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The Quest for Economic survival & Human Dignity: Batticaloa & Amparai Districts: June 1996

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SUMMARY

The situation in the Batticaloa and Amparai Districts, as of June 1996, is one of limited and slow improvement regarding the accountability of the Sri Lankan Armed Forces. Nonetheless, Human Rights violations by the security forces, LTTE, and homeguards continue. The mood among Tamil communities is that while abuse by the army is less outright than previously, there is a definite lack of concern for civilian interests among the security forces. Feeling that that LTTE is by no means representing the interests of Tamils either, these communities also find themselves neglected by government rehabilitation, as well as find their own politicians not meaningfully effective.

Torture in the form of beatings by the armed forces is prevalent, as are cases of arbitrary arrest. In the Batticaloa District, reprisal shelling has cost more civilian lives, though the extent of casualties is less than that which was occurring during the final months of 1995.

Some amount of sensitivity has recently been reported on behalf of some members of the army in the East, while the extent of abuse seems to be more prevalent in STF controlled areas. Use of human shields, forced labour and beatings continue to be carried out by the STF resulting in at least two disappearances this year. Of increasing concern are violations committed by homeguards and other Tamil militant groups, which act under the direction of the security forces. Extortion, abduction and beatings have been attributed to some of these groups, often in coordination with security forces.

LTTE movement in the East is reported to be higher, though recruitment in urban areas is down. Although attacks on Sinhalese villages in the East by the LTTE have not been reported since October 1995, individual killings of Tamil civilians continue. Central command of the LTTE may be breaking down, leaving local leaders to act at will. LTTE destruction of public property such as telephone exchanges and passenger buses is frequent, as is extortion of unbearably large sums of money and resources from Tamil families.

Extortion by the LTTE is increasingly harsher and more difficult because it is these regions in the East to which it has access that are the poorest. Tamils are thus left with unmitigated alienation and poverty. This is especially true in the area south of the Amparai District. It often appears to Tamil communities that it is only the Muslim and Sinhalese areas that are being restored, even at the expense of Tamils. This is very disturbing since many Tamil and Muslim communities rely on a close relationship of communal interdependence in the East.

Progress on the thousands of disappearance cases in these districts has been frustratingly lacking. The Government apparatus continue to release accused members of the security forces on bail, with no charges being laid. If the past cannot be properly investigated and perpetrators brought to justice, it is difficult to seriously tackle the problems of today. If Tamil communities can expect nothing positive from the armed forces, the LTTE or their Tamil politicians, the future remains bleak. Civilians need to be guaranteed the freedom to speak out and be heard, without fearing further reprisals. All perpetrators of this violence and brutality must be held accountable for their actions. Atrocities will continue and communities will continue to fall into never ending poverty and instability, if anything less is done. [\[Top\]](#)

The Quest for Economic survival & Human Dignity: Batticaloa & Amparai Districts: June 1996

1. A sort of normality

Where security is concerned, it must be said that some of the worst fears have so far not materialised. Since last December, following the Sri Lankan Army gaining control of much of Jaffna and the dismantling of the LTTE's structures of control there, reports emerged of a massive LTTE build up in the East to destabilise Batticaloa District. In the run up to the operations in Jaffna, the Sri Lankan Army (SLA) had removed its camps in the interior and had concentrated on controlling the main trunk road. The two major attacks by the LTTE last December on Puthukkudiyiruppu STF camp and on the army around Sittandy claiming the lives of about 70 servicemen were the first signals of the LTTE's intentions. The first claimed the lives of about 30 civilians- killed by the LTTE when they were used as shields by STF reinforcements. In the latter the SLA had acted with commendable restraint towards civilians. When 40 soldiers were killed near Vantharumoolai on 23rd March 1996, the Army's reprisal or response was confined to shelling which caused the death of a small girl. The worst

incident affecting civilians this year was the reprisal shelling of the village of Kaluwankerny on 11th May following an LTTE attack on troops at Morakkatanchenai. Eleven civilians including 5 children were killed. The pressure on the armed forces is also regularly evinced in attacks on patrols in the sparsely populated area around Welikanda. Hardly a fortnight passed without ten or so servicemen, attempting to keep the Batticaloa road, open being killed.

Thus at present bus travel to Batticaloa is subject to enormous delays and the train has ceased to run following a land mine attack. Although civilians have to continuously go through a series of ordeals owing to the security situation and face many uncertainties, there has been in most places a steady but slow improvement with regard to accountability on the part of the armed forces .

