

PA and JVP sign agreement

The ruling People's Alliance (PA) and the opposition Marxist People's Liberation Front (JVP) signed a memorandum of understanding (MOU) on 5 September, agreeing co-operation and seemingly bringing an end to the political uncertainty that prevailed in Sri Lanka for the last three months. The accord came after negotiations between the PA and the main opposition United National Party (UNP) failed to produce any result.

The government lost its majority in Parliament in June, after the Sri Lanka Muslim Congress (SLMC) decided to withdraw its support. The backing of the ten JVP members will increase the strength of the PA in the 225-member legislature to 118. The MOU will be in force until 4 September 2002. Under the pact, the government is expected to cancel the proposed referendum on the constitution, reconvene Parliament and make radical changes in policy and practice:

- 1) A constitutional amendment to establish four independent commissions - Police, Public Administration, Elections and Judiciary - should be tabled in Parliament before 24 September.
- 2) The independent commission on the Media should be appointed within six months and a Constitutional Council before 5 October.
- 3) Constitutional amendments to abolish the executive presidency should be presented in Parliament within six months.
- 4) An electoral system ensuring reasonable representation to all ethnic groups should be introduced within six months.
- 5) The plans to privatize public property such as water resources, banks and insurance ventures should be suspended until September 2002.
- 6) New trade or financial agreements which may be detrimental to the interests of the country should not be signed.
- 7) Action should be taken before 30 September to write off loans given to farmers by state institutions between 1999 and 2001.
- 8) A task force should be appointed to supervise recovery of large outstanding

The PA-JVP agreement has made peace talks impossible. Operating with contradictory ideologies, the new partners have articulated conflicting views on the Tamil question.

Anton Balasingham
LTTE's Political Advisor

loans to businesses within three months.

9) Action should be taken to prevent price rise of essential needs such as milk food, rice, wheat flour, sugar, fuel and medicines.

The accord also 'demands' a number of austerity measures. The JVP insists that the Cabinet should be reduced from 41 to 20 before 12 September, MPs should contribute half their salaries to the Consolidated Fund for a year and the construction of the palatial presidential residence should be suspended. Foreign travel of ministers and government officers will be curtailed, import of luxury cars for them will cease and fuel issued to them will be limited. The leasing of large buildings for government use will be reviewed.

A Panel will be appointed within a month to prevent corruption in government purchases, including weapons and equipment for the war. A parliamentary select committee will also be appointed within three months to recommend measures to improve local industries, and committees of experts to advise all ministries, within two months.

The PA has agreed to adopt policies that would eradicate discrimination on the basis of nationality, religion, sex or political affiliation in recruitment for employment in government institutions. Parliament will be dissolved at the end of one year and free and fair elections held under the new electoral system.

The agreement gives a new lease of life to the government, but presents grave difficulties. Observers say many of the measures included in the pact are needed to ensure transparency, accountability and good governance, but some provisions may not be acceptable to certain sections. The business community which is reeling under the impact of the LTTE attack on the Colombo airport, may be concerned over the provisions relating to finance. The reduction of the Cabinet and the rise of the JVP may evoke discontent among PA's constituent parties.

Some observers believe that the government will not be able to implement the agreement. IMF loans are conditional on government progress in meeting prescribed fiscal and monetary targets and structural reforms. The government is already committed to divestiture of its stakes in some companies, privatizing the National Insurance Corporation and restructuring of state banks.

The most controversial clause in the agreement relates to the ethnic conflict. The PA government has agreed with the JVP that there would be no proposals on devolution of power or any other peace proposal that may lead to controversy, 'until broad consensus is reached through wide-ranging consultation with all segments of society'.

The Tamil political parties are extremely concerned and view this as a conspiracy by senior members of the PA to derail the Norwegian peace process. The Liberation Tigers of Tamil Eelam (LTTE) have described the pact as a serious blow to peace. The JVP has made it clear that it supports continuing the war until the LTTE is defeated and opposes Norwegian or any other foreign involvement in conflict resolution.

