

# **REPORT 12**

## **A SOVEREIGN WILL**

### **TO**

### **SELF-DESTRUCT**

**-The Continuing Saga Of Dislocation & Disintegration**  
**Issued : 15th November 1993**

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# **PREFACE**

The subject of internal refugees forms the underlying thread of the current report. Some of its wider implications, such as the forced return of Tamil refugees who fled the country to India and further a field, are also addressed. This also brings to a conclusion our documentation which attempts to present the effect of ten years of war on the district of Trincomalee. This is a district in which a high proportion of Tamils remain displaced.

The reports on refugees straddle the districts of Mannar, Vavuniya, Mullaitivu and Trincomalee, and deal with all three communities. Although quantitative balance may be lacking vis-a-vis the communities because of our technical limitations, the result may not be unrepresentative. Though several refugees are bitter, it might happily be said that many of them are reflective and non-partisan to a remarkable degree. It also becomes clear that given a

healthy political direction there are hardly any inherent reasons for conflict between the communities.

The question of a healthy political direction is intimately tied up with other matters dealt with in the report. Some of these are aerial bombing of a section of the citizenry, the Jaffna Lagoon issue, the all important land issue and their impact on sovereignty. On the first two, influential sections of the press and the political establishment are urging the government towards more bellicose positions. These in turn have visited further humiliations on the armed forces, each humiliation further complicating the crisis. The recent one at Puneryn owe's something to conceptually flawed political decisions. One was to meet the **LTTE's** inexcusable reluctance to reach a settlement on the passage of civilians between the Jaffna peninsula and the mainland by punishing the civilians. The continuing practice of fudging the matter of disappearances and a reluctance to check even notorious operatives who have been publicly named by the **HRTF** among others, shows a fatal desire to pursue the mirage of a military solution. Fifteen years of repression, and the bloody victory over the JVP and their accumulated baggage cast a long shadow over the Island's future.

We have pointed out before that a political solution would necessitate taking a fresh look at the land question and in particular at ingrained habits in handling matters such as colonisation. This requires much courage and a will to do battle with chauvinistic forces. Sadly, this government seems to lack the moral and intellectual qualities for such a task. It seems much easier to do nothing and let this nation tear itself apart.

The current report is based on a selection of materials gathered over six months. The bulk of it was completed three months ago. On the one hand the quick succession of events seems to be changing the ground situation rapidly. But then, on land and refugee matters for instance, change is very slow. The materials brought together were selected so as to reflect long term concerns and to provide unity of subject matter. Where possible, ongoing developments are accounted for.

This will be the penultimate report in a series that will bring to an end a phase of our activity extending over 5 1/2 years from our inception. We have been equally critical of the direction of Tamil society which led to human rights violations becoming the symptom of a cancerous growth within its body politic. The last report in this series ([No. 13](#)) will have an extended section on this subject together with developments in the districts of Batticaloa and Amparai. It will be issued shortly.

### **Communalism, Terrorism & The Silent Majority**

Terrorism and the communalization of politics were not in the frontline of Indian politics till recently. We took secularism and peace for granted as the basic thread of Indian political and economic culture. But today that is no longer the case. So the fight now is not only against the valueless, party-based vested interests but also against these power bases of theirs: religion and terrorism. These bases help them to thrive without mass support, because they make accountability to the people an unnecessary concept. In this situation people's movements can easily be crushed. And when the mass mentality gets more and more affected by communalism and terrorism, besides related vices like corruption, and you start accepting that as part and parcel of the country's polity and economy, it becomes very difficult to make a dent and awaken the masses. Those who want to retain a place for mass-based idealism and

political forces have to act as early as possible through proper alliances.

The alliances would be something more than short-term, short-circuit networks. They would not be as flimsy and superficial as some of the political alliances we have witnessed. At the same time, they have to be broader based than they have been up till now. The anti-communal, anti-terrorism, non-violent, non-party political movements can have linkages with parties to the extent that the latter are ready to come over to this kind of people-based politics.

Although the situation appears to be hopeless, there is a silent majority that now desires this much more than before. This is a reaction to the critical situation we witnessing today.

**--Medha Patkar**

[**Medha Patkar** is the leader of a movement against the construction of the Sardar Sarovar Project and other large dams on the Narmada in India. But she is also engaged in efforts to create a new people's force through an alliance of mass organisations].

## **CHAPTER 1**

### **RECENT DEVELOPMENTS- A MISCELLANY**

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#### **1.1 Airforce Bombing in Murunkan and the Real Targets in Jaffna.**

The international public has become too used to being told by defence spokesmen in Sri Lanka that aerial bombing in Jaffna is undertaken with pin point accuracy against carefully verified targets. This claim though in stark contrast to the experience on the ground is now seldom challenged. The foreign press is not always there. The local press takes only a nominal interest in foreign affairs-it has long taken separation for granted. Having destroyed the last vestiges of independent civil society, the **LTTE's** very artful and meticulously detailed documentation, counts as mere propaganda. But the most palpable demonstration of the

government's claims came from the air force itself. An ironic instance of bombing took place about 11th November 1993, when the Jaffna Kachcheri, the main symbol of the government's authority there, was hit by the air force. This was then passed off as an accident.

Jeevodhayam farm run by the Wesleyan Mission lies on the right bank where the Aruvi Aru takes a 140 degrees bend in the Murunkan area. It is managed by an elderly minister who resides with his wife in the mission house. The spread of the farm itself is larger than Nallur Central, the area encompassing several major temples which was the capital of the kings of Jaffna. 3 miles north-east of the farm is a government animal breeding centre, once occupied by the **IPKF** and subsequently used for a time by the **LTTE**. The **LTTE** had never used Jeevodhayam farm. The airforce on the lookout for targets in order to stay in business, evidently got its identification mixed up and commenced bombing Jeevodhayam on 15th June as follows:

**15th June** - Sia Machetti trainers dropped 4 bombs and Pukhara jets another 5. All fell away from the buildings.

**14th July** - Sia Machetti trainer aircraft dropped four just missing the nursery and the hostel.

**26th July** - Pukhara jets dropped four, two falling outside the farm and two just missing the chapel. Bombs fell again at 5 P.M on **29th July** with similar results. The more than 17 bombs dropped made huge holes in the ground and the shock waves caused damage to roofs. Other significant damage was caused by small bombs, thrown from the Sia Machettis.

We learn that after each bombing the JOC was at least verbally told by church spokesman with no apparent result. The church evidently became helpers assisting the judges in a competition. The fact that no building was directly hit was judged as a prodigious feat of bombing by the SLAF. With no prospect of ground fire except the prayers of those below, no condition for pin-point accuracy was wanting. In Jaffna the bombing is aimed at houses, supposedly **LTTE** occupied, amidst closely packed civilian residences and sometimes adjoining schools in full session. We invite the reader to judge the official claims and demand at least one thing. Tell the government not to carry the jest any further. Should they feel an urge to bomb, let them say plainly that their aim is to kill civilians, although they may accidentally hit the **LTTE**, as the latter too has intended.

**Killinochchi** : In 8.4 of [Report No 11](#) we raised the airforce bombing of St. Theresa's school in Killinochchi on 12th February which was then next to an **LTTE** camp. The children then narrowly escaped. This school has subsequently been bombed at least once. The first bombing was raised by foreign correspondents at the weekly cabinet press conference. These conferences were later discontinued.

About July the school was in session when bombers circled overhead. The children gathered around a Roman Catholic nun who was in charge of a class, and squatted on the floor in fear, their heads down. Some held the nun's feet. The nun who was standing saw a shiny object fly past and thought that was the end. The bomb lodged itself in the sand 25 yards from the class. But had failed to explode.

## **1.2 How the Battle for Jaffna Lagoon was Lost**

The '*Island*' of 8th November 1993 carried as its lead story the setting up of a new naval base at Elephant Pass to launch air-sea operations to curb traffic in the Jaffna Lagoon. This follows the failure of the army's recent 'Operation Yarldevi' of 28th to 4th October to halt this traffic. The army commander's claim that the facilities at Kilali are not being used for the traffic had been widely contradicted in the press. With the Poonerayn disaster this proved superfluous.

The role of the new base, the report added, is to " *launch operations against **LTTE** and **civilian** boats crossing the lagoon, they ( highly placed military officials) said*". Quoting these sources it went on, " *In the early hours of last Saturday ( 6th November), the navy, helicopters and planes **swung** into action when security forces radar picked up a boat convoy. Several boats were believed to have been sunk in the attack*".

The language used is evocative of a gallant attack by intrepid forces against an enemy with aircraft carriers, ground-to-air missiles and the like. But in reality the targets are mostly helpless civilians crossing the lagoon in dilapidated fishing boats for the lack of any other option. Moreover, they were subjects of the very government which was obliged to protect them, but was instead attacking them. We shall briefly trace how this impossible situation developed.

### **1.2.1 Jaffna Lagoon: The Massacre of 29th July & the Continuing Tragi-Comedy**

In Special [Report No.5](#) we have given details of another massacre by the navy in the lagoon. In the improving visibility of the morning twilight, the navy would have had no doubt that the intended victims were civilians including women and children. The civilians themselves went to great trouble to identify themselves by audio and visual signs. Not one return shot was fired. The navy came alongside, boarded one of the boats and had attempted to make it sink or set it on fire. Even the Geneva conventions accepted by the state oblige it to treat enemy injured falling into the armed forces' hands as one of their own. Even if a mistake was made, as was not the case, the navy, once it came into contact with the victims, was obliged to carry the injured for expeditious medical care, and treat the care and safety of those injured at least in keeping with duties to prisoners of war. What transpired instead was an attempt to annihilate the survivors. There was no doubt that the navy's intention was to avenge in a perverse and misconceived manner, the army's defeat at Welioya four days earlier.

Greater importance, as we have always said, should be given to what the government has been doing to ensure that such incidents do not occur. The official spokesman has ingenuously kept repeating that the lagoon is a prohibited zone and who travels therein is liable to being shot. We have argued before ([Report No 10:0](#)), that the role of curfews, prohibited zones, and intervals of martial law to meet particular exigencies are never intended to license the forces to transform themselves into ravening wolves, treating the civilians immeasurably lower than prisoners of war. The accountability of the forces is ultimately to the people. The measures above are only meant to meet a perceived threat to those vested with enforcing the law, in a manner circumscribed by political judgement. Are the political authorities or the forces conscious of this?

For much of the time since the naval massacre of 2nd January, the forces seem to have tried to balance the need for civilians to use the lagoon for the lack of an alternative, with a desire to ensure that civilians are not used as cover for the **LTTE**'s movements in the lagoon.

Goods and people explicitly destined for Jaffna had been cleared at military check points in Vavuniya and allowed to pass, knowing that the prohibited lagoon was the only available route. In the weeks after the 2nd January massacre, the **LTTE** promised protected convoys on days kept secret until the 11th hour. This too in time become more formal than active. Jaffna bound passengers came to be told by helpful soldiers at Vavuniya, "*Go without wasting time, there will be a boat service tonight*"

What happened most of the time was that civilians waiting to cross would hear noises of heavy firing from about 7.00 to 10.00 P.M, followed by silence. The boats would then depart between 10.00 P.M and mid-night, completing the journey by 5.00 A.M. Civilian casualties however did continue to occur in varying circumstances. That the recurrence of what was always dormant took an extreme form on 29th July is partly a consequence of leaving the forces at a loose end with the national leadership lacking in either political or military objectives.

### **1.2.2 The LTTE and the Jaffna Lagoon**

That the **LTTE** makes money by making the civilians use the Jaffna lagoon is well known - a hundred rupees or more on each passenger plus a tax of Rs 50/- or more for each piece carried. Nor can it sustain civilian life and its interests in Jaffna if people cannot travel south. Apart from this the **LTTE's** assurances of security and concern for the civilians has a great deal of theatre and shamefully little substance. Even when Sea Tiger patrolling was given a temporary high profile after the January massacre, people strongly suspected that their safety would be enhanced by being left alone. The boatmen are themselves the Tamil counterparts of Sinhalese civilians being settled by the forces in dangerous areas. They too are people forced by circumstances to live dangerously for their subsistence. Reports have consistently spoken of boatmen jumping into the sea at the slightest alarm, leaving the passengers adrift, and re-emerging when the coast was clear. In an unusual instance the boatman jumped in upon hearing a gunshot. Two passengers who could swim jumped in after him. Having the misfortune of not being bald, the boatman was dragged by his hair back into the boat and forced to steer the boat. When the **LTTE** presents disarmingly accurate press reports of naval atrocities, there is usually a passing comment such as 'the boatmen could not be found' or are 'yet missing'. Their conduct was hardly held worthy of blame. There is little doubt that prompt desertion at the mere sign of danger is a condition agreed to under which they function. The boats are increasingly unseaworthy and the engines fewer and more unreliable. For all the money made there seems to be little, if any, regulation, safety measures or instruction in drills to ensure passenger security. The boats attacked by the navy on the 29th July set off after 2.30 A.M with faulty engines, long after mid-night, when the last boats were supposed to leave. The reservations of passengers were not heeded by the boatmen, on account of perhaps Dutch courage, extracted from local materials, necessary in such professions. All the details are reported in the **LTTE** controlled press with a classic cowboy serial ending. After the naval predators had long departed leaving dead and injured in a boat kept afloat by a survivor baling out water, another boat approaches them. The anxious man looking to his end, hears the reassuring words of the Sea Tigers, "*Fear not, we have come!*"

The terror in which passengers are forced to travel is revealed by another incident in early August. One boat as was customary was being towed by another in heavy wind and rough sea when the tow rope snapped. The rudderless boat buffeted in the water, with perhaps the fourteen passengers crowding onto one side in fear, capsized, drowning many. These

tragedies were mostly avoidable with responsible regulation. There were clearly no ethics in the game

Why are the people treated so cynically as a depoliticised, atomised mass? Was it necessary?

The **UNHCR** had been involved in a long series of negotiations to reopen the Sangupiddy ferry service and ensure passenger safety. The army in Sangupiddy had reportedly agreed to conditions on screening passengers under **UNHCR** supervision which could not be objected to. A **UNHCR** spokesman told a group of NGOs in June that over months of negotiations a 27 page document had been drawn up which was incapable of further improvement. He said that he was going to find out for the last time whether there was the political will to implement it. Significantly, the 'political will' was being sought in Jaffna rather than in Colombo. After it became clear that the **LTTE** had turned down the **UNHCR** proposals, the '**Island**' gave the document front page publicity during the second week of September. It claimed, with obviously mischievous intention, that the government had signed the document. The government in a move which showed lack of direction and political clarity was quick to distance itself from the document. Instead of challenging the **LTTE** on its indefensible position as regards civilians, between the government and the '**Island**', the **LTTE** was given a reprieve if not a present.

We reliably understand that the **LTTE** spokesman **Anton Balasingam** has made it more or less explicitly known that they needed civilian cover to operate in the lagoon. The lagoon affair too, no doubt, gave the Sea Tigers valuable training to sharpen their skills.

### 1.2.3 The Battle of 25th August 1993

On this night a trap had been laid for naval patrol boats from Nagathvanturai that were meant to act against movement in the Jaffna Lagoon. In a series of manoeuvres during a confrontation, Sea Tigers isolated naval patrol boat P 115. Black Sea Tigers **Mathan** and **Varathan** were waiting on the fringes of the confrontation in explosive packed boats '**Pulendran**' and '**Kumarappa**'. **Mathan** summoned by radio crashed his boat into P115. P123 which came to the aid of P115 was similarly attacked and sunk by **Varathan**.

This incident had several implications which were unsettling to the government. It also perhaps influenced 'Operation Yarl Devi' a month later - an operation whose results unleashed a spate of controversy.

We recapitulate the sequence to draw the implications. Despite the fact that the government from about the end of 1991 declared the lagoon a prohibited zone, the **LTTE** needed to break the prohibition. It needed the lagoon to transport men and materials. To this end it was prepared to use civilians as pawns or as a shield. Given that the civilians had no choice, a government respecting its obligations towards them had some choices. The Government was apparently not in a position to extend its territorial control so as to check the traffic. The other was for it to order the navy to be very circumspect in dealing with civilian boats and expose politically the **LTTE**'s cynicism. As the **UNHCR** affair above shows, the government lacked political courage to pursue this course.

It was in this context that naval massacres of civilians took place. On occasions such as 2nd January 1993 ([Report No 10](#)), the navy boarded civilian craft, mutilated and looted. The

**LTTE** promised Sea Tiger protection to the civilians. This public relations exercise though backed by some action was far from convincing. The bottom line of what happened was that civilians continued to be used as bait to draw out the navy, around which Sea Tigers acquired considerable experience in manoeuvres. During a confrontation on 24th June Sea Tiger Admiral **Charles** was killed.

What the incident above of 25th August did, by sharply curtailing naval movements, was to provide considerable substance to what was earlier the fiction of Sea Tiger protection of civilian travellers. The introduction of airpower against civilian movement in the lagoon is an admission that a political blunder had been compounded by a military set - back. The new government moves in the press report above which defy sanity had the markings of a battle for individual egos.

### **1.3 LTTE Politics and the Tamil Nation : One Party, Seven Nations**

By July 1983 the idea of a single Tamil nation that received political life in 1956 had become firmly rooted in the minds of the people. But a politics which replaced dialogue with terror has made the idea increasingly tenuous.

An ordinary, typical, but very suggestive incident took place in the Colombo Fort - Trincomalee train. A veteran Tamil leader of Eastern origin was in conversation with a 50 year old professional from Jaffna. On the subject of the Jaffna lagoon crossing, the Jaffna professional told then leader, "*The **LTTE** would not go along with reopening the Sangupiddy ferry service. They would never allow Tamils to be checked by Sri Lankan forces on the soil of Tamil Eelam*". The leader responded indignantly, "*You are now going to Trincomalee. You will be checked by the police as you alight and thereafter at every sentry point. It will be the same if you go into Batticaloa, Vavuniya, Mannar or Kalmunai. What do you mean the **LTTE** will not allow Tamils to be checked on the soil of Tamil Eelam? Have you already given up on us?*" The professional, who was among the privileged travelling to Jaffna by ship rather than through the lagoon, observed a prudent silence.

By destroying collective initiative, using every weakness to its advantage without reference to principle and thereby forcing people to think in terms of individual survival, a fracturing of the Tamil identity is in progress. Although there is no open political activity, in every district passive alignments are taking place based on local exigencies.

In Trincomalee there is a desperate search for a Tamil leadership that would address the land question. In Batticaloa, an end to Tamil militants hunting each other - something the Jaffna leadership of the **LTTE** is in no mood to address. Where enlightened military officers have convinced local Tamil civilians that troops would act in a disciplined manner, the **LTTE** has found itself in deep trouble.

In Jaffna there has always been, and still is, a class among the intelligentsia who would refuse to understand the changing ground situation around them and the dangerous isolation of Jaffna. But the people, whose perception is not to be underestimated, know that both sides are using them. The shared sense of disillusionment among Tamils is reflected in the word '**pahadakkai**' (**Pawns**) to describe their condition.

### **1.4. Mannar District**

### 1.4.1 Recent Developments

The case of Mannar is one where poor judgement, lack of consideration for civilians and the absence of overall political direction, can bring despair where there was hope. The political stakes in Mannar were high because it was a staging post for refugees being returned from India. The coming of Brigadier Karunatileke in January was followed by an **LTTE** ambush and an incident at Pesalai **UNHCR** refugee camp which boded ill [Chapter 8 of [Report No 11](#)]. The brigadier who came with a bad record on violations gave the **LTTE** a political trump card by stopping the boat service to Vidathal Thivu. This 12 mile boat journey was the only route operating between Mannar Island and the **LTTE** areas on the mainland. The brigadier simply declared that the main road across the causeway into the interior was open, while the **LTTE** maintained that it was mined at the frontier. The result was that those going to Madhu had to take the sea route to Kalpitya and then through Puttalam, Anuradhapura and Vavuniya. The **LTTE** let it be known that it would stage ambushes on the island until the boat service was resumed. On 13th April a few **LTTE** men infiltrated the town in the evening, fired at the police sentry and ran away. In keeping with the brigadier's tough image, the army shelled the town from the main Tallady camp. A Muslim child was injured. A Tamil boy whose vein was cut by shrapnel bled to death because he could not be taken to hospital under those conditions.

Another ambush on the 4th July where 5 policemen were killed was followed by passenger buses being stopped and the girls, especially, beaten and the disappearance of three young men. A lack of communication between the police and the army resulted from the police resenting bunker duties and patrolling which they regarded as the army's job. The brigadier's style did not evidently contribute to the effectiveness of the forces.

Prior to the incident of 4th July a police sub-inspector returning after taking an injured colleague to Thallady was attacked on the causeway killing the SI and several constables in the vehicle. A member of the hospital staff in the ambulance ahead sustained injuries. The brigadier expressed surprise and indignation upon finding that no sentry point on the entire causeway connecting Mannar Town with Thallady main camp was manned during the nights, whereas he had thought that these were manned by the police - an odd position for someone in charge of security for the whole district. During a subsequent confrontation at the railway bridge in late July, 3 soldiers and 3 **LTTE** men were killed.

Throughout this period a confrontation had been brewing between the brigadier and the Roman Catholic Church - though other officers with a bad record on violations like **Major Dias**, the former town commandant, were smart enough to maintain outwardly cordial relations with the local elite. Matters came to a head in July when the brigadier disallowed a resumption of the Vidathal Thivu boat service for the festival of '**Our Lady of Madhu**'. The following month the brigadier was replaced. The new brigadier, **Patrick Fernando**, allowed the boat service to function for the August festival. The **LTTE**'s displeasure with **Brigadier Karunatileke** did not stem from any concern for the people. One area where the brigadier was effective was in largely stemming smuggling operations to the north where sections of the forces, traders and Tamil militant groups are widely spoken of as having had a stake.

The Weli Oya debacle of late July was followed by a precipitate withdrawal of the army from areas which it had held for more than seven months to new lines encompassing Thallady and Vankalai near the coast. Several refugee families who had resumed life in army occupied areas found themselves stranded. They had begun cultivation and had sold their milk and vegetables on the island where there was a big demand. Among those arrested by the **LTTE**

following the army withdrawal were six civilians in Suriyakaddaikkadu. To many refugees the army has been discredited as a body to be depended on. They see the army as having pulled back without sparing one thought for them.

It is a clear demonstration of how an ill-conceived and untenable ideological project like Weli Oya can demoralise and confuse objectives. The new brigadier arrived at a time most ill-suited for his initiation. For a man in overall charge of security, administration and rehabilitation, people found him lacking in self-assurance and almost saying that he did not know what was going to happen. He was clearly the victim of either a policy vacuum or of policies which changed every few months.

#### **1.4.2 Mannar: The Disappearances of 4th July 1993.**

At 10.00 A.M on this day a police party was ambushed at Tharakkulam 5 miles out of Mannar town on the Talai-Mannar road. Five policemen including an SI were killed. Apparently unaware of this incident, about mid-day, people were returning by bus to Pesalai. At the BMC (Building Materials Corporation) police check point on the edge of town, the police detained several people including school children. The three adults taken in were:

**Illyathamby Chitralingam (32) of Trincomalee, Wife: Rajasuloshana(29), Children: four, ages 11 to 4 years, two in Trincomalee.**

**Arumugam Arasaratnam (31) of Kumburupiddy, Trincomalee District, Wife: Pushparani (28), Children: boy(8) and a girl-born and died after father's disappearance.**

**Arulanatham Amirthanayagam (28) of Kuddiyiruppu, Mannar District, unmarried living with two sisters, rest of the family in India.**

The first two were living in the **UNHCR** ORC (Open Relief Centre) at Pesalai. They were both picked up on 16th November 1990 in an army round up and were released on 8th August 1992, after being held at Thallady and Kalutura. The third who was in the government run Welfare Centre Refugee Camp, also in Pesalai, was released from detention in May 1993. We have dealt with similar cases in **chapter 2 of [Report No 10](#)**. It is also clear from their circumstances that they were not actively involved in any militant activity.

They all had to report monthly to the police in Mannar - the purpose for which they had come to Mannar town that day.

Following the abduction of civilians by the police on 4-7-1993 above, the **ICRC** came on the scene and the children were released. As transport came to a standstill people went back to town to stay over with friends or relatives. But no curfew as was declared.

What is puzzling is how the three men taken in by the police got missed out. According to local sources, the people there saw the police getting the three out of view upon seeing the **ICRC** coming. The local **ICRC** man in charge was described as dedicated and aware of the local situation. Moreover, the third person was accompanied by one of his sisters. Normally she would have done all she could to have the matter acted upon, either directly or with help. Did the **ICRC** speak to the people? Or did they speak and the people too scared to give information?

The expatriate **UNHCR** officer in Pesalai too was stuck in Mannar town until the following day. According to our information it was the following morning that the **ICRC** and **UNHCR** raised the matter with the brigadier's office in Thallady army camp. The arrests were simply denied and the detainees are now among the disappeared. If some relative wishes to file a habeas corpus application, it cannot be done in Mannar. It will have to be done in Colombo and the applicant would of necessity have to keep out of Mannar. This is likely to be impossible given the expenses and local family commitments. That is the state of the people.

Something has gone inexplicably wrong and we do not have answers to the questions raised. One may put down a few points which may offer some understanding.

1. There was a general expectation that disappearances had largely ceased. For instance the **ICRC** in Batticaloa was then said to be pursuing only arrests of more than 24 hours duration.

2. A general ignorance about the role of, and services provided by the **ICRC**. This is disputed.

3. The public mind being generally dominated by a mixture of fear and apathy. Mannar has been lacking in leadership and an active citizens' committee tradition such as is found in Batticaloa. People talk very cynically about the local social hierarchy and accuse the administration of rampant corruption, but are afraid of knowing too much.

It has also been said that the OIC of the BMC police post, having gone to the scene of the earlier ambush, was not present when the arrests took place and that the lower ranks were then doing their own thing. Still many questions about the role of the forces remain unanswered. Did the detainees also suffer their fate when the OIC was not present? Even after it was perhaps too late to save lives there was no talk of an inquiry or disciplinary action -only the proverbial denial.

All this goes to show that the existing machinery, both state(eg the **HRTF**) and NGO, to combat disappearances, leave alone torture and abuse, is nowhere near acceptable. Accountability, in final analysis, is no better than what it was at the worst of times.

## **1.5 Recruitment for the Sri Lankan Army**

The '**Sunday Island**' of 22nd August announced that there had been a lowering of requirements for recruitment. Age down from 18 to 17. Height from 5ft 4in to 5ft. Educational qualifications from grade 8 to grade 5. Of the 21 centres designated for walk-in interviews, the first were to be held in Trincomalee, Vavuniya and Amparai on 23rd August. Interestingly, these three centres would take in recruits from the controversial colony areas of the North-East, rife with social and poverty related problems.

The exercise also has a sinister ring. The new requirements remind us of how the country is teeming with stunted and undernourished children who are also school drop-outs. Perhaps under pressure from the international community, the army later modified its position about the age of recruitment.

