

Statement made by Dr.H.W.Jayewardene, Q.C.,
Leader of the Sri Lanka Government Dele-
gation, regarding Violations of the Cease
Fire Agreement.

The ceasefire agreement expressly contemplated a series of steps being taken by the Government of Sri Lanka as well as the Tamil militants in order that a congenial atmosphere be created that would be conducive to an acceptable political solution being reached. The obligations of the Government are conditional on compliance with obligations cast on all the militant groups (including those groups not represented at these negotiations). These repeated allegations of ceasefire violations against the Government of Sri Lanka are being made in disregard of these salient facts.

The scale of the ceasefire violations by the militant groups are clearly calculated to provoke affected persons, from among the Sinhala and Muslim communities, into acts of retaliation and generally to create a situation which is calculated to bring pressure upon the Government of Sri Lanka not to continue with the talks. Despite the violations that have hitherto taken place, the Government is firmly resolved to continue the negotiations in order to reach a peaceful solution. These attempts to hinder the talks will serve the ulterior objective of those militant groups who have no desire for a peaceful negotiated settlement.

False allegations of ceasefire violations are part of the massive campaign of disinformation that has been continuing for a considerable time, in order to discredit the Government of Sri Lanka in the eyes of the world. An integral part of this campaign is to persist in such false allegations in order to conceal and to distract attention from the atrocities and illegal acts committed by militant groups. The recklessly false allegations that there was an epidemic of small-pox at the Boosa camp is typical. Another objective of this campaign is to induce organisations abroad not only to support the militant groups but also to attempt ^{to interfere} in various ways, in the internal affairs of Sri Lanka.

We do not propose to give details about each ceasefire violation by the militants. However a summary of such violations by militants...

by militants between 18.6.85 and 12.8.85 (excluding crimes unconnected with militant action) is as follows:

Murders	53
Abductions	25
Robberies	303
Miscellaneous	29
Total ..	410

A list of some of the more heinous violations committed by the militant groups since the last round of Talks is ^{at} annexed. ^A

3. The obligations under the ceasefire agreement became operative only on the 18th June 1985. In the circumstances, references to alleged incidents prior to the date are irrelevant at these talks and, therefore, we do not propose to give replies to or engage in any discussion about them.

Settlements:

The undertaking given by the Government was to suspend new settlements of Sinhala ^{people} in the North and East while the reciprocal obligation of the Tamil militants was to stop attacks on civilians, both Sinhala and Tamil in the north and east and elsewhere in the Island. The Government has strictly complied with this undertaking and no new settlements have been commenced in the North and East. The Government has, however, as it is obliged to do assisted displaced permanent residents of all communities to return to their homes in the North and East. The allegation that new settlements of Sinhalese have been commenced in Mullaitivu and Vavuniya in violation of the agreement is totally false. On the other hand, Sinhalese and Muslim residents in a number of villages in and around those two districts and Trincomalee have been harassed and driven out of villages such as Rankethgama, Koka Eliya, Anketiya, Pavatkulam, Mamaduwa, Veppankulam, Pudukkulan, Tantirimalai, Tammana Elewaka, North of Villachchiya (all in and around the Vavuniya District), Monarawila, Yan Oya (all in and around Mullaitivu), Tiriyaya, Dehiwatta, Serunuwara, Sampur, Uppuveli (all in and around the Trincomalee District) from about the 10th of July to date. These acts of violence have been calculated to destabilise Sinhalese and Muslim

villages and to alter the demographic pattern in these Districts.

It is relevant to note in this regard that apart from attacks on innocent Sinhalese and Muslim villagers in the North and East, an old Buddhist priest, two Samanera monks aged 9 and 13 years respectively, two female votaries and the caretaker of the Trikonamada Temple in Polonnaruwa were brutally murdered by Tamil militants as recently as the ~~18th~~ August 1985. We can only interpret these unbelievably foul and gruesome atrocities as being an attempt to drive the Sinhalese out of not only the north and east but out of the North Central Province as well. We are fortified in this belief by the fact that ^{SEVEN} five days later on 8.8.85 15 armed militants robbed and chased away about 100 Sinhalese villagers from the village of Madurankulame in the Polonnaruwa District.

Allegations of Attacks/Arming of villagers.