President Chandrika has an option to put an end to the difficulties. She could dissolve Parliament after 10 October and call for new elections. Analysts believe that without any guarantee of outright victory in fresh elections, the President may wish to continue the alliance with the JVP even at the cost of peace.

THE VANNI

Closing camps

THE Essential Services Commissioner (ESC) has announced that all refugee camps in Vavuniya will be closed by the end of December 2002. There are 12 camps in Vavuniya accommodating some 21,000 refugees. The camps in Poonthottam and Vepankulam are scheduled to be shut down by January 2002.

Following consultations in Vavuniya on 30 August, the ESC plans to resettle 1,500 families initially, beginning on 2 September. The ESC claims that 800 houses have already been built for the purpose and says that international agencies currently providing assistance, including the FAO, are keen that resettlement should take precedence.

The ESC has warned that refugees who refuse to resettle in Army-controlled areas will not receive food aid after 31 December. The refugees themselves want to be resettled, but have expressed fear to return to conflict areas. Many refugees have been repeatedly displaced.

The LTTE attacked an Army tractor on 20 August at Omanthai, north of Vavuniya town, killing a soldier. Another soldier was killed at Pathaviyakulam two days later. Tamil groups EPRLF and TELO clashed at Vairavapuliyanakulam in mid-August. Following the fighting, Vavuniya judge M Ilancheliyan declared that there is no legal basis for the groups to carry or use fire arms and warned them against endangering civilian lives.

In the Vanni, the Tigers launched attacks on Kokkuthoduvai and

Janakapura military camps in the contested Veli Oya area of Mullaitivu District on 23 August, killing 13 soldiers and wounding another 24. Ten soldiers are missing. The Army say eight Tigers were killed and 15 injured in a counter attack.

The Vanni region continues to suffer from shortage of essential needs. After the Emergency lapsed, the government imposed a ban on 21 commodities on 3 August under the Prevention of Terrorism Act (PTA), including petrol, diesel, cement, electronic devices and urea fertiliser. Restrictions on food and medicines remain.

Diseases continue to spread. Reports say 11,800 people were treated at Mullaitivu's Mallavi hospital in July, including 875 for malaria. Eighteen month-old Jeyakumar Queenslyn died of diarrhoea in Puthukudiyiruppu hospital on 22 August.

In Mannar District, three people were shot dead by the LTTE's *Pistol Group* in August. Police say all three had links with the government intelligence services. According to the Human Rights Commission, the police arrested 13 Tiger suspects on 19 and 21 August.

Further south in Puttalam District, 45 Tamils were arrested during a cordon and search operation in Udappu on 30 August and 15 were detained. Over 150 Tamil women working a textile factory were ordered to go home. Two days later, 20 young Tamil men were taken into custody at Thillaiyady.

Asylum-seekers

Eleven Sri Lankans were among 438 refugees in the Norwegian ship *Tampa* forced by Australia to the Pacific island of Nauru, 2,050 miles north-east of Brisbane. Sixty four other Sri Lankan refugees, who arrived in boats are detained in north-west Australia near Darwin.

Chemical weapons

Colombo newspaper *Sunday Leader* says Sri Lanka has acquired from Russia weapons with chemical warheads, which are banned by NATO and the US. At a meeting in Colombo on 18 August, Tamil and Muslim MPs decided to petition the UN.

Drought relief

The government has launched an appeal for drought relief in six districts in southern Sri Lanka. According to World Vision International, the food situation has deteriorated and children are suffering from malnutrition. Tamil MPs have appealed to the government to include the north-east districts in drought relief programmes.

Plane crash

An Airforce MIG27 bomber crashed near Katunayake airport, 16 miles north of Colombo on 18 August destroying houses and injuring seven people. The Ukrainian pilot was killed. A protest in Colombo on 21 August condemned an Airforce Officer's attack on journalist Uthaya Wijesinghe, near the crash site.

