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TAMIL INFORMATION CENTRE
HUMAN RIGHTS VIOLATIONS AND TAMILS OF SRI LANKA

INFORMATION RECEIVED SINCE LAST REPORT

1.0 JAFFNA

1.1 On 2.9.85, Dharmalingam, former Member of Parliament for Manipay and Alalasundaram, former Member of Parliament for Kopay, both of TULF were killed by unknown persons. There were widespread protests against the killings.

1.2 On 6.2.85 at Valvettithurai, 3 young Tamils who went shopping disappeared and it is feared that they were taken away by the security forces. Four houses were burnt by the security forces during this week.

2.0 MANNAR

2.1 On 1.9.85, over 70 refugees reached Ramesvaram in India. According to the refugees, more than 40 Tamil farmers were killed the previous day by the security forces.

2.2 On 9.9.85, two Tamils were killed by the security forces in Mannar.

2.3 On 16.9.85, at Kallikulam, a young couple and another young man were shot dead by the security forces.

3.0 VAVUNIYA

3.1 On 4.9.85, three villages were attacked by helicopters and many houses were set ablaze.

3.2 On 5.9.85, bodies of 5 Tamils believed to have been killed by the security forces or armed Sinhalese civilians, were found at Pavatkulam.

3.3 About 30 burnt bodies of Tamils have been found in Thavasimalai - Panavai area. There were also 2 burnt mini-vans and two lorries. The crime was believed to have been committed on 3.9.85 by security forces or armed Sinhalese civilians.

3.4 On 7.9.85, houses of Tamils in Asikulam were attacked by helicopter.

3.5 In Cheddikulam, several thousands of Tamils have abandoned their villages due to threats by security forces and armed Sinhalese civilians.

3.6 On 10.9.85, in Vavuniya, a Tamil woman was raped by 3 air force personnel.

CONTD/2

4.0 TRINCOMALEE

4.1

During the last three weeks, there were systematic attacks by the security forces and armed Sinhalese civilians in the Tamil villages in the Trincomalee district. The attacks were assisted by helicopters fitted with guns and carrying bombs. Tamils from large number of villages fled and it is estimated that over 40,000 Tamils have been rendered refugees.

Over 5,000 houses were burnt or damaged. Hundreds have been killed. Refugee camps too were attacked and inmates killed. Temples too were burnt. It

appears that there is a concerted effort by the Sri Lankan government to drive away all the Tamils from the Trincomalee district. According to the census of 1981, there are 93,510 Tamils, 74,403 Muslims (whose mother tongue is Tamil) and 86,341 Sinhalese. The Sinhalese who formed 15.3% of the population in 1946, due to state aided colonisation, became 33.6% percent in 1981. During every pogrom against the Tamils, the state aided colonisation is seen as a method to destroy the identity of the Tamils. It should also be noted that efforts were made by the security forces and the armed Sinhalese civilians to drive away the Tamils in the Muthur area in June this year, killing over one hundred Tamils and destroying over 3,500 houses. We give below only a few incidents which took place during the last three weeks.

4.2

On 4.9.85 at Linganagar, several Tamils were killed and many houses were burnt by armed forces and home guards (armed Sinhalese civilians). Curfew was declared from 2 p.m until the following morning. Curfew was reimposed on 5.9.85 and 6,000 persons were rendered refugees.

4.3

On 6.9.85, Tamil houses in Palaiyootru were burnt and over 250 persons took refuge in the neighbouring forest. The houses abandoned by Tamils in Veeranagar were set ablaze. There were helicopter attacks on houses at the 3rd mile post. 4 Tamil labourers of the Port Cargo Corporation were abducted.

4.4

On 7.9.85, there was a shoot out between the security forces and the Tamil militants.

4.5

On 8.9.85 at Sambaltivu, a Tamil woman was killed when six houses were set on fire. At Division 10, several houses were burnt and the Pillayar Temple too was destroyed. The Krishnan Temple at Madathady was also set on fire.

