

**THE UNIVERSITY TEACHERS FOR
HUMAN RIGHTS [JAFFNA]**

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THE WAR OF JUNE 1990

**UTHR [Jaffna]
University of Jaffna
Thirunelveli
Sri Lanka**

PREFACE AND AN APPEAL	3
SRI LANKA: CONFLICT OF JUNE 1990	5
CHAPTER 1	5
HISTORICAL BACKGROUND:	5
Towards war:	8
CHAPTER 2	10
JUNE: THE WAR BEGINS	10
CHAPTER 3	14
WAR AND THE CIVILIANS:	14
EASTERN PROVINCE (SOUTHERN SECTOR):	14
TRINCOMALEE:	17
BATTICALOA:	18
HOW THIRUKKOVIL WAS SAVED:	18
JAFFNA:	19
What the young fear	20
CHAPTER 4	20
THE WAR AND THE MEDIA	20
What the Press revealed:	22
Report (Island 14th July) by Norman Palihawadana:	23
Refugees to Tamil Nadu:	24
Positions taken by Tamil Political Parties:	25
Killings of Muslims	25
What happened at Kalmunai?	26
The Official Positions:	26
The PLOTE complaint:	26
The EPRLF position (the Island, 16th July):	27
The TELO report:	27
An MP speaks on the War	27
CHAPTER 5	29
THE POSITIONS OF SOUTHERN POLITICAL PARTIES	29
The NSSP :	29
The SLFP:	29
CHAPTER 6	31
THE SOUTHERN SCENE	31
CHAPTER 7	33
ISSUES SURROUNDING THE WAR	33
(i) Killings of Sinhalese civilians:	33
(ii) The Muslim Question	34
(iii) The International committee of the Red Cross	36
(iv) The Tamil Militant Groups opposed to the LTTE	37
(v) The Salient Features of the Current War:	38
(vi) The Victimisation of Non-Combatant Civilians	39
CHAPTER 8	40
TAMILS IN THE SOUTH:	40
THE PRESENT:	41
Other incidents :	43
CHAPTER 9	45
FURTHER REPORTS	45
LATE REPORT: Massacre at Kattankudy, 3rd August 1990	48
CHAPTER 10	50
THE TAMIL PREDICAMENT	50
APPENDIX I	51
FOR A CHANGE OF HEART	51
APPENDIX II	53
The East : Report from the Times of London	53
APPENDIX III	57
EAST : The cauldron of hate	57
The Responsibility of Tamils:	60
APPEAL FOR URGENT ACTION	61

PREFACE AND AN APPEAL

The current report of the UTHR [Jaffna] was prepared under the exigencies of war. It was prepared in conditions where its members were scattered and consultation was not easy. We trust that we continue to maintain standards we developed in the course of three earlier reports. This report is a contribution towards understanding the current conflict with a view towards addressing the problems arising from it. We hold the view that its underlying problems go much deeper and embrace the whole country. **These problems arise from a malignant politics where respect for basic human dignities has been cast aside.** This is evident throughout to country. We cannot escape addressing this.

The present war is being waged in a country where ordinary people are everywhere helpless, the universities are silent, the politicians are confused and the best the churches would allow themselves to do is to render some humanitarian assistance. The wound continues to fester. We are attempting to present the war and the background to it its full totality. Nearly all its features have been recognised in isolation. But putting them together is to face something that is too terrible to behold. Most people have avoided it. Thus the same persons who were critical of the government's human rights violations in the south last year, have in many cases been able to support the current war as a just one. This has also enabled them to disown any moral responsibility for the fate of civilians. If there is any truth in the picture presented here, it should seriously challenge much of what is said and written about the state of affairs in this country in influential circles, which in turn influence world opinion. We feel that words of leaders and what go into law books, to which too much importance is still attached, barely reflect the underlying reality.

In recent times state has used divisions amongst minorities and within a single community itself, without consistency or principle for short term military advantage. The result is greater misery compounded by revenge killings. There is no healing touch anywhere. Thanks in part to their own leaders, the Tamil minority at this time feel collectively cornered. A large number of its young have been driven to feel that they face certain death at the hands of the state's forces whether they carry a gun or not. It is a situation that calls for a committed, principled response. The alternative is a progressive disintegration of the country. We put forward below an appeal.

The Appeal:

The UTHR [Jaffna] puts forward this appeal which is based on communications from its members, friends and associates. It urges its friends to take it up with state authorities and international agencies:

- 1. Put forward a political solution to the minority question that it is consonant with commonly accepted international standards such as the UNCharter of Human Rights.**
- 2. All minors who carried arms should be pardoned.**

3. **Arrange for ICRC supervision of all refugee camps.**
4. **Guarantee the safety of all unarmed persons, particularly the young. All detainees should be under ICRC supervision. A human rights committee consisting of local and International human rights activists, together with members of Parliament, should be given access to all detention centres, with a view to looking into complaints and publicising their findings.**
5. **Arrange for an internationally supervised ceasefire under conditions where freedom of expression will be guaranteed, so that a broad consensus of Tamil and Muslim opinion can be brought to bear in the negotiating process for a settlement.**
6. **Where relevant, the humanitarian features proposed above should be extended to youth throughout the country. Concerning 5, cease-fires with no commitment to a healthy political process, where the armed parties are merely freed from fighting each other in order to devote all their energies to picking up, torturing and killing dissidents and civilian political opponents, are meaningless. We have had too many bad experiences of this kind including all recent ceasefires.**

SRI LANKA: CONFLICT OF JUNE 1990

THE UNIVERSITY TEACHERS FOR HUMAN RIGHTS [JAFFNA]

UNIVERSITY OF JAFFNA

THIRUNELVELY, JAFFNA, SRI LANKA

CHAPTER 1

HISTORICAL BACKGROUND:

The present conflict has its roots in attempts to manage conflicts of interests and to safeguard the influence of dominate power blocs without any corresponding moves to secure and enhance the basic right and freedoms of ordinary people in this country. The process of erosion of civil liberties which began over a decade ago, has been accelerated during the last three years. All armed parties were responsible for this, while the Sri Lankan state and other state powers which were directly or by proxy involved in the shaping of events, must bear the heaviest share of responsibility for their pursuit of interests with a cynical and calculated disregard for human rights.

The rapid erosion in the South came in the wake of the JVP's military campaign against the government which followed the Indo-Sri Lanka Accord of July 1987 and the failure of the government's military campaign against the Tamils. This was put down by the state's security establishment, now enhanced by a number of para-military units, by a campaign of counter-terror, which left a large number of Sinhalese youth killed. The visible hall-marks of this campaign were mutilated corpses burning on roadside with tiers around them. Human Rights sources in the South commonly put the number so killed at about 30,000. The number killed by the JVP is put at 1,000 - 2,000. The JVP's targets included prominent and respected Leftwing politicians who were critical of them besides figures from the UNP and the security establishments. Other victims who went dead or missing during this period and where in number of cases the state's role is alleged, include over 300 university students, some lawyers involved in filing habeas corpus applications and several activists in the main opposition party, the SLFP's leftwing. The Presidential elections of December 1988 and the parliamentary elections of February 1989 were held in conditions where the turnout in several rural areas, particularly in the deep South, was very low. Life in the south goes on under conditions where there are few tangible checks on the state and its security apparatus. The instruments often resorted to by the state were the Prevention of Terrorism Act of 1979 and Emergency Regulation 15A of 1983, originally enacted to combat the Tamil insurgency. It has been pointed out that under emergency rule, which has existed most of the time, killing a person in custody was effectively legal.

The erosion of civil liberties amongst Tamils in the wake of the militancy against state oppression has been discussed in earlier reports. We shall sketch recent events. By the end of 1988 the Tamil militants had deeply compromised and weakened by their past conduct and were involved in the political of survival. Whether they acknowledged it or not, all groups were in need of patrons whose first concern was not the well-being of Tamils. In November 1988, the Pro-Indian EPRLF led coalition acceded to power in the newly set up North-East Provincial council through elections which their powerful antagonists, the LTTE did not participate. Premadasa upon becoming President in December 1988, reaffirmed the government's commitment to the provincial council and to the process of devolution envisaged in a bid to find a political solution to the Tamil problem in terms of the Indo-Lanka Accord. In a reciprocal show of goodwill, Mr. Vardaraja Perumal, the Chief Minister for the North-East, personally hoisted the contentious Sri Lankan national flag on Independence day, 4th February 1989. All this did not bring a restoration of the rule of law to the North-East, where the Indian Peace keeping Forces [IPKF] was responsible for security. If anything, the stakes were placed higher and the killing rates of both sides increased particularly of civilians.

President Premadasa started talking to the LTTE in April 1989 and shortly afterwards demanded the departure of the IPKF, while the political solution to the Tamil question and the fate of the provincial council were far from settled. The pro- Indian party controlling the provincial council was sent into a state of panic as an Indian pull-out appeared increasingly likely. The Chief Minister began complaining that there was deliberate stalling on the devolution of powers and provision of finance for the Provincial government. Several of the LTTE's attacks against the IPKF brought about the not unexpected heavy reprisals against civilians. Reprisals in July/August 1989 such as at Valvettithurai and Pt. Pedro brought further discredit on the IPKF. Total of over 80 civilians were killed in these incidents. There were also commendable instances of restraint by the IPKF such as at Adampan and Mannar. In the latter instance gun men fired from inside Mannar hospital killing 24 soldiers in an army post just outside.

At this point IPKF officials bitterly complained that they had evidence of the Sri Lankan government supplying weapons to the LTTE, in order to undermine their credibility and role, for which the Sri Lankan government was party. This claim was subsequently repeated by leading opposition politicians in the South and also in local press reports. Other source have described these weapons as forming a substantial armoury.

In the meantime the LTTE appeared to be forming close links with the Sri Lankan security establishment enjoying a great deal of freedom to operate and establish check-points in the South. What happened in Tamil Nadu before 1987, now seemed to be happening in southern Sri Lanka. A number of leading LTTE personalities expressed confidence on President Premadasa in press interviews and were lionised in the press. Many prominent Southern intellectuals acknowledged the LTTE as the legitimate representatives of the Tamil people.

It was in these circumstances that the pro-Indian party adopted the cruel and ill-considered response of conscripting young persons of protecting the provincial government in the eventuality of an Indian pull-out. The manner in which this was done, together with anarchic killings by pro-Indian groups in the wake of the LTTE's advance, totally discredited the pro-Indian groups. The

LTTE took control of the North-East between November 1989 and March 1990 as the IPKF pulled out. The LTTE's advance in the East and in the Wanni was facilitated by support from Sri Lankan forces. The Sri Lankan government reluctantly or otherwise acceded to the LTTE's demand that its forces should only mark a passive presence, leaving the maintenance of order to the LTTE. The LTTE emerged with its legitimacy and fame greatly enhanced.

It would have ideally liked quick provincial council elections to consolidate its position, absorb its cadre into a provincial police force and legitimately maintain its organisation at state expense. It appeared even prepared to tolerate some dissent, limited press freedom, a token opposition and even international observers at elections. Such moves, while providing some relief to those on the wrong side of the LTTE, would have enhanced its international image.

The TNA disintegrated in the course of the LTTE's advance, after putting up some resistances in the East. A large quantity of Indian supplied weapons fell into the LTTE's hands. Whether by supplying them to an ill-prepared conscript army, India actually wanted the LTTE to have these weapons, in view of a predicted confrontation with the Sri Lankan army, is one that has been much speculated upon. Many conscripts who surrendered to the LTTE were returned to their parents. In a number of places where there was resistance, those who surrendered were treated harshly. In Batticaloa, about 11.12.89, an estimated 75 TNA members who surrendered were shot dead with their hands tied. Over 1,000 members of Pro-Indian groups were shipped to India by the IPKF. The rest scattered. A number of them who tried to cross to India with their supporters and families were killed at sea, and a number of bodies appeared on the shores of India and northern Sri Lanka. The LTTE and the Sri Lankan navy were blamed for these killings, either separately or in collusion, in press reports in India and by local villagers. The Sri Lankan government denied Indian charges of firing at these fugitives from the air (Sunday Island, 11.2.90). Pro-LTTE sources (eg. Voice of the Tamils, March 1990, Toronto) alleged that the killings were the result of divisions within the TNA. But in general protests or expressions of concern from the Tamil side were strangely muted, considering that women and children were among the victims.

The UN Human Rights sub-commission hearings of February 1990, brought to the surface an aspect of the relationship between the government and the LTTE that been implicit right along. Leading opposition parliamentarians who went to Geneva to raise the matter of human rights violations, particularly in Southern Sri Lanka, were upset at finding the LTTE closely supporting the Sri Lanka government. One of them, Mr. Vasudeva Nanayakkara, belonged to the NSSP, which had all along taken a consistently humane line on the Tamil question. In 1987 and earlier, all Tamil militant groups had sent representatives to the sub-commission and had been vehemently critical of the government. The Victims were then mostly Tamil civilians. Looking back at the entire process which lasted 14 months, and statements by leaders on both sides, it becomes evident that the understanding between the LTTE and the government had little to do with the rights of the Tamil people, the Sinhalese people or of mutual understanding between the two. The Government had neither done nor said anything to suggest that it repented its former military approach to the Tamil problem which left over 10,000 dead. Nor did the leading protagonists on the Tamil side regret killings of Sinhalese civilians by Tamil militants or show any sensitivity towards the feelings of rural Sinhalese over the loss of thousands of their young during the recent campaign of counter-terror. True, both sides had staked much in a tactical understanding to

undermine India's position. What followed raises the question, whether agreements not based on trust, justice and a common respect for the dignity, rights and well-being of all people, are worth anything. **In this case, ordinary people are paying a high price for the adventurism of leaders whose vision was confined to the problem of immediate survival.**

Towards war:

From all that has surfaced in public, it appears that the LTTE's long drawn out negotiations with the government were mostly about the regularisation of the LTTE's cadre as part of the police and armed forces and about manning levels and deployment of Sri Lankan forces in camps and stations in the North-East upon the IPKF's pull out. There appears to have been no final agreement on a political solution. The LTTE perhaps thought that with the enhancement of its legitimacy following provincial council elections, it would be in a strong political position both locally and internationally to get what it wanted in a bargaining process. It was already engaged in strengthening its position in India after finding an ally in Mr. Karunanithi, the Chief Minister of Tamil Nadu, besides others. Equally, the Sri Lankan government feared such an eventuality. It is understandable that the government tried to buy time. One problem raised by the government, the technical problem of dissolving the existing provincial council whose leaders were in exile, turned out to be more cosmetic, given the casual ease of past constitutional amendments.

A more real problem for the government was the question of surrender of arms by the LTTE. This was being demanded by almost every shade of political opinion in parliament, particularly by the Sri Lanka Muslim Congress [SLMC] which had its base in the East. The LTTE had banned political activity by the SLMC and a number of violent incidents left the Muslims with a view of the LTTE as a repressive force. The LTTE on the other hand claimed to speak for all Tamil speaking people, including the Muslims. But its conduct made this claim unsustainable. Also the LTTE's ambivalence on several issues and reports of its military build up made particularly the Southerners very uncomfortable. A case of ambivalence pertained to the laying down of arms. Earlier during this year, the LTTE's Chief Spokesman Anton Balasingam stated while reaffirming confidence in existing arrangements, that the LTTE would lay down its arms once the last Indian soldier departed from this Island. With the progressive departure of Indian troops [completed by 31st March], the emerging LTTE position was that the government must create conditions where the Tamils would not require the protection of arms. The government maintained that the provincial council elections could be held only in a gun-free environment.

While the government's stand was legally correct, in this matter at least the LTTE had some good arguments on its side. Given that the government found it in order to hold North-East provincial council elections in November, 1988 while pro-Indian groups moved around with arms, why could these elections not be held now while the LTTE did the same? What had changed substantively since July 1983 to reassure the Tamils that the government would protect them and administer the law impartially? Had not the government itself supplied the Tigers with weapons a few months earlier "When they told the 'authorities' of a so called grave danger to them by other Tamil groups?" [Miscalculations can cost us this war'- Shamindra Ferdinando, Sunday Island, 15th July 1990]. Who could say that such a danger was past? After all, had not the government itself ignored or taken lightly complaints by Muslim and Tamil parliamentarians over the LTTE'S continuing hunt for 'traitors'? The government lacked the moral authority to counter these

arguments.

The conscription campaign initiated in July 1989 by India and its allies, provoked so much resentment and fear, that a large number of young boys in their early teens joined LTTE ranks. The LTTE's fame and legitimacy reached a peak about February 1990 when Indian troops vacated most parts of Jaffna. In this atmosphere even younger children received training from the LTTE with next to no public protest. Since no final agreement had been reached with the government and the outcome of further negotiations would be inevitably influenced by military strength, it was only natural that both sides should prepare themselves militarily. The result was an escalating game of brinkmanship. Every time the government forces tried to move out or to establish a new post, they were challenged. There ensued either a time of tension or a minor skirmish, followed by talks. Nearly every time, the government appeared to give in. Army camps at Pt. Pedro and Valvettithurai were removed. Policemen stayed in barracks anxiously peering out of sentry points, while LTTE posters outside warned them not to move out without permission.

As the weeks dragged on, the political position of the Tigers became more shaky on the ground. Though many admired them and felt that they had given the Tamils a sense of strength and dignity, confidence in what they held out was lacking. More mature boys generally kept aloof from them. Spokes persons for the LTTE's student wing, the SOLT, stopped visiting boys' schools when the tendency for awkward questions became infectious. Taxation and interference in areas of civilian life such as culture and entertainment became irritants. The LTTE in turn hardened its approach. A number of persons with past dissident connections had fled the North-East upon hearing that the LTTE had inquired about them or had called at their homes. Sources in Batticaloa District put the number killed between October '89 and June '90 at over 300. In Jaffna the number killed is believed to be much lower, but the LTTE had claimed that it was holding over 1,000 prisoners. [See Amnesty International statement, June 1990]. On the matter of taxation, LTTE sympathizers maintained that it was forced on them by the government postponing elections and the regularisation of its armed cadre which would have given them official status and funds.

