



## Is there Hope for the Tamils Under the New President ?

People's Alliance candidate Chandrika Kumaranatunge, 49, was elected first woman President of Sri Lanka on 9 November by a massive majority of 1,993,922 votes. The impressive gain of 62.3% of the 7.7 million votes by Ms. Kumaranatunge puts the performances of the victors in the two earlier presidential elections in the shade.

J. R. Jayewardene of the United National Party (UNP) received 52.9% of the votes in the first presidential election in 1982 while his main opponent Sri Lanka Freedom Party's Hector Kobbekaduwa gained 39 %. In the 1989 presidential election UNP's R. Premadasa scraped through with 50.4% and SLFP's Sirimavo Bandaranaike received 44.9%.

Though, it was argued that some UNP stalwarts like Sirisena Cooray and others had pulled the rug from under the feet of their presidential candidate Srma Disanayake to hit back at the UNP leader Ranil Wickremasinghe, no one could deny that the record swing has meant a mandate for change in Sri Lankan politics. Perhaps this means different thing to different people and communities.

Ms. Kumaranatunge was victorious in all 22 electoral districts. UNP's Srma Disanayake was able to win only the polling division of Mahiyangana in Badulla District. Ms. Kumaranatunge's performance in the

Hill Country and the North-East indicates that she had received a large percentage of the minority votes. In a reversal of fortunes in the Hill Country districts of Nuwara Eliya, Kandy, Matale, Badulla, Ratnapura, Kegalle and Kalutara, the PA polled 56.5% of the votes while the UNP gained only 39.2%. The PA had received only 32.4% in the Hill Country districts at the general elections in August while UNP gained 58.1%.

Voting in Jaffna electoral district took place on the islands and the army-controlled areas where only 2.9% of the 596,000 electorate voted. Over 96% of the Jaffna votes went to Chandrika. In the Vanni electoral district where there are 178,697 registered voters, the turnout was only 22.4% and PA won easily polling 85.3%. In the eastern districts of Batticaloa, Trincomalee and Amparai, Chandrika gained 87.3%, 71.6% and 72.4% where the turn-out was 64.3%, 60.5% and 75.7% respectively.

Although the assassination of Gamini Dassanayake just two weeks before the election was a severe blow to the UNP, the party made a desperate attempt to gain maximum benefit by introducing a racist element into the campaign. Chandrika's pictures were put up by UNPers with a *pottu* (round-shaped paste or powder on forehead, essentially a Tamil tradition in Sri Lanka) to suggest that she had "become a Tamil". It was said that Gamini was killed by the LTTE to help Chan-

drika to win the presidential election. UNP politicians also began to campaign on the slogans, "A vote for Chandrika is equivalent to a vote for LTTE" and "A vote for UNP is a wish for the destruction of the LTTE". The UNP also said that Chandrika's unscheduled three-day visit to Singapore in early October was to meet LTTE's central committee member Lawrence Thilagar. But as it turned out, the visit was not to meet a Tiger, but for a pre-presidential election face-lift.

Nevertheless, it was widely accepted that Chandrika Kumaranatunga has proved her calibre as a leader and prime political personality with conviction. Her firm stand against Buddhist monk influence over minority issues and cross communal campaigning are welcome developments in Sri Lankan politics.

In the past, communalism for political gain has always been evident in the campaigns of the two main political parties. In its campaigns, SLFP-backed Peoples Alliance made the following promises to the country:

- i. bring peace to the island by settling the Tamil national problem;
- ii. eliminate state terrorism and respect and uphold human rights;
- iii. replace the presidential system with the Westminster style of government, and
- iv. eliminate corruption and abuse of power.

Observers say Chandrika's elec-

tion victory may be attributed to her determination, her stand on peace and human rights, complete rejection of racist issues during the election campaign and a fear-free election atmosphere. Chandrika was confident in winning the elections. However, even she was surprised by the overwhelming majority.

For Tamils, the results appear to indicate a change in attitude of the Sinhalese people. And, many say that this change must be sustained and made irreversible to yield positive results. People also have clearly rejected the culture of widows standing for elections and gaining sympathy votes by promising that they would continue policies to realise the visions of their husbands.

During his tenure of office President D. B. Wijetunge, on several occasions referred to the Tamils and other minorities as 'creepers' growing on the Sinhalese 'tree'. It could be reasonably argued that the people have also rejected such offensive interpretations of the status of minorities. Ms. Kumaranatunge has achieved what she wanted, but the critical questions remain: "Will she be able to deliver what is expected of her?" and "whether the PA has the political will for practical solutions recognising the aspirations of the Tamil people".

Even when the injustices to the minorities were obvious and accepted by politicians and parties of the majority community, the political history of Sri Lanka in the past is full of false and unkept promises. No doubt Tamils have a new president with a mandate, but they still remain sceptic on many issues which are fundamental to them. Though, the Tamils do not want to lose their hope for a peaceful settlement, many feel and fear that even if President Chandrika was genuinely committed to a lasting peace, in course of time, she will be compelled to change her attitude towards the Tamil issues,

because the politicians, the military and the political system which controls the day to day life of the people of Sri Lanka are still intact and they would not permit the idea of equality or devolution.

Discrimination and oppression of Tamils reached unimaginable proportions during the 17-year rule by the UNP. Draconian laws such as the Prevention of Terrorism Act and Emergency regulations were used against Tamils while the security forces conducted military operations leading to the death or disappearance of over 50,000 Tamil civilians. Thousands of Tamils arrested during the UNP regime still remain in custody without trial. Government ministers and departments have used 'administrative orders' to deny Tamils employment, educational and other opportunities to participate in national life.