Given the instinctive hawkishness of the new president, the visible component of the defence budget may soon reach 25% of the national budget or 50% of national income - thus sowing the seeds for more conflict and more deprived children for the army. According to a peasant leader from Uva, the remains of about a hundred soldiers who died during the recent battle at Pooneryn are being brought to the region for internment. The final death toll among the forces at Pooneryn is said to exceed 600. The peasant leader said, *"In recent times the army recruited a large number of youths from around Uva, including Hambantota, Moneragala, Buttala, Bibile, Badulla, Bandarawela and Haputale. An important reason for this is the dropping of the educational requirement to standard 5, considering the fact that these are neglected areas with a high dropout rate in schools. Even earlier the army was not paying much attention to certificates. A letter from the local MP was enough.*

*"Even in places where there was agricultural work paid at Rs 100/= per day, a son going into the army and sending home Rs 4000/= a month appeared an attractive proposition. That seemed a quick way to recognition and social upliftment. I also know people with strong Buddhist sensibilities who have told their sons, 'Son, stay at home. You may earn less, but we can see you in the morning and in the evening and feel comforted. If you go into the army we may never see you again. Moreover son, we do not want money you would earn for killing others.'*

*"Another factor governing recruitment is the one sided presentation of the army by the state media and the mainline press. Although the alternative press has made a powerful impact among the educated in Colombo, almost nothing of it is seen in my area. So when our boys go into the army and see the other side at first hand, they become quickly disillusioned. That is why desertion of soldiers from these areas is also high."*

The number of raw recruits killed or missing at Pooneryn is said to be nearly 300. The tragedy in these areas raises questions about whether any political party in parliament really represents their down to earth interests. The current public discourse about military disasters seems to have taken some lessons from the LTTE's book. **For both the government and the opposition raising questions about political and military competence in relation to the war, such as may rock the boat, has become taboo. Young men whose lives are being thrown away as a result are commemorated as heroes and even martyrs. Thus any deeper examination of the tragedy is obviated.**

But the common people faced with a mounting toll of dead and maimed have their doubts and the response to recent recruiting exercises has been poor. Nevertheless, to carry on blundering the army badly needs cannon fodder. Given the compliant mood of the opposition, observers believe that conscription may not be far away, provided it is designed to provide loopholes for the children of those who matter.

## **1.6 Incident at Nochimoddai Sentry Point, Vavuniya : 31-9-93:**

In the morning as soon as travel was permitted a group of persons coming into Vavuniya from the North were seen approaching the Sri Lankan sentry point at Nochimoddai which was manned by the PLOTE. Instead of coming in the usual manner the persons came in file as though being prompted by someone. On reaching the sentry point these persons were queuing up. A PLOTE sentry reportedly observed a weapon sticking out of the bag of one of the travellers. He

immediately shouted a warning and an order to fire was given. During the sequel about 6 civilians and another 5 who were presumed to be **LTTE** men were killed. 12 injured civilians received treatment at Anuradhapura hospital. Also killed were 3 members of the **PLOTE** and one soldier. It is believed a person who was near the head of the queue was carrying a bomb in a bag which exploded on being hit by a bullet when the **PLOTE** opened fire. The 3 **PLOTE** men and a soldier died in the explosion. The plan it seems was for the bomb to be thrown inside the bunker, following which the other **LTTE** persons were to remove their gun from their bag and open fire. Travellers who came that way the following day, found between the **LTTE** and the army check points blood clots and an abandoned ladies slipper. There were also some school books in a plastic carrier bag. Evidently the civilians had not initially known that they had been infiltrated by persons planning to carry out an attack.

### **1.7 The LTTE's Volunteer Force - The Mahaveli Regiment**

The **LTTE**'s journal 'The Liberation Tigers' of August 1993 carried a feature about its Volunteer Force. It was formed at the beginning of 1990, it said, reached the second stage of its development in mid - 1991 when the volunteers were trained to use .303 rifles, and is now said to have reached the third stage.

The context and idea behind its origins came out of the eviction of Tamils from the Manal Aru ( Weli Oya) region and the institution of Sinhalese settlement under Mahaveli System L. The report went on : " *Town and village folk in Mullaitivu (District) were evicted in the course of military operations. For 3 years (since the beginning of war) the government gave no consideration to their plight. On the contrary, in the Manal Aru region, the peoples' houses, schools, community and medical centres have been destroyed by bombing. The volunteer Force was begun to save people from the government's atrocities and enable them to live with freedom*". The Ministry of Lands and Mahaveli Development has thus much to do with the birth of the force.

The journal made the extra-ordinary claim, " *All the villagers in the Manal Aru region have joined the Volunteer Force.*"

Counting able bodied men affected by System L, the claim, if true, would place the strength of the Volunteer Force in the Mullaitivu area at well over 5, 000. [See our [Special Report No. 5 - " From Manal Aru to Weli Oya"](#)].

The claim, which sounds like hyperbole, may be technically true. A common response from educated, semi- urbanised and westernised Jaffna youth to political disillusionment and endless conflict is to flee abroad. But in areas like Mannar, Vavuniya and Mullaitivu of the rural North, decisions tend to have a collective and community based character. If the **LTTE** had pointed to the unconscionable nature of the Weli Oya colonisation and had demanded that everyone should sign up for the force and undergo training, the demand would have had considerable legitimacy. Despite reservations, a more - or- less collective decision to join up sounds plausible.

On the other hand when the **LTTE** puts the same demands to people in the Vavuniya and Mannar areas, the response has been seen to be lukewarm or tending towards hostility. ( See **3.2.2 & 3.2.4**).

## **CHAPTER 2**

## HUMAN RIGHTS AND SOVEREIGNTY

### [2.1 The State of Sovereignty](#)

### [2.2 Running with the Hare and Hunting with the Hounds.](#)

### [2.3. The Absence of Structures and the Political Consequences of Enforced Refuge in the Jungle](#)

### [2.4 Some Issues of Press Coverage](#)

## 2.1 The State of Sovereignty

The Sri Lankan army's momentous set back at Pooneryn on 11th November is likely to be analysed and commented upon for several weeks. Early estimates of casualties placed the dead at about 400 on each side. A revealing aspect of the incident will be largely glossed over. The Sunday Times Defence Correspondent quoting 'Senior officials' gave it passing mention in his report of 14th November 1993: "**Among those who were caught up in the attack at Pooneryn were a large group of soldiers who were in training. Instead of being sent to camps which were specifically designed for training purposes, the new recruits had been sent to Pooneryn to prevent any possible dissertations. Escape from there would have been only into enemy hands.**" Captain Priyal De Soysa, a survivor, told the 'Island' (19th November) that **most of those killed were new recruits.** They had arrived in Pooneryn shortly before the eve of the attack.

With desertion having become endemic, talk of such extreme measures with new recruits had been in the grape vine for sometime. We put them down to after-liquor droppings. Other suggestions were even wilder. But now the incredible has taken place. Such cruel and irresponsible decisions, which in a crisis would adversely affect experienced soldiers, are no doubt being ultimately justified in the name of national sovereignty. In the name of saving the Sinhalese nation, the weaker sections of Sinhalese society are being ripped apart. [See **Special Report No.5 and 1.5 & 3.3 of this report**]. These inflictions on the Sinhalese themselves result from a refusal by the leadership to face upto the pertinent questions concerning its responsibilities, particularly to admit its errors and look carefully at the political options. On the one hand are young men and women on both sides who are giving their lives willingly and unwillingly for ill-defined causes. On the other is the rank opportunism of leaders whose decisions on key issues are based on utterly contemptible considerations. [See the 'Counterpoint' of September 1993 on the Impeachment Crisis].

Six months ago when two key political leaders **Lalith Athulathmudali** and **President Premadasa** were assassinated, such was the moral turpitude with which people credited their leaders that no possibility was ruled out in after-dinner discussions. If the leaders said one thing, the opposite was deemed more probable. In scouring the state media for information, people were being trained in the application of logical negation. Upon the assassination of **Lalith Athulathmudali**, so many questions about the conduct of the police were raised that **President Premadasa** felt impelled to call in Scotland Yard to restore a measure of calm. Following the murder of **President Premadasa**, for which an **LTTE** bomber is suspected, the press which once, if not lately, poured adulation upon him, became relatively unrestrained about his misuse of power. There was the glimmer of a hint, that the so called separatist and terrorist **LTTE** had helped to usher in some overdue reforms, which both **President**

**Premadasa's** party, the UNP, and the opposition had been incapable of securing. That the abuses of the **Premadasa government** were none other than a continuation of the pernicious legacy of his predecessor **J.R.Jayawardene**, now widely acclaimed a statesman, was being too easily forgotten.

Among the most graphic parodies of sovereignty are the tens of thousands of houses of Tamils and Muslims in the Trincomalee District wantonly destroyed with explosives or bull-dozed by the Sri Lankan army, in support of a political ideology. Now foreign donors are being asked to contribute towards rehabilitation of the victims and the rebuilding of their houses. **A sovereign nation is like an adult. What does one make of a person who burns his roof and sits in the rain asking his neighbours to repair it?**

Neither the Commonwealth Commission of Inquiry into **General Kobbekaduwa's** death nor the New Scotland Yard Inquiry into **Lalith Athulathmudali's** death helped to deflect suspicions the people had about the government. It was rather the inquirers who came in for suspicion. A group of eminent lawyers in this country published an inquiry into the Scotland Yard report questioning many of its presumptions about the local scene, selectivity regarding available evidence and its forensic conclusions (**Sunday Island** 22nd Aug. 1993).

Nor were matters helped by the government's outrageous action of buying, as it were, the silence of **Udugampola**, former DIG, Police, who had previously made allegations about officially inspired killings.

Against this background of the country being on the threshold of disintegration some urgent statesmanship was called for. **President Premadasa's** successor chose instead to queer the pitch further with a declaration that there was no ethnic problem, but only a terrorist problem. Sentiments with a similar belligerent drift were echoed by **Mrs. Bandaranaike**, leader of the opposition. To the minorities, no doubt, this would once more drive home the message that the leaders of the Sinhalese polity, despite much that has happened, have refused to grow up since the 50s. While the reality has changed, these leaders thrive on the chauvinistic sentiment that emerged in the wake of the Sinhala Only Act of 1956 and the UNP's infamous Kandy March to scuttle the **Banda - Chelva Pact**. These leaders are not thinking of the effect of such belligerence on war - weary Tamil youth, who already feel up against a wall. Nor do they think how it would lend further legitimacy to a force, that could give new meaning to helpless and marginalised Tamil youth, by motivating them to turn themselves into human bombs, while fully exploiting the corruption and incoherence within the Sinhalese polity. Nor are these leaders thinking of the Sinhalese counterparts of these Tamil youth serving on the frontlines, for whom life is bound to become increasingly frustrating and hazardous because of their utterances. [\[Top\]](#)

## **2.2 Running with the Hare and Hunting with the Hounds.**

We are nevertheless assured by political analysts that the government and the opposition are committed to a federal solution to the ethnic crisis and may even be talking to the **LTTE**. The belligerence they say is a cosmetic exercise, the sugar coating, as it were, on the pill to be swallowed by the Sinhalese masses. This is believable. An insolvent government, critically dependent on foreign donors cannot ward off repeated, well placed international pressure calling for a federal solution, without some cosmetic compliance. We have repeatedly held that such exercises in fooling the Sinhalese people and the Tamil people at the same time have never worked from the 50s and never will in the future. All the signs are that the

Sinhalese people having themselves experienced the tragic consequences of state ideology, are far more mature and receptive than their intelligentsia. They also have a shrewd understanding about the real position of this country.

But even after all this tragedy when the government and opposition refuse to take responsibility and confront the Sinhalese-supremacist ideology that is at the root of the problem, but rather feed it, the mischief continues. As long as the Sinhalese polity continues to be so destructively predictable, the **LTTE** whether militarily beaten or not, will not be the last word on minority insurrection.

No less disturbing are groups like the Jathika Chintanaya with a pan-Sinhalese appeal. These thrive on the destructive nationalism legitimised by the government, while exploiting the necessarily widening gap between its rhetoric and the prevailing reality. These groups with intellectual pretensions identify the terror of the state only as relating to Sinhalese youth. When it comes to helpless Tamil civilians confronted with the wrath of the same state, they would wantonly turn a blind eye. Indeed, in relation to the Tamils they willingly consume entire lies propagated by the same state they claim to be at odds with. They even go further and often feel angry that the state is too soft in handling the insubordinate Tamils.

At the same time they attack the state using the deep sense of economic frustration and cultural dislocation experienced by the ordinary Sinhalese masses. These come from the government's policies which have led to Western dominance over the economy. Groups like Jathika Chintanaya therefore accuse the government of being an agent of Western Imperialism- notwithstanding the fact that the war which they advocate, and now costing in effect more than 25% of the budget, is the single largest factor shackling the country. While accusing the British of having divided and ruled in pursuit of imperial aims, their pedantry thrives on perpetuating the same divisions that shake the country to foreign interests. The anti-imperialist utterances of these Jathika Chintanaya - type intellectuals, amount to therefore mere trivial rhetoric, and rhetoric alone.

The question is not whether our country has a terrorist problem or an ethnic problem. The whole problem cannot be looked at in this simplified manner. We, in our reports, have continually brought out the terrorist nature of both the state and the **LTTE**. There is indeed a terrorist problem. But it does not exist for its own sake. Unless we can dynamically grasp all the aspects which lead to the present crisis and of the forces which are determining the evolution of this crisis in a particular manner, we too will remain impotent. We will continue to sacrifice the flower of our youth from both the Sinhalese and Tamil communities for many more generations. We do not simplify the issue and say that the **LTTE** is a mere outcome of state oppression alone and if we remove the latter, it will go away. As the state has its own fully fledged ideology and a history which it is unable to break with, the Tamil militant struggle, although it emerges as a response to state oppression, has its own ideology and history. **The evolution of the Tamil struggle in this particular context had taken a direction in which terror become a major component of its articulation.** The **LTTE** which now dominates the Tamil political scene derives its legitimacy in part by exposing the bankruptcy of the Sri Lankan state and its associated Southern polity. In the process of its evolution it gained momentum by establishing its links with overt and covert international agencies. Internally it has created an environment which enables it to keep the people as

hostages to its ideology and control. Not to understand this reality and ignore the whole problem of the ordinary people and their fears is foolishness in the extreme.[\[Top\]](#)

### **2.3. The Absence of Structures and the Political Consequences of Enforced Refuge in the Jungle**

We have drawn attention to the need for convincing protective structures since the issue of **Report No. 4** in August 1990. Although deaths are fewer now, the reality now as transpires in this and the previous report, is that people have no appeal against actions of the armed forces, the civil authorities and even against the well known routine corruption the refugees have to bear with.

The political implications of this state of affairs are extremely grave. In village after village in the East we have talked to literally hundreds of persons, most of them one time refugees. If there was jungle close to their village, thither they fled as the Sri Lankan forces advanced, as is still done in the Batticaloa District. There they remained for weeks and months with wild beasts, snakes, illness and hunger as their companions. Looking back over their experience they feel right to have done so. Not only did the Sri Lankan forces kill upon entry, people were even taken from refugee camps, many of whom then disappeared.

This resulted from the government fraternising with the **LTTE** and then being embroiled in a war where both sides had ensured that there was no independent structure to look after the interests of the people. Nor was the government seriously interested in one as many local citizens' groups would testify. Where a structure was established through independent initiative, such as the Eastern University refugee camp, people flocked to it. [**Chapter 4, Report No 7**]. The **LTTE** lost little time in expressing its displeasure. Between the Sri Lankan army and the **LTTE**, they destroyed this promising structure. Life for it became impossible after the detention by the army and disappearance of more than 150 refugees in September 1990. Thousands of refugees, given no other choice by the **LTTE**, fled the Eastern University into the jungles, where the forces bombed them but could not touch them otherwise.

Every time they fled into the jungle from the mid - 80s, one message stayed with them. That is, their lives were spared because the armed militants prevented, or rather made it too costly, for the Sri Lankan army to come into the jungles. Everything else the army did only strengthened this impression. Any reader could work out the political consequences of this.[\[Top\]](#)

### **2.4 Some Issues of Press Coverage**

The mainline press must assume a significant share of the responsibility for blocking a rational appraisal of the ethnic crisis as well as for the State's military debacles. Having backed to the hilt **President Wijetunge's** position that the war is about what is exclusively a terrorist problem, the editorials of some of these papers have sounded a note of impatience about the lack of military progress. The consequences of acts of terror by the government are not even acknowledged. Some editorials, which list out only the crimes of the other side in support of a mooted course of action, are as though pulled out of the **LTTE** press with the villains and heroes transposed. Such have compounded official bombast.

Even conceptual problems intimately impinging on the welfare of Sinhalese society are not addressed. By pushing the army towards untenable goals, raw recruits have been sent to frontline positions. The press and elite sentiment have thus conspired to send these youths from essentially disillusioned sections of Sinhalese society into a death trap, without assuming any responsibility on their part.

During many army massacres of Tamils during the course of the war, people were indiscriminately killed just because they were Tamils. In village after village those killed included women and children, like what the **LTTE** did in several Muslim and Sinhalese villages. An essential part of combatting the **LTTE** is to counter the Tamil peoples' experience that they were often targetted collectively as an ethnic group. To describe the task purely as fighting terrorism is thus a dangerous misconception perpetuated by the press.

An attempt to deny the **LTTE** movement across the Jaffna Lagoon through a policy of effectively shooting at civilian traffic, was seen as conceptually flawed by concerned Southerners. [See the **Civil Rights Movement's** statement on the subject]. But the press either actively or by default supported the government's position which ultimately brought about the Pooneryn disaster. Some lucid thinking on the subject came from former Air Force chief, Air Vice Marshal **Harry Gunathileka** in an interview with the '**Counterpoint**' (October 1993): *"The UNHCR saw the claims of the Tamil people as a legitimate claim to move up and down... I think that this is wrong to prevent movement of civilian traffic, human bodies, from the mainland to the Jaffna peninsula and vice versa. Of course you can have searches and that kind of thing. But to totally stop it is wrong, that is why the battle for Kilali... why the hell did you go on an operation to Kilali in the first place if you can't hold it or if you are going to withdraw?"* Such opinions are usually to be found only in the alternative media.

Correspondents who write on defence-related matters often get into a relationship of mutual dependence with sections of the forces that leak information to them. Maintaining objectivity then becomes a difficult task. When countervailing opinion is kept out as a matter of policy, it is very easy for such correspondents to slip and become apologists for the methods of a section of the state.

Writing in the second part of a series on the '**Black Tigers**' in the '**Sunday Island**' of 14th November 1993, '**Ravana**' says: *"Many weakly motivated **LTTE** cadre who had been dispatched on suicide missions have been arrested and executed by law enforcement officers even without the knowledge of their superiors. This has been to prevent those arrested from being sent to an ordinary prison where a person can communicate to others and also expect freedom either by escaping or through a loophole in the law. This strategy has been adopted by young officers because the Sri Lankan legal system is still archaic and does not support the type of war the State is fighting. This is a serious matter for debate and study...."*

The writer makes his context clear later in the piece: *"The intelligence operative who was to be killed (by an apprehended Black Tiger) had distinguished himself for training and leading small teams in the East where the **LTTE** was strong. The success of this intelligence officer operating under the name of Moonas in apprehending or killing several key **LTTE** leaders with the support of **LTTE** deserters is what had hurt the **LTTE** most....."*

The claim that certain **LTTE** suspects are eliminated because of the inadequacies of the law in supporting security needs is truly astounding. Over the last 15 years a number of provisions have been introduced under the PTA and ER to virtually legitimise murder. Is it

the writer's complaint that the laws allow for execution but not for indefinite detention? Even senior public servants have been arbitrarily detained for 4 years and released, but not under legal compulsion. Curiously, **Ravana** claims that the **LTTE** dispatched an assassin to Colombo to eliminate **Munas** who is said to be based in Jaffna and Batticaloa, and whose movements are naturally undisclosed.

As for **Munas**, the **HRTF** report of 29th September 1993 names 4 officers as being identified among those responsible for the disappearance of 158 persons taken from the Eastern University refugee camp on 5th September 1990. They are: **1. Captain Kaluaratchi, Chenkalady Army Camp, 2. Captain Mohamed Munas (Real name Dias Richard), NIB, Batticaloa, 3. Major Majeed, CO, Vallaichenai AC, 4. Major Mohan Silva, Batticaloa.**

The **HRTF** report says in connection with the Eastern University disappearances, **"...Masquerading as Captain Munas he was the bane and terror of the defenceless inhabitants of Batticaloa during the period."** The report records a series of admissions and denials of custody by state bodies. An SLBC broadcast on 7-9-1990 admitted the custody of 148 persons. The report adds: **"This incident is a dastardly crime which cries aloud for a proper investigation."**

During a presentation of the report to **President Wijetunge** by Justice **JFA Soza**, the former congratulated the latter on the work of the **HRTF**. Thereafter the government and the press have been quick to forget the recommendations of the report.

Could, as **Ravana** seems to suggest, the 'execution' of thousands of Tamils as 'suspected Tigers' be simply trivialised in terms of the 'archaic' nature of the law? It is a vastly greater issue and demands open discussion as a matter of public interest. Apart from being a moral issue, it should also be a military concern. How else could one account for the massive recruitment by the **LTTE** after June 1990 and the ensuing humiliation of the Sri Lankan forces? The matter is too important to be left to the peculiar expertise of defence analysts in the mainline press.

## CHAPTER 3

### REFUGEES AND RELATED MATTERS

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## **3.1 Developments on Tamil Refugee**

### **3.1.1 The UNHCR and Tamil Refugees Abroad**

The matter has attained an urgent importance with India shipping in during August up to perhaps 10 000 refugees into Trincomalee. Switzerland is expected to start flying in Tamil refugees with other European countries following. It has recently been revealed that a group

of EEC officials from the Interior and justice ministries has formed a committee called K4 which is holding sessions to draft regulations to halt the refugee influx into EEC countries. Even the elected members of the European parliament were not aware of the functioning of this committee. The rise of right wing elements in the European political scene seems to be one of the prime considerations motivating this step. The secretive nature of this committee raises a number of questions.

To make forced deportation look decent, the countries concerned used their weight to get the **UNHCR** involved. Under pressure it would not resist, the **UNHCR** in Geneva was trying to hook other NGOs into getting involved. Feelers were made to Lawrence Thilagar, the **LTTE** spokesman in Paris during the Autumn of 1992, in an attempt to pacify his organisation. It was the kind of pragmatic approach to international diplomacy where everyone who seemed to count was consulted except the refugees themselves. The return of refugees from India, though technically not under coercion, was strongly influenced by administrative harassment. The rationale for **UNHCR** involvement seems to be that since India is sending them back, why not become party to it and make life easier for the refugees? At one point India had reportedly said that chartering ships for the purpose was costly and persuaded the **UNHCR** to foot the bill.

Under pressure from European governments the **UNHCR** reportedly holds that it is feasible to deport refugees to the South of Sri Lanka even though they cannot return to their homes in the North-East. In other words they would continue as refugees albeit in a tropical climate. The **UNHCR** also reportedly thought that it was feasible to carry out the deportation on the scale of a few hundred to Colombo this year, a thousand in 1994 and in increasing numbers thereafter. The Sri Lankan government would no doubt, given its position of dependence, accept nominal responsibility for these refugees. The forcible return of refugees raises many questions, some of which are dealt with briefly. [\[Top\]](#)

### **3.1.2 The Feasibility of Returning Tamil Refugees to the South**

The return of Tamil refugees to Sri Lanka is of vital interest not only to the majority of refugees themselves but also to many European countries, Canada as well as to India. Many organisations including Human Rights organisations are also interested in this issue. The South of Sri Lanka has been mentioned as feasible on the assumption that the civil war is restricted to the North East and hence the rest of the country is more or less normal. It might appear so to the outside world and may be true with regard to the Sinhalese and Muslim populations perhaps. But as far as the Tamil population, especially the Tamil youth, the reality is very different from the superficial appearances.

Arrests and harassment of Tamil youth in Colombo has recently been commented upon by Amnesty International. In October these arrests took a sinister turn. Personnel who had earned notoriety in the East, one of them named by the **HRTF** in connection with the Eastern University disappearances of September 1990, were reportedly brought to function in Colombo in association with Military Intelligence and the NIB **[See 3.3.6]**. Colombo is the only conceivable place to which these refugees can return. Moreover the high cost of living and the near impossibility of Tamils finding satisfactory jobs in Colombo makes such a return infeasible. Many Tamils live here only because relatives send money from abroad - the very lifeline deportations would cut off and compound. It is precisely the dire economic straits of the South which the government is using to draw Sinhalese youth into the armed forces. Where would the Tamils fit in?

To understand the plight of the refugees we need to clearly identify the issues pertaining to their situation. Basically there are three categories of refugees.

### **1. Internal refugees**

### **2. Refugees in India**

### **3. Refugees in the West.**

The internal refugees are those who were displaced during the months after the war had broken out. They left for areas where they felt safe. They are now stranded with no end to the war in sight. There are also people who were forced to leave areas in which they were living for generations (Eg: Muslims from Jaffna and Mannar). A large number of people who fled their homes, were forced to sell all they had in order to buy their passage to India.

We need to understand the traumatic experience of these people during the last ten years or more. They had been witnessing continual death, destruction of property and all the other evils related to the present war, such as disappearance and rape of women. Those who heaved a sigh of relief during the short lived honeymoon between the government and **LTTE** were thrown back into despair by the fresh outbreak of the war in June 1990. The state and the **LTTE** unleashed terror with renewed vigour and vengeance. A large number of people once more left for India. They paid exorbitant sums to unscrupulous boatmen to cross the Palk Straits in fear of the army's anticipated assault on the Jaffna peninsula. There were many tragic incidents in which whole families drowned during such crossings. [See 4.3]

A section of such refugees who had some means of support from family members living in the West managed to rent out houses in India and settle down. But the majority who had no means lived in camps with the assistance from the Indian government. There too life became more miserable after the killing of the former **prime minister Rajiv Ghandi**.

The third category consists of those who entered Western countries through a variety of legal and illegal means and stayed on by claiming political asylum. A majority of them have been given temporary refugee status. It is an open secret that there are agencies in Colombo and India which make arrangements and send people to Western countries as refugees. These agencies are part of a network which encompasses key persons and institutions including airport authorities, government ministers and officials from a number of Western embassies in Colombo together with those of neighbouring countries. There are then a large number of youngsters who are leaving the war zone and coming into Colombo paying large sums of money to these agencies in order to go abroad.

What are the underlying causes to this large continuing exodus from the North - East into the South? There are many reasons such as:

1. They are in a war zone and there is continuous random shelling and bombing taking place. They have an uncertain future. To have a 'meaningful' existence they have to either join the **LTTE**, if not for which life becomes unbearable.

2. The authoritarian political atmosphere and the immense hardships caused by the war. A collapse of economic activity.

3. Pure survival instinct & fear of falling prey to the advancing army.

4. Cynicism and despair about the present reality with the hopeless future it portends, and the desire to start a new life.

5. The breadwinners are in the South and families decide to unite to spare themselves the anguish of separation amidst uncertainty and the hazards of travel for the occasional reunion.

6. Those who had left the movement or people who were overtly identified with other political forces at one time or the other, whose life is therefore in danger.

It is only relative safety and the survival instinct which motivates them to move to the South. When they reach the South they again confront an uncertain situation and humiliation at the hands of the police and various arms of the state. While the government has the admittedly difficult responsibility of maintaining security in the face of **LTTE** infiltration, the line between legitimate investigation by the police, and humiliation and extortion, has ceased to be recognisable. Instances of abuse are too numerous to keep track of.

We shall give you one case which is typical of what is happening in the South.

