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Hubris and Humanitarian Catastrophe

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1. The Humanitarian Fiasco

From early August we have witnessed three sets of humanitarian catastrophes taking shape in Sri Lanka. One is the displacement of more than 50,000 Muslims and Tamils from Mutur, leaving behind scores of dead. Second, is the death and displacement inflicted for the second or third time in four months on about 20,000 Tamil refugees in the Eechilampattai sector

south of Mutur. Third, is the the displacement of a large number of civilians in the southern sector of Jaffna consequent to the LTTE's attack on government lines (perhaps to relieve pressure on the LTTE's forces near Trincomalee) and government shelling in response.

This, like most manmade humanitarian catastrophes, does not occur in a vacuum. The massive human suffering now manifest in Sri Lanka's north and east was preceded by a deeply flawed cease-fire agreement that tolerated human rights violations, and decades of impunity. Communities of the North and East have been devastated by conflict, militarisation and communalised politics. On the LTTE's part the destruction of Tamil civil society has been intentional and profound; its systematic elimination of all leaders and potential leaders has left the people unable to cope with humanitarian crises, natural or manmade. They appeared to try the same thing with Muslim community by targeting its young and enthusiastic leaders, although the community has proved resilient. Still, the destructive force of displacement on the people of the North and East, especially when combined with grave human rights violations cannot be overemphasised.

The crisis has highlighted a number of areas where better coordination and support for local communities is needed to fill the sizeable gaps created by these assaults:

- There is an urgent need for mechanisms to communicate local community leaders' concerns to the security forces to prevent both human rights and humanitarian crises.
- There is a continued need for an international presence in conflict areas and among displaced communities. The withdrawal of INGOs, often the only external witnesses in conflict areas, has increased people's fear of the security forces' violence.
- The climate of fear and impunity must be addressed by a UN human rights monitoring mechanism that can push for the prosecutions of perpetrators through support for investigations and adequate witness protection.

The immediate background to the present catastrophe was a ceasefire that largely ignored the LTTE's repression of communities, its killing of political opponents and child conscription and which downplayed its efforts to provoke the armed forces. Sinhalese fears, and the LTTE's tactical calculations, aided the election of a government with extremist backing. Once the Defence Ministry was taken over by Sinhalese extremists; overt and violent communalism among the security forces that had been suppressed for the past 10 years appeared to receive new licence. The collusion among different arms of the security forces in the killing of 5 students in Trincomalee on 2nd January was a chilling precedent that was not taken seriously enough. The killings by state killer groups of families along with children in Allaipiddy and Vankalai in May/June were utterly repugnant manifestations of the State's renewed brutality.

While the State's actions are governed by transient factors and could swing between extremes of war and appeasement, the LTTE has been unswerving in its determination to eliminate political opponents, maximise its military clout regardless of the human cost and extend its grip on individuals and communities. The LTTE was never deterred by considerations such as its solemn ceasefire undertakings. It succeeded in atomising the Tamil community and destroying it politically and socially by eliminating thousands of dissidents, often secretly. The resistance of the Muslims had made it nervous, driving it calculatedly into overt massacres in the early 1990s. Its attempts to control Mutur Muslims through violence and deprivation had failed.

The fuse was lit on an explosive mixture of institutional brutality, destructive communal machinations and hidden agendas .. The turn of events in Mavil Aru allowed the LTTE to invoke time-tested strategies to control the Mutur Muslims, aided immensely by the Government's callous shelling of an area that was home to minorities. The LTTE contriving to place civilians at risk was also a means of scoring political points and securing international sympathy. The Sinhalese extremist forces behind the Government, whose visible symbols are the JHU and JVP, had been waiting for an opportunity to push it into military adventurism. Their aim was the Sinhalisation of the East and particularly Trincomalee. There was therefore a method in all this madness.

2. Mutur

Ironically all this began as a humanitarian issue when the LTTE shut the Mavil Aru anicut depriving water to the remaining farmers who had been able to tend their crops in that troubled region, where many had abandoned cultivation or fled. But three days after the Government launched its 31st July "humanitarian" offensive to reopen the water supply, people were being killed on the streets, in alleys and in homes in Mutur, a densely populated town inhabited by both Muslims and Tamils; even schools that were traditional places of refuge were shelled despite the authorities being told of the large numbers seeking shelter there. Because as it turned out, about two dozen Tigers were moving about Mutur firing rockets.

On 4th August the Tigers had pulled out of Mutur, and partly because of international pressure exerted through the SLMM no doubt, the sluice gates were opened on 7th August. The original humanitarian issue was resolved. But for reasons that had little to do with the people living there, the Government began merciless bombing and shelling of the coastal areas east of Mutur, south into Batticaloa District as far as Vaharai. This area had displaced Tamil populations from the Allai Scheme and from the coast east of Mutur fleeing violence inflicted by government forces.

About 1,500 displaced families were at Muhattuvaram on the east coast. The area was shelled from land and bombed from the air. The people fled and many families a week later were without news of their relatives. One woman who came out said, "*We ran hardly daring to look behind, dead bodies were strewn like dead fish on a dry tank bed.*" Others living on the outer periphery of Mutur were caught in an exchange of shell fire between government forces and the Tigers. One said, "*We were running into the LTTE controlled area where we felt safer. Government soldiers told us not to go because they would shell the area. No sooner shells started falling. Many were killed.*"

The Key Issue of Military Strategy and Civilian Safety: Any military confrontation and a humanitarian provocation leading to a military confrontation, will inevitably change the dynamic on the ground. Even if one were to justify the movement of ground troops as a consequence of the undeclared war, one cannot justify the indiscriminate use of fire power. The key issue here is the narrowness of the Government's strategies and imagination, which pushed it dominantly into a reliance on Multi-Barrel Rocket Launchers (MBRLs), indiscriminate shelling and air power with absolutely no concern for civilians who also came from minority groups. What we have witnessed is a pointer to what is to come in future rounds of warfare.

Sri Lanka is again in a nearly hopeless quagmire. For both political extremes, permanent conflict serves their agendas. The Sinhalese polity never got its act together to challenge the LTTE, but instead seems determined to keep it in business. The extent of humanitarian damage in the present round is clearly anathema to those who care about the people of the North-East and the fate of the country as a whole. The politics and attitudes towards minorities that laid the ground for the vicious JVP insurgency in the late 1980s should never be forgotten.

Thus despite the LTTE's institutional incapacity to live with a political settlement, this is the one real option open that must be pursued with vigour. A real settlement would not be a "dowry" to the LTTE, as a leading lawyer advising the Government put it, but would provide alternatives to its reign of terror. This is the only course that would blunt the LTTE's appeal and the claims on which its politics is founded – one being that the Sinhalese polity would never agree to a fair settlement. The JHU and JVP have been busy proving the LTTE right, and their influence on policy shows an amazing lack of vision on the part of the present government.

Against this background any action in Trincomalee was bound to have repercussions far out of proportion to the immediate local issue. To be sure, the LTTE's closure of the anicut depriving people of an essential resource was totally unjustified in humanitarian law. It sets an intolerable precedent the civilized world must strongly condemn, whatever the Government's shortcomings in catering to the population it displaced to the LTTE-controlled area. But once the Government resorted to military adventurism, the enormous civilian suffering obscured the water issue.

The Government was thus pushed into a humanitarian war with Sinhalese chauvinist overtones (JHU spokesmen hailed President Rajapakse as a 21st Century Dutugemunu). Its one-track obsession with the Mavil Aru issue, combined with its inattention to the accumulated grievances of other communities over many years caused many to doubt its commitment to fair play on the ethnic issue.

3. Closure of the Mavil Aru Anicut?

According to the Government's Peace Secretariat, the LTTE's closure of the Mavil Aru sluice gate denied water to over **15,000 families and 30,000 acres of paddy lands**. The villages affected as a result are Kallar, Dehiwattte, Thoppur, Seruvila, Serunuwara, Neelapola, Dehiwaththa, Medagama, Sirimangalapura, Pallikudirippu, Kiliveddy, Kanguveli, Maingama, Thanganagar and Bharathipuram. The Peace Secretariat's statement emphasised that the villages affected belonged to all ethnic groups: Sinhalese, Muslims and Tamils. This was misleading. A hint that there was something unusually wrong in the Allai Scheme appeared in a statistic given in the *Sunday Times* (6th Aug.06). It quoted a senior irrigation officer in Trincomalee saying that the anicut was **meant to irrigate 17,413 acres of paddy land**, but **'due to problems in recent months' only a little more than 8,000 acres was cultivated** – i.e. less than half the capacity.

The physical or human degradation of agricultural activities has throughout history signalled crises in both state and society.. The 'problems in recent months' referred to by the engineer are spelt out in Bulletin No.40. Landmine attacks against the security forces by the LTTE and reprisals by the Army and Sinhalese home guards forced a large number of Tamils to leave

their homes last April and then flee east to Eechilampattu division in the LTTE controlled zone in May and June. Security fears had also compelled many, including Muslims feeling threatened by the LTTE, to scale down cultivation.

On 19th July, the day before the closure of the anicut, *TamilNet* reported a meeting nearby in Shembaga School in Eechilampattu to discuss the deteriorating welfare of IDPs (internally displaced persons), from the villages east of Mutur affected by government shelling and bombing and those who fled from the Allai Scheme. The meeting presided over by Divisional Secretary V. Uma Maheswaran was attended by representatives of INGOs, NGOs and LTTE local political leader Elilan. The conclusion of the report was innocuous: “*NGO workers were advised at the discussion to provide health and sanitation facilities to these families.*” We need not read into this meeting any more than what appears at face value. However what it does suggest is that there was simmering bitterness among the displaced. Their lives, livelihood, their children’s education were all disrupted. All the LTTE offered or forced on them for two decades was arms and miserable death. Its only strength was the purely negative one of being the only force around that could teach the Sinhalese polity a lesson. Under these conditions the LTTE wanted to draw attention to especially the Sinhalese who continued to cultivate while many Tamils were displaced.

