

Sri Lanka's Human Rights Conundrum

A current novelty in Sri Lanka is the functioning of a number of commissions looking into past violations of human rights by the State. These commissions, while raising eyebrows among the ruling class, are slowly but surely unravelling the ramifications of state terror, stretching down from the political establishment into the armed forces and the underworld. Given the current global circumstances and economic mores that effectively turn a blind eye to large scale violations, the role of such commissions is not as yet clearly defined. In Britain the report of the Scott inquiry, which commenced in 1992 was recently released. The inquiry was into the government breaking its own rules and supplying arms and lethal materials particularly to Iraq, in the course of which the parliament and the public were deliberately and systematically deceived. Some of the intense negotiations to arm Iraq which included visits by ministers, had taken place in 1988 just about the time when the regime of Saddam Hussain poison gassed Kurd villages, subjecting about 5000 civilians to an agonizing death. The Scott report while damning in its detail, has been adequately vague in its judgements to enable government ministers to make out that they had been cleared. The public however knows that something despicable had been done by those in the government and that little is going to change. That may be the end result of several of the commissions that are functioning in this country. "Being economical with the truth" a phrase from the testimony of a minister to the Scott inquiry is a quaint expression bequeathed to the English language that is so reflective of the times. The actions of the ministers were so normal that resignations, which a more honourable age would have demanded, are today hardly expected.

Edward S. Herman, wrote in his essay, 'The Banality of Evil': "Doing terrible things in an organised and systematic way rests on 'normalization'...there is usually a division of labour in doing and rationalizing the unthinkable, with the direct brutalising and killings done by one set of individuals..." So deep is the crisis within the ruling class in Sri Lanka, it would appear that even this division of labour appears to be blurred. Testimony being given to the commissions now sitting suggest that some of the ministers at least in the last UNP government, were themselves extremely close to the dire deeds and bothered little about rationalization.

Shortly after the change of government in 1994 a remarkable article by a Senior Gazette Officer in the Police appeared in the Island of 5th September 1994. The facts themselves are not surprising, but what was remarkable that they appeared in print. It read: "...On the contrary the police hierarchy held the murderers and miscreants in high esteem and granted rewards to many top ranking DIGs and SPs from the Police Reward Fund from which they were not entitled to receive any rewards. It was a normal occurrence in those ignoble days[latter 80s] for certain DIGs and SPs who cowered before rank and riches to do a pilgrimage to Police Headquarters daily in the morning and verbally report to the IGP regarding the number of people killed, burnt, decapitated or made to float down rivers... The hierarchy was so anxious to reward the Gestapo leaders that one DIG, who made an application for a reward of Rs.200,000 at 9.00 a.m. on a given day, was awarded an enhanced reward of Rs.300,000 by the Defence Ministry the same evening...

"It is now generally conceded that it was a former President who started the rot in the Police Service by rewarding those who flouted the law openly. As a matter of fact at an open conference of high security personnel, he said in response to a plea made by an army officer that they must make a concerted effort to win the hearts and minds of the youth, that the security personnel must first start doing that by 'crushing their balls'. Mr.R.Premadasa continued this repugnant policy on an extended scale."

At present there are several commissions inquiring into different sets of violations in which some senior security personnel had been implicated. One commission is looking into the killing of General Kobbekkaduwa in a landmine explosion in 1992, and another into the alleged plan to disrupt the parliamentary elections held in August 1994. A truism uttered by Major General Lucky Algama before the latter commission is that the proceedings before this commissions would not have been there if not for the change of government. One commission that has been very revealing is the Batalanda Commission. Among its tasks is to probe the disappearance of police sub-Inspector Priyadarshana and several allegations of torture and murder in a camp for which a house in the Fertiliser Corporation housing complex at Batalanda is said to have been used. A reason why this has attracted considerable interest is the occurrence of the name of the UNP leader and former Prime Minister Ranil Wickremasinghe in this connection. According to the testimony given before the commission so far the following pattern has emerged regarding the events which took place between early 1988 and the end of 1991:

The housing scheme came under the purview of Ranil Wickremasinghe who was then Minister of Industries. A house in the scheme about 100 yards from the alleged torture camp was used by him and which he is said to have visited about once a week. The torture camp was allegedly run by men from the CSU(Counter Subversive Unit) who were led by Douglas Peiris, who during that period was promoted from IP to ASP, and recently when he was interdicted held the rank of SSP. Douglas Peiris too lived in the housing complex and a house according to a former chairman of the Fertiliser Corporation, was allocated to him(Douglas) in June 1988 on instructions from Ranil Wickremasinghe. On 20th February 1990(about the same time that journalist Richard De Soyza disappeared in a separate incident) Sub-Inspector Priyadarshana was summoned through radio by his superior Inspector Attapattu and was driven away in a vehicle after which he was no longer seen alive. According to the testimony of his friends in the Police and his father and brother, he had gone to Biyagama Village Inn where, according to one of them, he is said to have met among others, Ranil Wickremasinghe and Douglas Peiris. The issue is said to have been about Priyadarshana's non-compliance with instructions on dealing with criminal elements close to the ruling party. After Priyadarshana's disappearance his friends in the Police, his father and brother are said to have been effectively warned in intimidating terms by Douglas Peiris and DIG Merrill Gunaratne that Priyadarshana was linked to the JVP and they should not look for him. Although few would be surprised by what has transpired, it is quite likely that the inquiry would be inconclusive and nothing would be pinned on Ranil Wickremasinghe. Moreover in the prevailing political culture, as an aspiring national leader, Ranil Wickremasinghe would be under little pressure to prove his fitness for the highest office in the country by clearing himself beyond reasonable doubt.