*A young boy who had passed his G.C.E. O Levels in Trincomalee came to live with his elder brother in a town north of Colombo and was following A Level classes in a local institute. One day he was picked up by the police with 2 other Tamil boys in the neighbourhood. The OIC sent a message to his sister-in-law saying that she could pay a sum close to Rs. 40 000/- at the police station and take the boy away. The brother who was away on returning contacted another brother in Trincomalee. He got a police official there to inform the local OIC that the detainee was a bona fide student who had been at a particular school in Trincomalee. This was done as an insurance against the local OIC denying custody. The OIC insisted on release only after payment, but allowed meals to be brought to the detainee.*

*The brother in Trincomalee next came with an army officer known to him. The OIC told the officer that he had better keep out of this because the detainee had links with a security incident in Colombo. Next the family approached a **TULF MP** who wrote to the DIG, Police, in charge of the area. The DIG called for a report and was sent one by the OIC alleging the boy's terrorist links. The report was duly channelled to the Jayalath Committee. When the family took meals for the boy in mid- August, about 40 days after detention, they were told by the sergeant that the boy was not there. The **Jayalath committee** had sentenced him to a 3 month stint in the reformatory in Bandarawela. The sergeant told them, "**You did not pay money here. You can now go with the money to Bandarawela and bring him out**"*

The authorities will obviously argue that in the interests of security such cannot be helped. The problem however lies with total lack of accountability and gross arbitrariness, permitted by law and the practice of it, leading to persistent abuse.

There are among the arrivals, mainly youths, who had never been to Colombo and are now forced to live in a hostile environment, facing continuous anguish. They feel that they are

in an alien land and live in fear of being arrested as a suspected "**terrorist**". They are also alienated from fellow Tamils who had lived in the South for a long time. They often do not have the right connection or contact to feel secure. Even with excellent connections, Tamils who had been here for a long time had faced arrest, humiliation and worse. The Tamils living in Colombo do not respond as a community and assert themselves overtly in the political arena. This signifies their deep seated alienation.

The choice between living under the **LTTE** and under the Sri Lankan state machinery has little to do with support for either.

The **LTTE** imposes great restrictions on freedom and subjects people to extortion. The **LTTE** does the latter openly. In the South it is being done by the state machinery. Though it is public knowledge there is little effort to stop it. In this situation we need to look towards democratic forces in the South which could give confidence to the Tamils living there. But what is the reality? [\[Top\]](#)

### **3.1.3 Organisational Guarantees for Returning Refugees**

#### **3.1.3.1 The Capacity of the Democratic Forces to Face the Onslaught of Sinhalese Chauvinist Ideology.**

The call for peace and political accommodation is feeble, muted and haphazard. Moreover it is based more on a commonplace dislike of violence, than on a concrete understanding of the real situation in its totality.

Yet these efforts are nowhere near being capable of even posing a realistic challenge to chauvinistic forces with a view to making the key players in this situation, i.e. the government and its various forces, take meaningful steps to make the life of a Tamil, leave alone a newly returned refugee's life, minimally safe and free from arbitrary arrest, gratuitous insult, and likely extortion in one way or another.

This is not to say that there have been no gains. Indeed there have been. There are also dedicated individuals in the NGO sector and in political groups who as individuals do what they can. The MIRJE's '**Yukthiya**', and the '**Ravaya**', both of which enjoy a modest circulation, have tried to inform Sinhalese readers of the intricacies of the conflict and the plight of the Tamils. Other groups do try to communicate greater awareness of the crisis in their educational and cultural programmes.

It is far from enough for organisations concerned with peace and human rights to have the capacity to help only the kind of Tamil having personal contact with them. This is much in the line of senior state and security officials intervening on behalf of known Tamils.

The random checking of Tamils in Colombo to identify suspected **LTTE** operatives leads to widespread abuse of the Tamil civilians' dignity and rights. But only a lukewarm response came from the activist community in Colombo. There was no concerted effort either by the NGO sector or other political groups to address the issue. Most of them could only think of releasing statements and meeting the President or some other state functionary. There were no attempts to collect information in an organised manner and use it to expose the true character of the security operation in Greater Colombo.

**It is often the case that a young person or even a family taken into the police station in the middle of the night, are treated as criminals. They are put into a cell and are verbally and sometimes physically abused by police officers. As a result the attitude of those detained changes. They feel that they are in an alien land and there is no one to fight for them. They feel in consequence of their experience that there are no democratic structures which will ensure justice. They become cynical about democratic activity and feel that they have no one to turn to. In such an atmosphere they feel only the LTTE could teach the offenders a lesson. When the democratic forces fail to take risks and initiatives which can create confidence, it invariably legitimises destructive politics.**

Instead of reaching out the people and making them part of their activities, the NGO sector which deals with human rights and democratic issues, appears to be tormented by sectarianism. Much energy is dissipated in debating and arguing who should initiate what strategy. All the legitimate reasons such as problems of manpower, financial constraints and the climate of terror are adduced for procrastination or inactivity. But the fact remains that the NGO sector has not risen to the occasion so as to address the issues and effectively counter unhealthy tendencies. The hard reality is that there is no effective force refugees could turn to in a crisis. This rules out any large scale return of refugees from abroad.[\[Top\]](#)

### **3.1.3.2 Dangers Arising from the Uncertain Political and Military Situation.**

Any one who has followed the crisis in this country will testify to the impossibility of predicting the future. As far as the President is concerned there is no ethnic problem and what exists is only a terrorist problem. The major parties are not keen to come out with any clear political solution. The beleaguered military which is in crisis is not sure of its future role. The vested interests of the persons in the hierarchy of the military establishment are given to making rhetorical promises. This could trap them into more bellicose positions. The police which was nurtured for 15 years in the Emergency and PTA culture is incapable of handling issues in a civilized manner. Emergency rule and the PTA are still effective and continue to be widely used to keep innocent people in custody without bringing them to court. The last fifteen years of UNP rule resulted in a large number of its leading politicians having skeletons in their cupboard. Hence they cannot afford to take any far-reaching action against violators of human rights. The violators were used by the government to preserve itself in power. Under these circumstances the **LTTE** is able to ruthlessly exploit the bankruptcy of the Southern polity and create a climate in which a large number of youths are trapped into a suicidal culture. The long term effects are unpredictable.

The foreseeable future will be governed by the impotency of the political and military establishments and the ruthless **LTTE** to which people are expendable as pawns. In the event of a significant reversal, it will hardly be surprising if the ordinary people who feel desperate are manipulated to act again in a manner similar to that of 1983. Unless a clear political will is shown by the Southern political establishment as a whole, to come to an agreement for a just political solution to the ethnic question along with the withdrawal of all undemocratic laws, the security of the Tamils, and for that matter even of Muslims and Sinhalese, cannot materialise for the near future.

Routine harassment of Tamils in Colombo and the recent incidence of more than 5 corpses in the Colombo and Negombo areas represents a fundamental problem that remains only partially addressed. Our reports show that disappearances continue to occur, with the forces shielding themselves behind blunt denials.

### **3.1.3.3 Is the Government Serious about Maintaining Tamil Refugees in Colombo?**

Having accepted that returning refugees to the North-East is not possible at this stage, the South (Colombo) is being advanced as a possibility. But what is the plight of the internal refugees who are accommodated in Colombo in various camps and receiving rations?

There were such refugees in Colombo. On 30th June 1993, 65 families from Vivekananda camp in Colombo were taken to the Batticaloa District. Those who resisted were forced into buses. At late night on the same day they were landed on a bare beach at Navalady near Batticaloa without even arrangements for food. Those who were from cleared areas were sent to their villages a month later after being paid Rs 6000 as SIA & PEG. This also means that they are no longer entitled to rations and no one is going to investigate whether they starve or survive. Others from areas like Punani, presently devastated and uninhabited, were sent to local refugee camps - e.g. Valaichenai. The minister for rehabilitation has maintained in parliament that these families went back voluntarily. More such deportations from Colombo into the East are taking place. There are many questions here. The government which created the conditions of insecurity for these refugees is now deciding on the safety of their return. It is also telling refugees from Punani that they should be refugees in Valaichenai in the East rather than refugees in Colombo where they feel safer. Now European governments seem to be telling another group of refugees that they could be refugees in Colombo, but not in Bonn or Berne. One must therefore admit the strong likelihood that for a variety of reasons any refugee returned from abroad will be under pressure to go to so called cleared areas in the North-East.

We, Like many others, do ardently wish for conditions where refugees would come back voluntarily. Sadly, we have a long way to go before reaching that point. To try to force refugees to return now will not lead to healthy developments whether here or in the host countries. [\[Top\]](#)

### **3.1.4 Refugees in the North-East**

We reliably understand that the rehabilitation ministry has asked divisional secretaries to go slow on rehabilitation for the lack of funds - a matter of misdirected priorities. Additional refugees are being brought from India in when large sections of local refugees have received next to nothing. This leads to a hierarchy among refugees based on the government's political and public relations priorities.

In rural parts of the East the situation continues to be uncertain. Although cleared areas in the Vavuniya and Mannar sectors were a political success story for the army, the government lacked the vision to sustain and exploit these. During August the army pulled back precipitately from areas in the Mannar District into which it had advanced. Prior to the pull-back refugees had gone back into these areas and resumed cultivation believing that the army would remain. What is left is a deep sense of distrust of the army's intentions and an accompanying sense of despair.

The only place now left for returning refugees in the Mannar District is Mannar Island. Here the land is parched during the dry season with thirsty cattle and asses on the lookout for

water. The small civilian population there was literally scavenging for water. To land more people there is to invite epidemics.

## **3.2.Situation Report on Vavunia & Refugees in Vavunia & Kalpitiya**

**Note:**The three reports in this sub-section do not appear in our normal style of reporting. They were compiled for this report in the course of journalistic investigations by a team in which the UTHR(J) was represented.[\[Top\]](#)

### **3.2.1. VAVUNIYA :The Thorns of Normality.**

#### **3.2.1.1 The General Situation.**

Vavuniya is the biggest town in the North under the army 's control and enjoys a smooth run of its civil administration under GA/Vauniya.

It is noteworthy that there are no army or police check posts or any armed soldiers on duty inside Vavuniya town. While police constables are on duty inside town it has not affected the movement of civilians in any way and civilian life has a strong semblance of normality.

*A senior army officer explained thus " My superior and I have become unpopular among the Sinhalese people who are living here. But I feel that it is good in a way because it helped the Tamil people trust us . I also feel that the real problem is for the Tamils. The problems which the Sinhalese people have are common to all and arise from drawbacks in the administration. We are trying to convince the soldiers to differentiate between the civilians and the LTTE during operations. You may have noticed that during our recent operations in extending our forward defence line, the civilian casualties were far fewer and the conduct of the soldiers with the people, much improved.*

*" We are trying to conduct seminars and workshops and get together with the villagers to bring about better understanding. But it is rather difficult to do this because just few miles beyond, we are fighting a war. We cannot concentrate on both. We would gladly welcome more NGOs to come and do work in the border villages where there is still fear and misunderstanding among both communities".*

But the opinion of the Sinhalese, mostly living in Vavuniya South, is different. A spokesman voicing a common feeling said, *"We don't have any help from the army or any one. We do not even have an M.P. All are supporting the Tamils. Even the former president visited just the town and went off. Only the " Hamuduruwo" (Buddhist monk) in the pansala (temple) is helpful to us"*

But they did not say that they presently have or have had any particular problem or threat from the Tamil militant groups or from the Tamil people. Not even during the I.P.K.F period. Although there has been little direct friction, the alienation and mutual suspicion between the two communities is largely a reflection of politics at national, rather than local level. One could think of several cases where a community which is a minority at local level feels similarly threatened, and interprets everything as reinforcing its beleagueredness.

#### **3.2.1.2 The Land Question**

Even though Vavuniya seems to be normal there is a particular problem which had been raised by various people during the last four months.

The first one is to do with a row of shops which had been built last year under supervision by the incumbent Buddhist monk of Vavuniya town. On the Vavuniya-Horowapothana Road there was earlier a temporary Pilgrim's Rest for those bound to Nagadipa (Nainathivu) or Madhu via Vavunia.

But, about this Rest Hall there are different stories from different people. According to the GA, " *This is crown land and was loaned to the Y.M.B.A in the 1970's. But last year without permission from the Urban Council some private parties have built this row of shops. This is an illegal act. Secondly, such newly built shops to be rented out to the public should go through a tender system. Here this was not the case. This has created tension here*".

Regarding this matter the Kachcheri has received complaints from MPs, the local citizens' committee and also from members of the public, pointing out that these shops have been given only to Sinhalese.

But the Kachcheri has also received complaints from the Sinhalese public in Vavuniya to the effect that these shops are being given to mainly Sinhalese from Anuradapura.

The Kachcheri authorities say that they have ordered the occupants through the Urban Development Authority to stop utilising the shops until a decision is taken.

In the opinion of the local member of parliament, this is a partial act of the Buddhist monk concerned, who is in charge of the Vavuniya Pansala. He added that it has created much anxiety among the Tamils here, because of what followed such actions in the past. He said , " *In Vavuniya not one Tamil person, a Christian clergyman or a Hindu Temple Board can put up a building in this manner without permission. But yet a Buddhist monk is able to do it because he knows that no one would challenge him. Even after the order went from the UDA, there has been no response from him.*"

The Buddhist monk answering the allegations said, " *This land was given to the Y.M.B.A during our "Loku Hamuduruwo's " (Elder Monk's) period in the 1970s. We were using it as a pilgrims rest. Now there are no pilgrims coming this way. So we decided to convert the Rest into shops and distribute them.*"

To the question " *Why only for the Sinhalese?*", he said , " *It is reasonable because, normally a Hindu temple would build houses and shops around the temple and distribute them among Hindus, The Muslims put up buildings around their Mosque and give them only to Muslims. Why not we Buddhists do likewise ?*"

A senior Christian clergyman who is a long standing resident of Vavuniya, touching some forgotten aspects, said, " *The land where the shops were built was originally given to the Anglican Church which is situated at the Vavuniya hospital junction. A strip of land had been taken from the church to build a new road to the village of Poonthottam. As compensation, the church was given this portion of crown land situated nearby. But it was not put to use by the church. Later the church decided to give the land to the nearby school for its use. But unfortunately it wasn't used by them either. So when there was a need for a pilgrim's rest the Kachcheri allowed the Buddhists to put up a building on the land for a rest. The Y.M.B.A was*

*in charge of the building. But last year they put up these shops and distributed them among Sinhalese.*

*"The Tamils panicked because of a particular incident. Before these shops were rented out Muslims who were chased from the North were selling on the verandah of these shops. These Muslims hawkers were chased away by the police using force. The impression given to the general public was that the monk could use the police whenever he chose to. A week after this incident these shops were distributed among Sinhalese."*

According to this clergyman the situation in Vavuniya is somewhat better in comparison with areas like Trincomalee and Batticaloa. But it is not a stable one as others think. Nor will it stabilise until a political solution materialises. He added " *The two high ranking army officers who are in charge of Vavuniya are trying their level best to handle the problem diplomatically, despite the political constraints. As I am a long - standing Christian minister here, they used to visit me and discuss general issues. They feel that in order to find solutions they need to understand the historical underpinnings of the different issues.*"

He added " *Issues like resettlement, land alienation and rehabilitation should be seen to be handled in an impartial manner. Otherwise they become very thorny and sensitive issues.*" "For example", he said " *Areas like the Cheddikulam A.G.A 's division are totally Tamil and Muslim populated. After clearing operations if the army is very much bent on putting up Buddha statues in those areas rather than give priority to rehabilitation work, the public will no doubt panic. Why is the army behaving so ?*"

Further he said, " *I know that in 1982, establishing a Buddha statue at the Vavuniya Hospital junction became a very sensitive issue. It was established overnight. Some of our catechists came and told me there are several Buddha statues being erected in the Cheddikulam area. No harm, Buddhism is a good philosophy. But here it has become a threat in the light of past history*".[\[Top\]](#)

### **3.2.2 Refugees from Cheddikulam**

This is the story of refugees, who are newcomers to the part of Vavuniya under army control from that controlled by the **LTTE**.

It is among the most singular incidents to have taken place during the past three years of war in the North. This went against what was assumed to be the normal trend. That is, upon receiving intelligence of an impending army advance, people would vacate their villages and move further into what was regarded the relative safety of the rebel controlled area. The fact that recently a large number of Tamil villagers chose to do the opposite, and testify to many others wanting to do the same, is a sign of the people's desperation.

Altogether 192 people of all ages around Cheddikulam made this dangerous border crossing over three days from 12th to 14th June.

When we spoke to a man of 43 we came to know the main reason for the crossing undertaken with his family. This was an unexpected order from the **LTTE** area leader Charles for all men to join the **LTTE**'s volunteer army (Thunai Padai). On 5th June Charles, the Vavuniya area leader and native of Irani Illupailulam, and two other **LTTE** cadre came to his village of Kandasamy Nagar, where his family had moved two years ago. This was when the

army had moved close to their native village of Christhvakulam on the Mannar-Madavachchi Road. Charles asked all of them to gather in the village school and told them, "*All these days we did not force you all to join us. But today, no excuses. I want one person from each family to join our Volunteer Force*".

He asked the villagers to sign their acceptance of his 'request'. Our interviewee said that he is the father of 3 children, and even though he did not want to, he had to sign. All the others who signed were also in the same position. He further said, Charles told us, "*You all should be ready to get training on the 15th of June at the Thivvia Nagar burial grounds in the nearby village*". From that day we were all of a mind to escape. During the last 2 months it was announced over the army run "Vanni Radio Service", "*If any one wants to come into Vavuniya, the Army is prepared to help them in resettling and also to guarantee their security*". In view of the new developments, as a last resort, we decided to accept the army's offer.

*"On 12th June at 1 a.m, a group comprising 63 of us started our journey. We took whatever we could carry of our belongings. For about 3 hours we did a non stop walk. We didn't talk to each other until we passed the danger line. Around 4 a.m we managed to reach the Mannar - Madawachiya main road. We hid ourselves along the side of the road away from the beams of search lights fixed at the army sentry post.*

*"The following day around 6 a.m we decided to come out and walk towards the army sentry post. We improvised white flags from our clothes and first sent the children aged between 6&12 to walk ahead with white flags and the rest followed with raised hands as instructed by the army's radio announcement. We had to walk 600 yards to reach the army sentry point.*

*"The army had not expected such a large crowd of civilians and knew not what to make of it. We saw soldiers rushing about and taking up positions. We therefore stopped moving about 200 yards away from the sentry post. We waited about 10 minutes just standing on the road undecided about the next step. Suddenly a soldier shouted in broken Tamil "Children only". We asked our children to move forward calmly, but they were reluctant to do so. Then we decided to send two women carrying their infants and along with them. Other children too then joined. Until they reached the sentry post we were not sure what would happen. But after 15 minutes the two women waved their hands to us, asking us to move. We moved towards the sentry. The soldiers then separated the young boys from the girls and checked them. All adults were likewise checked.*

*"We were then led along the road towards Madawachchiya. At the first mini army camp we were given bread and tea for breakfast. Then we were brought here, to this old rice mill.*

*"The following day some of our relatives followed us across the frontier and joined us.*

*"My brother in law who came the second day said that on the morning after we left our village, two **LTTE** members apprehended him and inquired about those who had vanished from the village. My brother-in-law pretended that he knew nothing. He was slapped by the **LTTE** members. They said "We know the fellows and will catch them". That night my **BIL** and another 70 villagers decided to do the same dangerous crossing.*

*"They had no choice", explained our interviewee, "My uncle of 56 who was born deaf and understood only hand signals was also forced to sign up as a volunteer soldier. We tried to convince the LTTE that my uncle was born deaf. The area leader Charles said laughingly " He can then prepare tea, for us in the camp". Finally my uncle was forced to sign".*

Another 67 year old sickly man with a stoop said in a pained voice, *" I again and again refused to sign, but they did not let me talk. Can I take up guns at this age?"* His eyes were filled with tears when he ended his words.

**Shanthy (18)** expecting another baby said that she had married at an early age because her parents and her husband's parents thought it better for them to marry rather than be single and risk both of them being conscripted by the **LTTE**, or being caught by the army or even killed, when they entered their area. She pointed out other girls in the refugee camp who had married early for the same reasons.

**Subashini (18)** who got married when she was 16 said that her father had forced her to marry, because there was a talk that the **LTTE** was to take the unmarried boys and girls for training.

**Yoharani (18)**, mother of two, who got married three years ago said, *"I had to marry my nephew who was 25 at that time. His parents wanted to save him from being obliged to join the LTTE".*

*Though these folk are now staying in the refugee camp, most of them did not wish to be refugees for long. They like to settle some where near Vavuniya in a village and take to farming or some other employment.*

They said *"our village (Christawakulam) is near the army's border. This army still does not have the strength to move there. If that area came under army control we will go back to our village".* They said that until the end of April 1993 they were living in Christhavakulam. They didn't want to move. But the **LTTE** instructed them to vacate and they moved into the interior village of Kanthasamy Nagar, towards the north. They further said *"Even when we were in Kanthasamy Nagar we were cultivating paddy in small plots of land with much difficulty. Suddenly the LTTE ordered us not to go near the irrigation channel because they expected an army operation. So we had to leave the fields unharvested. That is also among the reasons why we left the area. We have not had a proper income for years. We are all mostly farmers. We supplement our income through hunting and collecting bees honey from the nearby jungles. These are not possible now".* When we were about to leave the camp, one person said with decision *"We don't want any thing else, if the government can give us a piece of land and a little capital. We will then build our lives again".*

We see here a section of the people who having undergone tremendous hardship due to the war were forced to take refuge among the army. Yet, about the army, they entertain considerable doubts. Unfortunately these people, as we have highlighted in our earlier reports, are mere cannon fodder for the **LTTE** and may now be propaganda material for the state. Whether they will be given all the facilities to restart their life is very doubtful when we consider what is happening to the refugees in various parts of the country. For a section of the expatriate Tamils who never bothered to visit their "home land" but are readily prepared to brand as traitors those not conforming to the imagined stereotypes of nationalist fervour. These powerless people are indeed another bunch of such traitors![\[Top\]](#)

### 3.2.3 KALPITIYA: Muslim & Sinhalese Refugees

**Mr. Sulaiman Lebbe** ( 58 years) retired vice principal of a Muslim mixed school at Erukkalampiddy commented that two of his sons are studying in universities and another daughter of his is expecting her campus entrance. But the youngest daughter has scored poor marks whereas she too is an intelligent child. But under the present conditions here, she was unable to score better. And in Kalpitiya for the Mannar Muslim refugees, the schools operate the evening session. It starts at 2 P.M and finishes at 5 P.M. He felt that it is not a suitable time for studies and especially in such a dry area, if the children go to school in the heat of the afternoon they will not be able to concentrate on studies. They can only sleep in the class rooms.

The other problem they face is that most of the teachers from Mannar Island have already settled themselves in the South, in places like Colombo, Gampola, Kandy, and Weligama, and have taken temporary transfers to good Muslim schools. Therefore, there is a big shortage of teachers and the teachers who are left here are mostly primary teachers and just a few for the upper classes. The real problem is for the G.C.E O/L and A/L students. As far as he is concerned education is the main aspect which is really affecting his community due to their recent displacement.

Now **Mr.Sulaiman** is working as a temporary clerk in the organization called R.R & R.A(Refugees Relief and Rehabilitation Association) which is helped by OXFAM.

When **Ibrahim**, a young man of 25 who is a student of one of the universities in the South expressed his reactions, he said, "*As a Muslim I see that this challenge for our community should be faced by our generation boldly. Not in the way my father or these dirty Muslim politicians would advocate. A new kind of work must begin on the basis of EEMAAN, in the name of Allah. This is an injustice done to our community for no reason. In future, no doubt, there will be a force to face upto this.*

*"When I see my younger sister who scored poor marks in studies, it is unbearable. I know she could have done much better if she was not disturbed. I feel education is a thing which brings immense strength to a community. The Muslims who were wealthy enough have already settled themselves in the South. They have no intention of going back. But our case is different. We can't settle ourselves here and also we are not rich enough to go to some other place. Apart from that, wherever we go, we are going to be labelled as refugees, unless we go to our own land-Mannar. So the rest of the people who are left here, are determined to go back to our own land.*

*" Because even here, in Kalpitiya, we are facing problems with the local Muslims. For example, in a village called Thihali, 7 miles from Kalpitiya, around 130 families from Mannar Island and from the mainland off Mannar were settled as refugees. Just a month ago a problem arose. A Muslim boy from Chilavathurai fell in love with a Muslim girl from the local community of Thihali. Suddenly one night, the entire people of Thihaly attacked the refugee camp, damaging the houses and some men were assaulted. Thereafter, the refugees were warned to clear off from the area within 24 hours. The following day 90% of the refugees fled to nearby camps.*

*" See, this is the situation. Even the local Muslim community itself is unable to accept us. Even though they were sympathetic and accepted us at that time we were expelled by the LTTE, when their expectations in life are disturbed, they react.*

*" And I must say for the Muslim community, and for women in particular, there are certain ways of living. Here our women, especially young girls, couldn't maintain their social life pattern. Among the youth co-operation , unity and their social activity have been destroyed. The youths don't have any thing to do, except wasting their time living on free rations. So I see this as total destruction to our society".<*

We also met a 54 year old man who was a teacher involved in Left politics. He is now employed in a semi- government corporation on a casual basis. He spoke to us very frankly about general problems.

He said *" I think we as a community made a very big blunder by leaving Mannar as soon as the LTTE ordered us. That is where we lost our basic strength to fight back for our rights. I think no one from my community will disagree in this. The Palestinians lost their strength to fight because they got out from their land. The LTTE is so powerful because they are on their land."*

*" When the LTTE ordered our expulsion we were prepared to beg them to reconsider their decision, rather than question and challenge them .*

*" This I think is a curse from God. Because when the war commenced in June 1990, the most affected area was the Eastern Province. Thousands of refugees from the East came walking through the jungles , endured many hardships and came to Mannar Island to embark for India. At this time even the Tamils from Mannar Island were in fear of an army incursion into the island. They were talking of sheltering in refugee camps and had deposited their valueables with Muslim neighbours. When the refugees came from the East they were in need of cash to continue their journey to India. they had little choice but to sell their jewellery and other valuables. All these were bought by the Muslims of Mannar Island who were from the middle,upper middle and upper classes. But the prices paid for these valuables were utterly unreasonable. For example, 1 gold sovereign was sold to the Muslims for between Rs1000/= and 1200/=. At that time those refugees told us with broken hearts **"Today we are selling these things. But one day our boys will retrieve them for us"**. I don't know whether the boys will give those back to them. But the boys (LTTE) have certainly taken them from us. We were allowed to take only two sovereigns and Rs 1000/ with us when we left our land. This is a fact. This was the punishment we got...*

*"And I would like to state my present position. No doubt we want to go back to our land. We do not want to be refugees for ever. But we cannot go back on the basis of guarantees given by the Sri Lankan Army. We have serious doubts about this army.*

*"When the LTTE ordered us to leave the area on 24th October 1990, the government media was high-lighting this issue to the world. But from the 24th to 29th neither the government nor the army took any action to stop this tragedy. Even if the government had declared a curfew, then we could have told the LTTE that we are unable to cross the sea. During that delay, the army could have entered the island and captured it. But the government was waiting for the last Muslim to leave the area before going into the island on*

*1st November 1990. It was as though the government wanted to worsen Tamil - Muslim relations."*

*"To this time this army is unable to give full protection to Mannar island. And I do not think this government and the army have the strength to clear the Mannar- Madawachiya road for the public.*

*"We are prepared to go back to our lands. But we put forward these demands:*

- (1). We do not want the present pass system to go to our own land.
- (2). Inside the island, except for the government troops there should not be any other armed group.
- (3). If we want to negotiate with the **LTTE** in any appropriate manner the army should not pose an obstruction.
- (4). The government must begin and do all the rehabilitation work expeditiously.