As the LTTE became more anxious about its position, there was also the suspicion of a deliberate government conspiracy in the delay. The government could have countered this by stating unequivocally what it was prepared to give towards a political solution. This it did not do, encouraging unhealthy speculation on the Tamil as well on the Sinhalese sides.

The end of May marked a period of tension when the government had talks with militant groups which were previously aligned to India, and when air force helicopters flew over Jaffna, civilians were advised to build air raid shelters. On 3rd June, the LTTE's information network abroad announced confidently that talks on reaching accommodation over differences with the Sri Lankan government were going smoothly and that the tide of tension and anxiety had receded. When the conflict escalated on 11th June, the manner in which hundreds of policemen surrendered without resistance suggested that the government was unprepared and instructions had not been given. Military camps too were unprepared for prolonged sieges.

CHAPTER 2

JUNE: THE WAR BEGINS

When the war broke out on 11th June, there were many sceptics throughout the country who said that both sides needed it. A conspiracy may be hard to establish. It may more correct to say that the war was brought about by ways of reacting to situations and habits of mind, that were on both sides essentially anti-democratic. Once the tactical use of rapprochement was over, the host of political problems had to be faced. The human needs and basic rights of the Tamil and Sinhalese people had not been addressed. Sinhalese people were becoming unconvinced of the utility of the deal with the Tigers. The opposition was more vocal in challenging the government's human rights record. Moves to privatise the CTB were being widely questioned and a strike by CTB workers was being threatened. Moreover, the security establishment, the strong arm of Sinhalese nationalism, consuming a very much larger part of the budget (14%) than health or education, stood discredited in the South as well.

In the Tamil areas the disquiet with the prevailing order has been mentioned. The Muslim issue had not been addressed. The Amnesty International statement (the Island 1st June) which said: *"It (the LTTE) appears to condone and threaten the extra judicial execution of those it considers 'traitors'...."*, went on to charge the group of carrying out summary executions of purported criminals, and recommended that the ICRC be allowed access to its detainees. This was symptomatic of increasing doubts about the group's credentials internationally- something on which the group placed a high premium. Whenever in the past the LTTE had been engaged in combat with a powerful but oppressive army, which assuaged its fury in civilian reprisals, it had its strength and credibility enhanced.

For the Tamil people, however, the possibilities looked fairly bright. During the past few months, most leading educational institutions in Jaffna had either gone on tours of the South, or had advanced plans to do so. Likewise, pilgrims from the South were once more visiting shrines in the North. Communal feelings were being slowly eroded. There was also a strong feeling in the South, given the economic difficulties, the massacre of thousands of young and misgovernment, that it had its own deep seated problems and that the Tamil problem must somehow be laid to rest. This was reflected in the 'Sun' editorial published as late as 15th June, after the conflict had commenced.

"Instead of seeking the impossible, we have also suggested the creation of a Federal system under which the Tamil minorities in the North and East could have greater autonomy in their affairs, thus preserving the unitary status of Sri Lanka. An urgent political solution to the current crisis is therefore the most sensible fait accompli...."

'The Sun' was a paper which catered to a readership that did not take a soft line on the Tamil issue. The term Federal system was for long a dirty word in southern political discourse and would once again become so as the conflict progressed.

Even if such a promising situation had arisen without good intentions on either side, the response of anyone interested in the well being of Tamils and perhaps of the sinhalese, would have been to encourage this trend. Every political move should have been made to marginalise the role of the military. No government could have politically justified such a heavy military expenditure as against health, education and the needs of the poor, by saying that it was afraid of the sinhalese. It would have had to use a real or imagined Tamil threat. With the role of the military marginalised, it would have served both Tamil and Sinhalese interests to give the Southern opposition a free hand in challenging the government's human rights record. Such developments would not only have posed a challenge to the Sinhalese chauvinistic ideology, but were also a threat to Tamil political ideology based solely on military prowess, conformity and a constant feeling that the Tamils were under physical threat.

All this may not have been decisive in either side consciously precipitating the war. But it would have influenced their responses to a series of challenges over a time which resulted in the war. Take for instance the 'fait accompli' of spelling out a political solution that seemed a simple way out for an ordinary commonsensical 'Sun' editorial writer. The government has failed to put one forward from the time it started talking to the Tigers 15 months ago. Its failure to do it even now only weakens its position.

As has been said often, the immediate issue that triggered off the war is certainly not the quarrel between the Tigers and the Batticaloa police over a civilian's illicit love affair. The Tigers had themselves reported in their media on 3rd June that talks on settling differences between themselves and the government were going well. It appears that the government had earlier given word to the Tigers that 4,000 - 5,000 persons named by them would be regularised as part of the army, police or both. This was strongly suggested in private conversations of senior LTTE members from the middle of 1989. About this time the government had also announced that recruitment to the forces would be on ethnic proportions - i.e. 18% Tamils. From the time the IPKF departed, the government, for whatever reason, does not seem to have moved on this matter. June appears to have been a kind of deadline agreed previously. A number of influential Tamils who wanted to start rehabilitation projects in the North-East were told by the Tigers to wait till June starting anything big.

10th June appears to be the new deadline agreed after talks earlier in the month, for action on regularisation. (See Kautilya's column, Sunday Island, 22nd July). The attack on the army column in Vavuniya which ignored orders to stop on 8th June, appears to be a signal of impatience. Why the government had not acted by the 10th June is not known. From April 1989, the whole process of government-Tiger talk proceeded with several loose ends hanging. This became evident in differences between the Sri Lankan forces and the Tigers, as the IPKF moved out.

The Tigers seem to have decided to show their hand by taking over all police stations from 11th June and challenging the movement of Sri Lankan forces, perhaps expecting fresh negotiations. This marked the commencement of the conflict. Once the conflict was in progress, it evoked a variety of rather unexpected reactions. Several southern villages which had suffered grievously during the government's counter-terror against the JVP, expressed satisfaction at

armed forces' casualties by firing crackers, putting up banner and writing graffiti on walls. A number of Sinhalese of all ages and classes expressed feelings the outrage against the tigers for giving the armed forces the opportunity to reassert their legitimacy as saviours of the nation after with what they had done in the South; and also providing the government with a diversion to sweep all its misdoings under the carpet. Many of them admit that the South is in for worse times and that there will be no prospect of issues of basic justice being addressed in the South until Tamil politics of the kind is militarily subdued. For this reason they would take a fatalistic view of the current fate of Tamils.

There were many Tamils who were incensed that the government was getting away with grossly false propaganda. they are also angry with the Tigers accusing them of having acted as decoys for the government: First to get the IPKF out and to topple a legally constituted provincial government without any hint of a political settlement. They say that the government deliberately strengthened the Tigers and put them in the place of the EPRLF, so as to regain the military option denied to them after India's entry in 1987. They point out that the EPRLF was so weak that the government could never have legitimised a military option with them in control of the North-East.

It is only fair to say that the government and the army would be divided on such matters. There would be many in the government who would rather do politics without violence and military men concerned about sully the reputation of the armed forces by killing civilians. But certain sections are bound to seize opportunities, appeal to dominant ideological presumptions and self interest and argued convincingly that no other option is open.

On the part of the tigers, their decision to confront the state forces may be argued as a logical necessity. But such necessity only arose through a series of actions and deals without reference to basic human values. Any political force seen to be respecting truth and justice could have found sounder means to secure its legitimate demands.

We give below the sequence of events pertaining to the conflict as recorded in the press:

- 8th June:** **Tigers shot at a military convoy in Vavuniya which ignored orders to stop, killing a corporal and wounding 9 soldiers.**
- 10th June:** **300 Tigers surrounded Batticaloa police station after a quarrel over the police assaulting a civilians and proceeded to occupy it.**
- 11th June:** **Tigers ordered police personnel in the East to vacate all police stations with their families by 2.30 p.m. or to face the consequences. By noon hundred of policemen and their families had streamed into security forces camps and air forces camps. In Batticaloa, Tigers arranged**

refugee accommodation for Tamil policemen in a nearby school. Sinhalese refugee from a camp were taken air force base.

At Kalmunai tigers engaged an army convoy returning after purchasing provisions, killing 10 soldiers. At Kalmunai and Kalawnachikudi police stations, fierce fighting raged before the policemen surrendered. At Kalmunai, 8 policemen were reported killed. The LTTE had also suffered casualties - 2 killed and 17 injured according to reports.

Most police stations appear to have surrendered without a fight. By the end of the day, the Tigers were in control of 9 police stations - Batticaloa, Vellaveli, Kalmunai, Valachenai, Kalawnchikudi, Samanthurai, Eravur and Akkarapattu.

In the Kalmunai area, a number of policemen who surrendered were driven off to an undisclosed destination. On 17th June, the papers quoted Ranaweera, a policemen who escaped with injuries, saying that he and 113 of his colleagues from Kalmunai police station were lined up and shot. The fact there was resistance in Kalmunai together with Tiger casualties may have influenced the inexcusable conduct of the Tigers. This in turn would have influenced the conduct of the army when it re-occupied Kalmunai.

On two occasions, 13th and 16th June, ceasefires were agreed to between the LTTE and the government's negotiator, justice minister A.C.S.Hameed. Both these broke down shortly.

The Island of 16th June reported quoting informed sources that 100 Tigers were killed in Trincomalee when the armed forces counter attacked. It failed to add that the tigers were not around during the counter attack.

On the 16th June, the press also reported a press conference given by Minister M.H.Mohamed at his parliament office. The Minister charged the Israeli experts had joined the LTTE to create trouble and turmoil. The paper did not report any significant evidence. Why this influential minister and Senior member of the UNP should raise it at this time was not clear. The Minister is a leading member of the Sri Lanka Arab Friendship society. There was hardly any response to the minister from other members of the government, except what appeared to be an embarrassed silence. The other parliamentarian who has charged that the Israelis are helping the tigers is Vasudeva Nanayakkara from the left end of the political spectrum. If there is substance to this charge, what is likely is that the Israelis started helping the Tigers about the time President Premadasa began talks with them in April 1989. Such help would then have been in concord with the government's own policy of with the US policy of arming and strengthening them. It would also have been in keeping with the US policy of containing Indian influence. The Israeli Interests Section housed in the US Embassy premises was brought in during 1984 as part of US efforts to help the government find a military solution on the Tamil problem, as against India's aims. The government had the Israeli Interests Section withdrawn earlier this year about the time of the withdrawal of the IPKF. this was reportedly due to Islamic pressure. It would have seemed like getting rid of an awkward ally, while denying him the political price he wanted in return. The United State had conveyed its displeasure at this action.

The Sunday Observer of 17th June quoted, President Premadasa as having said in a speech, the Tigers would face the JVP's fate. The same issue in its leading item, filed by a special correspondent from London, claimed that LTTE's strategists had met in London to draw up a master-plan to destabilise Sri Lanka. Kittu was listed as one of the strategists who participated. The plan was obviously an invention on the Observer's part to create war hysteria. According to this plan journalists were not to be encouraged to visit those parts where the LTTE had gone into action. Anyone who knows the LTTE should know that they are far more sophisticated at using the media. Where there had been action there would be reprisals against civilians to report.

On 23rd June President Premadasa opened the grand "Gam Udawa 90" exhibition at Pallekele near Kandy. This brief flash of royal splendor coincided with the President's birth day. It also had a chilling side to it. During the recent upsurge of activity by the JVP, the Pallekele army camp had been successfully raided. In reprisals late last year, the security forces had killed and burnt a large number of villagers. 15,000 security forces personnel were tied up in providing security for the exhibition. This is said to be one reason why any major military initiative in the North was delayed until July.

While the government was using the killing of surrendered policemen by the tigers to claim the moral high ground, it was itself quietly doing something sinister and reprehensible. Shortly after the conflict began, a large number of burning bodies started appearing in the south. Mr. Lakshman Kiriella, S.L.F.P. MP for the Kandy district told a meeting of his party M.P's that 40 bodies a day were appearing by the road sides in the Kandy district. A southern University source said that 27 bodies appeared by the road side at Kuliyaipitiya. Other locals have said that civilians had been seen inside the local army camp. These bodies are believed to be those of JVP suspects held at unofficial detention centres, not registered with the ICRC. These were apparently being cleared in preparation for moving army units to the North-East. This says something about the nature of the army that was being sent to wage a moral war in the North-East.

CHAPTER 3

WAR AND THE CIVILIANS:

It must be borne in mind that detailed information on civilian casualties during the course of this war will not be known for several months. In view of gross public misrepresentations, particularly in the press, about the scale of civilian suffering, we find it necessary to put down what has been said by reliable witnesses and has been cross checked throughout other sources. Our sources are almost all persons holding responsible positions in public life. A failure to understand the immense tragedy of this conflict and the manner in which divisions are being used for tactical military advantage, raising old suspicions to vicious hatreds, will only deepen the moral drift and uncertainty in this country.

EASTERN PROVINCE (SOUTHERN SECTOR):

Most observers agree that the unjustifiable suffering inflicted by Sri Lankan forces on civilians here, must also be seen in part was reprisals for the killing by the LTTE of unarmed policemen

who had surrendered. While the decision to take on Sri Lankan forces in all sectors was almost certainly taken by the LTTE at top level, the decision to kill the policemen may have been taken by the local leadership. It may be noted that police personnel who surrendered in Batticaloa were handed over to the air force. It is also puzzling that a Tamil guerilla group should do something calculated to make sworn enemies of Muslims and Sinhalese in an area where the Tamils were weakest and vulnerable.

It has been noted that the police personnel in the area surrendered to the Tigers on 11th June. Policemen from the areas surrounding Kalmunai were assembled at Vinayagapuram, south of Kalmunai. The Sinhalese and Muslim policemen were herded into one lot and the Tamil policemen into another. Both lots were assaulted by LTTE cadre. Boys as young as 12 are said to have been used in this operation. Subsequently, the Sinhalese and Muslim policemen were driven westward into the jungle in buses, in batches. That many of them were massacred has been corroborated in several reports. The first report came from a Sinhalese policemen who escaped with injuries with the help of Tamil village women. Tamil police sources, now living in fear, said that the operation went on over two days, and the number of policemen killed is put at above 200. The Tamil policemen were released. Six of the latter were said to have been killed, either by police colleagues or by the army. According to local sources, there were among the victims 105 Muslim policemen from the nearby areas of Komary, Akkaraipattu and Attalachchenai. A senior Sinhalese police official and his wife were kept by the Tigers in a house at Tambiluvil and were released later.

When STF commandos subsequently advanced to Kalmunai, a number of Tamils were killed on the first day. The killings continued on subsequent days as young men were rounded up or detained. The post master of Kalmunai, one of whose sons disappeared after being detained in Kandy in 1986, lost two more of his sons during this period. It has been said by many persons that anyone arrested, whether on information, suspicion or on fancy, is in grave danger. A Muslim serviceman may have put it only a little too strongly, when he told some civilians, *"No one who goes into the Karaitivu army camp as a detainee comes out alive."* A unit of the Sinha regiment had later replaced the STF. Nearly every Tamil shop in Kalmunai was burnt, quite often with mutilated Tamil corpses inside.

Apart from the agony, there was among the people a sense of outrage and disbelief. Several young boys had been picked up and killed because they had been friendly with the Tigers. The owner of a photographic Studio in Kalmunai had been killed, because Tigers had come to him to be photographed and had paid good money. They asked, *"Was not President Premadasa himself happy to have his photograph taken with Tiger leaders? Did not the government itself place a seal of approval on friendship with Tigers? Why kill a man who made his living taking photographs? Why kill young boys for whom it is natural to strike up conversations out of curiosity, with those in uniform carrying arms?"*

The following details were supplied by a senior figure from the East in a national political party, a Muslim. He has himself cautioned that the figures should be looked at less for accuracy than for an impression about the scale of the problem. Those reports nearer his home are more accurate.

- 20.6: 40 arrested at Veeramunai and killed and burnt inside two houses at Walathapiddy.**
- 26.6: (Press report - Virakesari) 29 bodies burnt in Kalmunai and 20 at Karaitivu.**
- 27.6: (Press report - Virakesari) 400 youths were arrested at Akkaraipathu and taken to Kalmunai.**
- 29.6: 82 persons were killed and burnt at Weddukkadu.**
- 1.7: 45 persons, including 4 women were killed and burnt at Weddukkadu.**
- 5.7: 85 skulls were found opposite Wesley College, at Kalmunai.**
- 5-7.7: About 100 persons were killed at Korakkovil.**
- 7.7: A temple was burnt and about 45 persons were killed and burnt at Ninthavur.**
- 10.7: 15 persons were arrested by the army at Kalmunai market, of whom 4 were stabbed to death.**

In the meantime many Tamil civilians had been killed at Amparai as the result of mob violence in which policemen in and out of uniform played a key role. One witness said that he had escaped by hiding in the lavatory when policemen in uniform came looking for Tamils. Mr. & Mrs. Sinnathamby who were senior members of the Methodist Church in Amparai, took refuge in their church. On receiving advice that this church was unsafe, they went to the Roman Catholic Church. A mob which broke in took people away, including the Sinnathambys. The couple has since been missing. The number killed at Amparai is placed at over a hundred.

10th July was the 30th day following the abduction and killing of policemen in the East. The day started quietly in Kalmunai. A group of Soldiers was seen taking up positions at the Kalmunai Rest House junction. Several passers by were detained, including Dr and Mrs. Shanmugam who had come from Paddiruppu. Four of the detainees were stabbed to death and their bodies were thrown behind two Muslim shops which were set on fire. There were evidently no more Tamil shops to burn. It must be noted that nearly all killings of civilians took place when there was no threat to the lives of servicemen. That there were four mutilated corpses behind the shops was established from Muslims who came to retrieve what could be saved from the burning shops. But we have not been able to establish with certainty whether Dr & Mrs Shanmugam were among them.

The soldiers withdrew to the camp that morning itself with some detainees. About mid-night the same day, a single burst of machine gun fire was heard from the army camp. It was clearly not a confrontation. A senior citizen reported several days later that 42 persons were

killed on that day. A Tamil MP who toured that area said that more than 160 persons were killed in the Kalmunai-Karaitivu areas.

