

# The Sri Lanka Monitor

No 123

April 1998

Produced by the British Refugee Council

## The mediation mirage

The Good Friday peace agreement in Northern Ireland following multi-party negotiations has generated enthusiasm among activists working towards peace in Sri Lanka.

Eight parties representing the minority Roman Catholic community and the majority Protestant population signed the historic accord on 10 April. Northern Ireland will continue to be part of the United Kingdom unless a majority of the people decide against it in a referendum scheduled for 22 May.

The signatories have acknowledged the substantial differences between the continuing, and equally legitimate, political aspirations and pledged to strive towards reconciliation and rapprochement within the framework of democracy and agreed arrangements.

The agreement envisages an elected assembly in Northern Ireland, a North-South ministerial council to establish links between Northern Ireland and the Republic of Ireland and a British-Irish council to promote harmonious relations in the British Isles.

Sri Lankan Foreign minister Lakshman Kadirgamar, welcoming the agreement, told *Reuters* in mid-April that peace talks in the island were possible only if there is credible evidence that the Liberation Tigers of Tamil Eelam (LTTE) leader V Prabhakaran has given up the demand for *Eelam* or separate Tamil state in the north-east.

Sri Lankan newspapers have highlighted the differences between Sri Lanka and Northern Ireland and raised doubts over the commitment of the Sri Lankan parties to peace. Observers point to relevant features of the peace process in Northern Ireland, particularly the bipartisan cooperation between the ruling Labour Party and the opposition Conservative Party, which was a vital factor in clinching the peace deal.

In Sri Lanka, bipartisan cooperation envisaged in the agreement brokered by Britain in April last year is in shambles with continuing violence between the ruling People's Alliance (PA) and the oppo-

*On the day of the Northern Ireland peace accord, the Sri Lankan President and the opposition leader met at a wedding. Colombo's Weekend Express columnist Barometer says the two leaders meet only in private ceremonies, but are unwilling to unite for a national cause.*

sition United National Party (UNP). Colombo newspaper *Weekend Express* columnist *Barometer* points out that the US mediator Senator Mitchell played an important role in the Northern Ireland peace process. Observers say the strategy of misinformation by both sides has wrecked many peace initiatives in the past, and only an impartial mediator acceptable to the parties would help to minimise this problem.

LTTE's political advisor Anton Balasingham told Jaffna Catholic Bishop Thomas Savundaranayagam at an early April meeting in the Vanni that the Tigers were not opposed to foreign mediation in the conflict. But some analysts believe that the LTTE's position is only tactical and point to Mr Balasingham's ominous statement that peace is possible only when the LTTE achieves strength equal to the Sri Lankan military.

In her Sinhalese Tamil New Year message on 14 April President Chandrika Kumaratunge reasserted her "peace through war" strategy when she called for support to the security forces fighting the LTTE. The government has so far ruled out foreign mediation saying that the conflict is an internal matter.

The government is yet to decide on a date for a national referendum for the approval of its devolution proposals. The absence of a clear victory in the battle for

the Vanni and widespread industrial unrest have placed the government in a difficult position. Observers say the government hopes to test its support at the Provincial Council elections, scheduled for mid-1998, before a referendum.

US representative to the UN Bill Robertson's visit to the island on 18 April, is seen by hardliners as further encouragement for the war against the Tigers. The US added the LTTE to its list of terrorist organisations in October and approved supply of combat related equipment to Sri Lanka.

The Sri Lankan Tamil parties are concerned that Mr Robertson's call to the LTTE to enter into peace talks will go unheeded while the US and Sri Lankan bans on the Tigers remain. Sri Lankan Emergency regulations proscribing the LTTE prohibit contacts with the Tigers.

While the Tamil parties urge the US to play a positive role in ending the war, the Movement for Reconciliation, Peace and Justice encourages the setting up of a task force composed of members of the two main political parties and representatives of a Commonwealth or other country to agree on the basic principles of power-sharing and devolution.

