severely undermining the current peace initiative, the British decision will encourage Sri Lankan government intransigence and the 'military path of state violence, terrorism and war'. Mr Balasingham also declared that the peace initiative now depends precariously on the implementation of the Terrorism Act by the British law enforcement agencies.

Tamil observers say that years of discrimination and violence gave rise to the LTTE and the current ban would further strengthen forces within and outside government that will prevent any concession or compromise towards achieving peace. Some analysts believe that the ban will strengthen the hand of Britain and the international community in helping to achieve the legitimate aspirations of the Tamils. Last November, British Foreign Office minister Peter Hain announced that the principle of self-determination and Tamil control of most key policies affecting daily life would be supported by the international community.

They, however, cast doubt over the extent of influence that foreign countries can wield. The international community has had very little success in improving

human rights in Sri Lanka (see page 4). Acute humanitarian problems in the north-east have also continued for many years, despite the direct involvement of a number of international agencies.

The Sri Lankan government is expected to intensify its campaign to ban the Tigers in other countries. President Chandrika Kumaratunge will be touring Europe in March. Reports say Canada will follow the example of the UK and introduce legislation to prevent fundraising for terrorist organisations. The President is also expected to reaffirm her commitment to peace. In an interview to CNN at New Delhi in late February, President Chandrika disclosed that a date for talks with the LTTE will be appointed within the next two months. But she expressed doubt whether the LTTE, 'born and bred in violence', would embrace the democratic process.

President Chandrika, who was on a three-day official visit to India, met Prime Minister Atal Bihari Vajpayee, reportedly to brief him about developments in the Norwegian peace process. Intervention in Sri Lanka has been a traumatic experience for India in the past, but the regional super power would not relish the idea of aliens in its backyard. Observers believe that India may wish to remain at a distance during peace talks, between the Tigers and government, but close enough to listen to every word.

At home, the government is facing considerable problems. A number of unions have launched strikes or other industrial action for higher wages. In early February, the People's Liberation Front (JVP) submitted a petition signed by 100,000 workers to the President demanding a wage increase of Rs 5,000. The main opposition United National Party (UNP) has accused the President of acting unconstitutionally by floating the Sri Lankan rupee without notice to Parliament or the Cabinet and has threatened impeachment. The government has introduced austerity measures, including cutting expenditure of 81 ministers and deputy ministers.

THE VANNI

Airforce bombs

THE Sri Lankan Airforce bombed areas north of Nayar in Mullaitivu District, while the Navy shelled the area on 4 and 5 February. The Navy also attacked fishing boats off Mullaitivu, killing fisherman Y Partheepan, 17, and sinking two boats. Three other fishermen escaped by swimming ten miles to reach the shore. The Airforce bombed populated areas in Chundikulam in Kilinochchi District causing damage and killing livestock. The Department of Statistics say 19,414 people died in the four districts of the Vanni between 1990 and 2000 as a result of the continuing war.

Other problems of civilians in the Vanni continue. NGO workers say that although 26,200 families qualify to receive food aid in Kilinochchi District, only 14,500 families are provided dry rations. The other families face starvation. Farming has been severely affected by restrictions on fuel and fertilisers. Between May and December last year, the district received only 520 barrels of kerosene whereas four times the amount is needed. The Government Agent has been allowed to take 1,100 tonnes of fertiliser into the district whereas request was made for 4,200 tonnes.

In Puthukudyiruppu hospital, 199 people were treated for anaemia in January and nearly 20% of the 135 children born in the hospital were under-weight. Kilinochchi District Medical Officer S Vigneswaran says over 2,000 people in the region need eye treatment and are

unable to go to Vavuniya where facilities are available. In January, 14,800 people were treated in Kilinochchi hospital, including 1,450 for malaria. During the month, ten people died in the hospital. Over 10,970 patients were treated at Mallavi hospital, including 134 for diarrhoea. Seventeen died in the hospital.

In Vavuniya District, the court has ordered an investigation into the death of Jeyanthi Veerasingham, 25, who arrived from the Vanni on 16 February and was ordered to report at the Sanasa Army camp the next day. She reported at the camp and was taken to the 21 Brigade Army headquarters. On 18 February, the Army handed over her body to the Vavuniya hospital, claiming that she committed suicide by taking cyanide. Reports say S Sivalingam, 24, who went to Sanasa camp on 14 January on the orders of the Army has disappeared.

