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Devolution in disarray

The main opposition United National Party (UNP) launched 150 protest rallies throughout southern Sri Lanka on 17 August to highlight the cost of living and outstanding election pledges, as the ruling People's Alliance (PA) celebrated its third year in power.

The UNP accuses PA of broken promises such as a speedy solution to the ethnic conflict and the abolition of the executive presidential system of government. Media minister Mangala Samaraweera claims that the government has fulfilled 40% of the promises and reached the last phase of military operations to defeat the Liberation Tigers of Tamil Eelam (LTTE) to solve the ethnic conflict through devolution of power.

Many UNP meetings were disrupted by PA supporters. Beliatta Regional Council opposition UNP leader Kalyanadasa Gunaratne was shot dead on 13 August. Three days later Nuwara Eliya UNP MP Rohan Abeygunasekera's house at Rikillagaskada in the Hill Country was looted and smashed. PA's Puttalam MP DM Dassanayake was arrested on 27 August for setting ablaze a UNP branch office.

The UNP carried its dissent into Parliament where the Speaker was forced to adjourn sessions on 19 August after UNP MPs walked out protesting against "injustices of the government". The following day argument among MPs within the Parliament nearly ended in blows.

The increasing violence between the two major political parties may affect the fate of the devolution proposals, observers say. The UNP has neither expressed support for the government devolution package nor submitted its own proposals. Without UNP support the government will not be able to obtain the two-thirds majority in Parliament required for a new constitution incorporating the devolution proposals. In addition a final verdict by the people at a referendum is required. UNP leader Ranil

The government may hold a direct national referendum without parliament's approval or appoint a Constituent Assembly to adopt a new constitution, both of which will ignore the existence of the present constitution.

Wickremasinghe says that his party will make public its decision only after the Parliamentary Select Committee on Constitutional Reform (PSC) completes its discussions.

After 18 months of deliberations, the PSC seems far from reaching consensus on the key aspects such as the unit of devolution and whether Sri Lanka would remain a unitary state or become a union of regions. The PSC has been given additional responsibility to discuss the new electoral reform proposals.

President Chandrika Kumaratunge declared in late August that the government was determined to enact a new constitution before June 1998 even without a two-thirds majority in Parliament. The government may hold a direct national referendum without parliament's approval or appoint a Constituent Assembly to adopt a new constitution, both of which will ignore the existence of the present constitution.

Government sources are promoting these measures as a "constitutional revolution". But there are cracks within the PA itself. PA ally LSSP's General Secretary Batty Weerakoon has warned that his party would not support any attempt to by-pass the Parliament.

Four PA members - SLMP, LSSP, DJVP and CP - issued an ultimatum to the government in August threatening to abstain from voting in Parliament unless they are consulted on policy issues. The parties allege that the government is currently run by an inner circle close to the President, far removed from the realities of life in Sri Lanka.

Another PA partner Hill Country's Ceylon Workers Congress (CWC) made public three demands in early August if it were to canvass support among the million-strong plantation workers for devolution. CWC wants an end to distribution of land on tea and rubber estates for political advantage, continuation of government subsidy for estates not privatised and a special tax on tea to provide welfare facilities for the plantation population. The Tamil parties supporting the government are increasingly frustrated and have threatened to quit. Tamils are concerned over President Chandrika's new "One country, one race" slogan and say such campaigns ignore the distinct identities of the minorities and the multi-ethnic, multireligious and multiracial character of Sri Lanka. Others view this as an attempt to downgrade devolution.

In this bleak atmosphere, questions have been raised about the bipartisan agreement between the UNP and PA brokered by former British Foreign Office minister Liam Fox to pave the way for peace talks with the LTTE. Former peace negotiator and UNP stalwart ACS Hameed believes the agreement has no more validity. British officials say that Britain would not intervene unless invited by the Sri Lankan government.

Justice minister GL Peiris, participating in an international seminar in Colombo on the draft constitution on 9 August conceded that the whole devolution exercise would be as abortive as other attempts in the past if LTTE is not involved and that PA and UNP should reach consensus before the Tigers are expected to respond.

Sri Lanka Monitor on the internet: <http://www.gn.apc.org/refugeecounciluk>

THE VANNI

Refugees die in air attack

THE Sri Lankan Airforce bombed refugee settlements within a Catholic church premises in Vavunikulam, eight miles south-west of Mankulam in Kilinochchi District on 15 August killing six Tamils and seriously wounding 17 others. Observers say civilian areas in the Vanni are deliberately targeted since Army's *Operation Jayasikurui* launched in May to open a land route to Jaffna.

Shells exploded near Mullivalai Vivekananda school on 4 August disrupting examinations. Mullaitivu Government Agent (GA) R Tharmakulasingham says large number of people fled west and east from Oddusuddan and Mankulam in early August to escape aerial bombing.

