

REF : TIC/85/7.2/59

DATE : 22 JULY 1985

TAMIL INFORMATION CENTRE

HUMAN RIGHTS VIOLATIONS AND TAMILS OF SRI LANKAINFORMATION RECEIVED SINCE LAST REPORT1.0 JAFFNA

1.1 On 5th and 7th July, there were several protests in the District against the ceasefire and peace talks at Thimpu, capital of Bhutan, the Himalayan Kingdom. The talks were arranged by the Indian Government. The protestors marched several miles.

1.2 On 8.7.85, a hartal (stoppage of work and closure of shops) was called and there was extensive response from the people and it is described by the organisers as a 'complete success'. There were peaceful demonstrations in Vaddukoddai, Tellipalli and Point Pedro.

1.3 On 9.7.85, several bombs exploded in Jaffna town believed to be in protest against the ceasefire and one of the bombs exploded near Duraiappah Stadium, which is close to the army camp in Jaffna Fort.

1.4 On 11.7.85, there were several demonstrations against the peace talks.

2.0 KILINOCHCHI.

2.1 On 08.7.85, hartal was observed in protest against the ceasefire and the talks.

3.0 VAVUNIYA

3.1 On 08.7.85, there was wide spread observance of hartal in Vavuniya town. In the afternoon, security forces forced the people to open the shops.

4.0 TRINCOMALEE

4.1 On 04.7.85, at Alady junction, there was a confrontation between the militants and the security forces. The number of casualties is not known.

4.2 The refugees, including several injured persons in certain areas of Muthur are still trapped in jungles due to the activities of the 'home guards' (armed by the Sri Lankan Government) in the area.

5.0 BATTICALOA

CONTD/2

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- 5.1 On 06.7.85, notices were issued opposing the ceasefire and the peace talks.
- 5.2 On 07.7.85, posters appeared, protesting against the talks with the Sri Lankan Government.
- 5.3 On 08.7.85, it was reported that preparations were underway to convert a government press building into a military camp at Kumpurumullai junction, 15 miles north of Batticaloa.
- 5.4 On 09.7.85, the office of the Assistant Government Agent at Akkaraipattu was converted into a Police Commando Unit Camp.
- 5.5 On 17.7.85, it was reported that preparations are underway to organise another camp for Police Commandos at Pullumalai.
- 5.6 There were several arrests by the security forces which are believed to be in contravention of the ceasefire agreement.

6.0 OTHER DISTRICTS

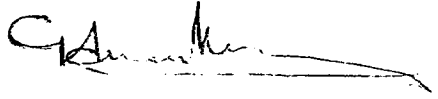
- 6.1 COLOMBO : On 11.7.85, Jeyakumar and Santhan were arrested at Kotahena. The Government claimed that they were members of the EROS, a militant group taking part at the talks in Bhutan, that they were planning to plant a bomb near the old Parliament building (present President's office) and were arrested on suspicion. The leaders of EROS have dismissed the allegation, stating that "It is a trick by the Sri Lankan Government to damage the negotiations".
- 6.2 Anuradhapura: It was reported that some guns distributed by the Sri Lankan Government were taken away by unknown persons.

7.0 GENERAL

- 7.1 On 07.7.85, several Tamil associations in the United Kingdom met in Manchester and expressed concern over the imposition of a ceasefire and convening of a conference between the Sri Lankan Government and the Tamils without any guarantee of its observance by the Sri Lankan Government and they have sent cables to Prime Minister Rajiv Gandhi, Chief Minister M G Ramachandran and the Leader of Opposition in the Tamil Nadu assembly Mr Karunanidhi.
- 7.2 Lakshman Jayakody, member of the Sri Lanka Freedom Party, has questioned in Parliament the wisdom of sending home guards to be trained in Pakistan. It was stated that 100 home guards were sent for training.