In Mannar District, the Army arrested firewood seller K Uthayakumar, 42, at his residence on Mannar Island on 28 February. His dead body was handed over to the Mannar hospital later. Mr Uthayakumar was a refugee from Jaffna. In the first five days of February, the Army arrested 25 refugees on Mannar Island. Their whereabouts are unknown. They were all refugees from Vidaltivu area on the mainland. Further south in Puttalam District, 400 Tamils were rounded-up in a search operation on 1 February and 40 were detained at the Chilaw police station.

Delivery

The head of a young man was delivered at the home of UNP MP Ravi Karunanayake on 2 March by unidentified persons. Other body parts were delivered at the houses of Mr Karunanayake's relatives.

Release

The LTTE released Sinhalese prisoners, UB Chandrapala and Ajit Kumarasiri on 2 March after a religious peace delegation met Tiger leaders in Vanni. They were abducted at Mamaduwa in Vavuniya and held for over three months.

Attack

A gang armed with knives and batons attacked a Christian centre at Nuwarawatte in Polonnaruwa District on 17 February injuring 34 people. The attackers told the victims that there was no room for other religions in a Buddhist country.

Ban

In February, the New Delhi Court of Appeal denied the appeal against the decision of Chennai Board of Censors imposing a ban on the Tamil film *Katrakkenna Veli* (What fence for the wind). The Board says that the film contains scenes praising the LTTE.

Loan

Press reports say that Pakistan has granted Sri Lanka a \$20 million loan for acquisition of arms. Pakistan's rival India earlier provided two naval vessels to Sri Lanka.

TULF against resettlement

THE Tamil United Liberation Front (TULF) announced its opposition to government plans to resettle 70,000 families, displaced from around Kankesanthurai and Palaly military bases, in other areas of Jaffna. In a mid-February letter to President Chandrika, TULF leader V Anandasankari demands that the people must be resettled in their home areas. Government ally, EPDP claims that the resettlement is only a temporary measure. But people say a new road being constructed from Thellipalai to Kankesanthurai will prevent resettlement around the military camps.

The Jaffna government secretariat has announced that relief to internally displaced people will be reduced from 1

April. Some 35,000 families will be affected by the decision. There is consternation that relief is reduced while no action has been taken against six *Grama Sevakas* (village headmen) who were involved in corruption in the provision of relief to refugees. Senior government officers are also implicated in a Rs 4.9 million (\$57,000) corruption scandal. Meanwhile, the Jaffna hospital suffers from lack of equipment and shortage of over 30 types of medicines. In February, two deaths occurred in the hospital because of lack of equipment.

T Suhendran was arrested by the Army on 19 February while working in a shop at Anaikottai. Relatives say that the Army did not issue an arrest receipt. The

Human Rights Commission has received complaints that Suthumalai bakery worker K Gajendran, 17, was taken to Manipai military camp in early February and brutally assaulted. Three youths who had obtained security force passes to travel to southern Sri Lanka were arrested when they went to the Reconstruction and Rehabilitation Authority in Jaffna town to obtain travel tickets.

The security forces continued to launch offensive operations in Jaffna despite LTTE's ceasefire. The Navy say that two Tiger boats carrying arms were sunk near Point Pedro harbour on 21 February. Earlier in the month, the Navy seized eight fishing boats and 34 National Identity Cards from fishermen.

■ Ten civilians disappear in Amparai

Demonstration

PROTESTS in the east, demanding peace talks between the LTTE and the Sri Lankan government, continued in Batticaloa in February. Students at the Eastern University have expressed fear that they may be targeted by the Army, following Batticaloa Army Co-ordinator's accusation that the protests were inspired by the LTTE.

Reports say that the Sri Lankan intelligence services are investigating 15 students of the University. On 24 February, four students were arrested and beaten up by the Army. The students emphasize that they are exercising their democratic right to highlight the aspirations of the Tamil community. The *Pongu Tamil Eluchi Vila* (Effervescent Tamil

Festival) was inaugurated at the University on 20 February as planned. The Army prevented students, who arrived in five buses from LTTE-controlled areas, from attending the festival.