**Mr.Nihmath**, a 36 year old teacher who is a poet said, *"I feel very uncomfortable about staying here any more. I have put down my pain and feelings in poems'. He gave us a small collection of poems which he wrote after coming to Kalpitiya. The title of the book is " VAA OORUKKU POVOM" (" Come, let us go home").*

The general feeling among the refugees at Kalpitiya is one of wanting to go back to their own land. From last January there was a constant trickle of Muslims going into the island to see whether they could resettle. some 2163 members from 520 families including 224 government servants had gone back to the island by March 1993.

The discussions above bring out many aspects which are common to all communities who were displaced because of the ethnic conflict. There is also, in common with other refugees, a tendency towards self-reappraisal, which is commendable and strengthening. Their insecurity, humiliation in the hands of various forces and sheer frustration about the present political leadership they share in common. The anger stemming from this experiences becomes the breeding ground for more narrow political perceptions. On the other hand the potential which could have been tapped from their common experience to assert themselves as people with dignity and to counter the politics which thrives on their disempowerment remains untapped.

*Note: For a comprehensive study of the refugee question in Sri Lanka and it's implications, see "JOURNEY WITHOUT A DESTINATION -Is There A Solution To The Problem Of Sri Lankan Refugees" , By Rohini Hensman Banaji. Published by the British Refugee Council, U.K. and shortly by a local publisher.*

### **3.2.3.1. The Refugees Relief and Rehabilitation Association (R.R & R.A).**

The R.R & R.A is an organisation which was formed in September 1992 with the help of OXFAM, with the purpose of helping Muslim refugees in the Kalpitiya area. The Secretary of the R.R & R.A said that they did not receive any special support from the Rehabilitation Ministry for their work since October 1990, the time they arrived.

According to their statistics there were 18,244 refugees from 4001 families living in 73 camps spread over 21 grama sevaka divisions in the Kalpitiya area.

The secretary said that they help not only the Muslim refugees, but also help the Sinhalese refugees who are also the victims of this war. They also came from the Mannar District and are in a camp at Sinhapura, 24th mile post Kalpitiya-Puttalam Road. They too received no regular relief from the government and there are at Sinhapura camp 27 families totalling 132 persons.

The staff of seven who work for the R.R &R.A,are also refugees. Their activities include providing amenities for basic needs as well as for income generation. According to the Secretary they also arrange and pay stipends to volunteer teachers at the rate of Rs 1500/ per month.

The relief the government gives is the standard package which contains 1 bottle of coconut oil, 1,800g dhal, 450g sugar and 12 kg of rice per person per month.If there are more than 5 members in the family get Rs 1300/ worth of dry rations.[\[Top\]](#)

### **3.2.3.2. Sinhalese Refugees at Sinhapura**

On the Kalpitya-Puttalam Road at the 24th mile is the Sinhapura camp, marked by small cadjan huts.

We met **Mr. Lawrence Arnold**, aged 56, father of 10 children. He said, "*We had been living in Silavathurai from 1960. My native place is Kandy. But I cannot go there. Even if I go I have to be a refugee there. So it is better to be here. We were 27 sinhalese families living in Silavathurai, mainly doing business. Soon after the Muslims were asked to evacuate the area we also decided to leave. We too joined with them in boats to Kalpitiya.I think this government will never solve this problem, because they do not have the strength to solve it. So I think I will never be able to go back to Silavathurai. I have decided to settle myself some where in the South. We expect the government to give us once and for all an amount of money with which we could start our own business and settle here, rather than giving Rs 1100/= worth of rations every month. If they give us a lump-sum, we could get out of this refugee bondage*".

When we spoke to Mr. Joseph Michael, a 39 year old Roman Catholic from Talaimannar, he said, "*I am from Negombo - Kauvapitiya. My parents came to Talaimannar 30 years ago when I was two years old. I got married at Talaimannar. We were doing business in dried fish between Colombo and Talaimannar. We cannot go back to our village because our own community will see us as refugees. I don't know for how long we are going to be like this*".

### **3.2.3.3. Living Conditions**

The general living condition of the Muslim refugees, compared with camps elsewhere, is somewhat better, because they live in separate huts and not put together in one big hut. For those settled in coconut estates, the health condition is not affected badly.

Also the family members do odd jobs in nearby farms where the local mudalilis cultivate onions. But these refugees are paid poorly -Rs 20/= to 25/= a day. Yet they do work so as to

meet their extra expenses. Some 20% of the people are earning a living as itinerant tradesmen on bicycles, serving nearby villages.

### **3.2.4. Developments Concerning Vavuniya District Refugees in Madhu**

The army command in Vavuniya held that the area between Vavuniya town up to Cheddikulam railway station had been cleared for displaced persons to return. Of the latter there were 8000 in the **UNHCR** ORC in Madhu, presently under **LTTE** control. The civil authorities announced about August that these 8000 persons should hereafter collect their rations in their home areas and not in Madhu. Among the main functions of the **UNHCR** was to transport government rations into the **LTTE** controlled area and distribute them at Madhu.

The **LTTE** responded by encouraging, if not organising, the Vavuniya District refugees to demonstrate in front of the **UNCHR** office in Madhu on 30th October. It is understood that during the demonstration a part of the fence and the aerial were damaged. After about 5 hours **UNHCR** officials came out and spoke to some of the refugees. Some told the officials frankly that they were in an impossible situation and were demonstrating in front of the **UNHCR** because they were neither in a position to demonstrate against the **LTTE** nor the government. Others made the valid point that the UN meant much more than a local Multi - Purpose Co-operative Society (MPCS), the normal agency for distributing rations. Thus if the **UNHCR** merely distributed whatever rations the government gave without ensuring that all were adequately cared for, the **UNHCR** would do no better than an MPCS. This, they said, would question the rationale for a **UNHCR** presence. They argued that the **UNHCR** must negotiate with the government and provide the rations for the 8,000 who under the circumstances had to remain in Madhu. The Roman Catholic Church we understand, neither intervened nor mediated in this matter. Describing the incident, an AFP report said that 4 officials, including a French national, were 'temporarily siezed'.

A number of sources who had been in touch with the refugees concerned have said that their clear wish was to return to their homes in army controlled territory. This did not mean that they had come to trust the army, although it showed a local improvement in the latter's image. It only meant that they were prepared to accept the risks and live on their land. This wish to return was not lost on the **LTTE**. Previously the **LTTE** had regularly issued passes for Vavuniya District refugees to go to Vavuniya, look up their property and return with sundry goods that were sold in Madhu. This has been almost completely stopped. Passes to go to Vavuniya and bring back items for sale are issued mostly to only Mannar District refugees.

After deliberating the matter the **UNHCR** reportedly took up the position that those who wished to return to their homes should be given the freedom to travel. Then if there is a section wanting to remain at Madhu of its own will, the **UNHCR** would raise the matter of their rations with the government. The **UNHCR** felt that if freedom of movement was denied, there was no issue to be raised with the government. It is understood that the **UNHCR** threatened to pull out of Madhu if the **LTTE** did not help to resolve the matter.

The **LTTE** in due course announced that it would provide rations for the 8,000 Vavuniya refugees. This was a simple matter because rations brought in by the **UNHCR** were distributed by the local administration which was controlled by the **LTTE**. On the 11th November the **UNHCR** announced a suspension of activity in **LTTE** controlled areas until guarantees for the 'security' of its personnel are given. A resumption is expected before long.

The **LTTE** too must be aware that it does not call all the shots. A responsible person from Madhu said, that, should the **UNHCR** pull out, conditions in Madhu which were now bad, would deteriorate sharply. It is then very likely that the **LTTE** would have unrest on its hands, he added. [\[Top\]](#)

### **3.3 NEGOMBO: Sinhalese Refugees from the Mullaitivu District- Between the Devil & the Deep Blue Sea**

#### **3.3.1. Introduction**

" The majority of the inhabitants are employed in rice cultivation. The palmyrah palm flourishes along the coast, and furnishes part of the food supply of the people. Coconut cultivation progresses slowly. Some tobacco is also cultivated in the villages. **The fishing industry is important and is carried on chiefly by Sinhalese from the Negombo and Chilaw Districts** "- **Sir P. Arunachalam** in the Ceylon Census of 1901 on the Mullaitivu District.

" A further element to be considered is the presence of a large number of Negombo fishermen who came to Kaddukulam pattu east for the fishing season" - Census Commissioner **H.M.M. Moore** in the Ceylon Census of 1921 on the Trincomalee District.

" The distinction between Sinhalese and Tamils of the present day is so marked that it is not easy to realize that there has been considerable fusion between the races in the past. The results of this fusion are most obvious in the western coast between Negombo and Puttalam, where a large proportion of the villagers though they call themselves Sinhalese, speak Tamil, and are, undoubtedly of Tamil descent, their legendary ancestors being captives from India, or imported weavers and other artisans. As in 1911, a large number of the Kandyan Sinhalese in Diddeniya palata in the Hiriyala Hatpattu of the Kurunegala District are Hindus and speak Tamil, though most of them read and write Sinhalese ..." - **L.J.B. Turner** in the Ceylon Census of 1921.

"On 8th January 1985, **Mr. Athulathmudali**, Minister of National Security, announced to a conference of District Ministers and Government Agents a scheme **`to remove the concept of traditional homelands'**. The scheme provided for settling 30 000 Sinhalese in the Northern Province during that year; 250 families would be selected from Sinhalese constituencies in the South of the island for settlement at Killinochchi, Vavuniya, Mannar and Mullaitivu districts during that year; and the new settlers would be given military training and weapons for their own security" - From press reports at that time and quoted editorially in the **`Tamil Times'** of August 1993.

" There is no point in our staying here if all the settlers are leaving. The people must remain where they are, we will afford whatever protection is necessary. I have already issued guns to those who have not moved out. Weapons training will be given ... We have cut a road many miles into Mullaitivu, We must go on making settlements. **"They must stop distributing relief supplies at refugee camps and make aid available only at the settlements. If you give them stuff at the refugee camps they would prefer to remain there "** - **Major Bohran** of the Sri Lankan army on 8th December 1984; quoted by **M.H. Gunaratne** in **`For a Sovereign state'**. This was when Sinhalese settled by the army in the Mullaitivu District, together with those domiciled for generations along the Kokkilai - Nayar coast, were fleeing after two successive massacres during the previous fortnight.

The quotations above are largely self-explanatory and describe the origins, vocation and the tragedy of Sinhalese who made the Mullaitivu coast their home. The fourth quotation pertains to declared government policy then, of solving the Tamil question by saturating areas where Tamils predominantly live with marginalised Sinhalese. Although the conference took place in January 1985, the policy had been set in motion for some months. The minister himself had been quoted in earlier press reports. The policy which resulted in massacres and counter- massacres was reiterated by **President Jayewardene** in an address to parliament on 20th February 1985.

**Caught between a government policy which would eventually leave the ordinary Sinhalese in the North - East with no option but to become armed agents on one hand, and a degenerate Tamil nationalist tendency which would regard a person an enemy merely because of being Sinhalese on the other; the position of Sinhalese domiciled in the North - East became impossible.** Tamil nationalists who have written about the massacre of Sinhalese in Kokkilai and Nayaru on 1st December 1984 have admitted that these Sinhalese were on very good terms with the local Tamils and were integrated into the life of the community. But some of them have suggested that with the installation of army camps in the area to facilitate the government's colonisation programme, the Sinhalese had become spies. Such a generalisation would be grossly unfair. Just as there were probably a few Tamils who would have abetted the **LTTE** in the murder of their Sinhalese fellows, there may have been Sinhalese agents of the army. On the other hand these Sinhalese had a deep sense of fellowship with their Tamil neighbours, and their experience of the Sri Lankan army was one in which they shared many of the misgivings of their neighbours. **After all they had been through at Tamil hands, even today several of these Sinhalese are prepared to affirm forthrightly that Tamil youth took up arms because they had a just cause.**

It was a cardinal malaise of the main tendency in the Tamil struggle, that it too became communally bigoted and repeatedly threw away opportunities for alliances of principle with other communities. As we have repeatedly pointed out, the **LTTE's** main problem today is the chronic division it furthered among Tamils. Sinhalese and Muslim 'spies' are largely superfluous.

A further historical point is worth putting down. As noted above Sinhalese from Negombo and Chilaw were no strangers to the east coast. To hundreds it was their home for generations, going back at least into the 19th century. Their Christianity and often the Tamil language, they shared with other fisher folk of the area. The Ceylon Census of 1827 taken early during the consolidation of British rule lists Batticaloa, Trincomalee, Jaffna, Mannar and Delft as the **'Malabar'** (Tamil) divisions as had the preceding Dutch administration. In the charged atmosphere of today this classification had led to inconclusive debates, with even reputed academics throwing in their weight in an attempt to clinch the argument. So far there has been more heat than light.

We could say this much with certainty. The Tamils and Sinhalese were not isolated from each other by dense jungle as it is often supposed. It is often assumed by the Tamils that the Sinhalese in Vavuniya South are a recent imposition. They are in fact a very old community and were contiguous with the Sinhalese of Nuwarakalaviya. The 1921 Ceylon Census lists 16.2% of the 11 300 population of the present Vavuniya District( Vavuniya North and Vavuniya South divisions of the earlier Mullaitivu District) as Kandyan Sinhalese. About 5% of the population of 7000 in the Mullaitivu District (Maritime Pattu of the earlier Mullaitivu District) were fisherfolk listed as Low Country Sinhalese. The new Jaffna railroad facilitated

increased migration to these areas. Sinhalese in Jaffna too were showing a rapid increase during this period. Far from being sinister, these were healthy developments. We have always argued that ideologically motivated colonisation policies of post independence governments have brought universal ruin. In reversing healthy developments and confusing issues, they have also decimated the legitimate rights of the Sinhalese in the North- East.[\[Top\]](#)

### **3.3.2 Sinhalese in Kokkilai & Nayaru**

#### **3.3.2.1 Before December 1984**

Among a group of refugees, most of them women, a lady of 43 said that she went to Kokkilai in 1958 with her family and joined another 100 families who were there earlier. Though in the Sinhalese class she had gone to school with Tamils. Her English teacher, a Tamil, had taken a keen interest in their safety during the 1958 communal violence. A man said that whenever he had to walk along the coast towards Mullaitivu, he could expect refreshment from almost any Tamil home. Everyone agreed that they were on excellent terms with the Tamils. When there was friction it was more personal rather than communal. There were also some Tamil fishermen, although Tamils were mostly farmers. With these farmers they used to barter fish for vegetables and coconuts. There had also been some mixed marriages.

The Tamils at Thennamaravady were a farming community, too far to barter with the Sinhalese at Kokkilai. So they caught some fish in the lagoon for their own use. When the price of prawns shot up, the Thennamaravady folk took to prawn fishing in a big way. But this did not result in any conflict with the Sinhalese. The fish merchants who bought the catch off the fisherfolk were an admixture of Tamils and Sinhalese. Among the Tamils were Sinnappu, Singarasa and Kunam. Before 1984 the Sinhalese had suffered damage to property on two occasions. During the communal disturbances of 1958 and 1977 their wadis, goods and accessories had been burnt. They were living on land acquired by their early ancestors in which plots had been divided and subdivided.[\[Top\]](#)

#### **3.3.2.2 1st December 1984**

Several of the people at Kokkilai were standing on the Mullaitivu Road at 6.30 P.M. when the passenger van that came twice daily from Mullaitivu was coming at a distance. The Kent and Dollar farms incident did not affect them in any way. Since they were part of the community they thought they were safe. The driver of the van was doing something strange in flashing his lights. But this did not cause alarm. When the van came near, some young men jumped out, threw a grenade and opened fire. It was on later reflection that they realised that the Tamil driver, who probably had little choice over transporting the attackers had tried to warn them by signalling.

The survivors ran towards the sea to get into their boats. Manuel Anthony who was in a wadi was killed by gun fire. His wife who was injured carried her 9 year old son who was also injured and ran to a boat. The son later died in the boat. In all 13 were killed and 4 injured during the massacre. The survivors came ashore later in the night, carried their dead and injured, and walked 4 miles south to Pulmoddai in the Trincomalee District. The massacre at Nayaru took place at 8.30 P.M the same night, the attackers having come in an Elf van. Four were killed and two injured. Two killed at point blank range were the Costa sisters Mary Theresa and Mary Margaret who were bound by their long hair and shot. The survivors fled

into the jungle from where the army fetched them and took them to Mullaitivu. The injured from both incidents were later transported to Anuradhapura and Kurunegala hospitals.

The survivors, now refugees, went to a church in Negombo. Even those with land in Negombo stayed in the church, believing that the problem would soon be resolved and they could go back.

Asked whether the declared policy of the government (see introduction) had anything to do with their fate, they replied that since they were cut off and hardly read the papers, they knew or cared little about government policy. They also asserted that at the time of the incident, no fishermen had been settled there by the government. [\[Top\]](#)

### **3.3.2.3 December 1984 - 16th August 1993**

Since their eviction these folk had been going to Kokkilai off and on as the security situation permitted and as poverty impelled them. 90% of those who returned to Negombo do not go fishing. Unlike in Mullaitivu fishing in Negombo is deep sea fishing and different nets are used. It is also competitive. Those with bigger boats are at an advantage and such the refugees do not have. They are treated as outsiders. Sometimes others come in fast boats, cut their nets and scoot. They had eaten well in Mullaitivu and prices in Negombo were prohibitive. Their constant desire is to go back.

Those going back had little choice, but to accept army 'protection' and several of them received home guard training. They were not affected by the unsuccessful **LTTE** attack on the Kokkilai army camp on 15th February 1985 because they were on the other side of the camp. Their route to Kokkilai from Negombo now lay through either Trincomalee and Pulmoddai or through Padaviya and the Manal Aru (Weli Oya) region. Their dealings with the government had been given two choices, either poverty or complete dependence on the army. Those from Nayaru never got back.

The brief interval of peace during early 1990 was an eerie affair. The **LTTE** used to regularly visit the Sri Lankan army camp in Kokkilai where they were feted and treated to bonhomie by Sri Lankan army officers. At the end of each session the fishermen would be asked to take the **LTTE** by boat to the inland (west) side of the lagoon where they had their bases check by jowl with the Weli Oya settlements. The fisherfolk also went regularly to Mullaitivu. Some weeks before the outbreak of war in June 1990, some of the Sinhalese who went to Mullaitivu were invited to the **LTTE** camp and served tea and biscuits. They were then told not to come to Mullaitivu again. Although they did not realise it at that time, it was an indirect warning that war was imminent.

On 13th August 1990, shortly after the outbreak of war, a lorry load of Sinhalese on their way to Kokkilai were fired at by the **LTTE**. 11 were killed and several injured. Four were killed from the family of Patricia Peiris' sister.

Those who continued at Kokkilai developed a keen ear for the sounds of different guns, and tried to keep away from trouble. When out fishing on several occasions they had seen the **LTTE** gun running between a ship out at sea and the Mullaitivu coast. Although the **LTTE** saw them, both sides chose to ignore the other. During August 1992 three fishermen came to the shore with the intention of putting out to sea. An **LTTE** boat that was involved in a gun running operation came near, opened fire and sped off. **Samantha (16)** was killed.

The fisherfolk were not affected by the attack on Janakapura on 25th July 1993. But on the night of 16th August 1993 the army shouted a warning to them from a distance and left the matter to their home guards. The people got into their boats and took to the sea. There were no casualties except for a woman carrying a child to a boat who dislocating her leg. While out in the sea firing was heard 3 time during the night. If it was only a warning for the people to leave, the **LTTE** did not need to come near. They would also have been cautious about coming near because the approaches were booby-trapped.

The following morning most families decided to leave for Negombo and not to return until hostilities were ended, 161 families are now in Negombo while 74 are left in Kokkilai. The latter are said to be people with neither land nor a possibility of a livelihood in Negombo.[\[Top\]](#)

### **3.3.3.Tamil Friends from Mullaitivu**

From time to time the Sinhalese refugees meet Tamil friends and acquaintances from Mullaitivu. Like the Sinhalese a large number of Tamils too lost their homes and livelihoods when as part of the settlement programme above, the south the Mullaitivu District was declared a Prohibited Zone for Tamils. [For this and related developments, see **Special Report No.5**].

A refugee searching for a boat that went missing in Negombo came across Anthonipillai, a Tamil fisherman expelled from Kokkilai. He now works for the owner of a fishing vessel in Udappu in the Chilaw District. Other Tamils they had encountered in places as diverse as Maho and Kurunegala have expressed sentiments such as, "*How sad you cannot live in Mullaitivu while we can live here*".

A number of Tamils have also come to live in Munakkarai, the first island south of Negombo town, the second being where the refugees live. During several police round ups the Sinhalese have shielded Tamil youth. This made the police behave harshly with the Sinhalese as well, causing even Sinhalese youth to go into hiding at the approach of the police. Some Sinhalese had begun to express misgivings about the presence of Tamils because of the harrassment.

The refugees often wonder, in puzzlement rather than in anger, why Tamils can live in Negombo and they cannot live in Mullaitivu. The answer defies black and white definition. But by Tamil militants adopting a strategy where the moral high ground has been lost and whereby others find it difficult to understand the Tamil cause, a great disservice has been done.[\[Top\]](#)

### **3.3.4. The State and the Refugees**

Being without a proper income, the refugees badly need rations to which displaced persons are entitled. But obtaining these has been a constant battle. This contrasts sharply with the Rehabilitation Minister rushing to Janakapura after the debacle of 25th July to 'rehabilitate' displaced Sinhalese settlers. The AGA of their division in Negombo was said to be sympathetic. The GA, they said, told them that he had not been instructed by the Rehabilitation Ministry to provide for them. They next approached their local MP. They were

told that the Rehabilitation and Fisheries ministries had contacted the army command at Manal Aru. The latter reportedly said in effect that there was no problem since several Sinhalese families were in Kokkilai. After much toing and froing their rations were sanctioned for 3 months. The next time round the obstacle race may turn out to be un-winnable. They see the state as working according to Major Bohran's reasoning quoted in the introduction. The security of civilians is purely verbal.

What some of the leaders among the refugees think about going back was related at an informal gathering by a spokesman. **He said that the area has become completely militarised with the LTTE arming many of the Tamil civilians displaced by the army and constituting them into a volunteer force. He said that conditions conducive to their return would arise when the army removes its camps, allows the Tamil civilians to return and restores the conditions which prevailed before 1984.**

Among those actively helping the refugees over the years is **Fr. Bertram Thirimanne**, their parish priest , who had visited them a number of times in Kokkilai. The SEDEC had helped them through Fr.Bertam.[\[Top\]](#)

### **3.3.5.Relations with the Army- a Darker Side.**

When questioned about their relations with the army , some of the men became silent and later slipped away. Those remaining were evidently evasive. What they said amounted to "*If the army is not there we cannot stay there.*" the reality behind their evasiveness was conveyed to us by others who were close to them. Those who slipped away had not wanted to be in the position of defending the army. At least one newspaper had attributed discreditable remarks about the army to some of them. Those going back to Kokilai to look over their property had been questioned by the army and they were afraid.

The reality was that given their isolation and dependence, the army had treated them as chattels or camp followers. Forms of immorality short of murder had been practised on them. Men had been beaten. A newly married man being posted on home guard duty had to entertain serious concern over his wife being possibly abducted for the night and taken to the camp.[See `Troubles of Thiriyayi' in 4.1 and 5.3]

When there was danger the army was not in the habit of coming to their aid. They might just expect a warning or they may warn the army. The Sinhalese civilians had to fall back on their home guards. The army camp, the booby traps and their home guards, at best gave them some precious minutes to plan their escape - which was by getting into boats and spending the night upon the Indian Ocean. In place of the army defending them, they had become part of the army's defence or early warning system.

### **3.3.6. Disturbing Developments in Negombo - A Postscript.**

That young Sinhalese boys in Munakkarai take to hiding upon the approach of the police marks the thin end of the wedge. There is a new mood of fear gripping Negombo. There was comparatively very little JVP activity there during the late 80s. Activists there said that the attentions of the police were rather directed at the democratic opposition to the government, particularly those working on grass - roots alternatives and often close to the social action

wing of the Roman Catholic Church. Several of them went into hiding, left the area or even went abroad for a while.

The current mood of fear they said, originated in the aftermath of the UNP losing the Western Provincial Council elections. The activists had been told by well placed sources that certain angry UNP candidates attributed their defeat to the police " *not doing their job*". More recently **Edison Gunatilleke**, alias **Gadaffi**, had been posted as ASP, Negombo. **Gadaffi** had earned a reputation for himself during his posting in Mahawa in the Kurunegala District, where many killings had taken place during the JVP troubles.

Concern about recent police postings may have passed off as idle speculation if not for the fact that during the first fortnight of October four corpses with bullet injuries had turned up in different parts of Negombo's environs. Neither have the bodies been identified nor any official comment made. The dispersion also points to the work of an organisation. Two bodies were found at Taladuwa which is along the Colombo Road, one at Kathrana and one at Morawala. In the last instance the body was found floating on the sea. The men shrank away in terror. It was the women who went out and dragged the body ashore.

Are we now in the territory of the unprobed allegations of former DIG **Udugampola** which the Attorney General tucked away with such indecent haste? A front page item in the '**Sunday Observer**' of 24th October said that one corpse had been identified as that of an **EPRLF** sympathiser from Akkairaipattu, alleged to have helped the forces. The same report quoted security officials as being skeptical about a possible **LTTE** involvement. **Reliable sources believe that these bodies are connected with the ongoing security operation in Greater Colombo, which is separate from the routine checking and arrests of Tamils, where a top ranking police official is involved.** It is interesting that the bodies should turn up in Negombo where they are treated as a message for those opposing the government.

## CHAPTER 4

### A SELECTION OF EXPERIENCES IN THE TRINCOMALEE DISTRICT FROM THE MID 80S.

#### [4.1 Thiriyai](#)

#### [4.2. Kuchaveli](#)

#### [4.3 Drowned En Route to India:](#)

#### [4.4 Nilaveli](#)

#### [4.4.1 Kuchaveli Refugees - Many Recently Returned from India](#)

#### [4.4.2 Problems of Resettlement](#)

#### [4.6.Muthur](#)

#### [4.7. Thampalakamam](#)

#### [4.8. Alankeni & Ichchantivu \(adjecent to Kinniya\).](#)

What follows is far from being an exhaustive study of refugees in the district. It is based on interviews done in several parts of the district and would give a picture of the general problem and what people have been through from 1985 onwards. Because the Tamils were deliberately and consciously displaced, the overwhelming majority of refugees in the district are Tamil. During the course of the war and through reprisals, Sinhalese too were displaced and many more suffered economic hardship. These persons are mainly in the Gomarankadawela, Morawewa and Kantatalai AGA's divisions.