During UNP rule the president was made a virtual dictator. The 1978 constitution gave the president unprecedented powers and ended the supremacy of parliament. The presidential system has led to destruction of democratic institutions and given rise to the culture of violence. The three previous presidents sought to use these powers to wage war against the Tamils. Events point to the fact that the UNP and the three presidents were not genuinely interested in pursuing peace. President J. R. Jayewardene openly declared, "If they want war, I will give them war", and intensified the process of militarisation while paying lip service to peace. Although an All Party Conference was promised in the 1977 UNP election manifesto - which admitted that Tamils took up arms because their problems were not solved - the conference was not summoned until after the genocidal massacre of the Tamils in 1983.

President R. Premadasa, ignored the second All Party Con-

ference and clearly refused to even consider the basic demands of the Tamils while making statements that he was prepared to give *Ellam* (all) to the Tamils other than *Eelam*. During the Premadasa regime government death squads roamed the country stifling any dissent and the security forces were given a free hand to bomb the North-East and massacre over 40,000 Sinhalese civilians in the South. President D. B. Wijetunge was presented as the "grand old man of Sri Lankan politics" but turned out to be an opportunist. Insiders say that he was totally against peace negotiations and wanted to pursue a military solution. He called on the Sinhalese to unite for the sole purpose of destroying the minorities, and pledged to divide the North-East to kill the Tamil Homeland concept. The period of the three presidents also saw economic ruin leading to extreme hardship for the people, erosion of welfare and rising unemployment. In short, the three presidents were leading the country to disaster by drilling the people into a war psychosis.

Now the climate has changed. People have voted for peace and Ms. Kumaranatunge has the responsibility to continue peace efforts and put the country on the path to progress. Paying lip service to peace and continuing the war as in the case of her predecessors, would mean the Tamils will be left with no other alternative. It is recognised that she would face enormous problems from party members who have openly been anti-Tamil, and from the army which has become accustomed to dictating terms to the political leadership and other nations, in particular India which has its own agenda. A stateswoman must face up to these problems and not succumb to pressures like her father SWRD Bandaranaike in 1956.



# TIC ACCESSION LIST

A selection of documents received by the Centre in

November/December 1994

- OHR 308  
Refugee children: guidelines on protection and care  
Geneva: UNHCR; 1994  
**DESCRIPTORS:** Refugees/Children/UNHCR/Culture/Health/ Education  
PC 4765  
Illankaiyil Palkalaikalaka Kalve Annumathi: oor nokku by Po.Bala-sundarampillai  
Canada: Ulakattamilar; 1st May 1994  
2p. (text in Tamil)  
**DESCRIPTORS:** Sri Lanka / Education / Discrimination  
SHR 3439  
Sri Lanka: Internal flight alternative  
Canada: Immigration and Refugee Board; December 1992  
28p  
**DESCRIPTORS:** Situation Report / North Eastern Province / Displaced People / Refugee Camps / Repatriation  
SHR 3438  
A collection of views expressed by scholars, politicians, Buddhist monks and militants on Sinhala Nationalism 1970-1992  
London: Sri Lanka Resource Centre; 1993  
**DESCRIPTORS:** Bibliography / Politics / Sri Lanka / Opinion
- SER  
Media Freedom  
Sri Lanka: Pravada; 1994  
Vo.3; No.7  
**DESCRIPTORS:** Media / Sri Lanka / Freedom of Expression
- SER  
Interim Report on the Sri Lanka Parliamentary Elections of August 16th 1994 by Movement For Free and Fair Elections (MFFE)  
Sri Lanka: Law and Society Trust; September 1994  
Vol.5; No.82; 14p.  
**DESCRIPTORS:** Election / Sri Lanka  
SHR 3436  
Sri Lanka: Chronology of events: February 1988-August 1992  
Canada: Immigration and Refugee Board; September ;1992  
13p  
**DESCRIPTORS:** Events / Sri Lanka / Politics / Ethnic Problem  
SHR 3435  
Report on SLP involvement in parliament election: the pre-election situation  
Sri Lanka: PBI Sri Lanka Project  
5p  
**DESCRIPTORS:** Election / Human Rights Violation/Sri Lanka/ Parliament/NGOs  
PC 4764  
The Tiger and the Lady  
New York: Time; December 1994  
**DESCRIPTORS:** Peace Initiative/ Interview/LTTE/Sri Lankan Government / Statements  
SHR 3437  
Frozen minds & the violence of attrition  
Sri Lanka: UTHR (Jaffna); 15th June 1994  
88P
- DESCRIPTORS:** Refugees / Situation Report / Killing / Tamil Militant Group/Bombing/Shelling/JVP/ Amparai District/Batticaloa District/ Trincomalee District/Disappearance/ Detention/ Women/Northern Province / LTTE  
SHR 3444  
Tamilleela Vitutalaip Potattamum  
Tamilleela Teciyat talaivar V.Prabhakaranum  
Canada: LTTE; 1994  
**DESCRIPTORS:** Biography/ V.Prabhakaran / LTTE / Political History / War  
SHR 3445  
For the salvation of the Tamil and Muslim people  
Sri Lanka: Eelam People,s Democratic Party; 1994  
6p. (Text in Tamil)  
**DESCRIPTORS:**Muslims/Tamils/ Recommendation/Ethnic Problem/ Statements  
SHR 3446  
Kaviyanayakan Kittu  
Madurai: Tamil-Kulam Pathipalayam; October 1993  
152p. (Text in Tamil)  
**DESCRIPTORS:**Biography/Liberation Leader/LTTE  
PC 4775  
The neglected east: whither rehabilitation  
The Sunday Times; 25th Decemer 1994  
2p  
**DESCRIPTORS:** Rehabilitation/ Refugees/Eastern Province/case study

## MIXED REACTIONS

The LTTE launched the Great Heroes celebration on 15 November with the message from the leader Prabhakaran and with the announcement that the celebrations will last for two weeks ending on 27 November. Though, it was feared that LTTE may launch a major attack on the security forces during this period as it had done in the previous years, no serious incidents were reported.

