

Report 11

Land, Human rights & The Eastern Predicament.

15th April 1993

PREFACE

CHAPTER 1 : The Battle For Human Rights - Same Game But Changing Rules

- 1.1 The State's response
 - 1.1.1 Introduction
 - 1.1.2 The importance of the struggle for democracy
 - 1.1.3 Administrative breakdown
 - 1.1.4 Law and law enforcement
 - 1.1.5 Effect on the armed forces
 - 1.1.6 Questions about democracy & the AI's rejected recommendations
 - 1.1.7 Freedom of the Press
- 1.2 The LTTE's human rights record and the international community

CHAPTER 2: Trincomalee: Destroying The Basis For A Political Solution

- 2.1 The current situation : Ideology and inequality
- 2.2 Land alienation in Trincomalee Town.
 - 2.2.1 Love lane (now Sobithagama)
 - 2.2.2 Forty two houses in front of Sirimapura, Love lane
 - 2.2.3 Encroachments in Love Lane
 - 2.2.4 Mattikali
 - 2.2.5 Palampottaru Stage II, Pattinipuram
 - 2.2.6 Main features of land settlement and its implications
- 2.3 Implications of land on administrative structures..
- 2.4 Colonisation in the district

- The case of the Weli Oya Scheme
- 2.5 Discrimination in the use of land temporarily abandoned by owners
- 2.6 The land problems of returning refugees and displaced persons
- 2.7 Some salient features of government policy in Trincomalee
- 2.8 Tamil responsibility for the fate of Trincomalee

CHAPTER 3: Military Operations In The Interior

Of Batticaloa District

- 3.1 First week of August 1992
- 3.2 Sunday, 9th August 1992; Mahilanthani..
- 3.3 24th October 1992: Palaiadivattai
- 3.4 An incident of Rape, 14th November 1992: Aithiyamali
- 3.5 About late November 1992: Ambalanthurai
- 3.6 14th December 1992: Sillikudiaru, Nedunchenai,
- 3.7 A few days before Christmas 1992: Manatpidy
- 3.8 Early January 1993
- 3.9 11th January 1993
- 3.10 About 11th January 1993: Kanchirankudah,.
- 3.11 21st January 1993: Kurinchamunai
- 3.12 1st February to 3rd February 1993: Paduvankarai

CHAPTER 4: Situation Report: Batticaloa And Amparai Districts

- 4.1 Moulana Abdul Cader's Healing Mission
- 4.2 Thirukkivil - Thambiluvil
- 4.3 Akkaraipattu
 - 4.3.1 Cases of detainees from Akkaraipattu, August 1990 -February 1991
 - 4.3.2 Muslims and Tamil-Muslims relations
- 4.4 Kalmunai and surroundings
 - 4.4.1 General
 - 4.4.2 Refugees from 4th Colony, Central Camp
- 4.5 Return of Tamils to areas from which-

- they were displaced
- 4.6 Batticaloa and environs
- 4.7 Interior Rice Fields of the Batticaloa District

CHAPTER 5: Muslims In The Batticaloa & Amparai Districts

- 5.1 Sammanthurai
 - 5.1.1 Introduction
 - 5.1.2 The IPKF presence
 - 5.1.3 The LTTE takes over
 - 5.1.4 The war of June 1990
 - 5.1.5 Comments by members of the Trustee Board
 - on Special Report N0.3
 - 5.1.6 Colonisation and agriculture
 - 5.1.7 Note
- 5.2 Kattankudy
 - 5.2.1 The FMMI Report
 - 5.2.2 The demand for new AGA's divisions
- 5.3 Eravur
- 5.4 Incidents affecting Muslims in the Batticaloa and Amparai Districts

CHAPTER6: The Dehumanised Environment And Consequences For Muslim - Tamil Relations

- 6.1 Muslims : Global fears and local implications
- 6.2 The bleeding community
- 6.3 The proximity of death and its influence
- 6.4 The LTTE, Big Brother Politics and the East
- 6.5 Tamil Myths about Muslims
 - 6.5.1 Land accumulation
 - 6.5.2 Muslims are monolithic, closed and conspiratorial
 - 6.5.3 Muslims deliberately engineer violence..
- 6.6 Consequences of the Tamil outlook shaped by the narrow nationaist Ideology
- 6.7 The home guard dilemma
- 6.8 Looking to the future

CHAPTER 7: Massacres In The Polonnaruwa District

- 7.1 Introduction
- 7.2 The villages
- 7.3 Aspects of deterioration of communal relations
 - 7.3.2 The LTTE
 - 7.3.3 Colonisation
- 7.4 Aspects of the massacres
 - 7.4.1 The Palliyagodella massacre
 - 7.4.2 Massacres at Alinchipotnai, Muthugala and Karapola
 - 7.4.3 The conduct of the army

CHAPTER 8: Hill Country & Northern Notes

- 8.1 Detainees in the Hill Country
- 8.2 Land and Hill Country Issues
- 8.3 Jaffna : Indicators of nutrition and health
- 8.4 Killinochchi : 12th February 1993 : Aerial bombing
- 8.5 Crossing the Jaffna Lagoon
- 8.6 Mannar: January - March 1993
- 8.7 The LTTE & Sinhalese and Muslim civilians

APPENDICES

APPENDIX I : From the writings of Y.Ahamed

APPENDIX II : Colonisation & Demographic Changes in The Trincomalee District And Its Effects On The Tamil Speaking People

APPENDIX III : Late 70s and early 80s:Naked administrative-

aggression - Development or Destruction?

APPENDIX IV: A note on Land Encroachment

APPENDIX V: The Resolution by the Council of the

University of Jaffna, the LTTE
press release

and our note.

[Note:](#)

PREFACE

This report deals mainly with the East and takes up from [Report No.9](#). One of the matters it focuses on is the key issue of Tamil-Muslim relations ([Chapter 7](#)). We regard this polarisation as one of the major tragedies of the misdirection of the Tamil struggle. It is only right that whatever vision we have for the future of Tamil society, it must account for the unforeseen developments over the last decade. It is a society that is to start with, no longer geographically compact. Is there room for a coherent Tamil society other than one that is multi-religious, multi-ethnic and open? (See **Y.Ahamed** , [Appendix I](#)). Our ancient heritage seems to point that way.

Also taken up are developments in the Trincomalee District and the interior of the Batticaloa District. The former is now the focus of secretive administrative manoeuvring and the second a theatre of military operations. [Chapter 2](#) deals with the urgent questions confronting the Trincomalee District. Much of the material on Trincomalee is being carried over into the next report.

We dealt with some of the issues concerning state sponsored colonisation of Sinhalese in Tamil areas in [Chapter 8](#) of [Report No 7](#) . Questions of extreme poverty and malnutrition in certain Sinhalese areas do impinge on any complete discussion of colonisation. We will endeavour to deal with some of the human aspects of this in future reports. We do not argue against colonisation per se. The whole question needs to be gone over thoroughly by institutions better equipped. What we attempt in [Chapter 2](#) , and we think it is urgent, is to show that what the state is doing in Trincomalee has nothing to do with justice, poverty alleviation or development. Nor can it ever be for a policy once described by a key minister in terms of solving the Tamil problem by settling ex-convicts and fishermen in their midst. This raises the question how far has this country, and especially the state, moved away from communalism? We find the developments in the Trincomalee District and the contrasting attitudes to Tamil and Sinhalese farmers working on lands not belonging to them, very disturbing. [Chapter1](#) reflects on the broader questions concerning human rights in Sri Lanka.

The present and the last report suggest that the conditions and security of Tamil detainees of the government forces in urban areas of the North-East, have improved. But it is still nowhere near satisfying the requirements of the Amnesty International. The outrage of the international community to the massacres of Muslims in the Polannaruva District seems to have had an impact on the LTTE locally [See **8.7**]. After the massacre of the civilian passengers in the Jaffna lagoon on the 2nd January, no alternative having been worked out yet, civilians continue travel at considerable risk to their life. Killings by the forces in the interior of the Batticaloa District have been continuing and aerial bombing of civilian areas in the North continues to be callous. On 12th February 1993 a school in full session near Killinochchi was just missed ([Chapter 8](#)).

However, much credit for the sharp (temporary?) decline in the killing rate should go to organisations as well as groups that have kept up human rights pressure on both sides. It is in the wake of these developments that the **LTTE** leader gave an interview over the BBC Tamil service under restrictive conditions on questioning, sought and obtained, in which he accepted for the first time that he would consider a federal solution. It may be noted that many other Tamils have been killed by the **LTTE** over charges such as compromising the goal of a separate state and for contesting elections to the parliament of the foreign country of Sri Lanka. Previously such offers of a solution have been made through third and fourth parties. We will not speculate why the **LTTE** leader went publicly. But for whatever reason, the offer is welcome.

The derisive, unstatesmanlike response to this offer by **Minister Ranil Wickremasinghe** speaking on behalf of the government at a press conference was most disappointing. This stance was repeated by **President Premadasa** in his BBC phone in. They wanted the **LTTE** to submit its proposals to the parliamentary select committee, which, other Tamil parties and political analysts believe, has come to a dead end. At all costs, slipping back into the decade old illusion that only violent pressure on civilians, by either side, would lead to negotiations on favourable terms, must be avoided.

Our reports deal with several aspects pertaining to violations and are very unorthodox as human rights documents. In order to clarify our position, we once more reiterate the purposes for which these reports are written.

- 1. To expose human rights violations by all forces in order to bring about general awareness and to make violators accountable.**
- 2. To bring out the human background to these violations through a portrayal of individual characters together with an analysis of social pressures and external circumstances governing their behaviour. We try to show that the characters involved, even in the worst violations, are often human, whose actions are governed by mislaid human potential, past choices, and oppressive circumstances.**
- 3. To leave behind a historical record of this crucial part of our history. Since there is no space in our community to discuss and choose between different options, and the young especially are giving their life even without knowing our recent history, we feel it is necessary to leave a record. Moreover, in this country, we seem to suffer from historical amnesia combined with a moral vacuum, forcing us to re-live an unpleasant history again and again. We trust these records will also help benign minds who in the future would like to make a re-evaluation.**

4. As responsible members of an academic institution and citizens of our community, we would like to express our opinions and make room for free expression and an edifying debate. We also seek to highlight the untapped human potential in all communities in our country, for both internal regeneration and to make a success of living in one plural nation.

Issues raised in our reports highlighted for action

We are aware that several of our readers find these reports daunting. For easy reference we highlight issues, which if acted upon will considerably improve the general situation. References in brackets refer to reports from which more information could be obtained.

1. Call upon the Human Rights Task Force to investigate the disappearance of more than 158 persons taken by the army from the Eastern University refugee camp on 5th September 1990 and afterwards, who are believed to have been taken to the army camp at Valalchenal commanded by a brigadier. The HRTF had inquired into the disappearance of 32 schoolboys in Emplipitya the previous year, and according to a press report charges are likely to be brought against several army personnel, including a brigadier.

Although thousands disappeared during the current war, this is a particular instance where the army entered a refugee camp and took away 158 persons in the presence of senior academics from the university and thousands of others. The general commanding the East was aware of it within 3 days and the secretary, defence, replied to a query claiming that only 30 were detained and had subsequently been released. All this points to a cover up at very high level. If the HRTF will not act and those involved can get away with something so blatant, then for the people of the North-East, the government appointed machinery to enforce human rights would be exposed as mere window dressing. [7:4,11:1].

2. The LTTE is believed to hold about 4000 detainees. Large numbers of prisoners had been taken into custody in the early part of 1990 and have spent in custody almost three years! Demand from the LTTE that it makes a complete list available and invites the ICRC to visit the detainees. Demand the release of all political prisoners. [4.4 of Briefing No.1. & 10.3]

3. Call upon the government to release all detainees against whom charges are not framed within a reasonable period of time. The centre at Kalutara has nearly 500 Tamil detainees against whom no

charges have been made and have been held for more than a year or two. Most them have been arrested on flimsy charges and are kept in various centres. These detainees have gone on hunger strike in protest. There are several Tamils detained by the police in Colombo, in a significant number of cases evidently for purposes of extortion. The latter category includes Tamils with intention of foreign travel and those arriving from the West.[11:1,5;8.1]

4. We have strong grounds to believe that the Sri Lankan government is misusing funds for development and rehabilitation through its military and administrative machinery to drastically alter the ground situation in the East and the Trincomalee District in particular, so as to place the minorities, many of whom are now refugees, in a permanently disadvantaged position. Urge the government to halt all land alienation, changes to the administrative machinery, and all projects that would involve major movements of population, until the cessation of war and the negotiation of political and administrative arrangements fair to the minorities.[11.2].

5. Urge the LTTE to come out with a declaration respecting the rights of Muslims to free movement, to freely carry out their economic and cultural activities without any threat or hindrance, and to reoccupy their former homes in the North-East [6:3; 7,8,11].

6. Call upon the government to pay compensation to Tamil paddy farmers whose crops were confiscated or destroyed on the grounds that they worked on fields belonging to others on arrangements reached with the LTTE.

Adopt uniform standards for all farmers, whether Tamil, Sinhalese or Muslim, who work fields of others absent as a result of violence [11:2.5]

7. Demand that the air force halts aerial bombing in civilian areas and near public places and schools.

8. Call upon the government to fully implement all 32 recommendations made by the Amnesty International in September 1991 [11:1]

CHAPTER 1

THE BATTLE FOR HUMAN RIGHTS – SAME GAME BUT CHANGING RULES

[1.1 The State's response](#)

1.1.1 Introduction

1.1.2 The importance of the struggle for democracy

1.1.3 Administrative breakdown

1.1.4 Law and law enforcement

1.1.5 Effect on the armed forces

1.1.6 Questions about democracy & the AI's rejected recommendations

1.1.7 Freedom of the Press

In Conclusion

1.2 The LTTE's human rights record and the international community

1.1 The State's response

1.1.1 Introduction

The underlying causes of human rights violations in Sri Lanka are far from disappearing or changing their form. The alienation of a variety of minority groups together with sectional interests cutting across all communal and religious boundaries exist, in combination with hardships arising from corruption, mal-administration and the hierarchy of economic domination serving narrow global interests. Power, which is mediated through these interests, would, whenever the need is felt, not shrink from violations. This much is almost tautological and is an everyday occurrence in world affairs. Out of both international and domestic compulsions, the Sri Lankan state, without addressing the critical structural questions, has been fairly successful in adopting a managerial response to criticisms about its human rights record. This means becoming more subtle and scaling down several of the uglier and sensational aspects of human rights violations - such as massacres and mass disappearances. Although several individuals within the state machinery who have been pushing this managerial response are taken to be well-meaning, the underlying discontent and the structural problems are so severe that this response will be limited in scope. It is likely to go no further than a temporary, but uneasy, equilibrium.

The recent Amnesty International report on Sri Lanka (February 1993) contains the words, "Since mid- 991, the Government of Sri Lanka has displayed much greater openness to scrutiny by international human rights organisations. This is a welcome development which

Amnesty International hopes will contribute to the strengthening of human rights protection, and the work of human rights organisations within the country". The report then goes on to address inadequacies of the present mechanism for the avoidance of violations and makes recommendations.

The AI report makes note of the two recommendations rejected by the government which relate to the issue of impunity. These were among 32 recommendations made by the AI in 1991 of which the rest were accepted. The first was the call to repeal the indemnity act, which provides impunity from prosecution for the period 1st August 1977 to 16th December 1988 for members of the security forces and others who acted in ‘good faith’ with regard to law enforcement. This interestingly covers the period starting from the anti-Tamil riots of 1977 to the eve of the 1988 presidential elections.

The second rejected recommendation had called upon the government to expand the mandate of the ‘**Presidential Commission of Inquiry into the Involuntary Removal of Persons**’ to include “**disappearances**” which took place before 11th January 1991.

This as we shall show has serious implications for the enforcement of human rights by landing the government in a muddle of embarrassing contradictions.

The Civil Rights Movement of Sri Lanka in its statement of November 1992 makes the following pertinent observations: “Distressing reports of “disappearances” continue to be received from the Eastern Province. In the South, the sharp drop in the number of reported “disappearances” after the “peak years” of 1988,1989 and 1990 is no cause for complacency. It came about as the result of the capture and killing of the leadership of the JVP and the consequent bringing under control of the violent insurgency that had dominated the political scene during those years. This led to a corresponding drop in the resort to counter-terror tactics of the security forces. In fact these unlawful activities by agents of the state or persons apparently acting with their connivance continued far longer than the circumstances that gave rise to them, and appeared to have gained a momentum of their own. They are by no means unknown today.”

We have quoted in this report a member of the Batticaloa Peace Committee describing the experience on the ground. After describing the current pattern of violations, which were on a much reduced scale, and the fairly successful public relations effort by the authorities, he concluded, “**Everything that happened in the past can happen again. These are like tales from the dark side.**” He described their experience as one where a sudden burst of evil shatters the normal calm. After the momentary chaos and destruction it is, hey presto, calm once more. The rest of this chapter will consist of reflections arising from these themes. [\[Top\]](#)

1.1.2 The importance of the struggle for democracy

Though undertaken largely for tactical reasons of survival of the state, our present and last reports substantiate the observation of several others, that an effort is being made to improve the image of state forces in respect of human rights in the North-East. But the repressive character of the forces armed with the **PTA** and a host of emergency measures remains intact. They have the power to take a persons life or detain a person indefinitely, often through sheer clumsiness, without being accountable. The head choppers on yellow motor cycles are a manifestation of the former. Undisciplined troops continue to kill civilians with impunity in operational areas.

Nevertheless we welcome the measures to scale down violations insofar as they reduce suffering and allow room for the kind of democratic activity that will address the structural problems that form the basis of organised violations. How far the current basis of power, its economic underpinnings and its allied local and global interests, can countenance the

addressing of human rights violations is a question that we will not go into here. What is very suggestive is, as the AI report and CRM statement allude to, the great reluctance on the part of the government to change substantially, the ponderous repressive apparatus it built up during a particular set of circumstances. This **‘appears to have gained a momentum of its own’** and represents the nervousness of those in power. It has resulted in a culture permeating all levels of national life, where a barren authoritarianism jostles uneasily with debilitating fear. It may not be inappropriate to call it the PTA culture. At all levels a sense of obligation to morality and the spirit of the law have sharply declined with the rise of authority being exercised by fiat without fear of accountability. The crisis for the state has risen with hopelessness and injustice. An organised assertion of democratic values remains the last hope of challenging this drift. We now examine some aspects of the current state of affairs.[\[Top\]](#)

1.1.3 Administrative breakdown

This process which has been going on for decades is closely linked to the rise of populism in politics. This is nowhere brought into sharper focus than by the phenomenon of the presidential mobile secretariat, not lacking in precedents in the previous decades. It reflects the premise that the administrative machinery of the state does not do its job any more and that the president has to come personally and spend a couple of days in a provincial town to straighten out the backlog of routine problems that have piled up. Thus a district kacheri wakes up, goes into full gear for two months or more to prepare a package to enable the head of state to play Santa Claus. After two or three days of ceremonies, it is back to business as usual. Corrupt administrators do not often mind this. They know how to play the game. But competent administrators could find that plans and allocations made over months of hard work can be summarily dashed at the secretariat. This has been on occasions done through sweeping and humiliating gestures without allowing a hearing, for sheer political expediency.

The secretariat which met in Trincomalee shortly after the Muthur Ferry disaster, said that measures have been taken to ensure that such will not happen again. It has been known for nearly two years that passengers travel between Kalpitiya and Mannar in boats often dangerously overloaded. The ministry of transport has supervisory responsibility. Will this matter have to await another disaster or another secretariat in Mannar?

This breakdown is evident at many other levels which affect day to day living. Is it practically possible any more for people to challenge even the more jarringly improper actions of provincial and district administrators, university councils, irrigation officials whose actions can result in losses to local farmers and even clerks who send wrong bills? An interesting case is that of a newspaper in Colombo, critical of the government, whose offices were sealed by municipal authorities alleging non-payment of dues. The paper tried for a whole week to pay its dues, but was unable to find an official who would accept payment. When political expediency exercised undemocratically corrupts a working system, the corruption becomes institutionalised to serve a variety of private needs. The clamour for smaller administrative units and AGA's divisions is a symptom of this breakdown and not a cure for the disease. In Trincomalee administrative breakdown is being used as a means to further Sinhalisation through covert induction of colonists. The resulting situation has been and will continue to be explosive.[\[Top\]](#)

1.1.4 Law and law enforcement

Nothing has done so much to bring the law and the judicial system into disrepute as the **PTA** and the practices it spawned. It enables people to be locked up on the basis of mere caprice, wasting a valuable period of their life, while the press is fed with fantasies about their alleged villainy. In the case of most of the 4000 Tamils released shortly after the Indo-Lanka accord of 1987 there were no charges. A senior of Tamil public servant was then released after nearly four years-no charges. The hearing of his case had been repeatedly put off for the lack of one. How would ordinary peasant boys and girls fare in this situation? Many of them had to bribe their way out rather than wait interminably for their case to be heard.

The current reality is hardly different. Even the innocent fearing that the authorities could drag a case on indefinitely are under heavy pressure to plead guilty to a less serious charge. Even when a charge does not have a basis, contesting it takes time, perhaps years. Relatives of detainees claim that they have been asked for money to negotiate the dropping of certain charges, which in any case would have been hard to establish. There is an almost universal belief based on hints of senior officials, that the leaders of the Up Country People's Front are being held under the **PTA** mainly at the behest of some political rivals.

PTA cases thus mark a new departure in the history of civilised law. Qualifications for preferred lawyers in the game are not the usual ones. Courtroom dramas have become more than ever a charade. Rituals of lawyers have come to represent less either intellectual asperity or human kindness. The judge, familiar with the basis of the case, can hardly fail to see through the words as representing none other than a pre-arranged drama, reflecting the illicit money that is awash below his bench. Innocent villagers in the dock not comprehending what hit them, whose fates are being decided, gasp in horror when the prosecution speaks and cry in gratitude when the defence pleads on their behalf. The judge finally ends the charade “--- **You have been found guilty of ----- (tears from the accused)-----But on consideration of - ----“(joy and gratitude from the accused, “what a kind man!”)**. In the end hundreds of villagers are milked and ruined for no fault of their own. How long can the judiciary remain free of corruption in this system? Our system of law which once enjoyed legitimacy and respect is thus brought into contempt.

Policing: Politically motivated instances of police harassment and attacks on journalists and printing presses have been widely reported in the press in recent times. Several instances of arrest have a purely repressive character without having any basis in rational law. On 16th February 25 undergraduates from the University of Peradeniya were detained by the Kandy police for protesting on educational issues and distributing leaflets calling for the reopening of universities. An activist detained for a week by the Counter Subversive Unit of the police in a provincial capital was questioned not about any offence, but about his links with two legally registered widely read newspapers critical of the government, and suchlike.

This arbitrariness of police behaviour in support of ruling interests also has another side. Repressive laws have also provided the tools and ideas for systematic corruption. Allegations that Tamil youth, particularly those arriving in the metropolis with plans of foreign travel, are detained regularly for the purpose of extortion, have become widespread. These have come from responsible sources. **According to these sources an often used modus operandi is to inveigle them into signing a statement recorded in Sinhalese which they cannot comprehend, and use it for extorting money. We have also received reports of such treatment being accorded to Tamils coming from places like Saudi Arabia and Germany. Others have said that signatures are obtained on blank sheets and statements inserted later.**

1.1.5 Effect on the armed forces

The Sunday Observer of 14th February 1993 published a reply by the Chief, Joint Operations Command, to a letter from **Rt.Rev.Thomas Savundranayagam**, Bishop of Jaffna. The latter had made an appeal concerning the plight of civilians in Jaffna, and in particular the plight of travellers in the Jaffna lagoon and the naval massacre of 2nd January [[Report No. 10](#)]. The Chief, JOC, said in his reply:

“I believe the “tragic incident” you refer to was an attempt by the LTTE to move men and materials in large quantities across the Jaffna lagoon for their terrorist operations on the mainland, under cover of darkness on 2nd January 1993, which was thwarted by a naval patrol in the course of their duty . . .It is understood that terrorist casualties were heavy and they fled taking away their casualties. The patrol did not “kill 15 innocent individuals mercilessly and mutilate some seriously injured.” If 60 are reported missing, the LTTE has to be held responsible. . .”

The Chief,JOC, is known in private as an intelligent and enlightened man. According to those who spoke to him privately about the incident, he made no attempt to contest details that he has so publicly and harshly denied. The truth is well known publicly, to the media as well as the foreign missions. The denial serves no purpose. It will only make the Tamil people angry and increase contempt for the forces.

We have many more instances of callousness of this kind, devoid of intelligent purpose. When asked at the cabinet press briefing about the District Education Officer who was killed by the navy in the lagoon on 2nd January and had an eye gouged out, the army spokesman replied with his own rumour, as his having heard that the education officer was executed by the **LTTE**. This spokesman, when brigadier responsible for Batticaloa, was described as a rational person with whom an intelligent exchange was possible. Then we have the current brigadier in Batticaloa imprudently using the brute power of the army to prolong the detention of women abducted and raped in army custody, so as to give the crime a different colouring [See 3.5].

All these are instances of the **PTA** culture deepening an existing crisis, and preventing the forces in thinking in terms of accountability. In normal civilised society the final say on these matters would have rested with judicial authorities following an inquiry. Here we have the final say resting with military men stunted by a culture which has taught them to think that they could do anything, say anything and others have to swallow it. The **PTA** and emergency regulations which enable the forces to take life at will has its own dynamic. If they try to be normal, decent men in public life, they run into other problems. There is room to think that the Chief, JOC’s reply was for the purpose of internal consumption, since no other purpose is served. He evidently has senior colleagues who ask him, **“Whose side are you on?”** . His public image would have been better served had he been constrained to anticipate a judicial inquiry. The power to evade accountability thus obstructs good men being good in public office. This is the essence of the **PTA** culture and it can never bring peace to this land.

On the other hand sensitive officers, who have thought through years of bloody failure, are slowly realising success in winning civilian confidence, and improving the general situation in their area by deliberately distancing themselves from the **PTA** culture. They have adopted leniency towards informers to the rebels and those who give them food. These are offenses

under the **PTA** and punishment by summary death has been covered by the emergency regulations. Such officers have also taken care not to detain persons beyond the requirements of an inquiry. The series of repressive legislation ushered in by the **PTA** is therefore a burden on the people as well as the forces. [\[Top\]](#)

1.1.6 Questions about democracy & the AI's rejected recommendations

On the surface things appear normal in parts of the East. But there is a deep underlying disquiet. Describing the **STF**'s apparently reformed role, one leading citizen said, **“Lionel Karunasena, D.I.G, S.T.F., has really turned a new leaf. He is very different from the man I knew two years ago. Seneviratne, O.I.C, S.T.F., Thirukkivil, is a very understanding and enlightened man. You very rarely come across some one in the forces of that calibre. Siriwardene, O.I.C, S.T.F., 5th Mile Post, Amparai Road, is a fine Buddhist. He doesn't like to hurt anyone.”** Then his tone suddenly changed, **“I will never trust anyone in the forces. These fellows never came to do us any good!”** This commonly felt dichotomy is a long term problem for both the forces and the civilians. The long standing problems like colonisation, tremendously important for the minorities, remain unresolved. Instead the matter is being left to attrition.

More immediate is the practical and emotional need for people to come to terms with massive death in their midst. In the case of Tamils, several thousands in the East were murdered by state forces. A mature self respecting community is naturally impelled to come to terms with its history, demand justice and work out the meaning for this massive suffering. This would take the form of working for a future of promise for the coming generations. To suppress these longings is to build a stunted community. Even if presidential commissions, task forces and law enforcement authorities wish to forget about disappearances before 11th January 1991, the people will not. This will result in constant friction with the armed forces.

Recently three persons in an Eastern town, one of them a school principal, who were distributing forms and collecting information about loss of life and property were questioned for 3 days at the local security forces camp, being allowed to go home for the night. It was an attempt at intimidation. But because of the international machinery at work, they did not seriously fear for their life. This may be a relatively rare occurrence. But it is also the thin end of the wedge that underlines the limits of the state's managerial response to human rights. There is a good deal of nervousness around. How far will things be allowed to go?

The time limitation placed on official inquiries into disappearances is fraught with many contradictions. The Sunday Times of 14th February 1993 reported in its lead story that a brigadier and several soldiers from the war-front were brought to the Joint Operations Command H.Q. at Anuradhapura and grilled for 3 days by a top level CID team. The matter pertained to the 1989 abduction of 32 students from Embilipitiya. The inquiry followed the Human Rights Task Force, headed by **Judge J.F.A. Soza**, identifying a colonel (now brigadier), a captain (now major) and eight soldiers from the 6th Artillery Unit then manning the **‘Sevana’** camp. The police, according to the report, have said that there was evidence linking the army personnel to the abduction of students and that a charge of abduction, carrying a sentence of up to 7 years was likely to be framed. They added that although the students are now presumed dead, there was insufficient evidence for a charge of culpable homicide.

Although this incident took place at a time prior to the date of 11th January 1991 when the mandate of the presidential commission into disappearances took effect, the inquiry was precipitated by intense pressure from the opposition and the international community. Moreover the political establishment was not implicated.

If this recently promoted brigadier is found guilty and punished, he and his friends will look resentfully at other senior officers who are known to be responsible for worse and are being let off the hook. A relative of two young men among the 158 detained and taken away from the Eastern University refugee camp on 5th September 1990 told the Amnesty International that the detainees, who subsequently disappeared, were taken to the Valaichenai Army camp. [See [Report No.7:4](#)]. The brigadier in charge has recently been posted to a sensitive area in the North with a large refugee population, which is closely watched by international organisations. He is not subject to investigation. Asked about this particular matter, notwithstanding the commendable role it played in the matter of the Embilipitiya abductions, the Chairman, **HRTF**, told the Amnesty that they do not actively investigate 'disappearances'. Then there is the matter of 160 prisoners killed and burnt on 9th September 1990 by personnel from the Saturukondan army camp, the Kalmunai massacres of June 1990 by troops under a colonel and so on. Those raising these are mainly Tamils from the East and have so far not carried enough political clout. But the apparent exception being made for the Embilipitiya affair is going to make some officers very bitter and others very nervous.

The matter will not end here. While some officers in the forces are spoken of as being hatchet men for the political establishment, the general opinion about the political leadership among the forces is pretty low. Among the revelations of Udugampola, DIG of police, is that 65 or more opposition politicians were killed under cover of the JVP troubles by armed units taking instructions from senior figures in the ruling party. Evidently senior officers unable to bear the fact that a few of their colleagues were bringing discredit on the forces by performing dirty jobs for politicians of the ruling party, had complained to **Mrs. Bandaranaike**, Leader of the Opposition, who made a statement in parliament in January 1990, [[Report No.4](#)]. Later in the year, according to sources in a prominent daily, a leading police association had passed a resolution dissociating itself from political killings and alluding to a few in the force having lent themselves to such use. The statement after being composed was taken out on the verge of going to print, following an internal leak and orders from the management. Thus freedom of expression is a problem even for the forces.

Thus a few in the armed forces being disciplined for violations, whether in the South or in the North-East, will eventually turn the heat on the political leadership. It is hardly surprising that there has been a good deal of procrastination. A columnist for the '**Sunday Island**' [14th **February 1993**] has suggested that the current official verbal, administrative and physical harassment of the press is aimed at obviating local repercussions of the anticipated publication of Udugampola's revelations in the USA. [[Top](#)]

1.1.7 Freedom of the Press

An organisation that has attracted much official ire in recent times is the Free Media Movement. The FMM fared prominently in the centre pages of two successive issues of the Sunday Observer. One of its leading activists, a senior respected columnist, was personally taken to task. Ironically this slot is habitually reserved for attacking leading figures of opposition parties. That a relatively unknown pressman should be elevated to this privilege is a comment on the bankruptcy of the opposition.

Whenever the opposition raises the issue of freedom of the press the government goes on citing the acts of the present opposition during its period of office against private ownership of sections of the press. There is legitimacy in questioning the present opposition's attitudes to the freedom of the press. The qualitative difference between past and the present actions is that earlier (1970-1977) it was economic pressure on press men but now it is direct terror unleashed on individual journalists. In earlier actions the journalist's job security might have been affected. But today each journalist has to think about his physical security if he is going to write something critical about personalities at the top. The situation today is very tense. Although outwardly we see a number of papers which are critical of the government, a general feeling of fear lurks behind.

The FMM is itself a courageous response to a crisis that has been brewing for decades. If it is to gain the crucial international solidarity it needs, it must also address the question of how free the press is in representing minority concerns, and how high the integrity in reporting events in the North-East. [\[Top\]](#)

In Conclusion

Perhaps in the administrative harassment of the press and the personal attacks, we discern something of the changing rules in the government's human rights game in response to international pressure.

But the underlying crisis remains unaddressed. Governments which have on the surface succeeded in a managerial approach to human rights have enjoyed a specially favoured position in global economic relations. The Singapore government has carefully targeted individuals who raised questions of morality, conscience and social justice through a mixture of security legislation, harassment, character assassination, court action, imprisonment and deportation. It succeeded, and will probably succeed as long as the country's precariously poised economic position allows the government to win over the populace with material rewards. Even then the clumsiness, crudity, falsehood and vindictiveness have not been lost on the populace.

Despite the oft stated aspiration, Sri Lanka, governed by a very different set of circumstances is very unlikely to become another Singapore. The UNP government which came to power in 1977 consciously tried to imitate the Singapore model hoping that a dose of consumerism spread around to detract from Singapore style repression of labour, would do the trick. Public discontent, corruption, a resort to refuge in communalism by the state, the holocaust of 1983, civil war and the JVP troubles ended the dream.

President Premadasa evidently tried a repeat performance while at first trying to handle the Tamil question more carefully so as not to let it jeopardise his economic programme. But the state continued to suffer from its accumulated inertia as well as from the personal failings of national leaders.

In response to the recent crises and widespread criticism from the international community, the government appears to be reverting to a more measured pragmatic approach. Among its greatest handicaps for a managerial approach are administrative breakdown and corruption.

Further, nerves are taut and could snap anytime. Then it may be another tale from the dark side. The strained and hysterical quality of attacks on the press is a bad sign.

We have constantly argued that there must be accountability for what the people have suffered as a result of actions of the state. In no other way can the state win over the minorities, the Tamils in particular, and give them confidence. If not the Tamil youth, who have no major opposition party to give them confidence, will find the **LTTE**'s kind of

destructive approach the most ready alternative. One of the urgent tasks is the repeal of the PTA and its train of repressive laws.

This is partly covered by the Amnesty International's two rejected recommendations. We have argued that not to implement these recommendations strictly, would result in acute long term friction between the people and the forces on one hand, and the forces and the political establishment on the other.