4.6

On 9.9.85, at Nilaveli, during the shelling from armoured cars by the security forces, 3 Muslims were injured and a mosque was damaged. Refugees from Trincomalee reached by boat - Valvettithurai (Jaffna District) and Rameswaram (India).

CONTD/3

- 4.7 On 10.9.85, the house of Sampanthan, former TULF Member of Parliament was destroyed by security personnel and armed Sinhalese civilians. Sivanantha Thabovanam a religious institution, was also attacked.
- 4.8 On 12.9.85 and three days prior to it, Sambaltivu, where Tamil refugees took shelter, was bombed from helicopters.
- 4.9 On 13.9.85 at Trincomalee, 2 Sinhalese clerks of the Petroleum Corporation were shot at and one was injured by unknown persons. The railway bridge at Thambalagamam was blown up by unknown persons, reported to be the only passage relatively safe for the Tamils to travel.
- 4.10 On 14.9.85, two wagons and an engine of goods train were damaged when an unidentified gang (believed to be Tamils) set fire to it.
- 4.11 On 16.9.85, Ward 2 and 3 were surrounded by 6 tanks, 12 armoured cars and gun boats shelled from the sea. Over 30 persons were killed and 97 were arrested. Many have fled into the jungles. Some refugees have fled to Batticaloa by boats. At Division 10, Arunachalam (a Tamil) was dragged along the street with a large fishing hook passed through his neck by security forces/armed Sinhalese civilians and his condition is critical. An elderly man was also found hacked in Division 10.
- 5.0 **BATTICALOA**
- 5.1 On 3.9.85 the Eravur Police Station was attacked by the Tamil militants killing 8 policemen and injuring 15 others.
- 5.2 On 4.9.85, at Batticaloa, 5 security personnel were killed in a landmine explosion.
- 5.3 On 9.9.85, police commandos shot dead two Tamils and a third on 10.9.85.
- 5.4 About the 10th of September, lethal chemicals were sprayed from helicopters in certain areas of Batticaloa jungles suspected to be sheltering Tamil militants and consequently animals have been killed and trees affected. A similar spraying took place in Vavuniya earlier.
- 5.5 Between 10th and 12th September, 8 bodies have been burnt by the security forces in the Batticaloa cemetery. About 40 Tamil youths were arrested in Batticaloa on 12.9.85.
- 5.6 On 16.9.85, two school children Sathees Kamachisundaram and Parathithasan Nalliah were shot dead in the school premises in Chenkaladi by the Police Commandos and the bodies were taken away.

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6.0 AMPARAI

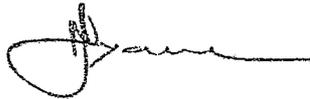
- 6.1 On 26.8.85, in five villages around Thirukkivil, over 50 Tamil civilians were shot dead by the security forces. 13 of them were taken to the army camp and killed.
- 6.2 On 30.8.85 at Thirukkivil in a landmine explosion, 5 security personnel were killed and several others injured. In retaliation, several civilians were killed or injured and many houses were burnt.
- 6.3 On 31.8.85 in a shoot out near Thirukkivil between security personnel and Tamil militants, 6 security personnel were injured.

7.0 GENERAL

- 7.1 Jet aeroplanes fitted with guns have been taken to Trincomalee. Over 300 families are being evacuated near the Batticaloa airport. The land including farms near the Vavuniya air strip are being taken over by the air force. Concrete bunkers are being built in Batticaloa. It is believed that Israeli experts are carrying out training programmes for security personnel.
- 7.2 There have been widespread protests in Tamil Nadu and in the Tamil Homelands against the deportation orders made by the Indian government on three Tamils. In Tamil Nadu, over 2,000 persons including members of the State Assembly were arrested and detained. There was a stoppage of rail transport and protest fasts all over Tamil Nadu.

The leaders of LTTE, TELO, EROS and EPRLF, the four militant groups, who delayed to meet the Indian Prime Minister after the collapse of the Thimpu II talks. have now met with the Prime Minister on 17th September and continued discussions with foreign ministry officials thereafter. Indian government is taking steps to create a climate to re-start the talks between the Tamil leaders and the Sri Lankan Govt.