TRINCOMALEE:

Trouble was rumoured on 13th June. Residents cringed in fear during the night while the LTTE and the army exchanged fire, with the LTTE shelling army positions. Civilians pleaded with the LTTE to withdraw, and by morning the LTTE had withdrawn from Trincomalee town. It was quite on the morning of the 14th and the civilians hoped for the best. Across Cottiar Bay during the night, the LTTE had ambused a group of 100 commandos who had been landed at Brown Rock Point, killing over 40 of them including Major Azad.

When the army came out, there was no provocation from the LTTE. An executive who lived near the Fort Frederick area said that the army rounded up 38 young men from his neighbourhood and promptly shot them. He had been in one of the two houses left out. He had personally identified 60 dead persons. There were a number of cases of persons being burnt with tyres, even while alive, and of patients being dragged out of hospital and not heard of again. A young boy of about 15 was admitted to hospital with leg burns after soldiers had tried to burn him alive with a tire. He was under the care of the MSF (Medicines Sans Frontiers). Soldiers who came into the hospital forcibly removed him and the he was not seen again. Most patients admitted to hospitals had burn injuries.

An elderly father going with his young son was seen by the army. The son tried to run away in fear and was shot dead. As he was burnt with tires, the father was ordered to lie by his side. Unable to bear the pain and agony, the father asked a soldier to shoot him as well. The soldier pushed him aside with his foot. The father was admitted to hospital with burn injuries.

There was also widespread burning of houses and buildings. A lady pleaded with soldiers not to burn her house as her husband paralysed from neck downwards was inside. She went away after soldiers threatened her, thinking that her husband would be spared. She returned to find her house burnt with no trace of her husband. The Assemblies of God church where a Sri Lankan army brigadier was a regular worshipper had also been burnt down.

A number of refugees had gone North to Nilaveli, in the hope of making it to safer places further North. From Nilaveli, many walked along jungle tracks to Mullaitivu. Two professionals who came back to Trincomalee to fetch their wives said that 4 boat loads of refugees who had tried to make it from Nilaveli to Mullaitivu by sea had been sunk by the Sri Lankan navy.

Trincomalee folk who were in refugee camps were urged by the authorities to return to their homes. But after such an experience the people felt safer in numbers. The reason for this urging is said to have been the smuggling in of foreign correspondents by the LTTE. However, people began to leave after the army took over the protection of refugee camps. The number of civilians killed in the Trincomalee district will certainly run into several hundreds.

BATTICALOA:

In comparison with Trincomalee, the effect of the army's entry into Batticaloa town were not severe. But there had been casualties due to aerial strafing. Mr. N. Mahesan, Lecturer in statistics at Batticaloa University, was amongst those killed, when a passenger van was fired at from a helicopter. One reason given for the lack of severity in Batticaloa is that the LTTE had handed over the policemen who surrendered to the Sri Lankan air force. The initial entry of the army into Kallaru is also said to have been relatively without incident.

When the army encamped at Valaichchenai, **Mr. Jegarajasingam**, a senior member of the citizen's committee and a member of the IVS (International Volunteer Service) approached the army in the morning and was courteously received. He told them that they would like to co-operate with the army to look after the interests of the people. He was asked to return that afternoon. **Mr. Jegarajasingam** returned to the army camp that afternoon and was not seen alive again.

As days wore on army round ups and picking up of suspects commenced, in Batticaloa town and in the surrounding suburbs. Burnt dead bodies by the road side, reminiscent of the campaign in the South, have since then become a regular feature. The rough rate is estimated at about 5 a day, based on eye witness reports.

At the time of writing, the army had vacated many of its positions outside Batticaloa town. In Valaichchenai, a witness saw Tigers standing with their guns 'as if nothing had happened'.

The villagers were terrified. Men, women, children, infants in arms, with bags, on bicycle or on foot can be seen moving to and for in a mood of uncertainty and fear. Many people trek miles to the big Roman Catholic church at Thethathivu for the nights and return to their homes by day.

HOW THIRUKKOVIL WAS SAVED:

During the third week of June, the Tigers were in Thirukkivil, a town south of Kalmunai, while the army was approaching it from the north and the STF from the south. The people were in a state of great anxiety. The local citizens' committee comprising the AGA, and two clergymen from the Methodist and Roman Catholic church, took stock of the situation and went into action.

They knew **Mr. Ratnayake**, the STF chief commanding the advance from the south. He had been posted in the East during 1987 and had earned an uncommon reputation for being concerned about the civilian population under his charge.

The citizens' committee members approached the LTTE and persuaded them to leave Thirukkivil. They then went to Mr. Ratnayake and told him the situation and requested him to occupy the town before the army came in. This was done, and Thirukkivil remained largely trouble free. It also became a place of refuge for people in neighbouring areas. Thirukkivil was held up as one ray of hope in a picture of unrelieved gloom.

JAFFNA:

About mid July, the mood in Jaffna was one of panic. There had been a good deal of aerial bombardment which was mostly concentrated around Jaffna Fort, in the vicinity of the town, where the government was attempting to bring relief to its besieged troops. Parts of town around hospital road and First Cross Street were badly damaged. Bombs also fell in parts of the city far removed from the Fort. Helicopter strafing was more indiscriminate. According to Roman Catholic church sources, *"It will not be an exaggeration to say that around 50 civilians were killed due to aerial attacks around town."* In a country where a life time's earnings barely suffice to build a house, a person who loses his house is totally destitute. For this reason many people in threatened areas, take a fatalistic view and remain in their homes.

Everyone who has been through such experiences knows that the government's claim about attacking well identified targets is an eye wash.

We give below excerpts from a statement made by a senior Roman Catholic clergyman from Jaffna: *"Several of us came out of the Bishop's House after a meeting on the 14th of July, when air craft appeared and proceeded to bomb. Several bombs were dropped in places far apart. A bomb apparently aimed at a house near the OLR church, once occupied by the LTTE, flattened the Bible Center adjoining Main Street. A bomb aimed at the Jaffna kachcheri, already vacated by the LTTE, fell near the Boy Scouts' HQ. Six civilians were killed on that day. The single LTTE casualty had nothing to do with the bombing. That was caused by the overturning of an LTTE vehicle."*

"The government's stated policy of hitting terrorists from the air is like swatting mosquitoes with a hammer. Many of the aerial attacks on civilians are not necessarily planned, but come from a casual indifference to civilian life. For one thing, the LTTE is very mobile. They fire at aircraft, from wherever they are sighted, at any time. No harm comes to the aircraft. But the airman is angry, and gives a chase."

"About 10th July, a vehicle from which the LTTE had fired at passing aircraft was chased. The vehicle was abandoned near the Colombogam Seminary and the LTTE vanished. A missile aimed at the vehicle hit the Old Peoples' Home. Fortunately there were no casualties from the home. Some clergy at the seminary tuned into the FM band to listen into the air-men's talk. They heard the command, 'Mission aborted. Return to base.' On the way back, the helicopter gunships emptied their ammunition into the village of Ariyalai. I do not know how many, but I was told that there were civilian casualties."

"To get some idea of the accuracy of aerial attacks, take the Jaffna Fort. It is a large target of about 1/4 square mile. When the airforce tried to drop food parcels to the men besieged in the fort, they felt all over the place. A food parcel even came crashing through the roof of St. Peter's Church, 1/3 of a mile away. How can they bomb houses and vehicles?"

"On another occasion, some young men were playing volley ball near a church under construction. A helicopter pilot angered by the sight directed a sortie. An old man who heard the air-men's talk on his FM radio came running and asked the boys to take cover. The pilot of the attack craft came in and reported that he could see no one playing. The operation was

called off."

People are afraid of travelling in vehicles. Patients from the Jaffna General Hospital have been distributed over a wide area. Doctors have to travel large distances on bicycles to care for the patients. There are no medicines."

What the young fear

The actions of the government are very much to blame for creating a sense of helplessness and hysteria among young Tamils. The tales of thousands of Trincomalee refugee who are trekking into Jaffna after witnessing wanton killing by government forces, indiscriminate aerial attacks etc. are persuading the young that the worst is in store for them. All this is reported in the local press. Many refugee families from Trincomalee are scattered, one member not knowing what happened to the rest. They insert advertisements in the press informing others of their whereabouts. Young boys and girls are actively encouraged to believe that they are going to die, which they are told, they may as well do carrying weapons. Boys and girls are ferried from tutoris and employed in digging bunkers and are brought back at nightfall. In some places, youth have voluntarily set about building air raid shelters. In case of a land attack such shelters could be a liability. In 1987, troops went on the rampage upon seeing such shelters, saying that people built these on LTTE orders. The atmosphere there is one that promotes total civilian mobilisation, like in Cartage before its destruction by the Romans. The people are in need of urgent reassurance by the Government, rather than further abandonment.

CHAPTER 4

THE WAR AND THE MEDIA

The media have been under pressure to present the current conflict as a just and patriotic war to relieve the country from the grip of terrorism, without being aimed at the Tamils. All sections have largely succumbed. Many thought that the media had matured after the massive disillusionment that replaced euphoria, when India intervened to end the war of 1987. The media had distorted its reporting to the point of blacking out Tamil civilian suffering, and creating a mood of triumphalism. When the LTTE went to war with the IPKF, the experience of Tamil civilians received unstinted coverage. The LTTE ceased to be terrorists.

During 1988 and 1989 the JVP and state sponsored paramilitary groups brought terror much closer home, and into public life itself. Reporting and references became very circumspect and sometimes even courageous. With the commencement of LTTE-governments talks, the LTTE was given a large measure of legitimacy as representing the Tamils, through generous and colourful press coverage. The government media even became the vehicle for the LTTE claims.

In other sections however there was a note of caution over the LTTE's intentions. A new sense of despondency was brought into the media with the killing in February of prominent writer and journalist, **Richard de Zoysa**. Many in the profession took it as a warning. The stage was set, where with the outbreak of the current conflict, conformity was easy to establish. The most uninhibited lambasting of the LTTE and its leadership now come from the official media which were once the vehicle of LTTE propaganda, and from ministers in the government, once regarded as effective spokesmen for the LTTE. There is almost no attempt to reflect on how the present is linked to the recent past.

As the conflict raged, there was once again an attempt to distort its nature by almost totally excluding reporting of Tamil civilian suffering even in places where it was severe. Once again the coverage was triumphalistic. The Sunday English papers had pages full of coloured pictures of servicemen in various attack poses. Apart from the Sinhalese press, the Sunday Island of 8th July pictured a dead Tiger in colour. Featuring such a display of a dead JVP rebel would certainly have been considered to be in bad taste and was never done. Nor were the state forces given such adulatory heroic coverage during the campaign against the JVP. It became evident that the press was reflecting what the government and the supporters of the war were articulating with various degrees of subtlety-that the war was one against the traditional, alien enemy in terms of the dominant Sinhalese ideology. This was the very ideology responsible for bringing so much discredit and misery on this country. There were also suggestions (Sunday Time editorial, 22nd July) that military advantage should be used to settle questions of territory.

The Sunday Times of 1st July pictured a soldier guarding a Buddhist temple, captioned 'Defender of the Faith'. There were also pictures of soldiers beside toppled Tiger monuments and the erection of a Lion monument in 'liberated' Amparai. The Tiger and Lion are here understood as symbols of contending nationalism. The state owned Sunday Observer was more uninhibited when on 15th July, below a front page picture of a wounded soldier being carried to a helicopter, the soldier was described in bold letters as 'one of the brave young men engaged in the bloody but heroic battle to defend the 'motherland' from separatist Tamil terrorists..'. The JVP had worst been referred to as subversives, and never as 'Sinhalese terrorists'. The direction being taken by the conflict was becoming clear.

Amongst articles and editorials, there were many that were commendable for their caution and sobriety. The Island in a number of editorials urged on the government, the importance of cutting the ground from under Tamil extremism by coming out with clear constitutional proposals to grant autonomy for the Tamils. One editorial (15th July) reflected that it is the average young man who is being killed or maimed on both sides and warned that the fact that Tamil people are being killed is bound to have a long term effect on how this conflict will be viewed by the world at large. This editorial together with other articles warned the government to approach the problem with an open mind and not to allow what was going to be a protracted war to degenerate into a tribal fight. Even a well meaning editorial writer could hardly control the unpleasant reality reflected by his own papers.

The Sunday Times editorial of 8th July cautioned against the euphoric portrayal of the operation where a helicopter landed near Jaffna fort and rescued 7 wounded, by pointing out instances where things had gone terribly wrong. Such notes of pessimism set against the

economic deterioration of the country, was something that was not so visible in 1987 and before. But the fight to express the truth and reflect reality in a state which had been more deeply and malignantly militarised had become much more difficult and costly.

What the Press revealed:

A careful reader can yet discern a good deal about the war from the press. One hopes that some of it at least is intentional. For then the fight for the freedom of expression in this country is not entirely lost.

By the middle of July, even if it was not being said openly, it was clear that every pressman and all senior persons in public life knew that killing by the state forces had become fairly indiscriminate.

The following extract is taken from a press briefing reported in the Island of 29th June. Questions are often answered by the Minister for Defence, **Ranjan Wijeratne** and the Defence Secretary, **General Ranatunge**.

Q: I was in Omanthai yesterday and I saw an entire village attacked by a helicopter gunship. There were no troops (LTTE) on the ground.

A: I will have to find out from the SLAF.

Q: Some journalists on their way to Batticaloa were attacked from the air.

A: The answer was to the effect that there was no way to distinguish foreign faces or to identify whether persons were LTTE or not from the air.

Q: There were 70 mutilated bodies in the Kalmunai area.

A: They must have been killed in combat. There is nothing to deny. That is happening.

Q: Some people had been shot and killed inside a shop in Kalmunai...

It was clear from the answers that the fine discrimination and careful identification claimed by the security forces was an illusion, going by answers provided by their top commanders. The reader had best guess what is really behind the following reports:

Minister for Defence at the Weekly cabinet news briefing
(Island, 13th July):

".....At Foul Point, the forces digging up certain points along the sea shore for mines on Monday had found 38 LTTE members who had buried themselves in the sea sand with chutes popping up to breath. That was a new way adopted by the LTTE cadre to get under cover. The 38 men found hiding were dealt with adequately by the forces....."

Report (Island 10th July) by Shamindra Ferdinando:

"A women who garlanded Gopalasamy Mahendrajah, alias Mahattaya, was among about 75 men and women killed in the five day army operation in the Muttur-Kattaparichan and Sambur areas. Of this 38 tigers were killed close to Foul point in the Muttur area, a senior army Brigadier said.... ."

The 38 appear to be the presumably unarmed persons dug up from the ground and deal with adequately. According to stories reaching from the refugees who have fled from Trincomale area, most of the young boys escaped by covering themselves by sand in the beaches.

Details about other men and women killed were not specified. During the campaign of 1985-87, it was common for ordinary villagers in the East to hide in lotus ponds with breathing tubes popping up, when the alarm was raised over the approach of security forces.

Report (Island 14th July) by Norman Palihawadana:

"Six boats with about 30 heavily armed LTTE Tigers crossing the lagoon from Kathankudi to Kokkadichcholai were sunk by the army on Thursday, security sources said. The army acting on a tip off fired at the boats sinking them along with the Tigers, the sources added".

More on boats: *"The Island"* of 12th July carried two separate reports on the front page giving three incidents, in each of which three boats were involved.

Report 1: *"Sri Lankan Naval patrol boats on Tuesday intercepted three boat loads of Tamils going to South India, a spokesman for the Sri Lanka Navy said. He placed the number of Tamils including a large number of children at about 250. They were intercepted a few miles off Talaimannar, the Navy said.*

"In another incident in the sea off Valvettithurai, a naval gun boat attacked three boats fitted with out board motors yesterday. One boat was hit and destroyed, Navy sources said."

Report 2: *"33 LTTE cadres were killed yesterday in mid-sea off Kankasanturai when the Sri Lanka Navy patrolling the area attacked three boats, security sources said."*

Valvettithurai and Kankasanthrai are near each other, suggesting that the second and third incidents reported are identical. Tigers are not known to have been caught out in open sea in such large numbers during hostilities.

These incidents must be judged in the context of the lack of discrimination evidenced above and the fact that there is a large movement of civilians to places of safety. Consider for example the fact that civilian movement to and from the Jaffna peninsula through the only land route is blocked by the army camp at Elephant Pass and by hostilities between the army and the LTTE in that area. The government has also dropped leaflets warning against the use of the ferry

crossing at pooneryn. Still large numbers of refugees from Trincomalee area are getting into Jaffna crossing water. People are travelling between Jaffna and Colombo showing their Jaffna identity cards at army check points in Vavuniya. The government has up to now failed to acknowledge the problem and take responsibility for the legitimate needs of civilians. Such abandonment adds to the feeling of Tamil civilians that the government is calculatedly hostile to them.

Refugees to Tamil Nadu:

On 11th July, in its main front page item, the Island (report by Norman Palihawadana) reported quoting naval sources that the navy had intercepted off Pesalai 700 Lankans bound for Tamil Nadu. Under interrogation it is said to have been revealed that the Tigers had forcibly dispatched them to India under threat of instant death. This claim gained widespread publicity in the media and in statements. Repeating this claim, Shamindra Ferdinando (Sunday Island 15th July) wrote: *"The Tiger move was to send more and more refugees to south India until the Central Government had to take action, authorities say"*.

This hysteria about India aside, other sources, admitted that the real reason for the refugee flow to India from the Mannar district was shelling by security forces.

An eloquent testimony to this came from the front page report in the government owned Daily News of 8th July. The report titled **'Final Push to Mannar Begins'** was by Daryll de Silva at the Thalladi army camp, Mannar. The writer was evidently excited by the battle field atmosphere and by technical details: *"Adampan, the major LTTE stronghold just seven miles east of Thalladi was a few nights ago shelled directly from this camp with 25 pounder artillery fire as part of a pre-emptive gunnery exercise, that will increase as the relief convoy now on its final legs gets closer to Mannar. It is from Adampan that the LTTE resistance can move to Uyilankulam and Nanathan further south, points that have to be passed by oncoming troops. So, Adampan is a major target, but is well within the range of field guns in this camp."*

Adampan is of course a major agricultural town in that area with a government hospital. It is evident that any incentive provided by the LTTE for the civilians to flee to India would be excessively superfluous.