As long as the Tamils in Trincomalee have a sense of who they are and what has become of them, their experience would constitute a living history. This history may seem irrelevant in liberal seminar rooms. But it is a powerful history, with enormous potential for good and for terrible evil. That evil we have seen in the LTTE’s ability to mobilise marginalised Tamils for massacres against Muslims and their intolerance of Muslim youth who (like tens of thousands of their Tamil compatriots after July 1983) felt with good reason that their community too needed its own military defence. We give in Appendix II some flavour of the Tamil and Muslim experience connected to the current situation from a recent *Virakesari* feature article.

The right way to solve the problem of the Muslims and Tamils was to insist on a political settlement. The Sinhalese in the area today know no other home, and are often besides very poor. A political settlement is anathema to the LTTE. Its way is to seek an incident that would reinforce its image of heroism and invincibility, which inevitably brings more destruction for the people and more hopelessness. Subsequent events cannot sustain the contention that the LTTE’s move in shutting the water was a grand plan to capture Mutur, to seek the mass eviction of Sinhalese, or to capture Jaffna. It lacked the manpower for a sustained conventional campaign to hold Mutur and made no attempt to do so. Only about two dozen of its cadres actually entered Mutur town. The JVP and JHU played right into the LTTE’s hands in precipitating military action and gave it an undeserved political victory. The sequence of events behind the outbreak of hostilities has been widely reported and we give a summary in Appendix I.

4. Mutur Falls to the LTTE and the Government’s Response

What we wish to highlight here is the LTTE’s well-tested repressive approach towards controlling a community, and the terror, deprivation and contrived suffering it involves. Every episode has its peculiarities, but in a larger sense the Mutur experience is not unique. The experience of Muslims evicted from Jaffna and Mannar at the end of October 1990 was

almost identical to that of Jaffna's residents forced out by the LTTE exactly 5 years later. The main difference is that the LTTE hoped that those expelled from Jaffna were prospective cannon fodder, as with the refugees living under its control today.

The sequence of events was not pre-planned. The severity of government shelling came as a boon to the LTTE. Before it attacked Mutur, the LTTE switched off the power supply to maximise uncertainty and confusion among the civilians. It fired missiles from among them towards army positions, knowing what the Army would do. The Army fired back to hit LTTE cadres in town who were one or less to a thousand civilians. The LTTE wanted to arrest persons who were politically opposed to it. Hunting for them in alleys and houses would have needed weeks or months. It found an easy way. When the civilians wanted to leave because of the shelling, it promised them a clear passage. On the way, they were diverted to a narrow path where a masked spy, who had sold in the Mutur vegetable market, was at hand to pick out people as they filed past.

In keeping with the simple assumption floated in the South that the LTTE has been militarily weakened, and after initial forays failed, the Army inducted several thousand troops and launched a concerted assault on Mavil Aru on 31st July. They failed to take into account how much the LTTE had been strengthened by the new government's acceptance of reprisals as legitimate policy, which drove thousands of Tamils into the LTTE area.

1st August saw diversionary actions by the LTTE at sea and by the shelling of the Trincomalee naval base from the Sampur area. The security forces responded with shelling of the coastal area east of Mutur. Heavy shelling by both sides was heard on the night of 1st August. Some LTTE shells landed on the Trincomalee naval dockyard claiming some casualties.

The mobilisation of a large number of troops for the Mavil Aru operation had weakened the defences around Mutur. At 11.30 PM on 1st August, the LTTE cut off the power supply to Mutur town. At 3.30 AM in the morning (2nd August, Wednesday), the LTTE local political leader Elilan telephoned Karim Moulavi, a community leader in Mutur, and informed him that they were going to do battle for the control of the town. Unable to inform the public by the mosque loudspeaker owing to the cutting off of electricity, it became difficult to organise people in the interests of their safety. Consequently, the LTTE shelled and attacked several camps and overran Kattaiparichchan and some of the surrounding camps, including the Mutur Jetty. The troops in Kattaiparichchan and the Jetty withdrew with some losses to the Government Paddy Stores camp. This GPS camp was besieged, but no serious attempt was made to take it.

The Government could not afford to lose Mutur as that would have left Trincomalee more vulnerable. Thus in what began as a humanitarian operation at Mavil Aru, the Government shelled Mutur mercilessly. Both Muslims and Tamils in Mutur identified the shells as coming from Trincomalee, Monkey Bridge and Kallar security forces' camps. Most notable and scary were MBRLs fired from the Trincomalee naval dockyard. As far as the people are aware, nearly all the casualties were from government shelling.

At 4.30 AM on Wednesday, 2nd, morning, a Muslim woman resident in Habib Nagar looked out and was surprised to see LTTE cadres in black in numbers like grass (*pullu, pullu mathiri*) hopping forward in the squatting position. They moved into the temporary tsunami shelters in the area. A shell struck the maternity ward of Mutur hospital in the morning injuring several

people. A large number of the Muslims left their homes and moved into the Arabic College, Al Hilal School and Ashraff High School. There were about 4,500 people in the Arabic College. By morning the visibility of the LTTE was very low.

The Tamils in general moved into the Methodist and Roman Catholic Church camps on Church Road, while many others fled into the LTTE-controlled area. These camps had each about 200 to 250 families. A senior Tamil resident saw only about two dozen LTTE cadres. He said that these were the same cadres that went to the Muslim quarter and roamed all over Mutur.

On the behavior of LTTE cadres, both communities resented the LTTE firing at the Army from civilian positions and inviting government fire. The LTTE had shown considerable hostility towards Muslims in recent years, which sometimes degenerated into outright violence (our Special Rep. No.14, Bulletin 33), and last June there were also threats from the LTTE asking Muslims to leave Mutur. In comparison with what one may expect from this background, the LTTE was relatively restrained towards the Muslims. If it wanted the Muslims to have a nasty time, it made sure that the Government got most of the blame.

In what the LTTE told Muslim community leaders, there was hardly a hint that the Muslims must leave or if they left, should not come back. At the same time cadres speaking to ordinary Muslims would have on many occasions displayed the hatreds the group's propaganda put into their tender minds, as testimonies indicate. Many Muslims complained that the LTTE fired missiles from their midst provoking the Sri Lankan forces to retaliate against Muslim civilians. One would judge that is true going by the LTTE's way of thinking and its attitude towards civilians demonstrated countless times over 20 years. But going by reports from Mutur, it was subtler. It was not so open as during the Indian Army's advance in Jaffna during 1987, where there were a number of reports of the LTTE going to a Hindu temple where people had taken refuge, fired mortar shells at the Indian Army and then ran away, or during the provocation that triggered the Jaffna Hospital massacre.

Early on Thursday morning (3rd), the LTTE leader Shanthan who was known in those parts was firing rockets and then came towards the Arabic College with 7 others. Some Muslim men went up to them and pleaded with them to be mindful of the 4,500 refugees who were there. Shanthan let loose at them in unprintable abuse. They then stood there close to the College doing nothing in particular. Air Force helicopters were flying overhead, and these LTTE men in uniforms would have been spotted in the light of dawn. Shortly afterwards a shell fired by the government forces hit the Arabic College claiming 19 lives. A second shell hit the College claiming 14 lives. A third hit a tree near the College the following day, but did not result in deaths.

Al Hilal School and Ashraff High School were also hit by shells resulting in casualties. On Friday 4th there was a lull later in the morning, and some Muslim civilians approached an LTTE leader about removing the injured. This time the response was polite and seemingly cooperative, but there was a catch as would be seen below. As expected the security forces made a thrust into Mutur on Friday from the Jetty, coming by sea and from the west of the town. By early afternoon the few LTTE cadres inside town pulled out. The LTTE had not dug in intending to stay.

5. The Flight of Mutur Civilians and a Dramatic Turn

Having faced government shelling, where the Hospital too was hit, and the uncertainties of the situation, the LTTE agreed to allow people to leave on Friday morning. Above 30,000 civilians, both Tamils and Muslims together, left Mutur on foot towards Killiveddy. They passed the Army position at 64th Mile Post and passed alongside a hill before another army camp about ¾ mile ahead. They were stopped by the LTTE who told them that the road ahead was mined and directed them along a detour through Kiranthmunai. On the main road they saw two ambulances, one that had crashed on a pile of stones, and the other was partially deflated. The understanding of the people was that the LTTE had shot at the ambulances because they did not stop. One ambulance had among its passengers the Tamil driver, his teacher wife and a boy from Colombo. The latter two died. After the Army went to the area, the wife's body was sent to Kantalai, where it was buried.

The detour included walking along a narrow path at Kiranthimunai where the 40,000 tired people in the afternoon, barely able to manage their children, were held up in a bottleneck. The LTTE had the men lined up, separated from the women, and made them walk past two masked men. The people felt very angry. A Roman Catholic nun went up to the LTTE and asked why they were being held up. The LTTE replied that they wanted to screen the people and pick out supporters of the Karuna Group and the Jihad. The line moved slowly and as a masked man nodded his head, the victim was taken out, trussed up and pushed onto the ground. Eyewitnesses place the number, nearly all of them Muslims, at 32 or higher.

One incident triggered off a dramatic turn in the fate of the fugitives. One Muslim woman who was pregnant began having delivery pains. Upon being told about this, a Muslim religious leader, who had been talking to the LTTE for years to try to keep matters calm, asked the LTTE leader Kunchan to let her go ahead. Kunchan was one of the leaders of the Mutur operation. Kunchan agreed to let the woman go, but began abusing the religious leader. The religious leader kept calm, but one of his disciples, who was deeply offended, sprang at the LTTE leader with his fists. An LTTE boy who stood nearby shot the disciple who fell down dead. The report of the gun alerted the Army at the two camps on the main road and changed the situation.

Soon shells were falling in the area. One struck the checkpoint killing about 7 Muslim men and some members of the LTTE. According to some who were there, they saw Kunchan fall dead. A masked man picking out suspects, as they filed past, was also felled by a shell blast. His mask had come off, and those present recognised him as a Tamil who sold vegetables in the Mutur market. One witness described the shells as coming from an MBRL. He saw trees being felled like dominoes. Immediately the LTTE boys ran in one direction and the civilians in another. A witness described the LTTE there as *chinna podiyangal* (small boys).

