

University Teachers for Human Rights (Jaffna)

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PREFACE

PREFACE

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The production of the current report was rudely interrupted by the assassination of Dr. Rajani Thiranagama, who played a leading role in the work of University Teachers for Human Rights, Jaffna (UTHR). The appendix is devoted to describing some aspects of her life and work. We do not wish to raise the question of who did the deed at this stage, because all the

forces operating in this region, both state and non-state, have at some stage used assassination as a political weapon. The number of people so killed run into hundreds.

A few weeks earlier, Professor Patuvathawithana, Vice-Chancellor of Moratuwa University, was gunned down in his office, together with his security guard. All who knew him testified to his high level of professionalism, courage and character. Under his leadership, the university authorities and staff were able to maintain a dialogue with the student community and move towards restoring the functions of the university. To achieve this end, the Vice Chancellor had been firm both with the military authorities, who were not happy with having an organised student body, as well as with those who would interfere with the functions of a university for obscure political ends. Strongly as his loss was felt, the protest against his killing on the part of the university community and the Institution of Engineers, of which he was President-elect, was muted by fear. Earlier in the year Professor Stanley Wijesundera, former Vice-Chancellor of Colombo University, was also murdered.

In schools too, several leading figures have been murdered over the years. Many were killed for their professional integrity. In the early '70s alleged educational privilege had been an issue of contention and there were groups calling for the improvement of educational opportunities along communal lines. Today education is being used as a hostage by liberation groups on both sides of the communal divide. Jaffna and Moratuwa are instances where the delicate threads by which a university is kept open are easily snapped.

The Crisis

The present crisis which began with the Sri Lankan state's militarisation to meet ethnic and social discontent, has been described as a crisis of morality and a crisis of civilisation. The question is: what is needed apart from courage, to meet this?

Many academic colleagues and intellectuals in the South see their past silence during military operations by the state against the Tamils as both a moral and political blunder. They also recognise that the moral debasement that has characterised these conflicts is to a large measure determined by the readiness of state powers to descend to the most inhuman depths with little restraint. There have also been resolutions put forward by leading academics advocating that the first step in resolving the crisis should be to have an accountable government. They see that it would make a great qualitative difference if ordinary people could say with confidence that the state power is not responsible for barbaric and unjustified killings. This would also mean a guarantee of protection for complainants and an accountable procedure by which offenders are punished. Such resolutions have often run aground amongst divided opinion, confusion and fear. It has been pointed out that the resultant inactivity amounts to complicity in the state's military approach, that is destroying a sizeable section of the country's youth coming from the less privileged sections.

A few weeks ago, Peradeniya University became the scene of what is all too common in the country at large. Following the murder of an Assistant Registrar, resident staff who looked out early in the morning were witness to 15 or so decapitated heads ranged around the pond opposite Jayatilleke Hall. The Sri Lankan army was in control of the University premises. Academic staff said that JVP activity in the area was down to virtually zero. According to information received by academics in Southern Universities, in a number of instances of such mass reprisals, the victims had been picked up at random from rehabilitation/detention centres. The current prevalence of state-sponsored para-military groups which began with the

creation of the STF and Home Guards during the campaign against Tamils, has been a further source of complication. It has been pointed out that the situation would have been qualitatively different if it could have been said confidently that the state could not have been responsible for killings such as that of Prof. Patuvathawithana.

A state of utter confusion prevails in the country as to by whom why and for what reason particular instances of violence and murder are committed. Where the gun has taken over all avenues of accountability and legal procedure violence becomes a free-for-all game. The 1983 racial violence against Tamils was an open instance of how the state pursued, political goals. There is widespread cynical disbelief about the governments allegations as to the perpetrators of this well-planned, well-timed race riot. Political developments, group aspirations, prejudices are manouvred and counter-manoeuvred by the different liberation movements and state powers. Thus reasons, causes, get complicated in the ensuing medley. The people are left with their own speculation, rumours and gossip.

The Liberation Movements

The common philosophy that has distinguished successful insurgent activity in the North and the South is that people do not matter. By attacking the armed forces, using civilian cover, the insurgents ensure some casualties in the forces as well as a number of civilian deaths in reprisals. They gain both local sympathy and some international legitimacy when the state forces themselves are accustomed to using terror as a weapon. This has proved both potent in the short term as well as destructive. When people begin to see through this and try to express themselves, they are terrorised by their own liberation movements. Even if people try to organise some form of collective security, at least by warning neighbours to quit when there are signs of a confrontation, they are intimidated 'The end result is that while the liberation movement may retain a measure' of

sympathy for the lack of an alternative, it becomes progressively isolated. Its mature cadres become disillusioned and it will have to resort to more questionable means to gain recruits.

An instance of the more deplorable methods used by liberation groups was evident on 29th July. The JVP forced innocent people out at gunpoint, while a curfew was in force, to demonstrate against the presence of; the IPKF in the North-East. More than 100 such persons were shot dead by Sri Lankan forces. When asked about this by the Sunday Times, the Defence Minister maintained that if those people were innocent, they should have opposed JVP guns. He added that they should be more afraid of the guns of the armed forces than they were of JVP guns. Such were the attitudes of the state and a liberation group between which the ordinary people found them-selves trapped.

At present all the liberation groups have been very much weakened. The I Tamil groups have been driven to ill-disguised positions which they would have found insulting in the recent past. Many have wondered at the state's capacity to survive. A persistent prediction by analysts over the last 10 years has been the imminent economic collapse of the state, giving hope to sympathisers of liberation movements. This has not in fact happened. On the contrary, the present state of the JVP, and that of the LTTE after Operation Liberation in May 1987, point to the staying capacity of something apparently so fragile as the Sri Lankan state.

A Southern academic who is perhaps best qualified to speak on this f matter made the following remarks:

“Liberation groups in this country have always under-estimated the resilience of the state. The modern welfare state is a complex entity. Its sinews reach into many aspects of people’s Lives. Government servants, doctors and teachers are all part of the state, as is the passive consent of people. The articulation of the state also has its ramifications in the international order, giving it added strength. There was almost universal desire not to see the Sri Lankan state collapse. The US \$785 million awarded to Sri Lanka by the aid consortium was more than

had been asked. Another important element in the liberation struggles of this country is that when liberation groups use such

deplorable methods, the state bounces back with greater legitimacy than it had earlier. I have noticed a remarkable change in a number of JVP supporters in Matara, after the JVP closed down hospitals for a time and threatened families of armed forces personnel. They were now condoning widespread killings by the state, asking what else could the state do .

He said in conclusion, ‘ The first rule to be observed by a liberation movement is that it must maintain the moral initiative.’”

Far from being liberated, the people have become mired in greater repression from the state as well as in debilitating moral depravity. Life .has become cheap. As reason and tolerance declined, even families have become bitterly divided. While suave persons in the elite kill by lying and slander, the humbler folk have to live in the shadow of torture and sadism. Even cannibalistic rites have surfaced.

Intellectual Freedom

Intellectual enlightenment and honesty are essential to the liberation process, through which alone a healthy struggle can be successfully waged against any form of oppression. The role of the intellectual is crucial to the theoretical and political development of the struggle, analyzing society in its totality and making organic links between the movements and the people. This ensures the active participation of the people and strengthens peoples’ power. Our liberation movements are marked by use value concepts and remain at the level of political expediency and tactics. The methodology of our struggle does not take into account the implications of diversions among, interests and aspirations of the people. It operates merely at ---the level of exploiting certain weaknesses of the opponent such as the reprisal killings state forces indulge in. This naturally leads to the concept of using intellectuals as they use other segments in society. They have no wish to involve them in any liberatory process. Therefore any form of independent criticism coming from the intellectuals has been taken as a challenge that should be put down. This same tendency is found in the South too where there are individuals who in their writings strike up critical stances but are obliged to keep them secret owing to intimidation by State and/or other militant groups. I

For the above state of affairs our intellectuals are much to blame. It was in this regard Rajani Thiraganama showed extraordinary courage and determination in promoting along with some of her colleagues an objective critical attitude.

“Our intellectuals who at this juncture should be the catalyst to energise the benumbed community, are unable to do so. In many instances they have sidestepped confrontational issues with the I.P.K.F. (as they have done with militant groups) and have resigned themselves to passivity. This is the consequence of the history of this segment of our society. For in the past their conceptual and moral shallowness have made them submit to the authoritarianism of the militant groups and had glossed over their brutality Their unprincipled conduct reflected merely a desire to create niches for themselves within which they could survive with the trappings of respectability and nominal power.”

Rajani gave her life for intellectual freedom. She amongst many others recognised that if the health of this country is to be restored, the freedom of the people to express their feelings and ideas should be defended. This was one of the aims with which the UTHR (Jaffna) set about publishing its reports. Far from being a political exercise, the questions dealt with were those entwined with academic life in this country’s situation in lecture rooms and in student problems.

The challenge that faces us is expressed forcefully by Rajani in the following

Quotation taken from Broken Palmyrah

“Thus the people’s structures have to be organized and/revived. They would be the internal forum for the forces which would voice their needs in devolution (in specific issues such as colonisation etc) and act to monitor the implementation of the limited decentralised power. It would enable such structures to compile, protest and organise against many army (Indian and Sri Lankan) misdoings and atrocities. Moreover, these structures are essential to stand up against the pressure of individual terrorism that degenerate elements of movements indulge in, and to see to it that individual members of the community are not isolated and victimised. And also such structures would protect them from victimisation by such external diabolical forces”

CHAPTER 1

1. Reports : GENERAL

Karukampanai -7th Februar 1989

The Death of Aingaran -Alavedd .: 9th May 1989

The Death of Mr. Cyril Swami illai -Jaffna, 22nd June 1989

Conscription Confounded -Gurunagar, 5th -7th July 1989

Mrs Rani Anthonipillai -Mathagal, 17th July 1989

The Death of Mr. Tharmarajah, EPRLF Leader -Killinochchi, 26th July 1989

Adampan- Incident of 31st July 1989

Incident at Mannar Hospital -9th August 1989

Incidents at Avarangal : 3rd week of May 1989

The Killings in Puttur

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1. Reports : GENERAL

Karukampanai -7th February 1989

The local temple festival was going on at Karukampanai, and people were about the temple area after nightfall. Thevarah, a car driver, was playing cards with his friends in a house nearby. Some gunmen from a pro IPKF group went and talked to them then set off down the road, away from the temple. They went to the house of Sinnathura, a cycle mechanic, who was playing with his young child on his lap. Sinnathurai was called out and shot dead. On their way back, Thevarajah was called out and killed.

Next morning an IPKF officer questioned a leading local citizen as to who had done the killing. This man replied, "You should know". The officer replied, "No, I don't know." However the camp housing a pro IPKF group was removed from Keerimalai soon afterwards.

According to local source, Thevarajah and Sinnathurai had not been forthcoming when their services were sought by persons of the area from a lower caste group. The two had belonged to the Koviya caste.

The Death of Aingaran -Alavedd .: 9th May 1989

Aingaran (16) an O Level student at Mahajana was the youngest son of Yogasundaram, a public sector employee. Aingaran's elder brother had been a member of the LTTE until 1987. After the October operation, the IPKF, acting perhaps on a tip-off came home looking for his brother who was then not at home. Aingaran's mother was slapped-repeatedly by a soldier in his presence. The brother was later sent abroad. For some time before the date above, Aingaran's mother had suspected that Aingaran was getting involved with the LTTE. On being questioned he denied it. However, Aingarn left home a few days before the date given.

When the father came home that day, he was told that a boy had been shot dead. Later something else that he heard made him check. The dead boy was Aingaran. Aingaran, who was carrying an armed militant on his, bicycle pillion, had run into an IPKF patrol. The armed militant took to his heels and escaped. Aingaran, being inexperienced, was shot dead.

The Death of Mr. Cyril Swami illai -Jaffna, 22nd June 1989

Mr. Swamipillai (58) was a well known English teacher in Jaffna, well versed in western drama and elocution. Having retired from St. Patrick's College he worked as Manager of Windsor Cinema and later of Manohara. His daughter was married on the 10th June, and a reception was held at Palm Court.

A few days later some youths came to his house claiming to belong to the LTTE and demanded Rs. 5 lakhs. Mr Swamipillai finally agreed to pay Rs.15.000/. On the 22nd June, theatre owners and managers were summoned for a meeting by the EPRLF at Shanthi theatre, in front of the Jaffna hospital.

Swamipillai is reported to have recognised some of the armed sentries at the top of the lane as those who had come to his home. After 3.00 p.m, he was seen on his motorbike looking rather stern. He told some inquirers that he was lodging a complaint.

That night he was shot dead near the Manohara theatre.

Indrani Christopher -Jaffna, 29th May 1989

Indrani Christopher (30), lived down David Road, Jaffna and was a young mother whose husband worked in the Middle East. She had a reputation for being generally helpful to young persons in trouble. Being in the Gurunagar area, she had known a number of young men who had been in various militant groups over the years. She is said to have sheltered fugitives from various groups as their fortunes changed, including those from the LTTE. Young persons came regularly in the evenings for friendly chats.

On the day in question, she had accompanied a girl to the EPRLF camp at Hotel Ashok in the morning to hand over an application for a job in the provincial government. Despite the risks involved, many were desperate enough to seek jobs in the provincial administration. She was shot dead at her home in the afternoon while sitting on a chair. Rumours got around that she was immoral an informer or both. A neighbour testified to her character in these terms: "Her vocabulary at times may be described as unclean But her character was clean."

Conscription Confounded -Gurunagar, 5th -7th July 1989

This incident took place when the threat of conscription had put fear and anxiety into both parents and children. A militant group came into Gurunagar and started to round up some young persons. The elders, mainly fisherfolk and labour class came out with knives and sticks to surround the militants. The group went away and returned the following day in larger numbers. The elder folk responded in the same manner as they did on the previous day. and in the melee a militant was (temporarily) deprived of hispistol.

The next day they came in the company of some IPKF soldiers. A Tamil speaking soldier told the locals, "If they try to kidnap your sons, beat them!"

Another youth Jacob, an A Level student at the Patrician Institute, from the Mannar district, was conscripted together with his landlord's son from the nearby Old Park Road. Although the landlord and lady had known Jacob only for a short time and their own son too was in difficulty, they gave most of their attention to Jacob in view of his delicate health. Jacob was traced to the EPRLF camp at Velanai. They contacted everyone who could possibly help. On the 6th July, Jacob was warded in Jaffna hospital under a different name with a nearby EPRLF camp as his address. He had reportedly fainted after being beaten on the legs. His captors were apparently annoyed. thinking that he was feigning ill-health. Jacob was later released.

Mrs Rani Anthonipillai -Mathagal, 17th July 1989

Mrs. Anthonipillai was a teacher with 2 sons who made regular trips to the local IPKF camp to plead for the release of young men detained. While returning from camp on the day concerned. 4 young men stopped the bus and dragged her out, accusing her of releasing LTTE when they were apprehended. She was then killed. The narrator said that people drew from this the obvious conclusion about the identity of the perpetrators of the killing.

Some weeks later he met a friend from the area to whom he expressed his feelings about the killing and the killers. To his surprise, his friend put an entirely different construction on the dramatic incident.

The Death of Mr. Tharmarajah, EPRLF Leader -Killinochchi, 26th July 1989

According to reports received Tharmarajah was a local EPRLF leader in Killinochchi, who had shown qualities of enlightened leadership- still relatively rare in the EPRLF, which had won him considerable popular esteem. On the day mentioned, he had gone to inspect a sentry point near his

camp. He was killed by a single bullet fired from the Sri Lankan army camp opposite.

He was one of the young men, a part of whose story was given in the Tale of two young men' in our Report No.1. Two years earlier he had been a broken and bitter man after being incarcerated and tortured by the LTTE. He was evidently an intelligent man, committed to ideals leading to the upliftment of his people. No doubt the EPRLF's political outlook at that time would have attracted him. He came from the sort of village in the Killinochchi area from which young men would have joined all major groups.

have had more tragic results than elsewhere. He had not been happy with the general militaristic drift of militant groups. After the Accord, he had gone back to being a postal worker and had no intention of rejoining the EPRLF. He did so only after the LTTE became suspicious of his intentions and a friend of his was killed. It is a destructive aspect of this war that political gain. The EPRLF possesses few leaders with the imagination and grit that can give it the benign image that any political leadership requires. The EPRLF put his killing down to collusion between the Sri Lankan government and the

LTTE to keep them weak in leadership potential.

Adampan- Incident of 31st July 1989

All-India Radio reported the incident at Adampan as one where a large scale attack was mounted on the IPKF camp and where in the course of fighting 35 LTTE members and a few Indian soldiers were killed. The following account was compiled from local sources.

The IPKF camp in Adampan, near Giant's tank, in the Mannar district is situated next to the government hospital and is manned by the Madras Regiment. A sizeable group of the LTTE came into that area during the night and fired mortar shells into the IPKF camp from behind the hospital. According to some, a part of the attacking force had entered the hospital premises. An IPKF officer immediately called upon the doctor on duty at the hospital to have it vacated as they were going to retaliate. This was done and the attackers also withdrew from the hospital area. The IPKF suffered no casualties.

Subsequently, the jungle area behind the hospital was subject to intense shelling from the IPKF camp at Uyilankulam, 5 miles south on the Mannar -Vavuniya road, causing the attackers to disperse. The following morning, troops from the Adampan camp went out and in the process told the agricultural colonies in the surrounding areas to vacate, as there may be shelling. This resulted in a mass influx of refugees into town. They were fed for two days by the GA's office and by NGO's. One elderly lady is reported to have been killed during the shelling.

In a separate incident at Nedunkandal, an IPKF patrol was attacked, resulting in the deaths of 4 soldiers. No reprisals against civilians were reported. The commendable level of humanity and restraint displayed by the IPKF during these incidents stand in stark contrast to its performance in Vadamaratchi during the same period.

Incident at Mannar Hospital -9th August 1989

The Mannar hospital lies at the T-junction, where the road to Talaimannar takes off from the Thalvupadu road. The Talaimannar road runs briefly to the north past the hospital, which is to the left, and then takes a bend and runs west past the Building Materials Corporation (BMC), to the right of the road. The IPKF has a large camp at the BMC and a small post in the corner of the hospital premises, at the T-junction referred to. Going east from here along the Thalvupadu -Mannar road, there are camps of the EPRLF and TELO.

The small IPKF post in the corner of the hospital premises is over-looked by the OPD building. On the night of that day, the LTTE is believed to have come to Mannar island by boat from Vankalai and had landed at Thalvupadu and entered the hospital from the back. This was at about 8.30 p.m. On entering the main building of the hospital, all employees and patients were detained inside. They made their way through the hospital to the OPD building and took up positions upstairs over-looking the IPKF camp below. Except for those on sentry duty, the other soldiers came to the camp for their night's sleep. When the LTTE opened fire from upstairs windows, the IPKF men hardly stood a chance. A few soldiers reportedly escaped by climbing over the wall. The LTTE had ringed the area with sentries to make it difficult for reinforcements to be rushed there. The surrounding IPKF camps are said to have been uncertain as to what was going on for some time, because the LTTE had been using Indian weapons. When soldiers from the BMC camp arrived, the LTTE had left with the captured weapons, reportedly by boat from Thalvupadu. Up to 40 soldiers may have been killed in the incident.

The subsequent conduct of the IPKF is worthy of praise and took the townsfolk by surprise, given the general reputation of the IPKF. The troops that came from the BMC camp that night assured the patients (more than eighty in number) and the staff that no harm would befall them. The patients left on their own in the morning. The Indian troops conducted themselves in a disciplined manner and no townsfolk came to any harm.

How was such an unthinkable attack made possible? It may be pointed out here that the atmosphere in Mannar town was fairly relaxed. The level of fraternisation between Indian troops and local people was of a high level, that would have shocked people in Vadamaratchi. EPRLF leadership in Mannar town had succeeded in presenting a fairly acceptable image. One purpose of the attack may have been to change the atmosphere, as had been easily done in Vadamaratchi with the killing of just two soldiers on 1st June 1988. If that was a purpose of the attack, it bore no immediate fruit.

After the dark winter of 1987, when civilian institutions reasserted themselves, there had been a general demand to the IPKF to keep out of public institutions -particularly educational institutions and hospitals. Such demands had been won and had been grudgingly granted in instances where the IPKF feared a genuine security threat. Sometimes the IPKF had sought assurances from the institutions that the LTTE would not use them. Institutional heads who were in no position to give such guarantees had to argue that prudence demanded that such a risk had to be taken by a force wanting to restore democracy. In some cases assurances were sought from the LTTE and were given, if only tactically.

The sanctity of hospitals is guaranteed by international covenants even during wartime and a hospital is a place from which the IPKF would have least expected to be attacked. The IPKF had probably agreed not to enter hospital buildings. For if regular inside checks were done, such an attack would not have been possible. In conducting such an attack, the LTTE has not just undermined its own credibility, but the credibility of the entire Tamil civilian population engaged in an uphill struggle to regain a measure of control over their own institutions. That is precisely something that should have the whole-hearted backing of a liberation group. Anyone who is using an adversary's show of decency to attack him is bent on a destructive course.

Incidents at Avarangal : 3rd week of May 1989

Avarangal is situated. 8 miles from Jaffna town on the Pt. Pedro Road. The area comes under the IPKF command at Yakkarai. On 10th May there was a troop changeover. The 4th Maha moved out and the 2nd Rajasthan moved in.

On the 15th at 5.30p.m the LTTE fired at an IPKF patrol, killing Captian N.K.Singh and a trooper. There were no reprisals that day. The 16th morning saw what appeared to be a planned onslaught, aimed at driving terror into the civilian population. Troops set out from the camp at Atchuveli beating whomsoever they found on the road, moving towards Avarangal, encircling the area with the help of troops from Puttur. The troops from Atchuveli subsequently apprehended Ponnar Kanthasamy (19) and Sinnathamby Kanagalingam (22), both newly married labourers with infants", and took them to a vineyard. The two were shot dead later. S. Ratna, (45) of Puttur West had just reached home, when troops arrived and ordered him to open the house for a search. The house being locked and the wife not at home, Ratnam asked leave to find his wife and obtain the key. He was shot dead as he walked away.

On finding out that they were in the middle of a military operation, 6 young men, mostly labourers, parked their bicycles and took refuge at the Mangauna Vairavar temple. They were detained by troops arriving there and were badly beaten. Troops then took them to the main road at Avarangal, stopped a Jaffna bound CTB bus and ordered the six to board the bus.

A passenger in the bus. post master at Chankanai protested strongly about the treatment meted out to the six detainees. reminding the troops that they were part of a Peace Keeping Force. A soldier opened fire. killing the Post Master and injuring a lady nearby. The others in the bus were asked to report that the LTTE had fired at the bus. The Uthayan newspaper reported that the post master was killed when a soldier's gun went off accidentally. The bus was ordered to proceed and the six labourers were off loaded at the Puttur IPKF camp, situated at the junction of the Chavakachcheri Road.

Between 1.00 and 2.00 p.m, soldiers from the Puttur IPKF camp assaulted several people in the area. Those assaulted included 8 young women from a nearby factory and 5 pregnant women attending a pre-natal clinic near the army camp, on the Chavakachcheri Road-. Subsequently, a lorry from Avanrangal proceeding to Jaffna was stopped at the Puttur camp and 3 young labourers who were to load the lorry before its journey to Colombo were detained.

On the loth evening, Rathimohan, one amongst the group of 6 detained earlier that day, was taken to the house of Krishnarajah from whom he asked for a bag and a grenade allegedly given to him earlier. According to local residents, Rathimohan had no militant connections and had made a fake confession under torture. Krishnarajah's house was later burnt by Indian troops.

Of the three young labourers, who were detained at the IPKF, Puttur camp. the bodies of Ponnuthurai Vamadevan (20) of Avarangal and Selliah Sivalingam (22) of Puttur West, were given to relatives the following (17th) morning, with instructions to cremate them within an hour. Those who saw the bodies which were twisted fractured and punctured with bullet wounds said that they had seen nothing like that before.

Troops went to the house of Thillayarkanagu on the 17th night and asked for his daughter Chandradevi (Latha)(17). The girl not being at home the father was badly assaulted. Chandradevi was arrested from a neighbouring house the following morning. Thillayarkanagu went to the Puttur camp with some local citizens on the 18th evening to inquire about the fate of his daughter. He collapsed and died a few yards away from the camp. Chandradevi is now reported to be at the KKS detention centre.

Two Of the group of 6 detained on the i6th were taken by troops to a banana plantation on the 18th morning where they had apparently confessed to having hidden arms. They were badly beaten when these arms were not forthcoming. According to locals. these six had no connections with the LITE.