The Muslims were caught in a tricky situation and reasons for their displacement depended on where they were. In Muthur and Kinniya where the Muslims were strong and self-assertion was therefore greater, so was friction with Tamil militant groups since the mid-80s. In such places Muslims withdrew from exposed places owing to fear of the **LTTE**. In isolated places of Muslim habitation such as Jinnahpuram, Kuchchaveli and Pudawaikaddu, the Muslims have taken great care to avoid friction with Tamil groups, and they fled along with their Tamil neighbours. The Sri Lankan forces too made little distinction between them and the Tamils. Those from Jinnahpuram (near Kilivetti) went to Muthur town as refugees, while those from Kuchchaveli and Pudawaikaddu went to Horawapotana and are now returning. **The reader interested in individual cases could look up the [Appendix](#).**[\[Top\]](#)

## 4.1 Thiriyai

### The road to Thiriyai

Thiriyai is an ancient Tamil village about 25 miles north of Trincomalee through Nilaveli. The scenes of desolation are ameliorated by signs of life - of some purposeful activity by people trying to rebuild their lives. But north of Nilaveli one cannot but feel a sense of desolation. The deserted roadsides punctuated by shells of ruined houses and piles of rubble, against neglected coconut groves or advancing jungle, cannot but bring in a sense of sadness. Patches of purple or orange bougainvilleae growing wild are reminders of well tended gardens left unwatered by owners fleeing for their lives. This is the kind of scenery that would have moved bards and chroniclers pondering the transience of human endeavour over the ruins of Rome or Vijayanagar.

From Irrakkandi bridge onwards the presence of the army becomes prominent. One gets into a narrow pathway through jungle which is more potholes than road - something that must be making army drivers very anxious about land mines. Near Salapai Aru one encounters the womenfolk of migrant Sinhalese fishermen washing their clothes and bathing in a shallow tank to the left of the road. Their smile, betraying a note of anxiety, is not one coming as though from the masters of the land. They are among the wretched of the country, driven by circumstances to earn a living dangerously. Another sixty yards north and one finds a small army post near the fishermen's temporary huts. This tradition of migrant Sinhalese fishermen from Negombo coming with the south - west monsoon is a very old one. It has received mention in Sir Ponnampalam Arunachalam's Ceylon Census of 1901. There is another migrant Sinhalese fishing colony at Kallara north of Thiriyai.

Further down the road is Kuchaveli, another village in ruins, save the Roman Catholic Church, which is now within the perimeter of a large armed forces camp. Just past it, to the right, between the road and the sea are temporary huts of Muslim refugees who have begun coming back, and awaiting the coming of Tamil refugees before making the next move. (This was early May 1993).

A few miles down the road just before the Pudawaikaddu ferry crossing, one sees a patch of ruins, including those of a church. The ferry man Abdul Wahab informed us that the ruins were of the village of Sagarapura where migrant Sinhalese fishermen were settled in the 70s. These ruins were not part of the Sri Lankan army's contribution to development. With the onset of troubles in 1985, while the Sri Lankan army was busy knocking down Tamil villages to the south, Tamil militants knocked down Sagarapura. The Sinhalese fled and returned in 1987 after the peace accord signed with India. They were driven out again in October 1987 when Tamils killed 19 of their number.

At the end of the ferry crossing is the Muslim village of Pudawaikkaddu with 140 families. It too has a camp of the army and navy. The Muslims had fled to Horowapotana at the onset of the June 1990 war and returned recently. The forces are not taking chances with them. They have all got to leave their identity cards at the sentry point, collect them when leaving the village, and surrender them on coming back.

Another 4 miles along the uninhabited coastal road, a left turn, a little over a mile, past the army camp, and one is in Thiriyai.

### **The remnants of Thiriyai**

Thiriyai is among the ancient Tamil villages of the district and had over 700 families. Tradition closely links the village to Koneswaram temple at Fort Frederick, whose fame was sung by the religious poet Thirugnanasambandar circa 7th to 9th century A.D. The name of the village is linked with 'thiri' ('wick'). Lotus stems were sent from the village, which were dried and used for making wicks for use at Koneswaram. The villagers are conscious of this tradition and are very conservative Hindus. All of them are said to be vegetarian. There are several pointers to the size and prosperity of this village. It has a large Pillayar Kovil which had 4 officiating Brahmin priests. There were 40 tractors to plough their fields and 4 rice mills. Neelapanikkan Kulam which irrigates most of their fields has the capacity to irrigate 1140 acres. They have in addition Thiriyai Kulam, a much smaller tank. Several farmers were able to earn over Rs 1 lakh a year and the village owned much cattle.

Now the village has only 16 families - all elderly except one family which has children - 9 of them who have now left off schooling. Subbyah Iyer(72), the senior priest, could hardly hold back his tears upon reflecting on the humbling of this village. "All I could do", he said, "is to daily entreat the deity". The remaining villagers said that if they had the choice again, they would have left. Because they stayed, the inertia has kept them there. The rest of those in the village fled in June 1990 to Mullaitivu, Jaffna and India. Those remaining have next to no news of even their close relatives. The villagers do not get any milk from the cattle since they are not allowed to move out. What is left of the proud herd of cattle are about a hundred sorry animals limping around after treading mines laid by the army. The only visitors who care to acknowledge the existence of the village are wild hogs, monkeys and elephants, who now in control of the surroundings, mock their human overlords.

### **The troubles of Thiriyai**

The war did not much affect life in Thiriyai until early 1987. While all militant groups were active the Sri Lankan forces mostly remained south of Nilaveli. The **LTTE** knocked the **TELO** out of action in May 1986 and then in December the **EPRLF** and the **PLOTE**. Soon after, in early 1987, the Sri Lankan forces entered Thiriyai. Thiriyai itself did not witness

internecine killings between militant groups. The **PLOTE** was the strongest group there. Its cadre went off peacefully when the **LTTE** banned them in December 1986, as did the **LTTE** subsequently when the Sri Lankan army came. As for militant killings when they were in control during 85/86, the people recalled a particular incident where a few civilians were killed over charges of taking oil, then in short supply, and selling at Pudawaikkaddu.

When the army came to Thiriyai in early 1987 it was not so peaceful. Around 25 from Thiriyai are said to have been killed by the army during that period.

When the troubles began in mid-June 1990, a stream of Tamils fleeing northwards left their vehicles and bicycles in Thiriyai and proceeded to board boats further along the coast. Many houses in Thiriyai were full of bicycles deposited for safekeeping - several houses having tens. Farmers in Thiriyai whose main capital was in tractors tried to get them out of the area. Several of them had to abandon their tractors in the jungle when a huge sum such as

Rs 15 000/= was demanded by operators to haul the machines across river crossings. Of 40 tractors only 6 were saved.

When the army came in it was the usual story. People were brutally beaten and herded into a refugee camp. Subbyah Iyer was chased with a stick. Then the army proceeded to loot anything that was left - bicycles, vehicles, tractors (several of which were found abandoned over a period) and rice. Rice from the last harvest was stacked in houses - on the average of about 60 moodais per farmer. The balance of goods were burnt with the houses.

About 30 people and a number of bulls were said to be among those killed by the army. In one incident ten were taken in a bus by the army from the local refugee camp. They are said to have been shot at Illanthaikkulam. Among others killed were Selvarasa Vijayakumar, Rajavarothayam and Shanmugam. The beating of even the elderly continued for 2 months. The 72 year old priest was beaten. Several old men had their hands placed on cement floors which were then rammed. A 77 year old man showed his wrists which were then broken. The only relief they had was from the local government dispensary. For a long while the villagers lived on palmyrah yam and spinach. Those who had not already left steadily began leaving.

Whether for security reasons or ideological reasons, the army gave no encouragement for Tamils to remain in the area. From the beginning of the war the **LTTE** too had done everything to screw up things for the Tamils. Unless by sea, the government would then (in 1990) have faced considerable difficulty in supplying large refugee camps in the area.

One old man said in confidence that an important reason for the staggering decline of the village was that in the early days of the June 1990 war, a number of women were raped by soldiers. This is plausible in the light of similar reports from around Trincomalee town at that time, the utter powerlessness of the villagers and the general behaviour of troops there. This charge was however firmly dismissed by the women, led by Subbyah Iyer's wife.

A recent incident was one where several men were summoned to Pudawaikkaddu by the forces for a meeting in September 1992. Seven were detained. **Sellathurai Selvarajah(17)** was later released and is staying in Nilaveli. He had to go to Trincomalee and sign once a week. When he went to sign on 18th April 1993 he was again remanded for unspecified reasons. These are symptoms of a system where corruption, security concerns, clumsiness and lethargy are all comfortably mixed up. Little wonder that, in the main, only the old remain in

Thiriyai.[See 3.3.5 which gives the experience of a Sinhalese community, isolated geographically in the company of the army]

### **Present conditions in Thiriyai**

To say the least conditions apart from the restrictions are pre-colonial. Earning money is extremely hard. Sivalingam, the only man with children does some vegetable cultivation without insecticides or fertiliser. To transport his brinjals to Pudawaikkaddu for sale, he needs a permit from the army. By the time the permit is given, the brinjals may be unsaleable.

**Given that there is not a single young man in the village and those left are mostly into their 60s and 70s, there is an absurd system of permits even to go to Trincomalee.** This people have to do even in order to get medical treatment. With the permit, old men and women set off to Pudawaikkaddu on foot about 8 or 9 A.M covering 5 or so miles. Then they wait at the ferry point for the one bus from Trinco that gets in just after 1.00 p.m. If it arrives they cross the ferry, get to Trinco in the evening, attend to their business the following day and get back the 3rd day. If the bus does not arrive, the Thiriyai folk are not allowed to remain in Puddawaikkaddu. They must walk back to Thiriyai and return the following day. There are also severe restrictions on bringing back goods from Trinco such as 1 litre of kerosene per family.

The government rations on which the refugees survive, are brought in once in 3 months and deposited at the army camp. The villagers allege that things are brought in short supply. Any complaint would be dismissed with the usual 'Do not look a gift horse in the teeth'. The villagers have to collect their rations once in 15 days. Sometimes sacks of food they say, go missing or are eaten by white ants.[\[Top\]](#)

### **4.2. Kuchaveli**

At present (early May 1993) over 150 Muslim families have returned to Kuchaveli from Horowapotana, whither they fled in June 1990. On 13th June 1990 the **LTTE** surrounded the camp of the police and navy. Tamil refugees were streaming north at this time. Four Muslim civilians were injured during the exchange of fire. The Muslims fled willy-nilly to Horowapotana, westwards. The injured were treated there and one of them, Kuthus, died.

Once the **LTTE** left, the forces as usual looted and burnt the place. That the boats and fishing equipment left behind by Tamil and Muslim fishermen were also stolen by the forces was confirmed by the Muslims.

The Muslims there had returned on 10th July 1992. Loans for the purchase of boats and fishing equipment promised to them on 4th October 1992 had not materialised so far, they said.

Unlike the Tamils, several of the Muslims in Kuchaveli were also rice cultivators. Their spokesman A.C.Jainulabdeen said that they had 176 plots of 2 acres or more. Some he said did chena cultivation on as much as 48 acres or so during the October rains. These lands were about 6 miles to the interior. They have not cultivated since troubles broke out between Muslim and Tamil groups in the 80s, especially in Muthur. Their tanks too, he said, are in a state of disrepair. They have no problems with rations, he added, because these are obtainable at the local MPCs. The school is functioning -the teachers being often 'Janasaviya teachers' rather than regular teachers.

A further 600 Muslim refugee families are still in Horawapotana. Among the drawbacks the Muslim refugees face are the lack of a regular doctor - especially for the children, the lack of a regular bus service to Trincomalee and building materials. During December 1992 a heavy storm, with flooding, had brought down their temporary huts. The Muslims said that they never had trouble with the militant groups. But they would be reluctant to go back to their former premises until a return of the Tamil refugees and the remainder of Muslims from Horowapotana.

The refugees said that all their houses destroyed by the forces (leave alone property) were each worth more than Rs 1 lakh and that the Rs 15 000/= for a house being offered by the government was an insult.

Other NGO sources said that the problem of a regular doctor was soon being put right. The refugees are also being given equipment to begin by planting vegetables. [\[Top\]](#)

### **4.3 Drowned En Route to India:**

We recorded in earlier reports how from 13th June 1990 many Tamils from the district trekked as far as Nilaweli and Thiriyai, went by boat to Mullaitivu or Pt Pedro, then trekked again to Vavuniya and Mannar through jungles and finally by boat to India. Several perished on the way through starvation and disease-particularly children and the elderly. Those bound for India had to run the gauntlet of the often tolerant, but sometimes unpredictable, Sri Lankan Navy, as well as the sea made rough by the south-west monsoon.

**Nadesan** (late 40s), a farmer from Pankulam, is now a community leader at the **UNHCR** transit camp for India returnees at Alles Thottam(Gardens). In the wake of June 1990, having completed the first part of his odyssey, his family boarded a boat in Mannar which commenced its journey to India by night. His boat capsized in rough sea and in the dark he lost sight of his wife **Sushiladevi** who was holding a child and his other 9 year old son.

**Nadesan** was picked up by another boat and was taken back to Mannar. Ten days later he discovered that his 9 year old son too had been picked up and was in Mannar. With his son he took another boat to India. Of **Sushiladevi** and the other child, nothing more was heard. [\[Top\]](#)

### **4.4 Nilaveli**

#### **4.4.1 Kuchaveli Refugees - Many Recently Returned from India**

Tamils in Kuchaveli are almost exclusively fishermen by profession, who lived in small bunched up huts by the sea. Many are Roman Catholic Christians and have connections with India through marriage with migrant Indian fishermen. Social workers who in the past had tried to coax them into agriculture through offer of land and other amenities found them singularly resistant, despite the prospect of higher incomes. Their life was therefore confined to a narrow patch of the coast and the wide sea. Some are now learning to farm as agricultural labourers in Nilaweli.

They said they fled their village after airforce men from the local camp shot dead six of their number, many going to India. Those who went to India said they were well looked after. A family receiving Indian Rs 390/ 2 weeks they said could manage well because things were sold to them cheap (57 cents per Kilo of rice, Indian Rs.5 per Kilo of sugar and Rs 3/10 per litre of

kerosene). In Sri Lanka, they said, that a family of 5 or more are allocated Rs 1200/- per month with the goods supplied by a private trader nominated by the authorities. They claim that they are systematically short supplied and estimate that the Rs 1200/- would therefore be worth about Rs. 800/- in real terms. When they complain about supplies being under weight, the trader they say, tells them not to look a gift horse in the mouth. The Grama Sevaka, they claim, supports them, but the AGA is with the trader. They have been demanding that the goods should be supplied through the local MPCS.

Asked why they returned from India, they gave two reasons. One was that they could not look the people of India in the eye after Rajiv Ghandhi was murdered. The second was that many of them were falling ill because of the climate. They denied harassment by Indian authorities. [\[Top\]](#)

#### **4.4.2 Problems of Resettlement**

These interviews were conducted in March 1993 when the authorities in Trincomalee were urging them to return to Kuchaveli. But the refugees themselves raised many questions. As for security they said, that they had little anxiety on account of the army, but feared homeguards. Their questions were mainly to do with livelihood. In Nilaveli itself there was some work for agricultural labour. The women could earn Rs 50/- a day harvesting onions. They themselves did not do any planting, they said, because the army may suddenly force them to abandon their crops and go to Kuchaveli.

Their problem was one common to Tamil fisherfolk in the district. When they were forced to flee in June 1990, a large number of their fishing boats and equipment were stolen with the complicity of the armed forces, and were either sold to Sinhalese fishermen or were removed from the district. Some, like Neminathan, who identified their boats in the Trinco harbour have no means of getting them back.

As for buying new boats and equipment, they say that no loans have been given to them since 1985, nor have they been told how to obtain loans. Some who tried were first told that they must form a society, which is difficult as all are destitute. They claim that while the Ministry of Fisheries is going all out to help Sinhalese fishermen, almost nothing has been done to help them for two years since the outbreak of war. Some in town, they say, have given names in Kuchaveli and have paid bribes of the order of Rs. 5000/- to get loans passed.

In addition, nearly all their houses have been destroyed by the armed forces. **Rajeswary Thurairasa** said that her house was destroyed in 1985, which was rebuilt with assistance from a church organisation when the **IPKF** was here, only to have it destroyed once more by the Sri Lankan forces in June 1990. [\[See appendix for cases\]](#) [\[Top\]](#)

#### **4.5. Kadatkarachenai, Chenaiyoor, Sambur & Kattaiparichchan (near Muthur)**

Kadatkarachenai GS's division has a total of 366 families, all of whom were made refugees in July 1990. Several families fled the area. The others lived in the nearby jungles until February 1991. Their houses were destroyed by the forces. Most refugees have returned except 30 families who are said to live in Trincomalee or Jaffna. It took nearly two years for each family to receive its settling-in-allowance of Rs. 2000/- which helped them to put up a shed. The people themselves trace their origins to places as diverse as Kottai-Kallar and Pt Pedro and are both fishermen and farmers. In this GS's division about 19 people were killed or are missing as the result of the action of the Sri Lankan forces between July 1990 and

August 1992. There have been no disappearances since then. In Sampur (600 families), Chenaiyoor and Kattaiparichchan (800 families), a total of about 34 persons are said to have been shot dead by the army between 7th and 10th July 1990. In Sambur 6 fishermen were shot dead during the second half of 1992.

Some of the worst incidents remembered by the villagers is one in 1985 when the army shot dead 4 persons in Chenaiyoor including an LDO. In late 1985 there was one incident where the army rounded up 27 persons, took them to Sambur and massacred them. At the same time 5 others were killed at sea. More than 50 are said to have been killed in Sambur during that period.

The worst incident during the **IPKF** presence took place about the middle of 1988 when 11 persons were shot dead in a school room in Kattaiparichchan.

From Kadatkarachenai alone 64 persons were detained in Boosa after being badly tortured (see cases in the appendix) between 1985 and 87. Those known to have been detained after June 1990 are said to number 16.

As for recruitment into militant groups, the young from these villages joined mainly the **PLOTE** and the **LTTE** in the mid 80s. About 25 from Kadatkarachenai joined the **PLOTE** and are now said to be in its splinter group, the **ENDLF**. Those surviving are believed to be in India. Those from Senaiyoor and Kattaiparichchan joined mainly the **LTTE**. They said that the **TELO** had a large camp in Sambur during the clash with the **LTTE** in mid-1986, but very few from those areas had joined the **TELO**. They confirmed that the women had then come out to prevent a fratricidal clash, and as a result deaths in that area during the clash were negligible.

**Maheswary** and **Amaravathy** from Kadatkarachenai lost a daughter each during the Muthur ferry disaster of January 1993. **N. Vasanthy (23)**, the daughter of the first, was about to enter university. Seven from Senaiyoor died during the same incident.

**Livelihood:** The people living in these villages, one time reasonably prosperous, are now desperately poor, surviving mainly on food rations. The fisherfolk get some cash through coastal fishing. Those involved in rice cultivation are not allowed to stay in their fields and keep away elephants during nights. Hence this activity, if undertaken, has to be done at considerable peril. NGOs are involved in providing some assistance - such as supplying coconut seedlings. At Kattaiparichchan, the situation is reportedly worse. To obtain cash people go into the nearby jungles to collect firewood. These are then loaded on bicycles and rolled into Muthur for sale. When they return, the goods they can carry back are severely limited - e.g not more than one box of matches and a litre of kerosene per person.

At Kattaiparichchan, Kadatkarachenai, Chenaiyoor, Sampur, Koonithivu and Illakanthai, their rations have to be collected at the MPCS in Muthur three times week, so that no one will have food for more than about two days at a time. This procedure consumes a very valuable part of 3 days of one's life every week. People have to queue up and later be checked at the army camp. This procedure could last from morning into the afternoon. This is apparently a move to starve the Tigers and is part of life in a 'cleared area'. The productive life of many an adult is divided between standing in front of the army camp and rolling firewood into Muthur.

**Although the young from these villages joined different groups, owing to the conduct of the Sri Lankan army in recent years, people tend to feel that they are able to continue living there because the LTTE is about, whence the army's mobility is limited. What they experienced was that the army came in July 1990, destroyed their houses and killed a few. But the rest survived in the jungle where the army was loath to go. It is the gut reasoning of a desperate people rendered totally powerless.**[\[Top\]](#)

## **4.6.Muthur**

### **A note on events in Muthur:**

Troubles between Tamils and Muslims began during 1985. A Muslim cowherd was accused of cattle stealing and also of giving information to the army. A Tamil militant group sent a letter to the local mosque asking the authorities to inquire into the alleged offences. This was refused - in part owing to fear of repercussions from the security forces. Tamil militants then took the cowherd, tied him to a lamp post and shot him dead. When the Muslim community showed its displeasure, the Tamil militant groups, especially the **TELO**, went on a rampage assaulting Muslims and looting their property. The **EPRLF** took part in certain places. The **PLOTE** local leadership refused to join in such activity. But failed to restrain their cadre who joined in. Similar stories emerged from other parts of the East, like Eravur, about that time. Those militant leaders with some political vision tried up to a point, to deal with the Muslims sensitively. But they failed to sustain it when prejudices started to be given a free reign. This event also ended Muthur being a safe haven for Tamil militants. The **PLOTE** leader **Uma Maheswaran's** companion, who in mid 1982 was injured during the Pondichchery Bazaar shoot-out with the **LTTE** leader **Prabakaran** and his companion, recuperated in a safe house in Muthur. This obviously involved good-will on the part of the local Muslims. The events of 1985 also explain why the **LTTE**, a late - comer to the East, was able to mobilise considerable Muslim support, which it too could not sustain for somewhat different reasons. [See **chapter 6 of [Report No 11](#)**].

When the forces went into action from 1984 there were terrible massacres of Tamils. On 27th November 1985, 21 Tamils from Kadatkarachenai, Koonithivu, and Chenaiyoor were killed by the army. According to the citizens' committee 30 from Koonithivu and 56 from Sambur were missing. **During mid 1986, in an early morning round up in Manalchenai 67 were massacred by troops in black shirts. About 7 women were raped.** The refugees were from Manalchenai, Pachchainoor, Peruveli and Mallikaithivu. 32 bodies were recovered including 15 of women and children. **Magistrate Kathiravetpillai** delivered a forthright verdict following the inquest and left the district. He later became well known for his equally forthright verdicts over incidents in Jaffna. During 1984, one witness said that he saw the burning by the forces of 18 bodies in Kattaiparichchan.

By the time the **IPKF** arrived in August '87, relations between the **LTTE** and the Muslims had soured. In early September 1987, Habib Mohamed, AGA/Muthur was shot dead. Muslim civilians stoned the local **LTTE** office. On 12th October 1987, a Muslim police constable was murdered. The police and homeguards started shooting Tamils. The **LTTE** then retaliated against Muslims. **Mr. A.L.A. Majid**, SLFP, MP for Kinniya, was then very active trying to bring about a settlement. The **LTTE** invited him to Vavuniya for talks. During the **IPKF** presence the Muslims generally had it rough. Majid was assassinated just after the commencement of war between the **IPKF** and the **LTTE** on 10th October 1987. Those who attribute the murder to the **LTTE** cite his closeness to the **IPKF**. Others who are skeptical

about the **LTTE** wanting to murder him suspect the Cassim group within the Sri Lankan army. This group had been credited with a mission to bring about a breach between Tamils and Muslims - a mission later taken over by the **LTTE**.

Contrary to popular belief, the Muslims are far from having it good following the war of June 1990. On 11th June 1990 the army and police in Muthur town were besieged. Although there were a little over 10 members of the **LTTE**, the forces thought there were many more. On 5th July the forces attempted to relieve Muthur. Sighting a member of the **LTTE** under a big tree, the airforce commenced bombing with their accustomed skill. The bombs hit a big building and damaged a nearby mosque killing 4 Muslim civilians injuring over 10.

Muslims in isolated villages who could not afford to alienate the **LTTE** have faced punishment from the forces - e.g Jinnahpuram. During 1992 the **LTTE** ordered Muslim farmers in the fields at Periyapalam to sit down, then waited in ambush and killed 13 soldiers. Such events placed Muslims too in an awkward position with the army.

When the army came into Muthur just after 5th July 1990, the Tamil houses were looted by the forces and to put the blame on the Muslims, the police ordered Muslims to set fire to Tamil houses. These goods were taken out of Muthur. The goods looted from Muslim civilians in Jinnahpuram were sold in Muthur.

Just after the Kattankudy massacre, the police and army deployed sentries and prevented an outbreak of violence in Muthur. The Tamil GS, Kurugnanalingam, looking after the refugee camp at Pachchanoor disappeared after being taken by the army at Periyapalam sentry point while travelling with his wife. Occasional killings had continued - such as shooting of Muslim fishermen or an occasional Tamil disappearing. Muslims have also been hit economically by losing access to their rice fields in Mallikaitivu, Menkamam, Kanguveli and Peruveli.

**Pattithidal (Village near Muthur, 300 families):** Villagers said that about 20 civilians were killed by the Sri Lankan forces during 1985 & 86, including several members of over two families. About 10 were killed by Indian forces during their presence. They added that about 20 were killed by the Sri Lankan forces after mid June 1990.

In one incident at Mannampadivattai, they said, the army opened fire killing six - Lingaraja(16), Thayaparan(15), S.Kandiah(36), Sivasambu Uthayakumar(15), C.Rosa and one other. S. Paskaran(16) was injured. Others killed included K.Thamayanthi, Mahalingam and Veerappa(90).[\[Top\]](#)

#### **4.7. Thampalakamam**

By March 1993 of the 13 sub villages in Thampalakamam 6 were resettled. Others were refugees in the Hindu temple. Most of those in Thampalakamam fled in June 1990 and most of them are said to be in Mullaithivu. Those in the North with children are said to be finding it difficult to return. Many other Tamils now reside in Trincomalee. Hence the village is considerably depopulated. It earlier had more than 6000 Tamil inhabitants.

When the army moved in soon after June 1990, one witness said that he saw at least 10 bodies along the Kinniya Road near Kovilady. On one occasion the army reportedly took about 35 including elderly and girls near Illankesan mill. Incidentally a similar incident took place during

June 1986. 34 bodies were discovered in the jungles near Thampalakamam on 28th June 1986. Among those killed were a mill owner, his wife and several employees. The killers are believed to be Sinhalese home guards. The officer in charge of the first detachment that came to Thampalakamam after June 1990 is said to have been very nasty. A railway works supervisor named Vithana from Kekirawa (known locally as Aalkolli (Manslayer)) used to lead a mob of Sinhalese hoodlums responsible for several disappearances. Sometimes people who passed the army camp, were checked and allowed to proceed, were kidnapped a short distance away by this gang.

The next officer, Captain Thalagoda, who was in charge about July to September 1990 was said to have been very protective towards the Tamils, often going to great lengths to release those who were kidnapped. The total killed or disappeared from Thampalakamam after June 1990 is put at 80 or more (rough estimate).[\[Top\]](#)

#### **4.8. Alankeni & Ichchantivu (adjacent to Kinniya).**

Alankeni, a Tamil village adjacent to Kinniya has 384 families of whom 25 are Muslim. The Muslim quarter continues into Kinniya. The relations between Tamils and Muslims were traditionally good. During the 1985-87 troubles the Tamils used to go into the Muslim area for protection from the forces. Ichchantivu, next to Alankeni away from Kinniya, has 225 families - all Tamil.

During the aftermath of the war of June 1990 all Tamil houses were destroyed. Those well to do have moved to Trincomalee, Colombo and Canada. Thus Tamils there are effectively without leadership. The number killed by the forces in the two villages after June 1990 is said to be over 25. The number killed by the Sri Lankan forces during 1985-86 is said to be much higher. There were no casualties during the **IPKF** presence. The number killed in internecine quarrels between Tamil militant groups or killed by Tamil groups is placed at about 20.