In the panic, the women being separated from the men and families divided, all ran as best they could to escape the shells. One mother was reunited with her three-year-old daughter whom she later found in another camp in Kantalai. She later wondered, "*I don't know what kind of panic led me to run leaving behind my child?*" Some who ran did so with the nagging fear that their child, whom they could not find at that instant, was among those killed by MBRL fire.

Looking back, some felt that the MBRL fire was a blessing in disguise, as several of the people may have refused to leave without those trussed up by the LTTE. Some reports said that LTTE cadres were nasty to those who pleaded on behalf of those detained. This situation may have resulted in a confrontation with many more losses. One witness who knew 5 of those picked up by masked men and trussed up said that they did not belong to the categories sought by the LTTE. Two were university students. They were all just well-built. Up to now what happened to those who were left trussed up has not been established. Were they killed by MBRL fire? Did the LTTE come back and execute the survivors? Or are some of them prisoners?

Some Muslim relief workers went to the area a few days later with the ICRC. They only found three decomposed bodies, one of a child, one of an elderly man, and one of a woman. As in all such situations, people hope that their loved one, who vanished without a trace, is alive. Perhaps he escaped and is in hiding and would appear one day.

This one incident at Kiranthimunai was the only one that the Government was probing for propaganda value, while angrily denouncing charges by the SLMC leader Rauf Hakkim that Muslim civilians deaths were caused largely by government shelling. A Defence Ministry web site claimed, *“Tigers blocked [Muslims fleeing Mutur] at Pachchanoor area and killed over hundred including women, youth and children during night on Friday (04) at Pachchanoor said many civilians who had eye witnessed this incident.”*

The evacuees walked to Killiveddy. From there they telephoned friends and relatives in Kantalai and elsewhere to send vehicles to pick them up. When the vehicles came Sinhalese thugs backed by the Army demanded the vehicles supposedly to move Sinhalese in need of transport. Earlier the Muslims had planned to take some vehicles, go back to Kiranthimunai and look for those trussed up and left behind. The vehicles removed from them were brought back very late and they could just make it to Kantalai. Many of the Tamils stayed the night in Killiveddy, walked to Serunuwara the next morning, Saturday 5th, and took line buses to Kantalai and Trincomalee.

6. Civilian Casualties and Muslim Grievances

Government-fired missiles caused the bulk of the deaths among civilians, both Muslim and Tamil. In Mutur town itself the death toll, probably in the region of a hundred, has not been accounted. It is a town where the dwellings were crowded. Apart from the 50 or so who died when shells hit refugee camps, many were killed in their homes, the streets and in the byways. According to established practice, people are advised to shelter in schools and places of worship. Responsible sources told us that the Military had been informed that there were refugees in the three Muslim schools, but they shelled these with absolutely no concern for the people.

How many Muslims the LTTE arrested or killed, we will not know for some time. This is the kind of thing the LTTE does very secretively. In the present international climate, the LTTE would try to expose the Government rather than draw attention to its nature by open massacres. The LTTE detained more than three thousand Tamils in the North in the early 1990s, two thirds of whom it killed. The middle class and international NGOs to this day are

skeptical. We do not know if the LTTE made any arrests while they were in Muttur. Muslim sources said that they carried a list with the names of about 40 people whom they described as persons who 'stood up for the community'. A list prepared by a local group gives the names of 21 Muslims from the Muttur area killed by the LTTE in the four and a half years since the 2002 cease-fire. In the same period a third of this number have been tortured and released. In many ways the LTTE's repressive dealings with the Muslims has strong parallels to the manner in which the Sinhalese polity deals with the minorities.

Muslim resentment is frequently to do with the LTTE's search for monopoly control over land, fisheries and forestry resources. The use of terror to drive Muslims out of exposed villages has meant, according to local sources, the Muslims losing about a third of their 30 square miles of residential land. When for example a farmer on night watch is killed, or kidnapped and beaten, and the LTTE merely issues a denial, the entire village is terrorised to desist from farming.

An extraordinary incident during the Muttur saga, which received the greatest publicity because of its implications for relief work and relief personnel, was the execution style killing of 17 workers of the well-known French humanitarian organisation Action Against Hunger (Action Contre La Faim or ACF).

7. The Killing of Aid Workers

The ACF in Sri Lanka was involved in post tsunami relief projects in sanitation, agriculture and housing. The tragedy involved a series of things going wrong and one coming right could have saved those lives. Not just one party, but several are wondering whether they could have acted differently. Firstly, experienced INGOs such as Oxfam that had been in Trincomalee for many years had pulled out earlier in the year after assessing the situation to be unsafe. This was unfortunate since in a deteriorating situation committed foreign witnesses are all the more needed. The mounting xenophobia and chauvinism in the administration and military, especially given the ideological agenda surrounding Trincomalee, and the fact that the Tigers did not want outsiders to see inside their own draconian regime, were making matters increasingly difficult for foreigners.

On 1st August the Army had commenced a large military operation south of Muttur the previous day and the ICRC was also pulling out of the area. Why the ACF sent a group of local workers by vehicle from Trincomalee without a French national accompanying them, suggests their ignorance of the ground situation. Why the local workers agreed to go by themselves despite advice to the contrary by the Non Violent Peace Force cannot now be answered.

On 2nd August, Wednesday, the brother of one of the workers telephoned an acquaintance in Colombo and told him that about 15 ACF workers were trapped in Muttur, then under LTTE control, but that the Army was moving in, and they were anxious about what the Army might do to them. The acquaintance told the brother that he knew no one in the Army and advised him to get the French nationals in the ACF's Orr's Hill office to talk directly to the Military in Trincomalee and also get the French Embassy to contact the Defence Ministry. This acquaintance told a contact in the Peace Secretariat. The contact while concerned about the matter weighed in his mind the wisdom of passing a message down the line to the army in the field, which may get miscarried and place the ACF workers in even greater danger.

Very independently the following day, Thursday, in Mutur itself, a church official with the acting Divisional Secretary for Mutur, called on the ACF workers and strongly advised them in the interest of their safety to go to the Methodist or Roman Catholic churches where many Tamil refugees were staying. The ACF workers said that their head office had asked them to stay in the premises. The church official and DS also went the following, Friday, morning and gave the ACF workers the same advice. They likewise declined. The same morning, many of the Tamil refugees in the churches walked to Killiveddy along with the large number of Muslims.

During early afternoon the LTTE pulled out of the town area. At about 3.00 PM on Friday 4th August, after the LTTE had pulled out, a relative spoke to M. Narmathan, one of the ACF workers. This relative, a Samurdhi officer in Mutur, advised Narmathan to leave with another group of people leaving Mutur on foot through Killiveddy. Narmathan declined, telling him that their head office had asked them to remain in the office for transport that would be sent the next day. About this time, a Roman Catholic nun, who was also leaving Mutur, told another ACF worker Kodeeswaran very strongly that he should either go with them or stay with Father (the parish priest). The advice was declined for the same reason. Muslims who remained and moved about on Saturday after the Army had entered became aware that that the ACF workers had been killed.

Peter Apps said in a Reuters report, *“When Reuters and other media visited Mutur with the military on Saturday as firing continued in its suburbs, local commanders said they had reports the Tigers had killed Muslim civilians. But asked about other civilian losses, they did not mention the 15 dead aid staff, of whom 14 were Tamil and one Muslim Hardline government allies from the majority Sinhalese community have long accused aid agencies of favouring Tamils and aiding the rebels. Angry mobs have attacked several aid agencies trying to move into the conflict area over several days.”*

In a report the following day, 8th August, Tuesday, Peter Apps quoted a father: *“We believe it was the army,” said 50-year-old Richard Arulrajah, whose 24-year-old son was among those killed and whose body was found in the ACF compound. “On Friday he phoned and said he would be back by Saturday. After that, we heard the military personnel came and shot them.”*

On Monday 7th August, the bodies of the dead, two more bodies were discovered making the number of the dead workers 17, were taken by sea to Trincomalee and to the Hospital, which was under control of the Navy. The reporters there were warned by a navy man not to take photographs and those taking photographs would be shot. That was something they had to take very seriously knowing the fate of the reporter S.S. Rajan, the only reporter whose photographs of the 5 students killed and the subsequent threatening behavior of masked service personnel at the funeral received wide publicity. S.S. Rajan was shot dead on 24th January.

The post mortem examinations were done by Dr. D.L. Waidyaratne, JMO Anuradhapura, as JMO Trincomalee was on leave. Waidyaratne was unable to draw detailed conclusions about the manner in which the victims were shot owing to constraints of time and equipment since the bodies were decomposed and bloated. Under international pressure to hold a transparent inquiry the Government agreed to invite forensic expertise from Australia. This meant the bodies had to be exhumed. Once again policemen called at the homes of some of the victims and rather unpleasantly told them not to agree to the exhumation.

The remarkable aspect of this tragedy is that the families, middle and lower middle class Tamil folk in Trincomalee, saw it taking shape and agonised about it. But there was no structure they could approach, whether local or international, with the ability and connections to do something about it. Now that it has happened the Government is going to pay a high price for it. It should have had the wisdom beforehand to understand the consequences of overwhelming Trincomalee with Sinhalese, largely military, administrators in the interests of an agenda and making the system so alien to the majority Tamil speakers.

Among the 17 victims were four women hygiene instructors and a Muslim Abdul Jaufer Latif (31) from Mutur itself. A woman victim Kavitha (27) was killed along with her elderly father Ganesh (54), a driver for ACF. There is also a tragic irony behind Yogarajah Kodeeswaran (31), another of the victims. His youngest brother Hemachandran was one among the five killed by masked security men on the Trincomalee sea front on 2nd January. His father Yogarajah was nearby and heard Hemachandran's pleas. He had been forced to kneel down by navy men at the sea front. Later he was beaten by masked men, either Navy or STF, and made to lie flat on the ground. The victim families had been receiving verbal and printed threats, "*Me rata Sinhala rata (This land belongs to the Sinhalese), Tigers... and those with Tamil fervour will be evicted.*"

8. Something Very Nasty in the Air

Starting from the killing of 5 students on 2nd January to the communal violence on 12th April, there was something more sinister than what the Tamils in Trincomalee had experienced in recent years. In April 2000 a grenade was thrown into a Tamil music festival, one of the kind held after many years, in which several civilians were killed. Not surprisingly the Police did not catch the culprits suspected to be from the security forces. The difference this year is that there are strong signs of all arms of the security forces lending complicity to the attacks. The telephones of high security officials rang without a response. With the commencement of the Mavil Aru operation, the security of Trincomalee was handed over to the Navy. Even as the media attention was focussed on the battles, a new round of killings of individuals got under way.

