

The Sri Lanka Monitor

No 105

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Produced by the British Refugee Council

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Foreign minister Lakshman Kadirgamar has spent two years trying to persuade foreign governments to curtail LTTE fundraising on their soil. Addressing the 36th Consultative Committee of the Colombo Plan on 29 October, President Chandrika Kumaratunge again called on the international community to consider the implications of harbouring bogus refugees and deny safe havens to the LTTE.

The Sri Lankan government has not responded to the assassination claim. Colombo's government-controlled newspaper *The Daily News* alleges the killings were an 'inside job' and Perinpanathan was murdered after siphoning massive amounts from Tiger funds for personal use. The paper says that Gajendran was present at the scene by chance and had to be eliminated as a witness.

■ **Transport minister and Democratic United National Front (DUNLF) leader Srimani Athulathmudali has criticised the Parliamentary Select Committee (PSC) on the government's devolution peace package for failing to fully discuss important issues such as the system of governance. PSC deliberations are scheduled to end by 31 December and reports say no consensus has been reached on any vital issue.**

Danish deportee arrested in Colombo

French police who smashed a Paris-based Sri Lankan refugee smuggling racket earlier in the month, have not released details of investigations but reports say they are in possession of a video recording showing the assassins. Observers say the killings will destabilise Tiger fundraising in foreign countries and may trigger further bloodletting.

In early October, Sri Lanka's Permanent Representative at the United Nations HL de Silva called for a review of the question of refugee status under the 1951 UN Convention on Refugees. Mr Silva says that refugee communities abroad feed terrorism in their countries of origin and advocates strict surveillance of asylum-seekers in host nations.

Mr Silva's statement comes at a time when Western nations are continuing to introduce tough new measures to deter asylum-seekers. In Britain, since the Asylum and Immigration Act of 1993, over 3,700 applications from Sri Lankan asylum-seekers have been rejected and only 30 applicants granted refugee status.

Many Western governments increasingly want to deport rejected asylum-seekers as a deterrent to new arrivals. The British Home Office says that in the 12 months to August, 3,627 asylum-seekers were removed from Britain or had left voluntarily. Sixteen refugees were deported to Sri Lanka from Denmark in late September and October. Danish NGOs say a further 150 have been targeted for deportation.

In rejecting applications, governments often quote statements of international refugee agency UNHCR. In a September report to the Australian immigration authorities, UNHCR's Colombo office

says that allegations of harassment of Tamils are "gross exaggeration" and torture and other forms of mistreatment are not practised by police or

security authorities in the capital.

Human rights agencies and others reject UNHCR's assessment. The Bishop of Rippon, David Young writing on behalf of UK churches says in a 24 October letter to British Home Secretary Michael Howard, that the disturbing pattern of Tamil arrests and persistent claims of ill-treatment by detainees, especially in Colombo, is alarming.

Selvaratnam Thanapalan, deported from Switzerland in July says he was arrested by the Army in Colombo on 12 August and tortured before being released on 20 August. Student Chitra Rajendra, 18, deported from Denmark on 31 October was arrested by police on 3 November. Four Danish journalists who visited her at the Dehiwela police station were not permitted to film or record. Another Danish deportee Kamalanathan arrested on 28 October has been convicted by court for arriving in Sri Lanka with a forged travel document and sentenced to a three-month suspended jail term.

Meanwhile, LTTE leader V Prabhakaran and intelligence chief *Pottu Amman* were indicted in mid-October in the Colombo High Court for the Central Bank bomb last January which killed over 80 people.

Attorney General Sarath Silva has indicated that Mr Prabhakaran will also be charged for the July train bomb in Dehiwela. Observers see these measures as a prelude to LTTE proscription in Sri Lanka. Prabhakaran and *Pottu Amman* are the chief accused in the Rajiv Gandhi murder case and the LTTE remains banned in India.

The Tamil political parties say the indictment downgrades peace efforts as it effectively shuts out Mr Prabhakaran from being a legitimate party to any negotiations in the future. Colombo insider columnist, *Taraki*, says the government action is aimed at isolating and eliminating the Tiger leader, in the misguided belief that the militant movement will collapse without its supreme commander.

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THE NORTH

Jaffna welcomes you

THE archway leading to Jaffna town on the Chavakachcheri road proclaims "Jaffna welcomes you". The archway adjoins the Army sentry point where 18 year-old student Krishanthu Kumarasamy was gang-raped and then murdered by soldiers.

Krishanthu's mother Rasammah, brother Pranavan and a neighbour who went in search of her were killed at the same sentry point on 7 September. Police say six soldiers and three policemen have been arrested in connection with the killings. Six other soldiers were arrested in mid-October accused of the rape and murder of Kondavil resident Rajani Velayuthapillai, 23.