Reports say that people in LTTE-controlled Vaharai in north Batticaloa are facing starvation, following an Army ban on food into the area. Severe restrictions on goods into Vaharai were earlier in force, but the Army at Mankerni imposed a total ban on 26 February, after the LTTE hijacked boats belonging to Muslim fishermen in Valaichenai. Sugar, rice and flour taken by civilians were dumped on the ground at the Army checkpoint. The military are also preventing fishermen in Vaharai taking their

catch into Army-held areas for sale. The lack of medical services in the LTTE-controlled areas is causing concern. Four people died of diarrhoea in Vaharai in early February. The French agency Medecins Sans Frontieres (MSF) runs a mobile medical service. But people request more services in light of the large population in the areas.

A member of the police Special Task Force (STF) was arrested on 3 February, accused of rape of a Tamil woman in Cheddipalayam. The local magistrate has ordered him to be detained. Agencies say that a number of rapes by security forces in Batticaloa remain uninvestigated.

Relatives have complained to the Human Rights Commission (HRC) that security force personnel in a white van arrested Selvarasa Ravichandran on 8 February and took him towards Amparai. An arrest receipt was not issued and his whereabouts are unknown. The STF arrested four fishermen, including M Sutharsan, 17, and two drivers in late February in Akkaraipatru and Kalmunai.

In Batticaloa District, the HRC received 214 complaints relating to disappearances in 2000. HRC say there is no information about 13 people. In Amparai District, 263 complaints were received and ten civilians have disappeared. Batticaloa residents R Uthayaraja and his mother A Uthayarani who went to Colombo to obtain passports are missing. In a clash at Soorankal in Trincomalee in mid-February, two soldiers and three Tigers were killed.

Vanni students

SRI LANKAN government and Army restrictions have had an adverse impact on education in northern Vanni region. Many schools have no furniture. Metal furniture is not allowed into the Vanni and the government has not provided funds to make furniture locally. A large number of schools are damaged. In Kilinochchi District, 60 of the 71 schools are functioning in temporary shelters. Science teaching has become impossible because of the restrictions on science equipment and chemicals. Computers for the Vanni are lying in Vavuniya as the Army has denied permission. Maps, paper and ink are among the restricted items. Because of restrictions on fuel, it has become difficult for students to study in the nights. At least 3,350 teachers are currently needed in the region for the 94,000 students, but there are only 1,800 teachers. According to Tamil Teachers Union General Secretary T Mahasivam, the shortage of teachers has had an impact on the standard of education in the Vanni. Some 600

volunteer teachers are demanding permanent appointment and have threatened to withdraw. Inadequate nutrition is a major problem in the Vanni due to government restrictions on food and has had a detrimental effect on children, including students. Only one third of the food needed reaches the region despite protests by agencies. According to experts, undernutrition affects brain development in the early stages and cognitive and educational performance in the long-term. The UN has also raised concern over the prevalence of strong pressure on school children to join militant groups like the LTTE.

Reports say there are many students among over 11,000 people disabled by the war during the period 1990-2000. Most of them are unable to obtain prosthetics or other materials needed for their rehabilitation.

Satyagraha

IN a rare show of solidarity, plantation trade unions led by the Ceylon Workers Congress (CWC), launched a *satyagraha* (non-violent fast) protest at Hatton in the Hill Country on 19 February, demanding Rs 400 wage rise per month for tea workers. Other sectors have received an increase in wages following the devaluation of the Sri Lankan rupee. The CWC is a member of the People's Alliance coalition government and its leader Arumugan Thondaman is Livestock Development minister. Shops in several Hill Country towns were closed and workers and students wore black arm bands to support the *satyagraha*.

Thousands of tea workers joined the *satyagraha* to the dismay of the 21 pri-

vate company employers who say that the cost of production will make Sri Lankan tea non-competitive in the world market. The Employers Federation point to the collective agreement of June 2000 freezing wages for two years. The trade unions say the situation has dramatically altered in view of the soaring cost of living. They also demand an increase in the basic wage and threaten to launch a strike. The Federation has obtained a court order, on the strength of the collective agreement, restraining the unions from industrial action.

Six youths returning to Colombo after participating in the *satyagraha* were arrested and detained by police at Kitulgala in mid-February.