Killings – Dirtier and Dirtier: *It is long past the time when all Tamils irrespective of differences should with one voice demand an end to killings and that all the actors subject themselves to some form of international accountability. The community is being destroyed. The State loses nothing by Tamils killing Tamils and is active party to the menace.* What the LTTE began as its monopoly in 1986 has now become an affair with several actors competing to ensure that the Tamil society will have no prospect of any leadership left. Those being targeted today are most often not leaders of any political party. They were not in the forefront of challenging either the Government or the LTTE. They were individuals like Ketheeswaran Loganathan who wanted a political settlement that gave the Tamils a fair deal, or Sivamaharajah, a social activist of high standing in Valikamam North. The first was killed by the LTTE and the latter very likely by a state-backed group. Where their commitment to the people was concerned, there was no essential difference between the two.

Sivamaharajah was intent on living in Jaffna. Even a short while before he died he told people that he did not want to pack up and go to Colombo as others had done, as that would entail losing touch with the people. He became a public figure by his able chairmanship of the Tellipalai Multipurpose Cooperative Society, which made it a beacon of service. Once the

LTTE took control of Jaffna, it would not allow people of public fame and leadership potential to live unless they came under its umbrella.

Thus Sivamaharajah, a Federal Party supporter who would have been uncomfortable with the LTTE, became an MP under the LTTE set up TNA in 2001. When parliamentary elections were called again in 2004, Sivamaharajah had fallen out of favour and did not become an MP, since the LTTE's rigging machinery that decided the MPs did not work for him. Thereafter he was largely sidelined and at 68, he was living near Thurkkai Amman Temple and working among refugees. A shot was heard near the room where he slept on the night of 20th August and his body was discovered the following morning.

Sivamaharajah's case parallels the LTTE's killing of Michael Jesudasan of Navanthurai, also 68 years, and a father of 10 children, on 29th May. The previous month, LTTE gunmen called at his house, thrust a pistol barrel into his mouth and ordered him to leave Jaffna. Jesudasan too because of his social involvement became a municipal councillor on an EPDP ticket. At the time he was killed, he was working with refugees from Allaipiddy. Two days earlier (27th May) state-backed killers killed Mathar Sellathurai (75) a social activist and local councillor belonging to the TNA from Atchuveli. Selvar Yogan (60), an EPDP local council member was shot dead by the LTTE on 20th July. A car bomb attempt on elderly former EPDP MP Sankarapillai Sivathanan on 8th August in Colombo resulted in Sivathanan being injured and a 3-year-old girl on the road and a security man being killed.

Another notable parallel was the LTTE's killing of Sebastian Iruthayarajan (46) of the PLOTE. Originally from Uruthirapuram, Iruthayarajan lived in Martyn Rd., Jaffna, was a member of the Jaffna Municipal Council and the leading candidate on the PLOTE list for Municipal elections. He worked and helped people beyond party considerations and was widely respected in Jaffna. He had no enemies. He also knew Bishop Savundaranayagam well and worked closely with the Church. Because of his wife's illness, he took most of the burden of looking after their 4 children. The LTTE shot him dead on the road on 12th July, after he had bought food and was taking it to his children in school.

Killings over which the LTTE enjoyed a monopoly, became tit for tat killings from January this year and now they lack any meaning, often targeting persons who have ceased to have political involvement and were trying to make ends meet for their families, or had a blood relationship to someone associated with a party. One was the killing of Sornam's brother in Trincomalee (see below). On 15th August, Jaffna University medical student Sivasankar was shot dead along with Theepan, a student at the Technical College, by state-backed killers. In Theepan's case, those who knew him said that he had no real involvement with the LTTE. Currently, most killings in Jaffna are done by state-backed groups, doing what had been the LTTE's sole privilege earlier.

In the army-controlled area of Batticaloa District, killings are taking place at the rate of about 2 or 3 a day according to local sources, nearly all by the Army and the Karuna Group. They have absolutely no meaning.

The sense of frustration the people feel could be seen in Jaffna's Acting Magistrate Srinithy Nandasekaran's response to a call by a pro-LTTE front. The front calling itself the Educational Society urged the people to demonstrate against current regulations and restrictions by the Government. The Acting Magistrate pointed out in a statement under her office that gathering a crowd for such a purpose is a breach of emergency regulations in force

and added: “*We cannot stand idly by and watch the people being made sacrificial lambs by an anonymous group that is callous about their well being.*”

This was a tremendous step for a vulnerable individual woman. We have seen time and again that not everyone could bear to close their eyes and watch their people being destroyed. Nor is there the social will to protect those who stand up. Indeed the way of the world has been to ignore such people and appease the oppressor.

The Murder of Thurairajah Mayuran: Thurairajah had been a long time successful Tamil trader in Trincomalee. His son Mayuran was a rising businessman in the hardware trade. He was also well known locally as a philanthropist, involved in several charitable causes and societies, an important symbol of the Tamil community. As a family member described, they were not the kind to seek enemies. They had ties to everyone. They had good Sinhalese friends and counted some leading security officials among friends.

For sometime Sinhalese friends had warned the family that there was a circle of Sinhalese chauvinists who had made a list with names of about 40 leading members of the Tamil community to be eliminated. Their intention was to terrorise and demoralise the community (to which the LTTE has already contributed an ample share) so as to negate the Tamil ethos of Trincomalee. The targets were persons, particularly in the business community, who keep alive Tamilness and Tamil pride. These Sinhalese sources also indicated that a junior naval officer or naval associate of some notoriety, strongly suspected of a significant role in the killing of the 5 students, as being a hatchet man of the circle. All our sources are agreed that he hangs about with the Navy and his sister is affianced to someone quite high up in the Navy. Some doubt that he actually works for the Navy, but well-informed sources are confident that he is the officer in charge of the dreaded Navy motorcycle unit that goes about wearing masks.

Despite the warning, the Thurairajahs did not take the warning seriously. They lived on Sea View Road. There was a police post 20 yards from their house and the shop was close by. They also had friends among senior police officers and thought themselves safe. The Navy was in charge of Trincomalee and on 4th August two naval men came to his premises and asked for Mayuran. He was not at home and they went away. The following day two men wearing masks came for him in the afternoon on a motorcycle without number plates. They said they wanted to talk to Mayuran. During the conversation they shot him with the pistol and rushed out. One man slipped. The police at the nearby post though alerted did nothing. The killers remained in the area and were seen peeping over a wall. It was as though it was their territory where their impunity was guaranteed.

One person who saw the masked killers said that one of them in shape had a good likeness to the naval associate in question. The family conveyed all this to a senior police official they knew well. He, they felt, did not sound as though he would do an honest investigation. As in many high profile killings in the North-East attributed to the security forces, they felt he was asking leading questions to present an argument that the LTTE killed Mayuran, a possibility they found ridiculous under the circumstances.

What people in Trincomalee know for certain is that this ‘naval officer’ was around the scene before and after the murder and was also seen at the hospital when the victim’s body was taken to the mortuary. They cannot say if he actually took part in the killing, but are confident that he is linked to the killing.

The previous day, another elderly Tamil businessman Kathamuthu Perinparasa (65) had been killed in Killiveddy. In a letter to President Rajapakse, Mr. R. Sampanthan MP charged that the murder '*was committed to intimidate the Tamil civilian population who have lived in the area for generations and centuries*'. That was the same day refugees from Mutur arrived in Killiveddy. The local talk was that Perinparasa's murder was set up by the Army, possibly through home guards, because his son was a senior member of the LTTE.

Another middle-aged trader, Batianpillai Arul, who had his shop on Court Rd. and visible from two check points 100 yards apart, was shot dead on Sunday 20th August by two men who called at his video shop on a motorcycle at 11.00 AM. His wife is reported saying the victim had been receiving threats from the security forces. Initial information suggests that the victim, a brother of Sornam, a key LTTE leader from Trincomalee, was deported from Britain during the currently moribund ceasefire. Witnesses said that there was a scuffle before the victim was shot, and the talk in Trincomalee is that the killers are the same crowd that killed Mayuran.

Hooded Harlequin's in Trincomalee: A menace in evidence in recent months that was not taken seriously is the practice of the security forces to appear in masks without clear identification of the units they belong to. It is the mark of impunity. Following the killing of the 5 students last January, also done by masked men, security men acting as hooded harlequins with arms were in evidence both at the scene of the murders and many of them were posted in hospital the same night with a view to force parents to sign statements that their dead sons were Tigers and also to twist the post mortem examinations and magistrate's hearings in their favour.

At 11.00 AM on Friday, 18th August, some masked men on motor cycles, according to local reports, took a look at the Orr's Hill Kumaran Playground and went away. This was followed by a van whose occupants blindfolded and taken away. One of the youths is said to be an Oxfam employee and the other three students. Another youth who was caught was left behind when the parents came and held on to him.

This comes after a period of tension when there was heavy firing of MBRLs from the Trincomalee naval base into the Mutur hinterland and also LTTE shelling into the naval base. Many civilians complained of threats by security men of reprisals against them in the event of the LTTE shelling the naval base again or troops in Jaffna experiencing major reversals.

When arrests take the form of abductions by parties who are masked and their affiliations unknown, one naturally fears the worst. Most foreigners had left and the locals were afraid to leave their homes. Information about those detained was hard to come by. The *Sunday Virakesri* two days later said that the Police denied any knowledge of the arrests. Two normally well-informed local citizens said that those abducted had been released by the Police late night, the same day. Another dependable source said that parents were in court on Monday, 21st, in the hope that their children would be produced. After all this confusion, a source from the Human Rights Commission office in Trincomalee confirmed that one abductee had been released the same night (Friday) and the remaining three were released by the Trincomalee Police on Monday night. The Police reportedly said that the Army had handed them in.

