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DATE : 24 JUNE 1985

TAMIL INFORMATION CENTRE

HUMAN RIGHTS VIOLATIONS AND TAMILS OF SRI LANKA

INFORMATION RECEIVED SINCE LAST REPORT

1.0 JAFFNA

1.1 On 15.6.85, security forces demolished two houses at Gurunagar, after removing bags of rice from the houses.

2.0 MANNAR

2.1 On 15.6.85, according to the Sri Lankan government, 100 persons had been killed in a raid on an alleged 'terrorist camp'. Militants have, however, stated that no militant was killed. It is feared that civilians may have been the victims again.

3.0 VAVUNIYA

3.1 On 14.6.85, Tamil militants attacked armed Sinhalese settlers in the village of Pavatkulam and 2000 settlers have taken refuge in a nearby army camp.

3.2 On 16.6.85, at Omantai, a railway bridge was blown off on the railway line from Colombo to Jaffna by the Tamil militants.

4.0 TRINCOMALEE

4.1 From about the 5th June, 1985, armed Sinhalese mobs and the security forces attacked several villages in Muthur area. Some of the villages affected are, Thoppur, Barathipuram, Mallihaithievu, Manalchenai, Kiliveddi, Puliadicholai, Lingapuram, Thangaveli, Maninkamam and Sankuveli.

4.1.2 The number of deaths has not been accurately ascertained. The estimate is between 100 and 200 but thousands have fled into the jungles. Even now, few hundred people are missing. Since communication is difficult, it will take several weeks before the correct figures are ascertained.

4.1.3 Over 1000 houses have been destroyed or damaged and the villagers fled into jungles. Over 7000 refugees reached the Batticaloa District. Some have taken refuge in the homes of Muslims in the area, while others close to the town of Trincomalee have fled into the town. Refugees are also staying in some temples and schools. The number of refugees in the camps is estimated at 11,000. Several thousands have taken refuge elsewhere. More or less the entire Tamil population in the area have been affected.

CONTD/2

- 4.1.4 Armed Sinhalese civilians have been functioning as "home guards" in the area, driving away the Tamil people.
- 4.1.5 On 11.6.85, unknown persons believed to be Tamil militants, attacked some of the 'home guards' and about 10 'home guards' have been killed. In the same incident, several security personnel were also killed.
- 4.2 On 15.6.85, armed Sinhalese and the security forces rounded up over 200 Tamils and shot at them. The details of the casualties are not as yet known.

5.0 BATTICALOA

- 5.1 On 13.6.85, at Manmunai, the personnel of the Special Investigation Unit, killed Sivasundaram (28 years) while he was fishing in the sea.
- 5.2 On 15.6.85, at Eravur, police commandos shot dead one Tamil civilian.
- 5.3 On 17.6.85, almost all the youths of Ariyampathi, numbering about 350 were arrested in a combing out operation by the police commandos. They were all chained and taken away. One girl was raped by the commandos.
- 5.4 On 19.6.85, at Ariyampathi, more Tamils were arrested by Special Investigating Unit.

6.0 UPCOUNTRY

- 6.1 For a few days, prior to 12th June 1985, several plantation Tamil youths have been arrested in the plantation areas.

7.0 OTHER DISTRICTS


- 7.1 On 9.6.85, two buses carrying Tamil passengers were attacked by Sinhalese mobs near Kurunagela. Twenty Seven passengers, including 3 women were injured. The passengers, including the injured persons, returned to Colombo.
- 7.2 On 12.6.85, at Wennappuwa, one Sinhalese passenger was killed and another injured by Sinhalese 'home guards'. The alleged reason for the attack was failure to show the identity cards.

8.0 GENERAL

- 8.1 At a public meeting at Wattapuluwa in the Kandy District, Mr Shelton Ranarajah, Deputy Minister of Justice has stated that Tamil militant youths were fighting for a cause and not against the Sinhala people. It will be recalled that Mr Ranarajah has been very outspoken on the ethnic questions and on steps taken by the Government, despite resentment in Government circles. He declined to vote with the Government to pass a vote of no confidence on Mr Amirthalingam, then the leader of opposition.