CONTD/3

- 7.3 The talks between the representatives of Sri Lankan Government and representatives of five Tamil militant groups and the Tamil United Liberation Front (the political party) met at Thimpu from 8th to 12th July to discuss the conditions of ceasefire and a political solution in Sri Lanka (see pages 4 and 5).
- 7.4 At the talks, the representatives of the Sri Lankan Government stated that as announced, 643 detainees will be released and other detainees will be charged or released on the advice of the Attorney General. They also stated that there are only 1197 persons now in detention under the Prevention of Terrorism Act. But according to estimates at least 14,000 persons were arrested during 1984 and 1985 and it is also estimated that over 4000 persons are yet in detention. It is now feared that about 2000 detainees may have 'disappeared'. It should be noted that at least one large-scale massacre took place in the army camp in Vavuniya, on 3rd December 1984.
- 7.5 Despite the ceasefire and promises of bringing life back to normalcy, the Saturday Review, the only English weekly which publishes news relating to human rights violations and Tamil affairs is yet subject to stringent press censorship, which is not applicable to any other paper in Sri Lanka. The Press Council has commenced proceedings against Saturday Review for describing itself as the 'only Government censored newspaper' (see page 6).



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REMINDER

A questionnaire on Urgent Notes was sent to you in April. We would be grateful if the questionnaire is returned early, if you have not done so already.

THE TALKS IN BHUTAN

After the declaration of the ceasefire on 18th June, the announcement of the talks between the Sri Lankan Government and the Tamil militants was contradicted by the militants who stated that the time schedule for the ceasefire and communication of the proposals were not adhered to. It was also the position of the militants that they have not deviated from their objectives. However, due to friendly pressures of the Indian Government, the talks commenced in Thimpu, the capital of Bhutan on 8th July. The press was excluded and any communication or consultation outside was through a special telephone line provided by the Indian Government.

There was resentment from the Tamil Community both in Sri Lanka and outside to the ceasefire and talks. It is probably due to the belief that the desire on the part of the Sri Lankan Government to talk is only for the purpose of buying time. It should be noted that three new Commando camps have been opened in Batticaloa District and home guards are being sent to Pakistan for training, and that 'helicopter gun-ships', gun-boats and other equipment have been ordered and army personnel were sent abroad, for training soon after the ceasefire. It is believed that the government's efforts are only to weaken the militants and prepare for a major assault.

At the talks initially there were discussions about the conditions of ceasefire. One of the conditions was the release of the Tamil detainees. Though the Sri Lankan Government announced that they are releasing 573 prisoners, there is no confirmation that the prisoners have been released. The Sri Lankan Government proposed 'District Councils' as a measure for political solution. However, this proposal was rejected by all the representatives including the representatives of the TULF who stated that the offer had already been rejected at the All Party Conference in December 1984.

Again at the intervention of the Indian Government the Tamils were persuaded to state the basic conditions for the continuation of the talks. The conditions suggested are :

Recognition of Tamils as a Nation, recognition that the Tamils have a territory of their own, recognition that the Tamils have a right of self-determination and recognition of all persons at the time of Independence and their descendents as citizens of Sri Lanka.

It is expected that the question of Government sponsored colonisation will be taken up and the Tamils are expected to insist on dismantling the Government sponsored colonisation as a condition of settlement. It should be noted that most of the violence is perpetrated by the Government sponsored colonists. The Sri Lankan Government is now arming them under the pretext of appointing home guards.

The talks will resume on 12th August 1985.



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THE TIMES FRIDAY JULY 12 1985

CHALLENGE OF THE CEASEFIRE

This week's talks between the Sri Lankan government and the Tamil guerrillas are the first hopeful sign of a possible resolution of the island's deeply entrenched communal rift. The fact that a ceasefire announced last month between the warring factions is still holding is perhaps another. Yet, although the conditions for a lasting solution may be present, the political will to achieve one could still be missing. The real question which underlies the talks and the ceasefire is: are the politicians prepared to rise above their past communal affiliations to seek a truly national compromise?

After 11 years of violence, a death toll officially put at over 900, and the division of the country by a virtual civil war, the onus to take the first step lies heavily on President Jayewardene's shoulders. Up until now his government has excused its inability to pursue a political solution on the grounds that the Tamil separatists, who he claims have Indian support, were not prepared to cease hostilities. That no longer applies. Last month, at an agreement reached in New Delhi, the Indian government put pressure on the Tamils to down arms. In return the Sri Lankan authorities undertook to offer meaningful and acceptable political concessions. With the ceasefire, Mr Gandhi has fulfilled his part of the deal. It is now President Jayewardene's turn.