The trail however stinks. Merrill Gunaratne has had some interesting associations which point to his having very close links with leading members of the past UNP regime. During July 1994 he was appointed as Coordinator of Operations in connection with the general and presidential elections by President Wijetunge, when Ranil Wickremasinghe was Prime Minister. It is in connection with this that he is appearing before the commission looking into the 1994 general elections along with General Algama who was then appointed Field Forces Commander. The association between Merrill Gunaratne and Ranil Wickremasinghe however surfaced earlier during late 1993. This was during an operation which involved a large scale abduction of Tamils in the course of which some bodies appeared in the Negombo area. A report in the 'Counterpoint' of November 1993 had associated Merrill Gunaratne with this operation. Also used in the operation was a former PLOTE member Uma Prakash, with some of his cadre who were brought down from Tamil Nadu after negotiations. These according to

the 'Counterpoint', involved Ranil Wickremasinghe then Prime Minister, and Defence Secretary General Wanasinghe. Uma Prakash was gunned down on 26th January 1994 near his headquarters in Wanawasala, Kelaniya, in Mr. Wickremasinghe's electorate. A 'Special Correspondent' writing in the Sunday Island of 13th February 1994 also stated that Uma Prakash had been involved in discussions with the 'UNP hierarchy'. The report further stated that the killing of Uma Prakash was done by a team led by Alavangu Dasan of the PLOTE, which was also working for the government forces. These reports, as serious as they are, were never contradicted. It seems hardly possible that the PLOTE could have murdered Uma Prakash without the tacit approval of the government. Such were the times! There may be little that is new in all these, particularly in the links of politics with crime. Many of the activities being probed are linked to the JVP insurgency of the latter 80s. However they also give us an insight into the machinery that was responsible for the July '83 holocaust, which is yet to be probed and also impinges on the ethnic problem. The inertia of the State is evidenced by the fact that even after the change of government, Sri Lanka has one of the largest disappearance rates in the world.

The Kobbekaduwa Commission

Testifying before this commission Lieutenant Vishvakumar described how they had been involved in handing over arms to the LTTE during the middle of 1989. This was when President Premadasa was having talks with the LTTE which was fighting the Indian Peace Keeping Force. The supply arms to the LTTE was well known at that time and was not seriously disapproved of. In the South the LTTE were then spoken of as patriots fighting the 'traditional enemy', India. That it should become an issue later reflects the crisis ridden character of the ruling class and its fragility. It was during 1991 that the matter was raised as an issue in the face of the attempt to impeach President Premadasa. The lieutenant's testimony too reflects the internal divisions, fear and suspicion within the ruling class. The testimony had been videod in the presence of General Kobbekaduwa, Lalith Athulathmudali and Gamini Dissanayake, during late 1991. Thereafter the lieutenant underwent plastic surgery and lived in fear for his life. His testimony also gives a hint of the complexity which surrounded the violence at that time and the often contradictory and multiple linkages of each actor. The lieutenant after having first contacted Athulathmudali in March 1990 and then having told all to Athulathmudali and Kobbekaduwa in late 1990 at Athulathmudali's residence, then went into hiding. At this stage Athulathmudali was aiding him with money and had instructed him to call him twice a week. While in hiding the lieutenant had contacted a police SI and ASP Royce Fernando who was in the personal security service of Minister Joseph Michael Perera. This minister unlike Athulathmudali remained, for whatever reason, on President Premadasa's side during the attempt to impeach him. According to the lieutenant Royce Fernando was linked to a death squad which included "Angilikota Nihal" and Shelton Nonis. He also said that some persons were "arrested" on the information given by him!

Whither human rights?

President Chandrika Kumaranatunge's election pledge to restore respect for human rights and human dignity was one which gave her a resounding majority of votes from the ordinary masses. The commissions had been moving slowly, and her own credibility demanded that action should be taken to demonstrate her commitment. On 11th January 1996 she sent a letter to the Army Commander ordering him to place a number of officers who had been implicated in commission hearings to be placed on compulsory leave. The Commander was ordered to report back in a month. The list according to press reports included a number of brigadiers, two of whom were

involved in the operation to recapture the City of Jaffna, and another implicated in the disappearance of school boys at Embilipitiya, is also now posted in the North. Of the first two brigadiers one is implicated in the killing of 20 youths at Nikkaravetiya army camp during 1989. Prior to the incident the brigadier had called a meeting of civilians and said that ten of them would be sacrificed for every soldier killed. The second brigadier is implicated among others, in the disappearance of 158 civilians taken from the Eastern University refugee camp during September 1990. Ironically he was serving directly under the present Army Commander, then in charge of the East, who at least contributed to the cover up. Not surprisingly nothing happened. The President's order was effectively flouted. On 27th February, the existence of the order was reported in the Island and was promptly denied by the Defence Ministry. Subsequently a facsimile of the letter was published in the Sunday Leader. While human rights groups were silent the mainline press which essentially represented ruling class interests mounted a campaign representing the officers implicated as heroes and patriots, if not for whom the war against the LTTE would be seriously jeopardised. The government too evidently lacked the conviction to argue that the methods of these officers had been in use for more than a dozen of years while the country got deeper into crisis with imminent division. It remained silent instead.