CONTD/3

- 8.2 Following the meeting between Rajiv Gandhi and Jayewardene, on 1st and 2nd June, 1985, the government gave the impression that there would be no violence by the security forces. However, the attempts by the security forces and armed Sinhalese mobs to drive away the Tamils in Muthur area went unchecked. Killings and arrests by the commandos in Batticaloa continued. Sri Lanka government has announced a 'cease fire' on 18.6.85. Though the Tamil militants stated initially that they did not agree to a 'cease fire', it is now confirmed that the Tamil militants have in difference to wishes of the Indian Government accepted the 'cease fire'. It is expected that Sri Lankan Government would announce their proposal for solving the ethnic problem.(see page 6)
- 8.3 British Government would appear to take the view that Tamils are not safe in some parts of the Island, perhaps meaning that Tamils are safe in Colombo. This view is contrary to the views expressed by Amnesty International and many Human Rights workers. The subject was discussed in the House of Lords (see page 4) and a report was released by the US Committee for Refugees (see page 5).



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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.

House of Lords

Monday, 3rd June, 1985.

Sri Lankan Tamil Immigrants

Lord Avebury: My Lords, would the noble Lord the Minister agree that while there may be, in a strict interpretation, no individual fear of persecution in that the policy of the Sri Lanka Government is not to murder and torture innocent civilians, there is nevertheless abundant evidence, set out in the

Amnesty report quoted by the noble Lord, Lord Mishcon, and in other places, that the security forces are out of control and that they murder, torture, loot and rape indiscriminately in the Tamil areas? Apart from the Amnesty report, have the Government studied the report of the Parliamentary Human Rights Group, the representatives of which, Mr. Robert Kilroy-Silk and Mr. Roger Sims, recently spent 10 days in Sri Lanka? Following that visit they concluded that there was forced removal of thousands of Tamil people from their homes on the northern and eastern seaboard and that the figure of 100,000 of such refugees in Mana and Jaffna given by the Government was a conservative estimate; that there was indiscriminate rounding up of all men aged between 16 and 35 years in a large area around any terrorist incident, with the removal of those young men to detention camps many miles from their homes; that beating and torture during interrogation is the norm; that prolonged detention without charge or access to lawyers or relatives of these detainees is also usual; that dozens of political prisoners are detained under the emergency regulations either for trivial offences or on suspicion; and that there is mass killing by the army of innocent civilians.

Is the noble Lord aware that I have received a report just now of an incident in Pankulani, on the road between Trincomalee and Jaffna, when a buss carrying 57 Tamils was stopped by the airforce and 13 of the passengers were shot dead? It was only the latest in a series of massacres by members of the armed forces. Sixty people, for example, were rounded up by the Special Task Force in the Eastern province after being arrested on the 16th, 17th and 18th May and shot and buried in a mass grave near Thanbilavil. Five refugees were murdered by a soldier in an army camp near Anuradhapura. Seventy-five civilians, including women and children were killed in Velvettiturai on 9th May. Forty-eight Tamil passengers on a bus between Delft and Ninativa were killed on 15th May. One could go on. There are a great many such incidents involving members of the security forces. Are the Government aware that at least 1,300 people, innocent civilians, perished in actions by the security forces during 1984, and that the scale of the carnage is much greater during the present year?

In these circumstances would the Government not be justified in granting exceptional leave to remain, unless there were good reasons to suppose that an applicant was not a refugee, thus taking the onus of proof off the individual, as we did of course, as the noble Lord will remember, in the case of Cypriots following the Turkish invasion in 1974, and in the case of the Iranians, as the noble Lord, Lord Mishcon, has reminded us, following the accession of the Ayatollah Khomeini? Granted that such a policy might create strains on our resources, would the Government not enter into urgent consultation with other receiving countries, with a view to sharing the burden equitably, and deciding on common policies which are in conformity with our obligations under the United Nations Convention on refugees?

In that connection may I ask three questions. First, did the Government notify the Secretary-General of the United Nations of the new procedures now being followed as a result of the Statement by the Home Secretary in another place on 20th May, as they were bound to do under Article 36 of the convention relating to the status of refugees? Secondly, how do they purport to impose an additional test of "severe hardship" which is not to be found in the convention? Thirdly, how are they complying with the provisions of Article 31(2) of the convention, which allows refugees a reasonable period and all the necessary facilities to obtain admission to another country?