It was reported from India that the number of Sri Lankan refugees in India had by mid-July exceeded 20,000. The problem of harassment of refugees by the Sri Lankan navy appears to have been treated as a real one by the Indian authorities. the Sunday Island of 15th July had the following front page item captioned **'India deploys naval craft'** : *"India has deployed naval craft off Sri Lanka to watch movements of Sri Lankan gun boats and fast attack craft."*

The Sri Lankan government had only itself to blame, if the Tamils were once more beginning to look towards India. The Sri Lankan government may not have been too concerned about Tamils, but it was certainly concerned about providing excuses for Indian involvement. The leading item in the 'Sun' of 21st July had reference to the parliamentary delegation from Sri Lanka meeting the Indian External Affairs Minister. It said : *"The Minister was informed that the*

Sri Lankan government was actively considering the possibility of utilising the Island of Mannar to set up a refugee camp with the assistance of the ICRC and UNHRC."

This was also an acknowledgement that the problem had little to do with Tiger threats.

Positions taken by Tamil Political Parties:

EDF (Elavar Democratic Front, political arm of the EROS), Island report 13th July: *The EDF announced that they would not be attending parliament in protest against military operations as a result of which civilians suffered. EDF parliamentary leader S. Ratnaraja told 'the Island' that he and the General Secretary of the EDF, V. Balakumar continued to have faith in whatever moves President R. Premadasa was taking towards peace in the North-East. The 13 EDF MPS resigned their posts on 25th July in protest that the war being conducted by the government was aimed against Tamils rather than to preserve national unity.*

TULF (Tamil United Liberation Front), Extract from statement in the Island, 9th July: *"...Many civilians and non-combatants have been killed as a result of aerial strafing and shelling. There are alarming reports of disappearances, extra-judicial killings and mob violence from Amparai, Trincomalee, Kalmunai, Pottuvil and Batticaloa towns. Hundreds of homes, shops and places of worship have been destroyed in the North and East and parts of Jaffna have been reduced to rubble....".*

"We are equally shocked and outraged by reports of killing prisoners of war in callous disregard of the provisions of the Geneva convention. We are disturbed that no food or medicine has been dispatched to Jaffna since the outbreak of hostilities".

"we are seriously concerned that reactionary and chauvinistic forces are calling for dismantling of the political arrangements for the resolution of the national question. We are particularly worried about threats in responsible circles for reneging of solemn undertakings, by the government of Sri Lanka. Inflammatory speeches, news reports and articles are causing deep disquiet and insecurity amongst minorities and are harmful to ethnic harmony..."

Killings of Muslims

We have already referred to the reports of killings by security forces of Tamil civilians on 10th July. This was closely followed by killings of Muslims. Whether the two incidents were related is not known. But the latter was published and not the former. We quote from a report on the latter from the Island of 16th July, filed by **Shamindra Ferdinando**:

*"At least 76 Muslims including many women, were confirmed killed at Ondachchimadam-Kalawanchikudy on 13th July, General Secretary of the **Sri Lanka Muslim Congress (SLMC) Waffa Zarook** said yesterday.... While blaming the LTTE for the massacre,*

he appealed to all Muslims not to panic and stay clam.... Two Tamil officials of the ICRC who were travelling with the Muslims were ordered by the 'Tigers' to go back to Kalmunai. Later they took the Muslims to one of their camps, he said. Most of the victims were from Kathankudy.

"Since hostilities broke out between the Government and the 'Tigers' about six weeks ago, at least 150 Muslims were confirmed killed by the 'Tigers'. Tamils linked the spate of attacks on Muslim targets to Tiger fears of Muslim support for security forces in the East."

What happened at Kalmunai?

We now look into what the press reveals about the killings of Tamils and more particularly about the events of 10th July.

The Official Positions:

We give the comments made by the Defence Secretary General Cyril Rantunge at the Cabinet press briefing, reported in the Island of 13th July. His reference was apparently to a report on the events of 10th July: *"When some young LTTE cadres in mufti are killed, publicity is given that they are civilians. One journalist had reported that 56 civilians were lined up and shot in Kalmunai. We don't do that. If there is any doubt journalists should check with the JOC (Joint Operations Command) which has the latest data. They must check their facts before giving publicity to LTTE propaganda".*

In the same press briefing, the Defence Minister **Ranjan Wijeratne** with apparent reference to a complaint made by the PLOTE (see below) said *"that he had cautioned security forces to be wary of some Muslim extremists pinpointing innocent people as LTTE cadres with the intention of taking revenge for personal grudges. By such actions they were getting these people harassed. Some militant groups had asserted that their members had also been killed".*

The PLOTE complaint:

'The Island' of the previous day (12th July) carried the following report: Fifteen PLOTE members and supporters had been hacked to death and their bodies set on fire Kalmunai on the 10th evening.

PLOTE sources said that their members were rounded up, dumped into a shop and slaughtered. There were also a number of others taken into custody with the PLOTE members during that operation.

A senior PLOTE member in Colombo said that they would be making representations to the State Minister for Defence about these gruesome killings.

The Island of 18th July had the following: The DPLF (political wing of the PLOTE) has complained to **President R. Premadasa** that over a hundred of their members and supporters were abducted in the Ampara district and their whereabouts were still not known... **DPLF** leader **S. Sidartan** said yesterday that the President had assured him that an immediate investigation would be held into these killings of his party men and supporters.

The EPRLF position (the Island, 16th July):

The EPRLF Secretary General yesterday in a press release accused the LTTE of being responsible for the killings of innocent Tamils and Muslims near Kurukkalmadam and Kalmunai on 13th July. It added that although the identity of those who had hacked and burnt the bodies of the Tamils in Kalmunai had not been established, the EPRLF nevertheless condemned this equally *"barbarous and uncivilised act"*.

The TELO report:

This surfaced during the press briefing in which Minister Wijeratne and Gen. Ranatunge answered questions (the Island, 17th July):

Q: "The TELO has documented 690 persons killed in Ampara and Kalmunai. The President has promised to look into the matter".

A: "A TELO delegation met the President last Friday (13th). The President will be meeting military leaders during the course of the day and obviously he will ask them to investigate the matter."

One wonders why the minister did not quote the 'latest data' available at the JOC, which would form the source for the military leaders' investigations. It was clear that something terrible was happening in these areas. The minister's reference to Muslims strongly suggests that the government was far from giving the healing touch needed to heal wounds in the East - between Tamil and Tamil and also Tamil and Muslim.

A front page report in the Island of 12th July by shamindra Ferdinando was headlined, **"SLMC counters Tigers' allegations of massacres by soldiers."** The party General Secretary, Mr. Zarrok, who toured Kalmunai is said to have defended the Sri Lankan soldiers when questioned by a foreign correspondent. He is said to have identified the dead as those who confronted advancing soldiers. His observation that Muslims were happy to see the routing of the Tigers need not be doubted.

But his real position can be guessed at from the revealing comment: *"I do not believe that the Tigers are better than the (Sri Lankan) army."* Mr. Zarook's practical difficulties also must be kept in mind. Why should he stick his neck out and be quoted about killings of Tamils by a foreign correspondent, when Tamil leaders were deterred from coming out openly with specific allegations? The media knew what was going on. Only that will explain such a clumsy use of Mr. Zarook. Nor is it correct to say that the allegations of killings came from the Tigers.

An MP speaks on the War

When the war began on 11th June, the Tamil MPs were in a state of disarray. Those who had strong reasons for disliking the Tigers blamed them for the war.

For a long time the terrible plight of the people went unrepresented. The first substantial speech on what was happening to the people was made by Mr. K.R. Kuganeswaran, EPRLF (Wanni District) on 19th July during the debate for the extension of the emergency. The speech did not appear in the English press. Excerpts are reproduced from the Tamil daily '**the Virakesari**' of 20th July.

"The president, the ministers and members of the ruling UNP have stated that the current war is against the Tigers and is not against the Tamil people. It is however my duty to say what is really happening in the North-East. I will give a few examples to show how the armed forces are conducting themselves.

"On 17th July in Batticaloa which is under the control of the army, 27 young persons were burnt with tiers on Lake Road. Many persons were shot to death when Kottai Kallaru was rounded up.

"On 21st June, 14 families men were burnt in one house in Karaitivu. Furthermore, over 600 persons were killed and burnt in several places inclusive of, Babuji shop in Kalmunai, Walthapiddy, Nintavur Hindu temple and Nintavur beach."

He put the total number of civilians killed in the North-East at above 2500. He gave details of refugee camps and put the number of refugees at above 6 lakhs. The shops and houses burnt and destroyed, he said, would run into hundreds. He added that despite representations made to the President, no impact has been made on the killing rate. We listed some of the worst affected places as Muttur, Kalmunai, Kattaipatichchan, Karaitivu, Pottuvil and Akkarapattu. He went on:

"These are not exaggerations given for the sake of putting blame on the government. These are rather based on information we have heard and received. The government must think again on whether this in truth a war against the Tigers or one against Tamil people in general. We cannot remain idle while people are attacked in the guise of fighting the Tigers. What we have to tell the president and this House again and again is that your actions will make the people turn in support of the Tigers rather than towards the government. You are only strengthening the Tigers in the name of destroying them. To purchase foreign arms to destroy the very Tigers whom the government had strengthened, a further supplementary defence expenditure of Rs.500 crores (US \$ 125 million) has been sought. But those who are killed and affected by this spending are helpless Tamil civilians! This war appears to us as one that will last a number of years."

He further urged that government and the opposition to work together to further the cause of peace and democracy in this country, to end the war and to find a permanent and just political solution to the Tamil national question.

CHAPTER 5

THE POSITIONS OF SOUTHERN POLITICAL PARTIES

The NSSP :

What follows is a statement by **Mr. Vasudeva Nanayakkara** NSSP Politbureau member and NP (Sunday Observer 1st July).

He described LTTE as a fascist force which would brook no dissent. He further said, *"They came to an understanding with this reactionary government. They seem to fit into one another well. But even they had to fall out. Both had the Israelis as their collaborators and well wishers...."* He blamed the government for arming the LTTE and putting them in power. When the LTTE and the army tried to exercise dual power in the East it had to end up in conflict. It further said, *"Our party feel that the LTTE must be defeated by all democratic forces which strive for civilised existence in the North and east.... . We also want the government to be defeated in the South. We make no preference for the government as against the LTTE.... . There is a lot of fury being focussed against the Tamil people by certain elements who are trying to whip up Sinhala passions against the Tamils. It is the duty of the civilised citizens to protect the Tamils at this juncture.*

The LTTE must come to an understanding with all Tamil group and Tamil speaking Muslims which must be laid out as a pre-condition for any kind of discussion for a ceasefire."

The NSSP continued to make representations both in Parliament and privately about what was being done to the civilians in the North-East.

The SLFP:

The position of SLFP, the leading opposition party and alternative government, has been ambiguous. It supported the government in its bid to crush the LTTE. It voted for the supplementary defence estimate. It also sent a representative on the delegation to explain the conduct of the war to SAARC countries. But when it came to voting for the extension of emergency powers on the 19th July the party abstained. The party has found itself divided, while some members pointed out that having gone so far, to refuse the government the emergency powers to conduct the war, was meaningless. Thus the alternative government found itself without a policy. Other left sources said that at least 40 MPs from the SLFP had expressed a willingness to oppose the government's position.

To trace the reasons for this confusion we go back to a hard hitting speech made by **Mrs. Sirima Bandaranaike**, the leader of the opposition, in Parliament on 12th January, attacking the government's human rights record. Mrs. Bandaranaike is also challenging in court the validity of the presidential elections. Extracts from the speech are quoted from the Island of 13th January: *"It is no secret that politically backed para military hit squads continued to abduct and*

murder youth through the length and breadth of our country. In the guise of combating subversion thousands of SLFP members had been arrested, abducted or murdered by these killer squads. Notwithstanding assurance by the government that these hit squads would be brought to book, so far not a single person of these squads had been brought to trial.

We know for a fact that the majority of security forces and police personnel have had nothing to do with these gruesome acts. On the contrary they do view dastardly acts with horror, but are constrained due to political patronage enjoyed by the hit squads."

"..... Prior to their deployment these killer groups have been provided with false army identity cards. They are also instructed to contact UNP provincial council members to obtain the names of opposition polling agents and destroy them. Certain lists of persons to be killed had been given to these killer squads. These squads have also been put in contact with the co-ordinating officers of various districts. The co-ordinating officers have been given special orders from a high ranking officer at army headquarters to co-operate with these groups and ask no questions. This is the information that I have received.... ."

This speech shows that the opposition felt very much threatened by the government's actions. Mrs. Bandaranaike as a past prime minister would have had good sources within the security forces who were sympathetic to her. It would have served both Tamil and Sinhalese interests to give the opposition a free hand in challenging the government's record. When the Tigers and the government clashed in June, Mrs. Bandaranaike found herself bowing to a strong sentiment amongst upper, middle and lower-middle class Sinhalese, that the Tamils should be defeated militarily.

`Sunday Times' of 22nd July reported what happened at the meeting of the parliamentary group of the SLFP, to discuss voting on the extension of the emergency on 19th July. Several influential MPs including **Nimal Siripala de Silva, Jayaraj Fernandopulle, Richard Pathirana, Ananda Dassanayake, Lakshman Kiriella, S.B. Dissanayake and M.K.D.S. Gunawardena** were against the emergency.

The Gampha district MP said the earlier slogan was `kill Tamils' and today under the guise of `kill Tigers', Tamils are being killed. He asked why the SLFP should involve itself in a government LTTE fight?

Mr. Kiriella said that everyday 40 bodies were burning on the road sides in Kandy and voting for the emergency would be condoning these acts as well. He said that the party should not support the emergency because of this.

Mr. S.L. Gunasekara, who spoke in favour of the emergency said the SLFP voted in favour of a massive supplementary estimate (US \$125 million) for the defence ministry to buy arms and ammunition. He asked how the party could now vote against giving the security forces, the power to use these weapons. The party leader Mr. Bandaranaike finely decided that as there were two points of view on the emergency, the party would abstain.

It is surprising that Mrs Bandaranaike who well understood the nature of the security

forces decided to stand back and pretend that a just and disciplined war was being conducted in the Tamil areas. Having herself said that thousands of her supporters had been arrested, abducted or murdered, she clearly had on her hands a human rights problem affecting a very large section of her constituency. By legitimising the actions of the armed forces in Tamil areas, the SLFP was not only letting down this constituency, but was helping to whitewash one of the ugliest periods of this country's history. By this stand of the SLFP, a large section of the Sinhalese electorate that had been visited with terror, humiliation and destitution was being left orphaned. What will we do when one day their angry young men demand justice and accountability? Do we double the strength of the security forces and increase defence expenditure to 40%? The

SLFP stands in danger of finishing up a vestigial adjunct to the UNP. The feelings of those who have lost near and dear ones cannot be assuaged by killing Tamils.

The only alternative open to the SLFP was to stand firm on principle on the human rights issue and challenge the government's moral authority and competence to assume responsibility for solving this country's problems. As inexcusable as are the actions of the Tigers, anyone who can accomplish some good must in the first place command moral authority and goodwill.

CHAPTER 6

THE SOUTHERN SCENE

It is generally agreed by observers in the south that the support for the current war comes mainly from the upper, middle and lower middle classes. Below, there is simmering resentment against the state and the forces, for what they did to thousands of their sons and daughters. The classes supportive of the war are basically those who do not question the established order. During the state's campaign of counter-terror against the JVP, this support for the state waned for two reasons. Many had serious moral qualms against the campaign. The other was the JVP's terror, then ubiquitous in Colombo itself. Even permanent secretaries stayed at home when told to do so by the JAP. No one dared to support the state publicly. The state and the forces complained of isolation. The fight against a Tamil foe restored the armed forces to their legitimate 'Mahavamsa' role. This is based on a semi-mythical ancient battle between the Tamil king Elara and his victorious rival Dutugemunu. Through school history text books in particular, it has become a part of the living culture of the South. It was natural that these classes should jump on the present war as a festival of reconciliation with the state. The excess shown in this rush to support the state can be seen as partly an apology for their silence when the JVP was around. An opportunity for such gestures was provided by the president's National Defence Fund, given much fanfare by film stars and school children handing over their tills to the president on television.

To our knowledge it was left to one left wing political party, the NSSP and a small group of university dons in the south to give the lead in combatting this trend of militarism, by separately launching alternative funds for all victims of violence. Smaller groups within the church followed a similar course independently of the leadership. Through canvassing for these funds people came

understand the real feelings of ordinary people. Quite often factory workers and minor employees responded readily to this alternative fund. Sometimes union leaders and party activists who canvassed for the alternative fund were threatened by persons in uniform. A number of persons in the lower categories expressed feelings of resentment against state forces and said that they knew that what was being done to the Tamils is not different from what was done to them.

A feeling common to many Sinhalese and Tamils at this time is that issue of freedom are real, but the use of violence counter-productive. The legacy of the violence of the JVP and of the Tamil militant groups has led to a state of exhaustion and collapse of freedom as well as social life itself. The JVP's initial campaign in 1987 was aimed at hitting at persons close to the state who were resented and hence had some popular support. The use of violence often leads to a feeling of absolute power and this violence of the JVP soon went out of control in gruesome killings of anyone whose ideas were a threat to them - such as leading figures of the left. When the JVP closed hospitals, killed several tens of van drivers to enforce a transport stoppage and threatened and sometimes killed relatives of security men, it, in the eyes many, legitimised the state's counter terror.

Having grown accustomed to unrestrained killing, the dangerous illusion of absolute power now rests with the state. When the state becomes insensitive to the law and loses the capacity and will to discipline its agents, it comes close to disintegration. This is the greatest threat to the sovereignty of Sri Lanka. **A very large share of the blame for this process must be laid on the shoulders of ex-President J.R. Jayawardene who established the tradition of casually tinkering with laws to have his way.** Once this process begins, foreign involvement is only incidental and often fills a vacuum created by the state itself. Thus Indian involvement was a symptom and not the problem. The illusion of absolute power can also be seen at work in the tragic history of the Tamil militant groups.