One could see here procedures for arrest set out by the President himself being blatantly disregarded. The problems faced by rural folk would be intolerably worse. This is also the atmosphere in which killer groups operate with total impunity.

Kantalai - Refugees and Corpses: The Muslim refugees reached Kantalai on 5th August. That same evening S. Sriskandarajah, a Tamil tailor aged 35, was abducted after dusk and was found shot dead in a paddy field with his hands tied. On the 7th a Muslim woman relief worker had dinner at the home of a Tamil woman. The hostess remarked sadly over dinner, “*They are catching our boys one by one, taking them and killing them.*” After dinner she went to the Periatruveli (Moor through which the Big River flows) School, which had Muslim refugees and found the place in a commotion. She was told that some persons had come into the camp about 9.30 PM and woken up two sleeping refugee men. Those who came evidently knew the refugee men, who followed them into an auto rickshaw, which drove off. She also observed some masked security personnel who were posted in the camp supposedly to protect the refugees.

People were generally reticent about the affair, except to say that the men were important, who stood up for the community, and were planning to go to Ganewela the next day. The bodies of the two men with faces partially burnt were recovered from the neighbourhood about 3.30 AM. Subsequent inquiries identified the men as Nazar and Ghazali. Nazar’s story is a sad one. His wife died of her injuries when a shell struck Al Hilal School in Mutur. His daughter was injured by shelling at Kiranthimunai during the march. (She and her two brothers are now with their grand father.) Nazar was planning get a vehicle from Ganemulla to go back and collect his wife’s body. The people suspect that their murder may have to do with the robbery of an NGO in Mutur, for which Nazar and Ghazali gave evidence and had the robbers convicted. But the fact that the killers, whose identities cannot be hard to trace, got away so easily raises pertinent questions.

It appears likely that the killers here were Muslim criminal elements originally from Mutur, presently used by the security forces and placed in Kantalai to monitor the refugees coming in. A Tamil Christian worker, who walked from Mutur to Seruvila, was travelling in a vehicle to Trincomalee with the Sinhalese Additional GA on 5th August. At Kantalai the vehicle was stopped and two Muslim thugs who accused the Christian worker of helping the LTTE made as though to kill him with a knife. The Additional GA interposed and told them that they would have to kill him before touching the Christian worker. The thugs stood aside.

The Shelling and Bombing of Tamil Refugees in Mutur East and Vaharai: Muhattuvaram and Punnaiady lie south of Mutur on the east coast far from any military installations of the LTTE. Punnaiady is a very poor village comprising people affected by the tsunami and floods for whom NGOs built houses. They have no agriculture and barely eke out a living. After the displacement in April-May, they were joined by about 1,600 refugee families who settled in Punnaiady and Muhattuvaram.

On 6th August, the Mavil Aru crisis appeared to be over after the Norwegian envoy Jon Hansen-Bauer talked to the LTTE in Killinochchi. The Norwegian government’s attempts to inform the Government of Sri Lanka the news that the LTTE agreed to open the sluice gates were obstructed by the telephones of key government persons, including the President’s Secretary and the Head of the Peace Secretariat, being switched off, except the Foreign Minister’s. The SLMM Head Henricsson who went with the LTTE to open the sluice had to take cover when the Army’s shells rained about them. The Peace Secretariat announced the

same evening that the SLMM had entered the area unannounced and it had told the SLMM that its personnel should be withdrawn from there in the interests of their security.

On 7th August the anicut was opened and water flowed into the reservoir. The Government's humanitarian war, which was to last 24 hours, became a humanitarian catastrophe for the Muslims and Tamils. Instead of looking for diplomatic ways to corner the LTTE, the government extended the scope of the stalled offensive. The matter had become one of nationalist pride after having deployed the Army's second in command with disappointing results, and the JHU and JVP egging the President on to become a 21st Century Dutugemunu.

To the consternation of the rest of the world, the Government pursued the offensive with renewed destructiveness. Punnaiady where there was nothing of significance apart from the thoroughly impoverished refugee population was shelled from the sea and bombed from the air. The people ran leaving the dead where they were. Many of them crossed the Verugal River into the Batticaloa District and moved to Vaharai. Families have been scattered and the dead are unaccounted for. This was the experience of many refugee communities in Mutur East.

Testimonies of displaced persons who were victims of missile attacks by the Government came from friends, Batticaloa Hospital sources and from those who reached Batticaloa whose moving testimonies were broadcast over the BBC Tamil Service.

The fugitive civilians longed to go back to their homes and to live peaceably with Muslims and Sinhalese. A man displaced from Mutur said that they long to go back, but it would not be 'beautiful' if the Muslims cannot also come. It takes both to complete the harmony. Similar sentiments came from displaced Muslims. Another man said, the Mavil Aru water is what is needed by Muslims, Tamils and Sinhalese. The LTTE was willing to negotiate. It was only right that the Government should have waited for that process to reach a conclusion rather than resort to arms.

Besides the Government which took no responsibility for them, the refugees once out of the LTTE-controlled area spoke bitterly also of their experiences with the LTTE. They ran to escape the missiles and many were sheltering under trees in Eechilampattu. The LTTE came among them and fired rockets at army positions. Bombs and shells came in reply. They ran again leaving their dead leaning against tree trunks.

Many of them spontaneously lambasted the LTTE saying that they just cannot take anymore. They estimated the LTTE's losses in the Mutur sector as 100 or more. They added that it had also recruited about 500 as cadres or auxiliaries, often by first asking for their help to bury their dead. Other sources said that more than 500 LTTE cadres had been moved from Batticaloa and Amparai to Trincomalee.

Their commonsense was disarming. These were the people the Government chose to bomb and shell, and the troops seem to have done it with glee until their barrels literally cracked, in one instance near Serunuwara, causing an ammunition dump to explode.

War Extends to Jaffna: The LTTE opened a new front in Jaffna late evening on 11th August. We think to represent this as a pre-planned push to take Jaffna starting with Mavil Aru and Mutur is very unconvincing. The offensive did not go far, revealing again the LTTE's lack of a sustainable conventional capacity after the Karuna split. The LTTE's attempt to launch a

people's war by panicking the civilian population in Jaffna to move to the Vanni through landmine attacks on the Army fizzled out last January. Had it succeeded, the Army in turn would have panicked as the LTTE calculated, giving it the psychological edge. The Army in Jaffna was saved in 2000 because the civilian population in most of Jaffna did not budge. The LTTE knew this.

What is more likely is that the LTTE's attack on Jaffna was pre-empted by the need to relieve pressure on its hard-pressed troops in Trincomalee District. The course of events revealed the LTTE's plan of action to attack Jaffna when it materialised. One, to cripple Trincomalee Harbour by shelling it from its vantage point east of Mutur Town; Two, to cripple Palaly Airbase, again by shelling it from the Pallai area. Three, having crippled the Army's supply routes by sea and air, to launch a conventional attack on Jaffna. For the last the LTTE was not ready and one needs to admit the likelihood that its attack on Jaffna was pre-empted by events in the East that were difficult to ignore. One was the Air Force bombing of Tharavai training camp in Batticaloa Dist., which claimed scores of dead.

When the fighting began in Jaffna, there was the repeat of the same phenomenon that Jaffna and Vanni had witnessed several times in the past and what Mutur and Rural Mutur East saw recently. Both sides shelled each other and the people caught in the middle had to run for life. Those south of the dividing line at Muhamalai ran south into the LTTE-controlled area and those north of it ran north. Families were scattered and with poor communications the dead must remain unaccounted for weeks. What horrors the injured had to endure, we can only guess.

Reports of what happened in Thenmaratchy are so far sketchy. The only definite information we have obtained so far from people who escaped is that 5 civilians are known to have been killed in Varani. Since this is in the army-controlled area the shelling was by the LTTE, which fell near army camps in the area. The soldiers got out of the camps and were among civilians. The known dead included a couple and a pregnant woman killed by shelling. Two young men riding a motorcycle were killed by soldiers on a motorcycle. Curfew had been declared and unable to stand the shelling, one group of civilians got into vehicles and came through lanes avoiding the Army, crossed Vallai Moor and reached Karveddy, Vadamaratchy. Two more civilians, a man and his niece were killed by a shell in Kodikamam. Another source gave the known dead in Varany and Kodikamam as 10. We may estimate conservatively that about 40 civilians died from LTTE shelling in Thenmaratchy. Southeast of this area people would have suffered similarly from army shelling. This is just the tip of the iceberg.

Allaipiddy Church Shelled: The LTTE also made an incursion into Mandativu (Leyden) Island, and its gains of some naval bunkers proved as temporary as in Muhamalai. Meanwhile the civilians were shelled, mainly by the Government. St. Philip Nery's Church in Allaipiddy, which was a refuge of local civilians as it had been after the horrendous killings by a state killer group last May, caught a shell on 12th August. The ICRC reportedly brought 7 bodies from the area. Local sources later said there were about two dozen bodies in the Church, many of them under rubble. When the ICRC went to the Church, the people who had suffered much, pleaded, "Save us." The best information possessed by a local source is that the LTTE was present in the area and took away some fishing vessels and also tried to take some people away. So far we do not have positive testimony as to whether or not the LTTE fired at the nearby navy camp from the church precincts. Little movement has been possible in Jaffna because of curfew.

The Air Force Killing of Adolescents in Vallipulam, Vanni: Following its extension of the war, the Government seemed determined to hammer from the air all LTTE targets in the North-East regardless of the civilian cost. A compound in Vallipulam, between Thevipuram and Puthkudiyiruppu on the Paranthan-Mullaitivu road, that had at sometime been used by the LTTE as a children's home was the recipient of 20 bombs dropped by the Air Force before 7.00 AM on 14th August. The SLMM and UNICEF which went there spotted 19 corpses of girls aged 16 to 18 and a further 100 injured in hospital, but agreed with the LTTE that these girls were not under military training. A list attributed to principals in the area placed the dead at 55, 51 of them girls born in 1988 and 1989, and 4 staff members. The Government, including President Rajapakse, asserted that the Air Force hit a training camp.