Indian troops surrounded Vakaraivattai on the 22nd morning and took away Ihuraisingam Uthayakumar, who was later shot dead. Of those detained, 3 were later released. Those missing are

1. Kathiresu Uthayanathasivam, 2. Eliyathamby Parthipan, 3. Manikkam Thavendrarsa, 4. Ihillakarathinam Rathimchan. All inquiries from the IPKF have failed to yield information about these four. One was a schoolboy from

Puttur Somaskanda, and a school boycott was observed from 30th May to 2nd June in the area to protest his disappearance.

A Colonel from Yakkarai later talked to some local citizens who had protested in very strong terms about the Indian army's conduct. Pointing out that civilians had never instigated the LTTE to fire at the IPKF. The Colonel is said to have replied that such conduct from the IPKF should be expected when an officer is killed. Some senior local citizens told him that such behaviour from the Sri Lankan army was usual but that the 4th

Mahar regiment which was there earlier and had faced similar difficulties, had conducted themselves in a fair manner fitting a peace-keeping force with civilians. But, the conduct of the new unit, they said was totally unacceptable.

Some of them thought that civilian interests, particularly those of detained persons, were ill-served by the LTTE's ban on contact with the IPKF, and the work of the Citizens' Committee had been halted following resignations. Many said that they did not wish to voice the need for such a committee in public, lest they are suspected of political ambitions and suffer dire consequences.

The IPKF later invited some citizens for a meeting at Puttur and laid down two conditions for their safety: 1. They must tell the LTTE not to fire at the IPKF. 2. They must not run when seeing troops. They were told that several reprisals would take place if Indian soldiers were killed.

The helplessness of these rural folk caught in a vice between contrary aims and demands of different parties in armed conflict was all too evident.

The Killings in Puttur

The day was still to begin when men clad in army uniform were stealthily surrounding the village of Kandikkadu near the Thakaram Pillayar Kovil, somewhere between Puttur and Vaharawathai. The previous night information that three LTTE cadres were passing the night in a hut belonging to a person living next to the temple had reached the army (IPKF). The same day at about 5.30 a.m. five persons from Vaharawathai were coming towards Puttur to load sand needed for construction into a lorry. They were all daily wage earners with families to support and were each carrying a parcel consisting probably of their tools and midday meal. On suspicion they were ordered to get down from their bicycles and squat on the ground. A salesman working at the Atchavelly Multipurpose Co-operative society was also detained at that spot. A few minutes later two men, their wives, sisters and children were beaten up by the army who were searching their houses and were asked to sit alongside the others. The women sat apart and were pleading with the army officers not to harm them.

The searching continued until an army officer stooping at the doorway to enter a low roofed house was gunned down by the inmates at that time. The shots rang out clearly reaching the whole village which was besieged by terror. The inquiring look on the faces of the army personnel turned to fury when they learnt that it was an officer (name not known) who was killed. Instantly they turned their guns on the eight men who were clueless as to the happenings of the day. Three thatch-roofed houses were set ablaze and the women were beaten with guns and baton charged. A nineteen year old boy Jeychanthiran who was trying to flee to safety was asked to carry the dead bodies" of eight men and dump them into the burning houses. After this

act he too was about and thrown into one of the burning houses. Firing was heard at a distance and it was learned later that 3 LTTE cadres. Esco (who had apparently shot at the officer) Sivanewaran (alias Nehru) and Jeevakumar (Kutti) had run,through the back door towards the paddy fields firing back at the army. Only Esco was shot while the others escaped unscathed.

The women and adolescent children of the surrounding areas were beaten up while some of the men were tied up and marched to the army camp. They were released later.

The villagers were mercifully allowed to have a funeral with the charred remains of :

Kandiah (39), Nallathamby (37), Sivapathan (22), Balasingham (34), Yogendran (30), Jeychandiran (19),

Vykuntharasa (23), Ilatchanakumar (24)

Incident at Meesalai : 14th May 1989

The IPKF soldiers who had come from Kodikamam and Eravur Camps and were stationed in a coconut estate near St. Nicholas' Church on Kandy Road.

opposite Merusuvil Railway station came under a sudden attack by the LTTE at 11.30 a.m. on May 14th 1989. Ten IPKF soldiers and one LTTE cadre were killed and several IPKF soldiers were wounded in this attack. The posters which were put up by the LTTE later. claimed that they had captured 14 weapons belonging to the IPKF.

A few minutes after this attack more IPKF soldiers were brought to this spot and they went on a rampage burning three houses and many fences. Several houses were also looted. Hundreds of men, women and children in this area were beaten up. Many women were wounded in this attack by the IPKF.

The Parish Priest Rev. Fr. Lawrence Xavier was assaulted twice in his Parish House. Two other Priests and the Superior of the Holy Family Convent, which is near the church, were also assaulted. The orphans who live in the Holy Family Convent were among those who were beaten up. All traffic on the Kandy Road came to a standstill because of the attack by th~ IPKF on vehicles on the road. Later traffic was diverted through Usan and Kachai to Kodikamam. These attacks continued for two weeks. The people from Mirusuvil area moved to places like Pallai, Chavakachcheri and Jaffna.

As a repercussion to the LTTE attack on the IPKF the residents of Kodikamam and Eravur were affected. Three civilians were killed in this attack in Eravur. A mentally retarded young man was shot dead in Mirusuvil.

J The newspapers reported that three people were shot dead in Kodikamam. On the 14th when the bodies of those killed in the LTTE attack were I brought to the Kodikaman Camp a CTB bus from the Point Pedro depot which was going from Jaffna to Mullaithivu was shot at from the main trench of the army camp. A twelve year old boy from Delft was killed on the spot. His body was later taken to the Jaffna Teaching Hospital. Three other passengers who were injured were also taken to the same hospital. The driver and the other passengers were assaulted in front of the IPKF Camp.

After these incidents paratroops were deployed in the Merusuvil area. The youth who were arrested by them were taken to the Kodikamam Camp. They were detained at this camp for a few days during which time they were severely assaulted.

A few women were molested during search operations which took place a few hours after the LTTE attack on the IPKF. After two weeks the information concerning these events was brought to the notice of Brigadier Bundh by the EROS. Brig. Bundh who denied the charges, later at the request of (Mr. Balakumar agreed to visit the area and meet the affected people.

Accordingly, on the 23rd May, arrangements were made for the people to meet the Brigadier at the Merusuvil Roman Catholic Tamil mixed school, to justify the various attacks on them. However, many who were on their way to this meeting were stopped and assaulted by the IPKF, and were prevented from attending the meeting.

CHAPTER 2.

CHAPTER 2.

THE CIVIL ADMINISTRATION

Mr. V. Panchalingam became GA Jaffna in late 1984 when the writ of the January 1988 -May 1989

KILLINGS OF CIVIL ADMINISTRATORS, April, May 1989

THE CIVIL ADMINISTRATION

Under the system of government 'administration prevailing just after Independence, the civil administration in each province was headed by a Government Agent (GA). He was usually a senior and experienced member of the Ceylon Civil Service (CCS). "until that was replaced by the Ceylon (later Sri Lanka) Administrative Service (CAS). Under GA's of this calibre the administrative functions and the public services in their charge were carried out 'independently' of whichever political party was governing, the main considerations being honesty, efficiency and impartiality. Discriminatory treatment of the public servants or of subordinates on the grounds of party affiliation, race or religion was regarded as wrong.

The growing importance in later years of political patronage rather than administrative ability and experience tended to erode this tradition of impartiality and efficiency. Given the rising trend of authoritarianism and interference by politicians in the public services and their functioning, some senior administrators in the country, it happened, were 'rewarded', and suddenly got promoted, while others were 'punished', and suddenly got precipitously demoted or shunted into 'the pool'. Nevertheless, there continued to be some GA's who won

high public esteem by the way in which they did their work. Interestingly, some of the GA's in Jaffna who thus distinguished themselves and are warmly remembered were Sinhalese, for example, Vernon Abeysekera, Neville Jayaweera and Lionel Fernando.

With the rise of the insurgency, Jaffna had become a sensitive posting by the early 1980's, and it became very difficult for Sinhalese to serve.

Mr. V. Panchalingam became GA Jaffna in late 1984 when the writ of the

Sri Lankan state was in rapid decline with the rising tempo of the insurgency accompanied by increasing destruction and death to civilians. Several parts of Jaffna became no-man's land. Velvettithurai was shelled from sea and both Hartley College and Methodist Girls' Schools were taken over by the Sri Lankan army after the library of the former was burnt down. It was in keeping with Mr. Panchalingam's cautious style that few knew when he ceased to be acting GA and became GA. In a position that was becoming increasingly hot and messy, he stopped recording and sending public complaints as was done earlier by his predecessor. During the year of LTTE control from May 1986, such arrangements were more or less regularised, without serious objections from Colombo. Hardly any difference was felt locally. Many civil administrators became involved in matters where the LTTE sought advice on administrative and economic matters, carefully respecting the sensibilities of the former. In this, the LTTE displayed considerable political acumen and a deep understanding of Jaffna society. Civil administrators who participated in such fora, justified it on the grounds that it was for the good of the community, and such fora having no political function. It was consistent with their assigned role. Indeed some of

them voiced disagreement with the LTTE on key matters.

However the loss of independence and self assertion amongst civil administrators over the past three decades was very real. This loss of image made them particularly more vulnerable in the political climate that followed. In dealing with the militant groups, particularly with the LTTE, they had displayed a tactical flexibility, a willingness to compromise, and an indulgence sometimes amounting to flattery. These are accepted traits in Jaffna society, with which some would credit its tenuous survival. The LTTE mistook this conduct for loyalty.

When the Indian Red Cross arrived in late June 1987 on the shores of Jaffna with relief supplies, the LTTE was first to welcome them with garlands. This it did tactically while weighing its options. When the civil administrators and the medical services followed suit, fraternised and cooperated with the Indian Red Cross in relief work, they thought they were doing no more than what was required in the line of duty. The LTTE which was beginning to feel marginalized was hurt and angry. This found expression in a hint dropped in the Jaffna hospital during Thileepan's fast in September 1987 that a dreadful fate awaited those officials who garlanded the Indian Red Cross, setting off panic waves and rumours of a hit list. Nothing more happened then.

During the aftermath of the October 1987 operation, the Indian government wanted to restore the civil administration in Jaffna expeditiously as a means of re-establishing its battered credibility. A number of civil administrators from India were brought in. Local employees of the administration were asked to report by early November 1987. The LTTE on the other

hand responded by calling for a boycott of the civil administration, calling upon people not to become sheep, and slaves to Indian hegemony.

Many civilians held the opposite point of view but were afraid to express it. They held that if we were unwilling or unable to run our institutions, we would be surrendering the last vestiges of our independence, besides depriving people of the breathing space and the little control over their affairs they badly needed. This was expressed in a statement issued by the Jaffna University Science Teachers' Association in December 1987, entitled "A Plea to the Nation", an excerpt which is given here:

"We are now faced with an additional and needless crisis as the result of the campaign to boycott the civil administration. We are being told by notices 'do not surrender to Indian hegemony', 'do not beg for rice', 'do not be like sheep'. Those who do not comply with the campaign are threatened with death. The campaign is also confused. In Jaffna town where schools have been running with fair success, word seems to have come from the militants calling upon students to attend schools in order to preserve our educational heritage. But in villages such as Manipay and Kaithady, teachers and students are being harassed."

"We sympathise with the slogans given. But we are being treated like sheep. Instead of allowing us to decide our own good as a community, we are being ordered to boycott our institutions at the point of a gun. We were all sorry when our administration was disrupted, our shops were looted and we had to stand in rice queues -call it begging if you like. We are spared that indignity now because our administration and banks are functioning and we are getting our salaries. If our administration and banks are closed, we will have to stand in queues begging for rice and dhal from the Indian army or starve as the alternative.

"We wish to take over our institutions and run them, not for the Indians, but for our community as well as to avoid the risk of Indian domination of all aspects of our lives. If our bank staff, administrative staff, medical staff and school principals refuse to report for work, even simply to save face, the IPKF will be forced to bring in bankers, medical, administrative and teaching staff from India. Our institutions will be headed by Indians. Indian hegemony will be enforced here even that was not the Indians' intention. We must demonstrate to the Indians a clear will to look after ourselves and to co-operate only as equals with self-respect.

"At present we face a disturbing phenomenon of many civilians being killed by young armed men for obscure reasons. Many of those killed recently were respected community leaders involved in social activities. Many of them performed essential functions as members of citizens' committees. Whatever the reasons the result of such killings will be to sow fear and confusion amongst the ordinary people. They will become sheep, bending towards whoever can bring to bear the stronger threat.

"We urge the people to take control of their institutions and run them for the benefit of their own people, in order that we will be master of our own destiny and will not depend on the patronage of any other force. Let us work towards alleviating past differences and creating those conditions of democratic polity where the Indian government will not be able to justify a prolonged presence in this country."

January 1988 -May 1989

Caught in a vice between the LTTE's demands on the one hand and the IPKF's on the other, the "civil administration appeared to lack a sense of purpose and leadership to formulate a policy on the principled basis that their first loyalty was to the welfare of those whom they were meant to serve -the people. Even within the administration, people were afraid to speak out. There was fear of informers.

The tendency was to act as individuals, playing it by ear. People would go to work and wait at the gate to see what the next person did. When heads of the banking and administrative sectors did not report, the IPKF sometimes took to going to their homes and bringing them in. At times they were made to stay overnight. After a tug-o-war which did nothing to enhance the dignity of the community, the LTTE permitted public institutions to, function 3 days a week. The IPKF too settled for this.

The coming months were very painful for the conscientious public servant. A number of them carried their work home and got their subordinates to join them on off days -working sometimes even through week-ends.

Some departments, such as those issuing birth, marriage and death certificates, and vehicle licenses became lumbered with enormous backlogs. Faced with inconveniences, members of the public began to talk of public servants as shirkers who were using the LTTE to get full pay for half the work.

These insults were borne in silence by those dedicated officers who did the best they could and yet had little control over affairs. Corruption increased as private consultants, of the same nature as travel agents, sprang up in the area around the Kachcheri, who would for a fee do the impossible, producing certificates and licences. Even driving licences could be obtained without tests. These consultants looked upon themselves as performing a service. "Just look at someone coming from Pt. Pedro five times for a marriage certificate and going back empty handed. Imagine the distress, the lost days and the bus fare," they would say,"For less than the sum of these we would guarantee the goods". They would even take disappointed and tired applicants to the YMCA, listen to their woes and comfort them over tea. There is little doubt that cuts were paid to outside parties. Ironically, some of the popular slogans during the early days of the insurgency were to do with the fight against social corruption.

With the coming of the North-East provincial administration in November, in its fight for credibility, a new effort was under way to restore normal functioning. The stakes had now become high and deadly. These were the conditions under which two of the most senior administrators, K.Ramanathan and V. Panchalingam met their deaths.

KILLINGS OF CIVIL ADMINISTRATORS, April, May 1989

Karthigesu Ramanathan (51) was Additional GA, Jaffna. Within the service he was known as a very able administrator of exceptional integrity.

His colleagues describe him as a scholarly person whose speech was blunt and direct. Some may call it a weakness. Not uncharacteristically, he had been a boxer at school. In the context of Jaffna, several friends and colleagues described him as innocent and having no political leanings.

Soon after the new EPRLF-led administration took over in November 1988, Ramanathan was put in charge of the section issuing certificates of births, marriages and deaths. Unbelievably, these Augean stables were soon cleaned up, personnel were transferred, and people discovered that it was now possible to obtain certificates honestly and fairly quickly. This would no doubt have created some resentment in quarters where loss of face and loss of extra income was involved. Having made the running of the administration a political issue, the LTTE would have been understandably suspicious of anyone making improvements in the quality of service. Ramanathan, true to his character, had right along quietly defied the demand to work only 3 days a week. Although he reported on all working days, he could not have done much work when there was no supporting staff. On the 9th November 1988, there had been a car bomb explosion 50 yards from the Kachcheri (see Report No.1). Several members of the administrative staff had gone onto the road to peep at what had happened. True to form, Ramanathan had told the onlookers that this had nothing to do with them, and had advised them to get back to their desks. It is known that some of these stories were talked about with additions and twists that would have resulted in Tiger hostility towards Ramanathan.

As the weeks wore on, the new provincial administration was pushing harder for normal working and the three-day week was being slowly over-stepped. The LTTE sent a series of threatening letters to the GA, Mr. Panchalingam. Although there were rumours of such letters, Mr. Panchalingam dealt with these in his own way and did not discuss matters with his colleagues.

On the morning of the 7th of April, two young men called at Mr. Ramanathan's residence at Tellipalai and said that they wished to see him in connection with some help on a personal matter. Ramanathan was then preparing to set off for a meeting at the UNHCR office in Jaffna. His wife, suspecting something amiss tried to turn them away. But Ramanathan came out on his own, and was shot dead while reading a document that was handed over to him.

The following morning's papers reported that the LTTE had claimed responsibility. The Kachcheri (administration of the area) was shocked into silence. Everyone now feared his neighbour. People now began to take seriously the prospect of informers within. They now recalled persons, seldom noticed earlier, who would, soon after a visitor left, come to inquire who the person was and what was his business.

No one or group of persons even dared to fly a black flag at the Kachcheri. What the LTTE desired had come to pass. They knew that the people were as sheep. V Panchalingam who had been GA Jaffna, for over 4 years was admired for having done a difficult job amidst wide-ranging contrary pressures.

There is no doubt that he was honest and felt for the plight of his people. His excessive caution and secretiveness may have hindered his being well loved amongst his colleagues. Senior civil servants formed a small group that knew each other inside out. Their strengths, weaknesses and bags of tricks were known within the circle. There were plenty of jokes about Panchalingam's secretiveness. It made him prone to manage problems by expediency rather than work at a principled response.

Because Panchalingam had close dealings with the LTTE he was taken for an LTTE man. It is reliably understood that the Indian High Commission had on a number of occasions applied pressure on the government in Colombo to get Panchalingam transferred. This was resisted. The Indians accepted this, and perhaps came to realise that they could work with

Panchalingam. It is remarkable how Panchalingam retained the confidence of the Sri Lankan government while ostensibly maintaining good relations with the LTTE. It is

also likely that the former understood him while the latter did not. Evidently Panchalingam too had come to be attached to his position as GA, Jaffna, having turned down several offers of transfer~ This contrasted with the extreme caution that had marked his assumption of duties. According to accepted civil service wisdom, 3 years is a long time in a hot seat, where you are bound to have displeased many. You are well advised to apply for your next posting and request a transfer in good time, before being precipitously vacated at short notice. However, Panchalingam had made arrangements to leave his post in July for a period of study in the USA on scholarship.

As mentioned earlier, Panchalingam had received a number of threatening letters accusing him of breaches of dictates set by the LTTE. Some of these letters named certain officers in the administration with his immediate colleagues. He did take these threats seriously and took up the matter with old contacts who had access to the LTTE. One particular man used to call at his office regularly and have discussions with him behind closed doors. He was probably assured that things were, under control.

The period of parliamentary general elections (February 15th) was an anxious time for Panchalingam. The LTTE had issued a death threat to anyone participating in them but the GA had no choice but to co-operate in the arrangements. An apocryphal story about his caution, was that his car had several mirrors so that he could check if he was being followed. When the elections were over, he breathed a sigh of relief.

The known facts pertaining to Panchalingam's murder on 1st May are given below:

A final threatening letter, with the LTTE mark, arrived in the Kachcheri in mid-April, a week after Ramanathan was killed. Though addressed to the GA, it was opened by another officer who had treated it as routine mail. Fourteen persons were named in the letter, including one minor employee. When the officer took the letter to the GA, he asked him to call those named individually and inform them of the threat. This was done.

One matter of some concern to the LTTE, was the project mooted by the new provincial government to refashion the city of Jaffna, which had suffered from military activity. It fell to the civil administration to plan this project. A meeting of the town planning committee was fixed for -Wednesday 26th April. On the day before the meeting, one of the AGA's told another officer in an alarmed tone, to tell the GA not to attend the

meeting the following day. He had then added after some reflection, "He must be knowing about it." Evidently, a threatening message had been passed on.

On the 20th morning, the senior officials were at the Kachcheri with their supporting staff. To their surprise, the GA turned up and wanted to proceed with plans to convene the town planning meeting. Though afraid, his subordinates were too loyal and duty conscious to demur. Perhaps, they thought that the GA had sorted out matters with the LTTE. Shortly after the meeting began, a telephone call came inquiring whether the GA was present, which was cut off after receiving a reply. Later a second call came inquiring whether the Chief Clerk dealing with town planning was present. After learning that he was busy, the caller said that a friend had inquired and then cut off. On being told about this the Chief Clerk became

alarmed, as there was no one who would inquire about his movement in this manner. The meeting was stopped abruptly and everyone dispersed. It was reported that two unknown young men had been observing what was going on.

On the 1st May, the GA had driven with his wife from Anaikkottai, to his brother's residence off Temple Road, north of Nallur Kandasamy temple. Only his brother's wife was at home. Subsequently two young men arrived. Panchalingam took them to be members of the LTTE. They were invited in and there was a chat over drinks. The GA denied that he was unduly leaning towards the provincial government in the disbursement of rehabilitation funds, and said that accounts had been kept by his AGA's and could be examined by any one. He further requested that someone known to his officers be sent, to avoid unnecessary alarm. Panchalingam also asked them why Ramanathan, who was a very good officer had been killed, adding that though he reported for work everyday, he did little on the forbidden days. The young men replied that there were a number of charges against Ramanathan.

Panchalingam then asked if he had any personal problems, to which they replied 'none whatsoever' and departed. Somewhat relieved, Panchalingam chatted a little longer, came to the steps and continued talking as he put on his slippers. A shot was fired from the gate, which missed Panchalingam and shattered some glass. A piece of glass struck his hand causing blood to flow. Panchalingam ran through the house into the back, climbed over the wall and got into the next house. This was seen by his wife. Some young men with arms rushed into the house and banging doors as they searched for him room by room. Mrs. Panchalingam waited awhile, came through the lane onto the main road and slowly made her way to the next house. She saw Panchalingam's foot projecting from the kitchen door. Just then a young man entered and pumped the bullets from his automatic weapon into Panchalingam and went away, leaving him in a pool of blood. His wife surmised that her husband had entered the kitchen tired and frightened, had slipped on some vegetable peel and had lain there like a hunted animal, until the final shots ended his life.

Mrs Panchalingam noticed that no one seemed to be present in the surrounding houses. The press reported the following morning that the LTTE had claimed responsibility for the assassination.

It would appear from the foregoing that following the aborted meeting of the town planning committee, Panchalingam would have gone to a contact and requested a clarification from the LTTE. In response the meeting of the 1st May would have been arranged. Otherwise there would have been no reason for Panchalingam to go to his brother's place that morning. At what point the decision to kill was taken is unclear. The brutality of the action also suggests deep-seated anger.

Panchalingam was not well understood. Apart from those who maintained that everything the LTTE did was right, there are others who do not mind beating a man when he is down. Some ascribed to him things that he had never been guilty of. But the larger reaction was that of shock and sorrow. Ironically, for a number of days after the killing, many persons who were close to Panchalingam could not believe that the LTTE could have done the killing. Such persons even believed that Panchalingam was on good terms with them.

The Sri Lankan government which was by then holding talks with the TTE played down the matter. Many government servants would have been perturbed by the government's apparent lack of commitment to its officials. Those who worked closely with Panchalingam testified to

his genuine concern for the people he served. His funeral was well attended despite the fear. What such developments as these would cost the Tamils may be summarised in the words of a senior medical man to a young colleague recently returned after study in Britain: "I would advise you to pack your bags and go back to Britain. You cannot do what you believe to be right anymore."

CHAPTER 3

REPORTS: VADAMARATCHI

Vadamaratchi: April/August 1989

Incidents of 13th - 14th April : Nelliady

The Failure of Peace Keeping

21ST AUGUST Alavai - Thambasiddu

The Medecins sans Frontiers at Point Pedro Hospital

REPORTS: VADAMARATCHI

Vadamaratchi: April/August 1989

It was pointed out in our previous reports, that the situation in the area was relatively peaceful in the presence of the IPKF until 1st June 1988. On this date the IPKF systematically rounded up and beat up the male population around Pt. Pedro, in response to the shooting of two soldiers by the LTTE. In the ensuing cumulative process of civilian resentment and harshness on the part of the IPKF, many young boys, particularly at middle school level, joined the LTTE. By March 1989, the IPKF's telephone lines were being destroyed. The visible presence of the LTTE increased as that of the IPKF declined. Unlike in the rest of Jaffna where the IPKF could go out in two vehicles and make an arrest, their mobility in Vadamaratch became increasingly restricted. In this process of rising alienation between the IPKF and the public, it became a commonplace assumption of the former that ordinary people were backers of the LTTE. Their day to day actions and reprisals betrayed such a feeling. The reality was of course far more complex.