In the south, more than 300 university students are counted amongst the disappeared. The students community at large is in a state of terrified apathy. In a number of cases, the university authorities have not been able to persuade students to put them selves forward for elections to student bodies. Where students have come forward, it is often because there are staff members and unions whom they trust and are confident, will fight for their rights. A comparable situation exists in the Tamil areas.

At places of work, an under-paid employee who asks for a wage rise can be branded a subversive and handed over to the police. In the present state of lawlessness no one can guarantee the fate of such a person, whether man or woman. Disappearances and burning bodies are an established institution in national life.

Many of the students who disappeared or were killed by rival groups were, in terms of ability and commitment to justice, among the finest of that generation. Those who judge persons by their associations must keep in mind that, in a phase of our history characterised by a chronic state of violence, any well meaning person who associates with a group or person, whose affiliations he imperfectly understood, could become an unwitting accomplice in even acts of murder. In the North, this happened to members of citizens' committees, members of political parties and quite often to members of militant groups. Many of those who were killed are

ordinary, decent, sensitive persons, whose offence was their effectiveness at promoting ideas which posed a political threat. Many others today live in hiding, fearing for their lives, and yet eager to understand and take stands on issues of justice and on minority issues.

As the conflict proceeds, its true nature is being blacked out in the South. The army is paying a heavy price in casualties. One surgeon in Trincomalee said that he alone had performed 50 foot amputations in a month. The triumphalistic coverage fails to bring the cost home. To those better off, casualties are just numbers. Only a handful of persons is questioning the cause for which poor young men are being asked to pay the price. It serves the state now to black out killings of Tamil civilians, while publicising the equally dastardly and inexcusable killings of Sinhalese and Muslim civilians.

Economic and Social problems have been swept under the carpet. But the truth will seep in and a mood of disillusionment will set in. the competence of statement, the intellectuals and the intelligentsia will be questioned. Whether it will come with foreign intervention as in 1987 or in some other form, only time will tell.

CHAPTER 7

ISSUES SURROUNDING THE WAR

(i) Killings of Sinhalese civilians:

The first reports of killings of Sinhalese civilians by the LTTE during this war appeared in the press on 25th July. The number killed along border areas was put at 37 by the Island on 27th July. 20 had been killed in Medawachchi, including women and children. These killings together with past killings of Sinhalese civilians represent the darker side of Tamil nationalism. It also represents the fatal inability of the dominant Tamil politics to put forward a line to the Sinhalese that expresses respect and concern. Quite often in the past the dominant Tamil forces had resorted to massacres of Sinhalese civilians in a bid to escalate the conflict, whenever it was politically cornered. Example are April '87 and October '87. In the first instance the state characteristically responded with punitive aerial bombardment and shelling in Jaffna, thus setting the stage for the Indian intervention.

We must also look at how the state has handled the problem. Throughout the whole year that it had been talking to the LTTE, from April '89, it practically used the LTTE as hit men to destroy other Tamil groups and to embarrass India. Moreover the government's dealings with the LTTE came at a time when it was at a low ebb and was down to killing civil servants and citizen activists who were making life for people a little more tolerable. Instead making the LTTE question its politics, the government used it. Give its own treatment of the Sinhalese, the government was morally unfit to influence the LTTE for the better.

To place the matter in context, there have been many mature Tamil militant leaders, who despite massacres of Tamils by state forces [1983-86] and their own personal encounters with the

state, held a strong political line against killing Sinhalese civilians. **There were at least two major militant groups who had not indulged in this activity. But the attitudes of the Sri Lankan state and the historical process enveloping events tended to give prestige to mindless extremism on both sides. Those with coherent political ideas fell by the wayside, often in despair.**

Killings of Sinhalese and Muslim civilians do mark some of the most shameful episodes in Tamil history. In coming to terms with it, it must be recognised that it is not the young who are principally to blame. Many young, despite their experience have made a conscious and successful effort to see or begin to see, Sinhalese as their people. At the same time, these unspeakable acts are condoned or looked at indifferently in some of the highest circles.

(ii) The Muslim Question

The question has its origins in the downgrading of democratic principles as say reflected in the charter of human rights and determining political influence through a crude ballot box system.

In this system being a member of a minority was a server disadvantage. And each community watched the birth-rates of other communities with suspicious eyes. The most influential Tamil community, the Ceylon Tamils form 12 1/2% of the population, Hill country Tamils 5 1/2% and Muslims who are largely Tamil speaking form 7 1/2% of the population. An old dream of several Tamil politicians was to unite these three communities into an influential minority bloc. But the main Sinhalese parties have without too much effort, kept them divided. The CWC which represents the Hill Country Tamils has given crucial support to the ruling UNP, even though its own constituency were victims of race riots. Apart from geographical factors, the three communities had historically divergent interests. Similar problems existed for a single Muslim bloc, controlled by a Colombo based Muslim elite.

The muslim in the East who were a large community living alongside Tamils there, for some time into the 60's elected a number of candidates from the Tamil led Federal Party. But subsequently Muslims here came to be represented by the two national parties, the SLFP and the UNP. In 1984, the state set up agents to foment communal violence between Tamils and Muslims in the East as a means of combating the Tamil insurgency.

Having gone through this history, there developed a strong feeling amongst Eastern Muslims that their interest could not be articulated through any Tamil party or by the two national parties catering mainly to a Sinhalese electorate. This was how the Sri Lanka Muslim Congress (SLMS), having its base in the East came into being in the mid 80's. This annoyed not only the Tamil political groups, but also the Colombo based Muslim leadership and the national parties who had garnered seats in the East.

The Tamil parties, most of all the LTTE, regarded the SLMC as creating disunity within the Tamil nation. But this was a short sighted view. The SLMC was to be a party rooted in the East and represented by local people who had reason to try to secure good neighbourly relations with Tamils with whom they had to live and be sensitive to their sentiments. They need not be pawns moved by an elite leadership in Colombo. In this sense the SLMC was beneficial to the Tamils. The provincial council elections in 1988 and the general elections of 1989 proved that the

SLMC did indeed have a secure base in the East. In fairness the SLMC it showed a willingness to reach accommodation with the Tamils in the context of a North-East provincial council adequate autonomy for Muslims areas.

The LTTE hostility to the SLMC was ideological in that it claimed to be the sole legitimate representative of all Tamil speaking people in the North-East. The TULF and the EPRLF led provincial administration, at the higher levels, saw the need to reach accommodation with the SLMC and talks were held. But at militant cadre level, antagonism remained. Some of it was based on old prejudices and some of it, the legacy of communal violence in 1984. However, different militant group had their own dealings with different Muslims villages and relations were often smooth. But the general attitude towards Muslims was in the manner of a military force towards the population within its area of influence. This showed through in the events following July 1987.

Muslims suffered repeatedly at the hands of Tamil militant groups. Any sign of self assertion by the Muslims was deemed a provocative act. On 3rd September '87, Mr. Habib Mohamed, the AGA of Muttur was killed. A protest hartal by Muslims in Kalmunai a week later ended with looting and burning of Muslim shops by Tamil militants. In May 1989, the bodies of a few Muslim farmers who had been kidnapped for ransom were dug up. Subsequent violence resulted in refugees on both sides. An IPKF convoy carrying food for refugees was fired at. Both Tamil and Muslim sources identified the persons who did the firing as off-duty Muslim policemen. Both sides have also alleged, possible instigation from higher up. There followed an orgy of looting and burning in Samanthurai by Tamil militants allied to the IPKF.

A finger has often been pointed at the Muslim Jihad. This was a vigilante group whose formation in 1984 was encouraged by the Sri Lankan state. This was never a large organisation and there were probably more Muslims in Tamil militant groups. About 7 members of the Muslim jihad were killed in Samanthurai while doing sentry duty around Muslim areas during the disturbances. Their weapons were nothing more sophisticated than shot guns. The Jihad was never intended to be a serious military force.

By November, the IPKF had pulled out of the southern sector of the Eastern province, leaving the Tamil National Army, the conscript army of mostly unwilling youngsters it had armed, to defend for themselves. The TNA killed a number of Muslims and on 17th November the TNA massacred 40 Muslim policemen and members of the CVF [the provincial police trained by the IPKF with the consent of the government] from Samanthurai, Nintavur and Sainthamathuru. The TNA consisted of panic stricken youngsters confronted with the LTTE and the Sri Lanka forces who were advancing. It has been claimed that they received 'advice' to stir up trouble so as to obtain IPKF support.

Once in control, the LTTE banned the SLMC and pressurised leading Muslims to join its political party, the PFLT. Stirring of protest was met with intimidation and strong arm measures. The violence to which the LTTE resorted against Muslim policemen and civilians after the June war broke out, suggest that the LTTE was resentful that its methods were not succeeding.

The government's indifference to complaints by the SLMC when it was close to the

LTTE, coupled often with remarks of disrespect, suggest that Muslim self-assertion in the East was as unwelcome to the government as it was to Tamil groups. This puts the Muslims in an unenviable situation.

The manner in which Tamils have mishandled their relations with Muslims, parallels that in which Sinhalese have done theirs with Tamils. It is for the Tamils to make a decisive gesture of reconciliation. The Muslims and the Tamils in the East have to live together. Whatever autonomy the Muslims want is best conceded ungrudgingly. The Muslims have had a difficult time in finding a political direction to articulate their interests. Many, to whom a patronising view of Muslims comes naturally have treated this as a subject of uncharitable humour. Muslim distrust of Tamils goes back a very long time and Tamils need to work very hard to overcome that. The late justice Hussein, an Eastern Province Muslim, once told a Tamil friend: *" You people do not question the legacy of Tamil leaders like Sir P.Ramanathan. During the Sinhalese-Muslim riots of 1915 Ramanathan went all the way to England braving German torpedo boats, to plead the case of the Sinhalese with the colonial power. He did not have one word to say for the Muslim victims."* Having gone through recent experiences, the feelings of eastern Muslims as a distinct community would have been strengthened. Not to respect this will open the way to further tragedies.

The problem comes back to the question of democracy. We need a politics that stresses principles rather than numbers, where it is no longer a disability to be a minority community.

(iii) The International committee of the Red Cross

In the current war, the ICRC is playing a role in a situation that had been anticipated. The demands made on it soon exceeded what it had been prepared for. It has helped in carrying foodstuffs and medicines to people cut off by war and in maintaining communications. Its rules oblige it to act observing confidentiality with the full consent of both sides. It can report breaches to the parties concerned, but cannot expose them publicly. The ICRC is ideally suited to play a role in what is called 'humanising' a war, when a war is fought by conventional armies with recognisable areas of control. In such a war humanitarian services include looking after the interests of prisoners of war.

While gratefully acknowledging the services of the ICRC, it is also proper to examine its limitations. This concerns the main purpose for which the ICRC was brought into this country. The ICRC was brought in at the height of the JVP's insurgency in late September 1989, when the government's human rights record came under international condemnation. Many southern human rights activists charge that the ICRC's role in this context served the purposes of the government rather than the interests of detainees. The time at which the ICRC was invited in just preceded the Sri Lanka aid group meeting in early October 1989. Though the coming of the ICRC raised hopes, nothing notable happened for several months. Bodies continued to appear by the roadside.

Eventually, the ICRC did monitor the 12 or so official detention centers including the big

one at Boosa. According to these sources, there were many detainees being held at unofficial detention centers some of them sited within security forces camps and some were private houses.

The problem arose with these. When the June war began, these centers had to be cleared to move the forces to the combat Zone. Having told the world that it was now treating prisoners lawfully even to the point of opening its doors to ICRC monitoring, the government now had a problem in acknowledging the existence of other detainees. They associated this problem with the appearance in the South of a large number of burning bodies during the early weeks of the war. The ICRC, they say, is painfully aware of this problem, but must remain silent. If there had been no ICRC monitoring, they say, many of these prisoners at the unofficial centers may have been simply dumped at the regular ones. The relatives of many detainees who banked much on the ICRC have been left feeling bitter.

With the problem of Tamil detainees coming up, these activists have concluded that in this situation the monitoring is best done by persons or organisations who are not inhibited from acting on any information and publicising their findings. While the government accepted an ICRC role, it has shown itself wildly hostile to the Amnesty International.

(iv) The Tamil Militant Groups opposed to the LTTE

These groups have gone through a history of downgrading of their political outlook through militarisation, decimation by the LTTE, being used by India against the LTTE, alienation from the people and often brutalisation. Thus even the EPRLF which kept up a democratic structure as late as 1986 and staved off the kind of internal killings for which some groups became notorious, gave way to some bouts of irrational frenzy against ordinary people when in service of the IPKF. Other disabilities suffered by these groups came from some of their able leaders being systematically targeted and from a loss of a number of their politically sensitive cadre in the process of militarisation. As examples of the first we have the killings of **Sundaram** of the PLOTE and LTTE associates **Iraikumaran & Umaikumaran** in 1982, **Mano Master** of the TELO in 1984 and recently the killings of 13 senior EPRLF leaders in Madras on 19th June 1990.

Whenever state powers or agencies wanted to use any militant group, they tried to use them not as political organisation but as hit squads. Thus the Sri Lankan government which first used the LTTE against these groups would like to reverse the roles, now that it is at war with the LTTE. When the war broke, their first reaction was based on their antagonism towards the LTTE. Again, people became very concerned that these groups had almost nothing to say on the sufferings of Tamil civilians. This state of affairs did not last long. Many of them indicated privately that they were sensitive to civilian sentiments. A number of their MPs did make private representations to the authorities. The first detailed public statement was made in Parliament by an EPRLF member on 19th July. These groups started meeting in Colombo with the aim of adopting a common stand.

These groups also faced an acute dilemma in asserting their independence of the Sri Lankan state. India had finished with them. If they went to the North-East, they would be at the mercy of the LTTE or the Sri Lankan forces. It was difficult for them to stay in the South and oppose the government. They were being given reminders that their help in tracking down the

Tigers would be welcome. The killing of 15 PLOTE members in Kalmunai by 'unidentified persons' appeared to carry a message. One group sent 8 of its cadre to work with the Sri Lankan forces in Batticaloa. Two of them who were brought back to Colombo on their own insistence said that they could not stomach the terrible sight of Tamils being killed. Another group reportedly sent 25 of its cadre to operate with the state forces in Trincomalee, saying that their presence may help to soften the treatment of Tamil civilians.

The only creative way out for them is to put principles first and come out with the whole truth publicly. Those who wish to lead must first earn the peoples' trust. They have once mismanaged their relations with the people. They can hardly afford to do it again.

(v) The Salient Features of the Current War:

We mention these points about the war because they are intimately concerned with prospects for human rights in this country. A senior general in the Sri Lankan Army has stated that the aim of the Army is to gain the upper hand before a political solution is talked about. This means that until victory is in sight, it is the military aims that will be talked about, while a silence is maintained on the political settlement. For the Tamils the first causes resentment and the second suspicion. Thus both these confer legitimacy to the notion that the government cannot be trusted and must be confronted militarily. **As the war becomes vicious with heavy casualties among the forces and civilians, the inhibition against killing Tamil civilians decreases sharply. In turn, this makes the state's propaganda a patently one sided whitewashing affair. Tamil opinion is driven to feel angry and cornered, irrespective of whether or not they approve of the Tigers. With no newspapers and no communication with the outside, except government radio broadcasts and the vague hopes created by broadcasts from Tamil Nadu, people are fed on stories of atrocities by state forces carried by refugees. In their own experience this is confirmed by shelling and aerial attacks which appear purely vindictive. While generous dispatches of food and medicine are announced in Colombo, hardly anything is seen to arrive in the war zone. Patients have to be denied treatment for even routine ailments like dog bite and tetanus. Without facilities for medical care, needless amputations have to be performed on those with shell injuries caused by the state. Children are amongst the worst sufferers. All this is seen to be caused deliberately. The young begin to feel that once the state forces come in, they will be killed. Even those with no love for the current militant cause begin feel that they are left with no alternative.**

The militant force through years of experience is geared to take full advantage of every weakness of the state, particularly its unconcern for civilians. The state's often punitive reactions to its killing of Sinhalese civilians strengthens its image as the defender of the Tamil people.

The government forces have paid in heavy casualties to take control of heavily mined and fortified population centers. The Tigers then retreated to jungle sanctuaries where they had built up facilities during the last few months. The spate of disappearances in areas under the control of the state forces, help the spread of fear among the young.

Earlier government boasts about smashing the Tigers and having a quick decision have

given way to more sanguinary expectations Casualty figures in 1 1/2 months have climbed to a figure comparable with the 600-700 figure during the campaign of 1984-87. Air support is deemed grossly inadequate to cover co-ordinate guerilla attacked in places far apart. Many more naval craft are thought necessary to cover guerilla transportation routes along the coast and across the Palk Straits. [See 'The Drive for the North can be Costly' - Rohan Gunasekara, Sunday Island, 29th July]. There are also moves to increase the current military strength of 50,000. The financial and technological requirements of both sides are well beyond the resources of this poor country. This means that the conflict has been effectively internationalised. But the social cost must be paid for here.

Given the Southern mental and political framework from which this war is conducted, creeping disillusionment often leads to an uncritical admiration of the dominant Tamil group, further legitimising its role. It is deemed to speak for all Tamils. We saw this actually happening in 1986-87 and in 1989. Even liberal sections in the South tended to become impatient with any suggestion that human rights violations by this group against civilians deserved serious concern. The tragedies faced by this country during the last few years are the result of this lack of principle.

Just as the government has to come to terms with its limitations, the Tigers too have theirs. The Tamils are a small disillusioned community, lacking the ability to provide man power for a prolonged conflict. Their material capacity to assert independence is very limited. They must depend on the state for food, medicines, electricity, banking salaries etc. The prospects of social collapse and exhaustion are very real. The militants seem to have banked on a couple of quick sensational victories, such as the capture of Jaffna Fort and do not appear to be happy with the way things went. As things progress with no end in sight, it is natural for ordinary people to plead for a reprieve from endless suffering. This is often met with coldness and anger.