What is required of him is a sincere and effective political

strategy to bring the Tamils back into the Sri Lankan national fold. The easy part of this is the relaxation of the stringent restrictions in force in the northern Tamil areas. With the removal of the curfew and the lifting of limitations on fishing rights this has been partially done; the emergency laws and curbs on free movement have still to be eased. The difficult part, however, is the constitutional changes required to meet Tamil political demands. By agreeing to a ceasefire and now to talks, the Tamils have presumably indicated their willingness to consider withdrawing their demand for independence. However, by the same token, the very least they will now settle for is an effective devolution of power from the central government in Colombo to newly-created provincial councils.

Will President Jayewardene offer this? Judging by his record, it would seem unlikely. Up until now he has shown little inclination to offer the sort of concessions the Tamils could reach out and grasp. Instead, he has stood by the rigid line of the Sinhalese-Buddhist clergy and his own party's hard-liners, who are anxious to preserve their traditional hold over the country. At the moment, they do not seem prepared to devolve real power. What they are prepared to concede would in Tamil eyes be simply not enough. So to secure what the Tamils want would require the president first

to rise above the narrow considerations of his supporters. It would call for an act of courage and national vision. At the age of 78, it is not unfair to ask: has he got it in him?

However, it is not just the president's responses that are in doubt. The true intentions of the five major Tamil guerrilla groups and their ability to enforce them on the ground in Sri Lanka are also an area of ambiguity. Are they genuine in seeking a political solution that will keep the island united? Or are they merely responding to a degree of Indian pressure that they cannot resist? And how far will they be prepared to compromise if President Jayewardene makes the first move? These are questions that as yet have no clear answer.

Nor is it yet certain that the will of the leadership, based in south India, to accept a compromise will be unquestioningly accepted by the rank and file in Sri Lanka. If it is not, the fall out may lead to more than just disunity in the guerrilla ranks, it may also provide a reluctant government in Colombo with the excuse it wants to hold back the political concessions it must now offer.

In theory, both sides have 18 weeks from the start of last month's ceasefire to overcome their reservations. In practice, they have much less. For in the absence of a political initiative, the hostilities could restart much sooner.

Saturday Review SRI LANKA

Vol. 4 No. 16

6th July 1985

The Only Paper in the World

Censored from 250 miles away

S.R. Noticed By PRESS COUNCIL

Why are the authorities so afraid of a small newspaper like the SATURDAY REVIEW published from a regional centre ?

If they are not afraid, then why try to stifle the publication under cover of Emergency Regulations?

Since April, we are required to send all material intended for publication in the S. R. to Colombo for censorship.

We are not aware of any newspaper in the world which had been subjected to censorship from 250 miles away from its base of operation. Not even under conditions of war.

For us, the last few weeks have been frustrating because our efforts to get into print what is actually happening in Jaffna have been thwarted by the rigid censorship imposed on us from Colombo.

For instance, we were required to send a printed copy of the 1st June 1985 issue all the way to Colombo for re-censorship before release. It had already been approved by the Government Agent of Jaffna but this was apparently not good enough for the Competent Authority. The issue finally came out seven days later, upsetting our printing schedules and forcing us to skip one issue.

The special censorship imposed on us is a clear case of discrimination because no other newspaper in Sri Lanka is subject to this condition.

There is a Press Council one of whose functions is to ensure the freedom of the Press, enshrined in Article 14 of the Constitution of Sri Lanka. But as far as we are aware, it has not bothered to find out how the S.R. continues to survive.

On the contrary, the Council has now decided to take us to task for publishing the line "The only Government - censored newspaper in Sri Lanka" in our issue of 4th May 1985, according to a notice served on the Editor, Publisher, Printer and Proprietor of the S. R.

The original notice, summoning the four parties concerned to be present in Colombo for an inquiry on 28th June 1985, was in Sinhala Only. We returned it asking for a Tamil or English translation.

Now the notice has been re-issued in Sinhala with an English translation. Again no Tamil.

We shall be there on 26th July 1985 to answer the charge—provided the transport services remain normal.

MR. CENSOR

We are waiting — and still waiting — for you to finish the cutting and chopping of material intended for this issue of the SATURDAY REVIEW.

The most we will say is that you are very unkind.

Please have a heart and co-operate with us to ensure that we do not let down our dear Readers.