Given the helplessness and humiliation of civilians in the course of IPKF actions, at least a passing sympathy for the LTTE was natural. For the young no alternative seemed to be given. But a large section of the civilians also had misgivings about the manner in which the IPKF was regularly provoked into showing its darker side, causing them immense suffering. The LTTE's program appeared to be based on the simple recipe of exposing the IPKF's oppressive character when under pressure -the same technique used against the Sri Lankan army with remarkable success. After two years on the job, the IPKF appeared to lack the flexibility to adopt a response that was human and sensible except in relatively isolated instances.

The sequence of events leading to the closure of Nelliady bazaar give a depressing picture of the IPKF's vision.

Another element enhancing the alienation between the people and the IPKF was the decline of Citizens' Committees. It was pointed out in Report No.1 that CC's began as relatively independent organisations in 1984 with the exit of MP's. With the LTTE's dominance, they became weighted in favour of LTTE sympathisers. Soon after India's overtures to the LTTE failed and a decision was made to elevate the EPRLF to provincial leadership, a number of CC figures who were allegedly close to the LTTE were assassinated. The LTTE too had previously assassinated CC figures.

By the end of the first quarter of this year, the LTTE had killed a number of remaining CC figures, some ostensibly accused of passing information, and contact with the IPKF became forbidden. Perhaps for reasons of state on both sides, Velvettithurai remained an exception. While the situation deteriorated sharply elsewhere in Vadamatchi, an active citizens' committee in VVT regularly protested against violations of citizens' rights and kept it a zone of relative peace. This was looked upon with mixed feelings by others. But political forces at national and subcontinental level had created a strained atmosphere of suspicion where fragile arrangements were bound to break. Tragedy hit Velvettithurai with a poignant intensity on 2nd August resulting in 51 civilian deaths and 7 IPKF deaths according to the BBC.

Another factor which led to the total breakdown of CC's was the IPKF's own cavalier attitudes to the civilian leadership. One such instance was that of Proctor Rudra, a leading citizen of Pt. Pedro, who along with other such persons, was led at gunpoint on 13th February to perform election duties at the hustings two days later. On the way a grenade explosion was heard. Proctor Rudra and his companions were made to roll on the road and were assaulted by the troops with gun butts. They were later released when they pointed out to a senior officer that they had passed the age of retirement and were not government employees eligible to volunteer for election duty. The old sextegenarian was bedridden with aches and pains for a number of days. A popular joke in Vadamatchi was that the only section of the economy doing well was that of the native physician. In the face of regular beatings by the IPKF, the pain relieving concoctions of the latter, blended from herbs and oils were said to be in great demand. (Amongst the elders to be manhandled by the IPKF in the course of time were two members of the University Council.) After being subject to such treatment, the natural leaders of the people were in no position to represent matters to the IPKF with dignity on an equal footing. In this situation the LTTE's demand to break all contact with the IPKF, had in the eyes of the populace, a note of legitimacy.

Given the prevalence of attacks, shelling and breakdown, Vadamatchi is tending towards a depopulated area. The IPKF should take a large share of the blame for this as well as for its own discomfiture. Its methods and misgovernment turned an area of relative peace into one of turbulence in a little over a year.

The rest of this section will sketch some of the developments.

13th April: Pt. Pedro

Mr. C. Balasingam (65), retired principal and Justice of Peace from Alvai and Vijayanathan alias Sinnathurai Babu (45) of Pt. Pedro were killed at Muruthady on the Jaffna road. According to local sources, the name and address of the latter's son Sumanan had been in the

diary of Hari which fell into IPKF hands. LTTE leaders Hari and Bhavan were ambushed in their hideout in early March. The IPKF had then taken in Sumanan, one of whose hands was fractured during detention. Sumanan was released on condition, that he would be brought to the camp to sign in regularly for a period. After some time Sumanan ran away to join the LTTE. The father had not taken to this kindly. Precisely what he had done is unclear.

A teacher S. Ganeshu of Puttalai M.V. was killed at his home the same day. Ganeshu's cousin Mahendran, a tractor driver was killed around mid February. The allegation against Mahendran was reportedly that he had a relative in the EPRLF. This relative used to stop at Mahendran's for a chat when on patrol with the IPKF. Ganeshu is said to have expressed himself rather strongly on the killing of his cousin.

22nd April: Point Pedro Town

Some LTTE militants were coming up Iyenar Kaladdy Lane in order to cross the Jaffna road into the lane opposite. This was at 8.20 a.m. Coincidentally 5 IPKF trucks were going towards Pt. Pedro camp along the Jaffna road. Some soldiers spotted the militants who had just come to the top of

the lane on bicycles carrying arms and fired at them. The shots struck the corner wall missing them. The militants fled the way they had come. Apparently in frustration, the soldiers fired into the air and at buildings breaking tiles. Those who had come to attend Dr. Vadivelu's clinic which was at the corner opposite crept to the rear. A man who had come on his bicycle. left his bicycle on the road and lifted his hands prayerfully. The soldiers let him creep into Dr. Vadivelu's clinic.

Someone had to be blamed for the presence of the, LTTE at that junction. The IPKF left after breaking open the corner house. whose owners had gone visiting at that time, and putting a time bomb into it. When the owners returned. they could not find traces of their colour television in the debris.

30th April: Thambasiddy :near Point.Pedro

The IPKF did a round up of the area and made a surprise entry into the house where the area leader MORRIS was having breakfast. In the encounter. 2 IPKF men. MORRIS and his two body guards were killed. The LTTE declared a hartal the following day. The IPKF detained the landlord. the lady and the son of the house concerned. Later the LTTE detained two persons on suspicion of having passed information. One of them. Inspector Sabaratnam (retired) was then killed. How guilt was ascribed to him is not known. But the talk amongst the youth was that he had taken flight when the LTTE called and had jumped into a well. This was deemed proof of guilt.

1st May: Ist Mile Post. Point. Pedro

At 2.00 p.m. the LTTE fired at an IPKF convoy moving along the Jaffna road near Maruthady. from the front and from the rear. Two soldiers were reportedly killed and one militant wounded. Many of the residents had left the area when they saw the LTTE moving in. The IPKF then opened fire at random. Small shells were also fired into the surrounding area.

Mrs. Karunairajah. a teacher was caught unawares at home with her young son and daughter. Bullets seemed to come into the house from all directions. through the front door. the windows. up and down. They did not know whether to sit. stand or climb somewhere. Rev. Karunairajah. the head of the house and a Minister in the Methodist Church, was spending his sabbatical year in Britain. Mrs. Karunairajah took her two children to a corner and prayed. When the firing ceased, two soldiers forced themselves in through the front door. One soldier proceeded to smash up things while another began slapping the protesting mother. The children started crying. Then an EPRLF militant came into the house. spoke to the soldiers in Hindi, and the latter went out. The EPRLF militant left after telling the lady: "Ammah. remember that I protected your chastity today."

Sometime later the house was approached by an officer with whom Mrs. Karunairajah had a passing acquaintance. Slightly relieved, she anxiously told the officer, "We are innocent civilians." The officer asked them to follow him. Then addressing the crying girl he said. "Come with me my child. Don't, you trust me?" They were taken to the nearby cool bar. Here they were joined by neighbours. including a disabled old lady from the shophouse opposite their home. Soldiers went about carrying out their duties setting fire to several shops and houses by setting off explosive

devices. In all about 4 shops and 5 houses were burnt with their belongings. Three shops were shelled. Many of the civilians who had not fled were assaulted.

Those having a ringside view of the pyromania from Joy Cool Bar were then told that they could go. No sooner had the Karunairajah's got home, than Joy Cool Bar exploded into flames.

Muruthady, was a crowded area that had, two years earlier received much attention from Sri Lankan Air Force bombers which caused much damage to life and property, always managing to miss the LTTE camp they were ostensibly after. The newly built cool bar was a sign that there was hope for Pt. Pedro. All signs were that life was going to be hot.

21st May Incident at Karanavai, Vadamaratchi

Manikkam Thanikasalam, a man in his early 30's had just returned home after working in the Middle East. He had built a house on his wife's property on the road going East from the Pt. Pedro - Jaffna road at Kunjarkadai. It was a quiet road, sometimes used by the IPKF to go towards Yakkarai. Thanikasalam had gone to Udupiddy on his motorcycle at 9.30 a.m. leaving his wife, Malar, with her mother. Malar's father's brother, an old man who could not walk much, lived in an older dwelling next door.

The LTTE had reportedly waited near the Jaffna road to attack the IPKF and later moved down Thanikasalam's road. Most local residents had reportedly taken alarm and had moved out. The two ladies had their gate locked and were unaware of the goings on. Suddenly a group of boys jumped over the wall and one who came running to the back said something. What it was exactly, they cannot remember, but they understood that something alarming was going to happen and they must get away. Almost at the same time an explosion was heard as a grenade was flung at a passing IPKF vehicle.

The two ladies tried to break the fence so that the older lady could get through. The fence would not give. After an agonising physical and mental struggle, Malar's mother managed to

go over the back, and the two of them got away. Malar's uncle stayed in his house. The boys had quickly got away, and the IPKF party moved off. Thanikasalam had tried to get back to his wife, but was unable to do so.

An IPKF party returned to the spot in the evening and entered Thanikasalam's house. One soldier proceeded to smash some of the uncle's meager belongings. The uncle protested while his electric kettle was smashed with a pounding pole. The Tamil speaking soldier replied that four of their men had been killed just outside and his neighbours had harboured the LTTE. The old man was later asked to lie on his back and shut his ears as the house next door was to be blasted. A loud explosion was heard and the soldiers

left. Thanikasalam managed to get into that area in the evening and look for Malar and her mother in the local temple where many residents had taken refuge. He found them the next morning at the house of some of their friends.

Their dog which was in a cage outside had survived the explosion. It was apparent from examining the wreckage that their TV deck and the almirah where valuables were normally kept had been removed before the explosive was set off. Their loss was estimated at 25 lakhs. They had not entertained the LTTE. Three days before the incident the LTTE had brought a blindfolded man to the uncle next door and had asked him to keep him and feed him. The uncle had declined stating that the IPKF used the road in front.

27th June: Navindil

The LTTE threw a grenade at the IPKF camp at Navindil on the Udupiddy - Malusanthi road, killing a soldier on sentry duty. This was followed by the sound of gunfire. Later the IPKF went down a lane along which they had seen the militants retreating. Entering a house, they came upon several people who had taken refuge. Amongst them were several young men. The son of the house was then pulled out and shot, the charge being reportedly that he wore a shirt resembling one worn by an attacker.

1st July: Manthikai - A Psychiatric Patient's Fate

A young psychiatric patient, son of a CTB employee Sabaratnam, escaped from Manthikai (Pt. Pedro) Hospital. Later he boarded a Pt. Pedro bus near the IPKF Pt. Pedro camp, from the College Road, Beach Road junction where civilians seldom loiter. When asked by passengers if he was coming from the army camp, he reportedly replied along these lines, "What is it to you, where I go? I can go where I please." When the bus reached the depot, some civilians badly assaulted him and handed him over to the LTTE as a suspected informant. Although the boy looked a pitiable sight with his clothes dishevelled and dirtied, no one dared to protest.

At 6.00 in the evening, he was brought to a point near the Puloly Co- op on the Jaffna Road, and an explosion was heard. His body lay there for 2 days with his head mangled. Many who saw it were unable to eat. This act was later interpreted to serve as a warning to anyone who lived there.

10th July: Point Pedro

The environs of Odaikkarai were shelled with light shells (6" long and 13/4" diameter) following an attack on a sentry point near Hartley College on the Western side of the IPKF

camp. Troops then came out from several camps and about 10 civilians were killed and several others injured. Amongst the six killed in Pt Pedro was Rasiah, an electrician, who was shot in his home in his wife's presence. Two civilian cyclists were killed in Viyaparimoolai by troops who had stopped a bus from Colombo, ostensibly for trying to avoid the army. A school girl looked out of her window and saw some soldiers. A bullet pierced her cheeks, knocking out some teeth.

During the following days minor attacks on IPKF camps in Vadamaratchi East, especially around Pt. Pedro and Nelliady areas and shelling with small shells by the IPKF became a regular feature. The effect on ordinary civilians was fear and a sense of hopelessness. Many started leaving the area and those who remained were trying to send their children, especially boys abroad. While many acknowledged that in the interests of the civilians the LTTE should not provoke the IPKF knowing the consequences, by and large, people were angry that this was no way for a peace keeping force to behave. To nearly all, life became a nerve racking experience, either being a refugee with someone else, or having refugees in their house. To those with elders, there was little choice but to stick it out at home. Nearly all issues of high politics became irrelevant to them. Their basic questions were: Why are the boys moving down the road? Why are they stopping here? Are they going to attack? How angry will the IPKF be? Do I ask my son to run or do I keep him at home? Where do we run next?

13th July: Munai

The army surrounded the area and came upon a group of people plying their trade, packing fish with ice. They summoned a young boy and started beating him badly. The boy was shot dead as he tried to run in order to evade the beating. On hearing of the army moving into the area, the father of the boy had come rushing on his bicycle to get the son away. The father too was shot and injured.

A week earlier the IPKF had announced a ban on fishing for the day. As usual the message did not quite get around, and some had put out to sea. The wife of a fisherman with seven children and expecting the eighth came running desperately to a lady who could speak English. She explained that her husband was out in a catamaran (raft) and that an army vehicle was at the lighthouse with its gun pointing towards the sea. The lady rushed and finding an officer, explained matters to him. He replied that there was an order in force banning vessels from putting out to sea. The lady replied firmly, "You give orders and think the people come to know. But that is hardly the case." After a silent pause, the officer told her mildly, "You can go." The father of seven and an unborn returned safely to his wife.

19th July: Saraiadi, Point Pedro

From about half a mile towards Pt. Pedro along the main road, militants fired at IPKF men checking vehicles near Manthikai hospital. The soldiers returned to camp and shelled the area till about 12.00 p.m. for 3 hours. Public transport resumed at 2.00 p.m. These were nerve racking days for public transport employees. It was being said that buses and vans would run. But the routes were not guaranteed. Sometimes they would do wonders taking buses through narrow gravel lanes where one would have hardly imagined there was room, and then having to pass vehicles going in the opposite direction. Many CTB employees had been assaulted while on duty and two were killed by the IPKF.

26th July: Point Pedro South

Shortly before 8.00 a.m. IPKF vehicles going towards Pt. Pedro from Manthikai were fired at near Puloly junction. Two IPKF men are believed to have been killed. This was followed by a massive deployment of troops in the area. From 9.00 a.m. troops went from house to house, forcing their way in shooting some of the young men they encountered. Those who were detained were spared in some instances to bear a sorrow heavier than death itself.

While some had asked their sons to run away at the risk of being shot during flight, others thought they were safe at home.

Subramaniam Ganeshanandan (22) was awaiting university admission, and was being hugged protectively by his sister Kamala when soldier entered. Kamala was dragged away roughly by her hair and her brother taken out and killed. The bus was stopped by Indian soldiers at the 1st mile post junction. Kumarakulasingam who was issuing tickets was dragged out and shot. The driver took the bus back to the depot.

Kandasamy Kumarakulasingam (22) was the conductor in the CTB bus which had set off to Thunukkai from the Pt. Pedro depot. When the soldiers entered the house of an old lady, one soldier took an axe belonging to her. The old lady tried to pull the axe away from him, demanding that he return it. The soldier made as if to shoot her. An officer who saw this, stopped him and ordered him to return the axe. The driver took the bus back to the depot. Amongst others killed near Puloly were Ambalavanar (36), a teacher and Sinnammah. The latter, a lady selling earthenware pots was shot dead on Maruthankerni road. On the previous day around 5.00 p.m. there had been an attack on the IPKF camp at Kallikai at which 4 soldiers were reportedly killed. Troops were then deployed between Puloly and Kallikou. Along this stretch there was a point at Thunnalai which occasionally served as a sentry point. Soldiers were accustomed to being served water in the adjoining house. At this time there were only 3 ladies in the house, S. Shantakumari (20), her mother S. Thangamma (38) and her grandmother S. Sellachchi (70). According to neighbours, a soldier entered the house and following an altercation in which Shantakumari's protesting voice was heard, the three women were shot dead. No harm befell the neighbours. From what the neighbours could gather, the incident is related to an attempt at sexual assault or robbery. Later two persons attempted to take the 3 bodies to hospital by car when the car came under fire from the IPKF's Manthika camp. The two men escaped with injuries, one of them seriously. A shell fell on the car, setting it on fire and charring the bodies.

The shooting in Pt. Pedro South went on for 3 hours until 12.00p.m. a silent interval, people cautiously felt their way out. Following 3 hours of continual nerve racking gunfire, the air was now pierced by anguished cries and screams as people came to realise their loss of kin.

First reports in the press named 15 dead. It is noteworthy that this shooting began over an hour after the initial attack, well after the LTTE had fled the area. This suggests strongly that many of the killings resulted from deliberate policy at senior officer level as much as the mass beating 14 months ago that set Vadamaratchi on the path of anarchy. Quite often, as in Valvettithurai a week later, the fate of an individual depended on the decency or its opposite in the soldier he encountered.

All-India Radio reported that 9 LTTE persons were killed. Senior IPKF sources here supported this claim on the basis of their intelligence reports.

(see also "Vadamaratchi : What The people Felt.")

8th August: Puloly South

Subramaniam Sriskandarajah (38) a hospital attendant at Pt. Pedro hospital went home for lunch. Some armed youth who called at his place pulled him out and shot him dead. His house was located at the place where the psychiatric patient was killed on 1st July. In retrospect, people regard the latter killing as a warning. People are generally at a loss to find a reason for Sriskandarajah's murder, except to speculate that he may have had some tie of friendship with someone in the EPRLF.

18th August: Irumpumathavadi, Nelliady

A group of soldiers on patrol took along some civilians picked up on the road. The general feeling was that the army was doing this more often for their own protection. This group stopped at Irumpumathavadi, near a large field. A single shell fired from a distance, landed there injuring 4 civilians and killing two, one a soldier and the other a civilian.

Then at Vathiri junction, soldiers stopped Kanthimathinathan, a twenty year old youth. The youth pleaded that he was employed abroad and had just come on holiday. He showed them some documents to prove that he was just returning from the bank. Regardless of this, he was shot and was allowed to lay bleeding with a shoulder injury. An injured soldier too had been in the company. The soldiers stopped a car and ordered the driver to take the soldier to Nelliady camp. Kanthimathinathan who knew the driver, pleaded for his help and asked for water. The driver returned after taking the injured soldier. The other soldier told the driver that he cannot take him to hospital and that an ambulance must come. A message was passed to Pt. Pedro hospital and Mme Jaqueline came with an ambulance party to pick up the injured. Kanthimathinathan's parents referred to Mme Jaqueline as being like a benevolent goddess.

19th August: Rasapuram, Karaveddy

Thangamani was a member of the local community who had done well in the transport trade, owning 2 lorries and some passenger vans. On this day 3 vans containing EPRLF cadres came into the village and set fire to his house. Thangamani received burns, in a failed attempt to rescue some money. His wife's elder sister's son was assaulted, taken away and shot dead at Arasady.

Other sources said that this was an area where the EPRLF used to be strong. Thangamani and his nephew are said to have supplied food parcels to the Tigers a few days earlier. This would have been understandable, as anyone in business would have been obliged to comply. Envy could have been a possible reason for passing on such information to the EPRLF.

29th August: Navindil, Karaveddy

A passing patrol stopped at the home of a young lady, a teacher and mother of two. A soldier who appeared to know neither English nor Tamil signalled her husband to come forward and join the other civilians who were being taken along with the patrol. The lady who had heard recent stories about patrols taking hostages along, strenuously resisted. She told them that if they wished to question him, they could question her. She said, she could not let him go, for if anything happened, he would be killed along with the other civilians. The soldier was showing signs of losing patience. Just then a Sikh NCO came along. After inquiry, he made a token check on the husband and allowed him to stay. While parting, he told the lady, "You

must be careful when you argue like that. The other person has a gun.” The other civilians went along with the patrol up to Mandan camp and were released. No questions had been asked. Not even “Are you LTTE?”

Incidents of 13th - 14th April : Nelliady

The 13th and 14th of April were traditional New Year holidays and there was a general expectation that peace would prevail. The Modern tutory on the Kodikamam Road lay close to the TELO camp at Nelliady and had an afternoon class going for high school students. Supplementing classes in school with classes at tutories had become almost obligatory in Jaffna - more particularly so in Vadamaratchi, where some of the major school premises were affected by military operations.

It is believed that some TELO militants, intent on a practical joke, crept out of their camp, fired into the air near the tutory and quickly got back. (This belief received substance from apologetic remarks made later by IPKF officials to local residents). The IPKF Major in charge, quickly came out with his men, thinking that the LTTE had fired, and several students and a teacher at the tutory were badly beaten. The Major was apparently very annoyed at having his afternoon siesta disturbed. Two of the students were admitted to the psychiatric ward at Pt. Pedro hospital. The teacher, who was badly injured was also admitted.

The LTTE disclaimed any involvement in the incident, and responded the following morning by bringing Kannan, a former TELO member, and shooting him in a lane going towards Nelliady Central College. A note is said to have been left by the side of Kannan’s body. Kannan had got away from his TELO comrades with the intention of seeking refuge in Colombo, and had fallen into LTTE hands. It is known that many members of other groups who were getting away would first leave camp and use intermediaries to get clearance from the LTTE to leave Jaffna unmolested. An elderly man from a village off Nelliady where Kannan was held, said that he was grieved by what befell Kannan. Kannan had cried and told his captors that he would have contacted them only if he had known how to do so. He was apparently believed and his departure for Colombo seemed imminent at that time.

Nelliady town had witnessed some unruly scenes in the past few days, when a group of TELO cadres roaming the town had occasionally stopped public and private vehicles and driven around for their entertainment after putting down passengers. In the ensuing confrontations, members of the public had been assaulted. A member of this group who became well known, as well as feared was Thavam. His story was confirmed during conversations members of the public had with IPKF officers. Thavam was from the Vanni, and in a confrontation with the LTTE in the Vavuniya jungles, he had been left for dead after being shot in the leg and receiving a blow on the crown of his head with a sharp object. The IPKF flew him to India and his life was saved by Indian medical skills. His devotion to the Indian army is said to be matched only by his burning hatred and thirst for revenge against the LTTE. To the IPKF, he was an excellent hunting dog. Thavam continued to suffer from recurrences of severe pains in the head accompanied by mental trauma, for which he took pills. When his conduct came up for discussion, the IPKF view seemed that his occasional excesses had to be tolerated.

Thavam and his comrades were in a rage over Kannan’s killing. On the 14th April, they roamed the bazaar on the lookout for a revenge victim.

Sinnathamby Inpanathan was a schoolboy and was a son of Mr. Sinnathamby, J.P. from Kottawattai. From humble origins the family had risen to prominence through meritorious achievements in education. Inpanathan had been a prefect at Sacred Heart School, Nelliady, when the Indo-Lanka Accord was signed in 1987, and is said to have participated in the ceremonial observances accompanying the fast of Mr. Thileepan, then prominent in the political wing of the LTTE. Such an act, whether entirely voluntary or not, would have been deemed fairly normal for a schoolboy in the mass emotional climate at that time. Inpanathan was subsequently sent off to study in Colombo. He had come home with a friend to celebrate the New Year.

On the 14th Thavam and his comrades spotted Inpanathan and his friend, who had come to the bazaar for some shopping. The friend was detained and Inpanathan was allowed to go. In camp, the friend must have said that he was studying in Colombo and had no local involvements. Inpanathan was then sent a message, asking him to call over and give evidence concerning his friend's release. He went to the camp in the evening with his elder brother, Ragavan. The latter was asked to wait out and that his brother would return shortly. Unknown to the elder brother, Inpanathan was made to remove his trousers and put on a sarong in which Kannan's body had been found that morning. He was then led to that spot through the back of the camp and was done to death with several blows from a knife. The elder brother waited until the news of another dead body being found got around town. Inpanathan's friend was later taken to Jaffna hospital to be treated for injuries.