A qualitative change for the better can be brought into this conflict only if the state spells out first a reasonable political solution and goes on to give the Tamil people confidence that no harm will come to them. Not only will the conduct of the forces have to change, but tangible guarantees for the safety of the young must be given. Not to do this will be to live through old tragedies once more.

(vi) The Victimisation of Non-Combatant Civilians

The prime example of this was the 1983 race-riots against Tamils and the military campaign conducted by the state during the succeeding years. A large number of Tamil civilians were also killed during the IPKF campaigns lasting 2 years from October 1987.

The first and most sensational killing of Sinhalese civilians was the LTTE's Anuradhapura massacre in May 1985. This was regarded a reprisal for the blasting of 70 Tamil civilians by the army in Valvettithurai a few days earlier. Following the Anuradhapura massacre, the Sri Lankan Navy killed passengers in the boat Kumudhini off Jaffna. In the latter as in the Anuradhapura massacre, women and infants were among the victims. According to militant sources, many of the participants in the Anuradhapura massacre kept having nightmares and formed habits of addiction to forms of stimuli. These set the pattern for future massacres. Apart from reprisals being a motive for massacres, the state wanted to diminish Tamil claims to territory in the

Trincomalee and Vavuniya districts. Equally, Tamil militants wanted to make Sinhalese settlements uncondusive. Many Tamil civilians were also killed by militant groups.

The massacre of Sinhalese civilians in the East on 5th October 1987, had the distinction that many of the victims were long term Sinhalese residents having good relations with Tamils. It is reported that the area leader in Batticaloa, who was a native of the place, was unhappy with the instructions.

When pro-Indian groups operated under the IPKF, many of the civilian victims were unarmed supporters of the LTTE or citizens' committee members close to the LTTE. During the same period [1988,89], the LTTE's victims were often those having contact with the IPKF, civil administrators and activists and politicians whom it regarded a political threat. Up to the end of this time, family members of persons regarded as enemies for some reason or the other were generally spared. A noticeable qualitative change came with the IPKF withdrawal. Thousands of persons related to members of pro-Indian groups wanted to flee the country. The majority of these civilians were from areas outside Jaffna. The hunt for them was helped by the Sri Lankan navy as they attempted to flee to India in boats. Two boat loads of refugees were reportedly sunk by the Sri Lankan navy off Mannar. A number of refugee families captured at sea were reportedly killed on land, in places such as the cremation grounds at Vathiri. Even loyal LTTE supporters expressed shock.

In the course of the current war Sri Lankan forces have killed a large number of non-combatant civilians. The motive behind the disappearance of the Kalmunai citizens' committee leader appears to be that of suppression of information on activities of the forces. Killings of Muslim civilians have been reported in the press. A small minority of the victims were Muslims associated with the LTTE. At this point it is not possible to say what proportion of the Muslim victims were political activists, ordinary civilians or relatives of Jihad members. The 'Sun' of 3rd August reported that the LTTE had killed the father and the son of a Muslim homeguard in Majeedpur, Samanthurai. A number of Tamils have also been reportedly abducted by Muslim homeguards.

CHAPTER 8

TAMILS IN THE SOUTH:

Following the arrival of the IPKF in 1987, the Tamils were treated in the South with consideration by the security forces. More than any change of heart the reason was that India had used the treatment of the Tamils between July 1983 and July 1987 to legitimise its presence in this country. This conclusion is suggested by their current conduct. This continued until shortly after the LTTE began talks with the government. **The undermining of the EPRLF led provincial government to which the government was morally and legally committed became the common aim of both the LTTE and the government. The government forces still did not touch Tamils. This was left to the LTTE which was given facilities and Pajero Jeeps.**

The process was at first subtle. The LTTE set up check points at Nochchiyagama and Manampitiya close Sri Lankan police stations, to monitor Jaffna bound vehicles and Batticaloa bound vehicles respectively. A new phenomenon observed in STF searches in the South for JVP suspects was the appearance of Tamil persons on some of these search parties, speaking Jaffna Tamil and knowing lanes and faces in Jaffna. This has been reported by Tamils who had come across these parties in Colombo and in the Kandy district. A typical case is that of a Tamil who was caught in an STF search in Teldeniya [near Palkelele] after which several dead bodies were found. As soon as he identified himself a Tamil, another member of the party was directed to him. This was a young Tamil person who after questioning his whereabouts in Jaffna identified him as the brother of a person who was in a dissident militant group.

About the time IPKF commenced its withdrawal, arrests in the South by the LTTE became more open. The Sri Lankan police too harassed members of militant groups opposed to the LTTE who started arriving in Colombo to seek safety. The LTTE even seemed free to move about the Colombo airport premises pick up persons. About November an EPRLF member was picked off an Air India flight which was in the process of departing.

The murders of Tamil MP's **Amirthalingam, Yogeswaran and Sam Tambimuttu** were committed in Colombo while the LTTE enjoyed this freedom of movement. The LTTE has admitted the first two killings. responsibility has not been fixed for the third. The Sri Lankan authorities had little to say on these killings.

Following the withdrawal of the IPKF to the Jaffna peninsula, arrests by the LTTE in Colombo became more blatant. A typical case is that of Michael, who was a member of the EPRLF more than six years ago and was now working at a plantain shop in Colombo. Those arrested like Michael were handcuffed to the seats of passenger vans plying between Colombo and Jaffna in the nights. The van upon leaving Colombo would go past Sri Lankan police and army check points with the chained prisoners, who would remain seated when the others got down to be checked. Upon reaching Paranthan about 3.00 A.M., LTTE cadre who had been informed by radio would meet the van and transport the prisoners to Mullaitivu in a pick up van.

The first time large numbers of Tamil youths were arrested in Colombo was when the Defence Minister Ranjan Wijeratne announced in mid-February that the Indian agency, the RAW, had plans to destabilise Colombo. The plan, if ever there was one, did not materialise and the IPKF departed quietly by March end.

THE PRESENT:

The next large scale arrests of Tamil youth in the South took place after the commencement of hostilities between the LTTE and the government on 11th June. The numbers detained in Colombo ran into hundreds. Significant numbers of Tamil youth were reported missing in the South. A human rights official in the South said that he had been approached in the cases of about 40 Tamils detained in Colombo, 7 of them, he said, could not be traced. Two young assistant lectures in Engineering at Peradeniya University went missing about the end of June. Both were Tamils from Batticaloa. They had finished dinner at Leon's restaurant, Kandy about

10.00 p.m. and left for their quarters on Lady Hill, on a motor cycle.

Seven engineering students from Jaffna on their way to sit for their examination at the University of Peradeniya went missing on 16th July. The following is taken from 'the Virakesari' of 23rd July:

3rd year engineering students **S. Dayanandarajah, B.N. Robinson, K. Anandarajah, K. Ramesh, S. Senthilrajan;** and second year engineering students **Suthakar and Thillainathan;** all from Jaffna, arrived in Vavuniya on 16th July. From there they were helped to reach Anuradhapura by Rev. Croos of Vavuniya. From there they boarded a CTB bus for Peradeniya. They were arrested at the Dambulla Police check point. The Police instructed the bus driver to hand over the students at the Revula police station the driver first went to this police station and handed over the students before proceeding. **Prof. C.L.V. Jayatilleke**, the Vice Chancellor of Peradeniya was informed of this the following day. The I.G.P. and D.I.G. [Central Province] have also been informed of this. The O.I.C. Dambulla Police has denied the incident.

Another report said that 50 engineering students from Jaffna who went to Peradeniya by train on the same day, changing at Polgahawela, were badly assaulted by the police at Kadugannawa. The policeman who did the assaulting had taken care to hide his number.

In the incident where the 7 students were detained, the incident had been reported by another student whose presence in the bus had gone unobserved. He had seen the 7 students being taken over by the army. The '**Virakesari**' of 27th July said that upon being told of this matter, **Mrs. Pulendran**, the State Minister for Education, had made inquiries and was now assured by the authorities that the students were in their custody. It is a general fear that unless the detainee has someone influential to raise the matter immediately, the worst might happen.

It is notable that the incident was not reported in the English press. Concerned persons in the universities became aware of it through hearsay. In Peradeniya itself, the staff unions were slow to move and it is likely that some of them were not even told. The Tamil students themselves appeared to lack the confidence that the staff would be interested. To understand this state of affairs, it must be remembered that the southern universities themselves went through a period of terror last year when a large number of Sinhalese students went missing. A fear of informants, perhaps imagined, was so great that it was considered too dangerous to speak or to make inquiries about missing students. The subject itself was deemed unwelcome. A casual remark like '*I heard that the CID was making inquiries about him*', would appear to settle the issue of a missing student.

A lady on the staff of Peradeniya University said: *"The reason why the staff unions did not promptly take up the matter of the missing Tamil students is not racial. It is a hangover from our terrible experiences last year. Kandy was rife with killings. I went out on a morning and found 4 bodies at the top of the road. There was one tied to a lamp post. I actually went near to examine if it was alive. It was dead. I went to the nearest police station and told policemen that were bodies on the road. He simply grinned. I heard that there were 4 more bodies at the other end of the road. The incident followed the killing of a soldier. The either bodies were those of*

innocent local villagers. One had been a deaf mute. A colleague of mine who lived down Heerasagala road said that to them these were regular experiences. A student of mine told me that one night there was a single shot. People stayed inside. He heard later that the father of a policeman had been killed. Sinhalese students were then living in fear. A number of innocent students who had reason to believe that they were being watched, had to sleep in different places. I know that a total of 9 students are missing from two of my batches. Such occurrences came to be accepted as normal and not requiring an energetic response.

"It is not true that the staff are indifferent to the matter of missing Tamil students. These are not times when appeals to principles and justice bring a response. But the staff are sensitive when told: "Look, this war broke out and the Tamil people started questioning the Tigers and began to distance themselves from them. By subjecting Tamil students to this kind of treatment, you are going to drive the whole community back into the arms of the Tigers." An appeal to self interest does work."

Nothing definite has been heard regarding the two missing Tamil assistant lectures. University sources said that it was unusual for people to be stopped on the Kandy-Peradeniya road and that there have been indications that the pick up was planned.

All universities in this country face a number of common problems, but it is difficult to make judgement. The constraints are different. During the JVP troubles, Ruhuna University in the south was almost totally silenced. The IPKF's cosmetic attempts at maintaining normality, provided a little space for democratic activity by the students and staff at Jaffna University and for raising issues concerning the interests of the community. The experience under the LTTE was different. The next phase is uncertain.

Other incidents :

In almost all current cases of violence against Tamils in the South, those responsible are persons in uniform. the scale may be small in comparison with the past. Unlike the blatant violence of 1983, the current violence in the South is secretive and is carefully kept out of the press.

Gal Oya, 21st June : The Colombo bound train from Batticaloa left early on the 11th June and was stopped at Gal Oya when news of trouble broke out. The Head Guard was M. Yogirajah (47) of Sandililpay. The Batticaloa bound train from Colombo, with Head Guard M. Marcilyn (50) of Batticaloa was also stopped in Gal Oya. The two Head Guards with their Under Guards, Dharmalingam (35) from Jaffna and Iruthaya-Nathan (38) from Batticaloa decided to put up at the Running Bungalow at Gal Oya station.

Yogirajah went to Colombo on 18th June to see his brother Shanmugasundaram who worked in President Premadasa's Ministry of Housing. He returned to Gal Oya on 20th June because of the uncertain security situation in Colombo. The police had reoccupied the army camp at Hathorokotuwa after the outbreak of the war. The army had abandoned it in 1987. On the afternoon of the 21st, some of these policemen had come to Gal Oya station and had made inquiries about Tamils. It appears that an employee had given the names of the 4 guards.

The policemen returned at 8.30 p.m. and ordered the station master, a Sinhalese, to lead them to the Running Bungalow. After a short distance they started climbing the steps leading to the bungalow, which was on an elevation. The police ordered the station master to wait and went inside. Yogarajah was having his dinner and a number of railway men were chatting inside. The police ordered the Tamil guards to come with their bags for questioning. The railwaymen who had identified themselves as Sinhalese and Muslims protested, saying that the Tamils were friends and were well known to them. The policemen remained adamant. Yogirajah wanted to collect the flags which were part of a guard's baggage. The police said that, that was not necessary. The policemen descended on the side of the elevation visible from the village, after warning the station master not to let slip a word about their visit. That 4 prisoners were taken by the police is known in the village. Gun shots were heard at 5.00 a.m. the following day.

One sinhalese guard ventured out on a bicycle that morning and 3/4 a mile on the Trincomalee road, at a petrol shop, came across 4 bodies burning inside a tractor tire. Villagers told him that the police had warned them not to hang around. He quickly returned without trying to identify the bodies. What remained was burnt by villagers in the jungle.

Nothing more was heard of the missing guards. Senior Superintendent of Police, Kanagaratnam of Batticaloa who was a close relative of one of the guards, moved hard in the matter. An inquiry was held at Habarana and statements were taken. It is learnt that some salient points were with held in making these statements. It may be noted that railwaymen are not without influence. They were concerned for their colleagues, had communication facilities and had 8 hours in which to act. But nothing was apparently done. That gives some indication of the state of fear.

Maradana, 15th July: A young Tamil youth from Valaichenai was met at Maradana Railway Station by an elderly railway employee. Both boarded a private bus outside and bought their tickets. A young man with a Muslim cap came in and asked the young boy in Tamil to come outside for a chat. The young Tamil refused. Another man standing outside, who appeared to be a policeman, bellowed in sinhalese, "**Get down Yakko**". The railway employee got down with the young Tamil and was told that he was not needed. At the young man was marched, the railway employee insisted on following him. The man in the Muslim cap marched the Tamil into the community hall opposite Buhari restaurant. A police truck was parked near by. As the Tamil youth went inside, he saw 15 to 20 others similarly detained. Another Muslim youth came forward and told the young man who had brought him, "**I know him. He is from Valaichenai. Let him go**".

The Tamil youth later told the railway employee, that both the persons whom he had met were SLMC activists from Valaichenai. There have been widespread reports that the government was using SLMC activists and Tamil militants from other groups against Tigers. This appears to be a reversal of roles on the government's part. What happened to the 15-20 youths is not known.

Welikanda, 18th June: The army shot and burnt Mr.Pathmanathan, a Tamil police constable. Pathmanathan used to be on duty at the Welikanda railway station.

Between Madawachchiya and Anuradhapura, 22nd July Tamil passengers to Colombo, coming from Jaffna boarded the train at Madawachchiya. Some men who were dressed in trousers or shorts and T.shirts, came into a railway carriage. It is thought that they were not ordinary civilians. They selected four young Tamil men and asked them to come to the corridor for a discussion. At a point where the train was moving fast, passengers saw the 4 young Tamils being pushed out. What became of them is not known. Rumours of such incidents have spread a general fear amongst Tamils wanting to travel between Jaffna and Colombo.

The full extent of violence against Tamils in the South is not known and is not talked about. Independent contact with border areas is difficult. Scanty information often comes through friendly Muslim traders.

CHAPTER 9

FURTHER REPORTS

We include here further reports received after the earlier section was written and are intended to complement earlier ones. Information from badly affected areas is still scarce.

Kalmunai, About 20th June: Kalmunai was subject to aerial attacks from helicopters after the army made a 'tactical' withdrawal on 16th June. A number of persons were killed. When the army re-entered Kalmunai a few days later, foreign journals quoting leading citizens said that 150 Tamils were killed and burnt in Tamil shops. Mr. Kanapathipillai, better known as Pandiyooran, who was head of the Kalmunai citizens' committee and known for his outspokenness, was associated with these reports. He was also outspoken in holding that boundary disputes resulting from encroachment of Tamil lands by Muslims landlords must be resolved. He is said to have had many enemies amongst the latter. Fearing for the safety of his sons, he had sent his two sons to shelter with a muslim friend, shortly before the government forces came in. The government forces, when they came in had with them local members of the Jihad, who had fled to Colombo in 1988. These persons were recognised in military uniform by a number of persons.

Kanapathipillai's two sons fell into the hands of government forces. They were seen being led around Kalmunai, with their hands linked by wires driven through holes made in their palms. They were asked to point out Tiger supporters and hiding places. Not having had much success, one son was shot dead publicly. The other who was badly beaten was taken to the father's place which was ransacked. The father was taken away and the father with the remaining son have not been seen again. The previous day Kanapathipillai had telephoned a friend in Colombo with a desperate appeal: *"They are simply taking our boys and are knifing, shooting and burning them. For God's sake do something!"* With the disappearance of Pandiyooran Kanapathipillai, citizens' committees in the area were terror struck. Information virtually dried up.

The government's use of the Jihad created widespread anger against Muslims. Amongst the many Tamil youth assembled to be taken away for questioning in buses were 26 girls. 3 girls were released after some local Muslims protested to Jihad members standing there that the girls were nurses and nothing else. The following weeks were to see LTTE reprisals against Muslim targets.

The government too appeared to have no hesitation in fuelling communal hatred between Tamils and Muslims. The remarks by the Minister of Defence concerning the killing of 15 PLOTE members has been refereed to earlier. Here the minister had focussed attention away from the actual indefensible act of knifing and burning the detainees, to Muslim informants. In Kalmunai Tamil citizens eventually did contact an army official about the killings, the disappearance of the citizens' committee chief and burnings of premises, including a church building. The army official shifted most of the blame onto Muslims.

Trincomalee: We are not certain of the order of events, or how troubles broke out. It appears that the LTTE fired at an army convoy that refused orders to stop on 13th June. The LTTE then collected 10 policemen from Madaththady and 4 from Sirimapura and shot them. People were then asked to flee and were told that they would be given protection beyond the 3rd mile post. Many fled their homes towards Nilaweli. The LTTE too had pulled out of Trincomalee by the following morning. When the army came out of Fort Frederick, they killed and burnt a number of persons in Anna Nagar, adjoining the Fort. With the army came a number of Sinhalese, made refugees from 1987. With the coming of the IPKF Tamils took revenge against Sinhalese settlers who had lorded or over with Sri Lankan army help in earlier years, by burning Sinhalese premises. Now it was the turn of the Sinhalese.

In Trinco town itself there was not much killing. But there was widespread burning and looting by the army and by Sinhalese refugees.