We learnt from local sources that the premises were used by the LTTE, but not quite as a training camp. The girls were from several schools around Killinochchi and Mullaitivu. International pressure and the presence of UNICEF had made outright conscription problematic for the LTTE and also enabled school principals to show some opposition to cruder methods of recruitment. What the LTTE then did was to organise these first aid programmes for which school girls were routinely taken and brought back after several days. This was something difficult for the principals to oppose.

The LTTE started these classes for school children, citing the pretext that because of the ongoing hostilities injured may be sent from the Pallai area in the the north or that they might themselves become injured. Our sources say that the premises were not used for sometime, and first aid classes were organised there only recently. They also said that there were no LTTE establishments nearby, but only civilian houses, each in plot of land two or three acres in extent.

During such programmes, the students were also given a giant dose of brain washing. Their reactions were noted and those amenable to pressure were identified. Within a week of being returned home, the LTTE cornered those identified as amenable individually and got them in. Conscription here was not crudely physical. Those bombed were not LTTE cadres and many of them had no intention of ever joining.

The Government's Defence Spokesman, Minister Keheliya Rambukwelle maintained however that it was an LTTE transit camp identified by long-term observation. His semantics could not have been worse for the Government. He argued that once a child is under training for military use, it cannot be treated as a normal child and added, "*At a time like this we cannot look at their age, but instead at what they were aiming to do.*" He even argued a strange case for UNICEF sanction for the Government's action referring to their statement a few months ago that the LTTE has recruited more than 1,000 children. He said, "*UNICEF can't later tell us that they are children and not to attack them.*"

Comment is superfluous, and this attitude is to do with the Government dispensing with a political approach and being cornered into a non-cerebral one that shows it in the worst possible light. The LTTE's use of children is one crime that has received the most publicity in the South and Sri Lankan delegates have many times raised it in international fora. At home however precious little was done for these children. The Government has lost all credibility on the matter after it allowed or encouraged Karuna to conscript children and take them through its check points for training at Theevuchchenai near Welikanda.

Rambukwelle claims that the Government called upon the children under arms to surrender and enjoy an amnesty. For one thing surrender is impossible for most children under arms. The Bindunuwewa prison massacre and the impunity enjoyed by those who executed it do not give these children a credible option. Witnesses present at the Supreme Court hearing heard comments from the bench disturbingly close to Rambukwelle's reasoning. There are more compelling concerns.

A Gigantic Crime: For some time it has been well known that the LTTE has been forcing all adults living under its control in Muttur and Interior Batticaloa to undergo military training, including schoolchildren 14 and above. In the Vanni where this was very bad some years ago, international agencies have given many children some room to manoeuvre unlike in the East. This forcible militarisation of the whole society, which seeks to erase the distinction between civilian and soldier is a terrible crime. The Government has drawn so much attention to its own messy record that this crime is allowed to pass unnoticed. Indeed the Government's bombing of the school girls would only strengthen the LTTE's propaganda by giving children a feeling that they are going to be killed whether or not they join the LTTE.

Nearly all the people try to get round the LTTE's system as best as they could and escape out of the Vanni at the earliest opportunity. Whether people try to take up nursing or administration, they are manipulated to become part of the military machine. The Minister's reasoning would suggest that all these people should be killed because of what they hypothetically might do. Such reasoning could go to even cruder extremes. It would amount to barbarism of the worst kind so out of keeping with the Geneva Conventions the Government cited as the reason for its humanitarian offensive over Mavil Aru. As long as the Government evades a political settlement, it would more and more be guided by the kind of reasoning heard from the Defence Spokesman.

What is after all the Government punishing these people for with missiles? These people are sick and tired of the LTTE and curse them regularly. Unfortunately, the peace process which sought to entrench the LTTE imposed the opposite impression by implicitly accepting them as the sole representatives of the Tamil people.

In a major LTTE-controlled agricultural village, it forcibly prevented dry season irrigated cultivation in order to force people into military service. A man pointed at a picture of Prabhakaran on his wall and asked a relative, "*Do you think we hang these pictures because we like the fellow? We do it just to play it safe with these fellows. If the Army advances, we will tear them and throw them away.*" All school children are under forced training and the adults are called out to dig bunkers. But all does not go smoothly. An LTTE youth went home and harassed a man to come out and dig bunkers. The man beat up the LTTE youth and told him to first learn to respect his elders. His relatives fearing the repercussions, which may come when least expected, asked him what he had done?

When the recent round of fighting begun, the LTTE instructed the village to dig bunkers and stay put. The entire village packed bags of rice from their last harvest and went to the Madhu shrine. There they are without money to buy provisions. The villagers who were healthy and well fed are now described as looking like sticks.

To the Tamil LTTE supporters, the bombing of the girls at Vallipulam is a stick to beat the Government with. They did not bat an eyelid or shed a tear when the LTTE sent children charging against entrenched army positions. It slaughtered 500 children at Elephant Pass in

July 1991 and above 200 at Pooneryn in November 1993 (Reports 8 and 13). To the Government and Sinhalese extremists, statistics on LTTE child soldiers are a humanitarian issue to be used only to disguise their political bankruptcy. Both sides miss out on the real human tragedy of child soldiers.

Some recent pictures in the LTTE media unashamedly show well built and well fed senior LTTE leaders in front smiling broadly, while small built and skinny persons peep from behind them unsmiling and lost. Battles earlier this month in Kilaly, Muhamalai and Mandativu provided some insight into what may have been their terrible last moments. Reports indicate that many of them were massacred. A civilian who had a radio set on heard a young voice from a frontline giving an agonised shout in response to an order from behind to capture a certain position: "*Angai poha iyalathu Annai, Iyalathu*" (*Can't advance there Sir, just can't*).

9. A Question of Fundamentals

If the present government were serious about challenging the LTTE they should have put forward their federal or maximum devolution settlement by early this year instead of relying primarily on a hard line approach involving killer groups and impunity that was both offensive and humiliating to the Tamil people. The Government even belatedly gave indications of curbing violations by its forces and its allies. The activities of its killer groups declined sharply after mid-June. Reprisals against civilians after the LTTE's claymore mine attacks had also largely stopped for the present.

This trend could have been represented as an advance only if accompanied by moves at political accommodation and a will to understand the feelings and grievances of minorities and address them. Failing this, attempting to improve discipline among the security forces in isolation would have only a transient effect, while the inevitable net long-term trend would be growing indiscipline among security personnel and more bitterness among the minorities. After the current humanitarian debacle, we witness once more the emergence of masked groups indulging openly in killing and abduction in the firmly Navy-controlled town of Trincomalee. The Government had its fundamentals mostly wrong. This was brought into clear relief in the Government's so-called humanitarian military operation to open the Mavil Aru anicut.

There are a host of humanitarian issues concerning the Tamils and Muslims in the North-East people have got so tired talking about that even successive governments have forgotten that they exist. The first of these was the Weli Oya (Manal Aru) project of late 1984. A total of up to 10,000 Tamil families were displaced from an area that includes parts of Mullaitivu, Vavuniya and Trincomalee Districts. Amarivayal and Thennamaravady, two very old Tamil villages in Upper Trincomalee District ceased to exist. It was outright robbery by the State in order to settle Sinhalese in the area. The list is too long and the Tamil papers regularly remind the readers of vast acres of arable and inhabited lands in the North-East taken over ostensibly for security purposes. The inhabitants of these lands are scattered and without an identity.

The people would understand the Government taking control of lands for security purposes temporarily. But then they would rightly expect a viable political strategy to restore peace and give back the lands to the civilians. But when in the absence of such a strategy the deprivation runs into a generation, it takes on the appearance of robbery and the Army, an army of occupation. The humanitarian issue becomes a poignant one in need of an answer. The basic

trouble is that governments in Sri Lanka are content to leave the problem in the North-East to attrition and do not feel the compulsion for credible political strategies. In the case of the present government the drift is all too conspicuous.

The question of a political settlement has been left to the All Party Conference and the Committee of Experts, the latter dominated by persons who see the solution coming through 'current demographic trends', meaning attrition, and have even set commentators talking about the long discredited District Development Councils and an obsession with de-merging the North-East. One critic alluding to the Government's sense of political urgency used the phrase 'devolution in a bullock cart'.

10. Refugees and Issues

Muslim and Tamil refugees from the current round of conflict run into several tens of thousands from each community. Muslims evicted from Mutur are concentrated mainly in Kantalai and Kinniya and have been able to preserve a sense of community, and mobilise support from around the country and abroad. They are in locations where access is relatively easy. They have been able to make demands, activate their representatives and force the Government and relief agencies to listen.

The experience of Muslims who faced horrendous shelling in Mutur and were driven out of their homes is a crime against any group of human beings. But to place on it an LTTE conspiracy against Muslims in particular is misleading on this occasion, not forgetting its institutional ill will towards Muslims and crimes against them such as the Kattankudy and Eravur massacres. What the Muslims suffered is not very different from what Tamils suffered in the eastern half of Mutur, Eechilampattai and in Thenmaratchy, Jaffna. Trying to do any relative quantification is pointless.

In comparison with the Muslims, the Tamils evicted from their homes and scattered once more at every new blast of missiles, have become both politically and communally amorphous. The Tamil displaced, dead, dying and injured remained largely invisible. Their push-button representatives have gone into hibernation and are incapable of offering leadership. Their church leaders, too accustomed to play safe by the LTTE, are now as it were obliged to play safe by both the security forces as well as the LTTE. LTTE politics and its terror, which destroyed independent voices, have left the people naked before natural and manmade hazards. Soon the nakedness of LTTE terror will become manifest and the Tamils will have no illusions left about its destiny.

Today there is nothing comparable with the spontaneous citizens' committees that sprang up in the North-East during 1984, which were a strident voice against state terror. The LTTE's terror destroyed all these by the end of 1986. The contrast is today marked in the Tamils in Trincomalee pathetically cowering before terror from the state. Where groups patronised by the state are targeting individuals today, it is only to complete the job begun by the LTTE. B. Vijayanathan, Soosaipillai Nobert, A. Thangathurai and P. Sooriyaamoorthy are among the distinguished Trincomalee Tamils killed by the LTTE, whose leadership was crucial for the people.