10th - 26th June, Killings at Nelliady Market

Sangunin was a man of Malayali origin in his early 60's and a father of five, owning a tea boutique at Nelliady market. One of his employees was a young boy who had formerly belonged to the TELO. For this reason he was known to TELO and EPRLF cadres posted in the market area, who had frequented the shop for tea. The employee concerned later left, but the customers he had attracted continued to patronise the boutique. On 10th June, while he was travelling by bus, he was waylaid by LTTE cadres at Navalady junction and shot dead. The LTTE had evidently suspected him of passing information. In several circles this was readily believed. One remarked in a bus, "Well, he had two wives. Such people would do such things." The story that he had another wife in Kerala was a piece of unsubstantiated gossip. The story also got about that the LTTE had warned him previously. According to Sangunin's wife, he had remarked, after the killing of proctor Mahalingam a few weeks previously, that it was a shame to shoot proctor Mahalingam who was in his sixties. A customer had asked him to watch his tongue, lest the same fate overtook him. She could not think of anything else that could be counted for a warning.

On 13th June at 9.00 a.m. Sellamuthu and Tharmalingam, two traders at Nelliady, were taken for an inquiry by the EPRLF and were released a few minutes later. Some EPRLF gunmen later went to Thirumagal Stores, a well-to-do wholesale establishment, and one of them signalled with his gun for the owners son, Sivasothy (45) to come out. Sivasothy was at this time cashing a cheque for a science teacher, a friend of his. Inquiries were routine, and considering that two other traders had been taken for an inquiry, Sivasothy told his friend that he could be back soon and left after asking an assistant to count the cash for his friend. The teacher felt a sense of unease after the way the gun had been pointed and came out of the shop and stood outside. He observed that Sivasothy was talking to the gunmen escorting him as though nothing was amiss. Sivasothy's father who was coming from home towards the shop at that time, told him to go home and have his breakfast and that he would take over the shop.

The son replied that he had come after breakfast and would return to the shop after awhile. The father went and parked his bicycle in front of the shop and joined the teacher. Although interrogations of shopkeepers was normal, the teacher and the father stood outside feeling uneasy.

Another trader who was being escorted by the EPRLF gunmen was Maniam who had a shop in the market. Sivasothy and Maniam were being marched southwest along the Jaffna Road, towards the open space just out of town.

A little later Sivasothy's father and friend who were waiting outside the shop heard a shot and, taking alarm, went the way Sivasothy had been taken. The following account of what happened was gleaned from witnesses who were around.

Sivasothy and Maniam knew that something was wrong when they discovered that they were being taken elsewhere instead of to the EPRLF camp. Having found out what was in store, Sivasothy protested that the local EPRLF leader Prabhu had spoken to him several times and that there had been no problem between them, their contacts having been fairly friendly. He asked for Prabhu to be summoned. At that time a young boy who had been operating an agricultural pump, came with a can out of the field, on his way to buy kerosene. Sivasothy pleaded with him to fetch Prabhu quickly. The good natured boy hastened on eager to help.

In the meantime one of the gunmen shot Sivasothy through the mouth. Maniam was shot dead as he began to run. On looking back and seeing what had happened, the boy changed direction and avoided the EPRLF camp. When those around came to see what had happened, Sivasothy's body was found to shake in spasmic fashion. A medical practitioner who was summoned from nearby, pronounced him dead after a brief examination. Those who saw the body later said that his face was bloated.

Word then went around that the killings of Sivasothy and Maniam were in reprisal to the killing of Sanguni by the LTTE. Sivasothy and Maniam were deemed LTTE supporters as it was generally known that all traders paid taxes to the LTTE on demand. Those late in paying had been warned. According to sources close to Sivasothy, after the EPRLF had been brought to Nelliady under IPKF protection, he was approached by the EPRLF and told that to even out matters he could pay the same amount now to the EPRLF as well. Sivasothy had promptly agreed to pay Rs.15,000/- monthly. This became the general pattern. Sivasothy was known to have been a timid sort, extremely chary about discussing politics. He was known to tell anyone who touched on politics: "You must use your mouth only for two things - to eat and to spit." Maniam was known to be more free with his opinions. He was critical of all militant groups. In no sense could either of them be identified as pro one militant group or the other.

Prabhu is identified as one of the two directly responsible for the killing of Mr. Kugaprakasam, a senior official of the Nelliady Traders Association in December 1988 (see Report No.1). He was withdrawn from that area by the IPKF after strong protests by local residents and reappeared some months later. Like the shooting of the schoolboy on 14th April, these killings appear to be motivated by a strong desire for revenge coupled with an inability to find victims whose fate can be plausibly argued.

The entire town of Nelliady became paralysed by shock and fear. Almost everyone felt that he could become a victim for reasons he could not imagine. For this reason the men were not prepared to talk to the IPKF. Subsequently, Sivasothy's wife went to the local IPKF

commander with a large delegation of women. The commander told them that the IPKF had nothing to do with the matter and that they would leave for India in a month's time, (as requested by the President of Sri Lanka). After that, he said they could sort out their problems with the local authorities. The women were angry at this obvious evasion. Sivasothy's wife told the commander, "You must go back to India a corpse. Then your wives will understand what family life is about." The commander became very annoyed and scolded them. The women screamed, cried, threw sand at him and walked away. As they set off they were met by a member of the EPRLF, who told them that they could save their energy as there were nine more on their list. Then they could gather a bigger crowd and have a good scream.

This last threat made the situation even more uncertain. All those who traded at Nelliady had little choice but to decide that they were not going to open the shops. Those who felt most threatened paid travel agents sums ranging from 1 to 1 1/2 lakhs of rupees (about \$2500 - \$2700) in order to get them away to Europe as refugees. Their wives were left to look after residual matters. Nelliady quickly became a ghost town after having become the centre of commerce in Vadamaratchi.

Subsequently threatening letters were sent to several shop owners with threats ranging from breaking open to bombing of shops. The LTTE was equally adamant that shops should not open. Some went under duress to open shops, only to close and withdraw after a few minutes when the LTTE fired in the vicinity creating a commotion.

On 23rd June, a young man, a shop assistant at Nandamurugan Medical Store went to see the state of affairs in order to decide if the shop could be opened. He was detained by the militant group in town and killed on 26th June. The killing was taken to be a demonstration of annoyance with the local traders for not re-opening the shops.

2nd August 1989 : Velvettiturai

Prelude: While the developments reported above were taking place leading to a very violent situation in the rest of Vadamarachchi, Velvettithurai remained in comparison a haven of peace. The one major incident in Velvettithurai after May 1987 was on 19th January this year, when Indian troops went berserk after the killing of two soldiers, resulting in large scale beatings with around 150 persons hospitalised. Velvettithurai was the only area having an active citizens' committee. There were complex reasons behind the relative peace in Velvettithurai. Passing remarks made by both the LTTE as well as IPKF personnel point to this arrangement having the concurrence of both sides. This would have obviously involved communication between them through intermediaries to iron out thorny differences. For instance if a number of IPKF officials wanted to participate in a temple festival, the other side might find this objectionable. To avoid a confrontation some compromise would be worked out. There are also fairly reliable indications that when an IPKF patrol sets out, some alarm system would operate enabling the other side to keep out of the way. People in neighbouring areas have often wondered why IPKF patrols have avoided well-known LTTE strongholds.

When subject to question, some IPKF officers had even given some intimation that they used the information they possessed diplomatically.

In the atmosphere of mounting distrust, incidents where missiles were fired into the IPKF camps and shelling by the IPKF increased in other parts of Vadamarachchi. The Indian army was feeling more bitter, angry and insecure. In their encounters with civilians during

roundups, many Indian officers said that they were convinced that the LTTE's apparently increased capacity to fire missiles was because the Sri Lankan government had supplied them with weapons. (The same accusation had been made by the Sri Lankan government against India during the pre-July 1987 era). Apart from civilians, Indian officers in Vadamarachchi outside the VVT sector also started noticing the relative calm in Velvettithurai. It is learnt that they had been complaining that VVT was being used as a sanctuary from which to attack them in areas outside. The LTTE too may have been sensitive to allegations of favouritism towards VVT. Evidently a time bomb was ticking in VVT and both sides would have known it. The question was who was going to make the first move. Apart from this heady mixture of realpolitik and power games, those who suffered were ordinary individuals and their kin. The foregoing cannot by any means excuse what happened on the 2nd August. But no account will be complete without this background. The human failings of individuals and institutions can be thrown into proper relief only if mitigating factors are not begrudged.

2nd August 1989 These events have been well reported in the International media (eg. David Housego in the Financial Times). We shall thus confine ourselves to bare essentials. Additional testimonies collected by us are given in "What the People Felt", later in this report.

Velvettithurai Square lies aside the KKS - Point Pedro Road running west-east with the sea about 80 yards north, and a road running south to Udupiddy. The latter road takes a double bend to the left just south of the square. This area is known as Theniambai. If one ignores the bend and continues direct south, one gets into Viththani Lane and just before the bend to the left one finds successively Sivapura Veethi, leading to the Sivan temple and then Theeruvil Lane.

Around 11.15 a.m. two Indian patrols presumably from Udupiddy, numbering 30 men in all, were approaching the square on foot. One group was somewhere near the bend at Theniambai, and the other which appears to have come along Theeruvil Lane had crossed through a bylane into Sivapura Veethi, when gunfire was heard. This was a crowded and fairly well-to-do commercial area, and on this morning the area was full of people.

Having given the rough picture at that time, we shall not answer questions that should be answered by a judicial inquiry. But we shall pose the questions and give some pointers. Without an inquiry the answers to these questions will remain hazy and speculative. But what the Indian army did during the aftermath is well established.

Who attacked first? The general experience with IPKF operations is that when they set off to track down and confront the LTTE, they would first surround an area with hundreds of men. This does not appear to have been the case in this incident. It is unlikely that a patrol of 30 or so men was intended for offensive action. Had the Indians attacked first, it would have been out of a real or imagined fear that they were being threatened. There have been eyewitness reports of 6 Indian soldiers killed with no comparable reports of LTTE casualties. This suggests that the Indians were taken by surprise, although one cannot be absolutely certain about this. It appears that the LTTE was well prepared for an engagement. Some of the first witnesses to flee the area told passengers coming into Vadamaratchi by bus, that two of the six Indian soldiers killed had their bodies badly disfigured by an explosion.

In any other area, as soon as armed LTTE persons are sighted, word would quickly get around and people would flee with their families to places of refuge. Why did this not happen in VVT on that morning? Why were the civilians taken by surprise? The fact that civilians were taken

by surprise in a populated area explains the high civilian casualty figure in Indian reprisals. One would obviously connect the answers with the unwritten truce that prevailed. A public figure from VVT put it thus: "People were used to the LTTE coming into their house and wanting to stay. Whether they sympathised or not, they were in no position to refuse. They were used to Indian patrols passing by while their guests were about and no trouble had been experienced. Civilians were used to armed groups moving about and had not been geared to anticipate trouble. For this reason many survivors expressed very strong emotions of having been let down."

Given previous experiences, the generally paranoid or frequently paranoid make-up of Indian officers, and their very poor understanding of the civilian population, it would have been natural for them to jump to the conclusion that the people had connived with the LTTE and had been put there on purpose to provide cover.

Following the initial confrontation many troops started moving into town, including from Urikkadu (west of VVT) and Polikandy (east of VVT). The LTTE had quickly left the area. What followed was an orgy of killing, maiming and burning by Indian troops. A number of people were killed and burnt inside shops. Many people of all ages and both sexes were made to sit in the town square and three rounds were fired into them killing four persons. People had to flee as best they could and think of tracing their families later, running risks once again.

In keeping with their experience during Operation Liberation, the people congregated at places of refuge. Two such places were the spacious homes of Mr. Subramaniam, retired Superintendent of Surveys, (Karady to his friends, because he is said to have been bitten by a bear when a young surveyor), off Viththani Lane, and of Mr. Sivaganesh, now living abroad, each having fifty to hundred persons. At 1.30 p.m. when troops burst into his house Mr. Subramaniam came forward to meet them with his wife Rajeswary, with his hands up, speaking in English. He was shot dead. Of the eight others killed in his house were Mrs. Rajaguru and her 14 year old son, a Hartley College student, Mr. Subramaniam's disabled eldest son of 28 who had been killed and burnt with three others, in his shop at the corner of Udupiddu Road and Theniambai Lane.

At 4 p.m. troops burst into the house of Sivaganesh, took 8 men to a cowshed and conducted them to a firing squad in pairs. Four of them survived with injuries. The VVT Citizens' Committee reported that 52 dead persons had been identified.

LTTE casualties are not known. According to refugee sources and a person in the transport trade, two LTTE sentries in their early teens were caught with grenades and summarily killed near the town centre. They may have been trying to get away from troops advancing from Urikkadu and Nediakadu.

An irony of the situation was that while the Indian government in Delhi was voicing concern about the security of Tamils after an Indian troop withdrawal, Tamils in parts of VVT were seeking the protection of the Sri Lankan forces at Urikkadu. According to reports, a number of people were sheltered for some time, while others were asked to sit outside the camp and were later sent away.

The IPKF imposed a curfew, did a roundup of VVT the following day and beat up a large number of young men. About 75 youths were made to roll on the hot road and were

assaulted. While a group of 6 youths were being treated in this manner soldier suddenly opened fire at them, killing 5. The sixth was injured was shot dead as he cried for help.

Many of the injured civilians were given first aid by local medical practitioners and were taken to the nearby Oorani government hospital by means that came to hand. A 76 year old lady with gunshot injuries was placed on a bicycle by a young man and was wheeled a mile or so to the hospital. Some with light injuries had walked to Pt. Pedro hospital, 5 miles away by late evening on 2nd August. On hearing this Mme. Jacqueline, the nursing sister from the MSF at Pt. Pedro hospital attempted to take an ambulance into VVT to fetch the injured. She was turned back on the grounds that a curfew was on. She got back and appealed to the IPKF command at Manthikai, adjoining the hospital. After consultations she was told that the refusal was based on grounds of the safety of the medical team, as the LTTE was about the area. It turned out later that the kindest thing that could be said about this cruel refusal was that it was based on a wish to cover up the shameful reality. The injured could be fetched only after the curfew was lifted on the 4th. The IPKF had made no attempt to succour the injured.

We note two more related incidents for the record. A curfew was announced in the surrounding areas, including Navindil, and was to commence at 4.p.m. Where the IPKF lacked mobility, word could only spread by mouth from those who passed sentry points. A young man, Perumal, around 20 years, came towards the Navindil camp shortly after 4 p.m. He was asked to stop and come forward with his hands up. When he came near, he was reportedly shot dead by an officer.

Refugees had by then trekked into Navindil, and when the LTTE asked the people to move out, so that they could attack the relatively small camp at Navindil, the people were already too tired. It is believed that intelligence of this was passed onto the IPKF camp at Polikandy. Subsequently Major Pathmanathan came to Navindil to close the camp and remove the troops.

The Failure of Peace Keeping

According to the Financial Times report, the Indians believe that the incident resulted from a deliberate provocation by the Tigers intended to trigger off an overwhelming Indian response; thus tarnishing the IPKF's image, during sensitive negotiations. Many keen observers of the local political scene would find that explanation credible. Still it is the machine-like fixity of the IPKF that is able to turn a routine skirmish into a major political and human disaster. Happily there are exceptions such as during the two recent attacks on the IPKF in the Mannar Sector. (See reports).

If the IPKF is confident that such failures could be overcome, it could have moved to reassure the people instead of trying to cover up the truth. In place of taking the injured to hospital, they imposed a curfew and followed up with a beating campaign the next day. Even after the local press reported the incident giving names of 40 dead, Indian embassy claimed that 24 civilians were killed in crossfire. A later report on All India Radio claimed that 18 LTTE personnel and 12 civilians were killed. The manner in which Indians handled the matter only made the average Tamil angry, incredulous and more alienated from India. The statement by the Chief Minister of the North-East trying to dismiss media reports as exaggerations did not do him much good.

Indian fears of an inquiry expressed in the Financial Times report are exaggerated and are to do with their insensitivity to the rule of law, that is behind many of their problems both here

and in India. If they are confident that mistakes are exceptions and steps can be taken to rectify them; then to learn from mistakes a public inquiry is a must. It will also give the people a new confidence in India's commitment to justice. A reason given for being against public inquiry is that they do not believe that the Indian army would get a fair hearing. They say that Tamils would not dare to support the Indian army in public while the tigers will intimidate witnesses in their favour. Are they saying that the Tigers are so powerful as to make the Indians disown values of the founding fathers of modern India? Such refusals are again to do with their refusal to understand the basic feelings of the ordinary people which expresses itself as arrogance and at other times as self pity. We do not think that people in Mannar will out of fear grudge an admission that the Indian army conducted itself with credit during two recent engagements. In VVT on the other hand there is a big qualitative difference. The question of whether the IPKF was first provoked or not is of little importance, because it is always happening and that is the nature of the conflict. We spoke to a number of victims without constraint, and they had nothing to say about the LTTE. But when they did sight Indian troops, the experience was as dreadful as it was unforgettable. To ignore that is to encumber oneself with illusions. That would also explain how India has been failing.

Another question that must be asked is whether a weak people should become party to arrangements based on expediency rather than on principle, that could be disastrously breached at the whims of powerful interests far beyond their control.

21ST AUGUST Alavai - Thambasiddy

The causes behind this incident are not clear. An IPKF detachment had walked along the coast road from Pt. Pedro to VVT as part of the security arrangements during Chief Minister Varatharaja Perumal's visit over a week before, and had returned the following day by the same route. On the previous day troops had likewise gone to VVT, this time during Defence and Foreign Affairs Minister Ranjan Wijeratne's visit. It was thought by some that the LTTE had lain in wait to attack them, in the expectation that they would return the same way. Others thought that the IPKF had come into that area in the early hours of the morning on receipt of information that some important LTTE persons were present. This too seems credible as Indian forces were there in several (about 5) groups. The LTTE too was present in about 5 groups.

Anticipating trouble during the return of Indian troops to Pt. Pedro, a bulk of the population had cleared out of the coastal stretch between Viyaparimoolai and Polikandy, west of Alvai towards VVT and had taken refuge in the interior. Several worshippers had gone to the Alvai, Mariamman temple that morning. The first firing was heard in the temple area around 6 a.m. According to persons who fled the temple, the LTTE had come towards the temple and had wanted to attack a group of Indian soldiers as they were approaching. Their pleas having failed, the worshippers scattered, several of them tearing their clothes and injuring themselves as they climbed barbed wire fences. The Mariamman temple had profound memories for them after 35 refugees inside the temple were killed by a shell-blast during the Sri Lankan Army's Operation Liberation.

A little later a soldier knocked at the door of a couple, both teachers living in that area. He entered the house and observing some ornaments asked if they were Christians. After a reply in the affirmative he identified himself as a Christian, asked them to lock up and stay inside,

and went away. He reappeared half an hour later and asked them to flee saying that it was not safe. The couple left amidst a rattle of gunfire, climbing barbed wire fences. They learnt later that two soldiers had been killed, one of them when a fault caused a mortar shell to explode when it was being fired. The other soldier who had died in the fighting, with two injured comrades had been laid out on benches borrowed from a nearby house.

About a mile east on the Thambasiddy Road, another group of the IPKF entered a house where several persons, consisting of a family and relatives who had come as refugees, were sleeping. The troops took away Ravindran (32) and Radhakrishnan (28), two sons of Kathirkamathamby and their brother

- in-law Nagamani Thillainathan (29). Of the ten persons taken along by the troops, 7 were questioned and released. But the three young men named above were shot dead. However totally unjustified, a possible explanation for this conduct is that the young men killed were shopkeepers. The IPKF had earlier expressed suspicion against another shopkeeper in the area for allegedly supplying food parcels to the Tigers. (People had little choice in such matters).

Another group of IPKF men carrying a map went to a house adjoining a shop near Navalady junction, where Thambasiddyy Road meets the Alvai Road, and accused the people there of supplying food to the LTTE. The lady of the

house explained to them that they were not the people they were looking for. The ones they wanted, she said, had left the area some time ago. In the meantime firing was going on around. The soldiers told the three men in the house and a young boy who had come to the shop that they would all be killed if anything happened to them. During subsequent firing, one soldier was killed apparently by a ricocheting bullet from their own fire. The men at home helped to lay the dead soldier on a wooden bench. According to the lady, another group of soldiers came that way, and upon seeing the dead soldier, opened fire killing the four men.

Around 7 a.m. about 1 1/2 miles east of Navalady, a schoolmaster observed a group of armed militants in light spirits, leaving the area of fighting by moving eastwards. Unknown to the militants and local residents, a group of Indian soldiers had come from Pt. Pedro sector to the east and had hidden themselves in the Thambasiddy boatyard. On sighting 3 militants climbing a wall, the soldiers opened fire. The 3 militants fell down disappearing from the sight of the soldiers. Other militants returned the fire, both parties exchanging fire from behind cover. Unknown probably to the IPKF at that time at least three militants had been hit. The LTTE's Jaffna leader Kanthasamy had been killed, the local area leader, Dayalan, and another militant Bosco Baskaran had been injured. The militants used the cover of the wall to retreat in a different direction, taking along their dead and injured.

The IPKF then went into houses in the surrounding area and ordered several of the menfolk to come out and sit by the roadside. One young man said that two soldiers were having an argument whether or not to shoot him. The argument was settled with the help of the intervention of his father and mother.

While these men were seated by the roadside, Kandasamy Tharmasalam (21) an ice-cream seller came on his bicycle unaware of the goings on. Being the eldest in the family of ten children, he was the bread-winner. His routine was filled with various jobs from early dawn till twilight. He had finished his first job that morning of carrying packing ice for persons in the fish trade. He was now going to take on his next job as an ice-cream maker and seller.

People recalled, how during the Sri Lankan army's Operation Liberation he would trek across the flood waters to Chavakachcheri, return with a supply of sugar and sell it at Rs.28/- per kilo. He had always been on the move to keep his family in bread. The soldiers asked him to stop. He apparently did not hear and was shot dead.

Following the attack on the Hartley College sentry point on the 10th of July, traffic was not allowed on the coastal road near Hartley College. Passengers Vehicles from Velvettiturai to Point Pedro were diverted via the Alvai and Thambasiddy Roads, from Viyaparimoolai. S. Suresh who was driving a passenger van into Pt. Pedro continued on the coastal road past Viyaparimoolai intending to turn inwards at a point further down the coastal road. Before reaching the turn off the van was stopped by a group of soldiers who were evidently suspicious. During the questioning, when asked where Suresh came from, he replied "Velvettiturai". He was shot dead. Then the van and the cleaner were taken away. The incident shows the stereotyped prejudices Indian soldiers have and what could happen in a tense situation. Suresh's actual place was "Thondaimanaru" which is 3 miles from Velvettiturai. When

answering such questions people would normally name the nearest city. Others said that had he said Thondaimanaru in reply, he might be alive today.

Sugeetha Mahendran, an A.L. schoolgirl from Thambasiddy, stepped out into the road, half an hour after the firing ceased and was hit in the leg by a stray bullet. She was given first aid by Dr. Balakrishnan, a retired naval doctor. Since people were afraid to take vehicles out, Sugeetha was carried some distance by young volunteers and was put into a passing van to be taken to hospital.

Altogether 14 civilians were killed on that day and their names were published in the local press. Two of the dead were of ages 51 and 63. The Indian troop casualties were put at 3 or 4 killed. A number of LTTE injured was seen by refugees further east in Vadamaratchi. Many local persons were surprised that the actual damage to property was far less than one would have expected from the noise. One lasting effect of this incident was that it left an additional fear in the minds of the people in Vadamaratchi. It appeared to confirm previous rumours that people were detained and taken along by troops not for questioning, but for use as hostages.

The Medecins sans Frontiers at Point Pedro Hospital

Doctors without Frontiers, or MSF as it is popularly known, is an organisation based in France, providing medical volunteers to work in areas of conflict, which are likely to be lacking in essential medical services. It is known that a large number of Tamils had qualified as doctors and even before the insurgency it became a common trend for them to settle in the West. By the time of the Sri Lankan army's Operation Liberation, even the major hospitals in the North-East were badly understaffed. The teaching hospital in Jaffna, for instance, was unable to fill several consultants' posts. Even so a number of dedicated men and women strove to keep the services going. In rural areas in particular the security situation brought medical services to a standstill. During the aftermath of Operation Liberation in Vadamarachchi, 120 surgical cases were brought to Pt. Pedro hospital where there was no surgeon. For a few days these cases were attended to by two surgeons and an army voluntary doctor brought in by the Sri Lankan army from the South. Since then the MSF has been there more or less permanently. The MSF which works in collaboration with the Ministry of Health

has now extended its services to other hospitals in the North-East including Mannar, Batticaloa and Trincomalee.