A number of patients from the Trincomalee hospital adjoining Ann Nagar, were also pulled out and killed. Those killed were mostly patients who had sustained injuries or those who had themselves admitted out of fear.

Though information is scarce the following incidents came to our notice. **Mr. Subramaniam**, a retired Colombo Municipal Council employee was living in Trincomalee with his expectant daughter. His son-in-law who was in Batticaloa and his daughter were pawn brokers. The daughter wanted to rejoin her husband after the troubles broke out. **Subramaniam** set out with her in the confidence that his age would guarantee immunity. Soldiers who stopped them asked the pregnant lady to proceed and took away the father. The father has since been missing.

On withdrawing from Trincomalee on 13th June, the LTTE quickly went to Nilaveli where a large number of refugees had gathered. It then pulled out from Nilaveli in the face of the army advance from the north and the south. Because the army advance was barely resisted, there was little damage at Sambaltivu. About 20 civilians including a man in his late 40's were taken away by the army from a refugee camp at Nilaveli. The family of this man had made repeated

inquiries and his release, though promised, has not materialised. Nor was contact or verification permitted.

In early July, the army advanced on Thambalakaman which was under the control of the LTTE. Thinking that the advance would be resisted, a number of civilians sheltered in bunkers during the exchange of fire. Unknown to them the LTTE had made a sudden withdrawal and the army was upon them. The soldiers threw grenades into bunkers as they advanced, killing civilians. About 17 young civilian refugees were taken away from Konesar temple and a nearby school and are believed to have been killed.

An unspecified number of refugees, children amongst them, were taken by the army from St. Anthony's church in Mutur and the worst is believed concerning their fate. Some Muslims were reported killed subsequently in an apparent reprisal attack.

The Daily News of 16th June reported that 23 out of the 60 policemen in Kinniya were lined up and shot.

Siyambalanduwe, Moneragala District: Between 16th-20th June, 12 Tamils were burnt to death by thugs. One of them was a Tamil doctor married to a Sinhalese who was stationed at the 17th mile post. During the same period in Amparai, mobs killed 100 Tamil coolies who laboured in fields. They have been persistent and helpless victims of bouts of violence.

Colombo: Hundreds of Tamil boys were arrested shortly after the outbreak of war. Two boys arrested at Wellawatte were taken to Mahara prison, 6 miles north of Colombo and were left with Sinhalese prisoners. Their bodies were later handed over to relatives. The present practice appears to be that any Tamil person brought in on suspicion by the police will be locked up with whoever else is there - drug addicts, assorted maniacs etc. A typical example was that of a father and son who crossed the road after dinner to buy some Indian sweets. At the best they would be released after someone identifies them, statements are recorded and police records are checked. The minimum time is two days.

In the case of the two boys killed, there was not even an inquiry. There has been no public campaign in Colombo against such blatant, but perhaps unintended, racism by the vast number of organisations concerned in such matters.

The East: See report by James Pringle from the Times of London in Appendix II.

Miscellaneous: About 20th June a van from Trincomalee was stopped at Horawapotana and 12 Tamil passengers were taken away by the army. A women passenger who screamed and refused to get out escaped because one of the three foreigners in the van claimed to be her husband. The following day 4 persons in Muslim attire travelling in a Lancer were stopped and detained, apparently for looking too closely at burning bodies nearby. The car and the van were subsequently seen for days at the police station. This incident was related to a Left party official

by local villagers. The same official was told by a police sub-inspector in Anuradhapura that two bodies found burning near the Anuradhapura bus stand were those of Tamil boys found with cyanide capsules. In a number of instances rumours identifying Sinhalese persons killed as being Tigers caught locally, were associated with the police. This happened in Kandy. In the Chilaw area, six bodies burnt were claimed to be those of Tigers caught in the Local Tamil village of Udappu. Two papers reported that six Tigers were killed while crossing the Kelani river bordering Colombo. When official sources claimed that the dead were victims of a gang fight, the papers maintained that they had published the police version.

LATE REPORT: Massacre at Kattankudy, 3rd August 1990

The Sunday Island of 5th August reported that 8.15 p.m., about 30 LTTE men arrived in Kattankudy in two wagons. They divided into two groups and simultaneously attacked Meera Jumma and Hussainiya mosques, firing automatics and throwing grenades. Over 120 Muslims, men and boys, were killed. Over 75 others were seriously wounded. Many of the victims were praying at the time of the incident. The attackers, some of whom were attired in military fatigues are believed to have escaped by boat. Brigade Commander (Batticaloa) A.N.U. Senviratne said that the army moved into Kattankudy from Araipattai and Kallady camps within fifteen minutes of the receipt of information. Responsibility for the massacre was denied by the LTTE.

We must admit shame that such crimes are a direct consequence of the intolerance, arrogance and hate that have come to characterise the dominant Tamil politics. To understand such phenomena, like the Anuradhapura massacre, this too has a historical process behind it. This in one way exonerated those responsible for killing.

We have noted in this report that there was a great deal of anger in the East against the government for its killing of several hundreds of young Tamils. We also have many instances where senior government functionaries have tried to deflect this anger onto Muslims. Official spokesmen have been quoted a number of times to the effect that Muslim youth had come forward to help government forces. [eg. Speech in Parliament by the Minister of Defence, 7th August]. The Eastern Tamil would have read this as saying that Muslims are aiding the killing of Tamil youth. The government could not have been naive about this. The policy of dividing Tamils and Muslims had been deliberately pursued since 1984. A senior Tamil government official from Batticaloa, a lady, had said a few days before the incident: *"There is blatant discrimination here. Our young are being slaughtered. Nearly all the relief supplies that are sent are channelled to Muslims and Sinhalese. There is so much anger against Muslims that it is boiling over. An eruption can hardly be controlled"*. It is not possible for local Muslim officials by themselves to effect discrimination in the distribution of supplies, without the connivance of Colombo. Many expected something to happen, but the form it took, shocked them. The government's own intelligence could hardly have failed to detect the tense mood. A Muslim public servant from Kattankudy was very angry with the LTTE when he heard of the incident. After pondering the context over the next few days, he said that he was puzzled. He had heard from home that when the firing had started, Muslims ran for help to the army camp on the border of Kattankudy and the Tamil village of Araipattai 1 km away. The army said that the road would be mined and had taken 20-25 mins to get there. Rightly or wrongly Muslim villagers were left

with the impression that the army had not acted as if they were on the alert. This led to rumours amongst the Muslim community. The SLMC leader Mr. Ashraff, said soon after the incident, *"We are disappointed and disillusioned at the indifference shown by the government regarding the security of the Muslim community in the North-East province."* He also urged the Muslims to remain calm and not to be provoked into violence. Ashraff had generally been sensitive to the sentiments of Tamils.

There was the other puzzling feature that in other areas under its control, the LTTE was actually releasing Muslim policemen under its custody. This was admitted officially. The Sinhalese policemen in its custody are not accounted for. The LTTE leadership was at some pains to show that it was not anti-Muslim. An attack on Muslims of a 'genocidal' character would appear to be incongruous with this. **Mr. Wijeratne**, Minister of Defence, quoting in parliament a confidential intelligence report, said that the LTTE's Batticaloa leader Karuna had radioed the Jaffna High Command mid-night, 4th August, that his boys had fired at Sri Lanka-army trained Muslim youth at Kattankudy. He accused the LTTE top leadership of covering up, rather of than having pre-knowledge of the incident. This reminds us of the massacre of policemen who had surrendered in the East, about 11th June. The LTTE spokesman in Jaffna after denying it had later said that he could neither confirm nor deny it. The LTTE's top leadership could not have been blind to the diplomatic consequences of such massacres.

One must admit a strong possibility that the LTTE in the East is responding some what to local feelings and fears, rather than strictly to the aims of the leadership. One would have expected such a leadership crisis in an organisation which has downgraded politics and had treated dissent and opposition with ruthlessness.

Following this massacre there were reports of over 40 Muslim peasants being killed further south over the next two days. The reports added that a note tied to a corpse warned Muslims to vacate the area. This was an area in which reports coming in suggest that an unspecified number of Tamils had been abducted or killed. Together with the Kattankudy massacre, these later reports received much media publicity. Like earlier massacres of Tamils, a report by a TELO MP for the area that 40 Tamils had been killed, found a place only on the BBC's Tamil Service on 7th August. Such calculated partiality only serves to further alienate Tamil from the state and drive them towards dependence on India.

As one observer put it, the whole episode has a murky character reminiscent of the PLOTE invasion of the Maldives in 1988. One can be sure that the bizarre alliances of the Sri Lankan state has much to do with it. Its adoption of the LTTE in April 1989; its glee over the discomfiture of the SLMC when the LTTE attained control of the North-East; its giving its erstwhile ally, Israel, the boot in April 1990; Its wooing of the Muslims and the SLMC to crush the LTTE when relations with the latter broke down; and finally going to Iraq and Libya, Israel's arch enemies, for arms to fight the LTTE. The truth may be long coming, but it will surface. While the Sri Lankan state is tied up in knots, the LTTE has to look to the future with its own regrettable legacy. For the people of the East, there are bleak times ahead.

CHAPTER 10

THE TAMIL PREDICAMENT

The struggle of the Tamil people, now more than forty years old, for their democratic rights, their dignity as a people and for the preservation of their identity, has been deemed a legitimate one by the world at large, including a large number of Sinhalese people. Many committed Tamil men and women who gave their energies to this struggle, had been widely respected. During the first three decades, when the struggle was in its manifestation almost entirely peaceful, it was often treated with violence and derision by the state. This, coupled with internal weaknesses in Tamil society itself, the short term requirements of external powers and the state, had all conspired to prop up in the cloak of **'the sole legitimate representatives of the Tamil people'**, a military forces. This force had entirely lost sight of the nobler values and objectives of the struggle. For a time, until the outbreak of the war, the association of this force with the Tamil people, suited the Sri Lankan state and its international backers. **A number of intellectuals uncritically wrote in approbation. Against such a powerful concert, the dissenting voices amongst Tamils who saw total disaster and humiliation, were often patronisingly ignored.** Many others were either overawed or terrified into silence. In the face of this conspiracy, it is only logical that when inhuman acts such as killings of Sinhalese and Muslim civilians are committed, Tamils as a whole are held to blame. Barbaric reprisals against Tamil civilians are treated with indifference. The drift of state and media propaganda is such that a moral case is being made for a permanent disruption of collective Tamil civilian existence.

A large proportion of Tamils (about 25% of Jaffna) has already left the country, mainly as refugees. The larger proportion of young men who sacrificed their future for the militant struggle and the cause of freedom, have either died or lead a hunted, disillusioned existence. **Goaded on by the fear of annihilation by state forces, an increasing number of children, barely in their teens, are being systematically brutalised and used as lethal machines.** Reports suggest that children have been used in acts of violence against Sinhalese civilians and prisoners of war. In contrast, those who have met these boys and girls at sentry points came away with the inescapable impression that in their innocent talk and smiles, they remain none other than children. Some manning sentry points appeared more frightened than those whom they checked. **Are they fated to be mowed down, or is there a way out for them?**

Many mature persons killed by their own people during the course of the struggle were elders, political activists, citizens' committee members and educationists, who even in a limited capacity provided the community with crucial leadership. Their role in voicing grievances demanded respect and challenged repressive tendencies in the state. While all groups were guilty of killing civilians, significant damage was done by the one group which regarded any good done to the community by a person independent of it a challenge and hence effectively treacherous. **An ironic aspect of the current struggle is that the acknowledged leaders launch wars without any consultation or structure to defend the people against an angry army and even tell people that they must look after themselves.** At its hour of greatest need, the community finds itself leaderless and numbed with terror.

The people are caught up in a crude political game, where the state's philosophy is to get the military upper hand before seeking a political solution. This means hammering away militarily, not caring what happens to the people, in the hope that when the rebel leaders themselves are threatened, they would negotiate. **No prior thought is given to the content of a political solution based on principles of justice.** Again and again this process has only strengthened the militaristic and anti-democratic tendencies in Tamil society.

This gives us some idea of the kind of politics that brought about a disintegration of civilised values in this country. Sinhalese people themselves became victims. The quarrel between the government and the JVP was not about democracy. To a large number of people throughout the country who have suffered destitution and bereavement, culture and identity have lost their meaning. These belong to higher stage of civilisation. Every slum and every village in the South has its tales of heart rending woe. To these people, the struggle is one for basic justice and humanity. The Tamil people by themselves alone have no way out.

The difference when it comes to minorities - Ceylon Tamils, Muslims and Hill Country Tamils - is that they have gone through experiences of collective threats to their physical existence. Thus in the broad struggle for justice, the quests of minorities for dignity and the preservation of their identity must be urgently addressed. To stubbornly insist on proposals which may have seemed reasonable and rational before the historical experience of victimisation through violence, would only court disaster. At a time when greater reassurance is called for, it would be very unwise for anyone to use military advantage to make territorial adjustments and effect transfers of population.

The country as a whole needs a different kind of politics with the people at its center.

APPENDIX I

FOR A CHANGE OF HEART

[Once again, the only independent media in Jaffna consist of cyclostyled leaflets. What follows is the translation of a Tamil leaflet which raises issues pertaining to human rights in a liberation struggle].

This is the third time in ten years that we are confronting a large Army.

We must now ask ourselves the question pertaining to the last ten years and the present war, *"Have these wars being just wars? Have we on our part upheld high standards in conformity with international conventions?"* It is pertinent to ask how conscientious have been those who participated in these wars.

We know that the forces of state and other forces who intervened on behalf of their global interests have used or advocated inhuman and uncivilised means to crouch what began as an armed struggle for the rights of the Tamils. Sadly, these very means have not only been adopted but have also become the sole basis of our own struggle.

A case in the point is the tragic extent to which attacks on helpless civilians has come to be considered part of the normal course of events. Apart from the Sri Lankan forces, it had also become normal for Tamil militant groups to use such inhuman means. Whatever the race or religion, justifying the killings of ordinary civilians on our soil has awakened feelings of fear and disgust. Whether it is the Anuradhapura massacre of 1985, the killings in Aranthalava in the East, the killings by the groups which came to power in 1988 and were used by an alien army, or the killings of ordinary civilians today, these have all brought in a deep sense of despair.

We must look deeply at the phenomenon of killing and torture. It is fitting to examine these in for different categories. The killing and torture of members of other militant groups who had surrendered has come to be treated as normal. Towards the end of 1986, a number of EPRLF members were shot and killed on the pretext that they were trying to escape. Also, a number of Sri Lankan army personnel who surrendered were either killed or had disappeared. A number of militant prisoners were killed in March 1987.

After October 1987, a number of persons who had surrendered to the Indian army and were released, were subsequently abducted by the militant groups in authority. These persons were either tortured or killed. Even today those who surrendered as members of the TNA, of militant groups, or were detained as such are kept in a manner that causes great concern. Some have been confined in holes and others have their legs chained without facilities to unlock them. They are kept in this state continuously for a number of days. They suffer without adequate food, clothing space and elementary facilities. This shows how their treatment has fallen far below internationally accepted standards for detainees and prisoners of war.

A point to note here is that these persons are detained for days without any inquiry and without giving the full details to parents and relatives.

Secondly we examine killings between Tamil militant groups. The fratricidal killings amongst young men who took up arms for freedom is something that grieves us deeply. The fact that more than half the Tamil militants who were killed in the last ten years have been killed at the hands of the fellow militants and that this is still happening, questions the aims of the struggle itself.

Thirdly, we note killing and torture within militant groups themselves. The most tragic aspect of this is the killing and torture of those who had expressed a wish to leave their group for reasons of conscience. This category of persons has been punished on the pretext of having failed in their duty.

Fourthly and most importantly we come to crimes committed against civilians. A number of civilians have been tortured or killed on the pretext that they were helpers or supporters of a particular group. **The lack of humanity amongst Tamil militant groups has even been noted**

by the Amnesty International.

The Use of Children: The matter causing great concern today is the arming of children. This is often justified by claiming that the children had joined voluntarily. **One has to ask whether the children have the capacity to think through such a grave matter and come to a decision to join with clarity of mind. What would be the consequences for the community of having a militarised generation that simply obey orders like machines. We know from the experiences of broken hearted youngsters who had freed themselves from this gun-culture, that many of these young persons find it difficult to go on living other than as military machines.** We do not intend any disrespect for the sentiments associated with the freedom struggle. But we must rather value the experiences of many dedicated mature persons who were disillusioned. We must ask ourselves whether in arming children, are we not grossly misusing their sensibilities.

When we see from past experience, how structured and disciplined societies had been broken down by enforced militarisation, the same considerations must be applied when we view our own society that is creating a generation in arms. Our society has not been spared the loss of values experienced by many others after a freedom struggle. Though it is claimed that ours is a highly disciplined struggle with strictly observed rules, we know that a lot of immorality and debasement of culture is being covered up. This internal disintegration cannot be hidden for very long. It is the duty of the leadership of liberation groups to look into the effects this process will have on your youth.

We thus see that adopting wrong principals and wrong values have brought our struggle to this tragic state. What we need is a change of heart.

This change of heart should be such as to bring about amongst ourselves, brotherly love and freedom of conscience. The freedom of those who want to leave a militant group or do not wish to bear arms, must be respected. We must also build independent structures to ensure that these freedoms are observed. Our struggle is not going to end with one or two generations of leadership. It must thus take into consideration, future changes in leadership. **It must also look towards a new society, without the treachery, lies and intrigues of the past, but wants instead, a belief in forgiveness, and a desire for unity. It is only then that the full potential of the society will be realised in victory.** We will no longer need the use of arms.

APPENDIX II

The East : Report from the Times of London

JP Pogrom 1 by James Pringle

Amparai, Sri Lanka, 22nd June - They came bearing hoes and machetes and cans of Kerosene and with murder in their hearts. To the 15 families huddling in their homes after nightfall, the terrifying shouts meant almost certain and violent death.

"We were just eating supper," said Mrs. Mahen Keliamma, age 22, a Tamil woman from the village of Ingineyagala, near here. "It was almost time for the children to sleep. then I heard the noise."

According to Sinhalese neighbours who had barricaded themselves in their homes, a mob of about 150 people stormed through the village towards the little community of Tamils who have lived among them for half a century.