Another event which is symbolic where the Tamils are concerned is to do with the appearance in lakes around Colombo of more than 20 corpses of Tamils about the middle of last year. The government to its credit ordered an investigation and about 20 operatives mostly from the STF, were remanded. The Inspector General of Police described in graphic detail where and how these killings were carried out, on the basis of eye witness testimony and forensic evidence. However during mid-February '96 the detained men made a plea for bail on the grounds that they had been remanded for six months but had not been charged in courts so far. The bail was granted. Thus in effect men who had been accused of a horrendous crime could be released on bail while Tamils against whom there are only unsubstantiated allegations, anonymous petitions or mere suspicion could be detained virtually indefinitely. Although technical reasons could be given, this does not reflect well on the government. Nor are operations in the war zones, especially bombing and shelling, subject to accountability. During these civilians can be killed by the dozens and even the deed officially denied.

Thus on the whole the government's stated commitment to human rights which ought to have given confidence to the aggrieved Tamil minority is yet to bear fruit. The government's commitment too remains questionable. Against this the fear psychosis and chauvinistic sentiment that is being built up through the media in the South, and the LTTE's terror, the intention of which is to provoke more of the former, appear to be turning the tide against the momentum built up for peace.

More disturbingly, partly owing to her failure to determine the trend of events, the President too might give the appearance of being carried away. In a recent television interview with Sidarth Bhatia of the Indian Business Week she appeared to lump all Tamils as being supportive of the LTTE by remaining silent. She further said: "...The Sinhala people are going to get tired very soon of getting attacked, the civilians being killed by the LTTE in their villages, and the bombs going off like they did recently. There may not be any stopping of the Sinhala people being persuaded into all kinds of physical attacks." Given her consistent stand for public decency and human rights, this may be taken as a note of despair. On the part of the Tamil elite, this has provided ammunition for a new round of game playing bravado that does not help the ordinary Tamil people any way. They would use this as a smokescreen to go on evading facing up to what the lagacy of the LTTE's politics means to the Tamil community.

Tamils: Facing bleak times

One need not go very far to discover the dire problems faced by the ordinary Tamils. One only needs to consult some of the recent lead items in the 'Island'. The management is known to maintain a tight grip on the tone of the paper, where articles demanding to know the supposedly mysterious problems of the Tamils receive regular publicity. The management has also been implicated in lucrative arms deals for the government forces.

The lead item in the 'Island' of 19th February contains the following: "The forces launch artillery strikes in Valvettiturai[in the Vadamaratchi sector of the Jaffna peninsula now having a large displaced population] very so often. The forces are careful in attacking targets in Valvettiturai as **misguided shells can hit places occupied by foreigners**[i.e., the ICRC and UNHCR and MSF who are in Point Pedro 6 miles away from Valvettiturai]". In other words the policy is, as not often stated so plainly, '**Don't worry too much about hitting the Tamils but be careful of the Whites.**' In another front page item in the same paper of 28th February, the same correspondent says: "In some areas the police had persuaded people not to keep outsiders. However senior military officials believe troops and police hunting for under cover terrorist operatives in the city would be able to do a better job if lodges are closed". It is an admission of what has been claimed by Tamils, and others concerned, for some time, that the police themselves have been behind a campaign telling people in some areas not to rent out accommodation to Tamils or to entertain Tamils. There are cases where even employers have been pulled up by the police for employing Tamils.

In this situation the Tamils are given an impossible choice between living in the North-East and coming to Colombo. In the North-East they have to face the callous manner in which the government forces are fighting the war on one hand, and the LTTE's repression on the other. The South is again hostile to them.

Some of those worst affected are children who were brought to the South to escape prospective recruitment by the LTTE. The pressure applied on Tamils in the South, the hate campaign and ostracism, even tended to place a severe strain on Tamils from the North and their very close relatives resident in Colombo. Children are often the most frequent victims of such tense relationships. Some early surveys on affected children do not augur well for the future of this country. Children as young as 11 years old who were brought to Colombo and who understand very little about politics have been found to obsessively insist that they go back to Jaffna. When asked to draw their homes in Jaffna and Colombo, the drawings often reflect the Jaffna house as homely and spacious with lush green surroundings, while the house in Colombo is a drab characterless block. It does not take much to see why the Tigers are so successful in this political environment. **(published in Christian worker)**