Of the notable incidents, one occurred on 28th July 1990. The army asked all the villagers to come to the local school for a meeting. Nine were taken away by the army including 2 children (a girl(12) and a boy(9)) all of whom disappeared. There was then a panic and the villagers decided they could not stay there. The army arranged to move them to the famous World War II aircraft hanger at Clappenburg. The villagers assembled at the school again on 6th August 1990. After one lot was taken to Clappenburg, the army and homeguards again took away 14 persons. 10 were later released and 4 are missing.

Upon the outbreak of war in June 1990 many of the villagers had taken to the jungles and had lived around Kandankuda and Upparu before returning to the refugee camp at the local school over the next two months. After a year at Clappenburg, overlooking China Bay, some of the refugees had come off and on crossing the Kinniya ferry to look for missing cattle and such like - nothing being left of their homes. From April 1993 security clearance had been given for a return of refugees and many of them have been coming daily to clear their compound. The next step was for each family to receive Rs. 500/- worth of cadjan from the rehabilitation ministry to put up temporary shelter. According to local representatives of the ERRP the payment though promised had not come through by early May. Not unnaturally the refugees expect more from NGOs than from the government machinery. A police post had been set up recently and the OIC appeared to be well-meaning.

At present a once reasonably contented people have no means of livelihood. Though an impression, there seemed to be in Alankeni a higher incidence of women who were either widows or whose husbands were in some way disabled. A number of local women had gone to the Middle East as house-maids through agents in Kinniya, having taken passports under assumed Muslim names. This has happened from before the mid 80s, suggesting that economic pressures were being felt before the Tamil insurgency or the 1983 violence. Some of these impressions received confirmation from a political activist who said that a number of these women are kept as mistresses by non - Tamil men through causes of poverty, lack of security or both.[Cases are given in the appendix

## CHAPTER 5

### TRINCOMALEE: LOOKING BENEATH THE SURFACE

#### [5.1. A Triumph of Ordinary People](#)

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### **5.1. A Triumph of Ordinary People**

During early May 1993 the Buddhist festival of Vesak was being celebrated in the lately Sinhalese dominated market area of Trincomalee. Tamil music was first played over the public address system. The chief guest invited for the occasion also happened to be a former Tamil member of the urban council who belonged the **TULF**. Since very recently Tamil and Sinhalese vendors have been selling their wares side by side in the market. This marks a happy turn of events considering the brutal and tortuous history of communal relations over the last decade and a half. It is also the culmination of initiatives coming from and taking shape in the hearts and minds of ordinary people for over four years. This is easily discerned in conversations with ordinary folk. [See [Ch.7](#)]. But that is how this country had been for dozens of centuries before the last four decades gave rise to a river of blood.

Again, people are distrustful of the surface of calm. They are powerless to determine their future in the face of power games played from Colombo, Jaffna and beyond these shores. In [Chapter 2](#) of our last report, we raised questions pertaining to land, colonisation and administrative arrangements where the government must find a just settlement to the grievances of the Tamil speaking people, if a lasting peace is to be secured in the district. It is here that the real intentions of the government in particular will be crucially tested. It is therefore no exaggeration to say that Trincomalee will be a litmus test for the prospects of

peace. We will here examine in some depth several of the issues highlighted in the last report.[\[Top\]](#)

## 5.2. Signs of Disquiet

Alankerni is a Tamil village adjoining Kinniya where many mothers are widows. In many ways it is typical of Tamil villages in the district. Its surviving inhabitants have been refugees for just under 3 years, much of it spent in a wartime aircraft hanger at Clappenburg. [See 4.8]. Their houses looted and destroyed by the Sri Lankan forces are almost completely rubble. People are just beginning to come back to clear their compounds prior to resettlement. Some of the folk point to the remains of houses of middle class folk that would have been worth more than Rs 500 000/- at today's prices. "That was the house of Manoharan, Electrical Superintendent. They are now in Canada. That house belonged to ..... now living in Colombo. Those from that house are in Trincomalee....." and so it goes on. What becomes clear is that those in a position to give leadership are not going to return. Many of these villages are going to be dominated by helpless widows, old men and farmers. Some of the sinister purposes of the state and its forces in bringing this about become apparent. The only person in Alankerni now in a position to provide some leadership is a project officer representing the Trincomalee District Development Association, a retired gentleman normally resident in Trincomalee town.

The most a refugee could hope to receive for his destroyed house is a pittance of Rs. 15000/- from the government. But first they are to receive Rs.500/- worth of cadjan to rig up temporary shelter and live on their premises. Then comes along an official from the government's Emergency Refugee Rehabilitation Programme (ERRP) in a brand new Japanese pick up, the like of which the earnings of a cabinet minister over ten years can barely purchase. The vehicle has the markings `Donated By UNHCR'. The official apologises profusely for the non availability of the Rs.500/- per family for cadjan sheds. He promises to press the rehabilitation ministry to send the money without delay. The refugees stare in bemused disbelief. At least vehicles were running about in their name, which from their capacity may as well be F-16 fighter jets.

The head of a local NGO, not among the top elite, but generally acknowledged as feeling for the ordinary folk as well as being hard working, could not restrain himself: *"One cannot help feeling deeply sad when one sees the plight of ordinary people. A very large section of the administrative hierarchy is living it up in their name. The place is stinking with corruption. Even sadder is the fact that many Tamil officers are quite at home in this set up. You see how difficult it is for these people to get even cadjan to keep away the elements. But many government officers who were not affected or were not in the district during the troubles have got themselves money on all possible grounds - including Rs. 50 000/- for houses supposedly affected. The refugees starve because their rations are systematically swindled as part of an ongoing racket."* Such are allegations one repeatedly hears. What is really behind this and the implications we will examine in the sequel. Some of these complaints come from refugees themselves. [See [4.1 & 4.4.1](#)].

We raised in the last report some urgent questions concerning land policy in Trincomalee town. Some veteran Tamil leaders met (late) **President Premadasa** in Colombo on 31st January 1993 to raise these and other similar issues. The discussion was cordial and the president was eminently reasonable. He agreed with most of their suggestions. He asked his secretary to issue directions to drop proposals to build 36 houses for Sinhalese on

Theerthakkarai along the Koneswaram Kovil approach road and for the land to be cleared. The proposal to build houses had been agreed to at the Presidential Mobile Secretariat the previous week. Sinhalese had lived in temporary huts at Theerthakkarai following the disturbances of October 1987. The president also agreed that the 42 Tamil houses from the NHDA self-help housing scheme in Love Lane, now occupied by Sinhalese squatters, would be restored to the Tamil owners. Since it was a private meeting with no stenographer, he asked the Tamil leaders to give their written suggestions in point form so that the cabinet could act upon them and issue directives.

Since the military is the highest authority in Trincomalee, a leading Tamil townsman had a late evening discussion by appointment with a key military official towards the end of April. The matter to be discussed was land. The official began the session by picking up a sheaf of papers and reading aloud. It went on about how the government is conniving at giving Tamil lands in Trincomalee to Sinhalese and then dwelt on land concerns commonly voiced by Tamils. He stopped at the end of the first page and showed the Tamil citizen the front. The emblem showed that it was a document of the **LTTE** circulated presumably from London. The citizen was nonplussed. He wondered with some trepidation if he would be suspected of drafting the document for the Tigers if he said what he had to say. He took courage and raised the matter of Sinhalese squatters on temple lands. The official replied that alternative lands would be found for them. The citizen then raised the matter of Sinhalese huts on Theerthakkarai, which showed no signs of removal. The official said, "*You come with me I will show you. Even now someone will be putting up a hut there!*" The citizen pointed out that it was the problem they wanted the authorities to solve. The official replied, "*Yes, yes we will find alternative land for them*" On the matter of 42 Tamil houses in Love Lane occupied by Sinhalese, the official argued that if Sinhalese had not occupied those houses, they would have been destroyed, without of course mentioning who destroyed houses.

It was almost 3 months since the president agreed upon solutions to some of these matters with Tamil leaders. Was it that none of it had filtered down the line, the military was above the president, or was some game being played? A cabinet decision taken about the beginning of March threw some light on the matter. This will be discussed. It is also significant how the military official dealt with Tamil concern through a mixture of disarming frivolity that was necessarily accompanied by a hint of menace. How the system works, if we agree to call this conglomeration of chaos such, cannot be understood without the submerged experience of terror. [\[Top\]](#)

### **5.3. The Assimilation of Terror**

As recently as Tuesday 20th April 1993 the entire population, effectively of Tamils, from Trincomalee town was asked to report at the St. Joseph's College grounds for screening, leaving one person at home. Young, old women and children waited in the sun from 7.00 A.M. without water. A number of people fainted. A number of middle aged men were beaten by armed men including soldiers and Tamils of unknown affiliation. An old man who fell down while being beaten was bodily carried and thrown. A number of persons were detained and taken to the police station or to the army camp at Plantain Point. A 70 year old woman who had not drunk water since early morning was being conducted by armed Tamils at Plantain Point. A soldier shocked by the state of the woman screamed at the Tamil thugs. [According to senior political sources, the armed Tamils did not belong to any militant group]

Thus the system bestirs itself now and then to thrust home who is boss and to remind the people of their powerlessness. If one talked to Trinco folk just before the incident or a few days after, one would have been assured that things are normal and peaceful. The consciousness that under this dispensation the worst they have been through could happen again is submerged, as is the experience of 1990. In order to survive most people made a conscious decision to know as little as possible about what happened. Although people are dimly aware, it is difficult to get them to talk cogently about what happened during the second half of 1990, the days when a white van went about abducting people.

People are more aware of the story of half a dozen or so Kumars. The army wanting to question one Kumar detained about 6 or 7 persons with their name ending with Kumar - like Chandrakumar. All but one disappeared. One of them was the son of a post master.

Less known in detail are things which happened in poorer areas. When the army came into Trincomalee on 13th June 1990, several young men from Anna Nagar through fear tried to hide in the hospital, some dressed as patients. One was spotted through a window climbing into the ceiling. The army took 35 or so young men out of the hospital and shot them dead. This is what was behind the 38 bodies reported by a witness, recorded in our [Report No.4](#) of 9th August 1990. These young men were mostly from a community of Indian Tamils who are hospital, sanitary and urban council labourers. This incident was related by a medical officer.

A local activist of a political party related what happened in Chelvanayakapuram, another poor suburb. **Shortly after the army's entry in June 1990 many of the women were raped. Women were forcibly taken away in the nights and brought back in the morning. As the younger women left, even 50 year old women were taken. This stopped after the early weeks. A few months later, just before December 1990, a group of soldiers came to drink illicit liquor that was brewed in the suburb. Once drunken, the soldiers asked for women. Some of the local men replied that nothing like that was available there. The soldiers took away about six men, all of whom disappeared.**

Throughout all this terror the people were powerless. A dim consciousness of these events beginning from 1983 have been assimilated in the form of certain taboos. Something that goes to make a wholesome being had snapped. Instances of the effects of violence have been studied in several parts of the country. A study was done on how Sinhalese in a part of Badulla District have responded to violence, in particular that which marked the JVP uprising in the late 80s. The study observed, *"They are singularly reserved about what happened in the late 80s. It is only now that they are willing to open up and discuss what happened during the anti-Tamil violence of 1983. Also surprisingly, their voting pattern during the recent Provincial Council elections was not determined by a sense of indignation for what the state did to Sinhalese youth. The pattern was rather determined by how best they could survive the uncertainties of the near future."*

One also finds similar patterns in Jaffna where in order to survive people try to know as little as possible about the LTTE's repression. There are several undercurrents resulting from the repression in Trincomalee.

We are concerned here in particular about the effects on the administration of Trincomalee. We mentioned the role of corruption in the last report. When the North-East Provincial Council was a going concern during much of 1989, the administration was relatively uncorrupt despite ongoing killings. There was a sense of purpose and a hope that something

could be done for the people of the North-East. Today that collective elan is lost. **The administration is marked by enforced complicity in blatant administrative irregularities that futher the state's ideological aims. This is accompanied by a resort to individualisation and corruption for private gain that is the price of complicity.**[\[Top\]](#)

#### **5.4 Administrative Irregularities and Corruption**

There is little that is shocking about the magnitude of corruption in high places in Colombo that runs into tens of millions of US dollars. Nevertheless one sits up when a government official in Trincomalee says sarcastically, "*Do not think that we are poor over here, even brand new automobiles are given as birthday presents!*" This relates to an event widely talked about in Trincomalee where a private trader who distributes rations to refugees presented a key government official with a new car. The purposeful looseness that prevails in administrative arrangements is best understood in the context of irregularities that further ideological aims in relation to land.

From 1st January 1990, following from the 13th amendment to the constitution, land alienation was ceded to the provincial administrations. The new system was that to alienate crown land in a division, the AGA (now Divisional Secretary) must first make an application to the Land Commissioner of the Provincial Administration and receive approval.

But this is not how things are being done in Trincomalee. In the land controversies within town limits taken up in the last report, the land conferences of 28th December 1992 and 6th January 1993, referred to, appointed a committee of 3 to interview applicants and make alienations. One member of the committee was the reputedly weak Acting AGA. The key member of the committee whose influence was dreaded was a Sinhalese land officer. He was formerly a surveyor, once interdicted for bribery and recently appointed land officer by the central government. In reality the role of this land officer and the committee above have no place or legitimacy in the current administrative arrangements, since land is a devolved subject. The whole thing was a mystery.

Also mysterious was the appointment of a Sinhalese lady from Kurunegala, the native place of the GA, as Assistant Land Commissioner in the land branch of the provincial administration. She was previously a clerk in the Trinco Kacheri. Her appointment is also said to be by recommendation, whereas she does not satisfy established criteria for such appointments. Nominees for the said position should come from either the SLAS (Sri Lanka Administrative Service) or through departmental examination from persons who have a given length of service in the land branch. (The positions in descending order are Land Commissioner, Asst. Land Commissioner, Colonisation Officer and Field Officer. The first two are SLAS appointments.)

The serving secretaries in the provincial administration left in early 1990 for security reasons as the **LTTE** moved in, and later the provincial council was dissolved. Subsequently new secretaries were appointed to the six provincial ministries, who under the governor run the administration. According to the principle established by the government, the appointment of secretaries should conform to the ethnic ratio in the province. As it turns out 3 secretaries are Tamil, 1 a Muslim (Education) and 2 Sinhalese (Land and Health), whereas just about 10% of the North-East population is Sinhalese. (How many secretaries in the Central and Uva provinces have been Tamil?) On land matters thus, things have been rigged up to ensure that

when needed, Tamil officers can be bypassed. How else could one explain such methodical irregularity? [See 2.3 of [Report No.11](#)]

Also of interest is the position of the GA (Government Agent). Appointments to this position in recent times have made the Tamils very uneasy - Trinco and Amparai being the two districts in the island which never had a Tamil GA despite their Tamil speaking majority. Following the appointment of Divisional Secretaries to former AGA's divisions in accordance with recent administrative changes, the GA becomes redundant. It is learnt that the GA/Trincomalee is to continue in order to co-ordinate rehabilitation and supervise public administration.

A senior Tamil administrator was asked what would happen if he protested at the blatant administrative irregularities. He was surprised that such a question should be asked. *"You must have heard about the white van that went about collecting people"*, he replied, *"Well, we got the message!"*

What comes through is a picture where the central government, the district administration and the military are executing a concerted policy. Human rights in the purely technical sense may have improved. Brigadier Siri Peiris, who when in Mannar encouraged people to view him with some dread, may have become an urbane gentleman in Trincomalee. The costumes may have changed. But the show on the road remains the same. [\[Top\]](#)

## **5.5. Corruption and the Refugees**

Stories of corruption in Trincomalee are many, involving building contracts, supplying of damaged laboratory equipment to schools on money coming from the Asian Development Bank, the individual wealth of public officials and so it goes. But in the case of refugees who depend on relief for food and shelter, they suffer tremendously because of corruption.

Following on allegations of the head of a local NGO quoted above, a respected official was asked about this. He confirmed the allegations. He said, *"If all the relief provided by the rehabilitation ministry and donor agencies reach the people, they will be amply cared for. A family for instance is meant to receive for a month 4x500 gram packets of Lakspray powered milk, 8 kg of green gram and so on. But not one division is getting the full amount. I would say they would be lucky to get half."* He also said that there has been discrimination against Tamil refugees, adding that in 1985 all Sinhalese GS's divisions were supplied in addition to rations, oil, firewood and water for displaced persons. He also gave the experience of a GS(Headman) in the 80s who had supplied Rs.66000/- worth of coconuts on credit to refugees. The ADSS wanted Rs 5000/- to pass the bill for payment. The GS refused and the matter stands unresolved. The corruption today he said had vertical tie ups involving huge sums of money. He said once while addressing newly appointed GSs in the presence of superior officials, the GS above had told them, *"If you want to make money, make it, put into your pocket and keep quiet. But don't get involved in making money for those higher up. When something goes wrong, investigators will come from Colombo, who need to prove they are clever. Whom will they screw up? Not those higher up, but only the poor GS!"*

Another official described the racket involving cadjan for refugees. The ministry of rehabilitation provides Rs 500/- for a family, for which the family should receive 200 olais (palm leaves) of cadjan in 8 stacks containing 25 each. Since coconut palm is available in the area, if some of the money was utilised locally it would have provided employment for

refugees. But upto April most orders were said to have been placed in Kurunegala, the GA's native place. What the refugees typically receive would be 5 stacks of about 17 olais each. Each stack it is said would have good olais at the top and bottom with defective ones in-between. The number of families to be resettled in the district is more than 30000. Supplying cadjan to 10000 families would therefore involve dividends in corruption of Rs 2 million or more to be shared out. This practice was corroborated independently by other officers.

Regarding the supply of rations to refugees a typical instruction given to a division is to distribute 60% through the local MPCs (Multi Purpose Co-operative Societies) and 40% through private traders. Where the instruction originates is not clear. Some put it on the GA and the GA, it has been reported, put it on the Governor. Others point out that this has no meaning since the MPCs are functioning and they had been doing this distribution for a long time. Moreover they are more accountable locally. From our own inquiries complaints of being served underweight have come from refugees who receive rations from private traders.

One official described how refugees are cheated of dried milk. A family say entitled to 4 packets of milk will be asked to sign in duplicate for 2 packets at the beginning of the month. The trader will then date the receipts, say 1st May 1993 and 16th May 1993. On paper therefore he has supplied 4 packets in two serves. The total profits from this could amount to considerably more than Rs 6 million per month spread among several persons in the network. It comes as no surprise that cars could be given as presents. Since the game involves some delicate diplomacy, even Sinhalese associated in it have been suspected of having an understanding with the Tigers.[\[Top\]](#)

## **5.6 Resettlement or Colonisation of Sinhalese?**

We touched on this issue in the last report and gave some pointers. Attention was also drawn to acquisition of huge extents of land by state bodies, including private and temple lands which served as a means of unfair land alienation to Sinhalese (e.g. SLPA land). We expand on this here with more concrete detail.

To term as resettlement or rehabilitation what the government is doing is to put an undeserved positive construct on its activity. What we have recorded starting from its destruction of civilian life and habitations to what has been achieved to date is more fairly described as unsettlement. We mentioned in the last report the problems of refugees in Muthur in contrast to Sinhalese settlers who are readily receiving housing grants from the rehabilitation ministry.

### **The position of Muthur refugees and its implications.**

Following displacement shortly after June 1990 the position in early May 1993 was as follows: 11 836 refugee families were 'resettled' in 42 GS's divisions. This meant that they had gone back to their residential premises and were living on rations in cadjan huts. 1388 families were living in 6 refugee camps (St. Anthonys & Methodist Church, Muslim High School (2 camps) & Pachchanoor among them). Out of 42 GS's divisions 10 have been issued the SIA (Settling In Allowance - Rs 2000/- per family). Only 1 GS's division has been issued the PEG (Productive Enterprise Grant - Rs 4000/- (US\$ 90/-) per family). This is the progress in more than two years considering that a large number of them have been living on their premises from about September 1990. The Rs 15000/- per family for housing, also due from the ministry of rehabilitation, will not come within the foreseeable future. A senior

government official in Trincomalee said in fact that they have been asked to go slow on rehabilitation because the ministry faces a liquidity (cash) problem. That is the reality that underlies the public relations about rehabilitation.

What then of the refugees in transit camps who have returned from India? It would appear from the fate of internal refugees that the **UNHCR** is in no position to give assurances. They will be resettled in the sense of living in cadjan huts on their lands. But for the rest, as a face saving exercise they may perhaps be given priority over internal refugees.

### **More attempts at unsettlement**

The authorities evidently did not run short of ideas to unsettle Tamils after the worst was over in 1990.

At Linganagar LDO (Land Development Ordinance) permits were issued on a piece of land to 14 Tamil families. Adjoining this land was a piece of land 47 acres in extent held by the army with a ridge running through its middle. One day, sometime during 1992, the army advanced the sign boards marking its territory and claimed in addition the land on which Tamil families had their allotments. In the resulting dispute a survey was done and it was established that the 47 acres belonging to the army did not include the land first named. Using a piece of military logic, the army wanted 47 acres to be measured excluding land on one side of the ridge in the piece acknowledged as belonging to them. The dispute is still unresolved.

Interestingly there were plans to settle on the land which the army was trying to capture, families of urban council workers of Indian origin. Over 500 of them were being displaced as the result of hospital expansion. Although many Tamil officials participated in the land conferences of 28/12/92 and 6/1/93, the minutes did not reflect the true position of the land. It was merely recorded that the army wanted the land for use as a firing range. Other officials said privately that a land so near the main road cannot be used as a firing range.

The army's record for displacing Tamils began a long time ago. Plantain Point, the army's main camp near Orr's Hill, has an interesting history. The area was in occupation by Tamil squatters who were registered for land alienation in terms of the circular of 1978 [**Report No 11**]. This was then the general practice throughout the country. Shortly before the DDC elections of 1981, Jayasuriya, a Divisional Land Officer, came with a police party and ordered the Tamils to vacate within 24 hours. The land was taken over by the army. Then Bandaragoda was GA and Nanda Abeywickrema, Secretary, Lands, under Minister Gamini Dissanayake.

### **State aided settlement of Sinhalese encroachers on private land**

10 acres of prime land is owned by Tamils at Linganagar within UC limits between Yard Cove and Kandy Road. The owners meant to develop it as an industrial estate. During the disturbances of June 1983 the land was occupied by Sinhalese squatters. Legal proceedings were promptly instituted. On 11th December 1989 the Court of Appeal verdict (CA No. 229/84) restored the land to the owners who put up a boundary wall at a cost of Rs. 360,000/-.

Following the outbreak of the current war in late 1990, the wall was broken down, and about 25 squatters occupied the land. In due course the ministry of rehabilitation that is keeping thousands of Tamils waiting for their Rs 2 000/= SIA, released housing money for the Sinhalese squatters, and the NHDA has put up houses for them. The present list of householders number 24 Sinhalese and a Tamil lady (Inthumathurakanthi) who is not in occupation of her house.

A mere 25 squatters have been sufficient for the state to formulate proposals to acquire 10 acres of Tamil land.[\[Top\]](#)

### **Multi-Ethnic Housing Schemes: Propaganda and Reality**

Shortly after June 1990 in the wake of Tamil houses being destroyed, the authorities came up with an interesting public relations exercise to give their role a benign colouring. Every delegation going to Trincomalee was told about multi-ethnic housing schemes around town where all communities were supposed to contribute voluntary labour and houses were to be given to the three communities according to the district ethnic ratio (roughly equal numbers for each community). The government was thus it seems for equality and national unity. The proposal itself was questionable. The population in the UC limits of Trincomalee is 12% Moors & others, 64% Tamils and 24% Sinhalese. Most Sinhalese in the district were in 4 AGA's divisions some distance from town where colonisation schemes were instituted.

The other questionable feature is this. There was a need for new housing in Trincomalee and a large section of those needing them are UC & health labourers of Indian origin who were being displaced for hospital expansion. The principal problem of others whether Sinhalese, Tamil or Muslim within town limits is not a need for new housing. Many of them were displaced. They were meant by the government's procedure to return to their former premises and resettle in temporary accommodation. They were then eligible to receive rehabilitation aid in stages. What was then the rationale behind these multi-ethnic schemes under wartime conditions, when the majority of those displaced, mostly Tamils, were languishing in temporary huts for over two years? Further, under present conditions of fear and the record of the forces, would Tamils or Muslims wish to live alongside Sinhalese? The real intentions are not hard to guess. We look at some of them.

**The LEADS houses:** LEADS', a church based NGO, first approached the provincial government in 1989 and proposed to build 1000 houses - 500 for Tamils, 500 for Sinhalese and Muslims were, it is said, not mentioned. The provincial administration maintained that houses should be built for each community in proportion to houses of that community destroyed. According to a senior official LEADS did not make a commitment and the matter dragged on. The governor is said to have expressed his displeasure with the administration. The provincial council was later dissolved and the war came. The late Brigadier Lucky Wijeratne was a strong exponent of multi-ethnic housing schemes. LEADS reappeared on the scene and put up houses near Thambalakamam as mentioned in the last report. The recipients up to that time were 58 Sinhalese and 27 families of gypsies in Telugu Nagar.

We make a slight correction. These houses were not put up in Palampottaru I & II as mentioned in the last report. The latter are long the Kandy Road covering 2/3 mile from Palampottaru bridge towards Thampalakamam. The LEADS houses start from here and cover a further 1/2 mile towards Thampalakamam. To the East of the road is Jayapura, 125 allotments of 20 perches, and to the west Sinhapura 75x20 perches. The project involves 200

houses. For Sinhapura 10 acres of forest reserve planted with teak were dereserved. Officials said that this would never have happened if the houses were meant for Tamils. Captain Nanayakkara, then in charge of the local army camp, was freely allowed to use materials from the project to put up a Buddhist temple at the junction. Rs 15000 for each house was released by the ministry of rehabilitation.

So much for the multi-ethnic scheme. But how were these Sinhalese settlers going to live? Some had jobs such as railway labourers. The land alienation guidelines were a maximum of 20 perches of residential land and 2 acres of low (agricultural land). There is no agricultural land in the area for these families, even if there was land they could work in security. They could be given agricultural land quite some distance away if the war ends. So what do they do for a living now on 20 perches of land? One could hardly blame them if they start stripping the nearby reserve for teak wood. According to people in the area, this is going on.

**Palampottaru I & II :** As mentioned in the last report most allottees were Tamils who are now refugees and are unable to cultivate. According to official sources Brigadier Wijeratne and subsequently his successors have asked for a cancellation of land permits in order to institute a **multi-ethnic** scheme.

**Ganesh Lane, Andankulam** (near 3 1/2 mile post, Kandy Road): Champa Lane and Ganesh Lane were Tamil residential areas from which residents were driven out during bouts of violence. Now a multi-ethnic scheme for 30 houses (10 for each community) has been instituted. The Rotary Club is said to be in charge of 3 houses and Lions Club the balance. A Lions official was asked how they could build houses on lands that were said to legally belong to Tamil owners. He replied that they would check the deeds before building. The other question is that if Tamil owners have so far been afraid to reclaim their property, will other Tamils go there under the present circumstances if there is a multi-ethnic scheme?