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SRI LANKA

FALSE MOVE BY RAJIV

A wave of indignation is building up against the Rajiv Gandhi regime among the Tamil people of Sri Lanka.

This indignation is born out of disillusionment that the Indian Prime Minister has not lived up to their expectations in tackling the ethnic problem in Sri Lanka.

After the Punjab and Assam accords, many of the Tamil people were inclined to believe that it would be plain sailing in Sri Lanka's case also.

But Thimpu I and II have come and gone and we are still nowhere near a solution.

Worse, the Rajiv regime has thought it fit to move against some of the Tamil militant leaders resident in South India.

The impression in Jaffna is that the Indian Prime Minister has been misdirected and misguided by his top advisers, Foreign Secretary Romesh Bhandari included.

The anger of the people was vented in a number of demonstrations in various parts of Jaffna throughout this week, protesting especially about the Indian Government's decision to deport Dr. A. S. Balasingham and Mr. S. C. Chandrasekaran.

Thousands of people marched in these demonstrations shouting slogans against the Indian Government.

A partial hartal was also observed, with picketing outside Government offices and Corporations.

AT A HURRIEDLY SUMMONED PRESS CONFERENCE IN JAFFNA, REPRESENTATIVES OF THE EELAM NATIONAL LIBERATION FRONT SAID THE MILITANT GROUPS WERE

THANKFUL TO INDIA FOR THE HELP GIVEN SO FAR IN THEIR STRUGGLE TO SECURE JUSTICE FOR THE TAMIL PEOPLE.

BUT IF PUSHED, THEY WERE READY TO MOVE OUT OF INDIA AND CARRY ON THEIR STRUGGLE.

ONE POINT THE ENGLISH SPOKESMEN EMPHASISED WAS THAT THEY DID NOT TRUST IN ANY POLITICAL SOLUTION TO THE PROBLEMS OF THE TAMIL PEOPLE.

Not that the militant groups are not prepared for further dialogue and, if necessary, even for compromise.

But the record of successive Sinhalese — dominated Governments has been such that even if Mr. Gandhi manages to force a settlement on the very reluctant President Jayewardene, they were not certain it would be honoured.

As stated in that admirable booklet, "Dear Sri Lanka Ambassador" (written by Mr. S. Sivanyagam shortly after the July 1983 Holocaust) "For so many years they (the Tamil people) suffered racial discrimination, racial riots, plunder of their tra-

ditional homelands, Police and Army harassments and open state hostility. Through that period they raised their voices in Parliament, on public platforms, through the media and in international fora; they went before the courts of law; they staged protests, non-violent satyagraha campaigns; they entered into pacts and gentlemen's agreements with Sinhalese leaders which were dishonoured.."

We wish to emphasise the words "which were dishonoured."

In the meantime Mr. H. W. Jayewardene, the chief Sri Lanka Government negotiator, has returned from Thimpu, via New Delhi, with a "working paper" prepared by officials of the Indian and Sri Lanka Governments.

Our information is that if President Jayewardene is amenable, the working paper would be a starting point for "fresh negotiations" with the militant leaders!

There is reportedly some reference to "provincial autonomy" in the working paper, with the proviso that in the case of the Eastern Province, the Muslim and Sinhalese people could opt out of the arrangement if they so wished.

As we said in the SR of 3rd August, under the heading "INDIA CANNOT DICTATE", India cannot impose a solution on the ethnic problem that is not acceptable to them (the Tamil people)."

We also said, "the Indian Prime Minister has to contend not only with Tamil Nadu but also with the other Southern States of India where sentiment is strongly in favour of the militants' positions."

WHAT THE TAMIL PEOPLE OF SRI LANKA ARE CRYING OUT FOR IS JUSTICE. LET THE WORLD KNOW ABOUT IT.