A democratic consensus remains the only hope for purging the country of the effects of its ugly recent past, placing respect for human rights on a permanent basis, making the long overdue structural changes and evolving social and economic goals for the future. [\[Top\]](#)

1.2 The LTTE's human rights record and the international community

The recent AI report gives considerable space to 'abuses of human rights by the LTTE'. It says in the first paragraph, "The LTTE announced in February 1988 that it would abide by the Geneva Conventions and its optional protocols I & II. It continues to claim that it abides by these standards, but consistent reports from the North-East indicate that it fails to do so."

It goes on to describe Common Article 3 of the Geneva Conventions, applying to all parties in an internal conflict. It stipulates that, **"all persons taking no active part in hostilities, including members of the armed forces who are in detention, wounded or have laid down their arms, must always be treated humanely. Such people should never be murdered, mutilated, tortured or subjected to cruel, humiliating or degrading treatment. Hostage - taking is also prohibited."**

For the LTTE, a so-called liberation group, to be compared in effect unfavourably with a government, itself having a poor record, is an unenviable position to be in. This is particularly so when it is still far from realising its goals. Hardly any other group in the world, whose reputation turned sour after attaining power, was in this position. More seriously what would be the fate of the people of the North-East over whose destinies it maintains a strangle-hold?

Of course the Tamil people who have endured much suffering since July 1983 and before still have active groups of sympathisers in many important capitals around the world. In order to activate this sympathy, a group that claims to represent them must have a demonstrably credible and reasonable set of demands for which support can be mobilised and other governments made convinced of. It is far from adequate for LTTE spokesmen to vaguely suggest federal powers for the North-East, while everything else suggests that its regime would be oppressive and conflict - prone. Can it massacre Muslims and insist that they will be respected citizens of the North-East? Can it maintain thousands of dissidents in underground bunkers in sub-human conditions and maintain that its rule would respect human rights and democratic freedoms? Is it in a position to convince the Sinhalese majority of the country that their legitimate interests in the North-East and pluralism will be assured? Making federalism an active proposition for the North-East means more than affording photographic opportunities to suggest that the LTTE leaders are human. It rather requires active campaigning among the Muslims and Tamils, including dissidents, to convince them that they have a common stake in its proposals and also the Sinhalese majority to allay their fears. The LTTE's recent past appears to militate against such a role.

All that now lies by the wayside. Current negotiations about opening a safe passage to the Jaffna peninsula, a relatively straightforward matter, after recent civilian deaths in the lagoon, have received such prominence and concern because of the **LTTE**'s indefensible positions, so as to overshadow all long term issues. If the use by civilians of Elephant Pass gave the army a military advantage, which is doubtful, the same cannot be true of the Puneryn crossing. It is practically impossible for the army to launch an offensive into the Jaffna peninsula across a stretch of water from its Puneryn camp. Given that the main issue is to afford the civilians safe passage while a war is being fought, recent positions have shown again the callous disregard **LTTE** has for the civilian population. It again subverts the **LTTE** claim of being a liberation group possessing a greater sense of responsibility for the civilians than the state.

To those unfamiliar with the long history of the Tamil struggle, the cause would have thus taken a doubtful appearance, doing a grave injustice to thousands who have sacrificed so much. Had the government been more creative, it would have clean won a major political battle over the Tigers. It's callous and imbecile insistence on shooting hapless civilians in the Jaffna lagoon left its own credentials in further doubt.

As long as the Tigers, articulating their associated politics, are seen to be the representatives of the Tamils, the cause will seem a doubtful one. If the Tigers go on adopting such negotiating positions on straightforward humanitarian issues, which casual observer will after this believe that colonisation, a life and death problem for hundreds of thousands of Tamils, is indeed a real problem?

Lacking in human values and a political programme to offer dignity to the people, the aridity of the Tigers' politics becomes evident in parts of the North-East, particularly where the forces have observed discipline for a reasonable uninterrupted period. Because of its long history and their experience of oppression, Tamils instinctively believe in the struggle, although entertaining doubts and confusion about the **LTTE**'s peculiar cause. But beyond this, for the East in particular, the **LTTE** has ceased to offer hope. Their experience of this group is increasingly confined to terror and extortion except in areas where they feel immediately threatened by the forces. Can this lead anywhere?

While the government is being made to respond positively and become more subtle, not least due to international pressure, a Tamil militant group cannot go on as if nothing has changed. The government needs to be challenged politically on a whole host of unresolved problems. This requires an independent force in the North-East that can mobilise the people politically. Tragically, the **LTTE**'s purblind militarism destroyed all independent political activity and stifled the spirit of the people. Its constant attempts to recreate conditions of July 1983 provided the state with alibis for not addressing the questions that so trouble the minorities, while their position constantly became worse.

If the **LTTE** hopes to survive, it needs to respond positively to the demands of the international community. If not it will be a long night for the people of the North-East.

CHAPTER 2

TRINCOMALEE: DESTROYING THE BASIS FOR A POLITICAL SOLUTION

[2.1 The current situation : Ideology and inequality](#)

[2.2 Land alienation in Trincomalee Town.](#)

[2.2.1 Sobithagama, Love lane:](#)

[2.2.2 Forty two houses in front of Sirimapura, Love Lane Housing Scheme No.2](#)

[2.2.3 Encroachments in Love Lane area now named Wijesekerapura](#)

[2.2.4 Mattikali :](#)

[2.2.5 Palampottaru Stage II, Pattinipuram](#)

[2.2.6 Main features of land settlement and its implications:](#)

[2.3 Implications of land on administrative structures: The creations of new ethnically dominated AGA divisions .](#)

[Mass deportations of the autumn of 1983:](#)

[2.5 Discrimination in the use of land temporarily abandoned by owners](#)

[2.6 The land problems of returning refugees and displaced persons](#)

[2.7 Some salient features of government policy in Trincomalee](#)

[2.8 Tamil responsibility for the fate of Trincomalee](#)

2.1 The current situation : Ideology and inequality

On the surface the situation in Trincomalee appears calm. There have been no major incidents in recent times. The open cases of missing persons in the last 6 months are 3 or less according to the best sources. Those detained are usually processed within a week and are either released or sent to detention centres in the South. The esplanade in town is filled with large crowds in the evenings, and eating houses and bars are open till late. The Superintendent of Police is acclaimed as a fair man who tries his best. At sentry points the atmosphere is relaxed. Yet one is told again and again that the peace is artificial.

A Hindu schoolmaster in Nilaveli remarked, "I have no problem with language or religion. Language is only a medium of expression. It does not make one more or less human. It is the quality of thought that matters. Religion is just a mode of worship. I visit all places of worship on festival days, whether Pallivasal(Mosque), Kovil, Church, or Pansale (Buddhist temple) and eat with the devotees". These are sentiments of a man, not young, but old enough to remember better times. They reflect a certain harmony that prevailed in the Trincomalee District, which extended to the East as a whole, and gave it a plural character. Cast iron divisions on the basis of language and religion are recent impositions mainly resulting from state ideology.

Many traditions of the district going back more than a millennium centre around **Koneswaram** temple at Fort Frederick. Names of villages such as Thiriyai and Mallikaitivu are derived from services they performed for the temple. The role of the tank at Kantalai which watered the fields at Kantalai and Thambalakamam, and provided for the

maintenance of the temple was recognised by the government in an agreement in the 1950s. This safeguarded the water rights to 5000 acres of these traditional fields.

The ancient Buddhist temple Vilgam Vihara between Kanniya and Mudalikkulam (Morawewa) on the Vavuniya Road is another testament to the plural character of Trincomalee. It has the Tamil name Rajaraja Perumpalli and carries an inscription marking the endowments granted to it by the Chola king Rajaraja about the turn of the last millennium. Although the Chola Empire was an outgrowth of militant Hinduism in Tamil South India, religious polarisation does not appear to have reached this country. Pragmatic Chola kings endowed kovils as well as vihares in Ceylon [**Chola inscriptions in Ceylon, Prof.K.Indrapala, University of Jaffna**]. There are strong grounds for believing that Vilgam Vihara was a shrine of Tamil speaking Buddhists [**cf:Indrapala**].

Hindu pilgrims of the East to the shrine of **Kathirkamam (Kataragama)**, in the deep South, passed through Sinhalese villages in Panamapattu along the southern coast of the Eastern province who hosted them and even intermarried among them.

Gomarankadawela(Kumaresan Kadavai) in the north-west of the district had a bilingual population, which now,as a consequence of state ideology, have identified themselves as strongly Sinhalese. Its Wanniamys, Wannikuralas and Korala Mahattayas (ancestors of former minister and one time deputy prime minister, Maitripala Senanayake) often studied in Tamil.

Subsequently Muslims and later during the British period, Tamils from Jaffna and Sinhalese migrated into Trincomalee for mainly economic reasons and blended into its traditions.

This condition of peaceful co-existence was brought to an end when state ideology from the 60s used its administrative power and from the 80s brute force, to sunder the historical continuity of the East. **The healthy traditions inherent in this country's history by which communities had co-existed and intermingled in a plural environment were violently cast aside. The thrust was towards mono-ethnicisation and on rewriting history to suit the dominant state ideology.**

What happened is well-known. From the early 80s Tamils were subject to violence by politically instigated hoodlums backed by the forces. In the wake of the July 1983 holocaust and its sequel, many Tamils physically witnessed known people and even close relatives being hacked to death. As a reaction many young joined a number of militant groups. Almost every Tamil family had a close militant connection, frequently a son or a brother. In addition to fighting the Sri Lankan forces many of them were also party to internecine strife and reprisals against Sinhalese civilians. A responsible government which had upon the arrival of the **IPKF** in 1987 accepted its past mistakes, should have, however late, initiated a politics of healing.

With the onset of the war of June 1990 the Tamils were at their weakest since July 1983. In place of a politics of healing, the political weakness of the Tamils and their lack of representation in the provincial council or parliament is being used to lay the foundations for endless strife. Under the guise of resettlement the administration and the military are working fast to settle Sinhalese in a manner that would trap Tamils into insecure pockets. In the absence of Tamil representation, the laws of the land concerning property ownership, distribution of crown land and places of worship are being broken with impunity. Most of this activity is shrouded in secrecy.

There are many visible signs of this policy. For a district with a Tamil character, from Kantalai to Trincomalee, along the main Kandy Road, there are hardly any signs in Tamil

except in a pocket or two. At Thambalakamam, a Tamil village, in front of the army camp a considerable Buddhist temple has sprung up where earlier there were only shrines to **St. Mary** and **Pillaiar** (a Hindu God). The next step is not hard to guess. New names like Lucky Wijyapura and Ranmuthugama (formerly Muthunagar) have suddenly appeared without any reference to history or tradition. [\[Top\]](#)

2.2 Land alienation in Trincomalee Town.

Questions of land have been dealt with by the government unilaterally during an extended period of transition in the country's affairs. Meanwhile the government repeatedly pledged to solve the minority question and did next to nothing. In the early stages the matter was dealt with by administrative sleights of hand by bending or breaking the rules where convenient. When the Government Agent and the Land Officer could get together a good deal of mischief could be done under wraps. It is hardly surprising that Trincomalee, a majority Tamil speaking area, is the only district in the island, which never had a Tamil government agent. The present land officer is regarded as one ideal for his given job. In 1979 when land alienation to Sinhalese under **Bandaragoda**, GA, was getting out of control, a group of Tamils set fire to the land office in protest, in a bid to slow down the alienation. **Bandaragoda** is described as a perfect gentleman who believed that every man was communally inclined. Under his administration in Trincomalee, Sinhalese officers were appointed to predominantly Tamil AGA's Divisions, including Town and Gravets, as Additional AGA's and Additionsl Grama Seveka officers. Trincomalee is the only District which had these communally based special appointments.

The present war has made the government's task far easier, since a very large number of Tamils are refugees or have been forced to flee the district. Recently an attempt to regularise encroachment of land by the sea used in temple festivals (**Thirthakkarai**) was stopped only through taking up the matter at the highest level in Colombo. Earlier land in Fort Frederick (**Papanasam Theertham**) used on Hindu festive occasions at **Koneswaram** temple, was suddenly turned into a parade ground for the army. Nearly all decisions have been unfavourable to the Tamils. Lands vacated by Tamils owing to insecurity have been suddenly christened with Sinhalese names unknown to the general public. We shall now look at some specific instances of this policy; some of them refer to decisions taken at a land conference in late December with leading officials from Colombo in attendance. [\[Top\]](#)

2.2.1 Sobithagama, Love lane:

The area known as Love Lane, just north of the town, once consisted of 33 lots amounting to 70 acres, all owned by Tamils. In August 1939, just about the outbreak of World War II, the British administration aquired these lands as part of its expansion of naval facilities in Trincomalee, for use as storage facilites and such like. When the British quit in 1958, the government of Ceylon did not use this land for any public purpose. The land was left idle. For the last 20 years, to this date, Sinhalese encroachers have settled in the area with encouragement from ruling interests in Colombo as suggested by new names like sirimapura, Nelsonpura and Sobithagama. The almost total devastation of the area shows what this policy meant.

33 Muslim and 14 Tamil families who were living on the land and had to flee in the aftermath of the June 1990 war. The local Buddhist priest used his influence to have the land released to his temple. Thereafter he alienated the land to 34 Sinhalese families. The former residents now in refugee camps complained. The land authorities decided that it was '**not practicable**' to evict the present occupants to make room for the former. But

for the sake of propriety it was decided to cancel alienation done by the priest and for the selection to be made at an interview by officials **‘with the consent of the priest’!**[\[Top\]](#)

2.2.2 Forty two houses in front of Sirimapura, Love Lane Housing Scheme No.2

In 1980 the NHDA decided to build houses for Sinhalese at Love Lane and named it the Nelsonpura scheme. This being a majority Tamil area, the MP, **Sampanthan**, protested. **Premadasa**, then prime minister, personally intervened and ordered that the Nelsonpura scheme could be proceeded with only after an equal number of houses had been built for Tamils. Hence the scheme above was set in motion by the NHDA under the Aided Self Help Programme. In the wake of July 1983, the Tamil occupants fled and the houses were taken over by Sinhalese. When the **IPKF** arrived in 1987, the squatters fled and the Tamil owners come into reoccupation. Following the June 1990 war, the Tamils fled once more and Sinhalese took occupation. Now 22 of the former Tamil owners have returned from India.

The land authorities discussed the ‘complex’ problem and left it for an ‘amicable’ settlement between the parties!

2.2.3 Encroachments in Love Lane area now named Wijesekerapura

Since a Land Ministry circular forbade regularisation of encroachments after 27.10.89 it was decided to hold a land Kacheri. A notice was issued to hold interviews for land alienation. Three senior citizens pointed out in a petition that the names Wijesekarapura and Sobithagama have no legal status, the ordinance invoked (Land Development Ordinance or Crown Lands Ordinance) was not stated, nor were the total area of the estate and of each allotment given. A further point made was that the land to be alienated is required by law to be first cleared and should not be squatter occupied. They also observed that an applicant was envisaged to be any one who has been a resident for 5 years according to the notice. They concluded that the motivation behind the exercise was merely an administrative means of getting round the circular and regularising encroachment by those who had no permanent abode in Trincomalee. For these and other reasons they called for a cancellation of the exercise.[\[Top\]](#)

2.2.4 Mattikali :

This land is on the edge of town on the left as one enters Trincomalee through the Kandy Road, just before Orr’s Hill and the main Police station. At the land conference the secretary ruled that this land should be put to urban use as a middle class residential area planned by the UDA. He also said that encroachments should be prevented. But the land is being rapidly encroached upon by Sinhalese, no one knows from where. A Sinhalese when asked believed that it was land which once belonged to a Sinhalese, **Balasooriya**, and was donated to Sri Jayasumanarama Buddhist temple by him more than 70 years ago. He cited a current court case as an indication of this.

A senior Tamil citizen when asked about it said that the land in fact belonged to **Shanmuga Boys Home**, an orphanage, and **Justice Krishnathasan**. He also said that the court case involves a small piece of land at Mattikali accommodating the YMBA (Young Men’s Buddhist Association) and a garage, the plaintiff being **Balasooriya’s** grandson. The case, he added, is against the YMBA and the Buddhist priest. The inmates of **Shanmuga Boys Home** abandoned the site in the wake of the 1983 communal riots.

Such problems are common in Trincomalee where the ownership of several lands is being decided by squatters who indirectly have the blessings of the authorities. Another example is land now termed Vijithapura -part Kovil land and part private land - now occupied by Sinhalese fishermen. As we have seen the tendency of the authorities is to decide in favour of squatters and hold that it is impracticable to move them. Regularisation is a technicality easily dealt with. This is not squatting under normal conditions, where there is a case for sympathetic consideration. But this is squatting under military occupation by persons coming from far away, in conditions favourable entirely to one ethnic group.[\[Top\]](#)

2.2.5 Palampottaru Stage II, Pattinipuram

Between Thambalakamam and Palampottaru (Monkey Bridge), the land to the east of the road up to the railway tracks was the Tamil settlement of Pattinipuram (Palampottaru stage 1). The action of the Sri Lankan forces from the mid-80s rendered the lands practically inaccessible to Tamils. On the opposite side were lands designated for the scheme Palampottaru Stage II that was not implemented [See [Appendix IV](#)]. Now new houses for Sinhalese settlers have been put up with help from NGOs **LEADs** and **Sarvodaya**, according to well placed sources. **LEADs** is expected to put up 300 or more houses. According to sources close to the **LEADs**, the organisation has so far put up 85 houses, 58 for Sinhalese and 27 for mainly members of the deserving gypsy(Kuravar) community. For each house Rs 15000/- came from the Rehabilitation ministry housing grant to displaced persons, and the balance Rs 10000/- from **LEADs**. Many of these settlers were persons who had lived on encroached lands in that area prior to the arrival of the **IPKF** and had then lived in refugee camps for Sinhalese. [\[Top\]](#)

2.2.6 Main features of land settlement and its implications:

Land acquired by Sri Lanka Ports Authority: In the early eighties more than 5000 acres of land was vested with SLPA [See [Appendix III](#)]. From the very beginning Tamil leaders protested that the SLPA would never use so much land and that the move was meant to facilitate unfair land alienation at a later date. **In fact the SLPA barely used 100 acres at any time. Following the outbreak of war in June 1990, a number of Sinhalese encroached on these lands without any obstruction. It was reported at the land conference of 6th January 1993, with the minister of lands in attendance, that a number of persons were living on SLPA land, some on plots of the order of 1 acre and that the SLPA had agreed to release 700 acres.** A proposal was made to regularise the encroachments and to limit further alienations to 40 perches (1\4 acre). The cost of land in the area nearer town is 3 to 4 thousand rupees a perch, so that some encroachers could receive up to Rs 500 000/- worth of land! Once more the matter was taken up at the highest levels in Colombo and the verbal undertaking was given to limit any alienation to 20 perches.

We have seen that there is an underlying trend in and around Trincomalee with the assistance of the whole state machinery at its disposal. The state is bent on Sinhalese of the whole area. The general approach is that any Sinhalese coming to Trincomalee to do business should by hook or by crook be given a permanent home. **This is done under conditions where Tamil land owners cannot exercise their ownership.** Other than through squatting, the Ministry of Fisheries for instance, has acquired land in Pallaththottam (3rd mile post) and settled Sinhalese fishermen. In the case of Vijithapura above Fisheries has made a request to acquire land which consists of both private and temple land. 50 families, nearly all Sinhalese, either government officers or connected with

the forces, were given housing land in the vicinity of Dhoby tank near the railway tracks. This was done after June 1990.

There is also land hunger locally which is not addressed. 500 families of sanitation, health and UC labourers in town have only recently been offered alternative land, mostly outside the UC area, because of their present land being required for hospital expansion. They are people of Indian origin who have been there more than 40 years. Their area is now very crowded with often 5 families in an allotment meant for one.

It is important to note that, private land owners in Trincomalee are neither rich by national standards nor hold large extents of land. The richer among them would hold at best 2 or 3 acres through which they derived an income from coconuts and such like. One could hardly compare their wealth with their counterparts in other parts of the country. Their lands are being acquired for a song while they are being reduced to a very straitened existence, not to benefit the local landless but to settle persons from the south and others like fishermen who have come there seasonally for about 10 or 15 years at best. Even if the government was genuinely concerned about the land problem faced by people in the South, it would have given them land not by moving them to a distant place in controversial circumstances, but by using state land near their homes or by acquiring land from the local land-owning class. The motivations here are therefore mischievous.

Even in naming places a procedure has to be followed. Under the **Renaming of towns and villages Ordinance** the Home ministry must first receive a request and advertise it. If there are objections then there is a procedure to resolve it. Here hatchet men in the local administration and Buddhist monks pull names out of hats. Moreover, amidst a civil war situation where the people see the armed forces as aliens, naming places after soldiers who were killed, shows the blindness and insensitivity of government policy. On the other hand it also shows that the government does not have any concern even for these dead soldiers. If it did, they would have named in their memory, places close to their native homes, where it would have a meaning.

All this activity involving wide discretionary powers in regularising encroachments, urban development, cancelling permits of absentees, such as government servants who were given residential land, and reallocating the land, is going on without reference to the war, to the fact that a large section of Tamils are refugees who cannot make a decision about their land, and have no representation. The changes are such as to make Tamils feel more threatened and less willing to live in Trincomalee.

It is believed that the manner in which Sinhalese are being settled in the town area, while Tamils are encouraged to move out has two motives. One is to break the control Tamil speakers have in the urban council. The other is to divide the Town and Gravets AGA division into a Sinhalese and a Tamil division.

We are able to see something of what is going on here because there are senior citizens doggedly fighting a rearguard action and there is documentary evidence to be examined. If one extends what is going on here to the whole district, the picture becomes much more frightening. With the carving up of new Sinhalese AGA's divisions things will become harder to probe until confronted with a fait accompli-at election time or during a bout of communal violence.

When a state violently and in a brutal manner continues to follow a policy which earlier forced Tamil youths to take up arms, ordinary people because of their powerlessness, would legitimise any act, however inhuman, which gives an impression

that it counters the strategy of the all- powerful state. The whole exercise of finding a political solution and portraying the current war as fighting terrorism becomes a facade [See 2.5].[\[Top\]](#)

2.3 Implications of land on administrative structures: The creations of new ethnically dominated AGA divisions_

Since the outbreak of war the move to rapidly induct Sinhalese into the Tamil AGAs division of Thambalakamam, with a view to creating two AGAs divisions, is under way. Already it has two AGAs (now Divisional Secretaries) a senior Sinhalese assisted by a Tamil. Morawewa (Mudalikkulam) was a 40% Tamil speaking division with the AGA's office at Pankulam. With the introduction of the Air Force farm near the head works in the late 60s, Tamils have been subject to violence. In the 80s nearly all of them fled as refugees. Now the AGA's office has been shifted to Mahadivulweva (Periyavilankulam) and the division is virtually Sinhalese. **The objection is not to do with having Sinhalese public servants. But from the mid 80s experience has shown that key officers are picked persons with the qualities for the task at hand. Often a pliant Tamil public servant can do equally well. Consequently the level of corruption in areas subject to an ideological programme is notably higher.**

A good example is the land officer referred to above. He had been a surveyor in Trincomalee for a long time. In 1982 he had faced interdiction for bribery. Recently, he was made a land officer and given crucial responsibilities influencing the future of Trincomalee. The appointment was not calculated to give confidence to the Tamil speaking people. The administrative machinery and the military co-ordinating officer are said to be in close consultation with him.[\[Top\]](#)

Mass deportations of the autumn of 1983:

What we have been saying is that the Sinhalese of the administration is not a neutral affair of changing Tamil heads or pen pushers for Sinhalese ones. It is a prelude and a means to an ideological programme adversely affecting and impinging on the rights of the Tamil speaking peoples. A stark manifestation of how the fixing of the administration was used took place about November 1983 in the wake of the July 1983 violence.

A number of Tamils of recent Indian origin from the hill country and the deep South, who were victims of the communal violence of 1977, settled in the Tamil districts of the North-East, including Trincomalee. Communal attacks with the backing of the armed forces began in Trincomalee on 3rd June 1983, well before the July holocaust. Subsequently many Tamils of both local and Indian origin were living in refugee camps. Those of Indian origin displaced from places including Pankulam, Alles Gardens and Kappalthurai (near 6th mile post, Kandy Road) were in refugee camps at Nilaveli, Sambaltivu, Pankulam and Trinco town among others.

An order went down the line through **Captain Marshall** of the Navy, Co-ordinating Officer/Trincomalee, to the AGAs, to compile separate lists of Tamil refugees of Indian and local origin. Senior Tamil officers, such as the Additional GA, were kept in the dark. Later, one night, hand picked Sinhalese staff officers from the Trincomalee Kacheri were asked to go with the lists in the company of the forces to the refugee camps above. They were asked to get hold of the AGA concerned or the Grama Sevaka of the division if the AGA could not be located.

The names of Indian Tamils were read out, after the night callers had aroused the refugees from their sleep. Terrified families meekly came forward and got into commandeered CTB buses as they were ordered. Even if some of the family were not present, the rest were ordered to get in, their pleas being of no avail.

The GA/Trincomalee, a Sinhalese, was then out of town. About mid-night the Tamil Additional GA was aroused from his sleep by a telephone call from **Captain Marshall**. The Additional GA was told of the plan then under execution. The call, he was given to understand, was to keep him informed for courtesy's sake.

Several bus loads of Indian Tamils were driven under armed escort to various parts of the hill country and dumped in places with which they had no connection. Many families who had already suffered from the violence of 1977 and '83 agonised for weeks not knowing what became of their kin from whom they were forcibly parted. Most deportees collected whatever relief payment was available and eventually found their way back to Trincomalee.

Captain Marshall, a Burgher, himself acted under orders from the government in Colombo and was deeply unhappy. He was powerless when naval ratings under his command ran amok in Trincomalee town during July 1983.

This gives a picture of what the administrative machinery was primed to perform. The official culture has not changed. But brazenly crude manifestations such as these deportations and the national security minister's remarks below are unlikely to surface today. We are faced with the same game in more subtle forms. It is significant how Tamil officials can be unethically bypassed when needed.

With a GA and the AGA who understand their ideological task well, a new Sinhalese AGA's division created will first become a no-go area for Tamils. Special arrangements can be worked out and what happens then is anyone's guess. Now Sinhalese who had lived on encroached land have been brought back into the Thambalakamam area and have quickly received the benefits of displaced persons. In many such situations, Where they come from? From where and when were they displaced? Why did they not go back to their original homes? What is the rationale behind settling them in a Tamil area? are questions no one can ask. Only the GA, AGA and the GS concerned will know the special arrangements. Again there are Tamil AGAs divisions like Mutur which have not received their housing entitlements after their far-more-valuable houses were bull-dozed. At each succeeding elections there have been new voters lists more unfavourable to the Tamil speaking people, whose dependability have diminished with the rise of cloak and dagger methods by the state [[Appendix IV](#) gives a note on land encroachment]

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2.4 Colonisation in the district: The case of the Welī Oya Scheme

This is perhaps the archetypal cloak and dagger scheme to crush a minority through a mixture of administrative and military manipulation. There is so little accountability in its execution that its protagonists could reap massive dividends in corruption.

Manal Aru (Sand River) runs through the Mullaitivu, Vaunia and Trincomalee Districts. The area was virgin land. Before July 1983 there were two projects in the area, Kent Farm and Dollar Farm, run by Tamils partly with a view to getting young men involved in agriculture and partly to rehabilitate Hill Country Tamil victims of the 1977 communal violence. Otherwise the area came under the proposed System L of the Mahaveli Project, one of the last stages, and was not even part of the accelerated programme formulated in

1978. With the July 1983 violence the Tamils were driven out of the area. Then a plan to physically divide the North and East was set in motion.

Once again the timing, like June 1990, was crucial. The moment, like with the deportations above, was chosen when the Tamils were at their weakest. They were reeling under the violence of July 1983. The sixth amendment wiped out their parliamentary representation by the TULF. Under **Gamini Dissanayake** as minister for Lands & Mahaveli development, the lands were brought under the Mahaveli Authority in the spring of 1984 by his ministry under an extra-ordinary gazette notification. With Manal Aru renamed Weli Oya, a project in that area was commenced. **Although the lands acquired were from the Tamil districts of Vavuniya, Mullaitivu and Trincomalee, the administration was transferred to Anuradhapura. The military took control and the area became a no-go-zone for Tamils. Even administrative officials of the three Tamil districts of which it was part could not enter the area without military clearance.**

The progress was then monitored by JOSSOP at Anuradhapura under **Mr. Bandaragoda [See 2.2]**, Additional Secretary, Ministry of Mahaweli development and former GA, Trincomalee. Very little was known about what was going on Weli-Oya until the Tigers carried out a massacre of about a hundred men brought in for the project in November 1984. It was also about the time **Lalith Athulathmudali**, Minister for National Security, boasted that his Government would solve the minority problem by settling Sinhalese toughs such as ex-convicts and fishermen in all Tamil areas. It turned out that most of those there together with most persons killed were in this category - being ex-convicts or prisoners reprieved if they would go to Weli-Oya.

To this day persons sent there live in fear of Tamil militant attacks, spending the night near army sentry points. According to a source who had spoken to officials on the project, there were recently 3564 families on the scheme looking after 10 000 acres of coconut. There are no houses for these. The buildings of Kent and Dollar farms are used by the Mahaveli board as offices. There are some quarters for board officials. According to our information, the incentive for the settlers is Rs 50 000/- for those settling permanently, 5 years of dry rations and 3 ½ acres of high coconut land. There are no schools in the project area. The nearest schools are at Parakramapura, 4 miles from the Mahaveli Office and Padavisiripura a further 8 miles away. [\[Top\]](#)

For military purposes the project area is considered a district, with a co-ordinating officer in charge.

A senior Tamil leader who had gained indirect access to the records at Anuradhapura through more than one agent, said that the figure of 3564 families is an exaggeration way off the mark. The true figure, he said, was about 300. He said **“Although very attractive incentives are offered people are generally unwilling to go. Real figures are systematically exaggerated so that when things are quiet more Sinhalese could be settled without any fuss. There are no schools in the area because, even if teachers could be persuaded to come, there are hardly enough children for a school”**. Indeed, the government would be loath to admit that it is maintaining a military district with a couple of battalions, if not a brigade, to protect a few hundred Sinhalese families.

How are people chosen for such projects? It is likely that prisoners still have this option. There are also politicians from the ruling party recruiting through agents. One man who was working as a watcher opted for one such project. He was first taken to Polonnaruwa, then to a

border area, and was promised Rs.50 000/- with other benefits if he would remain. After a week he returned home saying that this life was not for him. The sums involved are notably very large compared with what a Tamil refugee who lost everything at the hands of state forces could ever hope to receive. The payment is part of the price for being cannon fodder and a civilian shield for the armed forces.

In Welioya itself a good part of the funds are believed to come from the defence budget. By the manner in which the project has been administered, it is to be expected that some funds would have been diverted into the project from the Mahaveli Authority, the Rehabilitation Ministry and the Coconut Cultivation Board.

It is well known that defence ministry requirements in this country however sketchily and vaguely stated are seldom challenged or checked, and are audited very leniently. This also allows wide scope for misuse. The defence budget now at an annual Rs.24 billion (US \$550 million) is a fifth of the national budget. [\[Top\]](#)

2.5 Discrimination in the use of land temporarily abandoned by owners

Much paddy land was temporarily abandoned by Tamil owners who fled as refugees. We learn from several sources that some of these lands in relatively secure places are being cultivated by Sinhalese in arrangement with the armed forces. One such area is Pankulam where some of the lands along the main road, near Pilliar Kovil are being so cultivated. These lands are irrigable and can yield 2 or 3 crops a year. The Tamil owners have, at the time of writing, not been given security clearance to return. Another is Mullitipotana, Thampalakamam West Unit 9 of the Kantalai scheme. Originally 56 Tamil families were given allotments, which expanded to encompass about 250 acres with natural increase, encroachment and regularisation.

It is now reported that arrangements are being made to return the Tamil refugees to Mullitipothanai in May 1993. There are now altogether 216 families.

There is on the other hand a sharply contrasting attitude to lands in the Batticaloa District. Many lands there are at present inaccessible to Muslim as well as some Tamil owners not on good terms with the LTTE. Several of these lands are now known to be leased out by the LTTE. These are cultivated by farmers not for the joy of it, but because they have no other livelihood. After they had sunk in borrowed capital and put in hard work, risking their lives and risking damage during military operations, the army has recently been confiscating or burning paddy harvested on such lands. The highest military officials have justified this in the name of depriving the LTTE of food and resources. What is really happening is that unlike their Sinhalese counterparts, hard working Tamil peasants are being driven farther into bankruptcy. The latter problem does not appear to exist in the Trincomalee District. According to Muslim sources in Mutur, the LTTE is demanding written permission from Muslim owners for the cultivation of their lands in the interior by others.

It has recently been reported that several Tamil farmers in the interior of the Batticaloa District allegedly cultivating lands leased out by the LTTE, have been taken away by the army and have not been accounted for. [\[Top\]](#)

2.6 The land problems of returning refugees and displaced persons

The government is under pressure from various sources to resettle Tamil refugees and those who returned from India. But this is being done in a manner that leaves Tamil

refugees anxious and deeply suspicious. **Up to Uppuveli just north of town, shells of Tamil houses destroyed between 1983 and 87 are a prominent eye sore. Hardly any Tamils were being resettled there. Nearly all those settling in that area are Sinhalese and there are constant moves to regularise encroachments. Several houses built by the NHDA and the provincial administration once occupied by Tamils are now in occupation by Sinhalese.**

Then between Sambaltivu and Nilaveli to the north, including 6th mile post, security approval had not been given for Tamils to reoccupy their lands and damaged houses. But the Kuchaveli refugees in Nilaveli were in February being urged to return, Kuchaveli being further north of Nilaveli. But their village which faced much deliberate destruction is now dominated by a sprawling camp of the army, navy and police containing the Roman Catholic Church. There is then an unresettled gap between Nilaveli and Kuchaveli. These arrangements raise many obvious unanswered questions. The refugees would feel more secure if the resettlement proceeds by continuous stages starting from Trincomalee town. Several refugees have found their properties in town encroached by Sinhalese and are afraid to take legal steps to dislodge them. While gaps were being left in resettlement, there is seeming connivance by the authorities in encouraging Sinhalese encroachments under protection of the forces and consequent moves to regularise them. These have given rise to both anger and resentment among Tamils. **To them, the formula followed appears to be: Destroy Tamil houses, Help Sinhalese to build houses and create conditions where many Tamil refugees cannot or will not return.**

Against new houses being put up for ‘rehabilitated’ Sinhalese, new Buddhist temples and existing Buddhist temples gaining in political and material power, most Tamils outside town languish in huts and refugee camps. Several Hindu temples have been damaged, some badly (e.g **Sivan Kovil; Madathady, Veeragathypillaiyar Kovil and Krishna Kovil in Trinco town**) . The unfairness becomes further evident, considering that in most villages outside town, few Tamil houses are left standing. Some refugees said that they had rebuilt their houses during the **IPKF** presence after they were destroyed by Sri Lankan forces between 1983 and 87, only to have them looted and destroyed once more after June 1990. Tamil houses along the road from Kiliveddi to Muthur and beyond were looted by the forces and levelled down with bulldozers or explosives. The Muslim village of Jinnahpuram was similarly treated, because having to live with the **LTTE** by night and army by day, the army was annoyed with their ‘**lack of co - operation**’. Those who had got back to their lands in the Mutur area were entitled to their meagre housing allowance from the state which they did not receive for nearly two years. They are more hopeful now after the matter was represented at the Mobile Presidential Secretariat in February.