We deny the allegations that 22 villages were destroyed and 50 families were driven out on 22.6.85. Fields cultivated by Tamil villagers have not been taken over by the Sinhalese. The Government has not provided Sinhalese villagers with modern weapons such as AK.47s. However, it has, in the wake of the unprovoked massacre of innocent and unarmed Sinhala villagers at Kokila, Nayar, the Dollar and Kent Farms and Anuradhapura by Tamil militants armed with sophisticated weapons such as AK.47s and grenades, provided some Sinhalese villagers living in and around these areas with shot guns and a limited quantity of ammunition. This was done to enable them to defend themselves against future attacks of that nature.

There is no truth in the allegation that the army attacked the Kiran and Arampathai villages on 17.7.85, kidnapped and raped a girl of 14.

Refugees/Detenues

It was alleged that 20 refugees were killed by 'goondas'. There is no truth in this allegation. Many allegations,

far fetched as they were imaginative were made about the torture and ill-treatment of refugees and detenués. The most astounding, utterly irresponsible and fanciful of them was the allegation that snakes were forced down the throats of detenués and that there had been an outbreak of small-pox among the detenués at the Boosa camp. This is the kind of falsehood that has been peddled around the globe for the past few years and it is the kind of false allegations that are used to win the support of unsuspecting non-governmental organisations which are ever ready to interfere in the internal affairs of the third world countries. The Government of Sri Lanka rejects as unwarranted all attempts that would be made to introduce individuals or groups from outside to examine and study conditions in Sri Lanka. In this context it is pertinent to note that the Constitution of Sri Lanka guarantees fundamental rights and contains inter alia a prohibition against the use of torture and provides adequate machinery for the grant of relief to persons aggrieved by the invocation of the wide jurisdiction vested in the Supreme Court.

Purchase of Military Equipment/Training and Recruitment.

The allegations regarding the purchase of aircraft from Italy, and gun boats from China and helicopters were raised at the last round of talks too and were fully answered. We have nothing to add in this regard. The new allegation about the contracts to purchase war planes from ^{Sharp} ~~Sharp~~ Bros. and the unloading of arms and ammunition at Trincomalee are false.

Allegations were also made about the training of soldiers and policemen and the raising of an auxiliary force of 10,000. These are based upon an obvious misconception of the ceasefire agreement. The Government of the sovereign Republic of Sri Lanka has the obligation as well as the right to defend its sovereignty and the whole of its territory against all who seek to undermine it and to maintain law and order within its territory. In order to fulfil this obligation and exercise the corresponding

right...

right the Government must at all times maintain security forces of sufficient strength, recruit personnel, train and equip them according to its needs both present and future. It was no part of the ceasefire agreement that the Government should abdicate its responsibilities and rights in this regard. Details of the steps taken by the Government to train and equip its security forces cannot be divulged or discussed at this conference.

Amnesty

Our position with regard to the Amnesty was set out in the statement made on the 12th August. The relevant portion states:

" An amnesty for all violations of criminal law pursuant to agitations of the militant groups will only be granted after the Government is satisfied that these preconditions have been observed. "

It must be reaffirmed that the terms of the ceasefire agreement are not one-sided. They are conditional upon, inter alia, a cessation of attacks by Tamil militants on civilians throughout the Island, on security forces and establishments, on Government buildings and installations, ^{the mining of roads} rail tracks and bridges and the carrying of arms. It is unreasonable to expect the Government to grant an amnesty to militants during the continuance of such violent acts and to thereby give them an opportunity to rejoin those engaged in such acts and further endanger the security of the State and its peace loving citizens.

We have already referred to some heinous crimes committed by Tamil militants in violation of the ceasefire agreement. It would be relevant at this stage to refer to some of the flagrant violations that have taken place since the last round of talks. They are ~~all~~ set out in annexe 'A' hereto.

From the annexed summary which is by no means exhaustive, it is demonstrable that the militants have taken undue advantage of the ceasefire agreement. Under cover of the cease fire, the militants have consolidated and expanded their bases for hostile operations against the State.

Reference was made to the continued imposition of the Surveillance Zone. In this context we wish to state that we

have had reliable reports of continuous induction across the sea of men and military hardware on a large scale to Sri Lanka by the militants. However, in order to minimize the inconvenience caused to fishermen, the Government has lifted the Surveillance Zone up to a limit of three miles and the fishermen have expressed complete satisfaction with the present arrangements. We need hardly add that the Government of Sri Lanka has the undoubted right to patrol its territorial waters.