Resettlement of Jaffna refugees

THE military authorities in Jaffna have granted permission for 1,385 families to be resettled in Army-held zones in southern Thenmaratchy. Around 760 families have already been resettled in Kaithady. Currently there are 176,000 internally displaced people in Jaffna.

Refugees are fearful to resettle near the frontlines. Unexploded shells and landmines in some areas are also causing concern. Military spokesman Sanath Karunaratne says that the Airforce attacked Thenmaratchy on 13 August and destroyed an LTTE camp.

There is an acute shortage of medicines in Jaffna. The X-ray unit in Jaffna hospital is closed due to lack of chemicals. Sanitary conditions in refugee

camps are poor and inadequate drinking water is a serious problem in camps at Karaveddy, Point Pedro, Chankanai and Sandilipai, with more than 840 families. Local NGOs say high unemployment has led to poverty, particularly among fisher communities facing severe restrictions imposed by the military. Over 21,100 widows in the peninsula lack adequate help to support their families.

Irregular transport facilities to Jaffna is causing food shortages, rise in prices and is encouraging a thriving black market. Security forces have prohibited travellers from Jaffna to take personal documents, and have confiscated over 300 certificates, such as birth certificates, in the last two months.

According to reports, the security forces are constructing a 12-mile long eight-foot fence from Punnalai junction in western Valikamam to Jaffna town through Arali, to prevent LTTE infiltration. The Army launched a limited operation from Muhamalai, north-east of Chavakachcheri on 26 August and advanced east. Fighting also continued in Nagarkovil and Eluthumadduval areas. The military say six Tigers were killed.

In late August, a note purported to be from *Sangilyan Army* demanded the resignation of the Jaffna MPs. The LTTE have denied involvement and have accused the rival group, the EPDP, whose leader Douglas Devananda is a minister in the government.

■ LTTE strengthen forces in the east

Central Camp target

THE LTTE launched an assault on Central Camp police station in Amparai District on 21 August, killing 22 policemen and wounding another 20. Three Tigers and two civilians were also killed. The LTTE burned the police station after removing all the weapons. Four other police stations in the area also came under attack.

Shelling by both the LTTE and the police damaged 12 houses. Reports say that 1,400 Tamil families fled the area fearing reprisals. Some 1,390 families have found accommodation in three schools. In retaliatory attacks in September 1997, police murdered six Tamils and burned 66 houses in the area.

Reports say that the LTTE have inten-

sified recruitment in the Eastern Province. Village-level seminars are being held to promote the Tiger image. The Sri Lankan government and UNICEF have accused the LTTE of recruiting children. As in the case of the Vanni, boarder guard and rural defence units are being established in areas under LTTE control. Observers believe that these are preparations for an offensive.

The LTTE is suspected of hijacking seven fishing boats on 18 and 19 August in Oddamavady in Batticaloa District. The Tigers are also said to be behind the killing of Velupillai Eeswaran on 19 August in Kiran. He had been tied to lamp post and shot dead. Two Tigers were killed in a police ambush at Mandur

on 16 August. The following day, the Army shot dead two LTTE *Pistol Group* members in Kathankudy.

Local NGOs complain that payment to a family in the government's poverty alleviation programme *Samurthi* in the war-torn north-east is Rs 400 whereas in other parts of the island it is Rs 1,000. The programme was introduced in the north-east in 1998, but the other areas benefited from 1995.

A deduction of Rs 20 is made from *Samurthi* payment for the National Defence Levy. This is a contribution for the war and war is the primary cause of poverty in the region. According to reports, the government is planning to cut the number of families receiving *Samurthi* aid by 20%, despite the fact that war is making it difficult for the people to become self-reliant.