Tamil prisoners sent to Boossa detention centre

Harassment

TAMILS in Colombo complain that they are continuing to be harassed by the security forces despite the instructions of the Committee into Undue Arrest and Harassment (CIUAH). Under Emergency regulations only the householder is required to register with the police. In some police areas, particularly Colombo North, all residents are being forced to be present at police stations for registration. Even where a landlord and a tenant have agreed upon the period of tenancy, the police are forcing them to reduce the period, sometimes by an year.

The security forces continue to demand proof of registration outside their homes against the Attorney General's advice that people need not carry the registration document when travelling. The police are also expecting the registration to be renewed every month. Tenants are being forced to visit police stations every month with their National Identity Cards. At police stations, Tamils are expected to wait for many hours and sometimes they

are asked to return the next day. Many permanent residents of the capital have also been ordered by police to follow this procedure. Provincial councillor M Sivagnanam has complained to the CIUAH that police in Rattota area are demanding photographs of all family members for registration.

The security forces carried out cordon and search operations in Wattala and Elakanda, south of Negombo, on 16 February and rounded-up 450 Tamils. Seventeen of them were detained after interrogation. The police arrested 15 Tamils in Colombo's Wellawatte suburb on 21 February. They were returning from a temple after prayers in connection with the Hindu *Mahasivarathiri* festival. The police also detained 17 Tamil youths from the north-east, who were scheduled to leave for employment abroad, in Negombo on 24 February.

Prolonged detentions without charge or trial continue to cause concern. Jaffna resident Sivarajah Sutharsan was

released by court in late February. He had been detained at Kalutara prison for two years without trial. Meanwhile, press reports say that 75 Tamil detainees in Kalutara prison were transferred to Boossa detention centre in Galle District, 40 miles further south, allegedly for security reasons. The Boossa detention centre has been notorious in the past for torture and ill-treatment of Tamil detainees and was closed after protests.

Thambirajah Yogarajah who was arrested at Anuradhapura while travelling from Colombo to Vavuniya has disappeared. The police have denied his arrest. Reports say that 128 Tamils, arrested under the Immigrants and Emigrants Act for attempting to leave the country illegally are currently in Negombo prison and Colombo's Welikada prison without bail. Under the law, the Magistrates Court has no jurisdiction to grant bail while the case continues. In mid-February, 62 detainees applied to the Colombo High Court for bail.

Serious human rights abuses

THE US State Department says in its human rights report for 2000 that the ongoing war in Sri Lanka continued to be accompanied by serious human rights abuses by both sides of the conflict. The police, Home Guards and Army personnel committed extra-judicial killings of civilians. In some cases, extra-judicial killings were reprisals against civilians for LTTE attacks. Impunity for human rights abuses remains a serious problem. In vast majority of the cases, the government has not identified those responsible and brought them to justice.

The Prevention of Terrorism Act (PTA) makes confessions under any circumstance, including torture, admissible in court. Despite legal prohibitions, the security forces and police continued to torture and mistreat persons in custody and prisons, particularly Tamils suspected of supporting the LTTE.

Disappearances at the hand of the security forces continued in the north-east. As with extra-judicial killings, the exact number of disappearances was impossible to ascertain due to censorship of news about security force operations

and infrequent access to the north-east. Arbitrary arrest and detention are problems. Large-scale arrests of Tamils continued during the year, particularly after LTTE bombings. Most detentions lasted

several days to several months. Hundreds of Tamils indicted under the PTA remained without bail awaiting trial, some for more than two years. Many cases filed under the PTA or Emergency regulations drag on for years.

The State Department also says that the LTTE continued to commit serious human rights abuses in the ongoing war with the government. At least 170 non-combatants were killed from January to September in LTTE suicide bombings and other attacks outside the conflict zone. Through a campaign of killing and intimidation, the LTTE continued to undermine the work of local government bodies in Jaffna.

The LTTE also held military and civilian prisoners in poor detention facilities. The LTTE used child soldiers and disallowed freedom of association. It does not tolerate freedom of expression in areas under its control. Pro-government Tamil groups, acting under the direction of the security forces, committed extra-judicial killings in Vavuniya and the east and continued to run places of illegal detention.

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