Commonwealth Secretary General Emeka Anyaoku who arrived in Sri Lanka on 17 April on a three-day visit, says the time is right to initiate efforts to end the war and he has already begun the process. But it is unclear what process has been begun.

Following Indian foreign policy advisor Nagenranath Jha's statement in Colombo on 21 April that India had the duty to show 'friendly concern' in the conflict, there are fears in Colombo that India has returned to the policy of intervention.

New Delhi is said to be working to promote 'a concrete, palatable and immediately implementable' package to end the conflict. Analysts believe that the possibility of a negotiated settlement in Sri Lanka with third party mediation is impossible unless the mediator and the solution are acceptable to India.

**Sri Lanka Monitor on the internet: <http://www.gn.apc.org/refugeecounciluk>**

JAFFNA

# Between devil and sea

JAFFNA town Army Commander Susantha Mendis warned government officers in mid-April against contacts with the LTTE. Some officers are reported to have attended a secret meeting summoned by the Tigers on Punkudutivu Island west of the peninsula. The officers are trapped between the warring sides. Reports say the Tigers have warned over 35 government officers to stop cooperating with the military and the government in the reconstruction of Jaffna.

The LTTE still controls Urikkadu, Katkoyalam and Nagarcoil areas in east Vadamaratchy, from where, the Army believes Tiger infiltration into military-held territory continues. The Army's attempt to capture these areas in early April failed, reports say. Nagarcoil was shelled on 5 April wounding Tharshini and three year-old Thashika.

Two soldiers were killed and five others injured in a LTTE landmine attack at Maruthankerni on 4 April. The following day a soldier was killed at Vettukkadu in Palai area. The Army shelled Palai after a culvert on Jaffna-Kandy road was blasted by the Tigers on the same day. A LTTE grenade attack in Jaffna town on 12 April killed civilian B Kamalasinghi and wounded 19 other people.

The Army carried out search operations in Jaffna in April and some parents in Thenmaratchy have complained to the Sri Lankan Human Rights Commission that their children have been detained. Chavakachcheri and Madduvil were

searched on 27 April and several people taken into custody. Following a visit to Jaffna on 2 April, senior State Counsel Sugatha Gamalath announced plans to construct a prison in Thellipalai.

The five-member committee, headed by retired government officer Bandula Kulatunge and comprising senior military and police officers, appointed to investigate disappearances in Jaffna, submitted its reports to President Chandrika on 22 April. The report says 16 people were killed in custody and in 25 cases the offenders have been identified.

Colombo newspaper *Virakesari* says the government introduced a new rule in early April on visitors to Jaffna. Aid agencies and foreign delegations who wish to assess development projects in the peninsula must, hereafter, be accompanied by government officers.

The government says the time allowed for fishing in Jaffna lagoon will be increased by two hours from the current eight hours between 4am and 12noon. Health problems remain in Jaffna, particularly in recently resettled 15 *Grama Sevaka* (Village Headman) divisions in Valikamam north. Two people died of disease in the area in April.

Many people who returned from the Vanni complain that they live in refugee camps while their homes are occupied by soldiers. Local agencies say reconstruction plans for Jaffna are being kept secret and attempts to obtain details of UN programmes for 1998 have proved futile.

## Postal strike

Over ten million letters piled-up in Colombo following a strike by postal workers demanding overtime payments and dismissal of Postmaster General Soma Kotakadeniya. The government declared post and telecommunication as essential services on 24 April and sent the military into the Central Mail Exchange.

## Attack

Reports say forty Muslim families fled from Kudapokuna in Polonnaruwa District in April following LTTE attacks. They have taken refuge in other villages nearby.

## Disease

Fifty children are reported to have died of an unidentified viral disease in urban areas of southern Sri Lanka in April. Over 1,000 patients were treated for the disease in Colombo hospitals.