Foreign visitors were fascinated by the city of Jaffna. One foreign visitor said: "The impression was one of meticulous and orderly. Another said "I was really struck by the indomitable firmness of the people of Jaffna. I was encouraged to learn more about their problems, their struggle and their strength and determination to face any difficulties down to their death".

Meanwhile, at the felicitation ceremony organised by the LTTE to honour Tamil writers at Menuthanamdam Technical College on 17 December, LTTE political leader for Jaffna District Ilamparuthy declared that Tamil literary work has found a special place in the quest for Tamil Eelam and urged the writers to contribute their entire energy to liberate the people of Tamil Eelam.

This call however received mixed responses among exiled Tamil writers. Many accuse LTTE of suppressing the freedom of conscience and expression and denying their right to participate in the freedom struggle.

One exiled Tamil writer who is actively involved in promoting human rights of the Tamil people says that 'Pie-in-the-sky' cliches are of no use. LTTE must be concerned and get involved with people who are hurt. My heart burns for them to be more relevant and not to shut their ears to the cries of the victims and oppressed people."

## DEATHS IN THE SEA

The deaths in the sea continue to rise and has resulted in considerable discussion of the nature of incidents reported on many fronts.

Tamil Nadu police reported the killing of an Indian fisherman on 3 November by the Sri Lankan navy who also destroyed their fishing gear. Four fishermen escaped the ordeal.

S.Balakrishnan and S.Santhirakumar fishing in the lagoon off Navatkudah in Batticaloa District were shot dead on 3 December. assailants were not identified

A boat carrying seventeen people from Thikilivaddai to Santhivelli in Valaichenai in the Batticaloa District capcized killing eleven on 5 December. Four managed to swim to safety and two have been admitted to the hospital in a serious condition. Floods was blamed for this event.

A.M.A.Peeris a fisherman from Mannar was shot and injured by soldiers while at sea at 6.30 a.m. on 7 December.

## BRITISH MINISTER VISITS TAMIL REFUGEES

Under Secretary of State Tony Baldry along with the British High Commissioner visited the refugees at the Sithamparapuram refugee camp in Vavuniya District on 16 November. This followed their visit to the army camp at Thachchankulam also in Vavuniya.

## EPDP SUPPORTS RELIEF EFFORTS

EPDP MPs and Sarvodaya visited Settrukuda and Veechukalmunai villages in the Batticaloa District and met the victims and provided thatches to rebuild their huts.

## Situation Reports

### POLICE REPRISAL

Following the killing of two Policemen at Pulmottai Guard Post in Trincomalee District, on 2 December, nine houses and four shops were burnt down by soldiers in civilian dress. Police also arrested 19 Muslims on suspicion.

### ISLAND IGNORED

The people of Mannar Island accused the civil administration for mis-management. They claim, the price of essential items such as kerosene, rice, Dhal, flour and bread came down significantly after the election of PA government, but this has not affected them and they continue to pay more for these items.

### PARTY CONFRONTATION

Confrontation between Sri Lanka Freedom Party and Muslim Congress was reported in Amparai District. Reports also suggest UNP defectors are increasingly joining the SLFP instead of Muslim Congress.

### KILLING IN VAVUNIYA

Saravanai Balasingham (40 yrs) displaced from Punnalaikattuwan and residing at Vairavapuliyanakulam in Vavuniya District was shot dead by two unidentified persons at 8.30 p.m. on 31 December.

### INCREASE OF DISEASES

Health officers in Amparai District have warned the public and health workers that the floods has contributed to spread of diseases in the District.

# NOVEMBER DIARY

NOVEMBER 01

**TAMIL ARRESTS IN PLANTATIONS:** Three Tamil youths were arrested in the early hours of the morning at Christles Farm Estate in Nuwara Eliya District. This followed earlier arrests of A.Loganathan from Dickoya Estate, P.Saravanamuttu from Fordyce Estate, and A.Kalimuthu and P.Kandan from Strathdon Estate.

NOVEMBER 02

**INFORMANT KILLED:** The body of A.Arunkumar was discovered at Valaichenai in Batticaloa District. A note beside the body said that he was a police informant.

NOVEMBER 03

**BODIES EXHUMED:** Skulls and bones were dug up at Divulpitiya in Gampaha District on the orders of the magistrate to whom an application had been made over earlier disappearances.

NOVEMBER 04

**ARMY COMMANDO RUNS AMOK:** Sergeant S.Amarasuriya of the army commando unit killed eight people including his wife in a gun rampage at Mawathagama in Kurunegala District, before killing himself.

NOVEMBER 05

**TAMIL ARRESTS IN BATTICALOA:** In a search operation between Sithandy and Vantharumoolai in Batticaloa District eight arrests were made on suspicion by police. Villagers of Kinnayady were ordered to be indoors after 6 p.m. by security force personnel.

NOVEMBER 06

**MUSLIM CONFERENCE:** Over 10,000 people participated in the conference held in Nintavur organised by the Amparai Sri Lanka Muslim Congress. Prime Minister Chandrika Kumaranathunga was expected

to chair the conference, but she did not attend.

NOVEMBER 07

**LTTE ACCUSE THE GOVERNMENT:** Arrests of Tamils continued in a number of villages in the East. Reports suggest there have been exchange of fire between the LTTE and the security forces in some areas. LTTE has accused the security forces of harassing Tamils in the East.