The police issued an order on 18 August that people from LTTE-controlled areas must obtain a permit to enter Amparai District for rice harvest. The police turned away a large number of daily-paid workers who attempted to enter Amparai on that day. They are expected to apply to the police for permits with the recommendation of the Grama Sevaka (Village Headman).

In Trincomalee District, 17 civilians travelling in a bus were wounded by a landmine on 22 August at Nilaveli, 7 miles north of Trincomalee town. The police say that the LTTE were responsible for the attack which may have been intended for military vehicles.

Air strikes

VANNI MP Selvam Adaikalanathan says Sri Lankan Airforce attacks in the north-east have intensified since the LTTE assault on the international airport at Katunayake on 24 July. The air raids are severely affecting the civilian population. A large number of people have been killed in Airforce bombing of the north-east regions since the 1990s. When the Airforce killed 15 refugees in the Vanni in September 1999, Amnesty International expressed concern and informed the government that care must be exercised in selecting and vetting targets, choosing the timing and the manner of carrying out attacks. Amnesty demanded to receive details of the rules of engagement and other instructions given to pilots to assess whether these comply with the rules of humanitarian law. Since then many more civilians have died in air strikes. In a bombing raid on 13 August in LTTE-controlled Kilinochchi in northern Vanni, student and Visvamadur resident

Tharmakulasingham Jegathees was killed and a woman was seriously wounded.

Several houses were damaged.

In August, the Airforce continued to bomb Thoppigala jungles in Batticaloa District targeting LTTE camps. But attacks have been indiscriminate. In a cable message in mid-August to President Chandrika, Batticaloa NGO consortium secretary Kathir Parathithasan said that civilian lives are in danger. Bombing raids on Pendukalchenai in mid-August damaged houses and killed farm animals. On 17 August, Israeli-made Kfir planes bombed paddy (rice) fields at Tharavi in Unnichchai area.

Mr Adaikalanathan says that the air attacks are intended to demonstrate to the Tigers and the international community that the Airforce has not been weakened, rather than in furtherance of any military strategy.

Truth Commission

THE *Presidential Truth Commission on Ethnic Violence* is headed by former Chief Justice Suppiah Sharvananda and has two other members - SS Sahabandu and MM Zuhair. The Commission is mandated to enquire into the nature, causes and the extent of gross violations of human rights and destruction property in violence between January 1981 and December 1984.

The Jaffna library with 95,000 volumes and culturally important manuscripts was destroyed in 1981. More than 2,000 Tamils were killed in the July 1983 violence, which led to exodus of Tamils and the rise of the LTTE. Senior government officers and security forces are alleged to have been involved in both.

Apparently for this reason, both the UNP and PA governments refused hitherto to conduct an enquiry, despite repeated demands by Amnesty International.

Tamil observers suspect that the President has now appointed the Commission for the sole purpose of embarrassing the opposition UNP, which is spearheading the move for a no-confidence motion against the government in Parliament. The UNP was in power between 1981 and 1984.

Since July 1983, almost a million Tamils have fled abroad and currently 800,000 are internally displaced. Any evidence gathered by the Commission will not be the whole truth. Perhaps this is what the government wants.

University student suffers torture in Jaffna *Prison conditions*

Tamil detainees in Kalutara prison say that they are being held in poor conditions and the situation is becoming worse. According to UNHCR's June 2001 *Background Paper on refugees and asylum seekers from Sri Lanka*, conditions in prisons and remand houses are extremely poor.

The prisoners allege that on 8 August, guards searched the prison wards and removed their belongings such as tooth brush, tooth paste, plastic cans and soap. Even their medicines were taken away. The Sri Lankan Human Rights Commission earlier reported, after inspection of the prison, that detainees were not being provided adequate medicines and medical facilities. On 10 August, flowering plants outside the wards were uprooted to prevent the detainees using flowers for worship. sports activities have been suspended.