Tamil community leaders feel that if the government has security reasons for its attitude towards resettling Tamil refugees, it must say so openly, and not use the current weakness of the Tamils to alter the demography and destroy the Tamils’ economic and cultural life. [\[Top\]](#)

2.7 Some salient features of government policy in Trincomalee

We have referred to the secretive induction of Sinhalese into the district along main roads and in a manner so as to isolate Tamils into pockets. Even if a military motivation is cited, the government will not be open about it. Because it would contain the assumption that the Tamils will continue to be rebellious, cannot be trusted and therefore must be herded into enclaves where they could be monitored. This would amount to an admission that the government is in fact seeking a military solution to the minority question and that the president’s repeated pledges to the international community and to donor nations that he is

earnestly seeking a political solution to the problem, will be seen as eyewash. It would further imply that the government is not interested in earning the trust of the minorities and whether in military, political or administrative terms, they will remain second class citizens.

The crucial aspect of the ethnic question in Sri Lanka relies on the character of the state and its ideology. It is not that ordinary Sinhalese people wanted to marginalise the Tamil people. The ordinary Tamil people who live in the South do not feel threatened by their Sinhalese neighbours. But they are aware of the government's ability to threaten their security with direct or indirect involvement of its machinery. All the violence unleashed on them in the past involved conspicuous complicity of the government and its machinery. Ordinary Sinhalese people are simply the pawns of these bigoted politicians. Hence it is superficial to argue that since the Tamils are at present living in the South there is no ethnic problem. As we have shown above, the state has not changed its character appreciably in this respect. The armed forces are very much ethnically based. Those seriously concerned about a political solution need to take into account these realities and work towards temporary structural reforms, such as might help in overcoming barriers to a settlement imposed by past actions of the state.

On the other hand if the government continues to pursue the present course it is only destroying the basis for peaceful solution and forcing the Tamil people into a very desperate position. Where the Sinhalese are concerned, it would mean that instead of seriously addressing their deep rooted socio-economic problems, the government is callous enough to use their poverty as a military weapon, through planting them as colonists in a war-zone.

Again where Tamil refugees abroad are concerned, it would appear that host countries are simply trying to wash their hands off them without ensuring that political and economic conditions are right for their return. The reality on the ground in Trincomalee is that many of these Tamil refugees were contented farmers who built up wealth and stability over a decade or more. Their houses worth two lakhs or more were destroyed by the forces rendering them penniless. The government has through manipulations we have cited, shown that it is not serious about their returning to their lands and livelihood in security. Their housing allowance from the government is only a small fraction of the houses it destroyed. Is this fair by the refugees? [\[Top\]](#)

2.8 Tamil responsibility for the fate of Trincomalee

We have in earlier reports criticised the military strategy, particularly of the **LTTE**, which for its short term ends such as recruitment, placed the Tamils in a helpless exposed position having to stomach the depredations of the Sri Lankan forces. Most exposed were the Tamils of the East. Back in 1989 when the **LTTE** entered into a partnership with the Sri Lankan government, its supporters in Jaffna boasted that the first task was to get rid of the **IPKF** and next the inevitable war with the Sri Lankan forces to attain the separate state of Eelam. In trying to be smart without reference to principle the **LTTE** and the Tamils have been taken through a series of somersaults and humiliations. The people of Trincomalee and the East in general saw nothing but disaster in this approach from the very beginning. If the strategists in Jaffna ever thought little about Trincomalee, they are not thinking about it at all now. The key issue seems to be how to let people travel between the Jaffna peninsula and the mainland without jeopardising the **LTTE**'s income.

The general approach of the **LTTE** in particular was that the structural problems confronting the Tamils could be resolved by talking through the gun. The need for sound

and capable political leadership was neglected. The **LTTE** regarded such leaders as a challenge to their sole dominance and hence an anathema. In this destructive approach the initiative was handed over to the government and the forces, who not just had more guns, but resorted to every other form of trickery at their disposal. By massacring Sinhalese, it made it much easier for ordinary people, who happened to be Sinhalese, to rationalise the injustice being inflicted on the Tamils.

Abandoning the political approach and consistently placing its own survival first, the **LTTE** threw away every opportunity to stabilise the position of Eastern Tamils. The **LTTE** refused to accept the fact that its intolerance of other militant groups, and the consequent weakening of the struggle and gains by the Sri Lankan forces were the primary reasons, which legitimised the arrival of the **IPKF** among the Tamils. Even at this stage it could have accepted its errors and have forged a common front uniting Tamils and Muslims in the interim administration. During its war with the **IPKF** it blocked attempts by the **IPKF** and the provincial administration to rehabilitate and stabilise the position of Tamils who endured much destruction during 1983-87. Its only reason was that someone else would have received credit for benefits acquired by Tamils. In early 1988 an **IPKF** vehicle involved in the resettlement of Tamils in Pankulam was blasted with a landmine, resulting in people being beaten and the exercise largely abandoned. Attempts to resettle refugees in Thuwarankadu, Kanniya and Thambalakamam met with obstruction from the **LTTE**, which by then was in league with the Sri Lankan government. For the Tamil refugees these years became wasted years, with even the ruins of Uppuveli near the town remaining as the Sri Lankan forces had left them in July 1987.

In an ambience where the **LTTE** competed with other groups which mistakenly tried to imitate the **LTTE** and degenerated to new depths a number of Tamil civilians were killed by Tamils. Among them were some of the ablest and loyal sons of Trincomalee, whom the Tamils could ill afford to lose. **B.Vijayanathan** a doughty fighter of high integrity was killed in August 1988 either by the **LTTE**, or more likely the **LTTE** with the help of the **EROS**. The killers of **Ganeshalingam**, a highly respected administrator killed in early 1990, are not known. But a pro-Indian group is suspected. **Dr.Gnanasekaran**, a man both dedicated and remarkably unselfish in his actions, was killed in September 1989. Almost certainly some high ranking leaders of the **EPRLF** were involved.

In leaving Tamils without representation at this crucial juncture, much mischief was wrought by the **LTTE** in partnership with the government. At the February 1989 parliamentary elections the **EROS** put forward several candidates backed by the **LTTE**'s guns. Others contesting the elections were threatened and sometimes killed by the **LTTE**. We pointed out in [Report No.2](#) that the **EROS** shamelessly carried on without condemning the use of violence to prevent the people from choosing candidates of their choice. These 12 **EROS** MPs went to parliament and walked out when the **LTTE** pulled the leash, just after June 1990. They effectively accepted that the **LTTE** elected them and saw no obligation towards the people who gave them their vote. Presently the Trincomalee District has a Sinhalese **SLFP** member identified with the extremist **Hela Urumaya** and a Muslim member. Of the two **EROS** MPs elected, largely through Tamil votes, one, a Tamil, is said to be doing business in London. The other, a Muslim, went back to teaching.

The North-East Provincial Council, the first step in an exercise of devolution, was dissolved by the government after the commencement of the war with the **LTTE**, acting on a request by the **LTTE** made before the war.

This lack of representation at crucial fora has greatly facilitated the changing of the ground situation to the detriment of the Tamils. Ironically, it is former Tamil MPs from the **TULF**

who are working hard behind the scenes for the Tamil speaking people of Trincomalee. A brash and violent militant politics which arrogantly claimed to have the answers to everything, finally showed itself weak, cowardly, sycophantic and totally irresponsible.

It looks as though everyone is still learning lessons that they are finding hard to swallow. The Sri Lankan government is yet to learn the consequences of trying to resolve minority questions through force and deception. The **IPKF** interlude has been forgotten. Through all this suffering Tamil society still remains corrupt and insensitive.

CHAPTER 3

MILITARY OPERATIONS IN THE INTERIOR OF BATTICALOA DISTRICT

[3.1 First week of August 1992:](#)

[3.2 Sunday, \(The Day following the death of General Kobbekaduwa\) 9th August 1992:](#)

[3.3 24th October 1992:](#)

[3.4 An incident of Rape, 14th November 1992: Aithiyamali:](#)

[3.5 About late November 1992: Ambalanthurai:](#)

[3.6 14th December 1992:](#)

[3.7 A few days before Christmas 1992: Manatpidy:](#)

[3.8 Early January 1993: Between Karaveddy and Navatkadu:](#)

[3.9 11th January 1993: Kaluwankerny \(a fishing village East of Vanthrumoolai\):](#)

[3.10 About 11th January 1993: Kanchirankudah, Theyilamunai, Munaikkadu:](#)

[3.11 21st January 1993: Kurinchamunai \(on the Shramadana Road to Pavatkodichchenai\):](#)

[3.12 1st February to 3rd February 1993: Paduvankarai:](#)

3.1 First week of August 1992:

Nineteen people including a 12 year old boy working in the fields in Karadian Aru were taken by the Amparai detachment of the army and were held in a closed lorry. After news came of **General Kobbekaduwa's** death in Jaffna, soldiers treated the men very roughly, assaulted them and trampled over them on the floor of the lorry. During the 8 days of this manner of treatment with hardly any food, two of the farmers were taken away unconscious into the jungle after a severe beating. Others presumed they were killed. The soldiers apparently tried to take the men to the Amparai camp and were in turn directed to Batticaloa. The surviving prisoners were brought to **Major Zacky** at Batticaloa prison. The prisoners were in such a poor state that the major refused to accept them and instead called in the Peace Committee.

The Peace Committee accepted them and took them to St. Michael's College, stinking and rice meal and sent home in a Red Cross lorry the following day. According to one source the two who were presumed killed were later found alive in the jungle. In early 199, the chances of these men being kept alive would have been very slim. That most of them survived owes no little to persistent international pressure. [\[Top\]](#)

3.2 Sunday, (The Day following the death of General Kobbekaduwa) 9th August 1992;

Mahilanthani (Batticaloa-Polannaruwa border): First reports in the Island of 12th August, quoted **Joseph Pararajasingham, MP**, saying that at least 24 persons were hacked to death by armed raiders in this remote Tamil village. The dead included 9 children and six elderly women. 10 persons were admitted to Polannaruwa base hospital and were later transferred to Kandy and Colombo for medical treatment. 12 victims were from the same family. 26 Tamil families later sought refuge in Pethalai refugee camp, Valaichenai.

An **'Island'** report the following day said the death toll rose to 35. A search party led by the village GS(head man) had found on the 12th morning, the bodies of 9 persons abducted by the armed raiders. The bodies, including those of two young women and two children , were found in a jungle clearing in a highly decomposed state. Two of those hospitalised had succumbed to injuries. Two thirds of the villagers were Tamils of hill country origin, rendered refugees by the 1977 anti-Tamil violence.

Eye witnesses said that the raiders were dressed in military type uniform. There were incidentally 2 army camps near the village. The final death toll stood at 39. In an incident which took place in the area 10 days earlier the **LTTE** attacked a joint army and police patrol killing 33 servicemen.

Sixteen soldiers from the army camp at Poonani were given to the custody of the Military Police following an identification parade. The men according to press reports will be tried before a civil court in Batticaloa. [\[Top\]](#)

3.3 24th October 1992:

Palaiadivattai (Vellavelly, near Palugamam) & Kaluvanchikudy : The **STF** had extended its area of control northwards to Kaluwanchikudy in the Batticaloa District about July 1992. To its former area which in the north consisted of the strip east of the lagoon up to Kallar, it had now added Kotaikallar, Onthachchimadam and Kaluwanchikudy, as well as Mandur to the west of the lagoon. These areas had earlier been under the army. Shortly after it assumed control, acting apparently on a tip-off, the **STF** ambushed and killed 3 Tigers who were coming into Kottaikallar by boat in the night, from across the lagoon. One of the boys killed was from the same village. **According to our sources the second in command at Kaluwanchikudy was the same person in command at Periya Nilavenai when 35 refugees were lined up in front of a Buffel armoured car and massacred on the beach at Kallar in July 1990 [[Report No.7](#)].**

On 24th October an **STF** patrol was going along the main road in Kaluwanchikudy. Several young boys, many of them good students who had sat for their A.Levels, were spending their time farming on a plot of land-a very constructive hobby. One of the boys had long ago left

the **EPRLF** and was of a nervous disposition. Seeing the patrol, he began to withdraw in a seemingly surreptitious manner. An **STF** man saw this and fired into the air, and asked the boys to come to the road.

An **LTTE** boy had been sleeping in a hut in the adjacent compound which is behind the farm away from the road. These boys were unaware of his presence there. Upon hearing the shots, he sprang out of the hut, threw a grenade and scooted off. The **STF** fired, but missed him. The eight boys who were farming were brought to the road and beaten. Five of them were then shot dead. None of those killed had any links with the **LTTE**. Among those killed was **Kulendran**, an A/L student, whose brother **Ravi** was Inspector of Posts and Telecommunications (IPT) in Batticaloa. He contacted **Brigadier Angamana**, then in Batticaloa, who was known to him. According to local sources, the brigadier contacted the **STF**, found out what had happened and conveyed his sympathies to **Ravi**. The irony of this was that exactly five years before on 23rd October 1987, in the **IPKF** massacre in Kaluwanchikudi, 16 people were killed and over 20 houses and 30 shops were burnt. All the five who were killed had then lost at least one close relative. Actually **Ravi's** elder brother, **Balendran**, was also killed in that incident. Former M.P **Rasamanikkam's** son was another victim.

Vellavelly: About the same time a military operation was launched from several fronts in the Vellavelly area with the forces advancing from Thanthamalai as well as from several other points. The paddy fields had been sown for the '**maripoham**' (rainy season cultivation - sown in September and harvested in late January or early February), wadi's (temporary groups of thatched huts) had been erected and farmers were living there to protect their crops.

When the forces, consisting of parties from the army and apparently, the **STF**, moved in, about 10 civilians were killed in the hamlets of Kanchirankudah, Pavatkodichchenai, Sammanthiaru, Kalairottamadu and Thayilamunai in the Paliativattai area. There had been an incident in the area two days earlier. According to one report, up to 10 Tigers were killed during the earlier incident. According to another, two groups of advancing forces exchanged fire by mistake. Both are stories passed on by local villagers. We have been unable to ascertain whether it was one, the other or both. Whatever it was, there would have been a general panic in the area. It is reported that several of the civilians killed were taken to Kalluwanchikudi, placed alongside the 5 boys killed in the first incident, dressed in cyanide capsule necklaces, videoed and reported as Tigers killed.

Further information on the incident was given in the Amnesty International Report of February 1993.

Most people from the interior, where the farmers were killed, went as refugees to Kothiavalai and occupied the school building. They have not received rations after 22nd November 1992. In January, they had to move out of the school building. Thirty two (32) wadis of the farmers had been burnt.

3.4 An incident of Rape, 14th November 1992: Aithiyamali:

When people were getting ready for bed after supper, soldiers from the local camp went into houses and took away 4 or 5 women saying that they were wanted for questioning. Two among the women were mother and daughter. One was an 18 year old living near the Roman Catholic Church. The soldiers were drunk, wearing olive green shorts and were

carrying guns. The father of the 18 year old tried to follow the party and retreated when bullets were fired over his head.

The father went to Batticaloa the following day, complained to the Peace Committee and met **Brigadier Gunawardene** in the company of **Prince Casinader, M.P.** According to a member of the Peace Committee, the brigadier went to Aithiyamalai by helicopter and reported back to the Peace Committee that the facts of the complaint were essentially correct. **He also, according to this source gave them to understand that in the interests of protecting the good name of the army, the charade of holding the girls for an inquiry will be kept up. The girls were to be released in two days. The action taken by the brigadier, it is learnt, was to transfer out the officer - in- charge and some of the men - a present rather than a punishment.**

The women, reportedly, were raped. Rape it is understood ceased when the brigadier intervened. [\[Top\]](#)

3.5 About late November 1992: Ambalanthurai:

The army established camp in Ambalanthurai about October 1992 ostensibly to control the movement of paddy. The army captain in charge, was considered a good man by the people of the area. He had given strict orders to his men not to bother the women of the area and had told the villagers not to hesitate to come to him anytime.

On a night in late November 1992, some soldiers forced their way into a house in Thirukkudiyiruppu and were about to molest the lady of the house. Her husband ran out of the house screaming and jumped into the well. The lady and their child also screamed. The captain came running and caught the men.

Following day the culprits were punished by being made to run on the bunds of the paddy field at high-noon. [\[Top\]](#)

3.6 14th December 1992:

Sillikudiaru, Nedunchenai, Othiyankudah, Panchenai

(5 miles from Palugamam):

As the army went into the area early in the morning, some Tigers ran away. The army went about shooting farmers who had not succeeded in making an exit, killing about 8. Wadis were set on fire. [\[Top\]](#)

3.7 A few days before Christmas 1992: Manatpiddy:

Acting evidently on information an ambush was set up for the Tiger area leader **David. David** was going to Ambalanthurai riding a motorbike. His escort was allowed to pass. As **David** appeared, the ambush party opened fire, killing **David** and a young civilian on a bicycle, carrying manure, who just happened to pass that way. David's injured pillion rider rolled off into some bushes, radioed for help and kept the ambush party at bay. Others arrived and retrieved the leader's body.

A reason attributed by locals for several successful ambushes by the forces is the role of **Mohan**, a former member of the **PLOTE**, a native who knows the area well, now works with the army and is said to play a prominent role in these operations. More on **Mohan** in **6.2.**

3.8 Early January 1993: Between Karaveddy and Navatkadu:

One Tiger and a go between were killed in an army ambush. The Tiger, described as a 'medical student in the University of Jaffna', was said to be on a tax - collecting mission.[\[Top\]](#)

3.9 11th January 1993: Kaluwankerny (a fishing village East of Vanthrumoolai):

The army surrounded the village and about 400 persons were taken to the beach. Following screening with the help of **TELO**, all were released and the army appeared to withdraw. Then men came on yellow, silent but powerful, motorcycles, went to a particular house and dragged out two young men. One was knifed to death and the other was shot dead. The men on motor cycles then went away as swiftly as they had come. They then returned, apparently after the army had re-positioned itself. One motorcyclist got down, and with a fell stroke severed the head of the slain leader who had been knifed. He then took the head and stuck it on a stick that was part of a fence. The motor cycles then sped away for the second time.

The two killed had belonged to the **LTTE** and were on a tax collecting mission. The village mourned the loss of the leader, as having been a man who was reasonable and considerate in fixing taxes in relation to others. It appears that during the screening information had been passed on to the army or the **TELO**.

The motorcycle squad was a new weapon deployed by the forces, one of whose main functions is to strike terror. The particular act described was sickening. It is an insult to the people to see one of their sons treated in this manner and if anything would only alienate them further. The two concerned could easily have been arrested. The notion of this particular squad militates against the portrayal of normality and the rule of the law in the East.

Some describe the motor cycle squad as potent weapon and others claim that it has suffered an abnormally high casualty rate. According to one report 8 men on 4 yellow motorcycles were going to their base at Thoppimalai, off Kiran. While passing through a stretch frequented by the **LTTE**, one motor cycle slipped and toppled with the riders. The others went by without stopping. The fallen were killed by the **LTTE**. Our informant got this report from an old man who was proud that his nephew had done the deed. The pride was not on account of his nephew having slain a man, a Sinhalese or a soldier. But it was on account of this squad having become so odious. Whatever the short term gains, using such methods is no way to win over a people who feel cornered.[\[Top\]](#)

3.10 About 11th January 1993: Kanchirankudah, Theyilamunai, Munaikkadu:

Selvam (alias Kanesh) had left the **LTTE** a long time ago. He was of late a farmer, married with a child. From his home in Mahiladithvu, he crossed by ferry to Kanchirankudah to go to his fields. It was about 7 A.M. The army that was waiting in ambush caught hold of him, blindfolded him and kept him prisoner. From the Kothiavalai refugee camp, a 19 year old boy came to Kanchirankudah to cross over to Munaikkadu in order to visit a relative. He too was caught and similarly kept. About 8.30 A.M, **Ragel(40)**, a burgher from Dutch - Bar, Kallady, married with children, a blacksmith by profession, arrived in Kanchirankudah with a help-mate in his 20s. On his way to his

work-shop which he visited periodically, he stopped at a boutique about 50 yards to his shop. He then asked the old man of the boutique if the army was around. He was told that the army was waiting in ambush. **Ragel**, wheeling a bicycle and dressed in shorts, told the old man that he would not proceed and turned back. Hardly had he gone 10 yards when the soldiers opened fire. **Ragel** fell, shot in the head. His help-mate put up his hands, was shot through the elbow and was taken prisoner. Soldiers then walked up to **Ragel**, picked up his body and threw it into the bushes. At about 10 A.M, apparently angry that the quarry for whom the ambush was set up did not turn up, they shot dead the 3 Tamil prisoners at point blank range and went away.

Altogether 9 civilians were killed during this operation which lasted from about 10th-12th January. Besides the 4 at Kanchirankuda, 2 were killed at Munaikkadu and 3 men at Theyilamunai. Among the casualties were Illanko, a teacher, killed at Theyilamunai and **Thillamplam Ravi**. Also killed at Theyilamunai were 3 cows and 4 goats.

The dead from Kanchirankudah were brought to Batticaloa hospital at 7.30 p.m. **Selvam** was later buried at Mahiladithivu.[\[Top\]](#)

3.11 21st January 1993: Kurinchamunai (on the Shramadana Road to Pavatkodichchenai):

It was early in the morning when fresh bread was being brought to the tea boutique. Two Tigers who had come to buy bread were drinking tea in the boutique. At the same time an old woman who had come with a child was on the road buying bread. Unknown to them, the forces, acting apparently on a tip-off, had arrived and were waiting in ambush some distance away. One of the Tigers came out to buy bread, and the forces opened fire. The Tiger and the child were killed and the old woman was injured. The boutique keeper was later beheaded by the forces. The old woman was subsequently admitted to hospital.[\[Top\]](#)

3.12 1st February to 3rd February 1993: Paduvankarai:

About 400 soldiers took part in an operation lasting about 3 days. While moving from Kombankuthiolai to Pavakkodichchenai in Paduvankarai, all farmers and villagers whom they came across were taken prisoner. The women were left alone. One milk man who had injuries from former beatings was questioned intensely. The nervous milk man mumbled incoherently. All were released except the milk man.

CHAPTER 4

SITUATION REPORT : BATTICALOA AND AMPARAI DISTRICTS

[4.1 Moulana Abdul Cader's Healing Mission : Kattankudy & Akkaraipattu](#)

[4.2 Thirukkovil - Thambiluvil:](#)

[4.3 Akkaraipattu](#)

[4.3.1 Cases of detainees from Akkaraipattu, August 1990 - February 1991](#)

[Kanthan Nagalingam\(20\)](#)

[4.4 Kalmunai and surroundings](#)

[4.4.1 General](#)

[4.5 Return of Tamils to areas from which they were displaced](#)

[4.6 Batticaloa and environs](#)

[4.7. Interior Rice Fields of the Batticaloa District](#)

4.1 Moulana Abdul Cader's Healing Mission : Kattankudy & Akkaraipattu

Sorely missed in the East are leaders respected and listened to by both the Tamil and Muslim communities who can act as a bridge to bind them as partners and overcome the recent legacy of violence. Both communities at the bottom feel a need to live together and know that to allow present differences to fester will be fatal to both. Who would have dreamed that the leadership vacuum can sometimes be filled by self effacing traders who feel the public pulse and can act fast when an opportunity presents itself. The occasion was the visit of **Moulana Abdul Cader** from Pakistan sharing what many acknowledged as God's gift of healing. He saw Muslims in Kattankudy from 21st to 23rd January 1993. There had for some days been a number of requests from Tamils to see him. Muslim and Tamil traders from the Batticaloa Traders Association got together and did the needful. A number of Tamil traders went to the Muslim village of Kattankudy and worked as volunteers.

On the 24th January 1993, Tamils came to Kattankudy in their thousands from far afield as Kalmunai, Kallar and Valaichenai. The organisers were keeping their fingers crossed wondering how those whose near ones were killed in **LTTE** massacres would countenance this invasion by Tamils. What happened next was almost a miracle. Muslims rushed to the village border, greeted the Tamils, and led them to the **Moulana**, bearing on their shoulders, those who could not

walk. The Muslim trader who spoke to us was deeply moved, "The greater enthusiasm was shown by those who had suffered at Tamil hands," he said, "This was spontaneous. It was not artificial like the government agent calling a peace meeting of Muslim and Tamil elders where good intentions are exchanged."

For one day the two communities were as though the last seven years had not intervened. The old Moulana himself said, "Whatever becomes of your personal illnesses, let this be a day of healing between the two communities. Let not any bitterness come betwixt you hereafter."

A week later, it was the same story at Akkaraipattu. A Tamil foreman after the event told a Muslim shop keeper, one of the organisers, "**What a fine thing it was. I have never seen such in my life before.**"

Everyone agreed that the atmosphere had been greatly altered for the better. The businessman from Kattankudy added, "**We are advising people to take the usual precautions, so as not to expect too much and face disappointment**".[\[Top\]](#)

4.2 Thirukkovil - Thambiluvil:

For some months now disappearances have been non-existent and those detained are usually released quickly in a day or two. Most of those strongly suspected of **LTTE** involvement are sent to the detention centre in Kalutura.

Seneviratne, the **STF** officer in charge has come out well in public esteem for his enlightened approach. Some months ago a man was caught supplying food to the **LTTE**. He was warned and released. About May 1992, an **LTTE** boy was caught with 200 sarongs. When the manager of the local co-op was questioned, it was found after his initial denial that he had recorded a loss of 200 sarongs. He was told by **Seneviratne** that he understood his position, and if demands are made on him in the future, to give what is asked, but to report the matter to him. The manager was not harassed further. These could in earlier times have resulted in summary death.

During October - November 1992, the **LTTE** descended on the villages in a concerted attempt at extortion. Letters of demand for sums ranging from 1 lakh to 10 lakhs were sent to a number of citizens. **LTTE** boys moved from house to house after dark, demanding board where it was feasible. This was the time farmers received cash after disposing of their summertime harvest. Those receiving notes of demand were often people on modest salaries. One family man earning Rs.5000/- a month received a note of demand for Rs.5 lakhs (500,000). For the recipients of these notes and their families it was terrifying agony, ever waiting for the nocturnal knock on the door. Several of the recipients who showed reluctance were led away into the jungle by night. Some were dragged protesting, while their wives came out crying and tried to drag them back. Some who did not have the astronomical sum demanded, sold several of their cows to collect a small fraction of it - hoping that the **LTTE** would understand their plight and be satisfied with what was given.

A number of persons complained to the **STF** which wanted them to go to the place where the **LTTE** wanted them to come with the money. The OIC who was following with an **STF** party assured the nervous civilians that if the need arose it would be the **STF** rather than the civilians who would be the first to die. After going some distance, this unconvincing arrangement was called off. It was then arranged that those who felt threatened would go to their homes by day and spend the nights in a house close to the **STF** camp. The mood among several civilians was reflected by a farmer angry that their cultivation was now limited, and when the harvest was brought in after all the hard work, the **LTTE** came and demanded far above what they could afford. The farmer told a friend, **“These fellows are ruining us. We have little choice but to be with the STF and supply information.”**

Nevertheless the **LTTE** presence continued. An **LTTE** party came to a house and wanted to spend the night there. The owner of the house told the leader, **“There are children in this house. They will go to school in the morning and tell some of their friends. Eventually the STF would hear of it and that would not do good to either of us”**. The **LTTE** left. Once an **LTTE** boy who delivered a letter of demand, was a few minutes later killed in an **STF** ambush. The recipient of the letter spent nervous nights wondering whether the **LTTE** suspected him of being an informer.

The **STF** stationed sentries in an attempt to check **LTTE** movements. In some instances sentries fled after a brief exchange of fire. The **LTTE** eventually left, often taking a fraction of what they had demanded. They are expected to return when the cash from the next harvest comes in.

During Thai Pongal (14th January), two **LTTE** persons who had fetched a large quantity of cake were killed in an **STF** ambush. The **STF** is said to be using defence ministry funds to put up a sports stadium and other facilities at Thambiluvil Central High School. The

second in command is personally training school bands. **Lionel Karunasena**, DIG, STF , had personally intervened at high level to expedite loans to farmers.

More unhealthy perhaps in the long term is that the **STF** is utilising the leadership vacuum that exists among Tamils in the East and more particularly in the Amparai District. Following allegations that the treasurer of the local parents' welfare society was not straight in financial matters, the OIC, **STF**, has assumed responsibility for collecting money and putting up a school library. Such a role, even if undertaken with the best of intentions, would leave the society stunted.

One incident that made an impact on the minds of the local people was the massacre of a large number of surrendered policemen by the **LTTE** in June 1990. These policemen were first assembled at Vinayagapuram, just south of Thirukkivil. Six months earlier 150 **TNA** cadre from the village who surrendered to the **LTTE** are believed to have been killed. Many from the area concluded that if the **LTTE** came to power this is how their rule would be. **On the other hand several sons of the village are in the LTTE.** The past oppressive role of the **STF** and the overall politics of the state, together with what is happening elsewhere in the East have combined to leave a hard core of distrust towards the intentions of the state. For the present the **STF** has its group of informers and so does the **LTTE**. This state of tension will continue until the problem is resolved at national level.[\[Top\]](#)

4.3 Akkaraipattu

Here again there are no disappearances. Apart from this the public has many reservations about the current role of the **STF** in contrast to neighbouring areas. This suggests that **STF** behaviour locally shows a crucial dependence on the person in charge. People are still said to be arrested on the flimsiest of grounds, badly beaten and kept for long periods on the basis of false confessions obtained under duress. **A boy of 13 was picked up about November 1992 and is said to be detained on the grounds of having confessed to giving 3 packets of Nespray to the LTTE .**

Dayalan (15) of Veeramunai, a refugee from August 1990 had been living with his mother in Thirukkivil from that time. In October 1992 he was returning after visiting his sister in Kalmunai when he was picked up by the **STF**, Akkaraipattu. He was not produced for a month and had suffered a broken arm. In early February he was still being held on the basis of a confession he had allegedly made.

A general complaint is that confessions are recorded in Sinhalese and the confessor has to sign what he cannot read.

Rasalatchumi of Kolavil had a number of children. One of her sons had joined the **LTTE** and whether he is dead or alive is not known. On hearing about this she and her children were harassed by frequent visits from the **STF** . Their well-sweep was dismantled and carried away. **Rasalatchumi** was forced to leave the area. The neighbours found this conduct of the **STF** very distasteful.

In contrast to the behaviour of the **STF** at Thirukkivil, in Akkaraipattu its behaviour is very similar to the general conduct of the Sri Lankan armed forces.[\[Top\]](#)

4.3.1 Cases of detainees from Akkaraipattu, August 1990 - February 1991

Sellappah Rasaputiran(20)RKM Rd, Akkaraipattu 7, Eldest of 8 brothers. Father died. Left school after standard 5 and worked as assistant to a mason to support family. Arrested

by STF on 24th September 1990 during cordon and search operation with help from Muslim homeguards. **Tortured for 2 months in Akkaraipattu. Pricked in genitals and fingers. Administered phalanga. Iron nails driven into hand nails and nails pulled out. Wrist broken. Hung upside down and beaten with iron rod and a piece of timber. Several of his companions disappeared.** Sent to Colombo and released in November 1992. Now disabled.

Kanthan Nagalingam(20)

Navatkadu, Kolavil, Akkaraipattu 3: Lost father 15 years ago. Youngest of 4, Good student. Obtained a B and 3 passes at A.Levels and was preparing to sit the second time. Taken in a round up with hundreds of others by the STF at 3.30 p.m on 3rd September 1990. Kept 29 days, beaten for two days with clubs and iron rods. Facilities very poor until the ICRC came on 18th September. Sent to New Magazine Prison and released in September 1992. Now a physical wreck, sickly and unable to continue studies.

Thambipillay Sundaramoorthy (20), Navatkadu, Kolavil:

Second in a family of 8. Father died 8 years ago. Gave up education to become a labourer. **Arrested 20th January 1991, beaten and asked to sign a document not read to him. After 3 months, sent to STF, Kadawatte and kept in a dark bunker for one full month. Then sent to Kalutura and released two weeks after previous detainee.**

Thiagarajah Senasuthan(15), Mother - Thirumalar, Kolavil South:

Father shot dead by the forces while worshipping at Hindu temple, 2.00 p.m, 7th August 1990. **Senasuthan** arrested 14th February 1991, confessed to providing the LTTE with 2 fowls. Sent to Kalutura. Not released.

23 year old husband of Pushpalatha Sangar:

Taken 7 months after marriage on 12th September 1990. **Pushpalatha** saw him badly injured at the STF camp 12 days later. Sent to Kalutura and not released. [\[Top\]](#)

4.3.2 Muslims and Tamil-Muslims relations

A major complaint by the Muslim community in Akkaraipattu, most of whom are farmers, is the severe restrictions they face in going to their fields. Tamils can now work in fields with STF permission. But a ban exists on working in fields that are easily accessible from the jungles, such as Kanjikudichcharu. **A Muslim spokesman, much respected by the Tamil community said that in July 1990 the LTTE gunned down 38 Muslim farmers working in their fields in Sagamam and along Amparai Road. Another 14 were killed in Akkaraipattu town. About the same time 18 Muslim farmers were killed in Mullikulam, Attalachchenai. To this day there is great fear of going to the fields, leading to considerable impoverishment.**

Muslims and Tamils mix freely in the bazaar area and Tamil workmen go into Muslim areas. But there is real and understandable fear of the Muslims venturing into Tamil areas. Many old friendships have resumed, and there is considerable openness. There are however undercurrents that surface in certain issues.