The Minister for Human Rights and Disaster Management was at a meeting recently to give directions to government departments and NGOs about Muslim refugees. According to

persons present he had to be reminded that there were Tamil refugees as well. NGOs and INGOs carrying relief to Tamil refugees face enormous obstacles. Defence Ministry clearance needs to be obtained to take relief to the LTTE-controlled area. But even a church group carrying relief for Tamil refugees in Trincomalee town was also turned back at an army checkpoint. Tamils are driven to feel that it is pointless appealing, whether to the alien state or even to their liberators.

Finding everything in their own land utterly alien and unyielding, more and more Tamils are fleeing to Tamil Nadu creating a ticking time bomb. According to figures provided by the relief agency OFER, 7430 refugees crossed over to Tamil Nadu from the beginning of this year as of 17th August. Most of the refugees crossed over since May when there was a marked deterioration in the security of Tamils in Trincomalee District. While most of those coming earlier were fisher folk, more recently the socially and economically marginalised have been prominent among those crossing over.

The refugees were selling their belongings such as bicycles at bargain prices. It is mainly persons from the North-East in government employment, or having foreign relatives, who could speak of an income. For the others, quite apart from security, the case for going to India was strong. Repeated humanitarian crises with no prospect of improvement in sight have made the people hopeless. Having been the main cause of the current round of misery, the Government is in no hurry to acknowledge or cater to the needs of the victims.

The Sri Lankan Navy has been apprehending those crossing over at sea and handing them over to the Police because of the sensitivity of the issue in Indo-Sri Lanka relations. However on 17th August 460 people crossed over with no significant resistance from the Navy. 5 were killed when their boat capsized on sand bank 5. Observers think that the presence of the US envoy in Colombo was a factor in the leniency that day. About 2,000 refugees are waiting in Mannar to make the crossing. The mood among those working among them is to expedite their departure as the security situation is seen as increasingly tenuous. By August 22nd refugees from Trincomalee became prominent among those waiting to cross over in Mannar Island. At this time refugees were moving at several hundred a day, a fraction of them being detained at sea by the Sri Lankan Navy and returned.

The time has come where the Tamils will have to accept in all humility that the leadership in the struggle for democracy and human rights in the North-East, both against the State and against Tamil fascism will have to be borne by the Muslims. What the Mutur experience has done is to mobilise the Muslims towards coming into their own and no one could now take them for granted. More than their homes, the Tamils have lost their sense of community, their leadership and their social infrastructure. Even when fascism collapses, as it surely would, it would take them at least a generation to recoup.

It was evident even in 2000 that when the late M.H.M. Ashraff campaigned persuasively for the 2000 Draft Constitution, he was more than a Muslim leader. He had become the leading political figure in the North-East with the potential to speak on behalf all the people living there. The Tamil leadership on so crucial a matter was then in abeyance. It would behoove both communities to acknowledge this reality and think responsibly about what it entails.

Many interpretations could be affixed to the events above and nearly all of them collapse upon scrutiny. It is most likely that there was no grand plan and both warring parties were

reacting according to their instincts and agendas turning the closing of a sluice gate into an orgy of bloodletting and displacement. As soon as the LTTE started feeling the pressure over the water issue, it made it a people's cause and got the SLMM to talk to civilians the next day when bombs fell nearby. This is more local than a grand conspiracy for something big for which the LTTE was not ready. Had the SLMM been allowed to conclude its diplomacy, the water issue might easily have ended on 28th July or 6th August.

The key issues are to do with the manner in which both sides waged their military campaigns without any regard for civilian life or property. Where the LTTE is concerned what happened in Mutur is no different from what it inflicted on Jaffna five times in the last 20 years. What the people wanted was a political settlement. But their sole representatives who could not live with a political settlement, continually gave them bombs and shells instead. The LTTE cannot however be a pretext for the State to dispense with its obligations.

The State was utterly irresponsible and callous, if not vicious, in the manner in which it used missiles in civilian areas and against persons displaced because of army reprisals. In this whole episode the Government has allowed the LTTE to score undeserved political points, which would weigh against it in the long term. If this were how the Government would wage a 'humanitarian war', what would a real war mean for the civilians?

The last thing the Government should do is to allow its actions to be guided by narrow nationalist ideologies and agendas based on them. The JHU and JVP throwing their weight about in Trincomalee, and consequently the other communities being driven by experience to see the security forces as being motivated by malice, does not augur well for Sri Lanka.

One also questions the Defence Ministry's motives in flying the leaders of the Patriotic National Movement to address troops in Jaffna on 22nd July. The people would inevitably see their experiences of the security forces in terms of these deplorable influences. Did these influences counsel the bombing and shelling the Tamils and Muslims experienced? While the Government cited the Geneva Conventions against the LTTE, its actions seemed to defy most basic humanitarian conventions. It would indeed be very sad if we have to judge the Government in relation to the LTTE, rather than by standards accepted in international law.

A very basic undertaking given by the Government is the CFA. The CFA was degraded in the first place by the international community's tolerance of the LTTE's assassinations. Instead of challenging this, the Government too resorted to assassinations.

In retrospect people who lived through the shelling blame the SLMM for the degradation of the ceasefire in the first place. Many people rebuilt their houses and moved into them trusting that the Norwegians were determined to enforce the truce. A party resorting to hostilities was obliged to give two weeks notice of its intentions. But the Government launched the Mavil Aru operation without giving notice, and yet insisting that it was committed to the CFA. The LTTE said the same thing. We had thus the tragic-comic spectacle of missiles raining on the people while both sides insisted that they were committed to the CFA.

People in Thenmaratchy said that had they been given notice they would have left the area in advance, whereas they suddenly had shells falling on them without warning. Added to this was the further absurdity that while the people were being shelled in Jaffna, the Government imposed a curfew. Most people made a conscious decision to escape knowing that the choice was between Tiger shells and being shot by the Government as curfew breakers.

Further, the international agencies were leaving the conflict zone where they were most needed. The need of the hour is committed and rigorous international monitoring with much greater ability to hold the parties to account.

11. Conclusion

The humanitarian crisis in Sri Lanka was preceded by a human rights crisis. If the LTTE had not quite finished off Tamil civil society in the North and East, the Sinhala chauvinists with the complicity of the security forces are rapidly completing the job. And whether the Tamil community can survive with security in Trincomalee will determine the future of ethnic relations in the country as a whole. The LTTE is now attempting to do the same to the Muslim community by targeting its young leadership, but for now the Muslim community appears resilient, as in their response to Muttur illustrates. With the other communities debilitated as they are by communal politics, the Muslim community may well have to be the beacon for democratisation and a political solution in the North-East.

The situation demands a strong and coordinated response to protect civilians:

Even when people locally and in Colombo do hear of warnings of impending humanitarian catastrophes, there are no surviving structures either locally (such as the old citizens committees) or at the state level to convey such concerns. There is an urgent need for some mechanism, possibly with international interlocutors to communicate local community leaders' concerns to the security forces to prevent both human rights and humanitarian crises.

The withdrawal of INGOs from areas worst hit by conflict has created a climate of fear among the local population, as they fear killings and massacres at the hands of the security forces without any witnesses. There is a need for an international presence in trouble spots and particularly with the IDPs, who are deeply insecure.

A UN human rights monitoring mechanism that can push for the prosecutions of perpetrators of human rights violations through support for investigations and adequate witness protection is a key step in combating Sri Lanka's climate of impunity. Such a mission should have the mandate for access to the entire country. It could also provide the space for local activists to work on human rights issues. Even at this grave hour the local and international human rights community should make a principled call for such a monitoring mechanism and not be inhibited by the reactions of the government or the LTTE.

12. Appendix I

The Mavil Aru Sequence

On 20th July the LTTE closed the sluice gates of the Mavil Aru Anicut, which conveys water from Verugal River to farmers in the Allai Scheme. Initial low key attempts to open the gates met with little success.

The Government Peace Secretariat said in a statement, *“On 25 July, Elilan, Head of LTTE’s Political Wing in Trincomalee District, sent a letter to SLMM referring to the need of a water supply tower in Paddalipuram in the LTTE-controlled area. On receipt of this letter by SCOPP a decision was taken promptly in consultation with the Secretary to the President and Secretary, Ministry of Nation Building & Development to agree to the construction of the requested water tower with a view to resolving the situation. This was conveyed to the LTTE by GOSL letter the same day through the SLMM. There was no reaction from the LTTE Peace Secretariat in Kilinochchi or from the LTTE Office in Sampoor. The SLMM attempted on several occasions to seek a response from the LTTE to the Government letter of 25 July, without any success. The LTTE had by not responding to the GOSL letter of 25 July, left little choice to the GoSL to seek to restore the water supply through other means.”*

The LTTE’s local political leader Elilan had a different story, *“On Thursday 20 July [Tamil civilian] protesters chose to close the sluice gate and cut the water supply to the GoSL areas. They also sent a letter to the GoSL stating three requests as conditions for reopening the sluice gate: ensure security of civilians who must travel between GoSL and LTTE areas; remove the ban on items imposed by the army; and incorporate drinking water supply to their areas... No response was received from the GoSL by the protesting people.”* (TamilNet 31 Jul.)

The Peace Secretariat statement was correct in the narrow sense of factuality. The LTTE media made no reference to the closure of the sluice gates until the Government began its ‘humanitarian operation’ by bombing LTTE areas on 26th July. The LTTE’s new ‘civilian’ demands surfaced only on 27th July, when it talked to the ‘civilian protesters’ supposedly with a view to resolving the issue.

Where the Peace Secretariat statement was crucially misleading was in suppressing the role of the Government’s partners, the JHU and JVP, in forcing its hand to begin a humanitarian military venture risking the high likelihood of a humanitarian catastrophe. This was Trincomalee District where the direct and indirect influence of their kind of ideas has dominated the workings of the security establishment – the Sinhalisation of Trincomalee. Two prominent events that resulted in a climate of fear among Tamils are the contrived execution of 5 students on the beachfront on 2nd January and the communal violence of 12th April.