Lord Ennals: My Lords, as chairman of the Asian Committee of the British Refugee Council, supported by the Government, which has been following this situation very closely over the past few weeks, may I ask why the Government have not considered it appropriate to consult with the voluntary organisations who have been dealing with this issue? Will the Minister accept further that the rules that have now been adopted by the British Government are more stringent than those of any of our partners in Europe? The noble Lord referred to the question of the United Nations High Commission for Refugees, but the United Nations High Commissioner is extremely concerned about the way in which the British Government have handled this situation. The High Commissioner himself will be in London on Wednesday and this is one of the issues that he will be raising.

The noble Lord referred also to the problem of accommodation. A number of organisations are meeting this weekend in my presence to examine the accommodation facilities that we can provide for people who otherwise might have no accommodation available to them. Of course there is accommodation available; that is what the British Refugee Council and the voluntary organisations are there to help provide, but they have not been consulted.

Finally, would the Minister not accept that there is a great deal of difference between permission to stay—which, so far as I know, no one is suggesting—and the other alternative, which is either deportation or a refusal for admission even for a temporary period? Surely the Minister recognises that there is a fundamental difference between the two.

NEWS



FROM
THE U.S. COMMITTEE FOR REFUGEES

Tamil Asylum Seekers from Sri Lanka Face Uncertainty in the West

Tamils who are denied asylum in the U.S. and other western countries should not be deported against their will to Sri Lanka as long as the level of communal violence there continues, according to Time for Decision: Sri Lankan Tamils in the West, a report released today by the U.S. Committee for Refugees.

With the escalation of violence and destruction in Sri Lanka, the number of Tamils fleeing the island has grown dramatically. The Indian government reported in February that 400-500 Tamils were arriving daily on its shores and maintained that its relief camps were stretched to the breaking point.

Thousands of Tamils currently reside in the U.S. Although the U.S. government acknowledges that there are serious communal problems in Sri Lanka and that the Sri Lankan government has failed to protect Tamils from discrimination and injury in parts of the island, the U.S. has declined to provide "extended voluntary departure" for Sri Lankans. Such a policy, currently in effect for nationals from Afghanistan, Poland, Ethiopia, and Uganda, would allow Sri Lankans to remain temporarily in the U.S. until the situation in their country permits a safe return.

The USCR report finds that all Tamil asylum applications in the U.S., to date, have been denied. The absence of any asylum claim approvals, the report suggests, indicates that the fear of attracting other Tamil asylum seekers may have motivated the denial of otherwise valid asylum claims.

Time for Decision further calls upon the United Nations High Commissioner for Refugees (UNHCR) to respond to the indecision and disarray among the western asylum-granting countries by providing reliable and timely advice on the situation in Sri Lanka. UNHCR needs to monitor and protect Tamils returned to Sri Lanka and must also fulfill its obligation to clearly advise governments and others on the validity of Sri Lankan asylum claims, according to the report.

USCR is a public information and advocacy program of the American Council for Nationalities Service. Established in 1958, it encourages the American public to participate actively in efforts to assist the world's refugees.

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தமிழ்த் தேசிய ஆவணச் சுவடிகள்

Sri Lanka admits it cannot win war against guerrillas

BRIGADIER Nalin Seneviratne, the head of the Sri Lankan army, was in an uncharacteristically candid mood earlier this year. "We can never win this," he said. "Our writ does not run beyond the sandbags that cover our camps, and we can only do a holding operation."

Since the Tamil guerrillas stepped up their armed campaign for a separate state six months ago, the army's beleaguered positions have become almost a national humiliation. The ceasefire with the five main guerrilla groups which was announced yesterday at last signals a recognition that the Government's "war against terrorism" cannot be won by the military.

Yet the political options — perhaps Sri Lanka's last chance to achieve ethnic harmony — will be for President Junius Jayewardene like a walk on glass.

Members of Mr Jayewardene's Sinhalese-Buddhist ruling UNP party privately acknowledge that the Tamil groups have the initiative. Substantial concessions will have to be made if the demand for a separate Tamil state of Eelam is to be deflected.