The old hospital was occupied by the forces, and the hospital was shifted to a place on the Amparai Road opposite a Tamil area with a Mosque behind the hospital. This appeared to be an area common to both communities. However a new hospital was built in the Muslim quarter along Kalmunai Road. There is a Tamil fear that pressure is being applied to upgrade the second and run down the hospital in the common area. It is similarly alleged that

the Regional Development Bank is being shifted into the Muslim quarter. The thrust of these allegations is that an attempt is being made to strangle the Tamils. For Tamils, who have suffered unprecedented loss of life in recent times, it may appear to be so. But the matter does not appear to be so simple.

A highly respected Muslim elder, blamed some members of his community for these developments. He said, "Some Muslim politicians had the AGA's office shifted into the Muslim area. The Tamil MP, instead of solving the problem by asking for the office in a common place, used that opportunity to carve out a separate Tamil AGA's division. Left to the politicians, they would divide the communities for their own reasons. I fully agree that the hospital should be in a common area."

But politicians as actors are also products of their social environment. Although the Muslims are numerically greater in the district and may therefore enjoy greater political clout, these developments cannot be viewed independently of the deep sense of insecurity harboured by Muslims. About the hospital, one Muslim responded, "*In July 1990 the LTTE infiltrated through the Tamil area, passed the hospital and attacked people in the Mosque. How can the hospital be safe for Muslims?*"

Until the Tamils distance themselves from the LTTE's brand of politics, and adopt one that wins the trust of Muslims, division will progress to the discomfiture of both communities.

We record here with regret the passing of **Syed Meera** and **Eastern Ibrahim**, two leading citizens of Akkaraipattu respected by both communities. **Mr. Meera** was a retired school principal and member of the Peace Committee. **Mr. Ibrahim**, an activist in the **Amparai District East Coast Farmers Association**, tirelessly wrote articles decrying the idiocy of the current politics of division which had its advocates on both sides. We have been privileged to have the benefit of both their thoughts and criticism.[\[Top\]](#)

4.4 Kalmunai and surroundings

4.4.1 General

No reported disappearances in **STF** custody in recent months. The forces are said to be disciplined. Public relations - good. Those taken into custody are questioned and released quickly or are sent to detention centres in the South. The **STF** has camps in addition to Kalmunai at Karaitivu, and Periyaniawanai. A report on Sammanthurai is given in a separate chapter. The **LTTE** presence is mainly for extortion of money. Some Muslim businessmen are being held for ransom.

Tamil refugees are being progressively resettled in places from which they fled or were driven out during the second half of 1990. At least, the Tamils tend to believe that the **STF** is serious about providing them with security. Refugees have been returning to Sorikalmunai and Veeramunai from whence they were driven out in August & September 1990. The Tamils who fled from mixed or Sinhalese areas further west in the interior of Amparai district see no prospect of going back. Amparai town itself which had a Tamil Vidyalayam with over 600 Tamil children, is now, according to a leading Sinhalese resident, having only about 25 Tamil families.

Tamils generally seem to move around more freely than Muslims. A Muslim resident of Nintavur said that it is too risky for them to go into Karaitivu, citing an incident that took place some months ago. He said that a Muslim youth of Nintavur on returning from Saudi -

Arabia went into Karaitivu to deliver a parcel from a Tamil colleague to his family. His corpse was recovered some days later. Over the last 2 ½ years there have been a number of stories of this kind from both sides. Both sides are in general agreement that the **STF** has tried to be impartial. A Muslim remarked that because the **STF** had in earlier years appeared to be pro-Muslim in tactically using Muslims to try to combat the Tamil insurgency, many Muslims see an impartial **STF** as being pro-Tamil. A Muslim intellectual from Kalmunai who had been close to Tamils in both his personal and working life remarked, “**As long as kidnapping, extortion and disappearance of Muslims result from the activities of Tamil militants, complete trust and friendship will be kept at bay**”.[\[Top\]](#)

4.4.2 Refugees from 4th Colony, Central Camp:

About 3800 refugees from this agricultural scheme are refugees in Kalmunai. 470 are camped north of Wesley College. 217 are with relatives. Following the massacre of policemen by the **LTTE** on 11th June 1990, these people were attacked by Sinhalese hoodlums, apparently with the backing of police and home - guards. 3 families were done to death. They believe that the attackers were not Sinhalese who were their neighbours from 3rd Colony to the west, but came from further interior. Several Sinhalese from 3rd Colony, they said, did help them. The **LTTE** did not operate in their area, they said. They seemed to place more trust in their Sinhalese neighbours in the 3rd Colony, than in their Muslim neighbours in the 5th Colony.

Although Kalmunai is 4 miles from Colony 4, these refugees had on 13th June 1990 first fled north to Mandur and reached Kalmunai on 20th August 1990 via Kallar.

Educational facilities in Colony 4 had been up to elementary level. Those going to higher levels had to come to Kalmunai. Their community had produced 3 university graduates, all of whom are working in the Kalmunai area.

The youths we spoke to felt that the **STF** was reasonable. The **STF** had done several round ups. Most of those detained were released in a day or two. They felt that when wrong information was given about persons, the **STF** has to do its duty in questioning them. There have been 5 long term detainees from among the Colony 4 refugees, they added. 3 were detained in 1991, 2 in 1992 and none so far in 1993.

The refugees were still anxious about returning to Colony 4, although the **STF** had offered them protection. The reason, they said, was that had there been any of their property to safeguard, they would have taken a risk and have gone there. But all their property had been either looted or destroyed. Many of them did go to Colony 4 during day time and return to Kalmunai for the night. But now with zero capital, they were in no hurry to go there and live. To do that they would wait until it was more patently safe.

4.5 Return of Tamils to areas from which they were displaced

As mentioned earlier, few if any Tamils will return to once mixed or Sinhalese areas in the interior from which they fled. But no attempt has been made to move Sinhalese into abandoned Tamil villages - at least in the Amparai and Batticaloa districts. The **STF** has so far been encouraging Tamils to return to villages abandoned by them. This apparent reversal of policy seems to have taken place sometime in 1991. The survivors from Malwattai, now refugees in Thirukkivil and Karaitivu are expected to return. Pottuvil refugees who are now in Komari were to have returned, but are said to have been delayed by the massacres of Muslim bus passengers at Hulannuge in 1991 and between Komari and

Pottuvil last year. It must also be remembered that about 200 Tamils in Pottuvil were killed by the forces in the wake of June 1990, most of them taken from a refugee camp. Consequently the situation was complicated by many youth joining the **LTTE**. Tamil government officers living in Komari, report for work in Pottuvil by day. Following the second bus massacre mentioned above, Muslims going from Akkaraipattu to Pottuvil have to take the circuitous route through Lahugala.

In [Report No.8](#) we quoted senior **STF** sources as having said that there were ‘political’ reasons why the Tamils would not be encouraged to go back to several of the areas from which they were displaced. This only reflected what had been happening on the ground since June 1990. Whatever the reason for the change, if indeed it is the case as seems likely, it is to be welcomed. At this point of time, there does not appear to be a catch. The long term questions will be dealt with in **chapter 6**. The situation in Trincomalee is very different. [\[Top\]](#)

4.6 Batticaloa and environs

Speaking in general about the district, a senior member of the Batticaloa Peace Committee said, “We have had bad incidents in recent times as we have ever had, although numerically on a smaller scale. There have been murders and killing of civilians, passed off as killing of Tigers in action, and even rape. There is no accountability, no legal process. The same covering up machinery goes to work in the same manner when something happens. Almost anything that happened before could happen again.” [See Chapter 1]

Referring to arrests he said, “The situation earlier was that if 10 were arrested 9 of them were never seen again. Now out of a 50 taken, generally all would be found. All releases of detainees are done through the Peace Committee and proper release papers are given. This minimises their chances of being harassed again. But beyond this there is much that is wrong. Every prisoner arrested is beaten. People are detained on very trivial charges and kept for ages, often without investigation or inquiry.”

Giving examples, he said, “A man who was an occupant of a refugee camp with a pregnant wife was detained. I repeatedly raised the matter with the Superintendent of Police, (now Senior Superintendent) causing him some annoyance. The wife went through a time of agony and a difficult caesarian without her husband’s support. On one occasion the wife was in hospital at an advanced stage of her pregnancy. She was then shocked to see her husband carried into the hospital by policemen. They had beaten him badly and were bringing him in for treatment. Once the SP arranged for the wife and her mother to be taken to prison to visit the husband. He was released 8 months later, no charge and no comment.

“There was a young man whose school friend joined the LTTE and was the bodyguard of an important leader. On his way to Colombo, the bodyguard called on the young man, spent the night at his house and went to Colombo the following day. Intelligence of this reached the army. The army asked the young man to report. The father first went to the army with the elder son and was turned back. He then went with the son-in-law and was turned back again. The third time he went with the young man concerned. The young man was kept for some time and beaten. When released to the Peace Committee the young man came with his head swollen on one side. The officer releasing him was heard lecturing him, “The next time you will be punished more.”

“All this shows a latent tendency to lawlessness and that people have no right to check violations. The lives of young men continue to be ruined for no reason and out of sheer stupidity. Apart from this there have been several improvements. The release of persons is generally fast. Prisoners are no longer held in the Forestry Camp, which was known as Belsen. But in no instance is the family of a detainee informed of the arrest. When inquiries are made, the police could deny it for 3 to 5 days. They make the plea, which may be true only in very rare instances, that knowledge of an arrest may vitiate the utility of a piece of information divulged by the prisoner.

“Justice Soza who heads the Human Rights Task Force is helpful - but not everyone agrees. The HRTF provides us with lists of people in prisons. The Peace Committee has stopped going to the HRTF, as Justice Soza cannot spend much time in any one office. But we send all our complainants to the HRTF. The HRTF’s mandate is very narrow and it has no power to over-ride obfuscation by the forces.

“The public is not afraid of the forces as they used to be. I recently saw kids gathering around a traffic policeman in front of a school-something that has not happened for nearly 10 years. People are generally friendly with the police. I am sure the police have instructions to be courteous. It is all a bit like tales from the dark side. Suddenly an evil spirit appears like a dark hovering cloud, there is chaos and destruction. Then it vanishes and it is day again.”

The assessment is confirmed by many others. A young couple living on the edge of town saw a face appearing at the window and became anxious. Then came a voice saying, “We are the police, do not be afraid. We are only here to see that the Tigers do not come and harass you for money.” They later discovered that he was a Sinhalese policeman who speaks excellent Tamil.

Other sources said that persons could be detained either by the Police, The Counter Subversive Unit of the Police or by an unspecified group operating from Batticaloa Prisons under **Major Zacky**. If it is a normal police case the detainee would be produced before a magistrate within 24 hours. The CSU need not produce a person for 2 months, and under the Emergency Regulations could hold a person under a detention order signed by the SP. **Major Zacky** appears to operate independently of both the army and the police. The army detaining someone would normally send him to one of the parties above. **Major Zacky** is said to have been the superior officer of the notorious **Captain Munas**. The latter is no longer in Batticaloa. It is common knowledge in Batticaloa that a well-known TULF party official was amid some fanfare escorted from his home for a colourful but harrowing interview with **Major Zacky**, after which he was escorted back home the same night. What role will this huge security apparatus play in future local party politics?[\[Top\]](#)

4.7. Interior Rice Fields of the Batticaloa District

The military operations going on here have been described in Chapter 3. While there have been some notably good officers the general character of these operations is callous and undisciplined. In several instances civilians have been shot virtually on sight, and there appears to be little effort at sparing civilians when setting up ambushes. In these areas the army and the **STF** have shown their familiar colours. Those familiar with the action in these parts tend to be distrustful of the relative calm in the Amparai District and in the towns. The good reputation the **STF** has recently acquired in the Amparai District is not subscribed to by people in these parts. There is a general belief that the killing increased after the **STF** came to Kaluwanchikudy.

Cultivation of fields involves several activities that need to be co-ordinated. When sowing starts, large landholders who normally live in towns, go to the fields set up cadjan **wadis**, supervise the fertilising and sowing and then return to town, leaving others to tend the fields. Small holders would normally stay on and look after their own fields. Under these persons there would be their younger brothers or sons who tend to the cattle, milk them, and take part of the milk as wages. They also have to ensure that the cattle do not go into the fields of others. Cattle that stray into others' fields are tied up and the matter is referred to the Vatta Vithanai who imposes a fine on the owner. It is said that during military operations, upon receiving intelligence that the army is coming, those in the fields run away. Then the cattle go out of control and cause much damage to the crops. An impression formed by people of that area is that the current military operations result from a deliberate plan to break the economy of the Batticaloa District - which is rice.

The matter does not appear to be so simple. A sizeable portion of the rice fields belong to Muslims in Kattankudy and Eravur who are unable to use them because of the **LTTE** threat. Eravur is almost totally dependent on agriculture, and its inhabitants, unable to earn a livelihood, have become destitute. Like many Tamils who imagine that the Muslims are having it awfully good, these poor Muslims trapped in their small villages imagine that the Tamils never had it better, since they are now able to cultivate their lands and supposedly acquire additional wealth. In their anger they accuse the Tamil people of cultivating the **LTTE** for this purpose. The legitimate complaints of these Muslims who are prevented from working have been voiced and the government was under pressure to respond in some way. There was also a feeling among the forces that the **LTTE** received a considerable boost from its control over the rice growing region.

A system of permits was recently enforced by the army to cultivate and transport rice. Those cultivating Muslim lands were thus obliged to seek permission from the owner and pay rent.

According to a cultivator from Munaikkadu, 25% of lands there belong to Muslim podiars in Kattankudy. Some of these lands, he said, are cultivated by persons paying rent to the Tigers. But those who are friendly with Muslims have regularised their cultivation by paying rent to Muslim owners. This has been corroborated by a spokesman in Kattankudy.

About the system of taxation by the Tigers, he had this to say: Rice is measured in the units of 1 Moodai = 12 Marakkal = 72 Koththu. 1 acre of land brings in about 30 Moodais of rice. The Tigers tax them at the rate of about 5 to 10 Marakkal for an acre (2 to 4%) for those owning more than 5 acres and Rs.50/- for a cow for those having more than 5 cows. There is no tax for those having 5 acres or less and for those with fewer than 6 cows.

He said that these taxes were not crippling, and were not unreasonable.

There is also little evidence of a centrally directed government plan to destroy the rice economy. Not all officers seemed to think that control over rice fields was crucial to the Tigers. It would have been operationally easier for the Tigers to leave cultivators alone and tax them in cash after the harvest was disposed of. An officer in charge of a camp close to Kiran is well regarded in his area. On seeing people going with rice bags he tells them, *"Take them carefully without spilling so that we cannot follow you. When you give the stuff to the Tigers, tell them that they could always come here without their weapons."*

The truth is that no one profits appreciably from these rice fields. The Muslims get nothing or little. Tamil cultivators go to the fields hoping to earn something rather than stay at home and receive rations if they happen to be displaced. In doing so they risk their lives for a pittance.

Many of them have lost their crops during operations and a number of them their lives. In killing and driving Muslims to desperation the Tigers have killed a goose that laid the golden egg. If Muslim cultivators were out in the fields with their Tamil co-workers there would have been far greater pressure on the army not to disrupt cultivation through military operations. In the past the Tigers had received regular payments from Tamil cultivators and Eravur Muslims. The Tigers are now driven to harass and antagonise an impoverished population with little to give.

CHAPTER 5

MUSLIMS IN THE BATTICALOA & AMPARAI DISTRICTS

[5.1 Sammanthurai](#)

[5.1.1 Introduction](#)

[5.1.2 The IPKF presence](#)

[5.1.3 The LTTE takes over](#)

[5.1.4 The war of June 1990:](#)

[Further incidents:](#)

[5.1.5 Comments by members of the Trustee Board on Special Report No.3](#)

[5.1.6 Colonisation and agriculture](#)

[5.2 Kattankudy](#)

[5.2.1 The FMMI Report](#)

[5.2.2 The demand for new AGA's divisions](#)

[5.3 Eravur](#)

[5.4 Incidents affecting Muslims in the Batticaloa and Amparai Districts](#)

5.1 Sammanthurai

5.1.1 Introduction

Sammanthurai is among the best organised of Muslim communities in the East. Its system of local government by its own democratically elected body, functioning also as the Board of Trustees of its religious institutions, is admired by surrounding villages. Each division elects its leaders who then choose their trustee board. The trustee board functions as the parliament. The parliament delegates functions to its members, which include judicial matters. The work is voluntary, and the working of the system requires persons willing to

sacrifice much of their time. The parliament reflected the character of the village - portraying an air of dignity and generosity. The parliament wields considerable authority and has men of all ages.

The board of trustees was quick to point out the good relations they have traditionally maintained with neighbouring Tamil communities. When Karaitivu suffered from communal violence in 1985, the people of Sammanthurai sent lorry loads of supplies to Karaitivu. **Mustaq Ali** of Sammanthurai took custody of stray cattle belonging to owners in Karaitivu and handed them over to representatives from Karaitivu. **Muslaq Ali** was later killed by Tamil militants. They are also proud that Tamils who bring grievances against individual Muslims to their courts are given justice. They produced records where a Tamil, **Rasihah**, was in dispute with a Muslim over a piece of land. The law courts ruled in favour of the Muslim. Rasiah then resorted to the Sammanthurai tribunal. The latter ruled in favour of the complainant and ordered the Muslim to pay him Rs.70,000/-. In another case a Tamil complainant was awarded Rs.12,000/-, a part of which is recorded as having been settled.

We put down some points that came out of the discussion, together with facts from the book '**Eelathil Innumoru Moolai**'. Over the years there had been, it is said, a transfer of Tamil paddy lands to Muslims for reasons discussed in [Report No 7](#), some aspects of which are also dealt with in [Chapter 6](#) of this report. This is an issue that played a role in misdirecting the militant struggle in the Eastern province. There had been a long series of armed provocations, humiliations and killings inflicted on Muslims. From the time of the arrival of the **IPKF** there had been killings of Muslims in ones, twos and threes in their homes and in paddy fields. Through all these the leaders point out, they restrained the people from taking reprisals.[\[Top\]](#)

5.1.2 The IPKF presence

On 25th March 1989 **M.A. Mustaq Ali**, a young graduate **M.A.M.Yassin** and **B.A.C.M.M. Falil** who were in conversation on the street were shot at by Tamil militants **Jeeva** and **Asokan** from Veeramunai. The first two were killed and **Falil** was crippled. **Mustaq Ali** was a brother of the MP, **M.A.Abdul Majeed**, known for his friendship with Tamils. **Mustaq Ali** had close friends in the forces including a senior army officer in Amparai, as a result of his being a sportsman together of his public school education. This appears to have marked him out as a target.

On 4th May 1989, two students, **Najib** and **Pais**, together with a van driver **Jabar** returning to Sammanthurai were shot dead by Tamil militants. They were of a party of students who had passed their O.Levels and had gone out to a scenic place to make a video of a drama promoting communal harmony, to be released at the coming religious festival. While returning after filming, the party was waylaid and attacked by Tamil militants killing the three above. Others in the party were stabbed or injured. The militants had accused them of having gone out for military training and are believed to have been drunk. The camera-man, a Tamil from Karaitivu, was spared.

When complaints were made to the **IPKF**, it was mostly indifferent or blamed the incident on the **LTTE**.

The incident of 14th May 1989 was decisive in discrediting the **IPKF**. **B.M. Salim** was in his tractor ploughing the field of **M.A.Adam Bawa** in Neyankadu. The latter was standing by. Four militants, including **Karthigesu** and **Periyathamby**, came with SLR rifles and two of them drove the tractor away to Karaitivu. The two Muslims were shot dead at

6.00a.m. On the 16th some Muslim youths disregarded the counsel of restraint, went to the fields and beat to death two lonely Tamils, including a Vattavithanai.

On the 17th at 2.00 p.m. the **TELO** leader **Jana** came into Sammanthurai in a Pajero jeep belonging to the provincial council with 13 well armed youths. They began assaulting civilians to the screams of women. A few minutes later there was wild firing from automatics. People ran amidst panic. Five Muslims were injured in the incident. Among the attackers were **Asokan, Jeevan** and **Pathman** from the **TELO**.

In the meantime Tamils in the enclave of Veeramunai had taken refuge in schools and temples. A group of Muslims who went there returned after setting fire to a cowshed and a haystack. Another group going to the Tamil division set fire to 4 out of 19 houses. The families in those houses were given protection by Muslims including **Salman, T.A. Allilebbe** and **Sulthar**.

From 5.00 p.m that evening the **IPKF** came in a large number of vehicles along the Mandur, Sorikalmunai, Savalakadai Road, and sealed off Sammanthurai with armoured vehicles at junctions. The story also spread that a large number of Tamil militants had arrived with guns. In the night Muslim houses in divisions 4 and 5 were looted and set on fire, the goods being taken along the Sorikalmunai Rd. Shortly after mid-night sounds of gun shots, automatic fire and mortar shells were heard. **I.H.Mohamed** and **A.Adam Bawa** were killed in the incident.

Muslims in Sammanthurai sought refuge in 17 refugee camps. People fled from the neighbouring Muslim settlements of Cherman Vattai, Malgampitty, Nainakadu, Hyauththu Nabi Kudi, Hijrahpuram and Eththalaikkulam seeking refuge in Nintavur and Sainthamaruthu. These villages which were looted and destroyed remain uninhabited to this day.

On 29th May, **S.H.F.Fareed (University of Jaffna), S.Adambawa** and **Y.C.Mohideen** were shot dead in the night at Mavadippalli. From 21st to 31st May, 4 Muslims were abducted and killed. It was at this time that President Premadasa called for a withdrawal of the **IPKF** and the **LTTE** expressed its sorrow at the incident and called for an inquiry.

On 29th July, the **IPKF** left the area after leaving the newly formed Tamil National Army, made of conscripts and led by other militant groups, in charge. Acts of violence against Muslims continued, with 4 deaths up to 17th Novemeber. At this time the **IPKF** had withdrawn from the Amparai District and was at Periya Nilawanai. **The TNA** entered the Karaitivu Police station on the pretext of a search, disarmed them, sent away the Tamil policemen, made 42 Muslim reserve police constables lie on the ground and shot them dead. Only 3 survived.[\[Top\]](#)

5.1.3 The LTTE takes over

The **TNA**'s exit and the **LTTE**'s arrival were for a start welcomed by the Muslims. The **LTTE** set up offices and promised that there would be justice and that in future there would be no room for corruption, killings or misgovernment. Complaints were dealt with promptly and severely with beatings and torture. But when killings of Muslims were reported, the standard reply was that the remnants of the **TNA** were responsible. There was no let up in murder and robbery.

On 14th January 1990 **Ameer Ali(20)** was killed in the fields and so was **A.L.Meera Lebbe** 4 days later. No action was taken. On the other hand Muslim youth continued to be taken away for interrogation and torture on the suspicion of possessing arms. A hunt was launched for the official body guards of legally elected provincial council members. At

12.30 noon on 30th January, the home of provincial council member **M.Y.M Mansoor** was surrounded. He was shot below the hip and taken away in a poor state after a brief call at Kalmunai hospital where no medical attention was given. What became of him is not known to this day. Another P.C. member **M.Z.M. Kariapper** narrowly escaped although his house was surrounded. [\[Top\]](#)

5.1.4 The war of June 1990:

During the massacre of policemen at Rufus Kulam by the **LTTE** of 11th June 1990 five policemen from Sammanthurai (**A.M.Ameer Ali, M.M.Haniffa, U.Salim, A. Abdul Jaffer, and M.Y.M. Hassim**) were among the victims. The Sri Lankan forces came into Sammanthurai on 14th June.

The elders refute the charge that the Muslims in any planned manner used the occasion of the army's entry for revenge against Tamils. They point out that 4 Muslims were among those killed and burnt when the Sri Lankan army set about its orgy. One of them was a deaf electrician. The Tigers continued to be in the surroundings. On the night of 20th July **A.S. Mohamed Hadjaar**, the **LTTE**'s only Muslim nominee for the still born interim council of September 1987 together with his friend **Mohideen Hadjaar** were shot dead in the former's home. Though close to the Tigers **Mohamed Hadjaar** is said to have quarrelled bitterly with the Tigers over the shooting on 30th January of **M.Y.M.Mansoor, M.P.C.**. The following day six were shot dead in the fields.

On 23rd July 1990, there were in the night breaking noises and small explosions in the house next to the former **LTTE** office. People took refuge in the mosque. A little later **Sundaram, Sinnavan, Raju, Sarachchandran** and their leader **Kumar** entered the mosque and opened fire. They left shooting when the army returned fire from a long distance. Two men **S.M.I.Haji** and **M.B.Aliyar** were killed in the mosque. Two men, five women and a child were injured. A further two were injured outside. On 25th July 3 farmers were killed on the way to their fields.

On 12th August 1990, 8 labourers with the driver were going in a tractor towards Chalambakkerni in connection with harvesting rice. They were confronted by gunmen who proceeded to knife them. 4 were killed and 5 escaped with injuries.

When the injured got back to Sammanthurai, they named some youths from Veeramunai as being among the attackers. An angry crowd rushed to the temple and the school in Veeramunai where Tamils from the same village and those living in other surrounding villages had taken refuge. This led to the tragedy reported in [Special Report No.3](#).

The elders stated that this was the first time following a long series of provocations that Muslims had laid hands on people in Veeramunai. As provocations they cited the role of youths from Veeramunai and the Tamil enclaves of Sammanthurai in the humiliations and killings they had endured during the **IPKF** presence and subsequently, the attackers in the incident of 17th May 1989 using the communication system at the Veeramunai temple to give instructions to their cadre, widespread reports of goods looted from Muslims in Tamil houses and the appearance of Tamils having had foreknowledge of some attacks (e.g.23rd July 1990). Even so, they said, they had repeatedly urged restraint and given shelter to Tamils when there was danger. On 17th May 1989, given the severe nature of the provocation, the elders, with some good fortune, had ensured that not one Tamil was hurt. Indeed even on the 12th August 1990, they said, things happened before anyone could assert control. Some of the elders had contacted the forces in an attempt to get them to intervene.

One elder contested a point in [Special Report No.3](#) cited as suggesting connivance of the armed forces with the attackers on 12th August. He said that the forces' vehicle mentioned was going in search of those who had attacked the farmers and not to monitor the attack on the temple. He added that he had been at the police station in connection with the first incident and had seen no signs of police connivance with the second incident.

They also said that the looting of Tamil property had been done largely by the forces, and the goods carried away in lorries to Amparai. Whatever remained was left unattended, and as far as was within their means they had discouraged looting. They said that they had never stood in the way of the Tamil struggle, having provided material help and refuge for all groups before the **IPKF** arrived. Subsequently the **LTTE** had received help from certain villagers. [\[Top\]](#)

Further incidents:

Two farmers on 3rd September 1990 and two on 20th November lost a leg each as the result of anti-personnel mines placed by the **LTTE** in their rice fields. On 20th May 1991 the **LTTE** fired on farmers returning after sowing their fields, killing 9 farmers and injuring two. Six were killed on 8th August 1991.

5.1.5 Comments by members of the Trustee Board on [Special Report No.3](#)

One member observed that even Tamils who are critical of the extremism of the Tigers, in the final analysis, support the main nationalist trends in Tamil politics. This, he said, mars their objectivity when it comes to the specific questions and dilemmas confronting Muslims. The report in question, he added, falls deeper into this morass as it progresses.

They said that it was wrong as alleged in the report that leading citizens of Sammanthurai had cultivated the **LTTE**. In fact when **LTTE** leaders **Yogi**, **Karuna** and **Karikalan** came there, (early 1990 or December 89) they had made it clear where they stood. At a public meeting, their respected elder, **Al Haj Moulavi M.B.Aliyar**, had told them, **“The Muslims do not oppose the Tamil struggle, nor would stand in the way of Tamil aspirations. Life was given to man by Allah. It is therefore his, and not man’s to take. Do not kill and repeat what other Tamil groups did”**. This was said in response to a speech by an **LTTE** leader who pointed to their cyanide capsules as symbols of greatness and authority.

The motor cycle received by the local **LTTE** leader **Kumar** was not given to them by the citizens of Sammanthurai, but was purchased with tax imposed on goods sold by the local **MPCS**.

As another instance of their restraint and generosity, they said that the **TNA** on 17th October 1989 had killed 39 policemen from Sammanthurai. But as the **LTTE** advanced shortly afterwards, several **TNA** conscripts on the run had come helpless into Sammanthurai. The Sammanthurai folk had safely conducted them to Veeramunai.

A total of 132 citizens of Sammanthurai had been killed from 1984 up to August 1991 : 7 before the **IPKF** arrived, 65 during the **IPKF** presence (39 killed by the **TNA** on 17.11.89), 6 during the period of **LTTE** control, 6 policemen in the **LTTE** massacre of 11th June 1990, and 48 during the current war-mostly farmers working in paddy fields. [\[Top\]](#)

5.1.6 Colonisation and agriculture

It was pointed out that Sammanthurai faced considerable anxieties from state aided colonisation of Sinhalese. The late minister, **Cyril Mathew**, in his infamous book had designated Sammanthurai on his map as a site for a Buddhist vihare.

7000 acres of land belonging to citizens of Sammanthurai were acquired by the state for sugar cultivation and were subsequently given over to Sinhalese. About 5 years ago 750 3 acre plots in Thottachlinungi, Puthukkadu, belonging to people in Sammanthurai were acquired by the state.

They also had difficulties because those managing the irrigation of water to their fields were not directly accountable to them. Water which should have been released to them on 7th January was released considerably later. This meant that farmers in Mandur, 30 miles further down the channel, would have faced further delays. [More on the crucial water resources in [Special Report No.3](#)]

5.1.7 Note: We do not dispute any of the facts given to us by the elders of Sammanthurai. Nor do we doubt their generosity and goodwill. Our conclusion in [Special Report No.3](#) of the passive, if not active, connivance of the forces in the attack on Veeramunai of 12th August 1990 was largely based on three pieces of testimony from a number of witnesses. The **STF** did not intervene for about 1 hour after the attack commenced-an event marked by gun shots and screams. When the **STF** came there was no attempt to apprehend the attackers. The attackers left casually, apparently exchanging signs of acquaintance with the **STF**. As a rule people who have suffered in this manner do not sit together and invent stories. In our experience no victim of violence has tried to mislead us, although they may shield certain facts.

It is a general fact of life in the East that Tamils are sceptical about reports of suffering by Muslims, while the reverse also holds. What the people of Sammanthurai underwent over more than 5 years is a moving story that should be made known to Tamils. Death has come to other communities, both Tamil and Muslim, in greater number. But Sammanthurai's is a story of constant terror over several years, waiting for the unknown, not knowing whether someone going to the fields would return - a state of affairs shared particularly by Eravur and some of the interior Tamil villages.

The book '**Eelathil innumoru moolai**' was written with a feeling of helplessness. A feeling that a people who are generous, cultured and had organised their life exemplarily, after the way in which they had suffered were being portrayed in a manner that was careless and insensitive. But once this feeling of being unfairly treated cools, they might like to re-examine some of the judgements in the book. There is a tendency to collectively accuse the Tamils around of planning the destruction of Sammanthurai and being party to several acts of violence against Sammanthurai.

The fact that Tamil families in the vicinity of the mosque, left their goods with Muslims and went away a few hours before the mosque was attacked by the **LTTE** on 23rd July 1990 is treated as a strong suggestion that they were party to the plan. Perhaps they may have sensed that it may not be good to hang around. By what the **LTTE** did, they had everything to lose-from their homes, their goods and their livelihood. They could have hardly approved of the **LTTE**'s action. They too were living in fear. 250 Tamil youth were picked up by the forces, who then disappeared. Like the question of the land mine planted in front of one's house, there is always a dilemma whether to tell or not to tell. There is danger both ways. **Reconciliation finally means that both parties have to accept their human weaknesses and open their hearts and minds to each other.** [\[Top\]](#)

5.2 Kattankudy

5.2.1 The FMMI Report

It is now more than two years since we established direct contact with Kattankudy and followed up the course of events from about June 1990. Our attention keeps getting drawn to the question of how it all began by the people themselves. Trying to say anything about it is tantamount to entering a minefield. In [Report No.5](#) we published a Tamil account of the events of the night of 22nd April 1985 associated in Tamil minds with the call to arms from the mosque followed by Muslims marching towards Manjathoduwa to confront Tamils in positions at the border. At the head of the procession the Tamils reported seeing a police armoured car with blue lights flashing, associated with a special unit of the Sri Lankan constabulary, whose task was to drive a permanent wedge between the Tamils and the Muslims. The Tamil defenders no doubt were convinced that they were protecting their own community. Muslim accounts are equally clear that their young men marched with sundry weapons to confront Tamils with sundry weapons, to defend what was theirs. They clashed, buildings and properties were torched, several on both sides were injured and both sides went back, each acclaimed a hero of his and a villain of the other's. About 14 civilians from both communities were killed during the incidents.

If this incident was a tragic farce, events took a graver turn as time went by. We cannot and will not try to do full justice to the incident. It should have been the subject of an independent commission of inquiry at that time. The state deliberately created a vacuum in the East to further its own machinations by destroying the process of the law, that was the basis of a common community life for the diverse peoples of the East. This vacuum has become worse with time. Each local community had its affairs governed by an ethnic citizens' committee to fill a local role in the kind of situation associated with Lebanon. Each citizens' committee faithfully recorded the losses and injury to members of its own community and appealed to the external powers that be to right its perceived wrongs. This is sadly true of all citizens' groups whether Tamil or Muslim. The demand for division and subdivision has assumed a life of its own, with new AGAs divisions demanded by both communities on the grounds that each is at a disadvantage in its administrative unit if the AGA or the chief clerk is from the other community.

Likewise, as Tamil associations have done, the Federation of Muslim Mosques and Institutions of Kattankudy submitted to the Working Group of the **UNCHR** a report in October 1991. Besides facts and statistics, it gives the Muslim angle on several events. It tells us that in the months running up to 22nd April 1985, the Kattankudy Muslims, a trading community, were subject to a series of robberies by Tamil militants which created an atmosphere of provocation. The week preceding 22nd April had been a tense one and each community was expecting something to happen. It thus becomes plausible that the call from the mosque had a strong defensive component. On the Tamil side, there was nervousness because of tensions in the Amparai District.

Another major event during the **IPKF** presence, was the **LTTE** 's massacre of Muslims in Kattankudy about New Year 1988, after one Muslim member of the **LTTE** was killed. The **FMMI** report gives us names of 85 Muslims killed. Tamil sources said that six Tamil labourers were killed during this time by home guard elements.

The report gives details of loss of life and property among Muslims of Kattankudy from 1985 to October 1991 and gives us an insight into their feelings of alienation and anxiety: 1985-20 lives lost due to violence, 1986-10, 1987/88-85, 1989-10, 1990-222

(Kurukkalmadam massacre-72, Mosque massacres-104). 1991(up to October)-22, Isolated cases and abductions-10, Total-379.