There have been no reports this year of the use of civilians as shields by the Army. There have on the other hand been some reports of the STF using human shields in the Amparai District. Instances of disappearance this year that came to our notice are two persons reportedly taken by the STF in Thirukkivil last April. The last instances of direct cold - blooded murder by the armed forces on record took place in November last year: four by the police in Akkaraipattu and one by the Army in Valaichenai. There has been no official response to 13 disappearances that took place about the last month of 1995: two taken by the Army in Valaichenai and eleven taken from around Unnichchai in December by persons believed to be Sinhalese homeguards. The Government has no excuse for evasion on this matter. It could easily find out the truth. Homeguards operate under the forces. Abductions could hardly be the work of ordinary civilians living in villages with no credible protection. There are also regular individual killing by the LTTE.

For those arrested on suspicion torture in the form of beating is still very much the norm. It is suggested by local sources that the two youths who disappeared in Thirukkivil may have succumbed to beating. According to the Batticaloa Peace Committee, the Army high command for its part is anxious to show that it is playing by the book. They said that receipts for arrest are issued even in rural areas. The STF had issued receipts for the 9 persons detained in Akkaraipattu in early June.

Thus while there has been a measure of real improvement, very much remains to be done. There remains the feeling that the improvements are responses to constant prodding by the political executive and presidential commissions of inquiry into past violations, rather than from reflection within the armed forces on what it takes to win and the political implications of their conduct. For example the civilians still do not feel that the armed forces are concerned about their interests. Civilian interests tend to be overshadowed by the often unimaginative measures taken by the armed forces to protect themselves. This will be discussed in the sequel.

Having said this, the problems of the East to a large measure arise from the urgent questions Tamil politics has failed to address, and indeed appears to lack the capacity to do so. When these questions go by default, it often appears to the Tamils that the other communities- the Muslims and the Sinhalese -particularly in the areas of rehabilitation, educational and economic advancement, are gaining at their expense.

This sentiment receives support from the disarray within the Tamil community compounding the absence of meaningful political or administrative power. The way they see things and experience the effects, every ministerial visit, and every development programme announced

for the East, is seen as another blow aimed at the community. There is a sense in which the politicians are failing again while the armed forces are trying to improve. These are matters in which fiction and reality lie strangely intermingled. Yet it remains important to separate them out. [\[Top\]](#)

2. Tamil perceptions

A very common sentiment one hears among Tamils is that they expect nothing good, neither from the Government, their own politicians, nor from the LTTE. There is much anger against their helplessness, against the course of murder and ruin the LTTE's politics has condemned them to, and also their inability to speak freely what they feel. These were expressed most forcefully by a Tamil writer and respected senior public figure, who has put in several years of service at the grass- roots level:

“The manner in which Government policy works in the East is totally contrary to stated intentions. The Tamils, their areas and their life are being progressively downgraded. The Tamil MPs are totally ineffective, and the LTTE does not care nor understand the plight of the Tamils in the East. You see, every day, every hour we are being killed, whether in cross-fire, in killings by LTTE, the armed groups, or by the Army. Even otherwise we are dying a slow death through the strangulation of our economic life and the resulting inability to educate our young or to obtain the necessary nutrients to keep body and soul together.

“The LTTE's strategy is utterly mistaken and counter-productive particularly where the East is concerned. We only see destruction. Whom do they kill? Several of the victims are young boys with no political interest who joined the police to earn a living and perform some innocuous tasks such as traffic control, record complaints of theft and mediate in minor disputes.

“ In every village and close to or within every family there are young men who dropped out of other militant groups such as the TELO several years ago, are married with say three children, and are now ordinary farmers. One day an LTTE person, quite often a relative, comes to the paddy field, calls him and shoots him dead. It is all meaningless. A number of heart-broken youths from other militant groups come and talk to me. They continue their militant association only because they cannot go home and live in security, and they lack the connections to go abroad. If the LTTE wanted to, it had the capacity to bring unity among the Tamils and end all this meaningless killing. But now it may be too late.

The speaker also recalled the heart - breaking sight in December 1989 when the LTTE entered Batticaloa town with the aid of the Sri Lankan Army. Corpses of hundreds of members of other Tamil groups and the dissolving Tamil National Army, and of youth dying but not dead, were loaded into trailers like rubbish and driven out via Lady Manning (Kallady) bridge.