In Point Pedro in particular the MSF has acquired an image for its unremitting service during difficult times. One can see that its presence has infused into the staff a sense of organisation and purpose. During the last few months in particular, a number of civilians injured during military action were left on the streets, under conditions where it was too dangerous for others to transport them to the hospital. It was often left to the MSF to go out in their ambulance and pick them up.

Even amidst scenes of gore, humour in Point Pedro hospital is not entirely lacking. Members of the staff would readily tell you with a smile that Female ward No.2 and Male ward No.7 are the 'IPKF wards'. When several of the patients were asked how they came here, they answered in a tone of gratitude, "Jacqueline brought us here". Women who have had narrow escapes have compared Jacqueline with a benign deity. By now nursing sister Mme. Jacqueline is well known to readers of the local press.

We called at the MSF quarters a few yards from the hospital on the Jaffna Road, on a Sunday morning. We were received by Mme. Jacqueline who asked us, "What happened?" While chatting we were joined by John Louis, the anaesthetist. We understood that anaesthetists and surgeons are posted for 1 or 2 months at a time, while nurses are posted for a year. John Louis is doing his fourth stint in Point Pedro. Talking about their work Mme. Jacqueline told us about her experiences in fetching injured victims following IPKF reprisals.

In Point Pedro, on the 26th of July, Mme. Jacqueline worked late hours getting victims into hospital. Following the recent incident in VVT, the IPKF had imposed a curfew preventing the transfer of surgical patients to Point Pedro for 3 days. They said that their local contacts were very limited because they were kept extremely busy. When asked about the co-operation they get from local organisations, they said that they had a good understanding with Jaffna hospital. Regarding the IPKF, they said that the officers commanding Manthikai where the Point Pedro hospital is situated, were readily approachable and easy to talk to. They added that, like in the case of the VVT incident, the actual co-operation they got was below what was reasonable. They had no occasion to deal with the LTTE. Their previous postings involved areas such as Afganistan, Sudan, Angola and Lebanon. Generally the place where they were posted in those countries were safe places. Lebanon, had been an exception. John had worked in a remote area in Afghanistan that was far removed from the fighting. Vadamaratchi, they said was a little like Lebanon. But the danger involved, they added was pretty low, as being foreigners, they feel themselves fairly immune. When asked whether the IPKF helped them by bringing injured patients to the hospital, Jacqueline replied that she wished they did that. But, unfortunately she said, "They seldom do it." When asked whether the armies she had known in other countries helped in bringing injured patients to hospital, she replied that it hardly ever happened. Armies, she said were generally like that. She did not think that the Indian army is different from the armies she had known. Commenting on the previous night's shelling from the Manthikai IPKF camp adjoining the hospital, she said that now most of the patients will want to be transferred to Jaffna. Both of them said that it was always the case that the army was first provoked. They said that the army was nervous and was confined to a small camp area where a falling missile could do a lot of damage.

Commenting on the large exodus of Tamil doctors, John Louis said that it was understandable in the case of those with families; adding that the question is whether they will come back when the troubles are over.

CHAPTER 4

VADAMARACHCHI: WHAT THE PEOPLE FELT

The Family of Subramaniam Ganeshanathan:

Shantamoorthy Thatchanamoorthy (20), Karanavai:

C. Kanthasamy (50), Labourer:

Mrs. Manikarathinam Sithirinayagar (76), VVT:

A Shopkeeper (42), VVT :”

Yogaguru (34), VVT:

Indraneedevi Nadarajah (28):

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VADAMARACHCHI: WHAT THE PEOPLE FELT

By late August, the streets of Vadamarachchi began to look very bare as growing insecurity sent people looking for houses in Jaffna. Mainly old folk were left behind to mind houses and to feed domestic animals in their neighbourhood.

Well before the twilight deepened, folk had left houses near main roads and near IPKF camps and gone to spend the night with friends or relatives in the interior. Recent events had made them a fear that if the army came out in the early hours of the morning and a fight ensued, history might repeat itself. At about 9 p.m, following the barking of dogs and some smaller explosive noises, flashing lights were accompanied by loud explosions. One of the two old ladies in the house, one said, "My chest seems paralysed. I cannot breathe. I am quitting this place tomorrow. Do pray, please." Half an hour later, the noises ceased. The barking of dogs came nearer, and then trailed off. All was quiet once again.

The other old lady got up at 4 a.m. lit a lamp and puffed at an odorous cigar, waking up everyone else. She said between puffs, "There is going to be an 'aluppu' today." "Aluppu" is a slang word that once meant boredom. It is now used as a euphemism for unwanted, but extreme forms of activity. As morning broke, people came out excitedly putting questions to neighbours and passers by - "Where is the army? where are the boys"? Having received a mixture of inexact answers and guesses, the men got bicycles and bags ready, while the women did some hurried cooking, in preparation for flight. They calmed down when they saw the toddy tapper go up a palmyrah tree.

An old family friend, a young workman, was on the main road and smiled as in old times. He courteously offered to get the bicycle inflated, and returned with the bicycle five minutes

later. He was obviously shy of prolonging the conversation. Having been assaulted by the IPKF for nothing several times, he thought it better, perhaps safer, to do sentry duty for the LTTE. To foreign counter insurgency experts they are targets for destruction. To us, they are our people whom we are duty bound to restore to normal living.

In the past the educational system in Vadamarachchi had been eminently successful in producing professionals, if not intellectuals. Now its schools are closed, its schoolgoing population scarred and distracted, if not decimated. While the rest of Jaffna is preparing to re-open schools, a more basic problem confronts the people of Vadamaratchi - that of whether they would spend two successive nights in one house.

The Family of Subramaniam Ganeshanathan:

His home was near Puloly junction, where two Indian soldiers were killed on the 26th of July. Ganeshanathan's mother, her young sister and their families lived in two separate houses in the same compound. An uncle lived in the adjoining compound. As is customary amongst Tamils, children of sisters think and feel like siblings. They refer to each other as brothers and sisters. The two sisters, each had a single boy. One had a single daughter and the other two. The uncle told us as is characteristic of a farmer, that the generation succeeding theirs is small in number. The loss of Ganeshanathan was a terrible blow. We met them in the afternoon a month after the event. Despite sad faces, they were able to talk calmly. Ganeshanathan was prevented from sitting for his A Levels in 1987, because he had been amongst the thousands of boys detained by the Sri Lankan army during Operation Liberation, and taken to Boosa. After his release, he took his responsibilities very seriously. He was looking after his ailing mother because the father was away from home. In his keenness to advance, he had sat for his OL English and had obtained a distinction. Having sat for his A Level bio-science last year, he had received his University admission forms. The family was used to troop movements through their compound and were not over-alarmed on that day. They thought that the army had nothing against them. After the shooting, five soldiers came into the compound. The women were standing out after shutting the men inside the younger sister's house. The troops walked straight into the house and found Ganeshanathan being protectively hugged by his cousin sister Kamala. Kamala was roughly dragged away from Ganeshanathan and the womenfolk were threatened with knives to prevent their intervention. Ganeshanathan was taken into the compound and shot. The others heard his agonising cry, "please give me water." His mother pushed aside the hand of the soldier that was holding the knife near her, grabbed the water vessel nearby and went to her son. Ganeshanathan drank the water and gave up the ghost. The soldiers then made to take away his cousin brother Ganeshalingam Vadivelu for the same treatment. Just then an officer entered the compound and told the soldiers not to shoot. Ganeshalingam was marched to Manthikai with other detainees. They were periodically threatened with death and had to plead for life. Along the way the prisoners were witness to many of the Indian army's actions. Ganeshalingam was released the following day, on the family's plea that he was to light his brother's funeral pyre.

The family said that the officers had not been very serious about stopping the killings. The family also said that another neighbour, Kumarakulasingham Nadarajah, had also received his University admission forms. In the meantime he had got a bus conductor's job and had thought that he could work for a couple of months for the fun of it. He too had been dragged out of the bus and shot. They found it a strange quirk of fate that a boy who had been taken to Boosa by the Sri Lankan army and had survived, should now be killed in cold blood by the Indian army which claimed to be protecting the Tamils.

They had been afraid even to cry while the soldiers were around. When the last of the soldiers vanished from sight, they drained their profuse grief in a flood of tears.

Shantamoorthy Thatchanamoorthy (20), Karanavai:

“I am a Kurukkal (priest) helping regularly at the Manthikai, Puttalai Amman Kovil. I used to travel by bus from Karanavai. I usually prepare short eats for devotional offerings. I came as usual on the morning of 26th July and alighted from my bus at Manthikai, not knowing the situation. I was asked to sit down with several other males. Except for 3 of us, the rest were sent away. The three of us were taken near Amman temple and the soldiers opened fire. My two companions died. I was left injured and in terrible pain. It was only in the evening that Jacqueline came and fetched me. On being taken to hospital, I lost consciousness.”

Thatchanamoorthy looked a very simple kind of boy, more puzzled than pained at the fate that had overtaken him. His halting speech testified to his state of shock. Both his legs were amputated above the knees. He added, “I do not know why the Indian army did this to me. They knew me. They knew that I worked at the temple.”

C. Kanthasamy (50), Labourer:

“I was near Puloly junction on the morning of 26th July, when the firing began. I fled eastwards along Maruthankeni Road, pedalling as fast as I could. Indian soldiers were firing from near the junction. I saw a woman who sold earthenware being killed. I received a leg wound. I fell off my bicycle and took cover under a concrete tank by the roadside. I was later taken to the hospital by Jacqueline.”

Kanthasamy was the father of five daughters.

Mrs. Manikarathinam Sithirinayagar (76), VVT:

“I was in my house near the town centre during the morning of 2nd August when we heard firing noises. A little later soldiers came into my house and asked us to leave. We pleaded saying that we were very old. My brother (Kanthasamy Nadarajah, 61) then said that it was useless to talk to them and since I could not walk, he helped me along to the town centre. A number of us were made to sit at the square. We were people of all ages including women and children. All of a sudden we were fired upon. My brother who was next to me and had been comforting me was killed. I was injured. I lay there with the dead and wounded unable to move. I was left like that until evening, when a young man lifted me onto the bar of his bicycle and rolled it to Oorani hospital. Three days later I was transferred to Point Pedro hospital.” Mrs. Manikarathinam’s daughter was very angry about the way the Indians prevented the patients from being taken to Point Pedro hospital in time. She said that even at Oorani hospital they were not spared of further ugly scenes. On the day following, through the hospital window they saw several of their young men being made to roll on the road outside the hospital and then assaulted. Unable to bear the sight the people in the hospital beat their heads against the wall and screamed.

A Shopkeeper (42), VVT :”

I was in my shop in the town square when the firing broke out on the morning of 2nd August. Usually when there is trouble we close the shop and go through the back door. But before this

could be done the soldiers were inside. Two lady customers were also there. Some soldiers and an officer who had come into the shop started assaulting us. We pleaded that we were not LTTE. It was of no use. The officer kicked me and we were asked to move. I heard the men being ordered to 'collect money'. Three hundred rupees which was in my shirt pocket was taken out. I saw my drawer being emptied and the cash removed. One soldier was stuffing his pocket with toffees. Some young men had been injured during the army's shooting. One was Mathivannan (18) who also helped in a shop. Five of these young men were dragged into a truck and were driven towards Udupiddy. Nothing more has been heard of them, and there is no trace of them. About 45 or 50 of us were made to sit in the town square. About half an hour later soldiers walked away from us. A few yards away one of them turned round, got into firing position and emptied a round into us. He continued with a second and then a third round. During the firing of the 2nd round I was injured in my hand and during the 3rd round I was injured on my back, side ways. We were there bleeding until evening. Later I managed to struggle my way out. I was helped by friends and came very late to Point Pedro hospital. I recalled that at least 6 persons died in that square including a dhoby (washer) woman and a child. Amongst the others killed were two boys from Kesavan Stores. Our shops had been set on fire. I do not want you to use my name because it will be difficult for me to go back and live there. Some boys from town had joined militant groups close to the IPKF, and I am afraid of trouble from them if my name is used."

Yogaguru (34), VVT:

"I own a hardware store in VVT and had come home briefly on the morning of 2nd August, when firing broke out. I could not think of my 2nd child and wife who were away from home. All I could think was to grab my eldest child and run to the place where I usually run at such times. This was the house of Sivaganesh who lives abroad. There were nearly seventy refugees at Sivaganesh's house. About five soldiers barged into the premises at 4 p.m. They separated the men from the women and picked out eight men. I was one of those picked out. One soldier tried to grab the child out of my hands. I resisted this and insisted on giving my child to a known lady who was there. The soldier then tried to grab the child from that lady. I do not know what they wanted to do with my child. But somehow this was resisted. The eight of us were then taken to a cowshed at the back of the compound where a cow was tied. We were then taken for execution in pairs. I was in the first pair. The executioner opened fire. My companion died. But I was just nicked. I fell down and pretended to be dead. The remaining six were brought and taken through the same motions. During the second burst of fire, one of my arm joints was smashed but I continued playing dead until the soldiers had gone."

Yogaguru later had an arm amputated. None of the five soldiers had been an officer, contrary to normal regulations of search. Of the eight who were taken to be shot, 4 survived with injuries.

Yogaguru said that he had never thought that the Indian army would do such a thing, especially at a place of refuge.

Indraneedevi Nadarajah (28):

"My home is near 'Ranjana' theatre in VVT. Some time after trouble broke out on the 2nd of August, I came to the portico with a friend of mine. At that time, soldiers who were passing by in a vehicle opened fire. I was injured in both my legs. I then received first aid from a local practitioner. This stopped my bleeding, when the ambulance finally arrived in VVT, someone

must have given my name and address. I was picked up at home by Jacqueline. One of my legs is still numb. But I am told I will be normal. I learnt much later that the firing which injured me, may have been a consequence of a grenade thrown nearby”.

A Professional, Nelliady, April 1989: “When I returned home recently, my schoolgoing daughter was crying. Upon inquiry, she told me that while returning from school, she had seen a pro-IPKF militant group, badly assaulting a schoolboy who was in the SALT (a pro LTTE student group). She said that she could not bear the sight. She said between her tears, “give me a gun, I want to join the LTTE’.I had a hard time pacifying her.”

A Schoolmistress, August 1989: She is kind hearted although a stern disciplinarian. She would readily discipline persons irrespective of age, sex and position. When it comes to helping people, she ,would throw herself in

with unstoppable enthusiasm. Soon after Operation Liberation, a nephew of hers was amongst the over 2000 boys detained by the Sri Lankan army. Being a fluent practitioner of all three languages, she had barged into the army HQ at Pt. Pedro, brushing her way past sentries, ordering them in Sinhalese in such sharp tones hardly excelled by their commanding officers. Going upto Brigadier Rupasinghe. she had demanded the immediate release of the nephew. This was complied with..

Some weeks earlier. following an incident in her neighbourhood, she had been very uncompromising in her attitude towards the IPKF. She had refugees in her house. She felt that a peace keeping force which behaved like this had no business to be here:

Recently she was looking tired after walking weary miles, trying to obtain medicines for an ailing relative. Asked about the prospects for peace -she nodded her head in the-direction of three young men coming downthe road on two bicycles. “It depends on what is going on in their minds’s, she replied sadly, “goodness knows what is in their heads.” When the boys came near one of them pointed with a ‘careless laugh to a burnt out house and remarked, “That was (a consequence of) our ‘choriyal’ . Choriyal, meaning scratching, refers to a relatively slight action that provokes a heavy laborious response.

We finally present two contrasting opinions.

A Graduate (early 40s), May 1989: “We invited the IPKF to put an end to what the Sri Lankan government was doing. Now we know that they did not come to help us. They came for something else. They must be sent out and ,they will be chased out. Once they are sent out, we are bound to have problems with the Sri Lankan forces. That we can look after when the time come. The LTTE has difficulties because only a tiny fraction of the popula-tion is struggling for liberation. Many of their cadres who were with them in good times have left. For this reason, they cannot help using some unorthodox means to boost their numbers. But things are changing because the conduct of- the IPKF has become so disagreeable. Six months ago. when approached by the boys people would generally turn them away, telling them not to cause them unnecessary trouble. Now it is different. My neighbour was a very timid lady who would not go near the boys. His son too was a studious sort, mostly confined to the house. The IPKF arrested him and gave him such rotten treatment. The mother now says she wished her son would join the Tigers and fight back, rather than face such treatment again. It may seem improbable now -but the IPKF is in the process of creating a mass movement which will bodily throw them out.”

An Executive (early- 40s) , August 1989 : “ You want to know what happened in my neighbourhood. If you are representing the media of any kind, I am not going to tell you. Do you represent a political tendency of any kind? If you are trying to cover up for India, that is contemptible. Did you see the Daily News of the 23rd? It reports the Indian High Commission as saying that 4 terrorists or some of that sort were killed. That is a damned lie. I attended the funeral of three people in one home. I know they were not terrorists. Further down the road there was the funeral of another 4. They too were not terrorists. But I could not bear going to another funeral. In the one I went to, it was so depressing that the person who lit the pyre had to be doused with liquor before he could do the act. I will take it up with the Indian High Commission. During the incident, I was reduced to having to plead for my life. Two soldiers were arguing in my presence whether or not to kill me. Perhaps the intervention of my parents tilted the scales.

““If on the other hand, you want to give publicity to this incident and seek international sympathy for this cause, we can do without that. Why do we need the publicity of the Red Cross coming here to distribute rice after an incident? I know these people. They are farmers. Do you think they cannot survive without these gifts of rice? I have asked some of these boys what their strategy was. They could not answer me. They could not hold back the Sri Lankan army which counted its number in thousands. What is the big idea in confronting an army which counts its number in hundreds of thousands? Fighting is one thing. But shooting and running away allowing people to face the music is quite another. Some officers had reportedly said that they would kill ten of our people for every Indian soldier killed. After an incident, people come with cameras to give it publicity. Some even say that not 75, but a thousand should have died. Then it would have been a smashing story. If you are giving publicity to this kind of thing and drumming up sympathy for this cause, please remember: You are only killing your own people! 90% of Jaffna is quiet. Why does only this remaining 10% have to suffer like this?”

CHAPTER 5

THE YOUNG: RECENT DEVELOPMENTS

KILLINGS OF STUDENTS AND CLOSURE OF SCHOOLS

(The shooting of the Kokuvil Hindu student was done by an Indian soldier in

RECRUITMENT AND CONSCRIPTION
COMMUNITY REACTIONS
MILITANTS: THE UNKNOWN SIDE
THE PASSING OF A SCHOOLBOY
THE DEATH OF T.C. AHILAN

The Schoolboy who was Shot Dead: 14th May 1989

The Passing of a Militant Leader
CONSCRIPTION

On this same day, 17th June, a young boy, Gajendran Thiagarajah from

AN OVERVIEW

IS THERE A WAY OUT

Note: From the Geneva Convention. Protocol 1, Part 1V, Section 11

Article 77 - Protection of Children

THE YOUNG: RECENT DEVELOPMENTS

Our last report highlighted some of the problems faced by the young in this community. The young continue to be victims of cynical calculations, accompanying intrigues in high places, far beyond anything they could control or comprehend. To many of them the choices are limited. They could either be killed or tortured for information at will; or end up in the armed service of one faction or the other. This is evident from our reports. There is no semblance of law or acknowledgement of responsibility which guarantees their security. The right of appeal depends on the good sense of the person in authority.

KILLINGS OF STUDENTS AND CLOSURE OF SCHOOLS

One may summarise the developments between March to the present in the following manner: Following the challenge posed by the LTTE's assassination of two senior most civil administrators, (7th April and 1st May), the pro-IPKF party moved against the LTTE's student base in schools. This was mainly the remnant of the SALT, a student organisation founded by the LTTE. At least 4 schoolboys were victims of political killings over the period 10th May to 10th June. These student activists had functioned semi-openly up to November 1988. With the killings, many SALT members and their friends who could afford it went to Colombo. The LTTE in turn responded by enforcing periodic boycotts of schools, called by notices issued in the name of 'Students' Associations. The shut-down was complete by the last quarter of June. Their demand was that teachers and principals must guarantee the safety of students. This put the former in an unenviable position. They did not have an organisation to protect even the dignity of teachers. The Principals' Association had not met for months. Unlike the university which had organised itself and up to a point had been respected by all parties, the Principals had some thorny problems. Not having met for months, the Association was no longer the coherent organisation of bygone days, where the members were well known to each other and could formulate ideas and strategies in an atmosphere of trust. There were again serious problems posed by the LTTE itself, which had by then killed two teachers (Miss Chandradevi Chelliah & Mrs. Ratnasabapathy) for political reasons. Moreover there was a ban on making contact with the IPKF and groups involved in the provincial administration. If arrangements for the security of students were to be worked out, associations of teachers and principals would have to confront and negotiate with the IPKF and the EPRLF. There was also the factor that when the two senior civil administrators were killed, the large number of people who felt strongly about it found themselves unable to protest through fear. Thus when the schoolboys were killed, besides the fear, the community as a whole felt itself bereft of a rationale to voice protest. Even feelings were confused and muted. Several of the Principals in the Jaffna town area were however in the habit of consulting each other informally, and a number of them did meet the IPKF, only to find the experience mostly unhelpful. The IPKF denied all responsibility for the killings. Nor did it as the law enforcing authority acknowledge its obligation to seek out and punish or restrain the killers.

(The shooting of the Kokuvil Hindu student was done by an Indian soldier in public view, deliberately and at close range with no provocation).

The principals were lectured to keep their schools 'clean'. One concession made was that they would be informed in the event of a student of their school being detained. (Brigadier Kahlon, the former Town Commandant told the University in his farewell address that, he may appear to have broken his promise to keep them informed a number of times. He told them not to despair and to make some allowance for the speed of Indian Army bureaucracy). Given the combination of circumstances, the teachers and principals found themselves cornered into inaction. This gave additional fillip to propaganda chiding the teaching profession for its lack of effort and giving the young in general a heightened sense of insecurity, helped on by the conduct of the IPKF and its allies. The latter, by the manner in which they chose to respond to the adversary's thrust left behind much resentment.

RECRUITMENT AND CONSCRIPTION

Disruption of education meant that there were more idle children, and with other unhelpful political developments, they were regarded with growing suspicion by the authorities. Where there was action the danger to children was very real. In Vadamaratchi, recruitment by the LTTE became a minor flood. Every provocation brought out the IPKF's oppressive side with mechanical predictability. To many, particularly amongst the impressionable young, the LTTE's cause appeared legitimate. The inducement to join the LTTE came from this as well as a variety of circumstances, particularly personal ones. A common phenomenon in Vadamaratchi, where by this time the LTTE was moving around freely, was for idle children to follow the LTTE around. When dead militants are commemorated, these children would help in the coconut palm decorations of streets. The possibilities are not hard to imagine. When the LTTE leader Bhavan was killed, the story got around that a number of persons who had made contact with him were listed in his diary, now in the IPKF's hands. Such persons either fled to Colombo or joined in. At least in some IPKF camps until about March, a number of detainees testified to having been treated with reasonable tact. Some under suspicion had been released on an undertaking by relatives that the detainee would be sent to Colombo or abroad. However in recent months, little clemency was benefited by either side. Unable to come up with an imaginative alternative to elemental vindictiveness, the IPKF party found itself under increasing isolation in Vadamaratchi. During the early part of June IPKF men in concealment apprehended two young boys in the early hours of one morning, carrying grenades and walking towards the IPKF camp at Viyaparimoolai in Vadamaratchi. The boys were promptly killed. A few days later the LTTE came with weapons to the nearby Thambasiddy library and held a firing exhibition and allowed the young to handle the weapons. A mother who watched it said that several young persons were tempted to join. A well-built slightly lame young man in Pt. Pedro, an utterly harmless sort was eking out a living doing a mason's job and chores like fetching water. On three occasions he was beaten by angry IPKF soldiers, once very badly. He had now opted for what he presumably thought was the relative safety of doing sentry duty for the LTTE. Recent recruitment by the LTTE has been mostly voluntary, with the qualification that such a term is dubious in application to juveniles. There may have been exceptions. A teacher in Udupidy had a son who had sat for his O.L's and was attending tuition classes. The son was one day missing with several of his friends. The father's efforts at tracing him failed. He later heard this story from another boy: "They used to be contacted at tuition classes and asked to come to different places for propaganda meetings. On the day in question they were taken and asked to get into a boat. The boy who returned with the story did so after strenuously pleading that he was asthmatic.