Some of these incidents were accompanied by reprisal violence against Tamils, though on a much smaller scale. The first thing to remember about Kattankudy is that its people had no nationalist or separatist agenda. Its community leadership was strongly influenced by traders who had their trading interests in Batticaloa town. Moreover those owning fields outside the village had to depend on Tamil labour and supervision. The community leadership are realists and are the last people to want quarrels with Tamils. Like other Muslim communities in the East they had time and again demonstrated that they do not share the agenda of the state and have quickly moved to defuse friction with Tamils. Muslim violence has generally been a response to hopelessness in the face of rising provocation.

There is a qualitative difference between Tamil and Muslim casualties. The former are mostly victims of the Sri Lankan forces who are perceived as outsiders. A significant number were also victims of internecine killings. The 379 Muslims killed in Kattankudy were nearly all killed by their Tamil brethren who hope to dominate a political entity in which Muslims have to live. This is a serious complication.

When prominent Tamil and Muslim citizens meet after an incident it was usually a matter of you control your boys and we will control ours? Batticaloa town had many times more articulate and professional men than Kattankudy. Their citizens' committee (now the peace committee) has compiled and circulated highly professional reports on violations against Tamils from the mid-80s. Why they failed to include the neighbouring Muslims as part of their work and make them feel a part of the community is something we cannot answer. But it represents a historic failure of nation building. The less sophisticated Muslims have felt unrepresented. Out of necessity they have been pushed into producing reports of the same genre-something they learnt from Tamil citizens' committees. The logic of **“you control your boys and we will control ours”** is being pushed to its logical conclusion with all its depressing contradictions.[\[Top\]](#)

5.2.2 The demand for new AGA's divisions

The **FMMI** report reproduces a request of October 1990 calling for the number of AGA's divisions in the district to be increased from 10 to 15 with the number of Muslim AGAs divisions increased from 1 to 4.

With regard to Muslims living in Tamil dominated divisions the complaints are familiar: A lack of Muslim representation in the administration and hence decisions taken unilaterally to their disadvantage; Obstruction of additional residential areas for Muslims necessitated by population increase; & Difficulty in obtaining a fair share of relief during times of natural disaster or civil commotion.

An example it gives is that all income generating government investment has been sited in Tamil areas: **eg 1. Tile factory (Karadiyanaru) 2.Milk processing centre(Chenkalady), 3. Government press (Kumburumoolai) 4. Fisheries Harbour (Pethalai) 5. Paddy Processing Plant (Kaluwankerny) 6. Industrial Estate (Saturukondan).**

Some of these complaints are valid, while others are more complex. The last example does not represent straightforward discrimination. Traditionally the Muslims have lived in small enclaves and have had their economic life outside these. **The problem is thus one of whether Muslims are guaranteed access and participation in these ventures rather than**

whether they are sited in a Muslim or Tamil area. If one follows this logic, one gets mired in petty ventures like having a post office each for Eravur and Chenkalady, when a common one would do, so that there would be one Muslims post master and one Tamil post master. In Akkaraipattu, a relatively small town, they are on course to have a Tamil hospital and a Muslim hospital. Again the economic life of the two communities is so integrated that carving out ethnic administrative divisions will result in friction.

We have argued that much of this is the result of the Tamils failing to give confidence to the Muslims and made worse by anti-Muslim violence. Finally the state is placed in the position of the monkey dividing the cake.[\[Top\]](#)

5.3 Eravur

Eravur's troubles began in 1985 well before the current war, when tensions between Muslims and Tamil militants first broke out. Then 35 Muslim farmers from Eravur working in the fields at Kommathurai and Illuppadichchenai were attacked and killed by Tamil militants according to local sources. At Karuvacholai 9 farmers with their hands tied were shot and killed on the lagoon shore. The party bringing their bodies for burial about 6.00 p.m was fired at while passing Arumugaththan Kudi, where one was injured. This was followed by rioting.

Muslim farmers from the following outlying villages (all within 12 miles of Eravur) fled to Eravur leaving their houses and property. These villages are: **Mavadi-Odai, Veppa-Vedduwan, Kasar-Kudah, Illuppadichchenai, Kokku-Thangia-Madu, Kooththuchchenai, Rugam, Oorugamam, Thumpavan Cholai, Koppaveli, Sivaththa-Bokkadi(Red Bridge), Pavatkodichchenai, Sillikudiaru and Komparchenai.** Several mosques were attacked. Koppaveli Pallivasal(Mosque) was damaged. Muslims have since then abandoned these villages, populated either exclusively by Muslims or together with Tamils, resulting in the displacement of 500 families. To date it is only in Rugam that Muslims have returned. The families then displaced account for about 5% of the population of Eravur. Peace was then restored after intensive efforts by their leaders **Dawood and Rahuman.** But the end result was a certain economic impoverishment.

Following the outbreak of the current war, both impoverishment and loss of life were unprecedented. [See [Report No.7](#) for an account of the massacre of 12th August 1990]. By 12th August 1990, 130 persons had been killed. This resulted in 41 widows, 7 widowers and 146 children who lost a parent. Of the dead 61 were females. 12 families of 23 persons were wiped out. 27 children were orphaned. Further to this 130,36 persons were abducted and are now missing, bringing the dead to 166. Another 43 were badly injured.

The number killed or missing since the 12th August is placed at about 180 by leading citizens of Eravur bringing the total to over 300. 11 of those massacred at Allichipotnai in the Polonnaruwa district last May (1992) were settlers from Eravur, adding further to the refugee influx into Eravur. Many of those killed since 12th August 1992 have been travellers or farmers, bringing economic activity to a virtual standstill. The border areas of the village have also been abandoned. The strain on the infrastructure of the village is thus considerable.

According to community elders 9000 acres of paddy land belonging to the village are inaccessible to them. Such was the anger and helplessness that many villagers accuse Tamils of using the **LTTE** to acquire produce from Muslim lands in addition to 40,000 of their cattle. They also feel that Western aid agencies have given them step-motherly treatment. Moreover

what is happening on the international scene adds to the general Muslim suspicion of all Western organisations.

Unlike Tamils, they added, they are prisoners for all but 3 days of the week when army pickets are on the trunk road. Even then they pay higher fares to travel in vehicles that take Muslims - Rs20/- to Batticaloa and Rs 100/- to Colombo.

Attacks by the **LTTE**, they said, have almost stopped in recent months. There was much talk of overtures from the **LTTE**. But the massacre near Polonnaruwa of 15th October 1992, which took them by surprise, brought a new sense of despair.[\[Top\]](#)

5.4 Incidents affecting Muslims in the Batticaloa and Amparai Districts

2nd April 1992: Sathurukondan:

LTTE cadre in mufti, with grenades but without guns stopped the Batticaloa bound train a few miles short of Batticaloa about mid-day. The Muslim passengers (mostly going on to Kattankudy) were ordered to alight. Tamil passengers blocked the entrance and pleaded with the **LTTE** cadre to leave the Muslims alone. The **LTTE** left, their plans thwarted.

2nd June 1992: Between Komari & Pottuvil:

A bus with both Tamil and Muslim passengers plying between Akkaraipattu and Pottuvil was stopped by armed **LTTE** cadre. The Tamil passengers were asked to alight. All of the Tamils alighted except **Rajakulendran**, a government officer in Pottuvil. **Rajakulendran** stood at the entrance refusing to get down and pleading with the would-be-assailants to spare the Muslims. The **LTTE** opened fire killing **Rajakulendran** and 19 Muslims who were in the bus.

Since then the bus service has ceased. Muslims travelling between Pottuvil and Akkaraipattu have to take a much longer and expensive route rather than the direct coast road. Tamil government officers who are refugees in Komari, cycle to Pottuvil for work and return by nightfall.

5 days after the incident above, on Sunday 7th June, two persons from Komari and a Pottuvil refugee in Komari disappeared. This is believed to be the work of the **STF**. The first two were close relatives of **LTTE** cadre.

It has also been said by local sources that **Rajakulendran** had a quarrel with the late Pottuvil school principal **Mr. John**. **Mr. John** disappeared in July 1990 after being abducted by the police in Pottuvil. [See [Special Report No.3](#)]. John's widow's brother was a local **LTTE** leader at the time of the incident above. Muslims later issued hand bills expressing their appreciation of **Rajakulendran's** sacrifice.

15th July 1992: Kirankulam (Ambalanthurai Junction, near Kurukkalmadam):

A Muslim reconciliation party with others were travelling south early in the morning from Kattankudy to Maruthamunai, with a motorcycle and a bus following. The reconciliation party of relatives visited Kattankudy to mend relations between an estranged couple. The van was stopped by gunmen at Kirankulam. The driver reversed at full speed. The motorcyclist, left

his motorcycle and got into the van. The gunmen opened fire. The driver escaped by rolling off the van into a roadside pool. One ran and warned the bus and was injured while so doing.

19 died in the massacre-13 from Kattankudy and 6 from Maruthamanai. Among the dead was an expectant mother, Aliyar Thovfeeka(31), from Maruthamunai. Her husband, a native of Kattankudy, with whom she was to be reconciled, had travelled to Maruthamunai earlier. Among the dead were Seeni Mohamed Jaseema(18) and her brother Seeni Mohamed Naleem(4) from Kathankidy, and Sahu Ibrahim Sameera(10) and her brother Sameer(5) from Maruthamunai. Five adult women and five elderly men were among the dead.

The Muslims of Maruthamunai, a trading community consistently well disposed to Tamils, became restive. The **STF** acted fast, called a meeting of town elders, and brought the situation under control by telling them that ordinary Tamils were not responsible for the outrage.

At Kattankudy, the police acted effectively and stopped the beating of Tamils by some Muslims. When some Muslim youth stoned the police, the army was called in, and order was restored.

Even among Muslims doubts persisted as to who was responsible for the massacre. There was some suspicion that the **TELO** was responsible. Other sources said that the scene of the massacre was one frequented by the **LTTE** and the **TELO** would never have gone that way before 8.00 A.M.

They point out that the **LTTE** had robbed several motor-cycles there at gun-point. A judge's escort vehicle was blown up near there. Kurukkalmadam, where Muslims were massacred by the **LTTE** in July 1990, is also in that area. Furthermore, on the very day of the incident, about mid-day, school children saw about 75 armed **LTTE** cadre casually pass that way.

21st July 1992: Siththandy:

Late in the morning, the Colombo bound train was stopped by armed **LTTE** cadre. Once more the Muslim passengers were ordered to alight. The Tamil passengers stood at the doors and pleaded with the **LTTE**, advancing a variety of arguments from the moral to the purely practical (What would then happen to the Tamils when the train reached Valaichenai (a largely Muslim area)?). A game of brinkmanship went on with the **LTTE** coming up to the doors and making threatening gestures from one side of the train. The passengers started running away as a mixed group from the other side. The **LTTE** followed and opened fire at a group of Muslims who were exposed. 9 were killed of whom 3 were from Kattankudy. Among the dead were **Salim** and **Siddik** from Eravur. Among the victims from Kathankudy was **Mohamed Yoosuff Abdul Haneff(42)**, father of 5 and deputy principal of Kathankudy Central High School.

25th July-November 1992:

5 fishermen from Kattankudy abducted at sea and believed to have been murdered on 25th July. The victims were **H.M.H.Mohamed (50)**, **A.A.Gaffoor (32)**, **M.I.A.Rahaman (40)**, **M.L.M Fareed (23)** and **A.Ayub Khan (25)**. **Mohamed Cassim**, boy of 19 and a cattle dealer was murdered at Kankeyan-Odai, Kattankudy on 18th August. A TV set with a bomb planted inside was handed over to an electrical repair shop in Batticaloa owned by a Kattankudy man on 28th October 1992. One repairman, **Alliyar Thajudeen(22)**, was killed

when the bomb exploded. The police are holding two Tamil boys who had allegedly confessed to planting the bomb.

26th December 1992: Meyankalkulam, North of Valaichenai:

Five persons travelling in a Maruti jeep were killed in a land-mine explosion close to the army camp at Meyankalkulam. The dead are **Y.B.Ahamed Lebbe(47), Additional G.A. Batticaloa; A.K. Uthman, AGA Valaichenai-Oddaimavadi Muslim Division, M.Meera Mohideen(47), Attorney at law; S.A.M.Mahmood JP, School principal & the driver S.Mahendran.** The party was on its way to the Mahaweli settlement scheme at Rididenna Jayanthia in **Uthman's** official vehicle.

Ahamed Lebbe BA, SLEAS was a leading educationist, writer and was next in line to become Government Agent, Batticaloa. Uthman was the first university graduate from Meera-Odai, Mohideen was a part-time lecturer at the Ceylon Law College in addition to his normal practice and was formerly a leading member of the SLMC. Mahmood was a poet of distinction. Among the dead were foremost Muslim citizens of the area-adding fuel to a widespread belief among Muslims that Tamil groups were systematically eliminating Muslim leaders.Extracts from the writings of **Ahamed Lebbe** representing his wide interests are given in **Appendix I.**

J.L.M. Mustafa of Oddaimavady writing in the January issue of '**Muslim Kadchi**' raises the point that the mine explosion took place near an army camp on a day when troops were picketing the roads. But **S.L.M. Haniffa** writing in '**Sari Nihar**' of January - February reports that the killers had withdrawn through the jungle, killing on the way a wood-cutter **Shahul Hameed.** This, if correct, points fairly decisively to the **LTTE** . (The report of the Daily New's Batticaloa correspondent (28/12) described Hameed as a passer-by who was also killed in the blast.)

Ravindra Wickremasinghe writing in the '**Island**' of 27/12 quotes military sources as believing that the intended target was an army vehicle that had gone that way a few minutes earlier. This, if wrong, and the intended targets were the Muslim officials, raises, as Mustafa points out, some difficult questions. He says that in Oddimavadi, where the vehicle was parked, the mission of the government officers was widely known the previous day. But Oddimavadi is almost entirely a Muslim area. A commission, now inquiring into these deaths, will in time throw more light on the incident. However both Muslim writers quoted are convinced that the officials were the targets. A number of GAs(4), Additional GAs(2), AGAs (more than five), all Muslim, Sinhalese and Tamil, have been killed in the North-East since 1985.

CHAPTER 6

THE DEHUMANISED ENVIRONMENT AND CONSEQUENCES FOR MUSLIM - TAMIL RELATIONS.

In tragic life, God wot, villain need be, passions spin the plot,
We are betrayed by what is false within.

-George Meredith, From 'Modern love.'

[6.1 Muslims : Global fears and local implications](#)

[6.2 The bleeding community:](#)

[6.3 The proximity of death and its influence](#)

[6.4 The LTTE, Big Brother Politics and the East](#)

[6.5 Tamil Myths about Muslims](#)

[6.5.1 Land accumulation:](#)

[6.5.2 Muslims are monolithic, closed and conspiratorial:](#)

[6.5.3 Muslims deliberately engineer violence against Tamils and use for this an organisation called the Jihad. Muslims are informers.](#)

[6.6 Consequences of the Tamil outlook shaped by narrow nationalist Ideology](#)

[6.7 The home guard dilemma](#)

[6.8 Looking to the future](#)

[NOTE:](#)

6.1 Muslims : Global fears and local implications

A leading Tamil religious figure in the East is said to have remarked privately, “**Muslims in the East feel more insecure than the Tamils**”. But there is a general reluctance to say such things publicly and challenge myths about Muslims. Both the Tamil ideological outlook and the violence that is being done to Muslims in other parts of the world have conspired to lend an air of legitimacy to murder and expropriation that has been inflicted on Muslims of the North-East. Bosnia is being carved up by two nominally Christian powers. Bosnian Muslims see the Western initiated arms embargo as having favoured the Serbs and the Croats. The US led Western powers now imposing a new world order, have failed to act convincingly to restrain its protégé Israel’s flagrant repression of Palestinians or to make it cede the territory acquired by force - or indeed aggression hatched in 1967 with US connivance. But Western military action against Iraq which in 1991 is said by aid workers to have claimed a large number of lives and recent air attacks are widely seen by analysts as having gone far beyond the ‘**freeing of Kuwait**’. In our neighbour India, the Ayodhya controversy had been brewing for some years and it was a time of great insecurity for her 100 million Muslims. The British foreign secretary **Douglas Hurd** during a visit to India late last year had declared a common cause with India in fighting Islamic fundamentalism without even understanding the precarious internal political environment. With all the injustice, hypocrisy and resentment that is part of the world order, there appears to be a subtle hint that Muslims, who are being beaten everywhere are the main cause of ills. With the recent massacres of Muslims in the Eastern Province, it is hardly surprising if Muslims there see this as part of a global conspiracy against them, leading to an enhanced feeling of helplessness.

In essence the global political environment reinforces the anti-Muslim traits in Tamil ideology, which in turn does not allow Tamils to see the disastrous implications of the politics based on that ideology. At the same time the global environment reinforces the Muslim’s perception that they are being pushed around by every one. It leads them to believe that in order to survive, they need to assert themselves in whatever way they can. [\[Top\]](#)

6.2 The bleeding community:

In the context of the East, a person's politics and outlook are not influenced by the proximity and consciousness of death alone, but more importantly by the perception of whether the future would bring hope and healing, or the same desultory tread of death.

From the end of 1984 the Sri Lankan forces began large scale massacres of Tamils in the East. Nearly all Tamil villages from Verugal to Muthur in the Trincomalee District were destroyed. A resident of Thirukkivil recounted the first army massacre in 1985. The army came along the main road after their training, in a convoy including armoured cars from the interior jungles. They entered the twin villages of Thirukkivil and Thambiluvil shooting at anyone within sight. 120 mainly young were killed that day.

It was the same year that Tamil militants turned their guns on the Muslims. From mid - 1986 the **LTTE** in its rise to dominance began hunting down members of previously fraternal Tamil militant groups, excising the larger portion of the Tamil militant strength in the East. A direct result was the **STF** advance into Kokkadichcholai in January 1987 and a massacre of 120 civilians.

Members of both communities continued to die in reprisals during the **IPKF** presence. The anti- Muslim feeling among **LTTE** cadre surfaced in December 1987 in a massacre of 85 residents of Kattankudy. The redeployment by the **IPKF** of groups once decimated by the **LTTE** made anti - Muslim feeling one of the key elements in their competition with the **LTTE**, although the latter had to tactically rely on the Muslims in order to survive. For, during the **IPKF** presence the threat from the Sri Lankan state was marginalised. Killings, harassment and extortion of Muslim farmers in the Ampari District began on a much larger scale during the **IPKF** presence - albeit then by groups close to the **IPKF** .

As the **IPKF** withdrew in late 1989, the Tamil National Army (**TNA**) conscripted by pro - **IPKF** groups surrendered to the **LTTE** in large numbers, many of whom were then massacred. No complete record of this is yet available. Once more 150 youth from Thirukkivil - Thambiluvil went missing and are presumed killed - this time by the would be saviours of Tamils. They were **TNA** conscripts. Between 80 -120 members of the **TNA** were massacred and buried at Amirthakali at the end of Bar Road, Batticaloa.

Following the new outbreak of war in June 1990, the Sri Lankan forces set about massacring thousands of Tamils. Anti -Muslim feeling among **LTTE** cadre surfaced in massacres of Muslims at Kurrukkalmandam, Kattankudy, Eravur and more recently in the Polonnaruwa District. Each incident claimed about 100 or more civilians. Tamils were also killed in reprisals by Muslims in smaller numbers. [\[Top\]](#)

6.3 The proximity of death and its influence

One need not be selective in moving around in the Eastern province to discover that sudden death has been close to ordinary people- a cousin or an uncle when not in the immediate family. Our reports have recorded statements of people who have experienced all manner of death - widows of breadwinners killed by the armed forces, the mother of a missing **TNA** conscript, a Muslim intellectual from Eravur, most members of whose extended family were killed by the **LTTE** [\[Special Report 3, Reports 7 and 8\]](#) . During normal conversation, one suddenly finds that behind a placid face there lurks a deep tragedy.

An old lady in Thirikkovil had one of her sons gunned down by the **STF** in 1985 while getting about his normal business. Another son **Stanislaus Yovan**, a cultivation officer, who went to the fields was detained in 1985 and released from Boosa in 1987. He spent his time attending to the interests of his sisters, such as building dowry houses for them. In the autumn of 1992 his kidneys failed and he died -a direct result of torture by the armed forces more than six years ago.

In the case of a Muslim intellectual living in Kalmunai, closely identified with the Tamil cause, his brother **Sufian**, an English teacher, his cousin **Issadeen**, the latter's wife **Sithi** and a young boy were abducted by a splinter group of the **PLOTE** close to the **IPKF** in November 1989. They are now presumed dead.

Venuthas was a lawyer in Batticaloa who withdrew in to the interior with the Tigers when the war broke out in June 1990. His wife **Jamuna**, a bank officer from Tambiluvil, would have nothing to do with the Tigers. She was returning after seeing her husband in the environs of Chenkaladi, when she and some old folk in her company were gunned down by the armed forces [[Report No.8](#)]. This happened in December 1990. In December 1991 Venuthas when travelling in an **LTTE** vehicle was killed in an army ambush. **Puvanasundaram**, a teacher and brother in law of **Venuthas**, was knocked down by an **LTTE** vehicle and killed as the **LTTE** was pulling out of Batticaloa in June 1990. A sister of **Venuthas** now has many to look after, including the children of the deceased, to think of marriage.

A farmer was a supporter of the **TULF**. During the run up to the parliamentary elections of February 1989, he had helped the late **TULF** leader **Amirthalingam** to campaign in his home area of Unnichchai, Vathakkamadu. During that time **Thavarasa**, **Paskaran** and **Thurayan** of the **EPRLF** had asked his **EROS** leaning younger brother for his family's tractor to use for their own election campaign. This was refused.

In December 1989, the **IPKF** was pulling out of Batticaloa and the **EPRLF** was getting ready to follow. The farmer's brother **Sivaprakasam (36)** and **Thuraisingam (28)** came home late after guarding their crops from wild elephants, and fell fast asleep in a hut near their house. Intruders came in the night and shot dead the two brothers. Their sister, **Balambikai (30)**, a law student, hearing the noise, ran out of the house to where her brothers slept. She too was shot dead.

When their funerals were held in Munaikkadu, the **EPRLF** ordered them, 'no luxuries'. The farmer remains a bachelor, looking after his other sisters and the responsibilities of the dead.

These are few instances of many tragedies in the East. In the case of the Muslims, the dominant threat was external - from a Tamil politics gone mad. The injury to the Tamils went deeper. Apart from the threat from the state there was a powerful element of auto-genocide, both combining to foment a powerful destructive influence. We will take some instances of how this works itself out.

Two **LTTE** members recently died in an ambush shortly after they had eaten in the house of a widow. The **LTTE** leader, **Suresh**, in the Kokkadichcholai area is the son of the late ayurvedic physician **Dr.Kandiah**. **Dr.Kandiah, Suresh's elder brother and the husband of the widow mentioned, were killed in the STF's Kokkadichcholai massacre of January 1987.**

The story of **Mohan** who is credited with a considerable share in the army's recent successes, illustrated how the accumulated evil in the history of a community is working

itself out. This story is now part of the folklore of Batticaloa's rice wadis. It should be treated as apocryphal. A good deal of it is factual. Parts of it may be speculative. The reader should be able to judge.

Mohan was born in Kothiavalai, one of the villages around Kokkadichcholai. As a young man he was described as a vagabond, who used to steal cattle and sell them to others faraway. Occasionally, the Vithanai (head man of the village) used to lay hold of him and give him a thrashing. When the militancy came to the East, Mohan joined the **PLOTE** and led a local group. From the end of 1986, they led a tenuous life, hunted by the **LTTE** which had killed several members of other groups, and living off the land. His group, the **PLOTE**, later continued to be in the East without coming under the **IPKF** umbrella, but in a kind of truce with others who had enough on their hands.

As the **TNA** collapsed in December 1989 after the **IPKF** pull out, and as the **LTTE** moved in with the Sri Lankan forces, **Kalir**, an ENDLF member of the North - East provincial council, and **Ganeshalingam**, secretary to the provincial council in Batticaloa, escaped into the interior with a large sum of money. They spent a night in the village of Sillikudiaru on their way to Trincomalee through interior jungle tracts. **Mohan** with a party of the **PLOTE** killed the sleeping fugitives and took charge of the money. By this time Mohan was married. **Mohan** sent his wife to Colombo with the money to arrange for their exit to Canada. The wife vanished to Canada with the balance money. In the meantime **Mohan** left the **PLOTE**. Villagers believe that the **PLOTE** may have sacked him for not giving the money to his group.

Stranded and hunted with nowhere to go, Mohan came under the umbrella of the Sri Lankan forces and is said to be attached to the infamous unit in Batticaloa prison. His intimate knowledge of the area made him important, and it is said that he goes to operational areas by helicopter. He is credited with a sharp nose for money. The Vithanai who used to beat **Mohan** as a boy fled to Batticaloa and then to Colombo.

In the sequel to his wife's abandoning him, Mohan **married** again in Kokkadichcholai. The **LTTE** kidnapped his second wife. **Mohan** sent a message to the **LTTE** saying that if his wife was not returned before a particular time, he would kill particular family members of **LTTE** cadre. **Mrs. Kandiah**, the local **LTTE** leader **Suresh's** widowed mother was assaulted by **Mohan**. **Mrs. Kandiah was hospitalised with a fracture and now lives in Batticaloa town.**

A man from Kokkadichcholai collected Rs.40 000/- to send his son to the Middle-East for employment. Hearing this **Mohan** demanded money. The man and his wife went to Sillikudiaru with the money. When **Mohan** came there in the morning, the man ran out with his money. **Mohan** shot him dead. The wife came running and she too was shot dead. **Mohan** kept the money. **Mohan** is now said to own considerable paddy lands, including a plot which once belonged to the Society of St. Joseph in Pattipalai.

A businessman **Rasan** and his wife and their seven children lived in Kokkodichcholai. A 16 year old son of his was in the **LTTE**. **Mohan** demanded Rs.50 000/- from him which was given. Sometime later another 50 000 was demanded. The man told **Mohan** that he could not afford the sum and instead offered to pay Rs 25 000/-. **Mohan** said that he wanted this sum brought to him by his daughter within 3 days. The daughter told the parents that if they were to go on like this they would not only lose their money, but also their honour. On her suggestion they all agreed to take their lives, and sat down to a poisoned meal. The three died on 8th July 1992. A child at home whose food was poisoned escaped. The dead are survived by six orphans.

Thus for Tamils life has been brutalised by a politics of fratricide which destroyed the moorings provided by a sense of community. A grieving Muslim has his next door neighbour. A Tamil cannot be sure of that. Several Tamils in the East have observed that Tamils move around with apparent freedom not because they believe it to be safe, but because they have reached a state where they care not whether they live or die. They have been denied the creative possibilities of life. Instead their anger has been mistakenly directed at the Muslims.

Accumulated anger resulting from killings has on both sides time and again burst out in a desire for revenge. This is not the only possible human response. Many have responded to the violent death of persons close to them, not with hate, but by dedicating their lives to work towards an order that will end communal and national divisions, so as to ensure that coming generations will not re-live the same tragedy. This requires a healing influence. We saw this at work in Kattankudy and Akkaraipattu in late January, when the **Moulana's** happy influence brought among Muslim victims of Tamil violence the desire to help fellow Tamils. For the long term we need to break out of the desultory and divisive politics of the present and find a politics of healing. **This is what the leadership of Konrad Adenauer provided for many Germans following the self-destruction of Nazi rule.** Where do we begin? First we need to go beyond good sentiment and understand current realities. [\[Top\]](#)

6.4 The LTTE, Big Brother Politics and the East

Some revealing things said by **LTTE** spokesmen during **Bishop Kenneth Fernando's** visit to Jaffna last January received press publicity. **Anton Balasingam** said that one should not compare the **LTTE** and the government (in terms of holding them morally responsible for their actions) because unlike them (the **LTTE**) the government is responsible for all the people of this country. The **LTTE** leader made the point that by the government restricting essential items to Jaffna and by banning travel in the Jaffna lagoon, it was the ordinary people who were suffering while the **LTTE** had what it needed.

These sentiments, though not new, were strange things to say for the leaders of an avowedly separatist war, the rationale for which being that the government had shown itself unfit and incapable of assuming responsibility for the Tamil speaking peoples, compelling them thus to take their future into their own hands. Moreover a liberation struggle is about articulating a higher morality and greater responsibility. What the **LTTE's** conduct has shown is a total absence of either. **Anton Balasingam** said earlier in 1992 something the **LTTE** had often said in deed: That is if the army came into Jaffna, once the army is in they would withdraw into the jungles and there would then be many civilian casualties which the government would not like! Its message was **'we will provoke you and do what we like, if the Tamil people suffer you get a bad name!'**

Its programme was as we have pointed out before not about giving people a healthy, morally liberated life and freedom from fear, but to use every destructive means to secure power. Moreover its whole history of imposing repeated death and humiliation on the people for its survival speaks not of an assertion of sovereignty or independence, but rather a demand for small brother status, in turn with the Indian and Sri Lankan states. Liberation means a strong and generous people. But the **LTTE's** military record and the quotes above suggest that its credentials in opposing state power are less convincing than those in opposing its people. As we have written at length elsewhere, it sought a fiefdom in which big brother would let it enjoy unrestricted power. Within this an avoidance of accountability meant that it would not tolerate equals, but only smaller brothers.

Being unclear about what it had to offer the people of Jaffna it was less so about what it had to offer the Muslims and Tamils of the East. The current war began by calculatedly unleashing the state forces on Eastern Tamils following the murder of policemen. All talk about liberating the East has now vanished. The East is being used for recruitment and extortion. The Tamil people are being offered no meaning for the massive death they have endured. The dead served the **LTTE**'s politics. The families of those who died in the name of liberation have been placed in a position where they could do the dead no greater honour than to have the Grama Sevaka certify them on a piece of paper and use it to try for teaching positions, clerical posts in government service and jobs in garment factories. They would then in a manner suggesting gratitude be paraded before TV cameras during visits of state dignitaries, who themselves have much to answer for. Why did the Eastern Tamils come to this and why all this hatred of Muslims?

The experiences of Eastern **LTTE** leaders **Kadavul** and **Francis**, as we have written in previous reports, showed early that the Jaffna leadership of the **LTTE** could not countenance independently minded Eastern leaders not playing the small brother role. When **Kadavul** refused to attack the **TELO** in mid-1986, the leadership had to send **Kumarappa** and **Pottu** of Jaffna origin to enforce its will. The **LTTE** thus developed without any strong person from the East in its hierarchy. Once it destroyed the other groups, so weakening the struggle, the security that people earlier enjoyed was quickly stamped under the boot of the Sri Lankan forces. The Eastern Tamils in particular therefore generally welcomed the **IPKF**. Even with occasional reprisals once the **LTTE** was at war with the **IPKF**, the need for the **IPKF** presence was not doubted. It was at this time the Muslims who helped the **LTTE** to survive in the East.

Although friction between the two communities, in earlier times resulted in isolated incidents, these differences were quickly ironed out in order to continue the intercourse necessary for their common existence. But after 1985 when armed militant groups began to appear prominently on the scene, what would have earlier been minor incidents, which would have died down with a bit of stone throwing, became serious incidents resulting in much loss of life. Later with the Sri Lankan state kept at bay during the **IPKF** presence, old prejudices against Muslims and the perceived Muslim threat became more the dominant influence among militants in the East. By the time the **IPKF** arrived in 1987 all militant groups were in many ways discredited. Those with the **IPKF** actively played up anti-Muslim feelings resulting in serious incidents at Kalmunai (September 1987) and Sammanthurai (May 1989). The **LTTE** was at this time using the Muslims for its survival. But lacking leaders of stature from the East, it was unable and unwilling to combat anti-Muslim feeling among its Eastern cadre. Lacking in any liberating outlook and unsure of what it had to offer the people of the East, and yet wanting to use Eastern youth, the Jaffna leadership found it prudent to allow its weak Eastern henchmen to use anti-Muslim feelings.

Another aspect we need to look into is the nature of various groups and their rhetoric. All the groups rhetorically accepted the distinctiveness of the Muslim community's interests and tactically understood the need to win them over to their side. But in practice they have shown that their political programmes were superficial and have seldom been able to guide their actions. In the case of Muslims, the natural prejudices of their cadre determined their behaviour in particular localities than their professions. In the early days the groups **EPRLF**, **EROS** and **PLOTE** had a large number of cadre from the East. That was reflected in their behaviour and in several incidents where these groups were involved in activities against Muslims. The leaderships tried to dissociate themselves from such activities and felt

embarrassed, but were unable to have much of an impact. The **TELO** being purely a military organisation later became prominent in such activities (In recent times they have been trying to harness anti-Christian sentiments growing among Hindus partly as a result of the aggressive and insensitive approach of some of the several non-mainline church groups present in the East). The **LTTE**'s presence in the East being small in the early days, it found it tactically prudent then to avoid overt anti-Muslim activity. The **LTTE**'s attitudes were very much governed by its military and survival needs. During the **IPKF**'s presence it was useful for them to have good relations with the Muslims. But with their authoritarian outlook they could not tolerate signs of independence from any community.

Thus when the **LTTE** took control of the East from the **IPKF** in early 1990, contrary to Muslim expectations attacks on Muslims did not cease. When Muslims complained, these were blamed on the by-now-non-existent **TNA**. [See 'Eelathil innumoru moolai', Publication Bureau, Juma Mosque, Sammanthurai]

That their instrumentalist approach to social issues centred around their survival needs explains their contrasting roles at different times. To continue the military campaign in the Eastern Province using guerilla tactics they need a sympathetic section of the population. In the North the militants were able to keep the Sri Lankan army in barracks for a considerable time. But in the East such is practically impossible, as the terrain consists of vast open spaces. If the army could maintain a certain minimum discipline and deal with the people considerately, the people would start feeling the futility of the war and slowly begin to distance themselves from the militants. Eastern Tamils had traditionally resented the authority of the more influential Jaffna Tamils. If the Eastern Tamils and Muslims got together, they may be able to manage their own affairs and the leadership of Jaffna would be challenged. If Eastern Tamils were to swallow their resentment and depend on the Jaffna leadership, they had to be made to feel their Muslim neighbours as the greater threat. Therefore it was necessary for the **LTTE** not to allow the situation to stabilise. By harnessing local anti-Muslim feelings they were able to recruit a large number youths which pushed anti-Muslim feelings to the fore. The retaliations of the Muslims, forced the Tamils to look for saviours and thus legitimise the role of **LTTE**. All this worked well in the short term. But in the long run it did irreparable damage to all the people in the Eastern Province.