On 24th July Jayantha Wijesekera, the JVP parliamentarian for the area said that he had raised the closure with the Defence Secretary, the President’s brother. On 26th July the JVP-led Patriotic National Movement issued a statement demanding *“the government should use its power to destroy the Tiger terrorists in order to activate the sluice on the waterway.”* On the same day the Air Force commenced bombing, described in the Peace Secretariat statement as, *“Security Forces began escorting the Engineers. The Air Force conducted an air operation against identified targets which had instigated the forcible closure of the Anicut.”*

On 28th July JHU monks Venerable Athureliya Ratana Thera, the party's parliamentary group leader, and Venerable Akmeemana Dayaratna Thera made their dramatic presence felt in Kallar, the army position nearest to the sluice gate. Not unexpectedly prevented by the Army from leading a group of civilians to open the sluice gate, they commenced a fast to death. The Peace Secretariat statement went on blandly, "*the security forces began ground action to access the sluice-gate at Mavil Aru purely on humanitarian grounds to restore the free flow of water to civilians.*" On 30th July the monks talked to Army Chief of Staff Gen. Nanda Mallawarachchi who visited the area, and pledged to open the sluice gates within 24 hours.

Others with an immediate interest in restoring water to the Sinhalese farmers were not so impressed. Venerable Seruwila Saranakitti, the Chief Prelate of the Eastern and Thamnkadu dual provinces told the media, "*It was a weakness on the part of the Jathika Hela Urumaya monks to have attempted to take the agitated farmers who were angry by the deprivation of water to an area littered with bombs and explosives endangering their lives.*" Saranakitti had originally tried contacting the LTTE and did not get a response. He undertook a fast also at Kallar asking for the Government to intervene, and gave it up after getting a pledge from the Government. He told the BBC's Sinhalese Service that he did not know at that time the Government was trying to take military steps to open up the sluice gate.

The difference is that Saranakitti wanted the water for his people. For the JHU, it was a question of grandstanding in Trincomalee and using that for votes in the South, water or no water. By playing into such elements, the Government looked weak and vacillating on one hand and mindlessly brutal on the other, causing much death and destruction among civilians. It kept repeating every few days that it wanted a negotiated settlement to the crisis.

The Government kept coming back to the notion that the water should be released without any conditions being attached. The SLMM had in fact brought down these conditions to face-saving formulae for the LTTE, on which it undertook to give satisfaction within a given time. On the face of it these were reasonable, such as a water supply scheme for the LTTE controlled Mutur East with a large displaced population and easier access for goods and persons at entry points. The SLMM complained on two occasions that its diplomatic efforts were thwarted by the Government's resort to firing missiles near where the negotiators were, first on 27th July and the second time on 6th August. Both the SLMM head Ulf Henricsson and spokesman Thorfinnur Omarsson charged that the Government had other agendas in mind besides water. Norway complained that if the Government wanted to solve the water problem by military measures, it should not ask them to solve it diplomatically at the same time.

13. Appendix II

Note: What appears below may be regarded as folk history. The events enumerated are ones in common currency among the folk, which anyone familiar with the people would have heard on many occasions. The post independence experiences are part of living history. The problem calls for a political settlement and neither justifies the closure of the Mavil Aru anicut, nor the militaristic response dictated by the Government's narrowly chauvinistic perception of humanitarian causes.

Mavil Aru and the Struggle Against Ethnic Oppression

- by Lajeevan (Translated from the *Veerakesari*, 6th August 2006)

The Mavil Aru water dispute in the Trincomalee district is indeed a tremendous human rights issue. It is a problem to do with the livelihood of the people. The government has claimed through its media outlets that the Tigers have proved themselves terrorists by the act of closing the anicut (sluice gate). Moreover even as talks were a foot to reopen the anicut, the government resorted to severe bombardment. Many lives were lost as the result. However, the Mavil Aru dispute is not simply a water dispute. It is an attack on the very foundations of the Tamil Liberation struggle. It is about basic rights that have long been denied. Village elders tell us that it was this denial of rights that compelled Tamil youths to take up arms. It has long been held by Tamils that Trincomalee district has from time immemorial been part of the Tamils' heritage.

Governments who have ruled us for many years have seen the district as the link between the North and East, and as the key to the united strength of the Tamil people. It is because of this fear that the governments have conspired to break the contiguity of the North-East by establishing Sinhalese settlements in the north and south of the district in a planned and systematic manner. This planned demographic gerrymandering was begun in 1958 by communally motivated governments.

Accordingly, the Mavil Aru anicut was constructed for this very purpose of Sinhalese colonisation. Thus in the name of the Allai Scheme the government created a new division called Seruvila where Sinhalese from all parts of the country were brought and given jobs and resources. As the result the Sinhalese villages of Kallar, Dehiwatte, Neelapolla and Seruvila were established. "*The water which irrigates the rice overflows the canal and also irrigates the grass.*" That's how Tamils get their water. Owing to this scheme the Eachilampattu division comprised entirely of Tamil villages was deprived of water and marginalised.

An elder from Killiveddy told us, "During that period (1978) the renowned Tamil villages of Killiveddy Eechilampattu and Mallikaiththeevu, among several Tamil villages were rendered insignificant by Sinhalese colonisation. Many lands and resources owned by Tamils were taken over by the state for this purpose. During the same period, many Tamil youths began to struggle against this marginalisation.

"The Seruvila Buddhist temple then had an incumbent priest who advocated the policies of the present Hela Urumaya (JHU). He declared that up to the furthest extremity where the sound of the bell in his temple is heard, is land belonging to the Sinhalese. He also pronounced that wherever a Bo tree is found, there should a Buddhist *vihara* (temple) be built. Many fertile lands were stolen using this pronouncement. In the resulting climate of fear, the youths in Killiveddy proceeded to chop the existing Bo trees one night. The following day the Bhikku (Priest) brought the police and had several youths arrested and tortured. For many years we contested the Bo tree issue in court. After this manner the sufferings of the Tamil people were not a little. Bo trees were used for aggression and came to be seen as symbols that presaged another Buddhist temple." "This is just one of many stories among all that we underwent", the elder concluded.

A Muslim elder in Thoppur said, "During 1978 many Muslim lands in Thoppur were taken over in the name of the Seruwila expansion scheme. At that time a government surveyor from

Kopay, Jaffna, by the name of Kanthasamy was sent to survey these lands. Not knowing what was in store, we asked him why he was surveying our lands. “These are not your lands. These are lands reserved by the government for the Seruwila Sacred Area Scheme. I am merely a government servant doing my assigned duties. I know nothing beyond this. You must ask the Government”, Kanthasamy replied. The surveyor spent several months surveying the lands. We too protested against this, but absolutely to no avail. Today those lands have been developed so that they can be cultivated during both seasons and have been settled with Sinhalese”. “It is Mavil Aru water that flows into these lands”, concluded the Muslim elder from Thoppur.

An elder from Eechilampattu told us, “ Mavil Aru is in the same division as the sacred river of Verugal. This is the sacred river where the local deity Murugan receives his sacred ablutions. Today we could go to the river and take a drink of its sacred water. But the blessing of using the water for our agriculture and livelihood is denied to us. When you came here you would have experienced the cool blowing at Ali Oluwa. But what do you find here? It is but a scorching hot breeze. This is our reward for giving them our Mavil Aru water. There is nothing we have received from what is ours. It is our fate that people who came from some far away places should enjoy this benefit. We are bereft of many of our living associations. Many of our agricultural lands became fallow. Although this river belongs to our area, our villages are unable to benefit from its flow.

Lands have dried up. We have a problem of drinking water even though a river flows nearby. Because of our water bombs have been dropped on us from the air and many lives have been lost.

“The Seruwila area which was created only yesterday has now become a Divisional Secretary’s domain. This land of Eechilampattu gets its name from the deity Sembaha Nachiamman who came with her dual trident many centuries ago. It was a traditional Tamil village. Although the divisional secretary system was introduced a long time ago, Eechilampattu has been neglected and is administered directly by the Government Agent of Trincomalee. Last month when food and fuel were being brought here, the Police at Kantalai claimed that these were meant for the LTTE and confiscated them. It was after a court hearing that the provisions were brought here. It was under these circumstances that the Sinhalese experienced a water stoppage, but is something we have experienced for many decades. In neighbouring Serunuwara there is electricity even in the most out of the way places. But this ancient settlement of Eechillampattu has no electricity to this day. We have been penalised for many years and lost our livelihood because of many restrictions placed by the Government. Therefore from the very beginning Mavil Aru has been central to our struggle. From the very day these colonisation schemes were introduced, it has been a series of catastrophes for us. The water stoppage the Sinhalese have suddenly experienced is certainly one for deep regret. Have they thought about the water that has flowed through our lands for several centuries from which we are unable to realise any benefit to this day?

“A few months ago we were told that we would be given a water scheme through the ADB. That has not happened. The UNP MP Rajitha Senaratne came to our area. We told him about our problem with drinking water. He promised us tube wells. One well was drilled in Poonakari. The government was then taken over by President Chandrika and that was the end. Our own resources are ours only in dreams.” Having continued breathlessly, the elder ended his oration.

A Tamil farmer from the Killiveddy Left Bank has this to say, “We were chased out of here in 1978 and lived as refugees in Pachchanoor for many years. We were resettled in 1993. In the last few months our dear ones have been shot and knifed in their paddy fields by the Army and Sinhalese home guards. We were displaced again to Eechilampattu, facing the prospect of further displacement. While the Allai scheme was being developed, because of the protest of our MP A. Thangathurai, we too were given some token settlements. It is now our fate to live as refugees.

“The Tamil village of Thirumangalai, whose Sivan temple was celebrated in verse in the ancient collection Thirukarasu now lies in ruin. The same area has acquired the new name Somapura. No one can go there. This is the fate inflicted on us by the Sinhalese settlements, which Mavil Aru made possible. We are now being told that even Tamils have been deprived of water by the closure the anicut. But we have been immeasurably distressed by this water for many decades.”

These stories of distress from the people are endless. It appears that the Mavil Aru dispute is the continuation of the same saga.