No ceasefire can be one-sided. The Government of the Sovereign Republic of Sri Lanka entered into the ceasefire agreement having no doubts whatsoever about fulfilling its commitments under it. However, the militants on their part have failed to honour their reciprocal obligations from the very inception of the agreement and have compelled the Government to take remedial action in order to safeguard and protect its sovereignty and the lives and property of all its citizens by maintaining law and order. The Government stands by its commitments but it cannot stand passive in the light of continuous, flagrant and widespread violations by militant groups. We hope that sooner rather later the violations by the militants will cease and the congenial atmosphere envisaged in the agreement will be realised.

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1. On 17.7.85 at Kokkuthuduvai militants opened fire on an army convoy.
2. On 20.7.85 militants of the LTTE ambushed and opened fire on an army patrol at Polykandy, killing one soldier and injuring four others.
3. On 21.7.85 at Karainagar militants attacked a naval patrol with grenades injuring one officer.
4. On 22.7.85 armed militants murdered P.C.Rajapakse at his residence at Uppuveli.
5. On 23.7.85 thirteen armed militants set fire to 15 sets of Irrigation quarters at Pavakkulam.
6. On 25.7.85 armed militants abducted the engine driver and head guard of the Yal Devi at Jaffna.
7. On 25.7.85 Cpl. Jayawardena was abducted from his home at Vavuniya by armed terrorists. There is yet no trace of him.
8. On 25.7.85 at Kilinochchi armed militants abducted one Kodivesan at Kilinochchi and murdered him.
9. On 25.7.85 at Kilinochchi armed terrorists murdered one Radhakirshnan in the presence of his wife.
10. On 26.7.85 armed militants murdered an ex-U.N.P. U.C. member, Mr.S.Somapala, at Trincomalee
11. On 28.7.85 armed militants murdered one Rani of Sivan-Kovilady at Trincomalee.
12. On 30.7.85, 40 to 50 armed militants held up the Jaffna bound goods train at Pavanthan, robbed 8 empty 1000 gallon fuel tanks and removed them on tractors and trailers.
13. On 29.7.85 at Mullaitivu 6 armed militants abducted Selvanayagam a 65 year old ex V.C. Chairman and Pushparani, a casual labourer attached to the Mullaitivu Police Station. There is still no trace of them.
14. On 1.8.85, militants exploded a land mine at Monarawewa killing a Sinhalese lady teacher, a young student and injuring three other students, all of whom were travelling in a jeep.
15. On 2.8.85 armed militants murdered Mr.Alphonso of the Education Dept. at Batticaloa.
16. On 4.8.85 at Valachchenai, C.L.Vithrane and two other Sinhalese were abducted by armed militants. There is still no trace of them.
17. On 5.8.85 at Ampara armed militants murdered one Nallathamby having tied him to a lamp post.
18. On 5.8.85 a Sinhalese couple living at Valachchenai were murdered by militants.

19. On 6.8.85 armed militants blew up the bridge over the Yan Oya between Tiriyaya and Pulmoddai.
20. On 6.8.85 armed militants abducted a trader named Piyasena at Arakkandy, Trincomalee. There is still no trace of him.
21. On 7.8.85 armed militants abducted S.Selliah , Manager, People's Bank Jaffna. There is still no trace of him.
22. On 8.8.85 a Tamil abducted at Batticaloa was tied to a lamp post and murdered.
23. On 8.8.85 armed militants attacked the Valachchenai Police Station.
24. On 9.8.85 armed militants murdered three Sinhalese females and an infant in arms by shooting at Moraewewa.
25. On 9.8.85 armed militants abducted a Sinhalese villager from Dehiwatta. There is no trace of him.
26. On 10.8.85 armed militants abducted a Sinhalese villager from Bakmeegama. There is no trace of him since then.
27. On 10.8.85 at Vavuniya armed militants exploded a land mine killing five police officers travelling in a jeep.
28. On 11.8.85 armed militants abducted a Sinhalese villager from Pulmoddai. There is no trace of him since.
29. On 11.8.85 at Nilaveli armed militants hijacked a lorry in which 40 Sinhalese fishermen were travelling to Negombo. There is no trace of these fishermen.
30. On 12.8.85 militants placed on the Jaffna Colombo night mail train a bomb timed to explode at 7.45 a.m. at Fort Railway Station. The timely discovery of this bomb saved innumerable lives.