They marched past the police station, whose occupants remained inside and they were shouting: "The Tigers killed us and we have come to kill you." Soon, they said, they could hear the screams of the Tamil men, women and children.

"I picked up three of my children and told my fourth boy, the eldest, to follow me," said Mrs. Kaliamma yesterday describing the pogrom in which 26 out of a community of just over 100 Tamils died on 12th June, the day after fighting erupted in Sri Lanka's eastern province and the first massacre of Sinhalese policemen was reported.

"We ran from the house and towards the forest at the back of the village," she said: "I looked back and saw some men grab my son, Mannivannan. They seemed to be throwing liquid on him from a can."

Her eyes steaming with tears as she spoke in a refugee camp in this eastern town, 220 miles east of Colombo, the capital, she said: "Later, his burned body was found. They had doused kerosene on him and set him ablaze.

"My mother, brother and sister also died. some were hacked to death and others burned alive. I hid with my other children in the forest for four days until the police came to bring us out."

With 77 other Tamils, all of whom lost family members, she is under the protection of the Sri Lankan army in a school house in Ampara. "We are afraid to go back," Said Mrs. Selliah Rohini, aged 30, a mother of three children. "We think they may do it again."

Eastern Sri Lanka is still embroiled in the cauldron of a bloody communal war. there have been massacres of Tamils by Sinhalese, such as the program in the village of Ingineyagala and of Sinhalese policemen by the Liberation Tigers of Tamil Eelam (LTTE) the Tigers claim about 100 policemen were shot `attempting to escape.'

The latest massacre report is of Muslims in the coastal village of Ninatavur by the Tamil Tigers - Hindu, Buddhists, Muslims and Christians all live in uneasy proximity in

this area - who are said they were `agents of the Sinhalese authorities but a police official reached here last night denied there had been such a massacre.

There are twitchy soldiers guarding Sinhalese villages and roadblocks of angry, nervous Sri Lankan policemen on the look out for any young Tamils they suspect of being Tigers attempting to flee.

And there is the generally more cool but ruthless Tiger cadres who claim they started the present round of fighting two weeks ago `because we were tired of waiting for the rights of our people.' "If we don't act now, we will just be slaves again," one Tiger local said.

MORE

Pogrom 2 Ex Pringle Ampara

In an interview with the Times, Brigadier Rohan Daluwatte, Deputy Commander of all troops in eastern Sri Lanka, said that the army had the Tamil Tigers on the run. "They are retreating into the tropical forests and that is just where we want them because our soldiers are accomplished jungle fighters now," he said

"we are clearing the roads, removing mines and hope to have order restored soon," said the Brigadier here at his HQ in Ampara.

But a tour of the war-zone indicates that the Tigers, though falling back, are far from being routed and that the army has not been quite as successful as it claims.

For their part, Tiger cadres say that their forces are regrouping to counter-attack and that they are inflicting heavy casualties on the army.

Civilians caught in the crossfire are fleeing this way and that, trying to avoid the mines, the exchanges of mortar fire and occasional helicopter forays and the suspicious fighters of both sides.

They fear fresh outbreaks of religious violence - though at other moments there is religious compassion. In the near deserted town of Batticaloa, on the coast north of here, Hindu refugees are sheltering in two Christian churches, St. Mary's and St. Jude's awaiting the arrival of the army, who are advancing slowly on the town from which the tigers have already withdrawn.

But elsewhere in the town, once a popular tourist resort, Buddhist shrines have been desecrated and statues of Buddha decapitated. In the gutted remains of the police station, are the files, phonically, of Tamil Tiger members and suspects strewn at random.

One was headed `V. Prabakaran,' the name of the LTTE leader, who is based in the Jaffna peninsula, the Tamil heartland in the north of Sri Lanka, where fighting was also

continuing yesterday.

There is only motor cycle traffic in the town, where food is running out and where grain warehouses have been looted. This correspondent drove through villages where the entire population had fled.

The Tigers, as they have pulled back to forested areas where as seasoned guerrilla fighters, they can survive indefinitely, are blowing up not just police stations but banks and government offices.

Confusion abounds. While the government in Colombo was ordering people in the Eastern province to hand in their weapons, whether licensed or unlicensed, officials here say that in the past few days they have handed out 2,000 weapons to villagers - mainly Sinhalese or Muslim - supporting the government and these vigilantes are patrolling near villages.

Even the wildlife has not escaped the mayhem. Local villagers claim that the Tigers recently shot 17 elephants in a game reserve south east of here when the elephants 'got in the way' while the guerrillas were cutting down trees with which to make fortified bunkers - bunkers which in many cases are now deserted and booby - trapped.

They claim the elephants, only three of which were 'tuskers,' were 'executed' with rocket - propelled grenades the guerrilla's AK.47s not being upto the job.
MORE

Pogrom 3 Ex Pringle Ampara

The Army claims it is being welcomed in villages, including Tamil villages, because at least they represent some form of stability that neither the Tigers nor the police were able to provide.

Local government officials said that Muslims were cooking food for the soldiers in the village of Nintavur, on the coast where the bodies of 62 inhabitants were said to have been found following a massacre. There was no independent confirmation of such a massacre.

At Ingineyagala, 12 miles from here and scene of the earlier massacre of Tamils, scraps of clothing, a child's left shoe and broken dolls lay among the scorched debris of 15 homes. There was a pervasive smell of death but around the ruined homes and a desecrated Hindu temple, where an image of the elephant for Ganesh lay smashed, a pink blossom was in bloom.

Abandoned family dogs wandered morosely in the ruins.
"We are sad at what happened," said Mrs. Chandrasiri, a Sinhalese woman who lived next door to the Tamils. "Some of them were our friends, but people here were afraid to

leave their homes when the mob came,"she said. "Now my husband and children do not stay here at night because we are afraid of the ghosts of the people of who died."

Some villagers said that the killings had occurred because we the young policemen earlier reported massacred by the Tamils were from the locality of the village.

The frightened Tamils sheltering in Ampara say, however, that they recognised some people from Ingineyagala among their attacks.

As this correspondent was talking to villagers near the gutted homes, three policemen armed with rifles came from the local police station 200 yards away and ordered me to leave. "You have no police permission to be here?"

When two Europeans visited the remains of the Tamils' homes, the police were quick to arrive. When the Tamils were being massacred in what seems to have been just one of a series of bloody pogroms in the east of blood-soaked Sri Lanka, there was not a sign of the police for hours - may be days - after wards.
ENDS

APPENDIX III

EAST : The cauldron of hate

To appreciate the enormity of the problem in the East one must take into account the goals set by the Sri Lankan State, how it has pursued them in the context of existing communal tensions and also the quest for power amongst Tamil militant groups.

In examining Tamil-Muslim relations, it must not be forgotten that besides speaking the same language, large numbers of them went to school and played together, did business together and have had excellent relations. Mr. Ashraff, the leader of the Muslim Congress, traces his political origins back to the Tamil led Federal Party and is regarded as a better orator in Tamil than his Tamil counter-parts. MP's like Abdul Majid were respected by Tamils and Muslims alike. There have also been many prominent Muslims associated with Tamil militant groups. The LTTE itself has a number of Muslims in its ranks. In most places, up to this time, communal relations were tolerably good.

Tensions in Kalmunai go back to the 60's when Tamil landholders started losing land to Muslim land-lords. The Kalmunai Mosque stands in a place that was a Tamil squatter colony about 25 years ago. (See Qadri Ismail on the riots in Kakmunai where Muslims premises were burnt by Tamil militants - Sunday times, September 1987). While there may be valid legal arguments on one side, the Tamils allege that these transfers were effected with the aid of the police which had an anti-Tamil bent from the 60's. Many Tamil militants from this area had grown up with the legacy of feeling disinherited.

For the Tamils, differences with Muslims remained a secondary issue in the face of Sinhalese colonisation - particularly in Trincomalee and Amparai. While more subtle sections of governments have talked about this in terms of development, others together with leading persons in public life have quite openly talked in terms of asserting that the land belongs to the Sinhalese and to Buddhism. There is enough documented evidence showing that ministers and government officials in the latter category have used their authority and resources in the direction of destroying the Tamil identity. Such persons had even written books on pet projects dealing with creating corridors of Sinhalese settlements between Mullaitivu and Trincomalee districts (Weli Oya project) and between Trincomalee and Batticaloa districts (Maduru-Oya project) (See: 'for a Sovereign Stat' by S. Gunaratne)

Part of the Sinhalese district of Moneragala was linked to the Ampara district by government edict which shifted the ethnic balance in this district in favour of the Sinhalese. It was in this context of beleagueredness and of direct experience of state military oppression since 1982, that a majority of the rank and file of Tamil militants were recruited from the East. Their motivation was survival and were little interested in group affiliations and leadership rivalries in the North.

Following contacts with the US government, help from Israel, Pakistan and Britain started arriving in 1984 to help the government combat the Tamil insurgency. At this point the government set about using Muslim feelings. Pakistani trained Muslim home guards armed with AK 47's started operating under the name 'Jihad'. They were not a coherent fighting unit. According to Tamil sources, the Jihad were quite often scape goats and that much of the killing and burning attributed to the Jihad, was actually done by the government's STF. As the government had calculated, this process increased communal tensions. Muslim policemen too became suspect in Tamil eyes. Tamils increasingly looked upon the militant groups as a life-line. Ruthlessness which was seen to be in defence of the Tamils evoked feelings of legitimacy and admiration. This was the nature of the attack on Gadaffi Restaurant in Kathakudi in 1985, which was said to be a meeting place of Jihad members who harassed Tamils. The attack by the LTTE was led by Newton of Pt. Pedro. By this time, the arrogance of militant groups towards civilians was on the increase and this was bound to be greater in the case of Muslim civilians. Muslim anxieties were reflected in the rise of the SLMC. It was only natural for many Muslims to see the Jihad as a liberation group. Like the Tamil groups, it too was aided by an external force and its strength and functions were carefully limited to facilitate use and control.

With the confinement of the STF after the arrival of the IPKF, the Tamil militant groups went on binges of rioting against Muslims in Kalmunai and Samanthurai. Many of the Jihad members fled to Colombo. Following the outbreak of the current war, these Jihad members have been flown back to Kalmunai and Kalmunai residents have seen them in the company of Sri Lankan forces.

The other element in this process of embitterment are the Sinhalese colonists as distinct from long time Sinhalese residents. The former were from impoverished sections in the South, fed on anti-Tamil sentiments and settled in the East through subterfuge with the connivance of sections of the government. The squatter colony of Sirimapura in Trincomalee for instance, is on

land used to house lavatory coolies by the former British naval authorities. With every bout of anti-Tamil violence, the security forces helped them to capture more land - particularly in Trincomalee. This was reflected in the strength of the Tamil militant movement in the Trincomalee district. As a result of the Sri Lankan army's campaign, nearly all Tamil villagers in Trincomalee had become refugees in 1985. At about the same time attacks on Sinhalese villages in the border areas by Tamil militants had intensified. These Sinhalese fled in large numbers as refugees to safe areas in Polonnaruwa and Anuradhapura.

One thing was clear in the number of interviews with Sinhalese and news paper articles published during 1985-87. Despite repeated assurances of security for these settlements, what they were actually given was just nominal. They had been living in conditions where basic health, education and schooling were grossly inadequate. They had been given more promises than actual help. Now that they were refugees they would be paid well publicised visits with gifts by high society charity organisations from Colombo, for whom Tamil refugees did not exist. But there was little question of finding new lives for them where they could live as human beings. The question was how to make them go back to where they had fled from. The refugees also complained of derisive treatment by locals. They were looked upon as frontline troops who had deserted and were asking for permanent home leave. Thus leading sections of Tamil and Sinhalese nationalism were agreed that they were regular cannon fodder.

With the arrival of the IPKF and the militant rampage in early October 1987, Sinhalese in many parts of Trincomalee found themselves as refugees, living near Sri Lankan army camps. They had their turn with the outbreak of the current war.

This brief sketch gives a picture of the bitter legacy leading to the brutalisation of culture in the East. In order to dissipate Tamil demands for a homeland and to obtain Sinhalese supremacy, the state has pursued a policy resulting in the creation of these communities cornered into a brutal culture, seeing no way out. To the ruling class in Colombo, its aims in the East are a mere question of ego fulfillment. It would not dream of planting its sons and daughters as Sinhalese colonists.

Since the outbreak of war, the government has been moving in the direction of dismantling the political settlement leading to the formation of the North-East provincial council. It has also delinked 9 villages from Batticaloa District and linked them with Amparai District. There are also moves to settle, or resettle, Sinhalese in the East. The term used is rehabilitation of displaced persons. Building materials are being sent to police stations. All this is being done when there is no effective Tamil structure or authority to ask questions. **In the meantime attacks on sinhalese villages in border areas had recommenced. The government is once again pursuing a course of marginalising any civilised political effort, giving legitimacy on both sides exclusively to military extremism.**

As Easterner, who had witnessed building materials being sent from Anuradhapura to Trincomalee in NW provincial council vehicles said without emotion, **"If the government is going ahead with colonisation, there will be 'blue murder'. They will not succeed."** For the Tamils, their options represent a painful dilemma. A large number of Tamils living in this country as well as abroad, whose

sentiments tend towards non-violence, also admit a need for a militant option. They would say, **"If the boys are crushed, the Sinhalese government would disinherit us, making us non-persons on our own land."** While those abroad may still romanticise the militant struggle, those at home tend to have a more schizophrenic relationship with militants. Quite often, they fear the militants as well as the state's forces. They are placed in circumstances, where the question, will not the methods adopted to preserve the land, also destroy the community, is seldom asked.

The present rule of the game is to strike pre-emptively, and strike hard without mercy, at anyone who may be a real or potential enemy. The government forces kill and burn Tamils, often indiscriminately, by the hundreds. The government also stirs up internal differences by using Muslim and Tamil collaborators. Information about its actions is carefully suppressed. The policy of firm reprisals by the Tamil party, has tended to become more indiscriminate over the years. For a qualitative improvement, it is essential that the government must set itself high standards, must stop using differences between communities and must not use its power in a manner that makes communities feel threatened.

The Responsibility of Tamils:

It is easy to yield to the temptation of looking upon present actions on the Tamil side as a behavioural response of a beleaguered community, where considerations of morality and human rights are irrelevant. Such a view leads to acquiescence in a process of destruction and tragedy. To get things in perspective, we need to look at the historical process that has resulted from intolerance and a neglect of human values. We have to look at how the dominant ideology divided the Tamils, made a vast number of persons traitors by definition, wasted the community's potential and submerged its creativity beneath an exaltation of militarism. Its results were most tragic in the East. The Eastern Tamils never wanted a divided militant movement and yet in the wake of the IPKF withdrawal, many Eastern Tamils were killed by fellow Tamils as traitors. When the provincial council offer provided some reprieve for the Tamils, Tamil interests would have been best served by using whatever devolution was available, making a strong case for more and by making every effort to settle territorial question and autonomy for the Muslims. While prospects existed for a peaceful resolution, the dismantling of this possibility together with what was achieved, was aided and abetted by Tamil rivalry. **In place of a possible nonviolent option, we are left with a violent non-option.**

The Muslim response must also be viewed with understanding. It would be wrong to turn individual instances into broad generalities as Sinhalese Tamil-baiters did to Tamils. To identify the Jihad with the SLMC would lead to mistaken policies, as did the identification of the TULF with the Tamil militant tendency by the government in the late 70's and early 80's. True there were links between the two. But the failure to respect the TULF as an institution representing the Tamils led to a total alienation of the Tamils. Questioning the policies and achievements of the SLMC is best left to Muslims. Tamils did resent ridicule of the TULF and patronising attitudes towards it by Sinhalese. It the role of the Jihad is a distasteful one, so must be the roles of nearly all Tamil groups who have been used in similar tasks by one both of the Indian and Sri Lankan

states.

The dominant Tamil politics, predating the militant movement, has looked upon ordinary Sinhalese as non-persons. There has been no attempt to look upon Sinhalese settlers as themselves victims of the system. Killing them has led to a costly moral isolation of the Tamils.

APPEAL FOR URGENT ACTION

The Jaffna situation : 9th August 1990

The intensity of bombing has increased during the last two weeks. Ten bombers are up in the air most of the day. The sound is driving people mad. Psychiatric trauma has reached serious levels. Though Jaffna town has been defaced, civilian casualties up to now are small in comparison with the East. Often warning leaflets were dropped or people took alarm and areas subject to intense bombing were mostly vacated. But the increasing callousness of the bombing, shelling, government attitudes and Tiger propaganda are taking its toll. Helicopters seldom pass Chunnakam market without firing at random. Bomber pilots aim at LTTE camps and hit civilian houses. FM conversations between pilots reflect their hatred of civilians below. (e.g. pilot to leader: "I have one bomb left". Leader to pilot: "Drop it anywhere"). The Roman Catholic Cathedral was damaged and a barrel of human excreta was dropped over the same area from the air. This was construed as a reply to the appeal to the president on a political solution, signed by other religious leaders including Bishop Deogupillai. The mental damage to the people is incalculable.

The LTTE has been on the other hand driving it in that this is the final battle and that if the government forces come in, there will be no one left living. Girls and boys in their early teens are joining in large numbers for training in self defence. Even old men attempt to go through rigorous physical exercise in the belief that they are going to protect their grand-children. Apparently not pleased with the level of civilian casualties, bombers are lured into areas of civilian concentration by small arms provocation from below. Schools are closed and their premises used as training centers and for publicity meetings. Trainees swear oaths to the Tiger cause. The slogan now is foreach household to help the struggle by contributing either a son or two sovereigns of gold. Dissenters are subject to abuse and pressure. Those wanting to leave Jaffna have to obtain permits. A society whose authoritarianism and hypocrisy has frustrated its young, has also given them a politics of suicide. Young boys with scanty training who die in large numbers are not accounted for in the casualty figures of martyrs. Those who want to sit for public exams are prevented from leaving. Education is at a standstill. Leading propagandists drum it in that a 12-year-old who can fire a gun is of more service than an academic. The pressure is such that people are prevented from thinking at all. /end