

# University Teachers for Human Rights (Jaffna)

## Sri Lanka

### UTHR(J)\*

Date of Release: 15<sup>th</sup> June 2003

## The Murder of T. Subathiran : Sri Lanka's End Game

The murder of **Thambirajah Subathiran** (Robert) may signal the end of Sri Lanka's peace process, yet many in Colombo and the wider world will not even recognize his name. The papers would carry short notices describing him as the deputy leader of the Varatharajaperumal wing of the EPRLF, an insignificant political force by conventional assessments. But the LTTE scrutinizes its enemies very minutely, and undoubtedly came to a very different conclusion.

Subathiran was among the few remaining bold and assertive members of the beleaguered democratic scene in the North-East of Sri Lanka. Always under pressure, the democratic hope, which that movement represented, has been driven to near suffocation by LTTE repression, compounded by Norwegian arrogance and the myopic opportunism of the UNP. Though cruelly deprived of the opportunity to do greater things for his people, Subathiran's courage and his services to the Jaffna Municipal Council as a firm and clear democratic voice will be remembered. He advocated constructive cooperation with the TULF dominated Council.

During his period as councillor, two mayors, Sarojini Yogeswaran and Sivapalan, were murdered by the LTTE. Subathiran played a key role in defying the LTTE's threats and giving his fellow councillors the heart to carry on. Those who knew Subathiran were deeply struck by his large humanity and readiness to cast aside narrow loyalties for the greater welfare of the people. This was part of the Marxist inspiration the group's pioneers had imbibed. Subathiran was a pillar of strength to the last mayor, Mr. Sellan Kandaiyan, in standing up to the LTTE's intimidation and attempts to take over the functions of the Council. This brought him into direct confrontation with the LTTE and its agents, where he was firm and assured, but always a polite voice of reason. Every society in crisis produces individuals, who will, to the last, stand up for truth and justice against hopeless odds. Subathiran will surely not be the last of them in the Tamil community.

In the run-up to the recent donor meeting in Tokyo, which the Tigers decided to boycott, LTTE attacks on Tamil opponents reached alarming proportions. The Tigers have targeted not only active members of opposing groups, but also hundreds of individuals who had left these groups long ago, had young families and were leading civilian lives. Subathiran himself was struggling to help the community cope as the pressure intensified.

- On 12<sup>th</sup> June, two days before Subathiran was killed, the LTTE attacked former EPRLF member Nagamuttu Nagendran (35) in Chunnakam, Jaffna, with swords and knives. Nagendran, a father of five, screamed, and the assailants ran away leaving the victim with one hand severed and the other hanging limp.

- On 6<sup>th</sup> June the LTTE cut with a sword and badly injured reserve police constable Sathasivam Sarvananda (31), a father of two, in Thimilativu, Batticaloa.
- In the night of the same day, 6<sup>th</sup> June, the LTTE threw a grenade at two former TELO members in Kallady, Batticaloa, returning from a temple festival. One of them, Velusamy Samuel (30) was killed with his one-year-old daughter Naveena.
- The following morning (7<sup>th</sup>) Ramasamy Vijayanathan (33), a former EPDP member who was watering plants at a restaurant in Thirugnanasambandar Street, Trincomalee, where he was working, was shot dead by LTTE gun men.
- On 10<sup>th</sup> June, the LTTE shot dead Subramaniam (32), father of a child, at Maharambaikulam, Vavuniya.
- On 12<sup>th</sup> June, the LTTE threw a grenade into a Muslim restaurant in Valaichenai, which was open during an LTTE-ordered *hartal* injuring six persons. Haniffa (60) and Meerasaibo were admitted to Batticaloa Hospital with severe injuries.
- On 12<sup>th</sup> June, the LTTE shot and injured Sivasegaram Vijayasegaram (Arasan), a former member of the EPRLF, now employed as a UC driver, in Chelvanayakapuram, Trincomalee.

During this period, it fell to Subathiran to go around the North-East and visit party offices, in which local members lived under siege, to keep up their spirits. At dawn, on 14<sup>th</sup> June, Subathiran was killed by sniper fire from the direction of Vembadi Girls' School while exercising on the flat above the EPRLF(V) office. One bullet struck his shoulder and the other bullet had caused internal bleeding in the chest.

Shortly afterwards party members went to the school with the Police and examined a three story building from the upper floor of which it is possible to have a view of the flat on the EPRLF(V) office 200 yards away. The classrooms were locked. In one classroom, which the watcher opened for them at their request, they found the window netting cut to make space for the barrel of a rifle, a table placed near the window with the sand bag on it to keep the rifle steady, and some biscuit packets and an empty 1.5 litre bottle of soda. The Police have arrested the watcher. Party members had seen Easwaran, the LTTE's area leader for Nallur, in the Vembadi Girl's School grounds the previous afternoon. This had been denied by a school watcher with whom they checked immediately.

### **EPRLF-LTTE Relations – A Tragic Story of a Struggle Destroyed from Within**

The LTTE had been killing members for the EPRLF by stealth and deceit from 1985, reaching epic proportions upon the departure of the IPKF in 1990. Those who survived were refugees in India for a time, where in June 1990 the LTTE gunned down several of its leaders, including the charismatic Padmanabha.