“Panicked perhaps by the new wave of recruitment by the LTTE following the disruption of education, and by political moves by the Sri Lankan President, the IPKF and its allies hit upon the idea of press gang or conscription. (See reports). Its first effect was to further discredit the authority of the IPKF which was vested with enforcing the law. The conscription, although milder than it first appeared, was done without any sense of legal accountability. It put panic into parents and children alike, as children literally vanished from the streets.. As far as we could make out, most school children were eventually released after the parents made ‘contact. Further discredit fell on the IPKF when its leading officials denied that the IPKF had anything to do with it. It was well known that IPKF men were part of several press gang missions. The political fallout can be judged from the testimony of a senior journalist and trade unionist, now an NGO official residing in Killinochchi: “The local people were settling down to a balanced view of the situation. Not pro LTTE, not pro IPKF, but an independent viewpoint. What the conscription raids did was to swing opinion sharply in favour of the LTTE. A number of youth who were made angry by these raids decided to join the LTTE. One of my own sons was barely restrained by the incidental presence of my brother in law. “

COMMUNITY REACTIONS

Once again leading members of the community found themselves confused in their response. Some felt that the militant groups allied to the IPKF had been cornered by the Sri Lankan President’s moves and the LTTE’s campaign. One senior educationist put it thus: “If you can turn a blind eye to one party taking in by unfair inducements, boys of 12 and 13 years who cannot know what they are doing, how can you blame the other side for taking in more mature boys by force?” The point that those vested with authority to maintain the law must act with imagination and restraint was generally forgotten. These developments are closely linked to previous developments sketched out in earlier reports. India must bear a historical responsibility for its decision in 1983 to militarise young Tamils as a means of pressuring the Sri Lankan state.

The community as a whole still remains largely insensitive to this immense tragedy which is ultimately rooted in its attitudes. When Indian officers with credentials from respectable institutes expatiate on the stages of insurgency and describe euphemistically the methods used in combating them, sometimes slipping into terms like ‘minimum terror’; they are being, perhaps unintentionally, callous and ignorant -shockingly ignorant of their own role in magnifying the problem and sustaining it at present levels. The key word now is ‘use’. Referring to pro-IPKF groups, senior Indian military officials talk glibly of using these gun toting rascals and disarming them. Explaining the misuse they have made of their official authority, senior persons in these groups blame those whom they ‘use’. On the other hand a senior ideologue talks about his 5000 cubs with parental fondness; while sympathetic intellectuals defend the recruitment of children in their early teens as being necessitated by the departure of many, adding that they are guided and ‘used’ without being allowed to make decisions. Anyone who wishes this community well, and wishes to be remembered well in historical retrospect, must urgently address the matter of the decimation of our youth.

MILITANTS: THE UNKNOWN SIDE

In spite of the yawning differences that exist between the various groups, we think it apt at this time to take up the subject under one heading. We have pointed out in nearly all our reports that these groups are made up of young men who were driven to carry arms by urges they little understood, and generally far beyond their control. Some of these young men in arms are just

12 years old. Perhaps the most hurtful element in their fate is the insensitivity of men, of the community itself. In a real sense they were once used by the community as a means of putting pressure on the Sri Lankan state. But when they were defeated or unwanted, the natural tendency was to disown them as an external growth. It became quite acceptable in society to dismiss the fate of a militant with some sentiment as "He who lives by the sword will perish by the sword, I" without asking what made him carry the sword. The relationship between the people and the militants has been governed by mutual suspicion and opportunism in which the entire community has been the loser. Some beginning has to be made in seeing them as part of this community, as well as its victims.

Questions of human rights are again closely linked to the attitudes to which their experience led them. How do we see the militants today? In the case of the militants aligned with the IPKF, one often sees them as tired and anxious young men carrying guns and manning sentry points. One young man was dog tired checking cars on the road and hardly had the strength to check another. When the next car came by he just gasped out, "Annai (big brother) if you are not a traitor you can go." One night a motorcyclist was stopped at a sentry point. A young militant asked sulkily, "please sir, where are you going?" It was evident that he had received a telling off from a superior on good public relations. In Mannar, a group of diners returned home late. A little later there was a knock on the door. A militant identified himself as being from a nearby camp and told them, "We are nervous of being attacked and when we saw you walking we felt rather anxious. Annai, please avoid walking around in the night". In Vavuniya, a student passenger was conscripted when he went to a boutique at the bus station for a cup of tea. Seeing this, a teacher hired a taxi and rushed to the camp of the militant group. Going to the leader's office he told him his complaint. The leader immediately ordered that all buses going in that direction be stopped and have the young man released. He then proceeded to inquire about old acquaintances and wished his regards to be conveyed.

Someone then brought in the "day's papers to be censored. One Jaffna paper had quoted a BBC report. "BBC -that is pro-Tiger," said the leader. "this paper is banned today." He then went on reflectively. "It is true that at one time we were concerned with human rights violations by the Sri Lankan state. But times changed and we were pushed into a difficult situation. We would still like to do political work amongst the people. But our society does not value that. Only the gun is admired, and it alone works. Like Stalin, we had to make a decision. Yes, we decided that we had to torture and kill to survive."

Those who knew this leader in earlier times remembered him as a pleasant and intelligent young man who left school without taking his A levels in order to do political work. He used to go around villages in the Vavuniya district living frugally and drinking plain tea. He had been arrested by the Sri Lankan army and sent to Boosa. After his release, he had at first been against going back to his group. This young man too had once been guided by high ideals.

On 14th April 1987 a large number of young recruits had been massed at a point as part of a plan to attack an IPKF camp. The plan went awry when the suicide bomber driving an explosive packed vehicle, was accidentally blown up a hundred yards from the camp. The young recruits in their early teens, scattered in confusion, taking shelter in cowsheds and fields. People who encountered them found them clutching their guns, hungry and ill. Many had tooth deficiencies. One of them who was in agony pleaded at least a pair of pliers if a dentist could not be found. These were young boys who should have rightly been receiving maternal care. In their present environment, it was natural for them to hate everyone. They regarded themselves as fated to die "and hated those who attended schools and universities.

They hated the people who may applaud the killing of a soldier. but would not take the slightest risk to help them.

Indeed, there were white collar folk who said how nice it would have been had the attack succeeded. insensitive even to the civilian victims of the explosion. But for the generality of people in that area, the failure of the attack was a godsend. We have tried to give a picture of the " little known side of the militant phenomenon. Its victims are children from the more defenceless sections of society. Given such a picture of hopelessness and despondency, the current policy of conscription pursued with Indian connivance, if not master-minded by India, must be seriously questioned. In the past militant recruits had some feeling for the cause. But today. sons of the poor who had no means of fleeing, are being conscripted for a cause about which there is serious public misgiving. It is being done in a manner shamefully lacking in public accountability as though the young boys were being taken away to some zoo in the presence of anguished mothers.

Even in times when recruitment was voluntary and training was sponsored by India on Indian soil. India lost control of its policy and finis-

held up fighting a protracted war with one of its former protege groups. A number of militants too, even with their committment to a cause. developed a sense of envy and antipathy towards those leading ordinary civilian lives. What will then be the fate of the alienated young, being conscripted into a number of factions ultimately managed or mismanaged by India? We know that Indian officials treat these groups with ill-disguised contempt and .Just wish to use them as a temporary expedient. What does the future hold for them? Has not India once had its fingers burnt by such a policy? What does this decimation and alienation of its already diminished youth mean for the future of the Tamils? By no amount of subterfuge can India evade responsibility for this and pretend that the consequences are of someone else's making. Nor can anybody which calls itself the government of the North East avoid accountability on this matter.

THE PASSING OF A SCHOOLBOY

He had the gift of speech and a sporting disposition. To the junior boys he was a special friend, ever ready with an amusing tale at his fingertips~ giving them a few minutes of unforgettable enthralment. The teachers found him obedient and ready to perform any task on behalf of the school with evident pleasure.

One morning he was taken out and killed in cold blood. For a number of his friends who came to his funeral. sadness was mixed with puzzlement. What had been the meaning of his life? They said he had been a friend~ but they had feared expressing themselves freely in his presence. They had felt the need for this reserve because of a feeling that everything he heard was being passed on.

It was said much later by one who knew him:" Had he come to me earlier, I would have given him an excellent character certificate without anyreserve. I discovered later that he had been leading a Jekyll and Hyde (double) existence. After this incident. the anonymous letters and posters which had been appearing around the school on an intimidatory note, ceased. Amongst his things was discovered notepaper bearing the letterhead used in the anonymous letters. It was very sad all the same." The life of the boy was a sign of the times. He had his own ideals.formed in a vacuum. where his elders and the society at large abhorredtaking the

slightest risk. The days when school meant work and play amidst a great deal of light camaraderie were gone. A heavy responsibility lies with the community and the teaching profession. If murder is the only way to deal with school children who formed certain ideals as a reaction to the situation around them, then thousands of our school children are being condemned to this fate.

THE DEATH OF T.C. AHILAN

T.C.Ahilan was a 19 year old student of St. John's College Jaffna. (A well known private school in the North). Prior to the Indo-Lanka peace accord, he had had contacts with a student organisation which has had sympathetic views towards the LTTE. However to the best of our knowledge he was never involved in any kind of military activity. He was also the son of Mr. Thiruchelvam who was the Editor of a popular Tamil newspaper published from Jaffna. On the morning of the 10th of May 1989, round about 5.30 a.m. a group of armed youth had called at their house and had asked for Mr. Thiruchel-vam. Ahilan's mother on seeing the armed youth had asked Ahilan to leave the house through the back door and come to the front verandah of the house to tell the youth who had come that Mr. Thiruchelvam was not at home. Ignoring the mother's advice, Ahilan had followed her to the verandah. On seeing him they asked him to come out, forced him into their car and drove off. Later that same morning Ahilan's bullet ridden body was found at Brown Road, Arasady Road junction in Jaffna. The car in which the killers came was a brown Ford which according to neighbours is often found parked in the EPRLF camp at Oddumadam.

The Schoolboy who was Shot Dead: 14th May 1989

K. Muraleetharam, an Advanced Level student of Kokuvil Hindu Collegewas staying with his parents in Manipay. His father, a government servant working at the Department of Education in Jaffna, was in charge of the Community Centre in Manipay. This local centre serves the community by supplying newspapers and books of special interest to students

. Captain George attached to the IPKF camp situated along the Manipay Road, near the junction had requested on a previous occasion when he was casually talking to Muraleetharam's father that the daily newspapers be sent to the army camp first thing in the morning before being sent to the community centre. The papers reached the Manipay army camp duly for the first few days and then for reasons unknown it was stopped.

About a week later on the 14th of May about 200 yards along the Chaukanai Road, K. Muraleetharam was stopped and asked to get down from his bicycle and was ordered to tear down the posters on a subway wall by the roadside. The poster had apparently been put up the previous night as passersby had seen it in the morning. Then suddenly gunshots were heard and Muraleetharam's father came rushing out in panic as almost every parent in Jaffna would do when on hearing gunshots find that their adolescent children are not at home at that time. On seeing the body of his son near the LTTE poster he demanded from the army personnel the reason for the killing. He was calmly told that his son was caught putting up the LTTE poster. In a frenzy he pulled down the poster which came out in shreds and cried, "Look! this is not wet. If it was put up now it would still be wet". The patrol turned back to their camp in the deafening silence that followed without bothering their heads about a sane reply.

The Passing of a Militant Leader

He joined the group at the young age of 17 following the IPKF's October 1987 offensive, and quickly rose to become the local leader. His aunt had known him to be a very obedient boy.

She knew from experience that once involved in this sort of thing, the possibility of normal living would quickly recede. Once she found her nephew, miserable, crying the whole day. Upon inquiry, she discovered that her nephew had executed an alleged informer and found it difficult to shake off the trauma it caused him. The aunt felt that it would be too much for him to discuss such matters in great depth. She counseled him never again to shoot anyone who is unarmed. Thereafter the nephew became noted by people for his lack of enthusiasm for violence. He became known for acts of sabotage on communications rather than for attacks on patrols.

In early March, with a few others he approached a house and said they wished to spend the night. He reportedly told the mistress not to worry and that they would not shoot from the house and cause the inmates trouble. The IPKF surrounded the house in the early hours of the morning. The young leader and his companions did not resist. They swallowed cyanide and gave up the ghost.

This experience made the aunt extremely concerned for all young men who are driven to take up arms. They had a choice between dehumanization on one hand and mental and spiritual agony on the other. This underlines the shame of state powers and assorted intellectuals becoming involved in subjecting young persons to such a fate.

Young men who die wielding arms are officially commemorated as martyrs, and speeches are made which distort the complexity of their lives into a convenient straight-jacket. The misery, agony and questioning of many of those who so died, remains an unwritten tale, known only to those who were close to them.

CONSCRIPTION

On the 18th of June 1989, a funeral was taking place in Vadamaratchi. The event was in many ways characteristic of the region. A young lady was happily married and was the mother of a year old infant. The husband spent little on himself, but spent lavishly on his wife and child. The husband requested a small sum of money from that kept aside by the wife for him to seek employment abroad. When the wife refused, the husband threatened to sell their radio cassette. The lady, as she had done several times before, threatened to set fire to herself. She doused her dress with kerosene and playfully lit a match at arm's length. Being used to such behavior the husband did not take it seriously. This time the fumes ignited and the lady was badly burnt. The husband too was burnt trying to save his wife. Three days later the lady died.

At the funeral the lady's brother was inconsolable. An elderly female relative tried to console him with words of local wisdom: "Do not grieve over her. Playing with fire, was she? Did she think it was a toy? Don't cry because you could not finish the house you were building for her. You can finish it for her young daughter". The words appeared to have the opposite effect of consolation. Just then someone announced that three Pt. Pedro boys travelling to Colombo by train had been off loaded at Killinochchi by a pro-IPKF militant group the day before. There was a sharp change in the elderly female relative's trend of thought. She was almost pleading: "Oh, my boy. I asked him to stay in Colombo. But he came to see me and was returning by that train. Where can I inquire about my son? To whom may I appeal? Will they publish the names of those they took in the papers?"

This was how the first reports of the shameful episode of conscription descended on ordinary people. They should have been outraged. But they were just worried and anxious and could

think little beyond protecting their own children. In the course of a liberation struggle they had been atomised and their sense of a collective identity had been destroyed.

On this same day, 17th June, a young boy, Gajendran Thiagarajah from Vavuniya, was returning by train to the school boarding at St. Johns' College, Jaffna. This train crossed the Colombo bound train at 2.30 p.m. at Mankulam, which carried a number of youths conscripted at Killinochchi and escorted by gunmen. Gunmen who entered the northbound train ordered some of the youths, including Gajendran to get down onto the platform. At the same time parents and relatives of the conscripted youths appeared, crying, screaming and pleading for the release of the boys. In an attempt to disperse them gunmen fired into the air. Gajendran and the other boys instinctively fell on the platform. One bullet however, believed to have been ricocheted, lodged itself in Gajendran's chest. Others wanted him taken to the nearest hospital. The gunmen, ignoring this, ordered the boys to get into the train and got the train to set off. Gajendran died before the train reached Killinochchi. Although the conduct of the gunmen was far from being that of representatives of the people, Gajendran's death was probably an accident. Had the gunmen been doing something legitimate in the interests of the people, they could have gone to the public, explained that Gajendran's death was an accident and then assured them that steps were being taken to see that such things are not repeated. But they were unable to explain the conscription and kept quiet. Boys of school going age and their parents were driven to panic. It took very little to close down the schools. Notices appeared in the name of 'the Students' Committee' demanding that schools should be re-opened only if the principals and teachers could give an assurance guaranteeing the safety of students. Given the state of fear amongst principals and teachers, and the political ineptitude of the IPKF and its allies, no substantial assurance was forthcoming.

The IPKF had little understanding of its obligations as the guardian and keeper of the law. When confronted about conscription, it merely contented itself by saying that it had nothing to do with it. But the public knew otherwise. Conscription was taking place at places like the Jaffna bazaar, where the IPKF was around. It was taking place next to IPKF camps. In a rural area like Murasumottai, conscripts were even taken to the IPKF camp. For many people who were beginning to take an objective view of the realities, the conscription process was a revelation of the contempt the IPKF had for the local population.

If conscription was in part a response to the success with which the LTTE tapped the discontent, particularly amongst rural children, resulting from the actions of the IPKF and its allies, it only made things worse. The process was cumulative. Conscription was both unlawful and was not being done for a purpose that people could see as legitimate. The result was a further erosion of the credibility of any group. Both sides were thrusting young Tamils under arms, using questionable means, not to protect the community, but to safeguard themselves against each other. This is often admitted privately.

AN OVERVIEW

What follows is a fairly typical instance of how ordinary people were affected by conscription. S. was a boy of 17 who was awaiting his O Level results, and was during this time apprenticed to a shop in Kondavil doing electrical wiring work. He was travelling daily to work by bicycle from his home in Urumpirai. The family was poor and his mother was sickly. His father had held a good job as a corporation employee in Embilipitiya, but had become a psychiatric patient after being assaulted during the July 1983 race riots. During late June this year, S was picked up while going to work on the KKS road and was deposited with a large number of

conscripts at apro-IPKF militant camp in Oddumadam. The parents were in no position to look for him. His Sinnamma {mother's younger sister) who supervised his education went from camp to camp and finally traced him. She went to S's school principal and obtained a letter stating that S. was in his school. She went back to the camp with the letter and was chased away. After hanging around in the vicinity for a long time, she managed to pass the letter to her nephew through a hole in the camp's boundary fence.

Later though a Hindu she contacted a Christian clergyman in her neighbourhood who went to the camp and spoke on the boy's behalf. S. was released after 3 days of detention. Over the weeks that followed pro-IPKF groups put out statements claiming that all those conscripted who attended schools had been released. But as more information came to light, what may have happened to S. if not for the efforts of his aunt remains in question.

Of the many tragic cases that came to light, there was the case of a very young conscript in Trincomalee who was crying ceaselessly. He had been used to sleeping with his grandmother and now he was cast amidst so many miserable boys in a place where there was nothing like parental love. Many made jungle treks to the once dreaded Sinhalese country in the South, and then to Colombo, to evade conscription. Things were not easy in Colombo either, where rival groups were flexing their muscles. Several returned north. One youth who returned, reported being detained by the Sri Lankan police at Wattala and then paying Rs.5,000/- for his release. A group of youth detained in Vavuniya were released after their captors were made anxious by the possible effect on others of the saying of prayers and the singing of Christian songs by this group. A number of scenes where groups of youth were chased by captors in vehicles were described as reminiscent of "Hatari", a John Wayne box office hit of the 60's.

On 3rd September, as the Sunday morning's worship was coming to an end at the Uduvil CSI Church a press gang had stationed itself outside the Church just in front of the IPKF camp. The Church doors were locked, and the youth were later smuggled out through the back. The IPKF had made no attempt to interfere.

In press statements, interviews and leaflets distributed at sentry points, the EPRLF appeared to be undecided about how it was going to face the issue. Over the BBC, Chief Minister Varadaraja Perumal dismissed con-scription as LTTE propaganda. One leaflet justified conscription as being necessary to defend the Tamils. On a number of instances, the press was told that all boys of school going age had been released. This was the position taken by the EPRLF's co-ordinator in Jaffna.

On the morning of Sunday, 11th September, a large number of parents and relatives of conscripts assembled at the education office, Jaffna. The authorities received the names of over 140 school boys who had not been released. Education authorities in the company of the political co-coordinator were driven to the Velanai EPRLF camp. There about 45 schoolboy conscripts came one by one before the authorities and said that they were remaining behind of their own accord to fight for the nation. Subsequently in a brief collective encounter they gave the authorities a hint of their real feelings, indicating that they should have acted earlier, before they were sent for military training.

On their return to the premises of the education department, the authorities were besieged by indignant parents and relatives. A notable feature was that they were all from the poorer and humbler sections of this society. An engineering foreman in an industrial plant was about the

person of highest social standing present. Some of them had come from distant places early in the morning, had waited the whole day with little or no refreshment, and it being nightfall had no buses to return home. They could not accept the reasons given. They said: "These boys had shown no military inclinations in the past. They had been forcibly taken away from their homes, streets, farms and tutories. How can anyone accept these boys whom we knew well had suddenly acquired a dedication for a particular military cause?" The best the harassed authorities could do was to promise to arrange a meeting of the parents with the political coordinator. It was a significant reversal of roles. In the past people would approach an MP (Member of Parliament) to sort out problems with government departments. Now people were approaching a government department to sort out a problem with the people's representatives. (Some of them approaching militant camps directly had been turned away at gunpoint). The education authorities were extremely anxious and unhappy about their new and potentially dangerous role.

IS THERE A WAY OUT

In order to find a way out it will not be helpful to look at the problem of conscription in isolation, although it is totally irresponsible and inexcusable on the part of those who had official status as representatives of the people. It was also politically disastrous. But it is also linked to the deplorable way in which the Sri Lankan government handled its relations with them. The tardy and unsatisfactory process of devolution, proceeded by ministerial circulars, left the impression that after all that had happened, the government was not thinking seriously about the autonomy for the Tamils. Nor did the government seem to have realised, that the best means of setting the scene for the departure of the IPKF, would have been to stay above the differences of Tamil militant factions, rather than exploit them for short term gains. The ability of the other party to use and magnify by its own actions the faults of its adversaries; without offering a political alternative which included a respect for human rights; and its success in recruiting children in their early teens; have far from helped the situation.

It was often found that the groups responsible for conscription were living in great fear of what the future held for them. The use the IPKF made of them had stunted their political imagination. Many of the leaders of these groups were in a state of mind where they were not amenable to reason on the matter of conscription. They could only imagine that the LTTE would come with the Sri Lankan army when the Indians left and kill them all. The fear spread down to the lower ranks. Some of the latter were sent out by their leaders with orders to bring in conscripts. Sometimes a person travelling between Jaffna and Colombo would be ordered out of the coach by immature young persons at gun point. If this person attempts to argue, he would be told, "Don't tell us. Our orders are to bring someone. You come to the camp and tell our leader."

The atmosphere was made more tense by a general belief by the IPKF and its allies, that the Sri Lankan forces were supplying the LTTE; and by the well known fact that the LTTE was establishing posts in Sinhalese areas near Sri Lankan police stations, along trunk roads leading out of the North and East.

It would appear that a substantial section of Tamil youth, instead of being trained to be productive in development, are being thrust under arms into rival groups, with the intrigues of state powers playing no small part. The prospect of a bloodbath cannot be dismissed.

The Sri Lankan government's calculations are motivated by the insurgency in the South, where the readiness to kill, torture and maim has far exceeded what the Sri Lankan forces practised during the Tamil insurgency. A thoughtful southerner remarked, that the solution to the whole depressing spectacle may be a process of 'internal disarmament'. This carries an implication that one cannot strictly divide the powers that operate into those that are legitimate and those that are not. Legitimacy implies accountability, which none of them are. In this perhaps the arrival of the International Committee of the Red Cross (ICRC) one of whose aims is to humanise the conflict, offers hope.

Note: From the Geneva Convention. Protocol 1, Part IV, Section 11

Article 77 - Protection of Children

2. The parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, the Parties to the conflict shall endeavour to give priority to those who are the oldest.

Chapter 6

THE INDIAN PEACE-KEEPING FORCE

The strength of the IPKF, drawn from the Indian army and stationed in the North-Eastern province of Sri Lanka, is put at between forty and one hundred thousand men. Following the last triumph of Indian arms in classical battle formations in 1971, in what was then East Pakistan, it has been playing an increasingly active role in the containment of insurgent activity within. Many of the men and officers of the IPKF bring with them experience of having served in India's trouble spots. These include the Punjab, Assam and Hyderabad. Experience gained here will certainly be carried back across the Palk Straits for application in India. The Indian army's performance within India had not come up for close public scrutiny, partly because the problems had not got so conspicuously out of hand; and also because of a strong patriotic element in Indian journalism. But the deployment of the Indian army in Sri Lanka is an international event, which has attracted a relatively high degree of press reporting and comment from around the world. This is being treated rather defensively by the Indian army.

In the classical scenario for the deployment of the Indian army in a troubled situation, it is taken for granted that the army is a crude instrument that will quell the troubles in a short time while normal civil law is suspended. The political assumption is that the scene will then be set for a quick political settlement, enabling the army to withdraw to barracks. Conditions in Sri Lanka highlight a new and potent tradition in sub-continental insurgency. The JVP has carried this to unprecedented extremes. The strategy consists in exposing the political weakness and oppressive potential of the state on the basis that people do not matter. The latter are reduced to helpless anger. Civil law ceases to exist and armies do not get back to barracks. There are signs that other parts of India may join the list of trouble spots if the security apparatus continues to be used in this manner.