The same workings had their counterpart within the **LTTE** organisation as well! The Eastern cadre were instinctively suspicious of the Jaffna leadership, and resented instructions coming from Jaffna. Of course the matter would have been different if there had been a strong respected leader from the East in the hierarchy. On top of this, as our reports show, life for **LTTE** cadre in the eastern jungles is hard and fraught with constant danger. In this respect hatred of Muslims and the freedom to act against them came in useful as a motivation. The difficulties faced by the Jaffna leadership trying to control Eastern cadre in a local leadership vacuum is evidenced in a number of stories of **LTTE** members wanting to surrender. 25 of them surrendered to the **TELO** at Chenkaladi in April 1992. Some of those disillusioned with the group have given the overbearing and insulting behaviour of Jaffna cadre as a reason.

Whatever the role of the Jaffna leadership in earlier massacres of Muslims, recent massacres seem to have posed an acute embarrassment to the Jaffna leadership. Apart from slowly losing ground militarily, the **LTTE**'s record on human rights has resulted in sharp diplomatic reverses. **LTTE** lobbyists in the West are being increasingly told that theirs is a fascist group.

Considering the **LTTE**'s intrinsic weakness and its heavy reliance on international propaganda, its international lobbyists, both expatriates and churchmen, have undoubtedly told the leadership in Jaffna that its massacres of Muslims is causing insuperable problems. Some of the overtures made verbally and through hand bills to Muslims in the East appear to reflect the leadership trying to assert some control. The fact that Muslim residents who have returned to Mannar Island have so far been left alone suggests some change. In another instance two Muslim boatmen trading between Mannar and Kalpitiya got into difficulties and came ashore on **LTTE** controlled territory. The **LTTE** men checked them and let them go saying that **'they had no new orders on what to do with Muslims'**.

The expulsion of Muslims from the North appears to be an act where the leadership had played to Eastern sensibilities. A man who was taken by the **LTTE** into the Eastern jungles for ransom and released said that whenever the cadre spoke of Muslims, their faces **'assumed a horrifying appearance'**. Having used anti-Muslim feelings, the Jaffna leadership is on the horns of a dilemma. There have been fewer attacks on Muslims in recent months. It also provides an opportunity for those of goodwill who want to protect the long-term interests of the East to build bridges.[\[Top\]](#)

6.5 Tamil Myths about Muslims

In this section we briefly elaborate observations made in [Reports 7 and 8](#) which we have been able to check in greater depth by talking to people, both Tamil and Muslim.

6.5.1 Land accumulation:

Those successful in trade in the East have largely been Muslims. Those accumulating money have to invest it, and these Muslims invest in land in their neighbourhood. Tamils receiving a good price for their land have moved out into areas where land was cheap, giving rise to new villages. This is very similar to businessmen from the islands off Jaffna buying up land in Jaffna town. But unlike in Jaffna when over a number of years a whole GS's division is bought over by Muslims, there is a visible change of identity. Apart from this there have been some incidents of communal violence involving a relatively small number of people in which neither party came out clean. Tamils tend to put the two distinct phenomena together and build a myth of Muslims intimidating the Tamils through violence and acquiring their lands cheap.

On talking to Tamils at some length, many of them actually blame themselves, rather than the Muslims, and accept their weaknesses. Several of them also accept that not being traders, it was better for them to sell their small plot of land in town, give up a menial job, and use the money for more beneficial activity elsewhere. They also often fail to see that the bulk of the Muslims are as poor as they are. Eravur Muslims are among the worst hit in the East today.[\[Top\]](#)

6.5.2 Muslims are monolithic, closed and conspiratorial:

Nothing is further from the truth. Every Muslim village has its own identity and its own interests. Even when two Muslim villages are adjacent to each other, their perceptions are often different. In Kattankudy, dominated by its commercial class, one finds a studied pragmatic approach, trying to discern what the **LTTE** really wants from them, can they be pacified by money and so on. In Eravur it is the helpless anger of a peasant population, boxed in and prevented from earning its livelihood. Behind the anger there is almost a plea, **"If you**

get a chance, please ask them (the LTTE) to leave us alone". The two Muslim communities we have come across with any decision making structure are the ones at Sammanthurai and Kattankudy. These are not military structures. A variety of opinions are voiced and there is a sense of decency and fair play. In most of their communities, Muslims will be the first to admit that it is hard to get any two persons to agree.

Among Muslims one generally finds less prejudice and greater openness. There is less evidence of rigid slogans used by many Tamils such as **'every action of the Sinhalese state is aimed at destroying the Tamils'** and trying to fit all the facts into that framework. Even when the **LTTE** had massacred Muslims, a number of Muslims try to inquire into whether there could have been a provocation such as the **SLMC** leader's most recent speech. He was even blamed for the expulsion of Muslims from the North. The right to dissent is also evidenced by the multitude of political parties functioning among them, launching spirited attacks on each other. This is not the atmosphere in which conspiracies are hatched. [\[Top\]](#)

6.5.3 Muslims deliberately engineer violence against Tamils and use for this an organisation called the Jihad. Muslims are informers.

There is no evidence of an organised force among Muslims, by the name **Jihad** or otherwise. If there was such an organised force it would have made itself felt in Muslim politics. Even before the Tamil militant movement became a fully organised force, the **TULF** which had its backing had virtually become the only political party in the North. By 1981 anyone challenging the **TULF** electorally was risking his life. This is far from being the case among Eastern Muslims. The **SLMC** is not the only political force. People living in the area do write to the national press dissociating themselves and large sections of Muslims from the **SLMC**. Muslims in general talk more freely than the Tamils.

Because of attacks on Muslims in recent times there was a desire to set up a force to protect Muslims. At the same time, on the realisation that Muslims have to live among Tamils, influential sections of the Muslims regarded such a force as a potential disaster. They were not people who could think of going to the West and sending money home for such a force to run riot, and be shielded from the consequences by geographical separation. They had to trade and farm in the Eastern Province and could not afford to alienate Tamils.

It is for this reason that they accepted home guard units to operate under the control of the state and to be disarmed by the state. These units were given inadequate training and are now a dwindling force. There are tensions, much anger and a feeling of powerlessness among Muslim youth following attacks on Muslims. But the larger tendency has been not to challenge the Tamil militant movement and to learn to live with it. This cannot be taken for granted if attacks on Muslims continue.

Violence by Muslims has on the whole been reactive and confined to the immediate aftermaths of attacks on Muslims. Even the role of some Muslims as informers operating alongside the forces with other Tamil groups was largely confined to the second half of 1990 in the wake of provocations. Even then the large scale disappearance of Tamils cannot be attributed to Muslims. The armed forces wanted Tamils to disappear.

At present Muslims who are confined to their villages have hardly any information to give. But because the **LTTE** created so much division among Tamils by its murders,

plenty of information reaches the forces from Tamils themselves, not just in the East, but apparently in Jaffna itself. Branding of Muslims as informers is a refusal by the **LTTE** and the Tamils to face the consequences of their own divisive politics.[\[Top\]](#)

6.6 Consequences of the Tamil outlook shaped by narrow nationalist Ideology

Under the impact of death and suffering imposed by communal violence the Tamils developed an outlook to the effect that the Sinhalese state was incorrigibly evil and that anything it did was ultimately intended to destroy the Tamils. Separation for the North-East was an outcome of the resulting outlook. It did not allow for a rational framework in which individuals and groups could deal with the state. Tamil government servants and Tamil members of national parties carried with them an uneasy feeling of guilt, which was expiated in hyper-critical rhetoric about the state uttered in private. The Tamil newspapers and journals published from Colombo, while on one hand accepting self-censorship about some of the worst attributes of the government, promoted the dominant Tamil ideology in very subtle but effective forms.

All this did not allow for the fact that the state is a dynamic and not a static entity, that has to respond to whole host of pressures, both internal and external - not least human rights pressure . Sri Lanka is only geographically an island. If indeed the belief that the state was hopelessly and fatally genocidal was serious, there would have been no rationale for Tamils to deal with the state, as people, public servants or as politicians. But this dichotomy has existed where individual Tamils subscribed to a politics which held that the state was unmitigably genocidal, and continued to have close dealings with the state on the grounds that their role and influence could bring about some good. Thus from the politics of the **TULF** down to the **LTTE** and in the bearing of individual Tamils, there was an unbridgeable variance between political rhetoric and actual practice. Nearly everyone goes about or does his work with an uneasy feeling that he is vulnerable to accusations of treachery. A number of Tamil militant groups were cornered by the **LTTE** into direct association with the government. They in turn rationalised their position in terms of doing something for the people. Those who speak of them with contempt often do so out of a feeling of subconscious unease with themselves. This atmosphere does not allow Tamils to open up and discuss their long-term interests rationally. This ideology has made it un-Tamil and even an act of treachery to question the desirability of the North-East merger or to face the fact the Tamils are often endangered and killed through deliberate and inexcusable provocation of the forces by the **LTTE**. When Muslims are massacred Tamils who know better find it tactically prudent to blame it on the government and provide reasons for it. The discourse confined by this Tamil ideology has a far reaching consequence. Although there is much uneasiness among the Tamils regarding the behaviour of the **LTTE** and its excesses they view such consequences as a political mistake rather than as an outcome of the nature of the Tamil nationalist ideology. **As a result even articles appearing in Tamil magazines which are critical of the LTTE confine themselves to the same boundary prescribed by Tamil ideology mixed with a bit of progressive rhetoric.**

It is a widespread Tamil belief that the Muslims are closed and conspiratorial. Little did the Tamils realise that these were the very qualities they themselves portrayed to outsiders. This powerful inwardness and subjectivism was a direct consequence of their political outlook. It did not allow them to understand the true position of the Muslims. Instead the Muslims were condemned or dismissed as traitors by definition.

It is only in the North-East that Muslims are present as communities with a territorial identity and are in a position to articulate this politically. Elsewhere Muslims are in scattered groups and hence need to identify with one of the national parties. In turn through religious links, the national parties made contact with Eastern Muslims and tried to use them. Tamils in turn who had personal links with politicians in the national parties argued that in view of the perceived Muslim threat the Tamils should support a national party and use it. The inherent conflicting interests of the Muslims and the consequent dynamics needed to be understood.

When the cry of separation was raised in the North-East, many had reservations over what would become of Tamils in the South. The reservation was answered by supposing that the Tamils in the South, with the exception of Hill Country Tamils, had ties in the North-East and could return thence. But Muslims in the South had no links with Eastern Muslims. That Eastern Muslims if they were to join the separatist cry could not give a similar answer to their co-religionists in the south whom they perceive as having same ethnic origin, was not appreciated.[\[Top\]](#)

6.7 The home guard dilemma

The argument for an armed group to protect the Muslims arose from a perception that the Sinhalese had the national forces, seen virtually their force, to protect them and that Tamils had their armed groups. It was the experience of the Muslims that no other force, whether the **IPKF** or the Sri Lankan forces, had protected them. Strangely, but not surprisingly, the government accepted the logic of this argument. It revealed that the Sri Lankan state instinctively saw itself as a Sinhalese state, responsible only for the Sinhalese as did the minorities.

The late minister **Ranjan Wijeratne** announced shortly after June 1990 that the government would recruit and train Muslim home guards for deployment in Muslim areas and likewise for Tamil areas. In Sammanthurai, the Trustee Board called for volunteers and only 90 came forward as home guards. They were given 3 days training and deployed with shot guns. When they reported for work, the **STF** often gave them menial tasks such as sweeping the compound. Their small salaries of less than Rs.30/- a day were also paid irregularly. Now there are only 29 home guards left.

On the other hand through experience, such communal armed groups came to be detested, not least by their own community. Although Tamil groups came into being in the early 80s when the Tamils felt threatened and unprotected, in time they came to have deep reservations about them. In a number of areas people came to the point of saying that they would rather put up with the **IPKF** or even alien Sinhalese state forces rather than with their own boys who took up arms to protect them.

Although some Muslims are confident that they could raise their own force and control them, others familiar with the Tamil experience are far from happy about the idea. One Muslim said that shortly after Muslim home guards were raised in Nintavur, there were six violent robberies. Further, such communal forces have been a hated destabilising influence. Tamil groups functioning with the **IPKF** used that cover for criminal activity, particularly against Muslims. Muslim home guards under the umbrella of the Sri Lankan forces, no sooner they were formed, came to be seen as proxy killers by the Tamils.

This may suggest a better trained and disciplined multi - communal force that could be expected to protect any community as a professional task. The Civil Volunteer Force (**CVF**) was formed with such an intention to assist the policing of the North-East. Although trained by the **IPKF** this force was supposed to have paid by the Government of

Sri Lanka from which it had received its commission. They in fact received their letters of appointment from **Mr. Anandarajah**, then D.I.G. of Police, North-East. They were promised full recognition in time and all benefits enjoyed by the police.

But when the **LTTE** took over the North-East from the end of 1989, they were helped by the Sri Lankan Forces to hunt down Tamil **CVF** members. 50 of them were gunned down in the lagoon at Savalakkadai by an air force helicopter. Muslim **CVF** members were among the policemen massacred by the **LTTE** in June 1990. Surviving Muslim **CVF** members are presently deployed in police stations. According to Muslim spokesmen the Muslim **CVF** members killed have received no recognition, nor have their families received any of the benefits given to families of killed policemen. It must also be pointed out that several Tamil policemen who survived the massacre were killed by the forces in reprisals. In the final analysis what the minorities have experienced, even as servants of the state, is that the government carries no responsibility for them, and that they could be dispensed with according to the vagaries of its peculiar brand of politics.

We also know that multiplying the types of forces and the number of men under arms has severe drawbacks vividly experienced in recent times. It could finally be said that there is no alternative to ensuring that the regular forces not only represent all communities, but are seen to act impartially. The problem here is that although the government has recently been calling for Muslims and Tamils to join the regular forces, very few of the former and hardly any of the latter have in fact joined. We thus come back to the character of the state and the experience of minorities in the forces. Moreover when the state goes on without reference to attributes of principle or character, making prominent use for transient gain of figures from the minorities such as **Mohan, Munas and Suresh Cassim**, seen generally as criminals, it becomes an insult to the minorities. There seems to be no answer to this dilemma without some drastic reform in the character of the state. [\[Top\]](#)

6.8 Looking to the future

We have pointed out that both communities, however much they have been alienated from each other, feel an instinctive need to reconcile and live together. It is not only the Muslims who have suffered economic hardship because of current divisions, but also the Tamils themselves. This was pointed out by a Muslim. About 4000 Tamil peasants around Vantharumoolai and Kaluwankerny used to go down seasonally to Akkaraipattu to harvest Muslim fields and thus earn a substantial income. These people are now desperately poor.

A feeling among many Tamils that they need a militant force to check the Muslims and a Muslim feeling that they need an armed force of Muslims to protect themselves from Tamil militants are tragic illusions that feed each other, profiting only those who have a stake in the politics of division.

Eastern Tamils tend to feel that they need the North-East merger and hence the Jaffna Tamils to protect them from the Muslims and Sinhalese. This too is an illusion. It has never happened in the past and is not happening now. The crux of the problem is poor organisation and the economic weakness of Eastern Tamils. The Eastern Tamils see the Muslims as using this weakness of theirs against them today. Equally, dominant interests in the stronger society in Jaffna have used it in the past. Unless there arises a vibrant introspective politics in the North matched by one in the East that ceases to be passive, the very same thing could happen again. Jaffna folk have seen their interests not in terms of trade or cultivation, but in finding avenues of employment for their educated. For this reason they never clashed with Muslim interests. An added cause for a feeling of insecurity among Eastern Tamils is the poor performance of their children in recent A.Level

examinations, particularly in outlying areas. This is an area where graduates from the North could have helped both Muslims and Tamils by improving teaching standards. The current war has seen a high exodus of young graduates to the West.

On the other hand, particularly because of recent attacks on Muslims, Muslims feel uncomfortable with the North-East merger. The militant group that has been conducting large scale massacres of Muslims is after all one that is led from Jaffna.

Many of these problems will vanish or appear in a different light if the Tamils and Muslims of the East re-establish good relations. This must be seen as the principal task. If not they have every thing to lose. They hold much in common including the crucial problem of state sponsored colonisation. The fate of the North-East merger will depend on whether the Tamils, particularly those in the North, can articulate a new politics that will give confidence to the Muslims, Sinhalese and Tamil dissidents. The **LTTE** has spurned every opportunity it had of doing this. Antipathy between Eastern Tamils and Muslims should never become a reason for the merger. On the other hand if the Eastern Tamils gain confidence, they themselves may feel that a separate Eastern Council is workable. To gain such confidence the Tamils should work out a viable economic role for themselves. To try to compete with the Muslims in trade may be unprofitable and frustrating. But there is so much more that could be done in the East.

We have said that the greater responsibility for re-establishing good Tamil-Muslim relations lies with the Tamils. The happy events in Kattankudy and Akkaraipattu during late January have given a strong hint of what is needed. Both communities have remained studiously ignorant of the horrors and the experience the other community has been through. The other community's area is thought of at best as a mysterious land on the horizon which mother told you never to stray into. They need to talk to each other about their experiences so that illusions can be dispelled and wounds healed.

In Sammanthurai and Eravur which now face some isolation, there is a great desire to have Tamils come and talk to them as human beings rather than from behind a gun.

An organised institution that is in a position to take an initiative is the Church. For a start groups of church leaders with lay persons and leading Hindus could visit Muslim areas frequently and just have informal discussions. Next avenues could be found where ordinary people from both communities can become involved in common activities which benefit both communities. There would always be a threat of disruption. A mechanism must be evolved where leaders of both communities together will condemn and expose any disruptive activity or violence done to any one community. There is some risk, but this may be the right time to begin - a time when international human rights pressure is beginning to bite.

If there is no initiative, the tragic and fatal drift apart of both communities with separate AGA's divisions, separate hospitals, post offices and MPCSSs, will continue. The East instead of a community would then become a patchwork of armed ghettos with the Sri Lankan forces keeping a strange kind of peace.[\[Top\]](#)

NOTE:

We have been using the term Muslim as one that is well understood in this country in terms of its context. Those who practice Islam in this country broadly fall into three ethnic groups - the Ceylon Moors, Indian Moors and Malays. The Ceylon Moors are descendants of Arab traders who settled in this country from the 8th century A.D or earlier. They form 7% of the country's population. The Indian Moors are Moor immigrants from India whose

proportion declined from 0.8% in 1911 to 0.2% in 1971. The Malays came here mostly during Dutch rule (17th and 18th century A.D.) from the East Indies and mostly reside in the Western Province. Muslims in the North-East are nearly all Ceylon Moors.

CHAPTER 7

MASSACRES IN THE POLONNARUWA DISTRICT

[7.1 Introduction](#)

[7.2 The villages](#)

[7.3 Aspects of deterioration of communal relations](#)

[LTTE The role of the security forces:](#)

[7.3.2 The LTTE :](#)

[7.3.3 Colonisation:](#)

[7.4 Aspects of the massacres](#)

[7.4.1 The Palliyagodella massacre:](#)

[7.4.2 Massacres at Alinchipotana, Muthugala and Karapola:](#)

[7.4.3 The conduct of the army:](#)

7.1 Introduction

29th April 1992: The Muslim village of Alinchipotana was attacked by 30-40 members of the **LTTE** about mid-night on 29th April 1992. 27 policemen and 12 homeguards attached to the police post fled into the jungle-the only resistance being offered by the Sub-Inspector who was badly wounded. In the orgy of killing and looting that followed, 69 died, five of them babies. Of the 148 families in the village 40 were directly affected. The attack ended about 3.30 A.M. The army which was camped in Welikanda 8 miles away arrived in the village between 7.00 & 7.30A.M.

About 6.00 A.M. Muslim policemen and homeguards who had fled to the jungle during the **LTTE** attack returned to lead reprisals against the neighbouring Tamil village of Muthugala (125 families, about 650 people). Once again there was killing and looting. 24 men and 25 women were killed instantaneously. Of the 17 hospitalised, one later died. Sinhalese homeguards from Madurangala and policemen from Karapola were involved in one incident where 6 Tamils were killed and dumped into an irrigation canal. Much later, about 11.00 A.M Mahaveli Development Board officials arrived in a vehicle and with the help of a villager called out other survivors who were hiding in the jungle.

About 7.00 A.M the Tamil village of Karapola, a mile from Alinchipotana was attacked by Muslim homeguards from the latter. The attackers broke into 3 groups and attacked people on the road and inside houses. The number killed was 38 (17 men,15 women and 6 children) When a couple complained at the local police post, they were blindfolded, beaten

and tied up. The policemen then went to the couples house nearby, picked up 6 men who had taken refuge there, kept them in the sun and beat them up. A police party from Welikanda, alerted by the Mahaveli Authority, came to the village with an ambulance about 10.00 A.M.

There were two other events of significance. A team of doctors had arrived from Polonnaruwa to perform post mortems at Alinchipotanai. Though requested by the police, the doctors declined out of fear to perform post mortems in the Tamil village. They had been told by the police that they should reveal to no one what they had spied. The bodies from the Tamil villages later taken to Polonnaruwa hospital by the army were found to have besides cuts and bullet wounds, in some cases, portions of the ears and noses ripped off for the ear-rings and nose rings.

The army had arrived at Karapola about 6.30 A.M, in 5 vehicles and an evidently high ranking officer had asked an elder whether he was aware that there had been a massacre at Alinchipotanai, before going past Muthulala to Alinchipotanai [(1) below argues that this must have been the case, but does not mention, as seems likely, the this is the same group of the army which arrived there about 7.00 A.M or after]. This would imply that the army both saw and passed the homeguards and policemen attacking or about to attack the Tamil villages and did not stop it.

15th October 1992: About 300 members of the LTTE including women cadre attacked the Muslim villages of Palliyagodelle, Pangurane, two ancient villages, and their satellite villages Akbarpura and Ahamedpura, all northwest of Alinchipotanai. Owing to past LTTE attacks, these villages had a sentry point manned by 10 army personnel and two platoons making up a total of 52 policemen. These battled the attackers, according to (3), until their ammunition ran out. One set of attackers looted and massacred, while others in a cordon around the villages, warded off reinforcements and airforce helicopters. They left at 7.30 A.M after airforce planes arrived.

Palliyagodelle had borne the main brunt of the Tiger attack. 90 injured were taken to Medirigiriya hospital, 8 miles away, 40 being dead up on admission.

Although men seem to have been the main targets, a number of women and children were killed. In one case a group of attackers seeing a woman and her children cowering, remarked at it and wanted to leave with the loot. One from the group then shot the mother saying that she had recognised him and this may lead to repercussions for his own family. The mother survived. Some of the attackers were said to be very young.

All events mentioned are connected. What was very unusual about the first attack on Alinchipotanai was that civilians from the neighbouring Tamil villages are said to have come with the attackers - including women and children. With the Muslim homeguards and policemen who attacked the Tamil villages came children to do the looting.

These are the bare facts of the massacres taken from two reports compiled by fact finding missions sent by the **International Centre for Ethnic Studies**, Colombo. They are:

(1) The Welikanda Massacre, (2) The Medirigiriya Massacre.

The two reports establish the basic facts, have placed on record a number of testimonies from survivors, have ascribed responsibility for these violations and have made several useful observations and recommendations.

Independently of this, work has been done by a group of Muslim intellectuals and students aiming at unravelling the social intricacies of the area, the impact on these of the clash of ideologies at national level and the resulting impossible position of Muslims of the area.

The import of this work is long term in nature. It also lays bare the manipulative actions of the security forces which helped to drag the Muslims into a conflict not of their seeking, and finally left them as clay pigeons. We have been given a draft of this manuscript which we shall refer to as (3).

When a series of events like this intervene, the idyllic picture of village life is shattered. The news is flashed across the world's airwaves by correspondents in Colombo, often quoting official security spokesmen. Thus the news of the Muthugala and Karapola massacres of Tamils came nearly a day later than that of the Alinchipotanai massacre, although when the army first visited the area the Muthugala massacre was evidently in progress, and the Karapola massacre was about to happen.

Next the foreign correspondents visit the area and perhaps some NGOs. Then the world for all practical purposes turns its back on them. (3) says of Palliyagodelle that it seldom saw any vehicles except at election meetings and during police missions. **The incidents would somehow leave outsiders with an impression that the people are themselves hopelessly barbaric. When two neighbours quarrel, both suffer a loss of dignity. Ultimately in supposedly the interests of greater causes, people who asked for so little in life and have suffered so much, are driven to ruin, scrummaging among the debris of their former existence. Little is ever understood about the manipulation of their sensibilities and fears, originating from way beyond the confines of their villages, which rendered them largely victims.** It is the attempt to tackle this aspect that is most commendable in (3). The statements recorded in (1) & (2) do assure us that these people are human.

Drawing largely on these three sources, we put down some thoughts. Finally the questions arise, do we really understand? and when talking to these people, were the right queries made to further understanding? [\[Top\]](#)

7.2 The villages

Alinchipotanai, Muthugala and Karapola are 3 villages of the Polonnaruwa District in the vicinity of the east bank of the river Mahaveli and about 4 miles NNE of Mannampitiya. In earlier times these villages were inhabited by people making a living through chena (cut, burn and sow) cultivation of rice, only possible during rainy seasons, together with river and tank fishing. There was then no friction. Following the cyclone of November 1978 which devastated the East, the 3 villages changed sites retaining their former names. The Muslim village of Alinchipotanai moved from the bank of the river Mahaveli to the former site of one of the Tamil villages. This was a response to a natural disaster and no hard feelings were involved.

During the mid-eighties these villages came under the Mahaveli scheme, with each family receiving 2 acres for rice cultivation and ½ an acre for a homestead. This allowed the villagers two seasons of cultivation and therefore greater prosperity. Social relationships and commercial transactions between Tamils and Muslims continued normally. According to (3) the prosperity of Tamils declined for reasons of social habits such as drinking and also because of their inability to trade directly with the Sinhalese in nearby towns. This meant that trade was through Muslims who had a commercial relationship with the Sinhalese. Although lands under the Mahaveli Authority cannot be sold for a number of years, several Tamils who fell into hard times, about 50 families in number, unofficially mortgaged their lands to Muslims. Some of these families seem to have subsequently left

the area for the Eastern Province, while others worked their lands as labourers for Muslim creditors. This was perhaps the beginning of an undercurrent of resentment.

The essentially good relations between Tamils and Muslims held until the LTTE's massacre of Muslims in Kattankudy in early August 1990, particularly in the weeks following the outbreak of war in June 1990, when Tamils moving about the area were in grave danger from the security forces on the lookout for Tamils to assuage their anger against the LTTE. Our [Reports No. 4, 5 & 7](#) recorded several disappearances of Tamils from the area about that time.

(3) says that on several occasions after the July 1983 anti-Tamil riots, the Muslims had acted as good neighbours to the Tamils. During this period the armed forces used to harass Tamils during round ups and sometimes caused grave physical harm. Tamils often ran into the Muslim village at the approach of the forces and were duly protected. At the outbreak of the war of June 1990 two bus loads of Tamils going from Jaffna to Batticaloa were overtaken by events in that area. They left the main road and drove into Alinchipotnai where the Muslims provided them with cooking facilities and shelter.

The group of 4 villages including Palliyagodelle were cut off from Tamils, were sited on the west bank of the Mahaveli and their external relations were mainly with Sinhalese. These too were not strong, as the Sinhalese were newcomers brought under the Mahaveli scheme. The population of 4000 as described earlier were poor, & families were large. Education was up to grade 6, less than 5 persons with G.C.E. A.Level passes and not a single degree holder. Their income was derived from farming and livestock breeding. The villages were surrounded by thick jungle. [\[Top\]](#)

7.3 Aspects of deterioration of communal relations

LTTE The role of the security forces:

According to the authors of (3) these villages which bordered the jungle lay astride a communication route from the North to the East used by Tamil militant groups. Muslims who went into the jungle in connection with checking livestock, chena cultivation and firewood collection did often encounter Tamil militants. As long as they were believed to keep such meetings to themselves, which they of necessity did, there was no room for conflict. It is also likely as elsewhere in the East, that Muslims provided some essentials to the militants and at least reluctantly paid taxes. The reluctance appears to have been greater in Palliyagodelle which was more a Sinhalese area.

From 1984 a conscious effort was made by the state to use existing tensions to foment a Tamil - Muslim cleavage as a means of containing the Tamil insurgency in the East. Matters were not improved by indiscipline among Tamil groups as well as by agent provocateurs brought in from outside. The foreign press associated a prominent Colombo-based Muslim cabinet member with the latter.

The LTTE's attacks on Muslims culminating in the Kattankudy and Eravur massacres of August 1990 created an impossible situation. The security forces used the opportunity to start arming Muslims of the area.

(3) states in effect: "Muslims who showed reluctance to accept weapons provided by the forces were intimidated by being branded terrorists. One Muslim youth, it says, was held at the Mannampitiya army camp for no reason and released 3 months later. Shortly after

the arming of Muslim homeguards, on 22nd November 1990, the LTTE shot and injured two villagers in Allinchipotanaï. The following day the army set up camp in the village ostensibly to protect the Muslims.

“This was followed by the army going regularly from the Muslim village to the Tamil villages, harassing civilians and sometimes returning with young men. The latter were then subject to physical mistreatment, some of whom joined the ranks of the disappeared. On another occasion, following some peculiar circumstances involving a few individuals, 3 Muslim home guards accompanied the army to a temporary jungle camp of the militants resulting in one militant killed and the goods at the camp taken away.

“After deepening the cleavage between the Muslims of Alinchipotanaï and the neighbouring Tamil villages, and having done everything possible to label the Muslims unfairly as informers, the army withdrew its camp at Alinchipotanaï on 13th July 1991. This was replaced by a police platoon of up to 30 men. During this period Muslims had understandably become negligent in the payment of taxes demanded by the LTTE. In some instances individual Muslims had identified Tamils connected with the LTTE. Uncharacteristically, the army took them in and released them. This was seen as deliberate. [\[Top\]](#)

7.3.2 The LTTE :

The drift of the LTTE’s approach to the Muslims and its purely instrumental approach to the Eastern Tamils, whose real problems were not addressed by the LTTE, have been covered in a separate section of this report [\[6.4\]](#). But once on a course of deliberate brutalization of relations with Muslims, matters like massacres and ‘ethnic cleansing’ for ‘security reasons’, assume a logical necessity. As in the case of these massacres, there was also total callousness towards local Tamils. They were left unprotected and isolated to face the wrath of all surrounding interests. [\[Top\]](#)

7.3.3 Colonisation:

This is a real problem concerning both Tamils and Muslims in the East although the LTTE’s interest in it was mostly instrumental. We have observed in [Special Report No.3, Report No.7, and Chapter 2](#) of this report the general drift of state sponsored colonisation. The general strategy is to push Sinhalese colonies eastwards from the interior towards the coast. In the course of this local Tamils and Muslims suffer from triple disadvantages. These are loss of land, loss of physical security and loss of control over water resources, key to their economic existence.

The state’s agenda progresses through violence, administrative manoeuvring and attrition. The unplumbed psychic damage done to the people of the area, the resulting brutalisation and the actions of state forces have conspired to set the scene for massive human rights violations.

The villages in question are part of the Mahaveli settlement scheme that is pushing eastwards using huge sums of borrowed money from the world bank and the West. The villages in the incidents are old villages whose inhabitants received land under the scheme. At the same time there is an induction of a large number of Sinhalese settlers from elsewhere. (3) states that Muslims feel that in consideration of the Tamil insurgent response that would inevitably have sympathy from the Tamil villages, in this instance the Muslims were being used as a buffer between the Tamil villages and Sinhalese

settlements. The behaviour of the army, police and the Sinhalese homeguards towards the Tamil villagers in this instance is the reflection of an old story. The Tamil villages to the east of this area, ranging down from Trincomalee to Valaichenai suffered total devastation from army and Sinhalese homeguard violence between 1984 and the arrival of the IPKF. Most Tamil villages were destroyed and their inhabitants rendered refugees.

The Muslims of the area know that under this dispensation they would ultimately suffer utter deprivation and perhaps, even state violence. But now a combination of events - the manipulation of the state and of Muslim interests in Colombo, together with the brutal bankruptcy of the Tamil militancy - have placed the Muslims uncomfortably and unwillingly in the position of appearing a buffer to serve the interests of the state.

A particular well-informed account of how state policy works in the region is given by **D.P. Sivaram** in his article '**The strangling of Menkamam**' in the '**North-East Herald**' of January - February 1993.

This ethos gave rise to a generation of Tamil youth in the area who felt that they were with their backs to the wall. The **LTTE** thus mobilised youth from rural areas with real grievances. The late **LTTE** leader **Pulendran** is an instance of the archetype that emerges from a culture that drives people to embrace the motto '**kill or be killed**'.

This is one aspect of the barbarism seen at Alinchpotana and Palliyagodelle. For the local Tamils of the region, rendered refugees or living as if under siege, almost anything connected with colonisation touches off a violent chord. The international community which has funded these colonisation schemes in the absence of political safeguards for the minorities, should share some of the responsibility for this state of affairs. [\[Top\]](#)

7.4 Aspects of the massacres

7.4.1 The Palliyagodella massacre:

The causes of this seem less problematic. Tensions between these villages and the **LTTE** had been in the making for years. The **LTTE** had been demanding taxes which were grudgingly paid -these people had absolutely no stake in the Eelam struggle - and cattle were occasionally taken away. During the rapprochement with the government, the villagers complained to the forces about tax demands. On coming and discovering that the group asking for tax was the **LTTE** and not the **EPRLF** as they had presumed, they chatted with the tax men and departed. **(3)** continues, '**Soon after the massacre of Muslims at Kattankudy and Eravur in 1990, the government issued (more) shotguns to the villagers. These were more than enough to sharpen enmity between the LTTE and the villagers, but far from adequate to defend the latter. The LTTE first launched a direct attack on the village in September 1991, killing 16 civilians. One of the attackers, possibly the leader, was killed by the defenders - an achievement that gave satisfaction to the poorly armed villagers, which in turn would have further angered the LTTE.**

(3) believes that the direct cause of the massacre at Palliyagodelle was that some homeguards from Palliyagodelle had taken part in the reprisals against the Tamil villages of Muthugala and Karapola 5 ½ months earlier. Two or more Sinhalese from that area were reportedly abducted by the **LTTE** prior to the massacre and were released subsequently. It is believed that they were used an information source on the villages and surroundings.