Like Subathiran, many in the group were committed democrats. Having suffered severely at the LTTE's hands, they attempted to do political work behind the cover provided by the Indian Army. In the fight to prevent the LTTE from wrecking any political process under the Indo-Lanka Accord, democratic ideals were compromised. There was an orgy of killing and

counter-killing. Subathiran's father Thambirajah too was arrested and killed by the LTTE during this period.

Several of the group's survivors painfully evaluated their experience and decided to return to Sri Lanka and do political work avoiding any operational links to the state forces. They started publishing their paper 'Puthiyakannottam' (New Vision). This was a difficult period. The massive killing of Tamil civilians by the Sri Lankan Army in 1990/91 gave the LTTE a new legitimacy in the eyes of the world. As the Army got bogged down, the Tamil Press in Colombo, and even many former militants from groups decimated by LTTE terror, and politicians like Kumar Ponnambalam who had been very critical of the LTTE, gravitated towards the LTTE's ultra-nationalist slogans. For many of them, resisting the LTTE's terror appeared futile and unrewarding.

The EPRLF reestablished its Jaffna office in 1997 and obtained 15% of the vote in the 1998 municipal elections, a creditable performance for a party that could not go out and canvass. The party found itself in deep crisis in 1999 when its General Secretary Suresh Premachandran made a deal with the LTTE and walked out with nearly all party's money and property held by him in trust. At this time the LTTE's terror too became more intense. But most members of the group stayed with Subathiran.

It is misleading to judge the significance of a party by counting votes in a skewed environment crushed by terror. Anyone familiar with the scene knows that the people long for a way out of the death trap set by the LTTE, but cannot, for the fear to express it concretely. Privately, at least, there is tremendous appreciation of people who stand up to the terror and give hope of an alternative. On the contrary, those who have joined the TNA have not done so out of any faith in the LTTE's politics, and their role is to ensure that the Tamil people are crushed. Not surprisingly, they were the cheerleaders of the UNP-Norway peace process.

No one with any passing knowledge of the LTTE can call the fate to which the Norway-sponsored cease-fire MoU subjected the non-LTTE groups, an innocent misjudgment. It was sheer cynicism. The arms these groups had for their protection were removed and the LTTE was allowed into the government-controlled areas with practically no checks. To say that the LTTE was unarmed was convenient fiction; the public knew otherwise. The SLMM and the UNP remained silent as abductions and killings of persons opposed to the LTTE accelerated. The Government even helpfully distracted the public from the LTTE's killing of Tamil members of the Sri Lankan Army, by surreptitiously pinning on the victims the label 'Tamil informants'.

Amidst murder and the abduction of children for use as combatants, the Government and Norway got the rest of the world to praise the peace process. When confronted with violations by the LTTE, they simply said that there was no evidence - evidence for which they never looked. Members of non-LTTE groups who tried to draw the attention of Norwegian or SLMM officials to their plight, found themselves effectively rebuffed, sometimes the annoyance of the officials reaching the point of rudeness. To the Norwegians, those insisting on building and preserving democratic norms were a nuisance.

## **Conclusion**

The peace carnival is now all but over. It bought the LTTE a nearly 18 month free run to conscript children, draw up hit lists, spy and carry out its fatal missions, before returning to

war. For its trouble, the Government seems to be satisfied with post-dated cheques from donors supposedly worth four and a half billion dollars.

Peace groups in Colombo, who under prodding from their overseas 'partners' praised appeasement of the LTTE in the name of peace a grand idea, have had some much belated afterthoughts about democracy and human rights in the North-East. With active encouragement from the LTTE, its agents and the TNA, they pushed for third party mediation and international involvement. The reason: neither the Tamils nor the LTTE can trust a Sinhalese government!

Now, suddenly, the LTTE does not want to talk to its Norwegian and Japanese interlocutors who were paying regular pilgrimages to the Vanni and begging it to go to the Tokyo Conference. Even the bizarre sideshow of the LTTE's well publicised binge murdering democratic opponents, and civilians, did not appear to dampen their enthusiasm or the strength of their entreaties. All this pleading did not help to allay the LTTE's fears that someone, at the Tokyo Conference, might extract from it a pledge, even a merely formal one, to respect democracy and human rights. Against that risk, even the prospect of Tokyo's multi-million dollar cheques turned sour.

The signs are that the carnival is coming to a close and the country faces, barring a miraculous reprieve, the terrible cruelties of war. The signs are that the carnival is coming to a close and the country faces, barring a miraculous reprieve, the terrible cruelties of war. Tolerating human rights abuses by the LTTE in various forms during the process has not yielded any opening for the people to assert their will. It rather reinforced totalitarian control so that the LTTE may once more force the people towards a war they do not want.

The question is whether, even at this extremity, the international community is prepared to make people and their well-being central to the process? **Has the Government, which created a nightmare in the name of peace, learnt enough to deal with what is coming without inflicting further horrors on the Tamil people? Does the Opposition command the statesmanship to be restrained in its quest for power, and to guide the Government through the initial crisis while ensuring that the ordinary Tamil citizen is treated with fraternal concern?**