## Conscription

Sri Lanka declared a five-day amnesty on 4 May for 15,000 Army deserters. Deputy Defence minister Anuruddha Ratwatte says the government will introduce compulsory military service if the amnesty fails to bring back the deserters.

## Fundraising

Addressing the Royal Institute of International Affairs on 15 April, Foreign minister Lakshman Kadirgamar expressed dissatisfaction over Britain's lukewarm response to Sri Lanka's call to crackdown on LTTE fundraising in the United Kingdom.

# Without hope

AS shortages of medicines and medical equipment continue to plague the Vanni, Mullaitivu Government Agent R Tharmakulasingham says that the Health Ministry has failed to supply certain types of essential medicines to the district even after approval by the Defence Ministry.

Hospitals at Mullaitivu, Mulankavil and Mallavi are particularly affected. The Mallavi hospital treated over 16,400 out-patients in March. Reports say thousands of people have contracted malaria and the shortage of medicines is forcing the hospitals to send many patients to Mannar for treatment.

As troops continue attempts to cap-

ture Mankulam in Army's *Operation Jayasikurui*, began in May last year to open a landroute to Jaffna from Vavuniya, services to the local population and the refugees is becoming more difficult. Government secretariats at Mankulam and Oddusuddan have now been shifted to Thunukkai.

In early April a commando unit advanced seven miles from Karipattamurippu on Mankulam-Oddusuddan road. According to the Defence Ministry, eight Tigers were killed in clashes. Troop advances on Mankulam from eastern Olumadu on 20 April came to a halt following stiff LTTE resistance. Thirty nine soldiers were

killed and 294 others wounded. The Tigers say 11 cadre died. The Army believes that Major Chandima Gunaratne, missing after the battle, has been taken prisoner by the LTTE.

As military operations progress, the Vanni areas continue to be bombed and shelled. In Mullaitivu the people staged a demonstration on 4 April against indiscriminate bombing and shelling by the security forces. They submitted a petition to international refugee agency UNHCR.

In Vavuniya, a policeman was injured by a grenade while interrogating suspected Tigers on 14 April at Varikuttiyur. Following the incident, a youth took cyanide and committed suicide.

## ■ Young woman crushed to death in Mannar

# Trinco Tiger hunt

THE Sri Lankan Army launched *Operation Tiger Hunt* on 22 April in Muthur, south of Koddiyar Bay in Trincomalee District, following reports that thousands of Tigers were massing for an attack in the area.

As the operation continued, the military say, LTTE's elite *Charles Anthony Brigade* launched an assault on Army positions at Pansalgodella on Kantalai-Seruwila road on 29 April killing three soldiers and wounding nine. Heavy fighting broke out at Kadalkaraichenai as the Army advanced south of Muthur. Hundreds of villagers fled and remained in jungles without food for three days.

Further south, troops also moved from Echilampathai to Verugal on Trinco-

Batticaloa border. Reports say the Tigers retreated into their Vaharai stronghold in Batticaloa District, blasting a ferry crossing linking the two districts.

The Army imposed restrictions on food into Thoppur, five miles south-east of Muthur, to prevent food falling into Tiger hands. Currently, a person is allowed to take only five kilos of rice into the village. Villagers who were driven out of Upparu last month by the Army and currently living in Alankerni, staged a protest fast on 23 April and have threatened to fast unto death if they are not allowed to return to their village.

Over 200 refugees from the Vanni demonstrated before the Trincomalee government secretariat on 6 April

demanding to be sent to Jaffna. Government Regional Secretary V Velum Mayilum says there were 1,400 people in Trincomalee in early April waiting to travel to Jaffna. A further 750 arrived from Vavuniya on 8 April. Over 1,000 refugees left for Jaffna on 9 and 12 April. According to a Defence Ministry decision, transport to Jaffna will be available only from Trincomalee and in future no ships will ply from Mannar.