NOVEMBER 08

**DESTRUCTION OF BOATS:** Naval Headquarters reported the destruction of three LTTE boats laden with explosives sighted near the landing craft *Pabbatha* off the Vetrilaikerni coast in Kilinochchi District.

NOVEMBER 09

**GUARD POST ATTACKED:** Two LTTE men were killed in a search of Samanthiyaru and Pavatkodichenai villages in Batticaloa District. Another two were killed at Panilamkulam also in Batticaloa District. Four soldiers including a Captain were killed and five were injured when the guard post at Vetrilaikerni in Kilinochchi was attacked at 5.30 a.m. by the LTTE.

NOVEMBER 10

**MILITANTS KILLED:** Operational Headquarters of the Ministry of Defence reported the killing of six suspected militants travelling in a boat near Mandaitivu in Jaffna District.

NOVEMBER 11

**ARSON ATTACK:** Arson attacks and assaults at Hapugaspititiya Owela estate in Matale District led to 120 Tamils fleeing to the woods.

NOVEMBER 12

**CIVILIANS SUFFER:** A confrontation between the LTTE and security forces at Meeravodai in Bat-

ticaloa District left one youth dead and a woman injured. Ten youths arrested were beaten up.

**MASS ARRESTS:** Security forces opened fire on a suspicious boat in the lagoon near Muruganthivu in Batticaloa District. In a search operation that followed in the village 70 persons were arrested on suspicion.

**CESSATION OF ATTACKS:** Hours after the new President took office the LTTE ordered a cessation of hostilities, unilaterally.

NOVEMBER 13

**DEFENCE SECRETARY UNEASY:** Replying questions, Defence Secretary General Hamilton Wanasinghe accepted that cessation of attacks is a good thing, but the forces cannot scale down their security functions, he added.

NOVEMBER 14

**CONFRONTATION CONTINUES:** Security sources reported the killing of a LTTE cadre at Valaichenai in the Batticaloa District in a joint army-police operation.

NOVEMBER 15

**ASSISTANCE TO VICTIMS:** Batticaloa Lions Club women branch and Leo Club jointly launched a scheme to increase cadju plantation and to assist villages affected by violence in the Batticaloa District. The scheme is expected to assist villagers of Puttur, Sethukkuda, Thimilaithivu, Kalladdy, Mugathuvaram, Navatkuda, Manahanthoduvai, and Iruthayapuram.

**CESSION OF HOSTILITIES:** LTTE officials announced at a press conference held in Jaffna that their leader has instructed military commanders to observe ceasefire for one week.

NOVEMBER 16

**NAVY KILLS FISHERMEN:** Three fishermen at Arippu off Man-

# NOVEMBER DIARY

nar coast were killed when sailors opened fire on them. One fisherman went missing off Vadamaradchy coast in Jaffna District. His boat damaged by naval canon fire was found beached later.

NOVEMBER 17

**DECAPITATION OF LTTE CADRE:** Lt. Col. Sinnathamby Pathmanathan alias Malli and Arulappan were killed in an ambush by security forces at Manal Aru in Mullaitivu District in the early hours of the morning. Pathmanathan was decapitated by soldiers for removal of his head for identification. Pathmanathan, a senior and important member of the LTTE had taken part in many major LTTE military operations including Kokavil, Elephant Pass, Mankulam and Poonakary attacks.

**ACT OF DISCRIMINATION:** Health officers in the Trincomalee District Hospital have accused the authorities for the unreasonably high increase in employing Sinhalese as casual employees. The new recruits were given daily work in a week but the Tamils employed were given work only for 2 to 3 days.

NOVEMBER 18

**CESSATION OF HOSTILITIES REVOKED:** The LTTE revoked its unilateral cessation of hostilities following the killing of their men at Manal Aru during ceasefire and demanded a government investigation.

NOVEMBER 19

**FISHERMAN ARRESTED:** Murugesu Nagarajah (56 yrs.) displaced from Velanai in Jaffna District and residing at Pandithar Kudiyiruppu in Kilinochchi District was arrested by security forces while walking towards his boat.

NOVEMBER 20

**LTTE CASUALTIES:** One LTTE cadre identified as Gnanaseelan was killed at Kaluwankerni in Batticaloa District in a troop ambush. Another three were killed in the jungles adjoining Kinnayady also in Batticaloa District.

NOVEMBER 21

**CIVILIAN FIRED UPON:** N.Theivendran a tractor driver sustained serious injuries when he was fired upon by troops at the checkpoint at Kalmunai Hospital Junction in Amparai District after clearing him to pass.

NOVEMBER 22

**LTTE CADRES KILLED:** Two LTTE cadres identified as Ramu and Viknaraj were killed when troops ambushed them at Keluththimadu in Batticaloa District.

NOVEMBER 23

**SUICIDE BOMBER:** Police reports identified the alleged suicide bomber at Grandpass meeting where 54 people were killed as Malar aged 25 from Jaffna.

NOVEMBER 24

**UNP FOR WAR:** New nationalist MP from the UNP speaking in Parliament on the Vote-on-Account maintained that the LTTE should be overcome militarily as it has its own army, navy and police service.

NOVEMBER 25

**PRESSURE FOR PEACE:** In a statement released in Germany the European Union called upon the LTTE to respond favourably to the peace moves by avoiding violence.

**SHELL FIRE CONTINUES:** Coastal areas of Jaffna town facing the Mandaitivu army camp were subjected to intense shell fire from

4.30 p.m.

**CULTIVATORS DRIVEN OUT:** Migrant cultivators occupying huts in their fields in the Batticaloa area were ordered to quit by the security forces.