A number of demonstrations have been held in Colombo and Jaffna against human rights violations. Government ally the Tamil United Liberation Front (TULF) launched a campaign in late October to highlight arbitrary arrests and disappearances in Jaffna.

TULF MP Neelan Tiruchelvam has urged President Chandrika to order an investigation into over 80 recent disappearances in the peninsula. The Ceylon Tamil Teachers Union says its member Nagamuthu Selvaratnam, 57, arrested on 14 June at a checkpoint in Pungankulam has disappeared.

Army control remains fragile as the Tigers infiltrate Jaffna peninsula with ease. Cordon and search operations are conducted daily. The military screening process is slow and entire families are

forced to spend many hours in the open without food or water.

In a clash at Oddupalli in Thenmaratchy on 5 October, four soldiers were killed. The following day three Tigers died in a naval attack near Nagarcoil. Eleven civilians were injured on 18 October in a Tiger grenade attack on a checkpoint in Jaffna town. Shells fired from Chunnakam Army camp on 25 October killed two people and seriously wounded 20 others in a refugee camp in Thirunelveli.

Reports say sufficient food is reaching Jaffna, but distribution difficulties remain. Jaffna's Government Agent S Pathmanathan has decided to begin rice cultivation in 6,500 hectares, including lands of displaced people. The UN Food and Agricultural Organisation (FAO) has already provided 700 tonnes of seed paddy. FAO will also provide some assistance to fishermen.

Currently fishing is allowed in the narrow strip from Kakaitivu to Araliturai between the peninsula and the Jaffna islands. The ban on night fishing continues. Fish prices remain high and fishermen say they cannot obtain fishing equipment in Jaffna. The 13-year war has badly hit education in Jaffna. Of 184,000 students in 1995 only 87,000 are currently attending school and 4,100 of 6,400 teachers have returned to work. Jaffna's Education Director says 378 schools are functioning and 17 are badly damaged.

Lifted

In Parliament on 8 October, Deputy Defence minister Anuruddha Ratwatte announced the lifting of censorship on military news introduced in April.

Postponed

Local elections scheduled for June 1995 has been postponed for the third time after municipal councils and other local government bodies were extended in late October by President Chandrika under Emergency regulations up to 14 April 1997.

Died

Former Sri Lankan President JR Jayewardene, 90, died after a brief illness on 1 November. As leader of the United National Party (UNP), Mr Jayewardene became Sri Lanka's first executive president under a new constitution introduced in 1978.

Discussion

A cross-party group of 23 Sri Lankan MPs attended a five-day seminar in Ballymena, Northern Ireland in mid-October. The meeting arranged by London-based NGO International Alert discussed the Sri Lankan and Northern Ireland conflicts.

No upheaval

In a written reply to a parliamentary question on 31 October, British Home Office minister Ann Widdecombe says that continuing hostilities do not constitute a fundamental change in the circumstances to justify declaring Sri Lanka as a country of major upheaval.

Rains lash refugees

AS heavy rains lash the Vanni, shelter for refugees is becoming a life and death struggle. Reports say many refugees south of Akkarayankulam are in desperate circumstances living under trees with only sarees to keep out the elements. Although the number of food lorries allowed into the Vanni has increased, NGOs say food is not reaching many families. Food arriving is said to be used to restock cooperative stores for earlier borrowings.

A three-member committee has been appointed to assess the refugee situation as NGOs and the government argue over the number of refugees in the Vanni. The government says 199,000 while NGOs claim over 350,000 people are without proper food, shelter or medical care.

International relief agencies like Medecins Sans Frontieres (MSF) have protested over the Defence ministry's 75% cut on medical supplies. In medical centres at Mallavi and Akkarayankulam, north of the frontline, where over 1,700 refugees are treated daily, medical shortages are acute. The rains bring the added threat of water-borne disease, especially where refugee concentrations are high. The Defence Ministry is yet to approve repeated requests to restore the chlorine supply to purify water.

As human suffering escalates, military operations in the Vanni continue. The government claims that in early October the Airforce inflicted heavy damage on LTTE leader Prabhakaran's headquarters 1-4 base in Nedunkerni west of

Mullaitivu. On 20 October, the military attacked the *Sea Tiger* base at Chundikulam, five miles south of Vetrilaikerni Army camp in the Jaffna peninsula. The Army says the base was destroyed but the main aim - to knock out the LTTE radar station at Ponnaithoduvai - failed. Nine sailors and 40 Tigers died in the operation.

The Army closed its Pooneryn camp in early October and moved troops to Kilinochchi. The camp was overrun by the Tigers in November 1993 at a cost of 900 soldiers' lives and during four months of abortive peace talks in early 1995, the LTTE again demanded its removal. Its closure highlights the Army's dilemma - spread too thin in hostile terrain and failure in recruitment.