This short sketch raises some issues pertaining to the performance of the IPKF. The life of an Indian soldier is indeed a hazardous one, consisting of routine patrols in staggered formation where the initiative of attack is with the enemy. In the nights he drives along in trucks, seeing only the front and not knowing what lies on either side of the road. The strain on the men is understandable.

Concerning the army's performance and the reactions to it, an officer expressed himself with strong feelings: "People talk only about the bad things we do. But not about the good things. Our feelings, the strains we have to undergo are not appreciated. A man spends more time with the men in his unit, than with his family. The army is his home, and his feelings of comradeship are very strong. It is hard to appreciate the strength of his feelings when he sees his companions lying dead and mangled in pools of blood. When such things happen, it is difficult for us to face our men. We restrain them most of the time. But sometimes there are excesses. At times a man goes and hides himself in a crowd shocked by what he had done. In normal battle conditions, a man who withdraws without returning the enemy's fire is courtmartialled. The jails of India are full of courtmartialled men. Later, when you have time to reflect, you will feel that the Indian army made great sacrifices and did you a lot of good. Of course blunders have been made and you can criticise the politicians for them. But I feel really hurt when onesided attacks are made against the Indian army. These Nepalese boys are fine soldiers. They are really above board. In my opinion, the army is the greatest thing in India."

While such feelings contain elements that deserve sympathy at a human level, they pinpoint a key element in the whole tragic saga. There is little evidence that the army had any understanding of the extent of reciprocal civilian feelings, when unarmed and evidently harmless men, women and children are murdered in reprisals by a well armed and all powerful army. The insensitivity is made all the more evident when reporting is considered tantamount to incitement. Many officers talk of reprisals as if the right to reprisals is something on par with the Geneva Conventions. Some even talk about the use of 'minimum terror'. The reader can judge from our reports. The restraint shown by the army in Mannar after the incident of 9th August is a welcome development. It is still too early to judge.

The most potent element in the weakness of the Indian army here, and the general failure of counter-insurgency in both Sri Lanka and India, stems from an insensitivity to basic elements in the law. While fighting men under stress have a strong subjective element in their judgement, the law imposes a restraint through ingrained tradition, preventing us from acting on the subjective. Subjective actions can be most destructive and irretrievable, when they are backed by armed might. It is in this context that assumptions by national states that the law is a luxury that can be suspended in troubled times, opens the door for all kinds of abuse heralding the destruction of the state itself. That such a damaging notion has gained a measure of respectability in the cultural milieu of the South Asian elite is evident in the nature of current problems. The destructive intolerance inherent in the atmosphere is instanced by the Indian Prime Minister's use of Republic Day speech to attack the opposition as traitors. Army officers, administrators and even perhaps academics are part of this unimaginative elite.

When the obligation to the law goes, every apparent temporary expedient appears in the light of an ingenious strategic imperative. Then go obligations to truth and rationality; brute power becomes the sole defence against consequences of contradictions. Explanations which sound clever to themselves sound equally ridiculous to others. The army as an institution discredits its own authority and its self image becomes vastly different from how others see it.

We give instances of how this happens in the day to day experience of ordinary people:

1. The IPKF has repeatedly told the population that anyone can hold any political opinion, even pro-LTTE opinion, and that action would be taken only against those using arms against it. It is often the case that when someone is shot or killed in an unjustified manner, Indian officers would offer the excuse that the victim is a confirmed LTTE activist. Even if this was true, issues like whether he was questioned, whether he carried a weapon and if so whether he attempted to use it, are all forgotten.
2. The responsibility of the IPKF for law and order in the North-East is an internationally recognised obligation. When it comes to killings and press ganging of youth by groups under IPKF supervision and living in premises adjoining IPKF camps, the IPKF considers it adequate to say that it has nothing to do with it. The general populace regards it as a patent game of running with the hare and hunting with the hounds.
3. The Town Commandant : The army often complains that it lacks public contact, and hence knowledge of the civilian population. The Town Commandant's office is the only institutionalised contact with the public. If it is to be effective, the Commandant must not only wield authority, but must also understand civilian sensibilities and communicate on civilian terms. Inquiries concerning arrests are meant to be made to the Town Commandant. In practice, it has turned out in known cases, that the operational command has long delayed releasing persons against whom they admittedly had nothing, on the barely concealed grounds that the Town Commandant, rather than themselves, was first approached. The office of the Town Commandant vested with public relations is thus discredited by inter-service rivalry. When it comes to the conscription issue, the Town Commandant appears to be completely at sea.
4. In known cases detainees against whom there were no charges have been further detained and even beaten, simply in a naive attempt to discredit the person who went to ask for his release. The reason for the prolonged detention was also stated as "because so and so came to release you." Such cases may be few, but it is reflective of a readiness to use power for a petty, vindictive end.
5. Media Coverage: After a serious incident involving civilian casualties, All India Radio and the Indian High Commission in Colombo would be quick to be out with a completely misleading story. Intelligence reports would claim that the victims are hardcore LTTE, before even their names are known. The people are left gritting their teeth in anger and contempt. This makes it all the more attractive and challenging for the foreign media to break through the veil of propaganda and publish the story. The Indians are left looking defensive and discredited. On the other hand if they immediately held an inquiry into the incident, allowed the truth to come out and took visible steps to curb recurrences; the public would be reassured and the level of atrocities would be much less. There would also be reduced attraction for a journalist to come and get a story. Because of this habitual prevarication, Indians are seldom believed. Consequently, even when the Indian army behaves with credit, such as in the Mannar Hospital incident, there is little media interest. When the Indian army complains about unfair media coverage, it has mainly itself and its High Commission to blame.
6. Complaints to the High Commission: When such complaints are made by civilians, one would expect that in such a crucial situation where India's image is at stake, the High Commission would have some independent machinery for investigation. In known cases

complaints involving the IPKF have been referred back to them. It is understandable when those who complained found themselves under pressure to withdraw them.

7. Hostage Patrols: There has been recently in Vadamaratchi a marked tendency for patrols to take along with them civilians they meet on the road and release them later on reaching their destination. Some civilians, taken along in this manner have died during the course of an incident

CHAPTER 7

HUMAN RIGHTS IN SRI LANKA: SOME ETHICAL AND PRACTICAL ISSUES

HUMAN RIGHTS ACTIVITY: THE ESSENCE

HUMAN RIGHTS IN SRI LANKA: SOME ETHICAL AND PRACTICAL ISSUES

How does a human rights organisation respond to oppression? Here there is broad consensus. It is widely believed that the concept of human rights is sufficiently well grounded in international relations, to the extent that institutions which violate them face international opprobrium as the result of exposure. This they can ill afford in a world where such relations are important.

In the preface to Volume 1 we raised some issues explaining why we felt our organisation must also take cognizance of violations by non-state organisations as well. This assumes an added importance in our country because the nature of insurgency here is one where ideology has become a mere smokescreen. The motivating principle behind the 'liberation struggles' seems to be power no matter what the cost to the civilian population. A natural outcome of this is to exploit the oppressive qualities of the enemy and provoke scenes of gore, resulting in publicity abroad and popular resentment within. It is a novel and totally destructive idea which can deprive a society of the last vestiges of civilised life, with no hope of good for decades to come.

The current practice of Human Rights organisations is to record and protest against violations by the State. This is based on the premise that the state has, in various ways, its obligation and accountability to the people and to the international community. However, when groups struggling against state oppression violate human rights (eg. practice torture, kill dissenters), Human Rights organisations are faced with a dilemma; how are they to respond to this reality? Apart from what these organisations do, the contending political forces, who are fighting against the state, expose and protest against the methods used by their opponents and rivals. They do this in order to mobilise the people behind them. In these circumstances, these political forces view Human Rights organisations as a vital ally; they tactically co-operate with them and even encourage them to carry out their work. When Human Rights are looked at as a tactical issue, which liberation groups try to make use of, the conflict between the theory and practice surfaces.

Although 'Human Rights' cannot be handled in the abstract it is essential that this concept be developed in the context of human emancipation; it plays a vital role in determining the strategy as well as the tactics of any genuine liberation/revolutionary movement. Such movements struggle to create a new kind of state power. Therefore they are a state in the making. In this process very often movements which do not function strictly within a 'Human Rights' framework, bring about situations which marginalise the people, and compel them to

be passive, silent and resigned; the people are thus compelled to accept the denial of their right to speak out freely, to determine their own lives and even to life itself - all of which are the basis of the struggle against state oppression. It then comes to be of paramount importance for Human Rights organisations to investigate and protest against these violations by the anti-state forces also. Paradoxically, then, in an atmosphere in which the community has become terrorised and resigned, those of its members who try to question all violations of human rights can easily be marked out, and their action be treated as a challenge to the authority of the dominant groups. The lives of those who do this valuable work are put at risk. Thus a concept of 'human rights' which exempts from accountability the forces claiming to fight on behalf of the people has encourage the recent development of the situation we have in our country and internationally. Experience shows the urgent need to develop and publicise 'human rights' and 'morality' consistent with the realisation of human emancipation.

In the South events have far surpassed in atrocities anything this country has ever known before, the question assumes a poignant note of urgency. This has been compounded by the killing, allegedly by the state, of several lawyers involved in human rights work. When the JVP - an organisation that has closed hospitals regardless of the sick, has killed employees who disobeyed its call to shut down public services, together with their relatives, has remorselessly hunted down and killed political opponents without any constructive idea whatsoever, and has, in keeping with its declared policy, killed relatives of servicemen - talks about human rights violations by the state, it is time to be more watchful. The concept of human rights becomes a mockery and human rights workers are in danger of being seen by servicemen and many others as being in league with those murdering their families.

In the context of what was said earlier, we may note that the functioning of the Sri Lankan state is in a condition of serious breakdown, and its most conspicuous power is its ability to deliver giant reprisals. Unless the human rights organisations in the South feel their way towards a more objective approach towards the state and the anti-state forces, they may find themselves driven to total silence by the weight of events, by either fear, guilt or disillusionment. By adopting an approach which also questions the role of anti-state forces they may succeed in infusing some good sense into the contending parties, particularly the state, which has much greater destructive power.

It is only fair to point out that such a realisation has been there amongst southerners who have consistently campaigned for human rights even when it was an unpopular word. This is implicit in the lecture on "Violence and Human Rights" delivered by Reggie Siriwardene on 19th June 1989, to commemorate the first anniversary of the disappearance of human rights worker K. Kanthasamy:

"But there is no fatality about the way in which these conditions, and the issues arising out of them, translate themselves into widespread and continuing violence. The transition from conflict to violence of that nature is dependent on decisions made by the choice and will of leaders - of those in control of the apparatus of the State as well as those contending against it. It is dependent on judgements made by the former about what is legitimate in maintaining the security of the State and by the latter about what is justified in opposing or in subverting it. Often the decisions in this respect by one of these forces evoke a countervailing reaction from the other, as we have seen in the cycles of State violence and anti-State violence in recent times. It is this area where conscious decisions, which can raise or reduce the level of violence in our society, are made by political actors that I am concerned with in this lecture".

“When I say ‘conscious decisions’, I am not claiming that the decisive agent - the head of a government, the leader of a militant group, or any other - is always aware of the ultimate consequences of his action. His decisions are often motivated by considerations of immediate expediency. But it is all the more important, therefore, to bring into focus the wider and long term consequences of such decisions”(excerpt from lecture).

HUMAN RIGHTS ACTIVITY: THE ESSENCE

We have made a practical distinction between states where the state machinery is intact, and states where a breakdown has occurred. Whatever the means adopted, the aim is to make the offender feel even a little sensitive that his action is both wrong and against his interests. This seeks to tap the sense of decency and good sense in the offender however residual.

Given the complex nature of the conflict in this country, two starkly contrasting approaches present themselves: that of human rights which must tap whatever good there is in the armed combatants; and that of the current insurgency that seeks to exploit the negative qualities of the adversary. Our experience of the latter is that the process multiplies to chronic proportions the weaknesses and foibles of all concerned, resulting in unmitigable evil.

CHAPTER 8

NORTHERN DIARY JANUARY - AUGUST 1989

The objective of this documentation of deaths taking place primarily in the Northern Peninsula is not to provide accurate data for survey. It is more an attempt on our part to give an idea of the deaths, murders and massacres taking place on a day to day basis with no room for appeal or justice. The diary is compiled from newspaper items. The average deaths by violence is estimated to be about 5 a day according to mortuary authorities. This diary compiled from newspaper items in no way reflects accurately the number of killings taking place in the Northeastern Province, but we hope presenting them in this manner will reveal the nature and the impersonality of the violence which stalks our land.

DATE	NAME	INCIDENT	PLACE
7.1.89	4 Civilians	Shot dead in a con- frontation	Thenvarayali Vavuniya
14.1.89	A.K. Annamalai (NSSP member)	Killed by the LTTE	Jaffna
16.1.89	A youth killed, an unidentified body found.	Incident unknown	Athisoodi Lane Jaffna.
	3 LTTE members killed	In an attack by the	Mannar Veethi

Sri Lankan Army Vavuniya

17.1.89 Subramaniam (45) In an attack by the Rambaikulam

K.Saraswathy (35) Sri Lankan Army Vavuniya

Muttiah (75)

Luxmy (65)

Sinnathamby (23)

Chinniah (98)

Mehavarnan (45)

Seelammah (65)

Suntheralingam (48)

18.1.89 4 Civilians killed In a bomb blast Market Place,
Trincomalee

26.1.89 A teacher Shot by the EPRLF Jaffna Hindu
during a rampage College

29.1.89 N.Saravanabalachandiran Killed in a crossfire Ariyalai, Jaffna

30.1.89 R. Punithavathy(45)teacher Shot by unknown gunmen Chavakachcheri,
at her residence Jaffna.

2.2.89 Jeganathan, Sathiyendra Killed by the IPKF Jaffna
(University students) during a peaceful demo.

4.2.89 3 Civilians Killed in a shootout Kattai addamban
Mannar.

5.2.89 S. Narenthiran (22) Killed by the IPKF Sembianpattru,
Devadas (24) during grenade charge Jaffna.
and rifle firing

23.2.89M.Amithalingam(Ealamurasu)Incidentsunknown Pt.Pedro.
Nallathankachi (Killings condemned by Vannarponnai

S. Kasinathan by the EPRLF in a
Thevanayagam statement) Pandiyan thalyu
Thiagarajah

25.2.89. V. Pushpavathy (22) Killed during shelling Kallikai Junc.
Vadamarachchi

14.3.89 Kutti Prema Thasan (18) Killed during crossfire Kondavil, Jaffna
Soruvam Charles (20)

16.3.89 S.Kanagasabey (76) Killed in shell attack Mullaitivu 1

16.3.89 Manoharan (30) Shot dead by the LTTE Jaffna.
attendent in hospital

17.3.89 Ahileswaran (62) Shot dead by unidenti- Ariyalai, Jaffna
tea boutique owner fied gunmen

19.3.89 3 LTTE members Killed by EPRLF Puddalai, Pt.P.
3 EPRLF cadres Killed by LTTE Kuddathanai, Pt.P

23.3.89 V.Mylvaganam (75) Killed in a shootout Velvettiturai

24.3.89 S. Selvaratnam (25) Shot dead by unidenti- Kondavil, Jaffna.
fied persons

25.3.89 Two youths Shot dead by unknown Anaicoddai Junc.
P.Suntharabose (27) persons Jaffna

25.3.89 K.Jesudasan Shot dead by unidenti- Vaitheesawara J.
fied gunmen Jaffna

25.3.89 Vijanathan (20) Killed in crossfire Ariyalai, Jaffna

26.3.89 P. Arulrani (39) Shot dead by unidenti- Ariyalai, Jaffna
fied persons

26.3.89 Two youths Bodied discovered with Annaicoddai Jun.

gunshot injuries Jaffna.

26.3.89 K.Thanabal Shot dead by unidenti- Maruthai Lane
(an artist) fied persons Jaffna

27.3.89 Poopalasingham (50) Shot dead by unidenti- Tellipalai,
fied gunmen Jaffna

27.3.89 An 18 year old youth Body discovered with Annaicoddai Jun.
gunshot injuries Jaffna

29.3.89 3 bodies of unidentified Incident unknown Mathawachi
youth discovered

29.3.89 Quintin Frances (37) Shot dead by unidenti- Anaipanthi,
fied persons. Jaffna.

29.3.89 4 disfigured bodies of Incident unknown Kalawewa.
unidentified persons
discovered

31.3.89 S. Thavaloganathan (39) Shot dead by EPRLF Kalviyankadu
Jaffna

2.4.89 N. Suntharesan (45) Shot dead by unidenti- Chullipuram
fied gunmen

7.4.89 K.Ramanathan (AGA) Shot dead by the LTTE Tellipalai

10.4.89 B.Ganeshan Shot dead by unidenti- Jaffna
fied gunmen

**11.4.89 Kailaignanasingam Shot dead presumably Thirnelvely
by LTTE**

11.4.89 Suresh (21) Admitted to the Jaffna
Teaching Hospital Jaffna
with gunshot wounds by

the IPKF. Died later

12.4.89 Victor Emmanuel Shot dead by unidenti- Rasavinthotam
(Sarvodaya Organisation fied gunmen Jaffna

worker)

12.4.89 Body of 25 year old Incident unknown Rasavinthotam
youth found Jaffna.

14.4.89 45 Killed In a bomb blast Clock Tower Road
Trincomalee

15.4.89 S.Balasingham (65) Shot dead by unidenti- Point Pedro
S. Babu (45) fied gunmen
S. Ganesh (45)

17.4.89 10 Civilians killed during a rampage by Trincomalee
Sinhalese to avenge the
death of the 45 persons

17.4.89 S. Yogapragasam Shot dead by unidenti- Kantharodayan J.
fied gunmen Jaffna

17.4.89 Shanthiniketan (25) Killed by the IPKF when
in custody Araly North.

17.4.89 J.Muthuranayagam (35) Body discovered Hospital Rd.
Grand Bazaar,J.

22.4.89 R.Jeyaseelakrishnan Killed during a IPKF Pannagam
V. Sivakumar roundup Jaffna.

23.4.89 Krishnagopal Shot dead by an Vathiri Junction
(Police Constable) unidentified gunmen Vadamarachchi

27.4.89 Ramalingam (25) Shot by an unidenti- Kurumanveli

Sathiyathan fied persons

27.4.89 Kanagasabey Bharath(17) Killed in a shootout Killinochchi

Ms. Kanagammah

27.4.89 5 Civilians Killed in two separate Trincomalee
incidents by unidenti-
fied gunmen

29.4.89 Shanmuganathan Murder claimed by LTTE Kalviyankaadu,
Jaffna

30.4.89 S. Pirabakaran Killed in a confronta- Pirambady Lane
(University Student) tion between LTTE &IPKF Kokuvil

30.4.89 M. Mahalingam (27) Murder claimed by LTTE Karaveddi Junc.

1.5.89 V.M. Panchalingam (GA) Murdered by the LTTE Nallur

1.5.89 Velayutham (54) Killed by the IPKF Thavady

2.5.89 S. Jeganathan Killed by the IPKF Poonahari

2.5.89 R. Krishnapillai (32) Charred bodies were Mulankavil
R. Chandrapala (25) discovered after a Poonahari
round up by the IPKF

4.5.89 K. Kandasamy Killed by unidentified Maruthankeni
gunmen Thalayai,Jaffna

5.5.89 Velupillai (20) Trapped in a shot set Point Pedro
fire to by the IPKF

7.5.89 Kunam, Poovum Pottum Murders claimed by LTTE Kalviyandaddu,J.

9.5.89 T.Thanesh Lamppost punishment Pallai
meted out by LTTE

10.5.89 Ahilan Thiruchelvam Killed by the EPRLF Near Hindu

Ladies College,J

- 10.5.89 V.Mahalingam (65) Killed by the LTTE Karanavai,
(Advocate) Nelliady, Jaffna
- 11.5.89 K.Sabaratnam (19) Killed in a shootout Irranaimadu Junc
K. Nandakumar (34) near an IPKF camp Killinochchi
- 11.5.89 An unidentified woman's dicovered with gunshot Arasady Road,
body injuries Nallur, Jaffna.
- 11.5.89 An unidentified body discovered with gunshot Inuvil
wounds.
- 14.5.89 M. Kopalakrishnan Shot dead by the EPRLF Chunnakam
(School Student)
- 14.5.89 R. Thevanesan (40) Shot dead by unknown Chunnakam
(cycle shop owner) persons
- 14.5.89 S.Suhirtha Killed during an attack Kodikamam
on an SLTB bus by
unknown persons
- 16.5.89 P.Velu (52) Killed in shell attack Nadunderni
Other unknown
- 18.5.89 Inthumathy Killed by unidentified Karainagar
persons
- 18.5.89 4 civilians Killed by the IPKF Puttur,Avarangel
- 18.5.89 K.Sivananthan (31) Killed in a shootout Neervely,
K.Sarojinidevi Jaffna
- 20.5.89 A.Suwendiran (30) Body discovered with Urumpiral
gunshot wounds

- 20.5.89 Jeyanathan (24) Killed by the IPKF Velvettithurai
accidentally
- 23.5.89 Joseph Kennedy Killed by unidenti- Ariyalai
fied gunmen
- 23.5.89 17 civilians killed presumed to be by Nilaweli**
Sinhala marauders
- 23.5.89 N.Bala (60) killed by unidenti- Tholpuram
fied persons
- 24.5.89 A youth killed in a roundup Kalvayal,
by the IPKF Chavakachcheri
- 25.5.89 An unidentified body discovered near an Oddusudan
of a person IPKF camp
- 25.5.89 Murugiah shot dead by uniden- Kankesanthurai
tied persons
- 26.5.89 Ms.S.Thirunavukarasu(30) Found shot dead Point Pedro
- 30.5.89 Ms. Indrani Christopher Shot dead by uniden- Jaffna
tified gunmen
- 30.5.89 M. Karalasingham (37) Shot dead by unknown Vannarponnai**
gunmen
- 30.5.89 T.Valambikai (28) Killed in a shoot out Neerveli,Jaffna.
N.Gopalasingham (27)
(brother & sister)
- 30.5.89 S. Chelliah Shot dead by unknown Nagarkovil
gunmen Vadamarachchi
- 31.5.89 5 Muslim traders Shot dead by unknown Akkaraipattru
persons

- 2.6.89 V. Vijayakumar (42) found dead with gun- Navanthurai Junc
shot injuries Jaffna
- 2.6.89 N.Anandarajah (17) shot dead by EPRLF Kalasalai Veethi
K.Gajendran (19) Thirunelveli,
Jaffna
- 2.6.89 K.Chandrakumar (10) Played with bomb lying Kankesanthurai
K.Sivakumar (04) on the ground and died Jaffna
when it exploded
- 3.6.89 Ms.S. Subramaniam (45) Shot dead by unidenti- Erlalai
Ms.R. Selvaranee fied gunmen
- 3.6.89 Mr.M Shanmugam (51) Shot dead by the LTTE Thambasiddar,
(retired Police officer) Pt. Pedro
- 7.6.89 P. Muraleedaran (18) Shot dead by the IPKF Manipay Junc. J
- 7.6.89 A. Kanapathipillai Shot dead by unknown Chulipupan
persons Jaffna.
- 8.6.89 B. Junaideen (26) Shot dead by unknown Kantharmadam J.
(trader) persons Jaffna
- 10.6.89 A. Selliah (38) Killed by unknown Gurunagar
persons Jaffna
- 12.6.89 V. Sriskandarajah (34) Shot dead by unknown Vadamarachchi
persons
- 12.6.89 Chandran Shot dead by unknown Thunnalai
persons Vadamarachchi
- 14.6.89 V.Sivasothy (45) Shot dead by the EPRLF Nelliady
S.Subramaniam (traders)

16.6.89 V. Nagaratnam)

Gunapala) Members of EROS Vavuniya

Mangalesh) presumed to be killed

Ramachandiran) by the IPKF

19.6.89 A youth body discovered with Mathakal
gunshot wounds Jaffna

19.6.89 Ganeshmohan shot dead by unidenti- Vavuniya
fied gunmen

19.6.89 K.Balathas Shot dead by unknown KKS Road, Jaffna
persons

20.6.89 Pathmanathan Shot dead by unknown Pungadutivu
persons Jaffna

22.6.89 Cyril Swampillai Shot dead by the IPKF Gurunagar
(retired teacher)

23.6.89 K.Raveendran (Mason killed during confron- Point Pedro
tation between the IPKF
and LTTE

25.6.89 4 civilians killed shot dead by the IPKF Batticaloa

26.6.89 K. Kandasamy (46) shot dead by unknown Villan
persons

26.6.89 K.Kandiah shot dead by the IPKF Nanthavil
Tharmalingam
Sharma (19) Priest

27.6.89 Gnanarajah (23) Shot dead by unknown Pandarikkulam Rd
Selliah (35) persons Vavuniya

3.7.89 K.Nadarajah (42) Killed in a shootout Malu Junction

26.7.89 J. Rajaratnam (34) Shot dead in differ- Karainagar
 Ms. Selvan (50) ent incidents
 Dr. V. Sivapragasan(67)

**27.7.89 12 Civilians Shot dead during a Point Pedro
 shoot out**

27.7.89 3 Women Shot dead in a clash Kalikai

27.7.89 S.Vairamuttu (58) Killed in a cross fire Manthikai Junc.
 N.Subramanium (55) between IPKF and LTTE Vadamarachchi
 S.Sivalingam (45)
 K.Kumarakulasingham(25)
 S.Sripathmanathan (25)
 S.Ambalavanar (31)
 P.Skandakumar (18)
 S.Ganeshalingam (20)
 N.Srikantha (15)
 V.Ganeshanathan (25)
 S.Pakianathan (40)

27.7.89 K.Thuraiajah Killed by unknown Suthumalai
 persons

27.7.89 An unidentified woman Killed by unknown Kirmakodam
 persons Point Pedro

27.7.89 Kumarakulasingham Killed when on duty 1st Milestone
 (bus conductor) by IPKF Point Pedro

27.7.89 Appan (aged) Killed during an attack Point Pedro
 by LTTE on IPKF

30.7.89 Sinnammah (37) Shot dead by IPKF Keeramakodu.

Pt.Pedro

30.7.89 S. Sellachi (78) Shot by IPKF Thunalai

S. Thangama (38)

S. Shanthakumar (20)

3.8.89 1 Militant Shot dead by unknown Akkaraipattu

A. Uthuman & 4 other persons

civilians

3.8.89 2 Civilians Killed in a shell Polidandy

attack Vadamarachchi

4.8.89 Ponuramu (21) Killed in a shell Puttur West

S. Sivarasa (18) attack

I.Vaithiakrittinan (47)

7.8.89 40 Civilians Killed in clashes Velvettithurai

between LTTE & IPKF

by IPKF

17.8.89 M.Krishnaperumal (40) Shot dead by unknown Vathiri

persons

17.8.89 Two youths Shot dead by unknown Iththavil

persons

21.8.89 12 Civilians Killed during a shoot Alvail

out

21.8.89 Arulnangai (17) Shot dead by EPRLF Kantharodai

Chunakkam

21.8.89 Miss.S.Ranjitharaj (17) Shot dead by LTTE Kanthorodai

Chunakkam

22.8.89 Bastiampillai (75) Shot dead by unidenti- Annaikoddai

(ex police officer) fied gunmen

Nasa Arulshoba (25)

22.8.89 A young woman Body found with gun- Mahiyapiddy
shot wounds

27.8.89 A. Arumugam & an Body discovered with Pallai
unidentified person gunshot injuries

28.8.89 A youth body discovered with Clock Tower Road

APPENDIX:

Dr. Rajani Thiranagama

INTRODUCTION

Immediately following this introduction is a report prepared by Dr. Rajani Thiranagama on disappearances during the first quarter of 1988. It was circulated privately among interested groups.