NOVEMBER 26

**MUSLIMS RELEASED:** M.H.M.Nageeb, M.P.Fawmi, M.H.A.Jabbar and M.H.M.Muthayar taken into custody by the LTTE at Kalawewa in Puttalam District were released at Vidathalthivu in Mannar District.

NOVEMBER 27

**POLICEMEN IN FIGHT:** Policeman Siripala turned his gun on colleague Piyal at the Pampaimadu security post in Vavuniya District. He killed himself after the colleague's death.

NOVEMBER 28

**SPREAD OF MALARIA:** Abdul Mahic, Health Inspector of Pothuvil has reported that there has been an increase in the number of people being affected by Malaria in and around Pothuvil area in the Amparai District.

NOVEMBER 29

**NEADS ACTION:** North-East Development Society has announced that they have issued free model question and answer booklets costing over Rs. 150,000 for GCE O/L students in the District of Trincomalee, Batticaloa and islands of Jaffna District to promote education.

NOVEMBER 30

**KILLING IN BATTICALOA:** Troops lying in ambush at Thoduvilcholai in Batticaloa District killed an unidentified suspected LTTE member.



# DECEMBER DIARY

## DECEMBER 01

### **BRIBERY COMMISSION FOR BATTICALOA DISTRICT:**

Community and elders urged the government to set-up a branch of the bribery commission in the Batticaloa District to stamp out overwhelming corruption among government officers. They have accused the village headmen for making money out of miseries of the poor people.

## DECEMBER 02

**ACCUSED RELEASED:** Selliah Velu suspected as a relative of Malar the alleged suicide bomber and arrested on 12 November was released by the Mt. Lavinia magistrate as the police revealed that there was no connection between the said persons.

## DECEMBER 03

**LTTE DEATHS:** Security Forces Headquarters reported the killing of two LTTE cadres in the Manal Aru area of Mullaitivu District.

## DECEMBER 04

**SOLDIER KILLED:** One soldier was killed and another injured in a LTTE attack at Iyakachchi in Kilinochchi District. In another attack at Central Camp in Amparai District one Reserve Policeman and a Home Guard were killed.

## DECEMBER 05

**UNREST IN PLANTATIONS:** Workers in the Uduwara Tea Estate in Badulla District launched industrial action over the transfer of machinery from the factory.

**NEW COURTS OPENED:** LTTE established a new court in Kanakarayan Kulum in Vavuniya District.

## DECEMBER 06

**DISAPPEARANCE:** Six youths returning from a cinema at Thirukovil in Amparai District went missing and their parents have complained

to the security forces.

## DECEMBER 07

**ARMY AMBUSH:** Troops lying in ambush at Kaluwankerni in Batticaloa District killed a LTTE cadre identified as Satha.

**POLITICAL KILLING:** T.Selva (21 yrs) a former member of TELO was killed at 10.30 p.m. in Batticaloa.

## DECEMBER 08

**RELIEF FOR MANNAR ISLAND:** The government Agent of Mannar announced that nine hundred tons of food supplies and three hundred barrels of diesel and kerosene are expected to arrive by the ship 'Ocean carrier'.

## DECEMBER 09

**LTTE ATTACKED:** Soldiers killed two LTTE cadres at Narippulthottam in Batticaloa District. One of them was identified as Sinnavan.

**COMMANDOS KILLED:** Five Special Task Force commandos were killed at Kanjikudichcharu in Amparai District. One LTTE member also died according to security sources.

**SKIRMISH IN MANNAR:** Two LTTE members and a soldier were killed in a clash at Vankalai in Mannar District.

## DECEMBER 10

**HANDING OVER THE DEAD:** Security forces at Vavuniya handed over to an international NGO the bodies of 3 LTTE members killed at Elephant Pass in Kilinochchi District.

## DECEMBER 11

**FILM CENSORSHIP:** LTTE leaders announced that they have decided to ban all North-Indian films in the areas controlled by them. This would affect their previous permission to allow North-Indian films on

Video. It was alleged that North-Indian cinema would destroy the Tamil culture and the ban is essential.

## DECEMBER 12

**CESSATION OF HOSTILITIES:** President Chandrika Kumaratunge announced that the LTTE had agreed to a cessation of hostilities and a date would be set after consultation in Jaffna.

## REPEAT CLASH IN MANNAR:

Three soldiers and six LTTE men were killed when the forward defence post at Vankalai in Mannar District came under LTTE attack at 2 a.m..

## DECEMBER 13

**CALL FOR RECRUITS:** Posters have appeared in Valaichenai in Batticaloa District requesting people to join LTTE for the last stage of Eelam war. Posters say either one man or a woman from each household should join the LTTE.

## DECEMBER 14

**ARRESTS CONTINUE DESPITE FLOODING:** Despite severe flooding in Batticaloa and Amparai District, the security forces carried out search operations in many villages and people were rounded up and taken away to their camps.

## DECEMBER 15

**PEACE TO THE FORE:** LTTE's agreement to a government suggestion for a two week cessation of hostilities was conveyed through the ICRC.

**CALENDERS BANNED:** LTTE have banned all 1995 Calendars with photographs of cinema stars in Tamil Eelam.

## CEASEFIRE AGREEMENT:

LTTE leader Prabhakaran in a reply to President Chandrika has agreed for cessation of hostilities for two weeks for the Pope's visit to Sri Lanka.

## DECEMBER DIARY

DECEMBER 16

**PROBLEMS IN FLOOD RELIEF:** Cheliyan Perinpanayagam, Mayor of Batticaloa announced due to floods essential food items were needed and there was no supplies. This has placed the people in severe hardship.