Accommodation is cramped and 50 prisoners are held in each ward 800 sq ft in extent. The roofs leak during rains and repairs have not been carried out. Letters to the detainees are given to them only on Sundays. They complain that they are provided unclean water for drinking and cooked rice supplied to them contains pebbles. Tea is not provided regularly.

Kalutara detainees also say that when taken for court cases to Anuradhapura, 125 miles north-east, they are not allowed toilet time during the journey of 10 to 12 hours. Court cases drag on for months and sometimes years. S Rasan, arrested at Batticaloa in October 1999 and held in Kalutara, has been produced before courts on eight occasions.

In a letter to President Chandrika in August, Trincomalee resident Chandra Mathiyalagan says her husband was arrested in 1995 and suffered severe torture at the hands of the security forces. He was later released. He was taken into custody again in October 1999 and has been produced before courts 12 times, but without any progress in the case.

Four Tamil youths have written to the Committee of Inquiry into Undue Arrest and Harassment (CIUAH) saying that cases against them have been filed in Anuradhapura and Vavuniya, although they were arrested and detained in Jaffna. Relatives spend large sums of money and undergo severe difficulties in obtaining travel permits, to attend the cases.

The Committee of Inquiry into Undue Arrest and Harassment (CIUAH) summoned the Inspector General of Police to answer allegations of torture in police stations.

According to Sri Lanka's Home for Human Rights (HHR), ten cases were filed against Kalikutty Karunakaran who was arrested in Amparai in November 1997. The confession evidence of the prosecution was rejected in one of the cases by the High Court, because the confession had been extracted under torture. Although he was acquitted he was not released. Another case began in October 2000. The rejected confession is the main evidence in this case too. Mr Karunakaran may be held for many years until all the cases based on the confession are heard. HHR says he will never receive justice in Sri Lanka.

Over 500 Tamils were rounded-up on 12 August in Colombo. All were released after enquiry. Press reports say that a large number of Hill Country Tamil youths have not returned for work in

Colombo fearing arrest, following the LTTE attack on Katunayake airport.

Arrests also continued in the Hill Country. Nagarasa Nagalingam was taken into custody on Queenstown Estate in Badulla District in mid-August. Amparai resident Velupillai Ganeshamurthy and his wife Devaki were arrested on 22 August at Badulla.

According to Colombo Tamil newspaper *Virakesari*, three Tamil women detained in Negombo prison under the Immigrants and Emigrants Act, were injured in an attack by Sinhalese prisoners on 29 August. The prison authorities have not taken any steps to hold an enquiry into the incident.

The CIUAH has summoned the Inspector General of Police (IGP) to answer allegations of torture in police stations. Press reports say that between January and August, 444 fundamental rights cases were filed in the Supreme Court, most from Tamils alleging torture in custody. According to the ICRC, 1,700 Tamils are currently held by the government as LTTE suspects.

In a fundamental rights application in early August, Jaffna University student Krishnasamy Thivyan says when arrested by the Army on 2 July, he was not given any reason. His relatives and the Human Rights Commission were not informed. His hands were tied behind his back and he was beaten with guns. He was then taken to the Urelu military camp, where he was stripped and repeatedly beaten with batons. He also alleges that his pubic hair was pulled with a device.

Businessman M Shanker says in a fundamental rights application that he was arrested on 4 July and suffered torture at Urelu Army camp. He was repeatedly beaten and burned with cigarettes. In August, the Supreme Court awarded Rs 25,000 (\$280) compensation to Mannar resident A Dilipkumar, who had suffered torture in police custody.

In 1994, the Convention Against Torture Act made torture a punishable offence. Since then the Supreme Court has awarded compensation in many cases and has urged the government to file cases against the perpetrators. No one has so far been convicted in Sri Lanka for the crime of torture, although the government claims that cases have been filed against several security force members.

THE SRI LANKA MONITOR is part of an information 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. The Sri Lanka Monitor for a particular month may contain information relating to events of previous months or the early part of the following month.

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