Fallacies & myths in ethnic conflict

THE Indo-Sri Lanka talks in Delhi have been an exasperating exercise in futility with the Sri Lankan negotiators, about a dozen of them headed by the jurist, Mr. Hector Jayewardene, making a fine art of procrastination. They were unbeatable in their doggedness, stone-walling anything that did not fit neatly into their grand design of equivocation, yielding no ground on any point of substance that did not suit their objective of evasion.

At the social level, they were amiable, urbane, cultivated and reassuring, appearing to be eminently reasonable, revelling in their platitudes and rill of remorse for the cruel fate that has befallen the victims of Sri Lanka's ethnic conflict. But when it came to discussing a viable basis for settlement, they were rigid and unyielding, abrasive and argumentative, in a calculated bid to wear down the Indian side by simply prolonging the agonies of suspense, going round and round the same mulberry bush with astonishing persistence.

Frustrating exercise

The Indian negotiators, led by the Foreign Secretary, Mr. Romesh Bhanderi, who were quite new to this diabolical game of disimulation, were often at their wits' end during these tortuous discussions, wondering whether the Sri Lankan Government was really keen on a lasting political settlement or was merely playing for time by going through the motions of this frustrating exercise.

In their impatience for quick results, the Indian officials went to the farthest limits possible to accommodate the Sri Lankan point of view on many aspects of the proposed devolution but were dismayed when Mr. Hector Jayewardene and his colleagues kept on arguing like petty lawyers as though they were engaged in litigation in a district court, not in serious political negotiations of great consequence to the very survival of their island nation.

The Tamil leaders too have been victims of their own myths which tended to exaggerate the Indian role, expecting the Prime Minister, Mr. Rajiv Gandhi, to exert enough pressures on the Sri Lankan President, Mr. J. R. Jayewardene, to pull their chastity out of the fire. The moderates have been fervently hoping against hope that sooner or later, perhaps sooner than later, India would be able to secure a reasonable measure of autonomy for the Tamil linguistic region that would enable the three million Tamils to live with dignity as part of a united Sri Lankan State. The militants, on the other hand, have been deluding themselves with the thought that, if they step up their insurgency to the level of an insurrection, public opinion in Tamil Nadu will compel India to intervene to save the civil population from savage reprisals by the Sri Lankan armed forces.

It is the inherent fallacies of this hypothesis that has made the Tamil militants imagine that they were being badly let down, if not betrayed, by the new policy-makers in Delhi, on the assumption that Mr. Rajiv Gandhi was not as sensitive to their plight as his mother, who in their view was much more solicitous about their welfare. The moderates do not share this grave apprehension about India's fading interest in their fate, but they are also unhappy that the present Government in Delhi is not doing all that it could to compel Mr. Jayewardene to concede their demand for fuller autonomy without quibbling over the procedure for devolution.

What the Sri Lankan Tamils and their supporters in Tamil Nadu do not realise is that the Centre is not anti-Tamil, but amidst its numerous other preoccupations it does not have the

same degree of emotional involvement in their struggle. The problems with other neighbouring countries like China and Pakistan, Bangladesh and Nepal, attract greater attention than Sri Lanka in more normal circumstances. It is not a question of indifference but one of priority since no government can take the same degree of interest in all problems all the time. Whenever there is a flare-up in Sri Lanka, India gets drawn into it because of the fallout on Tamil Nadu, no matter which party is in power in Delhi.

Sri Lankan Govt. mistaken

The big mistake the Sri Lankan Government has been making is to base its current approach to the ethnic problem on the assumption that there has been a marked change in India's attitude towards the Tamils, especially the militants fighting for separation. The hardliners in Colombo seem to imagine that they would be able to placate and persuade Mr. Rajiv Gandhi to deny these militants sanctuary in Tamil Nadu and turn the heat on them to agree to a watered down version of regional autonomy by forsaking their demand for Eelam.

The Jayewardene Government missed a golden opportunity to utilise India's good offices to the fullest extent with its pettifoggling tactics at Thimpu, where its delegation acted with an amazing lack of imagination. It could not have expected the militants to stop talking in terms of fundamental principles in the absence of meaningful proposals to open the way for a negotiated settlement. It kept harping on devolution only through the discredited district councils and infuriated even moderate Tamil leaders with its obduracy much to India's discomfiture.