The government is planning to set up a camp near Wilpattu Wildlife Sanctuary south of Mannar to accommodate 20,000 refugees. The camp is proposed on Mannar mainland rather than Mannar Island, to facilitate transport of Jaffna refugees to Trincomalee. Tamil party PLOTE leader N Manickathan says airlifting the refugees to Jaffna will be cheaper than maintaining the camp and warns that such a camp will help LTTE infiltration into southern areas. The Tigers are said to have established bases deep in the Wilpattu jungle.

Thousands of refugees fleeing the fighting in the Vanni continue to arrive at the Uyilankulam Army checkpoint where only 500 people a day are allowed into Mannar. A young woman was crushed to death in early April as crowds rushed to the checkpoint.

On Mannar Island, 700 refugees from the Pesalai camp staged a protest fast before the government secretariat in early April and submitted a petition to Government Agent V Visvalingam, demanding to be sent to Jaffna.

# Torture chamber

THE Batalanda Commission in its report submitted to the Sri Lankan President on 27 March confirms that an illegal torture centre was maintained by police officers at the Batalanda Housing Scheme during the height of the People's Liberation Front (JVP) insurrection between 1988 and 1990. A number of JVP suspects suffered torture in the centre, including prominent human rights lawyer Wijedasa Liyanarachchi who died as a result in September 1988. The police Counter Subversive Unit (CSU) headed by Douglas Peiris was directly responsible for the torture, the report says, and former Prime Minister and opposition United National Party (UNP) leader Ranil Wickremasinghe, in whose electorate the torture chamber was located, knew of its existence. UNP supporters have accused the government of appointing the Commission for the purpose of implicating Mr Wickremasinghe and gaining political advantage. The Commission has observed that the police had failed to comply with the law and shown servile obedience to politicians for personal gain. It has urged the government to compensate victims and institute legal action against those identified as responsible for torture at the Batalanda Housing Scheme.

On 23 April, Amnesty International called on the government to make public and disseminate widely the findings of the Bandula Kulatunge committee which probed disappearances in Jaffna. Over 700 people disappeared in Jaffna after the Army capture of the peninsula in early 1996. Amnesty also urged the government to make public its plans for follow-up action on the recommendations of the committee. In 25 cases, the committee has identified those responsible for the disappearances.

# Killed in custody

THE body of S Suthakaran, 25, who went to the police Special Task Force (STF) camp at Karaitivu in Batticaloa District was handed over to his wife on 5 April. Mrs Suthakaran has lodged a complaint with the Human Rights Commission after the STF claimed that he was shot dead by the LTTE when revealing a Tiger arms cache.

Concern about forced labour in Batticaloa continues. MP Joseph Pararajasingham says in a letter to President Chandrika that the STF at Kurumanveli is regularly forcing local people between the ages of 12 and 40 to work at gunpoint.

An Army officer was killed and four soldiers injured in a LTTE grenade attack

on 16 April at Santhiveli in Valaichenai. The Army carried out a house-to-house search three days later in the area and arrested a trader suspected of providing food to the Tigers. Seven policemen were killed in a Tiger ambush at Kalmunai, south of Batticaloa on 21 April. Following the attack the military shelled the area damaging two houses.

In late April the Army ordered that dry rations to the displaced people in LTTE-controlled Vaharai area should continue to be issued at the Hussain Army camp despite complaints that the refugees had to walk 25 miles. In early May, however, five lorryloads of food accompanied by the ICRC was allowed into Vaharai.

# Special identity cards for people from north-east *Arbitrary arrests*

The Sri Lankan Attorney General (AG) Sarath Silva advised the security forces in early April to carry out arrests only on the basis of reasonable suspicion based on reliable information. In a series of meetings with police officers in April, Mr Silva briefed on the importance of observing the basic rights of the people.

The Supreme Court has noted the principle laid down in the Sri Lankan Constitution that 'no person shall be arrested except according to procedures established by law' and has ruled in cases of detention under Emergency regulations that there must be reasonable grounds for suspecting a person.