■ Civilians first victims of hit-and-run war

Tiger build-up in the east

A large LTTE unit overran the Palliyagodella police station, 27 miles east of Gal Oya in Polannaruwa District, on 22 October killing 17 policemen and three Home Guards. A day earlier, six soldiers died in a clash at Mavadivembu in Batticaloa District.

Sources say that a large number of Tiger cadre, as never seen before, are currently massing in the east and have orders to capture territory. LTTE is strengthening its civil administration in areas in its control with intensified efforts to collect taxes.

The Tigers have also taken up position in the vast south-eastern jungles of Yala Sanctuary, a popular tourist area. A num-

ber of abductions and attacks on fishermen, north and west of the Sanctuary have been attributed to the LTTE. A Wildlife Conservation Department house was burned down and five government officers abducted on 20 October. In late October the Special Task Force launched search operations from north and south of Yala to track down the Tigers.

Civilians are increasingly caught up in the struggle for control of the east. Six passengers in a bus were injured when Tigers attacked a checkpoint in Kaluvanchikudi on 4 October. Reports say I Thulasimani was shot dead by the Army when she went to collect firewood in Paithalai on the same day. The follow-

ing day 14 soldiers and a civilian were injured in a Tiger landmine attack at Palathady south-west of Batticaloa.

Four civilians were abducted at Mandur 13th Colony on 9 October by unknown gunmen. The Peithalai refugee camp was surrounded by the Army on the same day and six people were arrested. S Uthasuriyan, 17, is still held in police custody. Muthiah Thavamalar died after sustaining serious injuries in Airforce bombing in Kaluthavalai on 22 October.

The Kovilady bridge at Sithandy, north of Batticaloa was destroyed by the Army on 15 October. Eight houses in the vicinity were damaged. Another bridge at Mahilady was also bombed on the same day to prevent vehicles being hijacked by the LTTE.

Much of the area west of the Batticaloa lagoon remains in the hands of the LTTE. As people celebrated the annual Kali temple festival on 22 October in Tiger-controlled Porativu, 20 miles south of Batticaloa, the military launched a major military offensive. Troops advanced east from Vellaveli accompanied by shelling and aerial bombing. Helicopter gunships killed an old woman and seriously injured three other civilians in Kaluthavalai.

In Amparai District, over 300 people fled to Mandur when border Tamil villages Malaiyarkattu and Ranamadu were attacked by the security forces in mid-October. Several houses were set ablaze.

tragedy

FOURTEEN people including eight children drowned when a boat carrying 110 Tamil refugees to India capsized a short distance from Mannar Island on 14 October. The dead were displaced from Jaffna last December and fled Kilinochchi following military operation Sath Jaya two months ago. The tragedy illustrates the plight of civilians and the risks people take to escape the ethnic war.

Indian Authorities confirm that 4,000 refugees have reached the southern Indian state of Tamil Nadu since 8 August. Newspaper reports say 300 are among those returned under the Indo-Sri Lanka repatriation programme from the UNHCR camp in Pesalai. Over 56,000 refugees are in government-controlled camps in south India with another 100,000 living outside, many of whom depend on remittances from relatives in the West. Refugees are also leaving for India from Valapadu in Kilinochchi District and Sri Lanka and India have intensified naval patrols in the Palk Strait to prevent a new refugee exodus. Already 20 boats from Mannar have been intercepted at sea and returned to the island.

Distraught refugees accused of leaving Sri Lanka illegally told the Mannar Magistrate that they had sold all their belongings to pay Rs 8,000 (\$160) each for the boat ride.

Reports say the root cause for the refugee outflow is concern over security. Refugees interviewed say they feared Army shelling and that they were unable to make a living in Mannar. Some observers believe intensified LTTE operations in Mannar are aimed at forcing refugees out to flee to attract international attention.

The Tigers blew up the Mannar Island telecommunication tower on 2 October and shot dead two policemen on guard. Two soldiers were also killed on the same day. Electricity generators have also been damaged. Following these attacks security on the island has been intensified.

Target Trinco

IN the second attack on Trincomalee harbour since peace talks between the government and the LTTE collapsed in April 1995, *Sea Tiger* suicide bombers blew up a Dvora naval craft on 26 October killing 12 sailors. In the last four years the navy has lost 24 vessels including a surveillance command ship and three supply ships.

The LTTE attack came when relations between the security forces and the Tamil militant groups fighting on the government's side had soured following the murder of police sub-inspector M Navaratne on 8 October in Trincomalee town. Police raided the offices of Tamil parties EPDP, PLOTE and EPRLF suspecting them of involvement in the killing.

Two days later police fired over the

EPDP office while two MPs were present and disarmed PLOTE and TELO cadres. The police also accuse the Tamil groups of complicity in the murder of District Land Officer TD Peiris in September. The Tamil groups allege that government officers and the security forces are involved in Sinhalese colonisation in Trincomalee District.