Concerning the role of girls and of very young cadre in the attack, an observation made by several people and also suggested by the reporting in (2), is that these were new recruits deliberately brought in to harden them against taking human life, particularly of persons who were helpless, as the group required. Having been taught that all Muslims were traitors, they would have had little difficulty in killing unarmed Muslim men against all traditions of heroism. But to their youthful sensibilities, even at this stage of brutalization, there seems to have been some inhibition against killing women and children. One attacker's reason for killing a mother appears to have been that the mother had recognised him and he therefore feared repercussions against his own family. The looting further underlines the level at which this liberation group operates. [\[Top\]](#)

7.4.2 Massacres at Alinchipotanai, Muthugala and Karapola:

What is problematic here are not the massacres themselves, but the widely talked about role of civilians. The people of Alinchipotanai believe that the **LTTE** met some of the villagers of Karapola in the village itself and conferred with them about the attacks that took place 5 days later. A delegation that came to the Muslims from these villages to discuss the redemption of mortgaged Tamil lands is seen in retrospect as an **LTTE** instigated camouflage operation to divert attention from the real reason for the **LTTE**'s presence. Soon after they had been attacked (a partial attack on about a third of the village, apparently to drive them out) the Muslims quickly formed the impression that the Tamils were collectively behind the outrage - an erroneous, but common, mutual impression in the East, eg. Sammanthurai and its Tamil neighbour Veeramunai through the vicissitudes of the last few years.

We feel uncomfortable with such conclusions. Two things are almost certain. Under the bullish dispensation of the Sri Lankan army and the threat of colonisation, it is inevitable that the **LTTE** would have picked up recruits from the Tamil villages. The two Tamil villages, like the Muslim village are small, each having 600-800 persons. Any visit by the **LTTE** to one of the Tamil villages would have been widely known to the Tamils, as the Muslims knew and the Sri Lankan police at Karapola do not seem to have had an inkling of. But the claim that Tamils in general knew about the coming attack in Alinchipotanai can be ruled out. Such a claim would have involved more than 1000 people keeping a secret that was bound to cost them dearly. These were two small isolated Tamil villages in a hostile environment. They would have known the nature of repercussions. Their testimonies in (1) show that they were not suicidal maniacs driven by hatred.

The men among the survivors of Karapola said that they were remaining in the village rather than move to a safe area because they were anxious not to give the impression that they were party to the attack on Alinchipotana (Those in Muthugala were evidently not allowed to move). This can virtually be taken as proof that the men concerned were not involved, nor could they have approved of what took place. Anyone who took part had some chance of being identified, as several of them were. Those from the village who took part in the night attack, by the accounts given, appear to have been reckless using their familiar voices and calling one another by name.

By morning the Tamil villagers would have had some idea of what happened the previous night in the Muslim village, given all that shooting. Knowing the

possible consequences why did most of the Tamil villagers sit pretty waiting for the armed authorities to arrive, instead of taking to the jungle as they did later? The only possible answer seems to be that the villagers were in a panic. After conferring briefly they would have assumed that army would be on the way and anyone found missing would have become suspect. They would have concluded that staying put was the best strategy. (1) also points out that goods looted from the Muslim village, if searched for, were not found in the Tamil villages.

Normally anyone from the Tamil villages who got wind that an attack on the Muslim village was being planned would have expressed their anxiety at least to cadre known to them, particularly from their village. Such cadre, as we have recorded in previous reports, are often anxious to shield their families and their villages. This points to a decision to attack taken at a higher level.

In such instances the **LTTE** is even callous enough to assure the villagers that nothing would happen to them. We have recorded how the **LTTE** have in many instances fired at advancing troops of the IPKF from civilian positions and then ran away after assuring the protesting civilians that the troops would do nothing to them.

How about the Tamil civilians who co-operated in the **LTTE** attack? One accused by the Muslims is a postman and another a school mistress or two who taught Muslim children. These persons had regular human contact with Muslims. They are accused of having provided information on houses with a large number of children to be targeted for elimination. For a young woman to plan the elimination of children she talked and played with is very unusual. If these allegations have substance, and these persons had co-operated under duress, would they not have whispered a warning to some Muslim? Or were they so terrorised? On the other hand if they had co-operated cold-bloodedly, they would have harboured some deep hatred for the Muslims or were hard-core **LTTE** operators who could act mechanically. Strangely the postman had remained with his family at Muthugala and was killed according to (1)!

The presence of Muslim civilians among those who took reprisals on the Tamils is explainable in terms of spontaneous anger. The presence of Tamil civilians among those who attacked the Muslims is far less easy to explain. Did some of them lose close relatives to the forces when the army was stationed in the Muslim village and went about with homeguards?

There is a great deal that we do not understand. Perhaps finding out the truth requires long term confidence building with the villagers and cannot be elicited in a day or two, however valuable information so elicited may be.

According to (1), Tamil villagers had said that there were Tamil civilians among the attackers, but they had left the area a long time ago. The content of that answer has no straightforward explanation. (2) gives us an instance of defensive answering. Palliyagodelle had a Tamil barber who was among the victims of the **LTTE** massacre. He had been married to a lady from Eravur, whose son by a previous marriage had spent much time in Palliyagodelle. Shortly after the June 1990 war he seems to have joined the **LTTE**. The lady solved the delicate problem of explaining her loss of contact with him by saying that he had been killed in the violence around Eravur at that time. It is suggested that a Muslim lady had recognised this boy as being among the attackers, and was in turn shot and wounded by this boy who wished to protect his parents. Such has been the

web of violence in which people have been caught up doing things they never dreamt of. [\[Top\]](#)

7.4.3 The conduct of the army:

A three man committee of inquiry consisting of a retired supreme court judge a senior police officer and a senior army officer went into the massacres of 30th April 1992 and based on its findings some Muslims who attacked the Tamil villagers were charged. The report, as far as we are aware, is not public. We were told by a well placed journalistic source that at the request of higher authorities it was re-written to move the colouring of the army's conduct so as to lighten the shade of complicity and have a heavier shade of negligence, which is not so culpable. The police were reprimanded. But no further action is envisaged.

(1) makes a pertinent observation which suggests that the ideological basis of the army's role in the region had driven it to cultivate exclusively Muslims as sources of information and hence be in a permanent antagonistic position to the Tamils. On the other hand, Tamils would not readily give information unless they see some legitimacy in the army's role. This will never be as long as the army is seen to spearhead the ideological agenda of Sinhalese colonisation by force of arms. It is notable that the **STF** in the Amparai District has fared much better. This was helped by the fact that there is no major effort at colonisation in the area, and a political decision was taken to return Tamils to the villages, from which they were driven out, under **STF** security. These measures made a more - even handed role for the **STF** possible. To a good extent there is trust in the intentions of the **STF**, and its sources of intelligence now are probably mostly Tamil. It thus seems to be in a better position to take pre-emptive action against any disruptive moves. This is very different from the situation in Welikanda. Unless a political decision is taken to ensure that the minorities are equal partners in the Mahaveli project, their fears are listened to and the partisan colouring and secretiveness which recent history has given the project are removed, the army will be trapped into a position of antagonism to the Tamil people. Then little will change.

CHAPTER 8

HILL COUNTRY & NORTHERN NOTES

[8.1 Detainees in the Hill Country](#)

[8.2 Land and Hill Country Issues:](#)

[8.3 Jaffna : Indicators of nutrition and health](#)

[8.4 Killinochchi : 12th February 1993 : Aerial bombing & a narrow escape for school-children:](#)

[8.6 Mannar: January - March 1993:](#)

[8.7 The LTTE & Sinhalese and Muslim civilians](#)

8.1 Detainees in the Hill Country

The matter of 40 or so hill country Tamil detainees recorded in our [Special Report No.4](#) turns out to be just the tip of the iceberg representing a large and potentially dangerous problem - dangerous because of the manner in which the state is handling it. Firstly there is the social problem of unemployment, meaninglessness and a lack of dignity faced by thousands of hill country youth. It is then estimated by leading trade union sources that during the **IPKF** presence 2 to 3000 hill country youth went to the North-East to receive some form of military training and employment under the umbrella of Tamil groups working with the **IPKF**. Many of them worked for the ill-starred Civil Volunteer Force. Several of those who went to the North-East came back home in disillusionment and the rest following the collapse of the pro-Indian groups in early 1990.

Even prior to the coming of the **IPKF**, a comparable number are said to have joined North-Eastern militant groups. Groups associated with numbers in decreasing order are said to be the **EPRLF**, **EROS**, **PLOTE** & **TELO**. The number associated with the **LTTE** is said to be negligible. It is mainly these boys with past North-Eastern links who have been detained since June 1990. Ironically most of the groups with whom they were associated are now closely aligned with the government or are in a position to exert some influence on the government. But they have not come to the aid of these hill country boys who once worked for them and later got into trouble.

The other problem is the poor education and training of police personnel stationed in the hill country. Even ASPs are often said to be monolingual, not knowing Tamil or English. Their understanding of the North-Eastern militancy is said to come mainly from the popular Sinhalese press. Many of them cannot for instance make a distinction between the **LTTE** and the **TELO**.

A typical case is that of a young boy Kanagasabai who returned home to Dimbulla in the Nuwara Eliya District after serving in the **TELO**, fell out with a friend who petitioned the police and was arrested in December 1990. The only thing of significance he had was a military instruction booklet in Tamil issued by the **TELO**, which had something to say on attacking police stations, and which he had kept hidden in a neighbour's line room. He was severely tortured and the charges framed against him were fantastic - even more serious than those framed against leaders of the **UPF**. On the basis of his alleged confessions he was accused of involvement with the **LTTE (Kottiya)**, conspiring to attack a police station, overthrow the state etcetera. He had in fact confessed to involvement with the **TELO**, which the police recorded as 'Kottiya'.

Most of those detained are said to be in similar categories. According to those who had pursued individual cases, if the matter is not resolved within a month at local police level, the problem becomes infinitely more complex once the file is sent to Colombo. The Attorney General's office is said to hand over bundles of files to different lawyers, who may take them away and go somewhere on duty, and no proper records are kept. To find whether the file is in existence and to trace it often takes months. The AG's office is bound to take charges coming from provincial police stations seriously, however fantastic they may be, and the detainees are charged under the **PTA**. Even when someone of influence pursuing the matter convinces the AG's office that the charges are groundless, the detainee is usually released on a suspended sentence after pleading guilty to a minor charge. This is done so that the state is not held liable to compensate the victim. The process often takes well over a year. Kanagasabai too was eventually released. Even in several cases where the matter was settled at provincial level, the detention and release were both found to be unrecorded.

In routine police matters such as theft, the police do not appear to be making a distinction between these and cases where there is an alleged threat to the state on account of which the emergency regulations have been justified. One teacher in Hatton was arrested in connection with an old friend from Jaffna and the friend's companion who had both called and had dinner with him, and were later wanted in connection with a car theft. Again two innocent CWC members were arrested in connection with tampering with a cheque. Those detained were badly beaten. Such routine torture is described as 'extremely brutal'.

Many hill country boys detained and released have no security against re-arrest. The number is said to run into several hundreds and may be in the thousands. In order to escape further harassment many of them have reportedly joined the EPDP, a Tamil group now closely identified with the ruling UNP. Hill country leaders fear that if the government changes or if the EPDP goes out of favour, these boys will be back to square one or worse. These leaders are pressing for a general amnesty as the only practical and expeditious solution to this particular problem.

The government's handling of this has only added to the general volatility that is to be found in the hill country. The LTTE is said to have recently recruited from hill country folk settled in the Wanni or from among hill country young, either domiciled in or casually visiting the North. These are people who have not the faintest understanding of what is going on and have no stake in the LTTE's cause. In the late 80s several hill country boys joined the JVP for the mere reason that the JVP was threatening estate superintendents. [\[Top\]](#)

8.2 Land and Hill Country Issues:

Recently some hill country groups, including the UPF, have started raising the demand of nationality status and an autonomous region for hill country Tamils. This demand has gained significant sympathy through long experience of oppression and a feeling that the state is constantly trying to short-change them. People also see that similar demands made in the North-East helped to internationalise the Tamil cause, without being very conscious of both the physical and internal damage to the Tamils resulting from the associated politics. Some see the use of such demands as a means to break the influence of the CWC.

At present, perhaps the more influential sections, see this demand as dangerous. They feel that the Hill Country Tamils are socially and economically too weak to withstand the repercussions. Moreover, they feel, they are physically and economically intertwined with Kandyan Sinhalese living in the same area, and that their main thrust should be to achieve equality with them. They feel that demands, such as for autonomy, could jeopardise the slow, but steady, gains the Tamils have been making by putting a weapon into the hands of Sinhalese communalists.

One Veteran trade unionist said that land for housing and home gardens was essential. But that a demand to dismember estates and give lands to Tamil workers or Sinhalese peasants was a purely emotional issue which was far from being a solution to the basic problems.

He said, "I personally know that there is much poverty among Kandyan Sinhalese peasants. Many of them skip several meals. When Tamil estate workers receive regular wages, however small, or are given small concessions, emotional cries are raised by communalists about the government doing marvels for the Tamils. The SLFP in the 70s made the carving up of estates and giving lands to Kandyan peasants an emotional issue. There was violence against Tamils and many rowdy scenes [See [Special Report No.4](#)], but there was no serious dismantling of estates. As a reaction, Hill Country Tamil

groups too made a similar demand for land an emotional issue. Where land was given, experience has shown that the benefits were illusory.

“When the late General Ranjan Wijeratne was minister for plantations he distributed lands in some estates performing badly. One acre per family was given to Tamil workers at St.Elias estate. Elsewhere lands were given to Sinhalese. Today very few of these families are in occupation of the lands. Most of them have sold out to Mudalalis (big businessmen), a large number of whom in this particular area of commerce happen to be Tamils. In Norwood, land was taken over and a Sinhalese village, Jayasirigama, was created. Only about 5 Sinhalese families remain, the rest having sold and left. Land is damn cheap at Norton Bridge, but hardly anyone is interested in going there. My family received 2 acres, but nothing has been done with it. Many Kandyan Sinhalese have been offered land in the Mahaveli scheme. But very few are interested in going. The reality is this. When it comes to hard practical realities, the people do not want land. Only the Mudalalis want land.

“This is a small country. Modern land usage is capital intensive. You cannot in this country solve the problem of poverty by giving large tracts of land like in Canada which are viable units for modern mechanised techniques. It is neither a conspiracy nor an accident that large tracts of land coming under schemes such as the Mahaveli are going to multinationals. Some other means must be found to relieve poverty and generate employment rather than giving land, which costs the state nothing. What is needed is investment with clearly thought out goals.[\[Top\]](#)

8.3 Jaffna : Indicators of nutrition and health

Jaffna had previously enjoyed a better level of health than the rest of the country. With siege and war, this is no longer the case. According to one of the accepted methods of measurement, severe malnutrition among children in Jaffna is now 7-8%, while it is 12.8% for the whole of Sri Lanka. The figure for Killinochchi is 3%. Low birth weight among babies (below 5 ½ lb or 2.5 Kg) has increased from 19% in 1989 to 23% in 1991 to 25% in 1992.

The worst affected are among the refugee population. About 46% of the population of the North-East are officially displaced. The Jaffna District has an estimated 42,000 refugees in camps among whom 19000 are children. A total of about 120,000 are displaced. A study of pregnant and lactating mothers sampled in 12 refugee camps within the Jaffna municipality in 1991 found all those sampled to be anaemic. It also found 41% of children below 1 year in age and 73% in the 1-5 year range to be below the third percentile expected weight for their age against a norm of 34.7% for Sri Lanka. Other studies showed similar results. A number of diseases such as dysentery, paratyphoid, malaria and TB are on the increase.

While not being unduly alarmed, the medical authorities are concerned about a deteriorating situation and stress the importance of stabilising the situation and if possible reversing the decline. They point out that owing to bad communications a rapid deterioration may suddenly take place without the outside world becoming adequately aware of it. Jaffna folk received their December 1992 Christmas mail only in March 1993.

With the government banning movement in the Jaffna lagoon, questions were raised about the government sending considerably less than the food requested by the GA/Jaffna and about significant pilferage. A rehabilitation ministry official said at a

press conference (4/3/93) that the monthly food requirement asked for by GA/Jaffna is 11,000 tonnes. The amounts sent he said were 2635 tonnes in December 1992, 5253 in January '93 and 11430 in February (up to 26th). The shortfall in December & January, he claimed, was due to the north east monsoon limiting the unloading days at Pt Pedro and the KKS port being unoperational. On (18/3) presidential advisor **Bradman Weerakoon** told the press that of the Rs 1181 million worth of food items sent to Jaffna during 1992, there is no account for food worth Rs.167 million. Minister Ranil Wickremasinghe attributed the theft to the Tigers rather than at the point of embarkation in Colombo. **Mr. Weerakoon** admitted that there was 'no clear proof' to show that the Tigers stole the food and that the CID was investigating in Colombo. While the Colombo press generally blamed the theft on the Tigers, senior Tamils were convinced that it resulted from the general corruption in Colombo.

Subsequently several shiploads were sent in February and March. While the rate of loading at the port of Colombo with standard mechanical aids was said to be around 250 tons per day, the rate of unloading at Pt Pedro (in March) was 500 tons a day - fully manual with a disintegrating pier and work-men hopping from barge to barge transporting the cargo. The effect was a drop in the price of rice in Jaffna from Rs 55 to Rs 42 a kilo - still well above the Colombo price of less than Rs 20 a kilo. Kerosene dropped from Rs 250 a litre to Rs 125 and rose to Rs 175 - over 10 times the Colombo price.

Although displaced persons who are normally without a livelihood are entitled to government rations, they do not necessarily receive them. A family displaced by military action arrived in the village of Idikundady, near Navalay. Having starved for some days, they appealed for assistance where they could without success. During the month of February 1993, seven members of the family committed suicide by consuming ground arali seed. On orders from the authorities, the news was blacked out of the local media. [\[Top\]](#)

8.4 Killinochchi : 12th February 1993 : Aerial bombing & a narrow escape for school-children:

On the road going east from Karadippokku, near Killinochchi, an **LTTE** camp is sited (as is often the case) next to St. Theresa's school. Shortly after 8.00 A.M when the road was crowded with civilians and children and the school about to commence for the day, a new jet bomber (known in the North as 'supersonics') dropped a bomb ostensibly aimed at the **LTTE** camp. The bomb as is usual missed the camp. Also fortunately it missed the school, falling away from the school on the side farther from the camp. A number of school children and civilians were injured by the exploding bomb which left behind a huge crater. One girl broke a leg when she ran in fear and had a fall. The navy had been involved in a firefight with the **LTTE** the night before, in the Jaffna Lagoon.

8.5 Crossing the Jaffna Lagoon:

With travel in the lagoon officially forbidden and no agreement reached between the **LTTE** and the government on the use of the lagoon by civilians, those travelling from the peninsula use **LTTE** supervised transport for the lack of an alternative. The modus operandi was for the **LTTE** to deploy about 10 armed boats to patrol the waters on a day announced, while civilian boats do the crossing. On 11th February for instance 120 passenger boats and 40 boats with goods were involved in transportation. Due to a

shortage of motor boats, some times one motor boat towed three other boats, taking over 4 hours to cross instead of the usual 2 ½. The travellers journeyed in constant fear amid a heavy exchange of fire between the armed adversaries. On 14th February the airforce shot and destroyed several boats parked along the shore.

Although the government tried to restrain travellers with constant scare stories about heavy armed engagements and several sinkings of supposedly **LTTE** craft, and a stream of civilian casualties reported by Tamil sources, the true nature of casualties remains hard to probe. The **LTTE**, for reasons described in [Report No10, Ch.0](#), does not wish to alarm travellers and come under pressure.

A leading government official in Killinochchi said about mid-February that no bodies of persons killed since the massacre of 2nd January had been brought to the government hospital. About 10 bodies which reached the lagoon shores later in January with cut wounds and bullet wounds are believed to be victims of the incident of 2nd January. The **LTTE** is known to have charged Rs 25 000/- to transport bodies of some victims to relatives in Jaffna. It was clear that civilians still travel with no idea of the real dangers they face.

On 23rd March, a medical student travelling to Vavuniya to receive his Mahapola scholarship fell victim while crossing the lagoon. He went on his journey in response to an official invitation sent by a government which also killed him on the way. We pointed out in [Report No 10](#) that this is an absurd position for a government which needs to win the political battle in order to win peace.[\[Top\]](#)

8.6 Mannar: January - March 1993:

On 22nd January, **LTTE** personnel who came by sea and landed at Pesalai killed two policemen in an attack. Subsequently army personnel went on a rampage, killing one civilian in wild firing and injuring 5 others. The dead man was a Muslim who sold refreshments outside the **UNHCR** run refugee camp.

Subsequently **Brigadier Karunatileke** who is in charge of the district, visited Pesalai and addressed the refugees in the presence of the local **UNHCR** representative. He accused them of harbouring the **LTTE** and warned that the next time they would come in and shoot.

On the 15th March the **LTTE** attacked a police patrol moving from Karisal to Pesalai killing 3 policemen. Subsequently the army arrived on the scene and did a round up. Vehicles were stopped and commuters between Mannar and Pesalai were beaten. A passenger van purchased the previous week for Rs 140 000/- was burnt. People were dragooned into forced labour, cutting palmyrah trees and strengthening the police post at Karisal with new bunkers.

Subsequently a curfew was imposed and a search operation was conducted in the area. This time the people had another speaker, **Colonel Chandrabahu**. He told them that they need not give information to the army. But they must not entertain the **LTTE**. Security, he told them, was the main reason why Mannar is not having development, unlike Batticaloa and Trincomalee, which are, according to him, now having development.

On the night of 5th April, according to a report in the **Island**, 7th April, **Lieutenant Samarasinghe, Corporal Sumnapala and Private Karunaratne** were killed by seaborne Tigers at 10.45 p.m. The casualties were part of a mobile patrol moving towards Mannar

Island on a causeway. One officer is quoted as saying, "The Tigers appear to have launched a determined campaign to disrupt civilian life on Mannar Island". [\[Top\]](#)

8.7 The LTTE & Sinhalese and Muslim civilians

The **Island** of 6th April reported that the **LTTE** shot and killed **H.E.Ranaweera (45)** and **Vinnie Ranasinge (19)** at Suriyawewa, Welikanda. The two were bull-dozer operators working for the State Development and Construction Corporation. A dawn attack on the army at Kalyanapura, Weli Oya, by an estimated 150 **LTTE** cadre on 9th april 1993 claimed an officer and 18 soldiers wounding several others.

The following excerpt is from a front page piece by **Daryll de Silva** in **The Daily News** of 14th April 1993. It is also significant that during its recent attacks in Mannar (**8.6 above**), the **LTTE** has not targeted Muslims as it easily could have:

"**LTTE** watchers believe the incident to be significant. "The tigers outnumbered the troops by about four to one in this border area. What is strange is that being there in such large numbers, they did not pick on civilians, but took the opportunity to take on a military target that happened to move into their midst,"

"It has now been established that the **LTTE** lost **Captain Ariyaman**, six lieutenants, and two second lieutenants (unnamed) on Friday when they could just as easily have taken on a civilian target without loss to themselves, observers say. They were convinced that the Tiger group was one that was moving north when the soldiers were ambushed.

"**LTTE** observers have also noted that the Tigers have recently changed their attitude towards the Muslim community. " They recently released four boatloads of 18 fishermen and released three other Muslims to the **ICRC** without causing them any harm," sources said.

" So **Prabhakaran** appears to now want to live upto the claim, he made in his **BBC** interview-that he had nothing against the Muslims or even the Sinhala community. This is quite a change of attitude and all for the better", one observer commented.

APPENDIX I

[From the writings of Y.Ahamed](#)

[From 'Islam is our way and Tamil our tongue](#)

[From "India's great poets, Iqbal and Bharathi"](#)

From the writings of Y.Ahamed

We have recorded in the preceding pages the death of **Y.Ahamed**, civil servant, scholar and writer, at the age of 47. The East has in the recent decades been struggling to produce its own crop of scholars and writers, rooted in its soil and among its people. It is they who from a knowledge of their roots and by forging a common Eastern identity, should act as a stabilising influence and harmonise communal relations. **Y.Ahamed** was a notable figure among them, who like several among his company, had his days cut short. The community as a whole continues to bleed. **Ahamed** enjoyed much respect among Tamils as a fair

administrator, and one, who through his work and writings, worked earnestly for Tamil-Muslim unity. This makes his loss all the more poignant. The following excerpts from his writings, translated from Tamil, are given with the intention of providing some insight into the man, his mind and what moved his heart.

That he was a man Muslim by faith, thinking instinctively in terms of a multi-religious Eastern identity, comes out in his writings. The beginning of his essay on his visit to Kerala, written in 1986, brings out his love for the East and his disquiet over the gathering storm clouds:

“My journeys between Mutur and Valaichenai used to be most uplifting. My heart would go out to the verdant forests bequeathed by nature, and I crossed several rivers of indescribable loveliness. The passage through Verugal and Kilivetti left not one moment of boredom.

“With Communal disturbances in the East of 1985, a dark pall descended over these travels, which used to bring me great joy. Many lives were lost in the disturbances in the Batticaloa District. Although the Trincomalee District was then quiet, by the end of the year there was violence between Sinhalese and Tamils. The people living from Verugal through Mutur were subject to great insecurity. Many Tamil villages were entirely destroyed. Travelling through those villages became a terrifying experience.

“My journey to Mutur from Valaichenai now had to proceed through Polonnaruwa, Habarana to Trincomalee and then to Mutur by ferry. We had to get down from the bus at sentry points and get back in after enduring the belittling speech and insulting manner of those manning the points.....”

From ‘Islam is our way and Tamil our tongue

“.....By whatever name the Tamil speaking Muslims of South India and Ceylon are called for reasons of national harmony or political expediency, their way of life and their history are intimately and fondly harmonised in the totality of Tamil heritage.

“There are people of many religious groups who hold Tamil as their mother tongue. Their faith governs their thinking and their way of life. But the Tamil language is the medium of their thoughts. The ethical and religious systems of Hinduism, Buddhism, Jainism, Christianity and Islam are fostered by the adherents of these faiths. The literature and creative writing of the followers of these faiths is spun with their way of life as its raw material. There is no disputing this.

*“Tamil heritage is one that has been taking shape over several centuries. The impact of these religions on the growth of this heritage is one that is a subject of research..... Even when that heritage sustains a particular character, it needs to accommodate within itself several distinct traditions. **Tamil heritage is therefore a treasure that is held in common by peoples with diverse ethnic strains, cultures and religions....”**[\[Top\]](#)*

From “India’s great poets, Iqbal and Bharathi”

“.....The Himalayan range and the river Ganges are integrally linked with the fame of the good land of India. These two are symbols of its strength and purity These two are precious jewels adorning Mother India. Their pride and grace is reflected in the poems of Iqbal and Bharathi. Iqbal’s “Dharana-yeh-Hindhi” takes us into the spirit of the

Himalayas and the Ganges. Its fame received a permanent setting by its being sung on India's day of freedom in its new governing council:

*“.....Though we journey through other lands,
our hearts remain fixed on thee O mother,*

In thee rests our consciousness of being!

Our Himalaya the greatest mount of all

The sky gently reposes on her.

Beautiful Himalaya our indomitable guardian

A thousand rivers

Play upon her lap.

Others envy the wealth

these living waters yield

Ours this garden of rich blossoms.....

Hey thou full flowing Ganges

“Is it only Iqbal who has sung so? “So have I”, I can hear Bharathi protesting. Let us hear him:

“Himalaya, prince of mountains, is our mountain

The wide earth hath nothing like unto thee

There is no river like our river Ganga

Is there another that outshines her glory?

How wonderfully has God united the vision of diverse poets? Whether in showing attachment to their land or in their devotion to their community, do not they all open their hearts to us? Do not their thoughts all flow into the same river? How great, how broad are their hearts!

(The extracts above are from articles published in the author's ‘ Moliyum Valiyum’)

From ‘Valaichenai - A historical note’ - Published in 1992.

From the preface: The Tamils and Muslims of the Batticaloa District have lived in unity for centuries. A group bent on stirring up disunity and finding perverse amusement in doing so, is ignorant of the history of the Muslims of this district. I was therefore moved to express by means of this small work, who these Muslims are, so fraternally and intimately bound to their fellow Tamils, through ties of blood and speech.....

From the ‘Arrival of Muslims in the East’:

“Alexander Johnston tells us that Mohomedans or Yonakas settled in this island during the eighth century A.D. According to him they belonged to the Hashim family who took refuge from the persecution of Caliph bin Marwan. Those who settled in Puttalam took to coconut growing, paddy cultivation, pearl fishing, trade and salt manufacture.

“An incident in Puttalam is closely connected with the Mukkuwas who settled in the Batticaloa District...There is historical evidence to prove that there ia a strong tie of blood between the Mukkuwas and the Batticaloa Muslims....

“Mukkuwas lived in the village of Koththanthivu in the Puttalam District. Manikkathalaivan, the chieftin of a neighbouring village desired the hand of a Mukkuwa lass, Nallal. For this cause he took to arms. The Mukkuwas sought the help of Arab merchants to defeat Manikkathalaivan... When asked what they desired in return for their services, “We would like you to embrace Islam” replied the Arab merchants. This many of them did.

“One historian tells us that of the thirteen Mukkuwa villages in Puttalam, seven migrated to the Eastern province. The traditional practices of the Mukkuwas are to this day prevalent among Kalmunai Muslims.....

“One historical account tells us that the Mukkuwas were expelled from the Jaffna peninsula in the 5th century A.D. Their settlement in Batticaloa was resisted by the Thimila tribesmen who were already there. The Mukkuwas sought the aid of Muslim warriors to defeat the Thimilas, who were driven northwards. An ash coloured stone pillar finally separating the domains of the two tribes, erected at Thumbukkan Kudah, near Panichchengkeni, stands to this day. As reward for their services, the Muslim warriors accepted Mukkuwa women as wives, thus strengthening their ties of kinship. But there is no evidence of instances such as at Koththanthivu, where Mukkuwas in the East embraced Islam.....

“Although Eastern Muslims are descendants of Mukkuwa women, they today regard themselves a people with a distinct identity. Their descendants took to trade and to seafaring. They also served in the army of the king of Kandy. Their quality as warriors was proven and the Muslim camel cavalry attained fame in the battle of Wellawaya, during the reign of Rajasinghe II (1634-84). It is notable that the traditional pursuits of Eastern Muslims are also those associated with Arabians.

*“Several place names in Batticaloa pertain to the historic battle between the Thimilas and Mukkuwas in which Muslim warriors assisted the latter. These are ‘**Vantharumoolai**’ (Came-rested corner), ‘**Sathurukondan**’ (Enemy killed), ‘**Santhiveli**’ (Meeting-moor) & ‘**Pathiyai-thookia-palai**’ (Place where the Thimila queen was hanged). Eravur is named after the place where Muslims, previously prevented from settling, were allowed to settle down as part of their reward.*

[Some of this lore can also be found in Nadarajah’s, ‘Mattaikalappu Manmiyam’].

The writer also gives instances of Muslim settlers, some from the Kandyan kingdom, associated with places in the East and who held office during the British administration. The writer concludes: *“The Muslims of Valaichenai are largely settlers from Kattankudy. It is said that **Arumuga Pattamkatti** (a Tamil) and his wife **Valliammai**, together with **Meeranpodiar** (a Muslim) and his wife **Kathisa Umma**, came to Valaichenai from Kattankudy in the same bullock-cart and continued the rest of their days in like harmony.*

“Whatever the truth of this story, it is likely that both communities settled in Valaichenai (Banana cropping using chena cultivation) in recent times. The long standing unity between the Tamil and Muslim communities, the practice of give and take, and co-operation in professional life, are qualities which have prevailed unto this day.

APPENDIX II

COLONISATION & DEMOGRAPHIC CHANGES

IN THE TRINCOMALEE DISTRICT AND ITS

EFFECTS

ON THE TAMIL SPEAKING PEOPLE

[Concentration of Security outfits:](#)

We have mentioned in [Report No 7, Chapter 8](#), that state aided /sponsored colonisation is not something intrinsically objectionable. There is controversy about its conception and execution in the immediate post independence years that we cannot resolve. An extract from a speech by **D.S.Senanayake** quoted from memory by his grandson which appears in **H.Gunaratne's 'For a sovereign state'** was reproduced in our [Report No 7](#) . This, if correct suggests an ideological agenda from the outset. But there is also considerable testimony from Tamil officials involved in these schemes which suggest that these schemes may have become in time exclusive Sinhalese affairs owing to default by Tamils. This was the case in the **Gal Oya scheme** in the Amparai district where the response to initial offers of land from Tamils was said to be poor.

However as the evidence suggests, from the 60s onwards an ideological agenda became visible together with alarm on the part of Tamils that went unheeded. The ruling UNP having acknowledged the need to resolve Tamil grievances concerning this matter in its manifesto of 1977, once in power, made its operations disturbingly secretive as we have seen.

We give the facts pertaining to Trincomalee below avoiding comment as far as possible. These were compiled with the help of long term residents of Trincomalee.

The policy of all governments in Sri Lanka has been to alter the demography of the Trincomalee District in favour of the Sinhalese. With the gaining of independence in 1948, the government began the **Kanthalai** colonisation scheme where Sinhalese from outside the district were settled. This was followed by the **Allai** scheme in the early 1950s and the **Morawewa** scheme in the 1960s. The Kanthalai tank originally irrigated the paddy fields belonging to the Thampalakamam and Kinniya farmers. This was augmented to bring in thousands of Sinhalese from outside the district. The magnitude of the impact of this colonisation could be seen from the fact that the entire present Kanthalai AGA's Division formed only a Village Headman's (Presently in Grama Sevaka officer's) Division, in the then Thampalakamam AGA's division, in the early 1900's. One Grama Sevaka officer's division has been made an AGA's division with 23 Grama Sevaka officers divisions in consequence of the colonization scheme. It is estimated that about 40,000 of the present Sinhalese population of 86,000 in the district came in as a result of the Kanthalai colonization scheme. It accounts for about 46% of the Sinhalese population.

The **Allai Scheme** began by constructing an anicut across the Verugal river, a tributary of the Mahaweli Ganga. The entire region that received irrigation waters from this scheme was called the **Koddiyar** AGA's division. **Koddiyar** was also called **Koddiyarpurm**. Tamils and Muslims had lived in this area peacefully from ancient times. There are now three AGA's Divisions, located here. One is presently called the Muthur AGA's Division. The Seruvila AGA's division was created in the late 1960's when **Mr W. Dahanahake** was the Minister of Home affairs under the 1965- 70 **Dudley Senanayake** government. The third is the Verugal AGA's Division, located at **Ichchilampattai**. This last AGA's division was created in the mid 1980's when **Mr.K.W Devnayagam** was the Home Minister. It is strange that this division has still not been recognized as a divisional secretary's division under the recent administrative changes .