Airforce bombers injured six civilians in Puthuvilankulam, 12 miles south-east of Mallavi on 15 August. The following day Army shells injured ten civilians in Karukaikulam. Refugee V Sathasivam and his daughter two year-old Kokila were killed by shells in Muthaiyankaddu on 1 September. TULF leader M Sivasithamparam has written to President Kumaratunge requesting her intervention to stop military attacks on civilians.

Jayasikurui troops on the Vavuniya-Kilinochchi road linked with the column advancing south-west from Nedunkerni, outside Puliyanikulam town on 6 August. The Army captured Puliyanikulam railway station on 21 August. The LTTE launched another devastating attack south of Puliyanikulam on 19 August

resulting in large number of casualties on both sides. The Airforce says the Tigers fired a Stinger missile at a military aircraft during the assault. Press reports say 650 soldiers have been killed in *Operation Jayasikurui* and 4,000 wounded. The LTTE claims that over 1,000 troops have died. The Army claims to have killed over 2,000 Tigers but the LTTE admits to only 300 deaths.

The government's arbitrary decision to reduce food aid to LTTE-held areas by 55% since May is biting hard. Jaffna Bishop Thomas Savundaranayagam says lack of food and medicine have led to people attempting suicide. According to Mr Tharmakulasingham the arrival of 45,000 refugees in Mullaitivu District since the beginning of *Operation Jayasikurui* has put enormous pressure on resources. He informed North-East Governor Gamini Fonseka that medicines for typhoid and malaria are exhausted in hospitals and no medicines for the third quarter of 1997 have been received. Over 380,000 refugees remain in the Vanni since the fall of Jaffna town in December 1995.

The Vavuniya GA K Ganesh told the Governor in late August that the reduction in kerosene supply to the Vanni from the agreed 8,000 barrels a month by 5,350 barrels has badly affected education, health and agriculture. The ICRC says the Defence Ministry has denied permission for the last six months for equipment to instal new water pumps.

Alcohol deaths

Fifty eight people died in Batticaloa District on 31 August by methyl alcohol poisoning after drinking in licensed liquor bars. Over 470 were admitted to hospitals. Police sealed seven bars and arrested 11 people.

Illegal

The Supreme Court declared on 19 August that the arrest and detention of former UNP Housing minister Sirisena Cooray were illegal. Mr Cooray was arrested on 16 June on allegations of conspiracy to assassinate President Chandrika Kumaratunge.

Sentenced

Arunasalam Surendran, accused of conspiracy in the Colombo Joint Operations Command (JOC) military headquarters bombing case was sentenced by the High Court on 29 August to 27 years imprisonment. LTTE suicide cadre rammed the JOC with a van packed with explosives in June 1991 killing 23 and wounding 150.

Indicted

Seven Army officers charged with the abduction and murder of 31 school boys in Embilipitiya in December 1989 at the height of the People's Liberation Front (JVP) insurrection, were indicted before the High Court in August.

Recommended

The US Senate recommended to the Clinton administration in early August that the LTTE should be listed as a terrorist organisation.

Jaffna begs for help

JAFFNA government officials are pleading with Colombo for materials for rehabilitation and reconstruction. They say only 5% of the population is supplied with electricity and there are only four telephones for a population of 450,000 for calls outside Jaffna.

LTTE continues to infiltrate Jaffna disrupting reconstruction, despite a massive security blanket. Reports say seven soldiers were killed in an attack at Meesalai in Thenmaratchy in early August. Two Tigers were killed and four soldiers wounded in a clash at Thikkam on 4 August. A soldier was seriously injured in a grenade attack at Uduvil in western Valikamam area. Two women

LTTE cadre injured in clashes that followed, committed suicide before capture. Four soldiers were injured in a Tiger attack in early September at Urani.

Farmers in southern Thenmaratchy say they are unable to pump water to the fields because of restrictions on kerosene. Jaffna Traders Association complains that kerosene is sold illegally in some areas at exorbitant prices.

The ban on deep sea fishing has badly affected Jaffna fishermen. Currently fishing is allowed only within a mile from the shore during the day. Request for compensation by many fishermen who have lost their boats and fishing equipment in the fighting, has been denied.

Over 1,800 houses of fishermen in the Gurunagar area are damaged.

In early August, over 8,000 displaced people were resettled in Thenmaratchy and UNICEF will assist in establishing health and educational facilities. Reports say UNHCR will build reception centres in Kankesanthurai and Gurunagar for refugees arriving from the Vanni. Since March over 18,000 people have arrived in Gurunagar from Mannar.

Former Jaffna GA, C Pathmanathan and five officers were arrested in late August under the Prevention of Terrorism Act on allegations of siphoning Rs 108 million (\$2 million) for the LTTE over a five-year period from food aid funds.