DECEMBER 17

**BLOCKADE BY MILITARY:** People living in the military controlled areas of Kattaiperichchan, Sampur, Menkamam, Killiveddi, Ichillam-pathai and Verukal in Muthur have accused the security forces for not allowing them to take biscuits and chocolates for their children, and medicines such pain-killers.

DECEMBER 18

**CIVILIANS HARASSED:** Tamils arriving from the North were harassed by troops at Thandikulam checkpoint in Vavuniya District. Over 100 youths both male and female were detained after being photographed.

DECEMBER 19

**TROOPS SUFFER:** Three soldiers were killed at the Manal Aru camp in Mullaitivu District. A foot patrol at Sathurukondan in Batticaloa District also came under LTTE attack and two policemen were injured while a third went missing. One sailor was killed in another attack on the naval camp at Karainagar in Jaffna District.

DECEMBER 20

**HINDU CONFERENCE:** Hindu religious societies in the Batticaloa District have announced that they would jointly organise a Hindu conference to promote Hinduism and social services in the region.

DECEMBER 21

**HOUSING POLICY:** The government is accused of discrimination in providing housing for those in the waiting list in Trincomalee District. It was alleged that people were asked to

pay high advance and rent by private landlords and the government is only assisting new government employees most of whom are Sinhalese to get housing in the region. Others, they say have been waiting for years after applying.

DECEMBER 22

**BOLSTERING AIR POWER:** The Defence Ministry accepted the lowest tender for 3 AN32B aircraft at US\$ 3.2 million each.

DECEMBER 23

**YOUNG WIDOWS IN BATTICALOA:** Reports suggest that there are 10,642 registered widows in the Batticaloa District alone. Most of them are young and have lost their breadwinners in the violence.

DECEMBER 24

**FLOOD VICTIMS:** A report issued by the Batticaloa Regional authorities says over 83,130 families have been affected in the recent floods in the District. There has yet been no assessment of the destruction of infrastructure by the floods.

DECEMBER 25

**UNHCR'S APPEAL:** UNHCR office in Colombo has issued a public appeal to locate the family of Karthigesu Ratnam (age 30), a Tamil returnee from Switzerland under the returnees programme. Ratnam lost contact with his wife Thangeranee, sons Jeyarajah and Sothirajah and daughter Kadamparani two years ago.

DECEMBER 26

**DISAPPEARANCES COMMISSION:** Three Commissions to investigate the disappearances from January 1988 have been appointed by the Government. One would cover the Western, Southern and Sabaragamuwa provinces, the second Central, North Western, North Central and Uva provinces while the third would cover NorthEast Province. The commissions are expected to submit their reports

within four months.

DECEMBER 27

**TAMIL SCHOLARS DEPORTED:** Scholars namely Prof. Sivathamby, University of Jaffna, A. Velupillai, visiting Professor at the Uppsala University Sweden and Prof. Peter Schalk, Uppsala University who arrived in Madras to attend the International Tamil Research Conference were deported.

DECEMBER 28

**COSTLY COMBAT:** Thampanaveli army camp in Batticaloa District came under attack by the LTTE resulting in the death of 20 LTTE cadres and one soldier. Large quantities of arms, ammunitions and equipments were taken away by the LTTE.

DECEMBER 29

**ARRESTS IN COLOMBO:** Ceylon Workers Congress Member S. Anpalagar has issued statement to the press drawing attention to the continuing arrests of Tamils in Colombo. Most of the Tamils arrested are innocent people from plantations claims the statement.

DECEMBER 30

**WORKERS ASKED TO RETURN:** Following the judgement of the Badulla District Court that Cullen Group plantation ownership and administration are vested in the Rambukpotha Buddhist Temple authorities, the workers staged a strike. The Temple authorities have issued letters urging the striking employees to return to work immediately.

DECEMBER 31

**PLOTE LEADER KILLED::** Karavai Kandasamy PLOTE's Deputy Leader was shot dead at 8.30 p.m. at his residence in Dehiwela a suburb of Colombo. His daughter was seriously injured. The assailants escaped in an auto-rickshaw which was later found in Wellawatte.



# The Politics of Presidential System of Government

The People's Alliance (PA) pledged in its general election manifesto to change the presidential system of government. Ironically, the task of abolishing the current system has fallen on Chandrika Kumaranatunge who was elected president on 9 November by an unexpectedly huge majority. Ms. Kumaranatunge continues to promise that the change will be brought about as soon as a method is devised to amend or repeal the 1978 Constitution.

The president of Sri Lanka has enormous powers. The PA says such power residing in an individual leads to misuse and corruption and argues that institutional safeguards, such as ratification of presidential appointments are not found in the 1978 Constitution.

The president appoints the ministers the judges of the Supreme Court, the Court of Appeal and the High Courts, heads of the armed forces and police, the Attorney General, secretaries to all ministries, the Auditor-General, the ombudsman and the Commissioner of Elections. The president need not consult any person or body in making appointments to these vital positions. The president also appoints provincial governors. Except in the year following a parliamentary election, the president has the power to dissolve the parliament at any time. The president can introduce Emergency regulations which override any law and curtail fundamental rights. The president enjoys immunity from prosecution relating to anything

done in official or private capacity and can be removed once elected only by a difficult process of impeachment.