Several new Sinhalese villages have sprung up, swallowing many ancient Tamil villages consequent to the Allai irrigation scheme. The AGA's division of Seruvila is located at Serunuvara, which was originally called Arippe. The old village of Kallar is now called Somapura. The Tamil village of Neelapalai is now called Neelapola. Part of Poonagar is called Mahindapura. Thirumangalai is now called Srimangalagama. Dehiwatte, Lankapatuna and Pulasthigama are some of the other new Sinhalese villages in the present Seruvila AGA's division. This AGA's division has a population of 20,187 with 17 Grama Sevaka officers divisions. It could be said that 99% of the 11,665 Sinhalese living in this division were outsiders colonized by the government.

Morawewa is the Sinhalese translation of the Tamil word Mudalikulam. The present Morawewa tank was called Mukalikulam by the local population for a long time. This tank became the centre of a colonisation scheme in the 1960s and included Tamils as beneficiaries [see below]. A new AGA's division was created in the early 1970s for Morawewa, bypassing the priority list originally sent by the Government Agent, Trincomalee, for the creation of AGA's divisions in the district. The proposal to create an AGA's division at Nilaveli got shelved as a result of this move.

The Morawewa AGA's Division has a population of 9271 and 10 Grama Sevaka officers divisions. The Sinhalese constitute 56% of the total population while the Tamils constitute 37%. A considerable percentage out of the present population of 5101 Sinhalese in the Morawewa are outsiders.

Mahadiulwewa colonisation scheme in the Morawewa AGA's Division was another state-aided colonisation scheme undertaken in the 1980s. **Funds received from the European Community were utilised by Mr.D.J Bandargoda, Govt. Agent, Trincomalee and Mr.Gamini Dissanayake, then Minister of Lands, Land Development and Mahaweli Development, to set up this scheme.** This tank was called Periya Vilankulam by the local population.

Padaviya scheme was another major colonisation scheme undertaken by the state to settle Sinhalese in the Tamil speaking areas. This scheme was supported by **Mr. C.P.de.Silva** who handled the subjects land and irrigation in the **SWRD Bandaranayake** government(1956-1959). This scheme played a key role in the 1958 riots and the activities of the Land Development Department employees during the riots had been vividly described in the book **"Emergency '58 "**, by **Tarzie Vittachi.**

Padaviya was the original grazing ground for the cattle of the local population. Mullaitivu farmers called this area "Padivil Kulam" - a tank that has no registration. The colonisation that was undertaken in this area has resulted in the creation of an AGA's division at Padavi Sripura, with a population of 11,804, almost all of them are Sinhalese.

A senior highly respected former Tamil public servant from the late 40s onwards had worked on several schemes in the district, including Morawewa, Allai and Kanthalai. He had worked with much satisfaction as District Revenue Officer into the 60s under Trincomalee's first two post independent GAs Speldewinde and McHeyzer. He said that he did not work on a communal basis but on the principle of land for the landless. In the early 60s he had many Tamils were settled on schemes for educated youth. Some of them, a number he clarified as negligible, either sold or abandoned their lands. Further he said, Tamil manigars leased out temple lands and Sinhalese, together with Tamils, encroached on temple lands not cared for. As small as these phenomena were, they served to create an impression that there was a lack of demand for land locally. The resulting migration of Sinhalese into Trincomalee was thus, he said, partly the fault of the Tamils and their

leadership. He added that this helped to lay the groundwork for an ideologically motivated induction of Sinhalese which began in earnest in the 70s.

Another highly commended public servant, now retired, gave a picture of some of the complexities involved in the creation of new AGAs divisions and how some became Sinhalese. **Gomarankadawela (Kumaresan Kadavai)** and **Morawewa (Mudalikkulam)** were originally Katukulampattu West and Katukulampattu East, which included the present Kuchaveli division.

When the British closed their Trincomalee naval base in the late 50s there was tremendous unemployment in Trincomalee. **Rajavarothayam, MP**, raised this matter with **C.P de Silva**, then minister for lands, and a plan to restore Mudalikkulam as the Ex Naval Base Workers Scheme was conceived and implemented in the early 60s. The scheme included people living in the area together with retrenched naval workers. Many of the beneficiaries were Tamils. The implementation, he said suffered from two drawbacks. One was that the implementation was half hearted. Some were for instance given paddy lands, but no housing land (at higher level) and such like. The other was that the naval workers were used to life in town, and given in addition the shortcomings of the implementation, some of them neglected their lands for the lack of housing, or cultivated while residing mostly in town.

However under **Somapala Gunadhira** as GA, Trincomalee, in the 60s the scheme prospered and food production reached a peak. The credit for turning Nilaveli into a model farming village, he said, should go to **Gunadhira**. At this point 70% of those in Morawewa, including the Muslims at Rotawewa, were Tamil speaking. The closest village to the scheme was Pankulam, within the GS's division of Panikkattimurippu which traditionally had Tamil Headmen (now GS). The old head man's son with a JSC in English then headed with the Panikkattimurippu Village Council (VC) which had one Sinhalese member for Thambankottai and a Muslim member for Rotawewa.

In the late 60s the government started the Air Force farm near the headworks at Morawewa, with a commanding position over the use of water. From that time Tamils became subject to small scale attacks by airforce men and Sinhalese hooligans. The largest number of killings of Tamils took place along the Anudharapura Road and the matter was raised in parliament. This was the first instance in the island of the forces being stationed permanently in the middle of an agricultural scheme. The proportion of Tamils kept falling. More Sinhalese were brought in under the Mahadivulweva (Periyavilankulam) scheme and their proportion rose to 56%. With the violence of the 80s the gradual displacement of Tamils became a retreat. The AGA's office, since the outbreak of war has been shifted to the Sinhalese area of Mahadivulweva.

How the demography of the Trincomalee District has changed as a result of state-aided colonization can be seen from the following population figures:

YEAR	TAMILS	MUSLIMS	SINHALESE	OTHERS	TOTAL
1901	17069 (60%)	8258	1203	1921	28441
		(29%)	(4.2%)	(6.8%)	(100%)
1911	17233 (57.8%)	9714	1138	1700	29775

1921	18586	(32.6%) 12846	(3.8%) 1501	(5.7%) 1179	(100%) 34112	
1946	33795	(54.5%) 33795	(37.7%) 23219	(4.4%) 15706	(3.5%) 3506	(100%) 75926
1953	37517	(44.1%) 37517	(30.6%) 28616	(20.7%) 15296	(4.7%) 2488	(100%) 83917
1963	54050	(44.7%) 54050	(34.1%) 42560	(18.2%) 39950	(3.0%) 1600	(100%) 138220
1971	71749	(39.1%) 71749	(30.8%) 59924	(28.9%) 54744	(1.2%) 1828	(100%) 188245
1981	93510	(38.1%) 93510	(31.8%) 74403	(29.1%) 86341	(1.0%) 2536	(100%) 256790
		(36.4%)	(29.2%)	(33.4%)	(1.0%)	(100%)

Note: The sharp rise in the Sinhalese population between 1921 & 1946 was a result of workmen, mechanics and artisans seeking employment under the British navy in the naval dockyard, particularly during world war II. The rise in Sinhalese population between 1953 & 1963 owed mainly to the Allai & Kanthalai schemes and the Morawewa scheme from 1963 to 71. There is also an adjusted figure for 1981 which includes a further 14,000 for Padavi Sripura, earlier enumerated under Anuradhapura.

In the opinion of many Tamils, the objective the government is to break the continuity between the Northern and Eastern Provinces. That is why the Padaviya and Allai schemes were started on the northern and southern sides of the district. The Morawewa scheme and the Kanthalai schemes become dangerous during periods of ethnic tension. They are located on the Trincomalee - Vavunia and Trincomalee - Kandy roads. The Allai and the Padaviya schemes also causes problems on the Trincomalee-Batticaloa and Trincomalee - Mullaithivu roads. Trincomalee is virtually under siege now and there is no escape route for the Tamil population during communal riots.

The following schedule shows that all the governments that came to power in Sri Lanka since independence had been party to schemes which invariably altered the demography in favour of the Sinhalese.

Kanthalai Scheme - D.S.Senanayake Government

Allai Scheme - D.S.Senanayake \ Dudley Senanayake Government

Padaviya Scheme - S.W.R.D Bandaranayake Government

Morawewa Scheme - Srimavo Bandaranayake Government

Mahadivulwewa Scheme - J.R. Jayawardne Government \ Gamini Dissanayake

WeliOya - J.R.Jayawardane \ R.Premadasa Government

Concentration of Security outfits:

All the security forces have major camps and training academies in Trincomalee. This is rather unusual. The Sri Lanka Navy has its largest base outside Colombo in Trincomalee. This is understandable in view of the natural harbour found here. The Sri Lanka Navy has its Naval and Maritime Academy within the Trincomalee Dockyard. The Sri Lanka Navy also has its large agricultural farm at Kalumuttiyankulam . The Sri Lanka Air Force has a very large base at China Bay. The Air Force Academy is also located at China Bay. The Air Force has another base and a farm at Morawewa. Agricultural schemes with armed forces camps in middle were unique in Trincomalee. Tamils were progressively displaced from such areas .

The Sri Lanka Army has several camps in the Trincomalee District. The historic Fort Frederick houses one major base. There is another major camp and the Military Engineering College at Plantain Point. The buildings that housed the Sri Lanka Forest college at Monkey Bridge presently house another major camp of the Sri Lanka Army. There are innumerable smaller camps all over the district. These major bases and academies play a vital role at the time a population census taken every 10 years. All the servicemen, their families and recruits under training are counted during the census. It can be easily said that at least 10,000 of the Sinhalese in the district's population are military personnel or are military - related. This affects the complexion of the population very much.[

APPENDIX III

[Late 70s and early 80s : Naked administrative aggression - Development or Destruction?](#)

[State Patronage of Buddhism:](#)

Late 70s and early 80s : Naked administrative aggression - Development or Destruction?

Increase of population in an area through genuine national partnership in developing its resources is a positive gain. Even communal ratios in population can gradually change when there is trust to overcome the possibility of polarisation along communal lines. But when a state that was responsible for the July 1983 holocaust talks about ethnic ratios when it is convenient and concentrates huge resources and assiduous attention in supposedly developing an area, it breeds suspicion. What is again most singular about the feverish attempts to develop Trincomalee in the late 70s and early 80s is that almost none of it was meant to benefit the local people. They eventually lost both their wealth and security. There could be many valid and natural reasons why a government would seek to develop and maintain a high profile around a place so famous as Trincomalee. It is the communalism of the state that vitiates the whole exercise. Under normal conditions the local people would not mind the state taking over land for development. But here they with good reason feel threatened by any activity of the state for which the healthier motivations now seem secondary - whatever these may have been earlier.

The concentration of virtually Sinhalese, rather than national, armed forces in the district added to the general insecurity of the minorities [See below], leading to vividly devastating effects from 1983 onwards. These overshadow other possibly valid reasons for their presence.

When communalism and development mix, the result is usually futile and a drain on resources. This becomes apparent on perusing the information booklet on Trincomalee published by the Office of the Chief Secretary, North-East Province, in January 1993. From the mid-80s to the present, the number of hectares of paddy harvested during the Maha season dropped from 40 000 to 15 000. The number of metric tonnes of sugar produced by the Kantalai sugar factory dropped from about 100 000 to 35 000. Ilmenite produced by the mineral sands corporation at Pulmoddai dropped from 130 000 tonnes to 60 000 tonnes. Only the catch of fish has not changed significantly.

Again, particularly during this period, gigantic tracts of state and private lands were acquired by or were vested with state bodies. The projects for which these lands were earmarked were envisaged to bring in a large influx of Sinhalese. About 500 acres of state land in China Bay was released to the Ceylon Petroleum Corporation. The entire extent of land from Maddikali to Palampoddaru (Monkey) Bridge on the eastern side of the Trinco - Kandy Road was vested in the Sri Lanka Ports Authority. An extent of over 2000 acres of land off Marble - Bay, in the Karumalaiyoothu area in the Town and Gravets AGA's Division was reserved for the Ceylon Tourist Board for tourist development. Land acquisition proceedings commenced in the early 80s to take over all the land - both private and state lands - on the eastern side of the Trincomalee - Pulmoddai Road from 3rd Mile Post (Uppuveli) to the Salappai-Aru Bridge, a distance of 11 miles, for tourist development. **Once completed, this could have deprived Tamils of several thousands of acres of land belonging to them in Sampalthivu, Athimoddai, Nilaveli, Gopalapuram and Irakkandy.** An extent of about 500 acres (originally leased to the **late R.G.Senanayake**) at Kumburupiddy was handed over to the National Youth Services Council to set up a training centre and a farm. About 2000 acres at Thiriyai was earmarked for use by the State Cashew Corporation.

Several state-run industrial projects have been established in the Trincomalee District. Mineral Sands Project at Pulmoddai, Sugar Factory at Kanthalai, Fisheries Harbour Project at Cod- Bay, Bulk Petroleum Depot at China Bay are some of these projects. As we mentioned earlier these projects overwhelmingly assisted the influx of Sinhalese into the Trincomalee District. Development projects not only bring in additional Sinhalese into the district, they also result in the renaming or creating of villages. There was a proposal to rename Pulmoddai, a traditional Muslim village, as Kanijavelipura. Pudawaikakku, another Muslim village, was renamed Sagarapura after settling in a few hundreds of Sinhalese fishing families. We find a model village called Dhanyagama in China Bay. This is an NHDA assisted housing scheme to house Prima Flour Mill employees. A large village called Agbopura has sprung up near the Kanthalai sugar factory.

How these projects were to influence the demography can be seen in the case of the Prima Flour Milling Project, the firm concerned being a private Singapore based firm. It was arranged that all appointments to it had to be cleared by GA/Trincomalee. Security reasons were adduced! Thus a private firm was compelled to take nearly 80% Sinhalese as is employees.[\[Top\]](#)

State Patronage of Buddhism:

The then Minister of Industries and Scientific Affairs, **Cyril Mathew**, embarked on a massive restoration programme of ancient Buddhist temples. The Seruvila, Vilgam Vihare and Thiriyai Buddhist temples were restored with the assistance of the Town and Country Planning Department, the Department of Archaeology and the other state agencies. The

powerful minister was the chairman of the restoration committees of these three temples. In addition as the President of the Federation of Government and State Corporation Employees Buddhist Societies. (**Rajaya Ha Raajya Sangsdha Sevakayihe Baudha Samithi Sammelanaya**) he began to restore several small Buddhist temples in the Trincomalee District. The Ceylon Petroleum Corporation was entrusted with the restoration of Rankiri Ulpotha Buddhist temple in the Gomarankadwala AGA's division. The Ceylon Plywoods Corporation handled the restoration of the Ilanthaikulam Buddhist temple in the Kuchchaveli AGA's division. The restoration of the temple at Vannathi Palam (Samanala Amuna) was handled by the Ceylon Steel Corporation.

Against this the fate of Koneswaram Temple and its precincts which the Hindus wanted declared a sacred area is well known [**See 2.1 & 2**]. This request was based on notions of 'sanctity' very generously subscribed to by the government for one particular religion. Finally a massive Buddha statue dominating the vista was erected near Koneswaram Temple. A reason commonly ascribed for this action is said to be the premise that this was once the site of the Gokanna Vihare. There is no supporting evidence for this contention admitted by serious scholars or archaeological findings. The weightiest of reasons adduced for this contention is the 'view' of a former archaeological commissioner, **Dr.C.E.Godakumbura**, 'that the Bo-tree in front of the Koneswaram Kovil (later cut down) may have been the ancient historic Bo-tree that was planted at Gokanna. Another is the discovery in 1945 by the military authorities of statues of Vishnu and Lakshmi, Vishnu's spouse. **Dr. Godakumbura** had argued that Vishnu, a Hindu god, was very much a god of the Buddhist- being a guardian of Buddhism in this country [**Sun**, 9th December 1968 & **Dr.A.H.Mirando** in the **Island** of 7th april 1993].

Further the official approach to lands owned by Hindu temples and encroachments on these is casual. Some of them are being acquired by the state [**See 2.6**].

Lands owned by temples in this country, whether Buddhist or Hindu, receive their status and recognition from local tradition rather than from land deeds. Consequently legal registration has been somewhat lax. When in a Sinhalese area a piece of land is said to belong to a Buddhist temple, no one would dare challenge it. What hurts the Tamils in Trincomalee is the state itself stepping in acquire Hindu temple lands and give them to Sinhalese.

There are some genuine problems here. These lands donated to temples by individual devotees over the centuries now amount to a third or more of the land in Trincomalee town. These lands cannot be sold and are hence leased out to individuals and are routinely renewed every ten years for a small sum. Since Hinduism did not enjoy state patronage, the administration of these lands was by volunteers, often by retired men. Where administration was weak, there was encroachment. Over the last ten years of violence much of the administration has collapsed with several temples damaged or abandoned.

There may be a case to examine the ownership and use of lands by religious institutions on a national, non-partisan basis. But this cannot be tackled in an atmosphere of religious bigotry with special rules for Trincomalee. Here it is possible to plant a Buddhist temple, shrine or statue anywhere, as has happened in Fort Frederick, and justify it, if necessary, with some fictitious or barmy historical reference. Recently a piece of land in town was designated for use by the Red Cross. One official in the local land office stalled the project by declaring that the land was of either cultural or archaeological interest! The reason was that there were a few bo trees on the land. It now seems that the land is not to be taken over for a Buddhist purpose as was feared. But it illustrates the long standing fear born of bitter experience. **The bo tree**

is a tree of meditation common to all Indian religions. Now, non-Buddhists in the North-East and in Trincomalee, in particular, fear the sight of this tree which is supposed to have a soothing influence. Several such trees were destroyed as a social service. Sometimes police sentries have been placed to protect bo trees from popular vandalism.

APPENDIX IV

A note on Land Encroachment

Looked at by itself land encroachment is a purely human problem and has nothing to do with ethnicity. Those living on encroached lands are usually very poor, often earning their bare subsistence through menial work or chena (slash & burn) cultivation. Without the family or social back-up of established farmers, their sons and daughters have to find their living as early as their teens. Young couples themselves, lacking in means of educational advancement, start life on encroached land - often crown forest reserves. Despite laws against encroachment, the problem assumed such a magnitude that the land ministry issued a general order in 1978 to regularise all encroachments. This benefitted persons from all communities living on encroached lands. Thus far it was non-discriminatory.

Again the discriminatory aspect entered through the manner in which the security forces and the administrative machinery favoured one particular community. Let us look at some of these.

In the early 60s when **Mc Heyzer** was GA/Trincomalee, land along the Kandy Road from the 4th Mile Post (China Bay Junction) to Monkey Bridge was designated a middle class scheme. There was a rush among government officers to acquire lands which were given generously. But the area lacking the infrastructure of town life, the owners did not go into occupation and the lands were neglected. Most of it was encroached by Sinhalese over a number of years. The owners showed no interest in taking legal action.

Following the violence of 1977, 284 families of Tamil victims, of Indian origin settled in Kappalthurai, partly on land under a middle class cultivation scheme which had fallen into some neglect. This land is roughly between the 5th Mile Post and Cottiar Bay. These people had a unique problem. Although many of them were registered citizens, persons of Indian origin are alone required to produce proof of citizenship. Most of these people had lost everything including their documents. Sympathetic land officials could have acted differently and defended their action. But officialdom in Trincomalee dominated by a particular kind of Sinhalese used these victims' disability, maintained that they were all non-citizens and refused to regularise their encroachments. As described in 2.3, these people were herded into refugee camps during June/July 1983 and many were forcibly deported to the hill country. Subsequently many of them returned. Their children were attending the Kappalthurai school which also had a Sinhalese stream and was opened in 1981. During June 1990 these people were driven out again. Presently, as the result of pressure mounted through the land ministry of the North-East provincial administration, agreement has reportedly been reached in re-accomodating 419 Tamil familes who fled the area- of both Indian and local origin. We have encountered Palampottaru stage 1 as Pattinipuram in 2.2.5. These are lands between the part of Kandy Road, from Monkey Bridge to Thambalakamam and the railway tracks. These lands were alienated to people of Thambalakamam in the 60s. A few built houses there. Most owners stayed in Thambalakamam and did cultivation on these lands during the winter rains. As security deteriorated these lands came in for neglect and subsequently some of it is said to have been encroached upon. The main encroachment took place in Palampottaru Stage 2 which is on the side of the road opposite stage 1. The land Kacheri for allocations to stage 2 was held about 1973 and allottees were chosen from all three communities. Owing to a

complaint about the method of selection, those selected were not given possession of the lands. But the matter remained suspended without the selections being cancelled. In due course, particularly in the late 70s or the early 80s, Sinhalese squatters came into occupation. [See 2.1].

The Trincomalee District boundary begins a few miles north-east of Aluth Oya along the (Kandy) Habarana - Trinco Road. Lands along the road were being encroached by Sinhalese who did chena cultivation. During the latter 80s they abandoned these lands owing to Tamil militant activity. They have returned recently after army positions along the road were strengthened.

Sinhalese encroachment along the Allai - Kantalai Road ceased when a number of Tamil militant groups operated in the mid 80s and when later the **IPKF** was present. After June 1990 the Sri Lankan army's position has been sufficiently strengthened for Sinhalese encroachment to resume. Sources in Trincomalee believe that they receive material inducement from the state as well as from interested organisations in the South. Ministerial circles in the late 60s and early 70s, we reliably understand, had discussed the colonisation of this area as a means of sundering the continuity of Tamil speaking areas.

Currently, as we have argued [2.2-4], despite the later land ministry circular of October 1989 forbidding regularisation of encroachments after this date, Sinhalese encroachments continue with the circular easily circumvented [See 2.2.3]. Tamils are of course in no position to encroach, leave alone reoccupy their own lands.

As **Appendix II** suggests, encroachments seem to do comparatively little to alter the demographic balance as those encroaching are often from around that area. The really significant changes have come through the big colonisation schemes. On the other hand regularisation of encroachments does nothing to solve key long term problems. Its chief merit is that it costs the state nothing. Encroachers as a class continue to be poor and deprived with poor education and no social mobility as also their children are likely to be. As experience increasingly shows, in a competitive environment, small land holders lack the ability for profitable capital intensive farming and are likely to sell their lands for a modest price if some entrepreneur with money comes along.

Again the environmental aspects have hardly been gone into. The North-East still has a large proportion of the country's diminishing forest reserves. These are down from 80% to 20% of the land area in 100 years. Should these be further impaired simply for the joy of making some of its districts Sinhalese majority areas? Conservation of wild-life is again both a moral as well as an ecological issue so far largely ignored. The point where the Allai-Kantalai road crosses the Mahaveli river is one from which the herd and family lives of wild elephants can be regularly observed. How long will this last? As mentioned earlier colonisation and land settlement has been virtually an affair of political gerrymandering with nothing else taken into account. The associated social problems and the need for viable employment seem to require very different solutions [See also 8.2].

APPENDIX V

The Resolution by the Council of the University of Jaffna, the LTTE press release and our note.

[The Vice-chancellor's Letter :](#)

Excerpts from the LTTE's Press release:-

Press Release

Our Note:

1.The Council Resolution:

2.The LTTE 's statement.

The Vice-chancellor's Letter :

University of Jaffna,

16th November, 1992

University Teachers for Human Rights - Jaffna Branch

The following resolution was passed at the 142nd meeting of the Council of University of Jaffna held on January 18, 1992:-

" It has been brought to the notice of the Council of University of Jaffna that a publication titled "**Human rights in Jaffna**" has been put out in the name of the University Teachers for Human Rights -Jaffna Branch.

The council wishes to inform the public that this publication is neither a publication of the University of Jaffna nor any of its teachers are associated with this publication.

signed.

Prof.A. Thurairajah

Vice - Chancellor.

Excerpts from the LTTE's Press release:-

54, Tavistock Place,

London WC1H 9RG

United Kingdom

Press Release

"The Liberation Tigers of Tamil Eelam (**LTTE**) deny accusations reported in the London daily press the Guardian and the Independent on Wednesday, 17 February 1993. The allegations of torture and murder of prisoners said to have come from reports published by an organisation called the University of Teachers for Human Rights. It is clear that accusations are baseless and aimed at discrediting the **LTTE** in the eyes of the international community. The organisation calling itself the University of Teachers for Human Rights (Jaffna) is not based in Jaffna and we understand that the reports are written in Colombo and in London without any knowledge of the conditions prevailing in the Tamil homeland. Furthermore, in a resolution adopted on 16 January 1992 the council of the University of Jaffna has informed the public that the publications of the University Teachers for Human Rights (Jaffna) are neither those of the University of Jaffna nor any of its teachers are associated with the publications. (The copy of the statement is herewith attached).

"Whilst it is true that the **LTTE** is in control of territory in the North-East, the character of the control exercised by a guerrilla organisation, cannot be equated to the control exercised by the established Sri Lankan government structure.....

...." It is a fact that some Tamil groups are actively engaged along with the Government forces and have been sent to infiltrate the areas within **LTTE** control and gather intelligence and do sabotage and it has become necessary to apprehend such spies.

"Despite these conditions of hardship, in areas where the **LTTE** has succeeded in establishing a stable administration, adequate law enforcement machinery has been established. The arrests are made by the police and records of arrests are maintained at police stations. Prisoners are kept in custody in accordance with local and international law until inquiries are completed and at all times treated humanely. At a particular time not more than 200 prisoners were kept in detention pending completion of the investigation of alleged offenses including treason and spying....

"The **LTTE** wish to say that it will not be deterred by attempts of faceless persons or organisations to tarnish its image but will continue to strive for human rights and the right of self determination of the Tamil people.

International secretariat,

Liberation Tigers of Tamil Eelam.[\[Top\]](#)

Our Note:

1.The Council Resolution:

The resolution passed in January 1992, issued to the Colombo press shortly afterwards and evidently reissued ten months later on request, says nothing. No publication with the title "**Human rights in Jaffna**" was ever issued by us. If the council wanted to distance itself from the UTHR(Jaffna), why did it do so in such vague indecisive terms?

The Vice Chancellor himself was a co-chairman of the national UTHR which was founded in 1988 and continued to be closely associated with the UTHR(Jaffna). The first three reports were issued during the time of the IPKF presence and they documented human rights violations by the IPKF, other militant groups and the LTTE. There were posters in university campuses in the South praising the vice -chancellor of Jaffna for his courageous stand in being associated with these reports. Almost half the staff of the university filled in membership forms. Following the assassination of **Dr.Rajani Thiranagama** and the LTTE taking control of Jaffna, the willingness to publicly associate with the UTHR(J) sharply declined and indeed became dangerous.

The war started in June 1990, and one member who returned from the United States after his short spell at **Harvey Mudd College, California** was asked to stay in Colombo by his colleagues.

[Reports 4,5](#) and [Special Reports 1,2 & 3](#) were released during this time.

The last outwardly active member of UTHR(J) fled Jaffna in September 1990 narrowly evading the LTTE's attempt to abduct him.

Higher authorities from the University of Jaffna who visited Colombo informed the University Grants Commission that the two members of the UTHR(J) will face danger from the LTTE.

Accordingly when the university resumed sessions in November 1990 these two staff members and a Muslim staff member were placed on special leave.

On instructions from the university the salaries of these two staff members were paid by the University Grants Commission in Colombo up to April 1991.

Since the threat faced by these members was real even in the South, they had to keep a low profile. But they, with others, continue to collect information regarding human rights violations by all forces, including the LTTE . These are published and distributed in the name of the UTHR(J). Although leading members of the UTHR(J) were forced to leave Jaffna, they had not voluntarily done so. They have visited the East and parts of the North outside the Jaffna peninsula to gather information. From their contacts in Jaffna they continue to receive information which is published in the reports. The quality and integrity are for others to judge.

In May 1991 the vice chancellor,Jaffna, without explanation informed these two staff members that they have been vacated from their positions. One member whose sabbatical (an earned entitlement) was then due was refused his request to take his earned leave. Later another letter was sent to one member stating that his vacation of post was back dated to July 1990. **All these unprecedented steps were taken, without explanation, against the background of the vice chancellor repeatedly saying that these two academics could not come to Jaffna and promising that every thing will be sorted out as soon as the situation changes.**

In the meantime the UGC and the vice chancellor, Jaffna expressed their wish to find an amicable solution accepting that the situation is very abnormal. We do not want to go into detail on these matters as it would place an awkward burden on the university authorities. **Nor**

can we believe that an institution conscious of its obligations as a university and functioning in a healthy environment, would abandon very basic administrative norms to deal with academic staff whose opinions are far from being a threat to civilisation.

In the meantime the trade unions **University Teachers Association, Jaffna**, and the **University Science Teachers Association, Jaffna**, also came out with statements ostensibly dissociating themselves from the **UTHR(J)**. Their statements merely stated in effect that the **UTHR(J)** has nothing to do with them. This is in fact trivially true. The **UTHR(J)** never claimed that it was part of the **UTA** or the **USTA, Jaffna**. Merely dissociating themselves from the **UTHR(J)** without challenging what its reports are saying reflects the real situation in which the university staff unions, and the university as a whole, are functioning.

The decision of vacation of post against members of the **UTHR(J)** is far from settled. The extra- ordinary situation in which these decisions were taken obliged us to handle this issue carefully. Although we feel that the general authoritarian approach of the university administration has also played a role in this decision, we would still like the university system, including the **UGC**, to handle it creatively and solve the problem. If the higher educational institutions can not function with a sense of responsibility respecting proper procedures reflecting basic principles, then the future looks bleak indeed.

Our [Reports 1 to 7](#) and [Special Reports 1 to 3](#) were already in existence at the time the decision to vacate the two members was taken. **The council may, if it so wishes, make its resolution technically correct by passing a fresh resolution informing the public that none of its teachers is openly associated with any reports of the UTHR(J) other than the above.**[\[Top\]](#)

2.The LTTE 's statement.

As for the baselessness of allegations made in our reports, the **LTTE** would have done well to address similar, and by the nature of the bodies making them, far more damaging allegations made in the **Amnesty International Report** of February 1993 and the **Article XIX** document of August 1992. Both these were in existence and had enjoyed considerable circulation at the time the **LTTE** statement was made. Any human rights organisation worth its salt would consult a variety of sources and have good reasons for making such serious charges. We repeat ours.

We learnt from a number of sources that Thunukkai camp when in existence had about 3000 detainees. There were several other camps holding between 30 to 200 detainees. The public in Jaffna was well aware that a designated **LTTE** camp where inquiries could be made had a list of about 2000 detainees in September 1990.The list did not include all the detainees. Particularly those involved in political work were not included. **Our sources have been former detainees, escaped and released, LTTE sympathisers uncomfortable about the atmosphere of lies, and others who have now left the LTTE.** As for the **LTTE** 's treatment of detainees and disarmed members of other groups, there are several former members of the **LTTE** in Europe and North- America who are willing to testify.

The **LTTE**'s arguments against the legitimacy of the **UTHR(J)** are two- fold. The first is that unlike its office personnel in London, others writing from Colombo or London are not supposed to have any knowledge of conditions prevailing in the `Tamil homeland'-presumably meaning the part of the North under its rule. It is a clear admission that the **LTTE**

is running a very closed and suffocating set up without coming to terms with the power of the human spirit, and the natural urge of conscientious citizens to dissent from its totalitarian regime. It is also an admission that an organisation like the **UTHR(J)** will not be allowed to exist in Jaffna.

The second is based on the legality of our status in the university which we have already dealt with above. That the vice chancellor, Jaffna, has to reissue a council statement after 10 months, which is then circulated from the London address above, says much.

The authors of the **LTTE** press release have drawn the wrong inference from the council statement - which does not deal with 'publications' of the **UTHR(J)**, but with just one publication which does not exist. This contrasts with their care in reproducing misnomers (University of Teachers ...) and can hardly be other than deliberate.

Issues raised in our reports highlighted for action

We are aware that several of our readers find these reports daunting. For easy reference we highlight issues which if acted upon will considerably improve the general situation. References in brackets refer to reports from which more information could be obtained.

1. Call upon the Human Rights Task Force to investigate the disappearance of more than 158 persons taken by the army from the Eastern University refugee camp on 5th September 1990 and afterwards, who are believed to have been taken to the army camp at Valaichenai commanded by a brigadier. The **HRTF** had inquired into the disappearance of 32 schoolboys in Emplipitya the previous year, and according to a press report charges are likely to be brought against several army personnel, including a brigadier.

Although thousands disappeared during the current war, this is a particular instance where the army entered a refugee camp and took away 158 persons in the presence of senior academics from the university and thousands of others. The general commanding the East was aware of it within 3 days and the secretary, defence, replied to a query claiming that only 30 were detained and had subsequently been released. All this points to a cover up at very high level. If the **HRTF** will not act and those involved can get away with something so blatant, then for the people of the North-East, the government appointed machinery to enforce human rights would be exposed as mere window dressing. [7:4,11:1].

2. The **LTTE** is believed to hold about 4000 detainees. Large numbers of prisoners had been taken into custody in the early part of 1990 and have spent in custody almost three years! Demand from the **LTTE** that it makes a complete list available and invites the ICRC to visit the detainees. Demand the release of all political prisoners. [4.4 of Briefing No.1.& 10.3]

3. Call upon the government to release all detainees against whom charges are not framed within a reasonable period of time. The centre at Kalutara has nearly 500 Tamil detainees against whom no charges have been made and have been held for more than a year or two. Most of them have been arrested on flimsy charges and are kept in various centres. These detainees have gone on hunger strike in protest. There are several Tamils detained by the police in Colombo, in a significant number of cases evidently for purposes of extortion. The latter category includes Tamils with intention of foreign travel and those arriving from the West. [11:1,5;8.1]

4. We have strong grounds to believe that the Sri Lankan government is misusing funds for development and rehabilitation through its military and administrative machinery to drastically alter the ground situation in the East and the Trincomalee District in particular, so as to place the minorities, many of whom are now refugees, in a permanently disadvantaged position. Urge the government to halt all land alienation, changes to the administrative machinery, and all projects that would involve major movements of population , until the cessation of war and the negotiation of political and administrative arrangements fair to the minorities.[11.2].

5. Urge the **LTTE** to come out with a declaration respecting the rights of Muslims to free movement, to freely carry out their economic and cultural activities without any threat or hindrance, and to reoccupy their former homes in the North-East [6:3; 7,8,11].

6. Call upon the government to pay compensation to Tamil paddy farmers whose crops were confiscated or destroyed on the grounds that they worked on fields belonging to others on arrangements reached with the **LTTE**.

Adopt uniform standards for all farmers, whether Tamil, Sinhalese or Muslim, who work fields of others absent as a result of violence [11:2.5]

7. Demand that the airforce halts aerial bombing in civilian areas and near public places and schools.

8. Call upon the government to fully implement all 32 recommendations made by the Amnesty International in September 1991 [11:1]