Several Tiger suspects escaped from Trincomalee prison on 30 October after overpowering the guards and killing a soldier. Five of the prisoners were shot dead and 11 rearrested. The search is on for four detainees. In a letter to President Chandrika, Tamil Congress leader Kumar Ponnambalam alleges that five prisoners who remained in the prison while others escaped, were taken to the beach by the Army and shot dead.

Letter says half the capital's refugees are spies *the battle for Colombo*

A letter supposedly from Jaffna civilians to the Army claims that at least 50% of the people who came to Colombo from Jaffna after 1993 are LTTE spies says *The Island* newspaper. Police have always maintained that hundreds of suicide *Black Tigers* are hidden among the 150,000 Tamil refugees in Colombo.

In early October, Deputy Inspector General Dissanayake issued a warning over the radio that 25 *Black Tiger* women had arrived seeking high profile targets to destabilise the capital and surrounding areas. Security forces were put on high alert and the Defence Ministry asked the public to inform police about suspected persons. The LTTE threat has intensified search operations and detention.

Police say a Tiger with plans to assassinate a top government minister was arrested in Borella on 4 October. Three days later, 13 LTTE suspects were detained. Security forces launched a massive cordon-and-search operation on 8 October after intelligence reports that

Tigers had breached a high-security area in the city centre.

Concern over the plight of detainees remains. Responding to questions raised by Jaffna MP IM Iliyas about the whereabouts of S Krishnakumar and S Kamalanathan arrested in Colombo in August 1995, the police Crime Prevention Unit says that they have been murdered. Over 100 LTTE suspects including those arrested in Jaffna and held in Colombo and Kalutara prisons began a fast on 20 October. Following Attorney General's assurance that charges will be filed within the next six weeks, the prisoners ended their fast on 26 October. There are over 1,100 Tamil prisoners in Colombo and Kalutara, some of whom are held for over four years without trial.

Ill-treatment in custody is a persistent complaint and human rights agencies say many are detained without any evidence of LTTE links. In late October, the Supreme Court ordered the release of

Ilayathamby Menan who had suffered severe torture after his arrest in June 1994. The release followed the withdrawal of the charges against him by the Attorney General.

In a fundamental rights application to the Supreme Court, 72 year-old Ambalam Mylvaganam says he was arrested at his Paranthan home in September and assaulted with chains in an Army camp. Hill Country resident Krishnapillai Venkadasalam, 59, arrested in Matale in June and detained in the Magazine prison alleges that policemen pulled out his hair, broke his fingers and burned him with cigarettes.

Arrests continue in the Hill Country. Tamil youths Kandasamy Suresh and Kanagaratnam Sureshkumar were detained by police in Kandy on 4 October. University student Sellathurai Vasanthan and his cousin V Nanthini were arrested when they went to the Kandy police station to register their names as residents.

Human rights report blames both sides

SRI LANKAN human rights agency UTHR - the University Teachers for Human Rights (Jaffna) - says in an October report on the Vanni war zone that the Army and the LTTE have imposed hardship on the population for their military ends. UTHR alleges that Army allies Tamil militant groups PLOTE and TELO are targeting humanitarian workers and committing extrajudicial killings in Vavuniya. UTHR says PLOTE and the police counter-subversive unit (CSU) run torture centres in Vavuniya town.

People flee the Vanni say UTHR to escape the military and the LTTE's recruitment of children. The Tigers have set up centres in villages and recruitment methods involve psychological coercion and abduction. New LTTE rules prevent recruits leaving fighting units.

Freedom of movement in the Vanni is controlled by both parties. The LTTE-issued pass to leave the Vanni is usually not issued to youths. The LTTE relaxed the pass system in July but Army restrictions remain.

The UTHR report highlights the difficulties people, especially youth, face in

travelling south across the frontline to Vavuniya. Only 25 people were allowed to cross daily at Nochchimodai checkpoint and over 3,000 had to return to Tiger-controlled Omanthai.

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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Youths are interrogated at the checkpoint by military intelligence, CSU and the National Intelligence Bureau (NIB). They are sometimes abused and beaten during interrogation and the screening process can take up to three days. After clearance at Nochchimodai, travellers must proceed to the Vepankulam refugee camp where they are held until relatives in Colombo take responsibility for them.

After Army restrictions were relaxed at Nochchimodai on 23 October, over 14,000 people entered Vavuniya. Several schools are being used for accommodation after welfare centres became overcrowded. Hundreds of people were released after screening but reports say the process is extremely slow. No one has been allowed to travel to Colombo or other southern areas. Vavuniya lawyers demonstrated on 28 October against the detention of government officers and others who arrived in the town on legitimate business.

Observers say that the removal of restrictions on civilians travelling south is in preparation for a new Army offensive to take control of the 45-mile road between Kilinochchi and Vavuniya.