The judiciary and the parliament are weak under the current system. The president is not answerable to parliament and because his/her powers to appoint judges and immunity, the judiciary has been undermined. The previous three presidents wielded the powers as they wished without any regard for the judiciary or parliament or for democratic principles. Despite the defects in the presidential system some argue that it will promote the interests of minorities with the proper checks and balances. The Tamil United Liberation Front (TULF) favours the retention of the system with important changes. In its submission to the Parliamentary Select Committee on Constitutional Reforms in November, the TULF says the president shall:

- a) be elected by the Electorate comprising the entire country;
- b) be head of state, head of government and commander-in-chief of armed forces;
- c) be responsible and accountable to parliament for the due exercise, performance and discharge of duties, through the Prime Minister and Cabinet;
- d) not hold any portfolio other than that of defence.

The TULF further proposes that the president should not have the judicial immunity provided in the present Constitution and his actions should be subject to judicial review. The minorities argue that

advantages have accrued to them under the presidential system. Ceylon Workers Congress leader S. Thondaman says that the 40 year-old citizenship problem of the plantation Tamils was solved under this system. Under the Westminster parliamentary government party political rivalry had always prevented solution of such issues, he asserts.

The view of the minority leaders seem to be based on two assumptions. Firstly, the view expressed by many minority observers that the majority will always be divided - and that the minority will be united and the president will have to depend on the minorities to gain or retain power. This may not always be true. Chandrika Kumaranatunge's victory at the presidential election for example, was not wholly dependent on the minorities. A substantial number of the majority Sinhalese community voted for her and she may well have obtained the required 50% of the votes without minority votes. Even if the majority is divided there is no guarantee that the minority will be united. In fact the multiplicity of divisions has been the curse for generations among minority communities.

Furthermore, the president once elected could always become a tormentor. In the 1982 presidential election, the Jaffna people voted en block for Sri Lanka Freedom Party (SLFP) candidate Hector Kobbekaduwa. The vote was an expression of their opposition to policies of ruling United National Party (UNP) and its candidate J. R. Jayewardene, rather than support for Kobbekaduwa or the SLFP. Observers say

that a vengeful Jayewardene allowed the violence in July 1983 to continue resulting in the death of over 2,500 Tamils, even though the Hill Country Tamils supported him.

Secondly, it has been contended, particularly by the UNP, that the presidential system has brought political, social and economic stability. Nothing can be further from the truth than this claim.

It was under the presidential system, corruption and abuse of power flooded the country drowning social and democratic institutions. It was under the presidential system death squads were allowed to roam the streets and the security forces were given wide-ranging powers under draconian legislation leading to the death or disappearance of over 80,000 Tamil and Sinhalese civilians. It was under the presidential system that rural poverty, unemployment and widening of income disparity became marked in the absence of equity and social justice in the formulation of economic programmes. It was under the presidential system that the wound of the ethnic conflict was allowed to fester, consuming the entire body politic of the nation.

Justice Minister G.L. Peiris says, more minority influence in state affairs could be achieved in a parliamentary government by adopting the appropriate system. A good example would be the German electoral arrangement in which half the members to the legislature are elected under proportional representation and the other half by the first-past-the-post system. The Minister proposes a Parliamentary Executive system under which the chief executive will sit in parliament and will be scrutinised by the MPs. According to his proposal the president will be a nominal head of state elected by parliament for a period of five years and will act on

the advice of the Prime Minister. Some have suggested that the president should continue to be elected directly by the people. But taking into account the enormous election costs, it would be a waste of revenue and time to hold an election for a nominal head of state who would simply dance to the tune of the Prime Minister or parliament.

The important issue amidst all the proposals and debates is the question of devolution. Only unprecedented and substantial devolution to minority areas will put Sri Lanka on the path to peace. The presidential system under the 1978 Constitution in which power has been curtailed is obviously opposed diametrically to the concept of devolution. Therefore under this system there can only be token devolution and continuing stalemate in the conflict. The government proposes to change to a Westminster-style parliamentary government without any proposal for devolution of powers to Tamil and Muslim areas.

Authors Stanley de Smith and Rodney Bragier referring to the Northern Ireland conflict in their book Constitutional and Administrative Law, said as follows:

"A million Protestants were overwhelmingly unionist, half a million Catholics were predominantly separatist and republican ---- The Unionist Party was permanently in office at Stormont; the minority had no prospect of attaining political power by Constitutional means. In such circumstances the Westminster model of responsible government would not work in the manner familiar in Great Britain".

Would this not apply to Sri Lanka! Would the Westminster model succeed if introduced without adequate devolution to permit the "prospect of attaining political power" by the people of the North-East?

## Un-reported Sea-Tiger Attack on Navy Landing Craft

LTTE - Black Tigers launched a suicide attack on a landing craft near Vetrilaikerni in the North at 12.25 am on 8 November 1994. This incident apparently not reported in the press because of the Presidential Election on the 9th November. It was alleged the announcement of an attack on the Navy just prior to the Presidential Election would have resulted an outrage among Sinhalese and benefited the opposition candidate Srma Disanayake who fought the election on the basis to continue the war against the Tigers.

The Navy Headquarters acknowledged the attack and said that they have sunk three LTTE boats carrying explosives near Vetrilaikerni.

The reports from Jaffna said Black Sea Tigers attacked a Navel-landing craft 108 long and 26 wide, fitted with 20mm cannons and anti-aircraft guns with a capacity to carry about 600 troops near Vetrilaikerni at mid night on 8th November. One report suggested the attack was unsuccessful with little damage to the landing craft and the Tiger casualty was heavy.

Following morning, the LTTE radio announcement confirmed the attack and said Black Tiger, Yogeswaran alias Major Vickey from Point Pedro had died in the attack.

In retaliation, Sri Lankan air-force planes indiscriminately bombed Vadammaradchi area resulting in heavy damage to properties. The people reported to have fled the area for safety and the casualties not known.