The Sri Lankan President has been no less guilty than his brother at Thimpu in talking of both war and peace, not in Tolstolain terms but with the pretensions of a Clausewitz to whom peace was only a continuation of war in a different form. The phantom figures around Mr. Jayewardene, like his National Security Minister, Mr. Athulathmudali have been no less foolish in exuding an air of firmness to cover up their own clay feet, by behaving flamboyantly as though the choice between war and peace rested with the Tamils, and that the Sri Lankan Government was prepared to face both the alternatives with confidence.

Loss of direction

The Government of India, on its part, tripped badly in attempting to step up the pace of conciliation by renewing its mediatory efforts, as part of a wider diplomatic initiative to improve

its relations with all neighbouring countries in the region. It sent the wrong signals indirectly encouraging countries like Sri Lanka to imagine that they could extract better concessions from the new Government in Delhi as a *quid pro quo* for their cooperation, while this was not the real intention.

The new policy was not aimed at appeasing Sri Lanka by sacrificing the Tamil interest, but only at creating a better awareness of the opportunities still open for arriving at an amicable settlement. But unfortunately it lacked proper focus because too many people were involved in its articulation and implementation leading to a loss of direction. Though there was no basis for it, the diplomatic community in Delhi started jumping to the conclusion that India was no longer upholding the Tamil cause with the same fervour as it did in Indira Gandhi's time.

Wrong impression

The ill-timed and ill-advised deportation drama was staged in the midst of the discussions in Delhi with an amazing lack of imagination, giving a totally wrong impression to the Sri Lankan delegation that the crackdown was intended to assure them that India was not going to put up with Tamil militancy that had already reached the limits of its tolerance. This unfortunate event could have been avoided if some more preparatory work had gone into the Thimpu talks to make certain that the Sri Lankan Government would come forward with some fresh proposals and not try to present the old ideas in the shape of a new package.

But what was disquieting was how the Government of India could have acted in this high-handed manner, even assuming that Mr. A. S. Balasingam, Mr. S. C. Chandrasehan and Mr. S. Satyendra, were responsible for the breakdown of the Thimpu dialogue. It has come out of this controversy with a tarnished image damaging its own liberal traditions. The way the first two were bundled out of the country smacked of not merely churlishness, but utter disregard for human rights.

During the eight-day discussions in Delhi, Mr. Hector Jayewardene and his colleagues continued to play the ostrich displaying an amazing lack of sensitivity, imagining that they could get away with their obduracy through sheer persistence. As a result, the idea of a draft agreement had to be abandoned and only a working paper was produced containing just a broad approach to devolution without spelling out the extent of delegation of powers to the provincial executives.

The details have been left to be worked out during the resumed dialogue, creating a grey zone of uncertainty that could further complicate the prospects of a fair settlement.

So it took a lot of effort on the part of the Government of India to restore the missing perspective and nudge Sri Lanka to adopt a more responsive attitude. The broad framework that has emerged from the talks is not a bad package but much would depend on the Sri Lankan Government's good faith and the negotiating skills of the Tamil leaders whether this could be transformed into a lasting political settlement. It will be in the interests of the Sri Lankan Tamils to make India a party to this accord so that it has the responsibility to ensure its smooth implementation.

There are still many gaps in the proposals that are open to differing interpretations and the Sri Lankan Government will not easily give in on essential details, unless it is left with no other choice. This is where Indian diplomacy will come in again with a role to play in evolving agreed procedures for implementation.

It will certainly be a feather in Mr. Rajiv Gandhi's cap if this ethnic conflict which has taken a heavy toll of innocent lives and imposed terrible suffering and humiliation on the Tamil minority is settled without further bloodshed and bitterness in a spirit of mutual accommodation. And it will augur well for India's good neighbourly diplomacy demonstrating eloquently to all other neighbouring countries that with a measure of goodwill and confidence, all such problems could be resolved through negotiations.

G. K. Ruddy
from New Delhi