Most crucially, the Sinhalese, who make up 72 per cent of the population, will have to be persuaded that concessions do not undermine the sovereignty of the state or their predominant role within it.

To do this Mr Jayewardene will have to placate the powerful Maha Sangha, the Buddhist clergy who have been at the forefront of the campaign to preserve the hegemony of the Sinhalese language an drelegation over the past 30 years.

He will also have to come to terms with the personal rancour that keeps him from restoring civil rights to the former prime minister and *de facto* leader of the tion, Mrs Sarima Bandaranaike. Without her support, and even the promise of an early general election, negotiations are likely to fail.

In Sri Lanka's present state of insecurity, compounded by political and personal rivalries that go back decades, that is all easier said than done.

Thanks to the heavy hand of Buddhist Indrajith Gunatunga, the government press censor the Sinhalese people have been fed a diet of mendacity about their country's plight. They survive on rumour and prejudice which has been blatantly reinforced by some of the

Jaywardene must now attempt a political solution of the island's ethnic problem. David Pallister reports

demagogic cabinet ministers vying for position to succeed the 78-year-old President.

Opposition speakers in a recent emergency debate in Parliament accused the Government of state terrorism and electoral rigging; warned of a possible army coup and a military dictatorship; and generally berated the Government for its failure in dealing with a determined guerilla force. It was a moving, vituperative and at times desperate debate.

It was all recorded and printed in Hansard. But the people heard none of it. The day after, the Island newspaper, nominally "independent" commented: "There was really nothing new which was said from either side of the House."

The Government, in other words, is afraid of its own people. After the President's summit in New Delhi last month with Mr Rajiv Gandhi, why did he not explain what had gone on? "There would have been riots," one prominent member of the United National Party said. For the same reason, the Government has refused to publish its new University Amendment Act, allowing for private universities.

If the education-conscious Sinhalese, zealous defenders of their free system, thought that the rich were being given privileges, there would be enormous discontent. Such is the intense competition for professional jobs, the papers this past month have carried column yards of a dispute about the appointment of a cardiologist at the Colombo General Hospital.

Nor have the majority of Sinhalese been told about the real conditions in the Northern and Eastern provinces, where the Tamils, overall, have a majority. The Minister of National Security, Mr Lalith Athulathmudali, has publicly denied accounts of army atrocities which have been proved beyond peradventure.

Colombo residents may

notice the occasional lack of fresh fish, normally shipped down from the north. But the ethnic divide that the guerrilla campaign has created across the island has concealed the state of economic collapse, social dislocation, and pervasive fear that prevails there.

Even though time is not on his side, President Jayewardene does not take hasty decisions. "The clue to the old man," one senior UNP member told me, "is that he waited 43 years to become prime minister. He is like the sphinx, inscrutable and cautious. He had a timetable to settle this problem, but he has been thrown out of key. He is, I'm afraid, a little confused."

"You see, every time we have hammered the Tamils in the past they have run away. Now they are hammering us. We have a new respect for them. We will have to offer them something more now."

Mr Jayewardene's desire to stand above the sordid practices of party politics has created other forces which militate against a peaceful solution.

It is common practice for cabinet ministers in charge of state corporations to set up private company subsidiaries that have no public accountability. They control the state's patronage, and several observers believe that they would be loath to relinquish their powers in any sort of devolution.

The majority of the UNP MPs are said to have their first party allegiance to the Prime Minister, Mr R. Premadasa, one of the most implacable exponents of Sinhalese-Buddhist supremacy. He has done nothing to lessen the irrational Sinhalese fears about the huge southern Indian state of Tamil Nadu, which has given bases and support to the Tamil groups.

Negotiations with the Tamil guerrilla leaders, emboldened by their military successes, will be very unpredictable. The five main groups are a disparate alliance, with strong currents of caste and political rivalries. They include Marxists, as well as Tamil nationalists, who have called for a revolutionary government in Sri Lanka and have some support among educated Sinhalese youth.

With the continuing pressure from India to reach an accommodation, Mr Jayewardene may find a way out of his dilemma. But it will take a leap of huge political will.