There is much more that could be said about settlement and unsettlement. Some Sinhalese families living near the old Muthur jetty were displaced in June `90 They went to Kantalai and are said to have received land. Some returned to Muthur and stayed in vacated and partly damaged government quarters. During the Trinco Presidential Mobile Secretariat in January they submitted a petition claiming that they had lived in the quarters for 30 years and that the Tamil and Muslim AGAs had not co-operated in giving them land. Without any verification, secretary, ministry of Lands ordered that land should be alienated to about 12 Sinhalese families. This has caused disaffection among local Muslims, also in need of land and has been raised in parliament by the SLMC. [\[Top\]](#)

## **5.7 The cabinet decision on land in Trincomalee**

It was mentioned earlier that on 31st January 1993, the president met Tamil leaders and undertook to resolve most key grievances in accordance with their suggestions. A few weeks later the cabinet met and considered a Cabinet Paper (93/340/043) submitted by the Minister of Housing and Construction dated 23rd February 1993. The title was "*The aquisition of land in Trincomalee*". The decisions taken ran totally counter not just to the undertaking given by the president. But they seriously vitiated the authority and functions devolved to the provincial administration as a means to resolve the ethnic conflict in this country.

We examine some features of the policies and procedures listed. The two clauses running directly counter to the aims and the spirit of devolution are:

(10). A Committee chaired by the Land Commissioner and including the Government Agent, Addl. Director-General (Planning) of the UDA, General Manager/NHDA, Provincial Land Commissioner and Surveyor-General should be established, with powers to co-opt other members to examine and decide on all requests for acquisition and alienation of land in Trincomalee.

**Authority was given to the Minister for Housing and Construction to establish this committee.**

(11). All proposals for acquisition of land as well as the alienation of state or acquired land, should be examined and approved by the committee proposed under (10) above. The Committee will consult the Minister of Housing and Construction as necessary.

Clauses (5) and (8) went far beyond vitiating the devolved functions and established special rules for Trincomalee.

(5). If an owner whose land has been encroached upon, requests state assistance to resolve the problem, such requests could be examined on a case by case and pragmatic basis. For example, in agreement with the owner, a land re-adjustment exercise, as undertaken by the NHDA in urban low income land, can be initiated. These requests should be examined and decided upon by the Committee referred to under (10) below.

(8). The alienation of state land to families in the Trincomalee Town should be on the ethnic ratio of the District. However, the allocation of land for commercial, industrial, recreational, tourist and other development activities, should be based on the national policies and procedures for similar allocation in the country.

Alienation of crown land was a function devolved to the province. The disposition of private land is governed by the law of the land. The Minister of Housing and Construction usurped not only the first but also the law on these matters. (8) has been commented upon in connection with multi-ethnic schemes.

This decision therefore effectively legitimises all the irregularities that we had earlier dealt with. In fact the Presidential Mobile Secretariat itself marked a usurpation which would have flared up in friction if a North-East Provincial Council was functioning. The PMS avoided these pitfalls only because all other provincial councils until recently were UNP controlled and the NEPC was dissolved. The Muthur land allocation above, ordered by the PMS, is a totally arbitrary action. The only motivating principle is 'settle Sinhalese wherever you can in the district'.

How sensitive or serious is the government about giving confidence to the minorities and ending this war?[\[Top\]](#)

## **5.8 Whither the Tamils?**

A dark cloud hangs over the future of Tamil speaking people in the Trincomalee District. State aided Sinhalese colonisation so positioned as to dominate major resources of water, brought mounting ruin to a significant section of Tamil and Muslim farmers. Next came state instigated violence which destroyed lives and homes. Military backed administrative manipulation placed a legal stamp on their deprivation and insecurity. Corruption, an

inevitable concomitant of such manoeuvring erected more obstacles in the way of helpless refugees created by the state.

It is a healthy sign that many Tamils are reflecting on their own role in furthering this tragedy. The homicidal turn in the Tamil militancy resulting from Tamil ideology aided their isolation. It further prevented the Tamils from finding allies among the deprived Sinhalese brought in by the government to corner them. Ironically many of the so called Sinhalese killed were intrinsically Tamils who were not hostile to them. [e.g. the Kokkilai massacre in December 1984]. A former MP reflected, *"In 1970 some of them told me, 'Yah, we are Tamils. The Catholic Church suddenly stopped Tamil services and had only Sinhalese services. But we had to worship. They also stopped Tamil schools. But our children had to study and only Sinhalese schools were available. If you give us places in Tamil schools we are only too happy to remain Tamils. But your people are also rejecting us'."* The former MP added, *"They were people from around Negombo. Yes, we rejected them. And once our boys started massacring them, we made enemies of them"*. Indeed the prospect of finding allies among the Sinhalese had always existed, as the turn of events in the market area described at the beginning shows.

True, an injustice was done to the minorities in the manner in which colonisation schemes were instituted. But it would be wrong to say that relations between Tamils and Sinhalese were always bad in colony areas. This may come as a surprise to Tamils from elsewhere who only read about these schemes. The former MP quoted above said, *"We had no problems with the bona fide Sinhalese farmer-settlers in the Allai scheme. In fact they were very close to us. They used to come into the Tamil villages very freely to buy fruit, curd and such like. My father was a registrar of marriages who could write Tamil, but not Sinhalese. Even after a Sinhalese registrar was appointed, most Sinhalese preferred to come to my father while he was in service. The violent elements among the Sinhalese were seldom the farmers. One lot was brought into Neelappalai by C.P de Silva during 1958 and settled over-night in allotments meant for Tamils. They were known trouble makers"*.

Many reflective people see the ultra-nationalist politics of the **LTTE** as incredibly insensitive to the plight of the Tamils. One lady in a responsible position commented on the worsening position of Tamils as a result of colonisation by the state: *"The leaders in Jaffna are not thinking at all about Trincomalee. Surely, it is unacceptably inhuman to ignore ongoing developments and think complacently that one could solve this one day by shooting Sinhalese."*

A local **TULF** activist observed poignantly, *"This politics has only brought moral and physical ruin to the Tamils. It has made it easy for one section to go to the West and talk Tamil nationalism, Tamil valour and the purity and virtue of Tamil women. The reality of the position of Tamils is forgotten. In the Trincomalee District, many Tamil women and widows, left unprotected and without means by this politics, are being driven to sell their virtue to non-Tamil men."*

He then read out a letter from a colleague now in Canada, *".....Our people here are getting funds from the state for cultural activities, forming societies and are trumpeting things Tamil. That is only for this generation. The growing generation will not know Tamil and hardly anyone cares. Mun(Land), Pon(Gold) and Pen(woman), the great vices of Tamil culture, are only too easily and abundantly available here. Our community is going to pieces. I am sick of all this hypocrisy. The only achievement of our community here will be to add a shade of tan*

*to the human species in Canada. I am only waiting for some members of my family in Madras to get their visas and come to Canada. Then I will lose no time in returning to Trincomalee."*

That is a statement of the unresolved dilemma confronting the Tamil community. In the face of internal and external oppression the Tamils have also been given some long ropes. Will they hang themselves by taking them or find life through prudence and humanity. [\[Top\]](#)

## **5.9 Recent Developments**

The foregoing reports dealing with Trincomalee were compiled during the middle of this year. No major rehabilitation has taken place since then. According to leading citizens only a group of refugees in Ichchilampattai AGA's division have since then received their SIA (Rs 2000/- per family). We also learnt that a group of 80 Tamil families from Muthunagar (now Ranmuthugama!), presently refugees in the Thampalakamam AGA's division have been asked by the army to return although the refugees themselves have reservations regarding security. The Tamils in Kuchchaveli are to be resettled in January 1994. At present a hospital is being built there with Swedish aid.

**Land matters:** An interesting development is that top ranking officials based in Trincomalee have called for the transfer of the Sinhalese Land Officer mentioned above and in the last report. According to a Tamil party spokesman, they reliably learnt that the transfer was ordered by the Lands Ministry and is being objected to by the Security Council - namely the army. Leading officials including Sinhalese, regarded his activities as creating discord in Trincomalee. He was said to be breaking all regulations in alienating state land to Sinhalese (often from the forces), issuing permits on his own initiative and putting people in possession. He had also, it is learnt, recommended acquisition of Tamil owned lands to the committee set up by the Minister for Housing & Construction (see 5.7), claiming consent from the owners, without even having spoken to them. Although Divisional Secretaries (DSs), who replaced AGAs were appointed early this year, this officer is believed to be still issuing land permits and back-dating them. (Since land alienation has now to be initiated by the DS). The GA who reportedly said that he was unaware of the activities of this officer is said to have called for all the files. Why this officer was so bold is also an open secret. Leading Sinhalese officials have said privately that he was unstoppable because he had the express backing of a key military official with wide powers - his namesake.

This goes to show how the military and sections of the government have abused their powers over 3 years of military rule in Trincomalee. Thampalakamam is another division where the government's attentions are directed on land. According to the same sources, former Secretary, Public Administration, recommended the appointment of a Tamil DS for Thampalakamam, which was over-ruled by the Security Council. A Sinhalese was then appointed.

The Governor, NEP, according to Tamil leaders, has been generally fair in his decisions. Only, they say, he may not have fought back when directed by the central government.

## **CHAPTER 6**

### **TRINCOMALEE & THE SWORD OF CAIN**

[Introduction:](#)

[6.1. B.Vijayanathan:](#)

[6.2. Sivalingam Guhendiran\(22\) :](#)

[6.3. Dr. Gnanasekaran:](#)

[6.4. Ganeshalingam, Secretary, Rehabilitation, NEP:](#)

[6.5 George Thambirajah, & Dikka, EPRLF leaders:](#)

[6.7.Sakuntala - Wife of George Thambirajah:](#)

## **Introduction:**

What follows below are accounts of a series of killings ranging from August 1988 to February 1993. These killings though tenuously linked as individual incidents, are intimately associated with the baneful and ruinous flow of events, and particularly so for Trincomalee. The actors wielding guns, who either to satiate the caprice of the hour, or with a remoter calculation in view, take a life, however valued in its time. Once the life is ended, the world will, the killers usually suppose, go on as though it never existed. Peace makers too with quick fixes in view, often, adopt this line in the name of pragmatic calculations dealing with the balance of good. The people rendered powerless are often against their judgement, left with no other option. But such assumptions cannot ever hold. Unless justice is done to the dead, the poison remains submerged, eating away the social fabric in secret places. Indeed, the killers were themselves often victims of the tide of events. By putting these down, we hope, in a small way, to do justice to the dead and give some insight into how Trincomalee lost some of her promising sons in a politics tending towards auto-genocide.

Note: Cain was the son of Adam, the first man in the Judaic tradition, who killed his brother Abel.[\[Top\]](#)

## **6.1. B.Vijayanathan:**

**Vijayanathan** was among the foremost sons of Trincomalee marked out by unshakeable honesty and forthrightness. These gave him an appearance of rigidity in a world where flexibility had come to mean being economical with principles. He was among the first to protest when confronted with something unfair and was in turn tireless in the pursuit of justice. As much as people admired him, they were also bemused by his energy.

**Vijayanathan's** social concern led to his involvement in several voluntary organisations, including the Young Men's Hindu Association (YMHA). The phase of the conflict following the arrival of the **IPKF** placed the Tamils in the East, particularly in Trincomalee, in a severe dilemma. **Vijayanathan**, like most community leaders believed that the **IPKF** presence must be used to stabilise the position of Tamils who had previously suffered massive displacement.

But **Vijayanathan** in no sense compromised with inhuman behaviour by members of the **IPKF**. An officer by the name of Andrew thrust a boy named Manivannan from Kumburupiddy into a pit containing a python (boa constrictor). He was pulled out after a week and sent home, where he died shortly after arrival. **Vijayanathan** was furious and told

Andrew in no uncertain terms that Lord Konesar would punish him for his action. That was **Vijayanathan**.

About mid-August 1988, the **IPKF** began assisting Tamils displaced from Pankulam by Sri Lankan forces to resettle in their lands. On 17th August, unarmed **IPKF** soldiers went into the nearby jungles with men from Pankulam to cut branches so as to make poles that would make up temporary shelter for returning refugees. The **LTTE** sneaked in and shot dead about six unarmed soldiers. Subsequently several refugees were beaten and rehabilitation ceased.

Pankulam folk went to Trincomalee and informed **Vijayanathan** as the president of the citizens' committee. **Vijayanathan** was critical of the **LTTE** and indicated to the refugees that they too were to blame, as the **LTTE** could not have stalked the area without their knowledge. A senior official of the citizens' committee who was present asked **Vijayanathan** whether he should not have been more cautious. **Vijayanathan** responded dismissively that what needed to be said ought to be said.

There was another event which also took place during these dangerous days. From mid 1986 the **LTTE** was regularly visiting NGOs, monitoring their receipt and disbursement of funds, and also suggesting projects for them. The **LTTE** thus exercised de facto control over large NGO funds. Following the war with the **IPKF** in October 1987 the **LTTE**'s ability to operate in urban areas became seriously limited. It was here that the **EROS** came into the act.

Since the **LTTE** attacked the **TELO** in mid-1986, there were considerable sections in the **EROS** that opposed the leadership's inclination to dance to the **LTTE**'s tune. The leadership ignored these sections and became sniffer dogs for the Tigers. It was in these circumstances that **Kanthasamy** of the **TRRO** was abducted by the **EROS**, who then disappeared. **Kanthasamy**, on a visit to Trinco a short time earlier, had given **Vijayanathan** Rs1 lakh and had asked him to use it whenever an emergency arose. **Vijayanathan** took it on condition that it would be kept in a savings deposit and used only on express instructions from **Kanthasamy**. When the **EROS** came sniffing for the money, **Vijayanathan** put them off by saying it was not his to touch.

On 18th August 1988, the day following the Pankulam incident, **Vijayanathan** was sent a message saying that a militant group wanted to talk to him in Kanniya, a couple of miles west of Trinco. He was taken to Kanniya on the pillion of motor cycle by a lad well known to him. A number of persons in Trinco have said that the group concerned was the **LTTE**. **Vijayanathan**, though outspoken was cautious. Had the **EROS** or a pro-Indian group wanted to talk to him, he would not have easily budged from Trincomalee town where they openly operated. **Vijayanathan** too disappeared. [\[Top\]](#)

## 6.2. Sivalingam Guhendiran(22) :

**Guheendiran** was born on 2nd February 1966 and at the age of 2 became a sufferer from tuberculosis of the spine. For the next 4 years the parents devoted every possible attention towards his cure. He was taken to a number of specialists starting with Dr. Anton Mariathan. Finally he was treated and cured at Trincomalee hospital by the team of Dr. Duraisingam, surgeon, who is now in Australia. **Guhendiran** was in one bed for 22 months. His mother was with him by day, and his father, a senior civil servant, by night. For about an year, **Guhendiran**'s neighbour on an adjoining bed was an old man from Muthur with a leg amputated and facing the prospect of losing the other as well. The old man, who later died,

had become **Guhendiran**'s close friend. The man's dying wish was that when **Guhendiran** became cured, he should go to the Hindu temple at Verugal and perform a vow. **Guhendiran** was six when he was cured and was then under observation for an year.

His parents regarded him a son who was brought back to life by God and spoke of him as God's child. The ceremonies at Verugal were duly performed as wished by **Guhendiran**'s late companion. Owing to a heavy dose of antibiotics administered, **Guhendiran** continued to suffer from a tendency to obesity. His diet was therefore closely monitored by his mother, who prepared special food for him.

During the mid-80s **Guhendiran**'s elder brother Babu went to the University of Jaffna as a medical student and was boarded with friends of the family. This was the time government backed violence in Trincomalee was at a peak. About a year later, Babu's parents were told by his guardian that he felt disturbed by the company Babu was keeping. His mother wrote to him discreetly, "*Son, you come from among people faced with great difficulties. Should you not set your mind on your studies?*" Babu replied, "*Mother, during ancient times in our great tradition, Tamil mothers used to tell their sons, 'Son, be a great warrior and I will be proud of you'. Now you tell me, 'Son, study and be a doctor'. Mother, do tell me, your son, 'Be a warrior'. Then my mind will be at peace*". That was the last they heard from Babu. Babu dropped out of his medical studies, joined the **LTTE** and received the name 'Ravi'.

Then came in October 1987 the war between the **LTTE** and the **IPKF** and a bitter bout of fratricide involving militant divisions. This rose to further heights when groups in the provincial administration felt more insecure following President Premadasa's call for a departure of the **IPKF**.

On 26th August 1989, **Guhendiran** was abducted near the Moor Street Mosque junction in Trincomalee by two militants said to belong to the **EPRLF**. **Guhendiran** being well known in Trincomalee, the progress of his abduction was widely observed. He was conducted through Green Road, Mudaliyar Street and Vanniya Street. Guhendhiran's father then being away from Trinco, his mother Balamaheswari went to Major Sharma of the **IPKF** and complained. His father, being an experienced administrator, had been consulted by very senior **IPKF** men on a number of occasions, who also knew him well. As soon as he got back to Trinco, he, with his wife, went to Major Kumaon, secretary to the brigadier with a written appeal and asked for an interview which was granted. But the **IPKF** in practice seemed far less eager to help him than they were to use him when it suited them. An appeal was also made through Dr. K. Vigneswaran, secretary to Chief Minister Varadarajaperumal of the NEPC, but to no avail.

Feeling utterly distraught, the couple went to the Sri Lankan police. A concerned Tamil sergeant called the father aside and asked him, "*Iyah, can you go and stay peacefully in your house after complaining to us?*" The idea was dropped. For all practical purposes Guhendhiran had disappeared.

The parents saw Ravi for the first and the last time since his joining the **LTTE** during the 3 months between the **IPKF** pull-out and the commencement of the war of June 1990. It was a brief meeting during which little was said. Following the outbreak of war the Sri Lankan army placed a sentry point just outside Guhendhiran's house. A captain told the soldiers that it was a Tiger house. At the start the parents were humiliated and ordered to keep their doors and

windows open all the time. After an year the sentry point was removed. Even friends are now reluctant to visit them unless they are old.

The passing of Guhenthiran is something the parents can hardly come to terms with: "*He was such an innocent boy of delicate health whom everyone knew and loved. God cured him and gave him life. Now he has taken him away. We have surrendered him to God and perform all temple ceremonies on his birthday as if he were alive. We have mostly withdrawn from social and public life, except for going to the temple. People too are scared and generally avoid us. We understand their plight and do not blame anyone.*" [\[Top\]](#)

### **6.3. Dr. Gnanasekaran:**

From the time **Gnanasekaran** was a dental student at the University of Ceylon (Peradeniya) he was known to be both unselfish and socially concerned. His idealism led him to identify with the **EPRLF**. Later owing to disagreements over the conduct of the group he left the **EPRLF**. The rise of the **LTTE** placed him in a delicate position.

**Gnanasekaran** associated with the TDYMHA and became a prominent channel of NGO funding. It is believed that he had, to safeguard himself, reached some passive understanding with the **LTTE** - an almost routine occurrence for those in NGO work.

The **EPRLF** had asked **Gnanasekaran** to be their candidate for the February 1989 parliamentary elections. The offer was declined. **Gnanasekaran**, it is believed, had decided that, under the circumstances, it was best for him to distance himself from militant groups and make his contribution in social work.

On 30th September 1989, ten days after the **IPKF** had announced its pull-out, members of the **EPRLF** met him in the morning on his way to work and gave him a note with the message that some of their leaders wished to talk to him. **Gnanasekaran** gave them a scribbled message at the back of the note given to him, to say that his heavy routine did not allow a meeting. When **Gnanasekaran** went for lunch in the afternoon, he was abducted by militants on bicycles and taken away, never to be seen again.

A social worker who knew **Gnanasekaran** well testified that he was a most singular human rights activist. He did an additional degree in Law so that he could make representations without incurring exorbitant legal costs. When he took witnesses to Colombo, while looking after others he drove himself hard and severely limited his personal expenses (i.e. Rs 10/- per day for food - about Rs 30/- today). He personally visited scenes of violations in disguise - such as that of an ice-cream vendor.

Uppuveli was a prosperous Tamil suburb, from which people were in 1985 being progressively evicted by means of terror. There was an incident where the Sri Lankan forces locked up people in a house and exploded a device inside. Five were killed and several others injured. **Gnanasekaran** was instrumental in taking 14 of the civilians involved to Colombo as witnesses. During 1986, in Peruveli in the Muthur area, the Sri Lankan army in one of its massacres killed and burnt about 45 refugees. **Gnanasekaran** promptly visited the area to collect evidence - something very dangerous at that time. The social worker also added that **Gnanasekaran** had also actively worked for the coming of the **IPKF**.

A young member of a literary group gave another side of **Gnanasekaran**. According to him, **Gnanasekaran**'s commitment and integrity made him a major channel of NGO funding for local concerns. This nudged him into a balancing act requiring both considerable skill and luck. He maintained a close relationship with Robert, an **ENDLF** member of the North-East Provincial Council. Though the **ENDLF** was a pro-Indian group fighting a bitter battle for survival with the **LTTE**, Robert was not reputed to be a strong party-man. Robert is described as a Left wing intellectual who could maintain a relationship on the basis of an exchange of ideas.

As to the literary group concerned, it was in a difficult environment and was lacking in funds to continue. According to this member, **Gnanasekaran** had approached them and offered to find the funds, provided they would carry material that is favourable to the **LTTE**. The group decided to suspend publication indefinitely.

#### **6.4. Ganeshalingam, Secretary, Rehabilitation, NEP:**

After long administrative experience, **Ganeshalingam** retired as AGA, Town and Gravets. As a man anxious to do something for Trincomalee, he, among many able administrators, joined the provincial administration formed at the end of 1988, as secretary to the ministry of rehabilitation. Towards the end of 1989 when pro-**IPKF** groups were preparing for an exit, the **ENDLF**, it is said, sought funds from his ministry. **Ganeshalingam** declined to be party to handing over such funds on the grounds that it contravened financial regulations. On the morning of 28th January 1990 a gun man entered his house and killed him. An **IPKF** guard was in front. **Ganeshalingam**'s personal bodyguard, a member of the **ENDLF**, had then been in the toilet, leaving his pistol on the bed. The killer, it is surmised, had come from the back of the house.

The following day Sathananthajothy, GS/Sambaltivu, was shot dead, reportedly by a pro-Indian group. In the minds of the local people the two murders are linked. The identity of **Ganeshalingam**'s killers is said to depend on whether the second murder was a reprisal or a cover up. [\[Top\]](#)

#### **6.5 George Thambirajah, & Dikka, EPRLF leaders:**

**George** was an activist even as a student at St. Joseph's Institution, Trincomalee, and later joined the **EPRLF**-a popular phenomenon among Eastern students in the early 80s. The **EPRLF** dispersed following its proscription by the **LTTE** in December 1986. **George** and other local leaders of the **EPRLF**, such as Dikka, arrived with the **IPKF** in August 1987.

Over the years Tamils, subject to attacks from mobs backed by the forces, had abandoned premises in Market Street and Central Road. Main Street marked the new communal border. Tamils were now west of Main Street. Following the arrival of the **IPKF** there was some localised communal violence in this area. During this commotion in early August 1987, **George** and Dikka arrived in a CTB bus with an **EPRLF** party and faced the Sri Lankan police at Sivan Kovil Junction. At this point **de Silva**, Superintendent of Police and **Richard Wijesekera**, ASP, arrived in a jeep. The **IPKF** too was present. The SP who knew **George** as a boy, his father having been a policeman, summoned him, "*Thambirajah, come here*". **George** said that he would not move until the police withdrew east of Central Road. The **IPKF** persuaded the police to comply. Richard Wijesekera evidently never forgave **George**

this humiliation. Dikka was killed by the **LTTE** later in 1987 in the course of events marked by killing and counter-killing.

The circumstances in which the **EPRLF** and associated groups were asked by India to run the N-E Provincial Council led to a sharp downward spiral in their fortunes. [See **Reports 1,2,& 3**]. The tragedy comes through strongly in the fate of **George** during this period.

Faced with running the provincial council, the government placed hurdles in their way from the start. A council was 'elected', but was lacking even office space. Officialdom in Trincomalee too was obstructive and was reluctant to provide facilities unless instructed by Colombo. The **EPRLF** tried to imitate the **LTTE** in their manner of dealing with people without the corresponding legitimacy, and thus opened themselves to progressive alienation. The result was a form of self destructive insanity.

To find space for the provincial council, **George** went to a government office and asked for the premises. The head refused. **George** ordered the head to be bodily loaded into a truck together with his desk and driven away. With a series of government offices cleared the provincial council began its functions in commandeered premises. The move had the support of many ordinary people in Trincomalee.

To sabotage the working of the provincial administration, the **LTTE** sent warning letters to heads of departments and commercial institutions asking them not to open their premises. **George** went about reopening these institutions with a mixture of counter - threat and cajolery and succeeded without too many hard feelings.

In administrative matters, despite their youth and inexperience the **EPRLF** showed considerable maturity. The best Tamil public servants were chosen irrespective of their past associations, and were allowed complete freedom in the exercise of their judgement. Munsoor, the secretary of education, was one against whom, in his capacity of director of education, **George**, then a student at St. Joseph's, used to put up wall posters.

Several people in Trincomalee describe that period as a golden era when Trincomalee was transformed from a sleepy town into an administrative centre, with masses of office employees going to work. Compared with their killings elsewhere, where provincial council employees were concerned, the **EPRLF** and other groups, it is said, observed considerable restraint. Those suspected of supplying the **LTTE** with information on a regular basis were often warned by **George** and let off.

From mid-1989 the **LTTE** becoming more active with material help and political backing from the Sri Lankan government. The **IPKF** gave indications of withdrawal and the of the **EPRLF** and other groups began forced conscription for the ill-fated Tamil National Army(TNA). This further queered the pitch and sent these groups into a panic stricken frenzy. **George's** state of mind is illustrated by what he told a friend, "*I know the **LTTE** will one day get me. Before then I will make sure that many of them would go down with me*". In this state of obsessive vindictiveness the **EPRLF** reached a new low where it went for innocent boys like **Guhendiran** (see above), a member of whose family was in the **LTTE**. Moreover it could not cope with an essentially decent fellow like **Gnanesekaran** whom its leaders well knew.

On 9th January 1990 **George** was travelling to Nilaweli in his jeep with the customary **IPKF** escort behind. The **LTTE**, firing from a distance, stalled **George's** vehicle. **George** was killed while trying to get away on foot. The **IPKF** reportedly did not intervene to save him.

**George** and Dikka were two more tragedies in a 'liberation struggle' where the youthful energies of thousands were misdirected and wasted.

For those who lost near ones for which **George** is held responsible, there is no forgiving him. One senior citizen said, "*He was a good boy. But with the onset of his role in the provincial administration, he changed for the worse.*" Another said of him, "***George** was a dedicated leader in many ways. When he came back to Trincomalee with the **IPKF**, he placed the well-being of the cadre under him first. He drank plain-tea and ate poorly. In the nights he often kept watch while others slept. If he wanted position, such as that of a minister, he could have taken it. But he did not crave for power*". A senior administrator who had observed **George** and Dikka over a long period said, "*These boys had several good qualities and the **IPKF** could have used them positively. Instead the **IPKF** used them as killers and destroyed them.*"

**6.6. Early 1990: The Uppuveli incident:** The **>IPKF** was preparing to leave Trincomalee, with its allied groups preparing to decamp with them. That was the situation at the **ENDLF** camp in Uppuveli. The camp had a number of cadre who had caught a debilitating tropical infection and were convalescing. The **LTTE** attackers under Daya came by sea. Hardly meeting any resistance they killed over ten **ENDLF** members groaning in sickness, loaded the captured weapons into boats and set off. One of the heavily laden boats capsized - it being the north-east monsoon - and about 22 **LTTE** men, including senior persons, were drowned. To many in Trincomalee, it was divine judgement. One of the two who survived promptly left the **LTTE**.[\[Top\]](#)

### **6.7. Sakuntala - Wife of George Thambirajah:**

Having lost her husband in January, **Sakuntala** returned to her native place of Trincomalee after the outbreak of war in June 1990. Life was not easy for her. Once she was reportedly mocked by policemen at a sentry point and she had told them back in strong terms. This was also the time people were disappearing in Trincomalee. One day about September 1990, she was going along Court Road with another lady when she was bundled into a bus which came that way, and was not seen again.