Human rights agencies have protested for several years about arbitrary arrests and degrading treatment of Tamils. Thousands of Tamils were taken into custody in March and April in Colombo and surrounding areas. The AG's intervention came after a meeting with Tamil political parties and Hindu religious organisations who demanded that arrest and detention should be strictly in accordance with the law and presidential directives providing safeguards to detainees should be observed.

Tamil United Liberation Front (TULF) leaders M Sivasithamparam and Neelan Tiruchelvam, giving evidence before the Sri Lankan Human Rights Commission on 9 April, pointed out that fundamental rights of Tamils in Colombo were being violated with impunity and arrests take place, in many instances, despite possessing all the necessary documents, solely on the basis of ethnicity.

Some 2,000 Tamils were arrested on 31 March in Kotahena, Pettah and Kochchikade suburbs, including over 500 women. In April, a large number of Tamils were taken into custody in Colombo, Dehiwala and Wattala. Those arrested in Dehiwala in early April say they were beaten up by the police and warned not to inform the ICRC about the assault. They were also paraded before *thalayattis* or masked informers. Kotahena suburb was searched on several occasions in the night and many were detained, including a number of people residing and working in the city.

As the 14 April Sinhalese and Tamil New Year approached, the security forces launched large-scale search opera-

*Member of Parliament Tyrrone Fernando condemns arbitrary arrests in Colombo and says such harassment will drive the Tamil youths into the arms of the Tigers.*

tions. Police say the operations were to detect hidden weapons, following information provided by four LTTE suspects in custody, to launch an attack on the Telecom headquarters in Fort suburb. The police plan to introduce public video surveillance in the streets of Colombo.

Lodges which provide cheap accommodation for people arriving from the north-east were also searched. A woman who lives in a Kotahena lodge says her two daughters had been arrested for the second time. A new police rule introduced on 1 April requires those staying in lodges to complete a form with a photograph certified by the *Grama Sevaka* (Village Headman) of the area, in addition to police registration. A copy of the form will be retained by the lodge owner. A committee headed by Social Services

minister Premalal Dissanayake has recommended the establishment of a hostel in Colombo which can hold 5,000 people from the north-east.

Speaking in Parliament on 22 April, Justice minister GL Peiris said that the government plans to issue special identity cards to Tamils arriving from the north-east, to distinguish them from Tamils living permanently in Colombo. Observers say the new plan will have no effect while impunity among security forces remains.

A Hill Country Tamil student from Liyangahawela in Badulla District was arrested in late April at Galaha in Kandy District while on a visit to attend a wedding. At the time of the arrest, the student had with him, his National Identity Card (NIC), an identity card issued by the National Youth Services Council and a school identity card. The police detained him for a week without informing his parents before producing him in court.

On 1 May, Inspector General of Police WB Rajaguru announced new rules for replacing lost NIC, passport or driver's licence for people from the north-east. Hitherto, north-east people could, if a document is lost in the south, lodge an entry at the nearest police station and with a certified copy of such entry apply for a new document.

According to the new procedure, the person who loses the document will be required to complete a special application form, a copy of which will be sent to the police station where the applicant permanently resides. A certified copy of the entry will be provided only on receipt of approval from such a police station. There is dismay over the new procedure which will lead to long delays. People from LTTE-held areas, where there are no police stations, will be particularly affected.

Tamil MP Joseph Pararajasingham, speaking in Parliament in April, highlighted the widespread police involvement in bribery in the arrest of Tamils. Mr Pararajasingham also said that Tamils arriving from other countries at the Colombo airport were treated differently and harassed and that he was aware of detention of Tamil youths from abroad on the unsubstantiated allegation that they were involved in raising funds for the LTTE.

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.

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British Refugee Council: Charity No. 1014576  
Company No. 2727514

ISSN 0955-5943

Funded by voluntary agencies worldwide.

Printed by: Imedia Print, 20 Rushworth Street,  
London SE1 0RB