Dr. Thiranagama was the Head of the Anatomy Department until her death on September 21st. Apart from singlehandedly managing the department, Dr. Thiranagama was also an active researcher in her field, striking out into new areas of thought. She also linked her scientific research to considerations of conceptual developments of the social sciences. It is this same comprehensiveness of approach that formed part of her concern for human rights.

The story behind the report says much about her concern for those defenceless persons from the lower strata of society. A young girl who had been giving first aid to war victims in refugee camps and whose own family was in a state of despair was referred to Rajani by an acquaintance. Rajani befriended her and counselled this girl who was contemplating suicide. This girl who was anxious to help the suffering and the needy found in Rajani an ally and a new source of strength. She brought many persons who had undergone much suffering and had relatives or sons and daughters missing to Dr. Thiranagama. Dr. Thiranagama did what she could under the circumstances. She compiled their tales. In some cases she got friends to take it up with the Indian authorities. The Town Commandant, Jaffna, who had pledged to help was appraised at least of two cases - one being the case of Sangaralingam whose wife and three daughters disappeared after being detained by an identified army unit. Nothing came out of this. To meet people in compiling this report, she had to cycle many miles at a time when many people were scared of being associated with those having war related problems.

Following report are two UTHR (Jaffna) documents which throw more light on Dr. Thiranagama's work and life.

DISAPPEARANCES

DR. RAJANI THIRANAGAMA: HER CONTRIBUTION TO THE UNIVERSITY TEACHERS FOR HUMAN RIGHTS (UTHR)

RAJANI : Three Years After

DR. RAJANI THIRANAGAMA: HER CONTRIBUTION TO THE UNIVERSITY TEACHERS FOR HUMAN RIGHTS (UTHR)

DR. RAJANI THIRANAGAMA: HER CONTRIBUTION TO THE UNIVERSITY TEACHERS FOR HUMAN RIGHTS (UTHR)

The Degeneration of Politics and Implications for Human Rights Work

Human Rights and Politics

Rajani's Work amongst Students.

Rajani and the Reopening of the University following October 1987

Jaffna Hospital

Challenge to the University

THE MURDER OF DR. RAJANI THIRANAGAMA: UTHR (JAFFNA) FACES A TIME OF CHALLENGE AND RE-EVALUATION

The UTHR and the Future of Education

The Protest

An Appeal

In the course of a brief talk, we are faced with the task of doing justice to the breadth of vision that governed Rajani's contribution to human rights work. If one were to pick a brief quotation from her writings that may give us an indication of her perspective, the following would do well: "Objectivity, the pursuit of truth and the propagation of critical and honest positions, was not only crucial for the community but was a view that could cost many of us our lives. It was only undertaken as a survival task." This is taken from a postscript Rajani wrote for *The Broken Palmyrah* during the weeks preceding her murder. Prophetic as these words may seem, it was not like her to be prophetic. What she meant will become clear as we proceed.

The Degeneration of Politics and Implications for Human Rights Work

Up to the early 80's, there was amongst a sizeable section of Tamil youth, a healthy interest in political issues accompanied by idealism. The issues were often those of social injustice, their national and international dimensions. And quite surprisingly there was a remarkable absence

of communalism which was poisoning the air in the country. But the 1983 riots and the involvement of foreign resources in the militarisation of our youth ensured that the tendency which gained ground was that of extreme nationalism that worshipped military success, and by its nature became intolerant. Every other political tendency felt impelled to imitate this, even at the cost of coming out second or third best. Politics died as homicidal divisions increased. We know well our recent history which led to a remarkable indifference to any kind of social or political effort on the part of today's university students. Guns seemed to determine everything. In this atmosphere of disillusionment, militant groups were finding themselves obliged to strengthen themselves against each other by taking in very young persons through a variety of questionable methods. The role of Indian and Sri Lankan states in this episode is a shameful one. Rajani was very concerned about the fate of these young men. She had a deep compassion for these young men who could not understand their actions, viewed death as a welcome certainty and hated the community which had done nothing while they were consigned to this degrading form of slavery.

What became of the young idealists of the 70's and early 80's mentioned earlier? You find them, apart from those who went abroad, in farms, factories and shops. With their trained intelligence they have a sure grasp of what is happening around. In the absence of any political force they could align with, some have lapsed into cynicism. Others feel that no effort is worthwhile and have chosen silence. In general the community had become polarised into sections which believed in aligning themselves to one military force or the other, purely for the purpose of wiping out the other side. This was believed a necessary first step to all further plans.

It was an atmosphere in which any attempt at objectivity or impartiality was bound to be viewed as at best an academic exercise, and at worst, a futile nuisance and a bar to more important things - such as wiping out the other side by putting our boys against each other, with the Indian and Sri Lankan states playing the role of the erratic gods in Homer's Illiad.

Rajani and the others in the UTHR believed that these options were destructive, unjust, superficial and cowardly. She believed that an alternative had to be found. This was closely tied to her vision for the University of Jaffna after the October 1987 war. She believed that it was not merely shameful negligence for a university to be indifferent under such circumstances, but also that a university could not survive as a university.

Thus in Rajani's views, the task of expressing the truth of what is going on around us impartially, and making people feel for the tragedy became a survival task. This is what the UTHR (Jaffna) tried to do in its first two reports. Rajani used the expression 'creating a space' to describe this work. She hoped that it will lead to some discussion, at least within the university, of what was happening around. She believed that sound values and anger against hypocrisy and injustice were major assets to survival. Rajani admired the women from our coastal villages who possessed some of those qualities. She believed that courage was of the essence. She had often said that to make an impact on destructive tendencies which commanded respect by treating their own lives lightly, one had to be prepared to give one's own life for one's beliefs. She did not flinch from this ideal.

Human Rights and Politics

Rajani was very much concerned with politics and would have been the last person to view human rights work in isolation. In describing the work of the UTHR, I have heard her tell

others, "A life is a life, Whoever takes a life must be exposed independent of party feeling. We wanted to show, that in the first place, we valued life". She held that a human rights organisation cannot be affiliated to a political party, because of the independent nature of its work. But it can have as members, persons from political parties with a firm commitment to human rights. A human rights organisation should also welcome a commitment to human rights by a political organisation.

In our context, there is no political force with a commitment to respect and defend human rights. Nor is there any question of a human rights organisation spending its time giving advice to political forces. We are dealing with what are in fact military organisations with their own leaders and advisors with respectable scholarly credentials from an assortment of western capitals. Any local functionary who listens to you with sympathy is at the drop of a pin bound by orders from the top. Thus in our context, a human rights organisation has to put itself out on a limb depending on moral pressure and public concern for its defence. This was a minimum Rajani had expected from the university community.

Rajani's Work amongst Students.

As a human rights activist living in this community, Rajani's work had many facets to it. These included work in women's concerns, her role as both doctor and counsellor and help rendered to individuals from the depressed sections of society driven to the edge of despair. Some of these are being dealt with by appropriate speakers. The foregoing will sound like abstract theory unless it is seen that there was a workable practical side to it. I shall confine myself to examples from university life.

Rajani recognised that given the chronic social climate, there were bound to be many students having problems connected with past associations and queer ways of thinking. She believed that they had to be weaned away into creative channels through frank discussion together with a relationship of trust and personal concern. To start with she defended a student's right to have his or her own opinions - even ones she strongly disagreed with. On her return from England, she was angry that the university had not lodged a protest over a medical student who was shot and injured on 31st August while returning from clinicals. She was indignant that the IPKF while declaring on one hand that people were free to support any political opinion provided they did not carry arms; were in turn citing alleged subversive involvement as an excuse after a person was shot without any questioning or examination. She felt that the university had sacrificed an important principle and was using for even a belated protest over the shooting of the medical student.

She would sometimes spend hours discussing the problems of a student with political involvements. While helping the student, she would firmly tell the student that his political opinions were destructive and her hope was that he would re-examine his course and grow out of it. In one instance she was approached by a student who was asked to report for questioning. She held that no one who tortured had a moral right to interrogate others. She told the student not to go, and if asked, to say that she as his student counsellor had ordered him not to go. The matter ended there.

She valued life and felt sorry when anyone was killed - be it a militant from any one of the groups or an Indian soldier. She was saddened that they all died without knowing for what cause they gave their lives.

Rajani and the Reopening of the University following October 1987

The crisis facing the community following the Indian offensive of October 1987 was one which brought out her energy and strength of character. She was so appalled after seeing the conditions of refugees at Nallur Kandasamy Kovil, that she sat down to write a leaflet. She felt that the reopening of the university was the best chance of having some means for the defence of the community. She said we cannot sit around waiting for the Indians to ask us to come in and conduct lectures. She urged her friends to go and make arrangements for the staff to enter the university immediately. Attempts were made from about November 10th, entry was gained on November 15th and arrangements for the staff to meet on November 18th. The Indian army was in control of the premises at that time. A section of the staff felt so numbed by the damage that they advocated not doing anything until outsiders came and the damage was publicised. Rajani held that we had existed long enough as a community displaying our sores and eliciting pity. She felt that to prevent the recurrence of such a catastrophe, we must show a will of our own to make our own future. Thereafter work commenced on securing what had survived the war damage. Rajani was the first member of the staff to enter the medical faculty, which was in a more isolated area. Those were days when people were scared of soldiers. With curfew commencing at 4.00 p.m. roads were deserted by 12.00 p.m. Rajani, a single woman, would sometimes stay on with a carpenter and one or two others, fixing locks to doors in the Medical faculty until 1.30 p.m. I recall shifting typewriters and other equipment in the company of labourers to secured

rooms, under her supervision. Soldiers who were about the medical faculty came to refer to her as 'the Principal'.

On one occasion a Sikh soldier rushed into her room while she was arranging it. On discovering that she was a doctor, he sat down and explained a personal medical problem to her. He had received a head injury during the 1971 war which gave birth to Bangladesh. He had been warded in Chandigarh, and still suffered recurrent pains. Rajani listened sympathetically. Rajani's courage and example was such that many men, particularly non-academic staff, came to depend on her for motivation and direction.

It was then common for Indian officers to attack the militants and blame them for everything. Others responded by saying that they did not know the militants and were innocent. But Rajani took them head on and would say forthrightly, "We as a community must take responsibility for our catastrophe. The militants are part of our history, and a part of our community. I cannot artificially distance myself from the militants and condemn them." She felt that all the risks she took at that time had to be taken, because the young men who took many risks and had brought the community to this state were likely to respect only those who themselves took risks.

Jaffna Hospital

Rajani was busy with many things at that time. She cycled to faraway places with other women, collecting experiences of what mothers, young girls and elderly women had been through during the war. Roads were then dotted with sentry points and people were yet scared. Much of this appeared in the 'Broken Palmyrah'. She also spent a good deal of time counselling and helping women who were affected by rape and deaths or disappearances of near ones. Many came to her when the word spread that Rajani will do what she could.

One incident which concerned her greatly was the massacre at Jaffna Hospital on 21st October 1987, during the Indian assault, leaving about 70 dead. Rajani felt that the callousness of the Indian entry was inexcusable. Many of the doctors felt that it was too dangerous to bring out the truth. Some felt that they should wait for an appropriate time. There was even a fear of issuing public appreciations for the medical staff killed. Rajani felt that the truth should be brought out at the earliest and set about interviewing staff at the hospital where she had once worked. The following extracts are from The Broken Palmyrah written in her inimitable prose:

“So we lay down quietly, under one of the dead bodies, throughout the night. One of the overseers had a cough and he groaned and coughed once in a way in the night. One Indian soldier threw a grenade at this man killing some more persons. I know the ambulance driver died. In another spot one man got up with his hand up and cried out: “We are innocent. We are supporters of Indira Gandhi”. A grenade was thrown at him. He and his brother next to him died. The blasting grenades made tremendous noises as if bombs were exploding. Then the debris and dust would settle on us and cake in the fresh blood of those dead and injured.”

Challenge to the University

What Rajani believed in was not an abstract philosophy, but was one which evolved to the demands of a social conscience which insisted on both compassion and consistency. Her courage was tied to a sense of responsibility. There is no doubt that she was practically effective. She died because the rest of the community valued her services, but was too cowardly and cautious to emulate her sense of responsibility. For many, the accepted wisdom is not to take any risk, but to rely on the risks of others. If we have for the present, the uncertain present, the option of clinging to positions while shirking moral responsibility or of slinking away with degrees without caring to secure the future wellbeing of the student community, it is because there were fools like Rajani.

At this time of crisis and tragedy, many students have shown courage and responsibility. A number of persons in the university have displayed commendable qualities of leadership. All this may appear to be in vain unless these become part of the character of the university as a whole. It is in the nature of the powers around us to have us silent and indifferent. We cannot remain a university if only a small minority feel for its mission. It is only human to become tired when driven to isolation.

Talk delivered on behalf of the UTHR, by Rajan Hoole

2nd October 1989.

THE MURDER OF DR. RAJINI THIRANAGAMA:

UTHR (JAFFNA) FACES A TIME OF CHALLENGE AND RE-EVALUATION

On the 21st September 1989, Dr. Rajini Thiranagama, a live wire and leading member of the UTHR (Jaffna) was murdered while returning home, a few yards from the Faculty of Medicine where she worked. One may ask, in a community benumbed by hundreds of senseless killings and driven to protective indifference, what is the significance of this particular murder? To be sure, as many speakers had pointed out at commemoration meetings, the killing was a dastardly act against a lone, helpless and unarmed woman, and a mother of two little girls. Its phenomenal significance lay in what the killers were trying to destroy. This represented a whole spectrum of values which Rajini upheld both in practice and precept and deemed both by her and fellow members of the UTHR as being necessary for the life and freedom of the community. Her field of activities included, telling the truth about the unpleasant side and hypocrisy of this suicidally-bent community, the practice of academic freedom, telling students that some of their views were simplistic and narrow, and practical involvement in the concerns of women who had suffered.

The killing was very different from what one might expect from an undisciplined military force in a state of anger. It was coldly premeditated and meticulously planned. Even the detail of minimum disruption, by scheduling the killing just after the last viva voce examinations in Anatomy had been looked into. The murder took place on the second day of the ceasefire. The killer had waited at a relatively lonely spot that she would have to pass while rushing home from work to care for her little ones. He had even found the time, after Rajini had fallen, to park his bicycle and pump a few more bullets into her head, before making his escape.

Even Rajini's death brought out from the society around many of the attributes of fascist regimentation - the antithesis of a freedom struggle - the very thing Rajini had stood against throughout her career. On hearing the assassin's shots, with the exception of a few medical students and some ordinary people, the rest ran away or shut themselves inside their homes. It was difficult to find a vehicle to transport her to hospital. Those who volunteered to look after her children or visited them the night following the killing were neither neighbours nor colleagues. There was fear of association: Many close to the family admitted fear of attending the funeral and the meetings which followed. Far from showing a sense of solidarity and outrage, the local medical profession and her faculty colleagues were divided and confused as to how to respond to this killing. No doubt everyone knew that it was wrong and totally unjustified, not least the killers. The latter chose silence and anonymity. Rajini's friends and admirers were many, who had enjoyed her personal care and had benefited from the many risks she had personally undertaken. Her enemies were those who were against what she stood for, but would not say it openly, lest they expose before the people their emptiness, real motivations and intentions. Yet initially at least, the dominant reaction to her killing, as for other killings, was not anger, but a mixture of sadness and fear. This was the society, pliable and spiritless, that her killers were trying to build; and herein lies the chief significance of the event.

The UTHR and the Future of Education

The UTHR (Jaffna) in its reports over the last year, concentrated on exposing the devaluation of human norms by all armed groups, relying only on the strength flowing from integrity. It also attempted to foster, from within the community, discussion of the social dimensions of its drift towards a fascist order. This was thought of as a necessary self-purifying process. Rajini was amongst those most conscious of the truism that we cannot condemn the society as aliens outside it, but that we must examine ourselves as part of the problem and our conduct and attitudes as contributory to the growth of evils. Thus in many senses the men who held the

guns were some of the most tragic victims of this society. Rajini's anger was never unmixed with compassion.

It was this realisation that impelled Rajini and several others to strengthen their efforts at tackling problems within the university as members of staff unions, as student counsellors and as members of Senate and Faculty Boards. Nearly all those who felt a need for reform, from professors to assistant lecturers, and became members of the UTHR student counsellors, of whom Rajini was one, had one of their busiest times dealing with problems faced by students in the way of arrest and security, together with specific problems of new entrants. Amongst the most important issues within the university was the exercise of administrative power in a system where the hierarchical differences had been strengthened while channels of accountability had fallen into disuse. An important event in the university during this period was the setting up of the co-ordinating committee of staff, students, executives and employees unions, with the Vice Chancellor as chairman. It has stood up to several tests in dealing with crises involving the university.

Many saw this urge for reform as crucial for the raising of educational standards, as well as for the elimination of violence in the society in general.

A crucial element in the maintenance of educational standards is the return of those who go abroad for doctoral training. After the July 1983 riots it almost came to be taken for granted that such persons would not return. Administrators thought they would be lucky if only the bond obligations, which included travel and salary advances, could be collected. Meanwhile the exodus of trained persons continued. Rajini's example is a case in point. In this country which has five medical colleges there were four trained anatomists (three now), to run a proper Anatomy course. Each medical college requires a number of anatomists, Anatomy being the key pre-clinical subject. Rajini ran the department single handed, making many sacrifices to uphold standards. If not for Rajini's ability as an administrator in representing the problems of an assistant lecturer whose research program suffered because of war difficulties, the university would have lost an anatomist who is now under training in Britain. The training of doctors in Jaffna has now suffered an irreplaceable qualitative setback.

In spite of the disincentives, a number of trained academics returned in recent times. They did not come for the salaries or for the research facilities. They came because they felt an obligation to answer the challenge, and because they felt that the community had a need of people who would take a principled stand on issues. They did not think themselves extraordinary, but wished to be ordinary working people and a sobering presence. This is attested to by the fact that all four persons, including Rajini, who returned from Britain with doctoral degrees from early 1987, have been committed and active members of the UTHR. Thus the educational advancement of the Tamils is linked to the society demonstrating that it values and has room for commitment of this kind.

In Rajini's own case, she had with three other academics co-authored 'The Broken Palmyrah' in early 1988, which attempted to examine impartially the Tamil predicament. It spoke frankly about the actions of state powers and militant groups, and their ideologies. Rajini was conscious of the risk and had referred to her possible death a number of times. Personal letters in her possession and letters written by her, testify to a number of friends and those of influence putting pressure on her to remain in Britain while she was there for a three month research stint. But, Rajini came back on 3rd September. Two commitments uppermost on her mind were the Anatomy viva voce examinations for the 2nd MBBS and the teething problems

of Poorani Illam, a women's rehabilitation centre she had helped to start. Her killers were cynical enough to wait for her to complete her examinations.

A letter addressed to the Vice Chancellor soon after her return from England, and read out by him at the first commemoration meeting on 2nd October, says much about Rajini. In it she informed the Vice Chancellor of her research successes and went on to say, 'There is no life for me apart from my people. so here I am'. It is this kind of commitment and integrity that the killers find most unwelcome. The Tamil society they have in mind is one that is spiritless, uncaring, where every man fears his neighbour and which is moreover a cultural, educational and intellectual desert.

The Protest

In every crisis, however numbing the initial shock, there are mysterious well-springs from which strength flows. From grinding fear and a feeling that there was no option but flight, the move to protest, to express disgust and to preserve the integrity of Rajini's work and memory gained momentum. Students, staff and members of the public joined in. The impossible became possible as fear waned. Students went about putting up defiant posters all over Jaffna. Three well attended commemorations meetings were held - University of Jaffna (2nd October), Jaffna College (4th October), Chundikuli Girls' College (6th October). The last was very encouraging in view of the feeling and help forthcoming from staff members and senior girls. On the morning of 2nd October, the Vice Chancellor and the Dean of Arts led the largest demonstration in the history of the university. Up to almost the time the demonstration set off, the general opinion was that it would be lucky to have two hundred participants. The eventual figure ran into thousands. All this took place against a backdrop of terror and fear of the unknown.

It is one thing to discover strength and quite another to deploy effectively. If a university and its members forget that it is much more than a degree-awarding institution, it surely dies. A university is a place where people are trained for positions of leadership as citizens of the modern world. Not only does the university implant in persons a respect and assertion of human rights, but it is also part of a process that helps the community to enjoy human rights such as obtaining control over their environment. Nothing is assured. Whether the university or the UTHR will stay alive are matters that cannot be determined by our resources alone. We are unsure of our next step. It is a reality that in a society where only mad men and gun men are deemed fit to take risks, the students who came forward to give the lead in protest activity are exposed and live in fear. We need all the help and understanding that we can get.....

An Appeal

A large number of persons living both in the South of the country and abroad, have over the years shown a sincere concern for the Tamil problem. But it is not widely recognised that it has moved far from the simple ethnic problem that it was seen to be in 1983. It is now one, where for the short term at least, the internal dimensions have by far overshadowed the external. We appeal to all, particularly Tamils abroad, to be sensitive to this new reality that faces us, and not to jeopardise those tendencies that work for greater accountability from within. What faces us now is a battle for basic humanity and civilised values. Its outcome will decide whether Rajini and many others died in vain.

(Statement by the University Teachers for Human Rights (Jaffna) mid-October 1989)