**Brigadier Lucky Wijeratne** was informed, and many believe he tried hard to get her released. He had in fact invited **Sakuntala** to serve on the citizens' committee. People also believed **Lucky Wijeratne** to be above skull-duggery for personal reasons. The fact that he could not release her, they conclude, points to **Richard Wijesekera**, Superintendent of Police, as her abductor. The reason is attributed to her late husband **George's** confrontation with the police soon after the **IPKF** arrived - in August 1987.

**Wijesekera** is also believed to be the cause of the disappearance of the entire **Bhavan** family later that year. **Bhavan** was a hotel owner who had lodged a complaint for misdemeanor against **Wijesekera** the previous year, and an inquiry was reportedly ordered. **Bhavan** reportedly withdrew the complaint after **Wijesekera** entreated him. The family was abducted one night about December 1990. The disappeared included six children of **Bhavan**, including a girl who

attained age about 14 days previously, and an elderly sister of **Bhavan's. Wijeratne** and **Wijesekera** were killed in a landmine explosion in December 1990.

**6.8. Uthayarani - Dikka's wife: 26th February 1993:** Dikka's wife **Uthayarani** continued to live in Trincomalee following her husband's death. It is said that members of the forces used to make conversation with her as often happens. To one section this made her a loose woman who got what she deserved. One charitable senior citizen advised her to take a break in Colombo. **Uthayarani** lived in Colombo for over a year, married and returned home to Sambaltivu with her second husband **Iqbal** - a trader in sundry goods. The couple lived with **Uthayarani's** parents **Mr & Mrs. V. Sellathurai**.

On 26th February 1993, shortly before 10.00 A.M, the **LTTE** entered the house and dragged the young couple out. An **LTTE** man stepped on **Uthayarani's** feet and stuffed cloth into her mouth and prepared to take them away. Old **Mr. Sellathurai** came out and remonstrated, "*Are you not also Tamils, why are you doing this to us?*" The old man was assaulted. He then followed the young couple as they were taken away and turned back upon being threatened.

A distraught **Sellathurai** can be regularly sighted in Sambaltivu taking his goats to the pasture. His daughter and son-in-law were tied to the lamp - post in front of the local school

and were shot dead a few minutes after being taken away. They were succeeded by their 8 months old infant.

## CHAPTER 7

### ANBU ILLAM-TRINCOMALEE

The story of **Anbu Illam** (Dwelling Place of Love) is among the most remarkable tales of humanity amidst the gloom of war. **Suntharalingam** was a middle - ranking official in Nilaveli in 1985, by which time the tumult had resulted in much loss of life in the district. It fell to him to determine the future disposition of 27 young orphans. After being processed by the normal state machinery, he was asked to send them to the Nuwara- Eliya Children's Farm. The village children feeling apprehensive about leaving known people and known places asked if they could not stay thereabouts. **Suntharalingam** who had hitherto treated the matter as one of his routine duties was taken aback by what struck him as a slap on the face. He in his fifties had been through much that was good and evil in this world and was approaching old age - a time everyone hopes would be one of ease and reflection. He saw the younger generation, coming into a more uncertain world, knocking on his door and entreating him. There was little he could do for them and felt condemned if he did not do what he could. He and his wife Rasalatchumi, a teacher (now retired), took what may appear a rash decision. They decided to take them all into their home to be raised with their own two sons. The number quickly increased to 45. **Suntharalingam** said, "*As a young man I had come from the backwoods of Mutur with Rs 17/= in my pocket and had over the years acquired rice fields and had done pretty well for myself. We had some means*". To increase his income with a view to providing for the orphans, he spent rupees four and a half lakhs and started 3 shops in Trincomalee.

When the **IPKF** came in 1987, Colonel Raman was at first well-disposed to **Anbu Illam**. He sometimes came with provisions and

**Suntharalingam** used to tell him, *"Give it to the children, and not to me"*. As the war between the **IPKF** and the **LTTE** wore on, the fact that the **LTTE** had once been influential in Nilaveli made him an object of suspicion. He was once detained, presumably at Colonel Raman's bidding, and was tied naked for 7 days before being released on the intervention of friends.

**Suntharalingam** was deeply upset by the killings of Vijayanathan and later of **Gnanasekaran** in September 1989. **Suntharalingam** composed a poem for **Gnanasekeran** and he and the children sang the poem in front of every militant camp in Trincomalee. The poem described **Gnanasekeran's** qualities, the void left by his loss and called upon Lord Konesar to tell them why. **Suntharalingam** started getting threats from the killer unit known as the 'Mandayan Group' widely associated with the **EPRLF**. One day, in Nilaveli, he was warned by a mechanic that he was being followed. He loudly said that he was going to Seven Star shop, proceeded as if to go there, and escaped to Trincomalee.

He then decided to go to **Varatharajaperumal**, Chief Minister, NEP, and have it out with him face to face. He explained his position to **Varatharajaperumal** who listened patiently. The chief Minister impressed him as a man of ability and understanding, not lacking in humanity, who was moved by his story. He offered **Suntharalingam** rupees one and a half lakhs towards his children. **Suntharalingam** thanked him for his kind thought and replied, *"In this transitory world where men wielding power come and go, if I accept this money from you what would be my position when the dispensation of power changes?"* He then asked **Varatharajaperumal** a direct question, *"Why did your party kill Gnanasekeran?"* Taken aback **Varatharajaperumal** replied in embarrassment, *"Why, he was one of us"*. This was the time the provincial government was dissolving under the onslaught of the **LTTE** and the Sri Lankan forces, accompanied by a sharp rise in revenge killing. **Varatharajaperumal** told him finally with a note of concern, *"This is a time when men are turning into beasts. It is not good for you to be here. Get yourself to a safe place."*

It is also notable that during some of the last sessions of the North-East Provincial Council about the end of 1989, one member Ratnam had expressed concern about the spate of revenge killings. He said in effect, *"People like us come and go and everytime things are turned topsy-turvy. But who is going to look after the ordinary people?"*. He made a plea to protect those in the community not directly associated with any side and have a social concern, who alone can guide the people through the coming vicissitudes.

The **Suntharalingams** and the children then moved to Kattaiparichchan in the Mutur area, where his friend Thangathurai, former MP, gave them 5 acres of land. As the war progressed **Suntharalingam** lost most of his wealth, and the three shops had crashed.

Shortly before the June 1990 war, the **LTTE** set up a platform near his place and had a meeting in the morning which was addressed by Mahattya, then Deputy Leader, **LTTE**. Following the meeting Mahattya walked into **Anbu Illam** and made inquiries. On learning their story he was visibly moved. He hugged some of the children and asked to have breakfast with them - an event which was photographed.

A tractor which had been taken by another group fell into the hands of the **LTTE**. On discovering that it belonged to Suntharalingam they offered to return it to him about 3 days before the war of June 1990. He reflected, *"True, I was once a wealthy man. But, by this time my desire for wealth had worn off. I lost several lakhs when my house and vehicle in Mutur were*

*destroyed. I felt somewhat deterred from applying for compensation. I told the **LTTE** men, you keep it for the time being, and return it to me at some convenient time. I think it was God (Konesar) who guided me to take that position. If after the war had broken out word had got around that I retrieved my tractor through the **LTTE**, it would have meant a lot of trouble."*

About July 1990 as the Sri Lankan army moved into the Mutur area, **Suntharalingams** and the children betook themselves to the jungles with the village folk. For 47 days they led a tenuous existence sleeping among snakes and wild animals. In late August 1990 one girl was bitten by a snake and there was no way of reaching medical assistance. Suntharalingam took a gamble. He went in the morning with all the children and surrendered themselves at the Pachchanoor army camp. Confronted with the unusual event the sentries were hostile and suspicious. When the officer in charge was called, following a few questions, he grasped the reality of the situation. He promptly ordered hot tea and biscuits for the children. Meanwhile, he contacted other camps, stopped the bus to Mutur, and arranged for all to be sent to Trincomalee on the Mutur - Trinco ferry. Suntharalingam said, "*That officer was a good human being. But I forgot to ask his name. All I know now is that he was in charge of the Pachchanoor camp in August 1990*".

In Trincomalee the large family moved into the house of the late Appathurai Chettiar at 167 Central Road, which had upon his last will passed onto the Ramakrishna Mission. It had been a grand house in its time about the turn of the century, with pillars of solid Burma teak, which was now in some state of disrepair. An old slightly damaged picture of the late Chettiar himself, sparsely attired as an ascetic distancing himself from ties of the flesh and mourning over the mortal remains of an elder daughter, now hangs near the entrance. Suntharalingam rescued it from the rubbish and had it framed as a mark of respect.

But that was not the end of the troubles of **Anbu Illam**. Through some quirk of fate, a photograph taken by the **LTTE** in Kattaiarachchan during Mahattaya's visit to the Illam had fallen into the hands of the Sri Lankan forces. The Illam was surrounded twice in 1990 and investigation units tried to take Suntharalingam for questioning. Both times the forces were turned back through demonstrations of protest from the children. The third time Suntharalingam decided to have it out direct. He talked to the officer in charge, believed to hold the rank of a major. The officer said in effect that **Suntharalingam** was breeding recruits for the Tigers. Suntharalingam explained the alienation of the young and said with some indignation pointing to the children, "*On the contrary, these children have been given a home with love and affection, taught the tenets of religion, and are steeped in abiding human values. These hundred children have been saved from a life of destruction and a life with the gun*". He was troubled no more.

To make his point **Suntharalingam** pointed to two 18 year old boys who were at his home, and said, "*These two boys came from Mutur for a technical college interview. They came with all their documents including identification and interview letters. The army took them and kept them for a week at Plantain Point during which time they were beaten. What message is the government giving our young?*"

For seven months after the war of June 1990, no one went to Koneswaram Temple at Fort Frederick to worship. On the first day of the month of Thai (14th January 1991), the **Suntharalingams** and children went to the entrance of the fort and sang Thevarams (devotional hymns). The sentries were stupefied. After some questions the officers were informed. Colonel Saliya Kulatunge, Deputy Commandant, Trincomalee, came and spoke to them. He was so

moved by their story that he could not suppress his tears. Thereafter Koneswaram was open to worshippers.

Several people in Trincomalee ascribe to Suntheralingam an image tending towards sainthood in the eastern sense. Talking to Suntheralingam, one gets the impression that he is a shrewd man of the world. He learnt about good and evil not through meditation or books, but from the rough and tumble of day to day living. Having been pretty successful, when a crucial challenge was posed, he had responded with his heart. He was sustained by his experience and knowledge of the affairs of men.

Although his particular situation obliged him to care for Tamil children from the area who were victims of the war, his personal development has made his humanity very broad and humbling to the listener. His sentiments about the Sinhalese, which would surprise outsiders, are being increasingly echoed by Trincomalee Tamils. Asked what he would regard as a solution to the current crisis he said, "*I have seen good and evil in all places, in all peoples and in all forces, whether the IPKF, the Tamil groups or the Sinhalese forces. Anyone with a gun has potential for evil. I would like to see an end to guns. If we could all talk without guns we could do pretty well. The ordinary Sinhalese are not aggressors. Both communities in town have suffered in recent times. A few days ago I was in the market, a place of bitter acrimony in the past. Some Sinhalese market vendors waved at me with a smile and said, "Now that the politicians and big mudalalis (traders) have gone, we can live together as friends." You go up along the coast. At Kallara you will find migrant Sinhalese fisherfolk. They are poor innocent people. The mudalalis for whom they earn money do not sight the place. It is these innocent people who get hurt in the war.*

*"We Tamils who have lost much should not blame the Sinhalese for everything. It is often more true that we lost something rather than the Sinhalese took. Did the Sinhalese take one inch of temple land by force? It is rather our lawyers who wrote away temple lands for the money. True, the festive ground at Koneswaram was turned into a parade ground for the army. But sometimes our people going there have behaved shamefully. If it is for their palate, people would go into the market which was unsafe in previous times. But if you ask them to come to Koneswaram they would say it is unsafe. Sometimes the behaviour of our young folk in the precincts of Koneswaram was such that even the soldiers were embarrassed. On the other hand, soldiers are often very respectful towards the temple and put much cash into the till. So are the Sinhalese employees of Prima. If we want to use Theerthakari on a festive occasion, the Sinhalese who have temporary huts there would dismantle everything and give us the place spick and span."*

As to how he manages he said, "*It costs Rs 2 250/= a day to feed the children. This comes from the government in the form of rations for refugees. Other expenses have been met on an ad hoc basis by well wishers. Some of the older girls would be entering university. For the one who will enter this year, money has been pledged by a well-wisher. If I register this home as an orphanage, the government would give each child Rs 150/- a month. But there would also be interference. I am going on the basis that these are my children in my home. I have so far not turned down any request to bring up a child, where the child had lost both parents or where a similar alternative was not feasible."*

The Illam has just over 120 children at present. The last 7 taken were bereaved by the Mutur ferry boat disaster of January this year. The majority of the children are girls. The eldest Shanbakadevi (22) is about to start a degree course in commerce at the Eastern University. The

youngest is a boy, Dinesh(3), whose father was killed in 1990 and whose mother lives in Mulleriya. Suntharalingam's own two sons are completing their school education. Four of the children are studying A Level Arts.

About the future, **Suntharalingam** said, " *I could ask others to come and help. But too often people come into such things to feather their own nests. I am training some of the older girls to manage the administration and the finances. Hopefully they would take over. But they would then take over a working institution without having gone through the struggle of building it up, and so its character may change. I will keep going in the present manner as long as it is possible*".

### **The Inmates of Anbu Illam.**

The stories of the children at **Anbu Illam** give in a nutshell the course of the war in the Trincomalee District.

**Shanbakadevi (22)**, Kattaiparichchan, Mutur: Joined the Illam in 1985. Father Velukutti shot dead by the army in 1985 while working in the fields in Eravur ( near Batticaloa ) as a migrant labourer. Mother died of illness in 1987. Sister went to India as a refugee with relatives and lives there. Grandmother in Kattaiparichchan.

**Jeevamalar ( 19 )** Puthukudiyiruppu, Thampalakamam: Joined Illam in 1985. Studying A Levels. The army woke up the family onenight in 1985, took the father **Vijayasingam** out and hacked him to death. She with mother **Thevarani** and others fled and took refuge in the neighbouring Muslim village. The army then shelled the Muslim village and her mother was killed by shrapnel.

**Vijayakumar ( 14 )** , Thampalakamam : Father hacked to death by the army in 1985.

**Nathikumar (14)**, Kilivetti, Kottiyarpurpaattu : Father **Sivasubramaniam** among 3 shot dead by the army on 26/9/ 86. Mother killed later in shelling.

**Mohanadevi (16)** Thampalakamam : Father Maheswaran killed by Sinhalese homeguards on 17/12/85. Mother died of illness earlier.

**Kumudhini** (about 16) , Thiriyai : Father Thuraisamy dragged away by Tamil militants in 1985 while having a meal with his family and shot dead. He was alleged to be responsible for a gallon of diesel that was missing (See Thiriyai, 4.1). Her mother Valliamma works as a domestic help. Of the 4 children 2 are in the Illam and 2 with her.

**Thanalakshmi (17)**, 3rd Ward, Muthur. Father Letchumikantham farmer, shot dead by the army on 26/ 9 / 86 over an incident connected with Sinhalese in the nearby village. Her mother lives in a refugee camp in Muthur.

### **APPENDIX**

[1. A few Cases of refugees in Nilaveli](#)

[2. Cases \(Kadatkarachenai\)](#)

### 3. Cases of refugees in Muthur town

#### 4. Cases Alankeni :

##### **1. A few Cases of refugees in Nilaveli**

**Neminathan:** His brother Coomasamy Chitravelu (50) was shot dead by the airforce in Kuchaveli during 1985 while a refugee. When the troubles broke out in June 1990, his cousin Arumugam Subas Chandrabose was returning from Chemmalai with Idi Amin and Ratnam Thangarasa. It is believed that they were abducted by the navy at Pudawaikaddu and are since missing.

**Annakili:** In 1987 November, during the **IPKF** presence, her first husband Pararasa together with Ganesh were hacked to death, presumably by homeguards of the Kuchaveli Navy camp. Her second husband Arivalakan went fishing in June 1992 with Mariappan Jeganathan and Ukkan (of Sinhalese paternity). They are suspected of having been taken by the navy and no further information has been forthcoming. The **ICRC** and police have been informed.

**Selvarani:** While running away as refugees from Kuchaveli in June 1990 she fell in the jungle and her daughter Sutharshini (1 1/2 months) whom she was carrying was killed.

**Thambaiyah, farmer and chairman MPCs, Nilaveli:** His house was looted by the army in June 1990 and the rest including valuables, 50 bushels of rice and tobacco were burnt.

**C.Kamaladevi (46), labourer from Kilivetti:** She came to Nilaveli as a refugee in November 1987. Her son Thiruchelvam (22) was killed by the Sri Lankan forces in 1985 with many others. Her shop was bulldozed along with most other dwellings. She did not register her son's death for sentimental reasons. Two more of her sons Kamalathan and Pathmathasan were sent to Boosa detention centre after being badly tortured by the forces. They have been living in India since their release in 1987, and their education was discontinued. Deprived of her shop she continued to live in a shed (kottil) and eke out a living for the remainder of her life in Kilivetti. She now lives with relatives close to the Nilaveli Methodist Church. Her 51 year old husband suffers from cancer. The four remaining of her 7 children are attending school. But she is without an income. [\[Top\]](#)

##### **2. Cases (Kadatkaraichenai)**

**Kopalasingam Thevarasa (26), fisherman and father of 4:** Was taken by the army on 27th November 1985 while breakfasting after catching fish, and was shot dead.

**Sinnathurai Sivarasa (now 39), disabled left shoulder:** Was gardening on 26th November 1985, when taken by the army to the Muthur camp. Was beaten with an iron rod. Later treated at Boosa. Released 27th November '86.

**Tharmalingam Sellathurai:** Was taken by the police on 14th February 1986, held in turn at Trincomalee, Boosa and Pelawatte, and released upon the arrival of the **IPKF**. A wooden spike had been thrust through the length of his right hand during torture.

**Kalapavanam Konalingam (33):** Her husband Konalingam joined the **ENDLF** in 1988 when the **LTTE** attempted to kill him. He later left the organisation. Her house was burnt by the army

in July 1990. On 24th February 1991 her husband was shot dead by the army that was coming along the coast from Muthur. She is left with 4 children, ages 12 and below. The compensation of Rs 50000/- due to her has not been paid. She receives some help from NGOs.

**Kalirasa Yohamma (45):** Shortly after June 1990, her family were refugees at the local Hindu temple. The army arrived on 9th July 1990 and took away 4 persons, including her husband Kalirasa (50). The 4 were shot dead at the nearby junction.

**Kopalapillai Rasendran (50), woodman:** His son Suntharalingam (25) labourer, was shot dead by the Sri Lankan Army during 1985 while going to work. His other son Sellathurai disappeared during 1989 while going to pick coconuts. This followed an incident where the **LTTE** abducted 8 Muslim carters. Sellathurai and another Vinayagamoorthy are believed to be victims of Muslim reprisals.[\[Top\]](#)

### **3. Cases of refugees in Muthur town**

Many of the refugee women in Muthur town have sons or husbands in detention at Tricomalee and Kalutara.

**Jonas Augustine Perera (26), Navalady (Wife:Antoniamma):** Missing on 14th September 1990 when he went to work in Muthur.

**Ponnuthurai (64), wife Kanahamma(55):** Son Balachandran went to Kaimunthan on 7th December 1990 to collect firewood and was shot by the army while returning. (Funeral expenses paid by EHED). Of their 5 children, another son Ravichandran(20) went missing soon after the army came to Kalmunai(Amparai District) in June 1990. Another son Uthayachandran(16) was boarded at Carmel Fatima College, Kalmunai. He was removed by the army in June 1990 (certified by Rev. Brother S. Gracianpillai SSJ, St. Mary's Home, Pandiruppu) and is since missing. The **HRTF** in a letter of 26th February 1993 said that the missing could not be traced.

**Letchumi (29):** Her elder brother **Kanthasamy** and his wife Maniamma were shot dead by the army on 7th December 1990 while returning after collecting firewood. [See above]. In all 10 persons were killed by the army on that day.

**Velukutti Sivamalai (Iruthayapuram, Pachanoor):** The army did a round up at Iruthayapuram on 25th August 1990. Among those taken and missing are his son Yoganathan (19) and Namasivayam Krishnathas (37) (father of 3 girls). There are in all about 200 families in Iruthayapuram.

**Illayathamby Kanagalingam (28) (wife Sathanayaki (26), 2 children),**

**Chinniah Sahayanathan (33) (wife Sathanamary (30), 3 children),**

**Yusupillai Johnson (22), Pancras Sebamalai (25) (wife Ranjithamany (20), 2 children) & Pancras Xaviour (25) (wife Vimaladevi, no children)** are the 5 detained and then missing from Iruthayapuram during the year 1991.

**Francis Lalitha(28):** Husband Arokiam (40) from Alanchenai missing in Muthur town on 15th November 1992. Leaves behind 3 children 8 years and below.

**Saraswathy (36), Muthur:** Husband Nagiah Thevasagayam (37), missing after being taken by the army in a round up on 11th July 1990 in Trincomalee - 4 children (Ranjithamalar (14), Usanthini(13), Subajini(11) and Gajendran(9)).[\[Top\]](#)

#### **4. Cases Alankeni :**

**Kaliyappu Somasundaram(54):** His daughter Vethanayaki's husband Sinhathamby Vinayagamoorthy(25) was a local teacher. During June 1990 the **LTTE** brought rice taken from the Kinniya MPCS and ordered him to distribute it to the people. Having done this and fearing the forces he went to India. His relatives spoke to the local army commander. Vinayagamoorthy came by arrangement 8 months later, surrendered to the army, was released after routine questioning, and then continued his school teaching at Salli School, Trincomalee. During July 1992 he was rearrested by the CID on his way to school, and is being held in Colombo without charges. Somasundaram who could earlier earn Rs 40000/- a year from his fields in Thampalakamam is without an income. His grand-daughter is a cripple in need of attention.

**Punniyamoorthy Vallinayagam (40):** Shot dead by the army on 14th July 1990 while going to the rice fields between Thampalakamam and Surangal. 3 companions returned and gave the news. Widow(36) has 3/4 acre plot, no income. Four children (f(19), m(15), f(9))- no schooling for 3 years. Widow earns an income through breaking stones (Rs 3 or 4 per basket at 5 or 6 baskets a day), pounding rice and selling eggs. Vallinayagam had been arrested in 1983 as a bank robbery suspect (at a time when militant groups were robbing banks), released 5 1/2 years later without charges and had just spent 1 1/2 years with his family at the time of death.

**Satkunanayagam Kamala(36), widow:** Husband died 1980 natural causes, 2 girls (15,13), no income. Her brother Seenithamby Pakiarasa(34) who had taken responsibility for the children was taken away by the army on 28th July 1990 when it called the villagers for a meeting at the school. He then disappeared. Kamala, who had worked as a maid in Kuwait returned a week before her brother's arrest. She had sent home Rs 50000/- with which her brother put up a house, now of which only a pile of stones are left. Her jewellery, she says, was stolen by relatives at the Clappenburg camp. The soothsayer gave her no hope of retrieving them. In order to raise her children she is hoping against hope that her brother is alive. **She would like assistance to put up a small shop.**

**Shanmugavel; Arimadevi:** Husband Ramiah Shanmugavel among 9 taken with Pakiarasa on 28/7/90, who disappeared - 3 children (m(10), f(8),f(5)). Two others taken the same day and missing are Vipulanathan(24), 1 child) and Prabakaran (2 boys, 2 girls).

**Gnanasoundari Pathmanathan(33):** Two sons (13,12). Went to the Middle East as housemaid in 1984 under the assumed Muslim name of `Suleikamma'. Came back in 1985. The **LTTE** demanded her house. When she refused Rs 75000/- worth of things were taken by them. She was then taken for an inquiry and released. Her husband was shot dead by the army on 1st January 1987 in an incident where six civilians in all were killed. She then took a passport under the name `Seinambu' and went again to the Middle East - Saudi Arabia this time. She returned in November 1990 following an operation for suspected breast cancer. Most of her savings have been spent on post operation care - Now Rs.300/- in bank.

**Rasendran Kailayapillai:** Married with one child. Ran into the sea when chased by the army on 23rd July 1990 and drowned. Leaves behind widow and child.

**Lalitha(20):** 2 children. Husband Arumugam Savundarajah came from Clappenburg and was shot dead by the army when he went to Ponnankerni, Kandalkuda, in search of their bull. **Their second child, now 3 months, was born after the father had died.**

**E. Poomani(50):** Her son Thayaparan was shot dead by the army on 12th January 1985 while working in the fields during disturbances. Her husband Erasendran Veerasingam was shot dead by Tamil militants (Tigers suspected, reason not known) on his way to the shop on 22nd October 1989. Left with 4 girls & 1 boy(10).

**Kanthasamy Bhavani:** Father Kanthasamy (45) farmer, killed on 15th December 1986 during an army round up. Survived by 4 girls (1 married) and 2 small boys. Girls used to run a shop. Now living on rations.

**Sathasivam Marimuttu:** Her son S. Paskaran(29) of the Housing Department, AGA's office Kinniya, disappeared on 13th June 1990, after being taken by the army at 13th mile post, Kandy Road (Thampalakamam junction), while returning from Trinco. He was returning by bus after attending to official business. She and another daughter(22), A. Level student, Trinco, are supported by her other son Thirugnanam, CTB bus conductor - Trinco-Sambaltivu route.

Noel from Alankerni was another who disappeared during the same incident.

**Kanapathipillay Wijeyakumar(35)** teacher, Upparu is among the 4 missing after being taken from the school refugee camp on 6th August 1990.

**Kunjan Kanapathipillay(44) barber:** Missing from 27th August 1990. Informant: Sivagnanam, barber - cousin.

**Ambika Arulanandam:** Husband tractor driver. Missing during 1986 when he went to Kuttikaraichi - Navy suspected. Left behind 3 boys & 5 girls.

**Alankerni Muslim quarter & Kinniya:** While destroying Tamil houses, the army had also damaged or burnt several houses in the Muslim quarter.

**Abdul Rahim(35)** of Alankerni was killed by the **LTTE** during the current troubles. His wife and 5 children are managing with rations.

The Muslims in this part went to Kantalai as refugees during the troubles and were later in a camp in 4th Ward Kinniya. Significantly, they waited for the Tamils to return before themselves coming back. According to official sources in Kinniya, **30 to 40 Muslims are missing after being abducted by the LTTE.**