■ Artillery duel in the east

Hidden casualties

BATTICALOA MP Ali Sahir Moulana told a visiting Amnesty International delegation in August that in the previous three months, over 300 civilians were killed in the district in Army shelling and 400 others wounded. LTTE's new artillery capability has added to civilian problems.

The Tigers fired over 20 shells into Batticaloa town on 24 August, killing two civilians, including four year-old A Sulakshanadevi and two soldiers. Another 21 civilians, 18 soldiers and six PLOTE members were injured. The Army subsequently shelled Paruthichenai killing Y Yathur Rajah.

Unidentified persons fired into crowds at the Hindu Mamankam temple festival

on 1 August injuring three people. In a grenade attack the following day near the temple, a policeman was killed and six others injured. The bodies of six Sinhalese villagers who went into the jungle for firewood were found on 4 August at Migaswewa, 20 miles north of Polonnaruwa.

Following a LTTE attack on a military post in Valaichenai on 27 August in Karuvakerni in which a soldier was injured, the Army shelled populated areas of Vinayagapuram and Peithalai injuring five civilians.

The Army stopped all bus services to LTTE-controlled Vaharai, 20 miles north of Valaichenai, in mid-August, thus preventing people taking food and fuel into

the area. Batticalao GA AK Pathmanathan says there is acute shortage of food and prices have risen sharply. NGOs have been forced to limit their work and rehabilitation projects of NGO the Eastern Human Economic Development Centre in Vaharai have come to a standstill.

The military has also prohibited Health Department's mobile health units into LTTE areas where over 90,000 people live. Several NGOs which have applied to begin projects in these areas have been denied permission. Reports say as a result of insufficient food for many months, over 45% of students are malnourished. Around 1,700 still live in refugee camps in Batticaloa District. Over 25,600 other refugees live with friends and relatives and depend on dry rations issued by the government.

Further south in Amparai District the Special Task Force carried out major search operations in early August. Over 500 Tamils were rounded-up in Karaitivu on 7 August and three people detained following interrogation near Kannagi Amman temple. Over 1,500 people were rounded-up in Periyakallaru and Periyaneelavanai on 11 August.

Reports say that the murder of Thiraiakerni Village Development Society President Ilayathamby Mylapody on 9 July is not being investigated. Mr Mylapody has been involved in the resettlement of refugees and had complained about police and Home Guard involvement in illegal tree felling in the jungles.

missing

FOLLOWING a visit to Jaffna, the UN Special Rapporteur on Extra-judicial Executions, Bacre Waly Ndiaye declared in late August that the gap between those disappeared in Jaffna and those whose whereabouts are established is too huge. Sri Lankan officers told an Amnesty International delegation in August that they have traced 52 people on the London-based human rights agency's Jaffna disappearance list of 640. People have little confidence in the committee headed by Defence Advisor Bandula Kulatunge to investigate disappearances in Jaffna. Only 39 of the 60 people summoned to give evidence were present at the Palaly military base on 13 August. In early September the government announced that it will make public reports of the three commissions which inquired into disappearances from January 1988. Despite Justice minister GL Peiris' pledge for new laws to punish those responsible for the 16,742 disappearances recorded by the commissions, observers are doubtful that military officers will be brought to book while war continues. The Jaffna NGO consortium has stressed that the new Human Rights Commission must establish an office in Jaffna to prevent further violations such as arbitrary arrests and rape. Reports say student Vilasini, 17, of Arali and teacher Chandrakala, 22, of Valvettithurai were raped by security forces in July. Sri Lankan ambassador AB Goonetilleke told the UN Sub Commission on Prevention of Discrimination and Protection of Minorities in early August that the government continued its policy of cooperation with human rights agencies, particularly those of the UN. Human rights observers say that the government has not complied with the UN request for an interim report on the children of the north-east. The interim report was requested after Sri Lanka's five-year report to the Committee on the Rights of the Child failed to include the situation of children in the north-east.

Refugee protest

OVER 750 Jaffna refugees at Uppuveli in Trincomalee District staged a protest fast on 18 August demanding transport to the peninsula. Refugees complain of shortage of food and lack of medical facilities in the camps.

Ship services to Jaffna from Trincomalee were disrupted after LTTE attacks on ships in July. Despite the threat, the ship *Tharaki* carried 286 passengers to Jaffna on 25 August. The Defence Ministry has announced that the Navy will continue to provide security.

The LTTE attacked a police patrol in early August at Salpayaru killing four soldiers. Fisherman L Thamayanthan was shot dead by the Army at Thirukadalar on 18 August. Another youth was injured

and four were arrested. TULF leader M Sivasithamparam says in a letter to President Chandrika that the soldier who killed Mr Thamayanthan has been identified by the people and has called for an enquiry. Kattaiparichchan army camp, east of Muthur, came under LTTE attack on 28 August. Following the attack the Army shot dead S Sivapalan. Reports say the Tigers killed Ponniah Mahendran, a suspected Army informant.