## STOP PRESS

# Tamil Scholars Deported from India

Seven scholars attending the Eighth International Conference on Tamil Studies in Tanjore on 1 January were deported from India in early January. They were Jaffna University professors A. Velupillai, K. Sivathamby, A. Shanmugas, Tokyo University researcher Manonmani Shanmugas, Jaffna Uduvil College Principle S. V. Selliah, teacher J. Sunitha and Uppsala University Professor Peter Schalk. Tamil activist L. Vaikunthavasagam from Britain was also deported.

According to reports the deportation took place after they were registered as delegates and provided accommodation. Observers say although the International Association for Tamil Research (IATR) was set up in January 1964 to promote Tamil research, the conferences over the years have become highly politicised and when the conference is conducted in Tamil Nadu, it comes fully under the control of the Tamil Nadu government. The prime mover in the setting up of IATR was Sri Lankan Fr. Thaninayagam. The Sri Lankan scholars arrived to present research papers at the conference and their treatment is a matter for concern for the future of the conference.

The first Tamil research conference was held in 1966 in Kuala Lumpur followed two years later in Madras. The Third conference took place in 1970 in Paris and the 4th in 1974 in Jaffna. It was at the Jaffna conference that nine Tamils were killed following attacks a delegates by the Sri Lankan police. The 6th and the 7th conferences were held in Kuala Lumpur and Mauritius respectively. The conference brings together scholars from all over the world and was expected to serve as a Unifying force among the Tamils of the world.

Earlier invitations for the conference had not been sent to many Tamil and Sinhalese scholars from Sri Lanka. An invitation had been sent only to a government delegation. Sri Lankan President Chandrika Kumaranatunge had advised Air Lanka Chief General Sepala Attygala to arrange a special flight to take the scholars to Trichy.

The International Tamil Integration Society (ITIS) filed action in the Madras High Court to prevent the Tamil Nadu government from holding the conference without invitation to all the scholars. In another petition by IATR Sri Lanka National unit order was sought for direction to the Tamil Nadu Chief Secretary and the organising committee of the conference to forward the names of Sri Lankan Tamil scholars to overseas missions to enable them to obtain visas. The Tamil Nadu government argued that it

was only extending patronage, but the conference was being conducted by the IATR.

According to reports the petitioner were threatened by the ruling AIADMK and the High Court judge Shivraj Pateel ordered Tamil Nadu state lawyer R. Krishnamurthy to arrange protection for them. The actions were dismissed later by the judge stating there was no material evidence that the Tamil Nadu government had any control over the conference.

Despite the court decision, observers say the Tamil Nadu government took control of the conference by providing a large amount of funds for conducting the Conference and has used it to promote its electoral image. They say it is unfortunate that a conference begun with the high ideals to unite the Tamils of the world has served only to divide further the divided Tamil community.

## LTTE PRESS CONFERENCE

In a press conference organised by the LTTE in Jaffna on 22 December, LTTE political leader Thamil Chelvan and political adviser Anton Balasingam accused President Chandrika for postponing the peace talk scheduled before Christmas and said that her interest in resolving the conflict has dropped. For the first time, it was revealed that both LTTE and the government prefer cessation of hostilities rather than ceasefire.

## Floods Bring Chaos to the North-East

Heavy rains and stormy weather brought chaos to the people in the East. Over 100,000 families were affected and over 18,000 houses and properties reported damaged. Over 15,000 families from the coastal areas in Amparai District and over 20,000 people from Trincomalee District were displaced by the flood. Over 25,000 acres of paddy lands were under water

Power and water services were interrupted, roads were made inaccessible and food distribution was disrupted. Boats were used to take food supplies to badly affected villages. Price of essential items went high causing severe hardship to people, particularly refugees living in refugee camps. Flying corrugated iron and debris from makeshift shelters, and falling trees also reported to have claimed lives, and devastated more. Health workers reported spread of Malaria and diarrhoea in many areas. Public Health Inspector M S M Abdul Malik has reported a rapid increase of Malaria cases in Pothuvil.

The government announced they have allocated nearly Rs. 5 million for the flood relief. Though, it was announced that a family over five members would be entitled for Rs. 180/- worth of essential food items, flood victims from Puthur and Erarnv have complained that they were not receiving their allocations.

## CALL FOR PAPERS VII International Symposium CARING FOR SURVIVORS OF TORTURE

Challenges for the Medical and Health Professions

Cape Town, South Africa

15-17 November 1995

**The conference is organised by the International Rehabilitation Council for Torture Victims (Copenhagen) and the Trauma Centre for Victims of Violence and Torture (Cape Town). The plenary sessions, workshops, panel discussions, and seminars will focus on the following topics:**

1. Diagnosis and treatment of physical sequelae of torture.
2. Diagnosis and treatment of psychological sequelae of torture.
3. Family and community approaches to the provision of health services for torture survivors.
4. International action towards the rehabilitation of torture survivors.
5. Experiences of health workers with torture and rehabilitation in African countries.
6. Experiences of health workers with torture and rehabilitation in the rest of the world.
7. Health perspectives on truth-telling, reconciliation, and impunity for survivors of human rights violations.
8. Torture, ethics, and the health professions.
9. The prevention of torture: methods of training and educating health professionals.
10. The social psychology of state-sponsored violence: do we treat perpetrators?

**Abstracts should be sent before 15 March 1995 to either:**

IRCT, Borgergade, PO Box 2107, DK-1014 Copenhagen, Denmark.

**or**

TCVVT, Cowley House, 126 Cape Town 8001, South Africa

**TAMIL INFORMATION** is published by Tamil Information Centre, Tamil House,  
720 Romford Road, London E12 6BT. Tel: 081 514 6390

SUBSCRIPTION: UK - £ 7.00

All Other Countries - £ 12.00