TULF member Eelathunathan who was arrested by police on 10 August in connection with the murder of Trincomalee MP A Thangathurai in July denies any involvement. LTTE's senior leader *Sornam* is Mr Eelathunathan's brother-in-law.

Torture and extortion still plague the capital

Chandrika condones Colombo arrests

PRESIDENT KUMARATUNGE said in an interview on 19 August that she was aware that some police officers were arresting innocent Tamils in Colombo and demanding large amounts of money for their release. The President made it clear that harassment of Tamils in southern areas could be ended only on achieving peace in the country.

Opposition leader Ranil Wickremasinghe has condemned arbitrary arrests of Tamils in Colombo. Mr Wickremasinghe says that undue delay in enquiries by police was leading to allegations of disappearances and called for appointment of Tamil officers in all police stations.

Police say they carried out a number of cordon and search operations in the capital in August. A major search operation was conducted on 6 August in Negombo, 20 miles north of Colombo for hidden explosives and weapons. Four days later police searched Crow Island and Modera areas in north Colombo and

rounded-up 20 Tamil youths. Another 15 young men and women were arrested in the Pettah commercial district on 2 September.

Police believe that many Tiger suicide units are in southern Sri Lanka to attack high-profile targets. In early August Deputy Inspector of Police DMTB Dissanayake said that 17 Tigers had arrived in Colombo recently. Two Tiger women suspects were arrested in Kotahena suburb in mid-August. In late July and early August the police closed three lodges providing cheap accommodation to people from north-east, on allegations that they provided refuge to LTTE cadre.

People complain that gangs in Colombo are targeting Tamils. A number of robberies by persons pretending as police officers have been carried out. A gang posing as Criminal Investigation Department (CID) officers robbed the passports of a Tamil family from Germany in a Pettah lodge in August.

In mid-March the Supreme Court ordered the release of three Tamils who had suffered torture in custody. Kilinochchi resident Ratnam Gajendrakumar says he was arrested at Thandikulam on 17 November and tortured for three days at the Vavuniya Joseph military camp. Petrol was poured into his eyes impairing his sight.

Batticaloa resident Sothilingam Jeyakanthan alleges he suffered brutal torture at the hands of the police after his arrest on 27 February. Trincomalee resident John Jeyadas detained on 17 March was assaulted at a police station. Ratnam Selvarajah was arrested by the Army on 25 June from a shop in Colombo and tortured in a military camp. He was not handed over to the police within 24 hours as required by Emergency regulations.

Fears of death squads in Colombo were revived following the abduction of S Ravinathan in the Wellawatte suburb on 18 August. His body was found later in Piliyandala.

No safe passage

NEGOTIATIONS between international refugee agency UNHCR and the LTTE for safe conduct of Jaffna refugees from the Vanni to the peninsula failed in early August. Shipping between Jaffna and the south was disrupted in July after the LTTE began targeting ships claiming that the government used food ships to transport weapons.

UNHCR began talks with the Tigers following a Sri Lankan government request to provide escort to refugee vessels. "LTTE response was regrettably negative" UNHCR says in an early August press statement. The LTTE says that UNHCR declined to guarantee the safety of refugees after it raised the issues of disappearances, arbitrary arrests and torture in Jaffna.

The Tigers allege that a number of Tamil refugees repatriated from India to Sri Lanka with UNHCR involvement have been killed in Army operations. UNHCR has pledged to continue discussions to stress its humanitarian concerns.

The LTTE, while targeting ships in the Mannar sea, has also launched attacks within the district. In clashes near

Murunkan and Semmantivu on 7 August five soldiers were killed. Four Tigers and four soldiers died when the LTTE attacked military checkpoints at Uyilankulam on 16 August. Following

the attack the the Army shelled LTTE-held areas killing two civilians and injuring 30 others.

The Army issues 300 passes a day for people from the Vanni entering Mannar. Brokers have emerged and permits are sold at Rs 500. Mannar GA SM Croos says that in late August the Army at Uyilankulam prevented refugees crossing into government-controlled territory, fearing unmanageable numbers. Following government reduction of dry rations by 55%, a large number of people are struggling without food in Mannar, reports say. There is a shortage of fuel and the price of kerosene has shot up from Rs 27 a litre to Rs 50.

The hospital in Army-controlled Murunkan, which serves over 20,000 people, including many refugees, has only one doctor who is present only two hours a day. People say deaths could be avoided if permanent doctors are appointed to the hospital. On Mannar Island, dry rations for June and July have not been issued forcing refugees to beg for food. Official apathy is said to be the reason for the delay.

THE SRI LANKA MONITOR is part of an information processing service set up by the British Refugee Council to keep Sri Lankan refugees in Britain, Europe and elsewhere, informed about the current situation in their home areas.

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