“ When the Government talks of the rehabilitation of Batticaloa, officials descend on the Batticaloa Kachcheri and a meeting is held with the GA, public officers and engineers, most of whom are Tamil, with our Tamil MPs also present. Plans drawn up at the Rehabilitation Ministry are unveiled. Practically all the major infrastructural development is in the Muslim towns of Kattankudy and Eravur. The public officers and engineers are asked to carry out the work and are told that funds would be forthcoming. No one openly discusses or questions the rationale behind the programmes. Health Minister Fowzie came here recently. He visited Kattankudy and Eravur and was received by Deputy Minister Hizbullah and MP Moulana

respectively. He made major allocations for expansion of their two local hospitals. But he did not care to visit Batticaloa hospital. The Hospital Committee has been for more than a year writing to the Ministry of Health for a new cooler for the mortuary as the existing one had broken down. There is yet to be a response.

“ You would recall the incident last December when 30 civilians used as a human shield were killed. There are so many international agencies represented here, but there was not one to attend to the injured on time or to collect the bodies [See [Bulletin No. 9](#)]. 48 hours later the bodies were brought to the hospital mortuary in a bloated, stinking state and deposited there without any cooling. Then fresh bodies were brought and placed between these bodies. A sticky fluid began oozing out of the old bodies and flowed into drain. One could not even go 50 yards within. Among those killed as part of the human shield was Anandan, a polyglot versed in the literature of several languages and a man of letters-truly a renowned son of Batticaloa. In paying his last respects, even his family did not see the body. It was taken home in a sealed coffin because of the state it was in. The Health Ministry has been asked again and again for an emergency unit that could cope with situations such as which arise after a confrontation. There has been no response. Promises have been made to upgrade Batticaloa Hospital to teaching hospital in view of the faculty of medicine that Eastern University has been pledged. This is now a bit of a joke.

“A few months ago a new container was to be installed at the Batticaloa telephone exchange to provide 1000 more connections. Citing reasons of security the project was transferred to Polonnaruwa or Kandy. Since then the same reasons have been given to install a massive telephone substation at the Muslim village of Kattankudy hardly 3 miles away, from which village the Deputy Posts & Tele-communications Minister Hizbullah hails. Kattankudy has barely a hundred telephones. It is now feared that the Batticaloa telephone exchange will be shifted to Kattankudy.

“Recently the LTTE robbed equipment from the Fisheries Training School at Navalady after intimidating or roughing up some of the staff and inmates. The students have since been sent to Negombo. It is now feared that the school too will be shifted out. The LTTE using its access to Tamil areas to attack public amenities like telephone equipment (eg:Kalmunai), public buses, the train, and transformers is playing into the hands of those who would use these as excuses to keep Tamil areas deprived.

“Take even agriculture, our most important pursuit. I tell you, if the Government and the LTTE would leave us alone, we would get by. Our people would farm or fish. Now most of Batticaloa’s rice growing area is under LTTE control. Those who cultivate would first have to pay the LTTE a tax of Rs. 500 per acre. Then there are other taxes such as water tax. Claiming that urea could be used for explosives, the Army allows farmers to transport only restricted quantities of mixed urea. When the crop comes up and it ready for harvesting, the LTTE may ask the owner to keep away and harvest it themselves. The owner then bears the loss and ceases to cultivate. The next time the LTTE does the cultivation with hired labour. They get all the urea they want from Sinhalese merchants in Amparai District. To the LTTE it is a matter of making money whatever the cost to the society. Now, most of our fishermen are lagoon fishermen. This activity too is severely restricted after it was found that LTTE infiltrators often came to Batticaloa in boats disguised as fishermen. Thus thousands have been plunged into dire poverty. But no compensation is paid to farmers and fisherfolk who are affected by the prevailing situation.

“This in short is the development and rehabilitation of Batticaloa. What makes it even more painful is the fact that the Tamils voted overwhelmingly for Chandrika Kumaratunge as president. For example, in the entirely Tamil electorate of Paddiruppu the proportion she polled was 85%”.

This refrain one hears over and over again from Tamils. The catalogue of neglect is much longer, and some of them, such as pertaining to Eastern University, are keenly felt. Travelling from Batticaloa to Akkaraipattu, the contrast between Tamil and Muslim areas has become more visible over the years. To the cursory outsider there is much more building activity, both public and private, in Muslim areas, the Muslim poor are of course hardly visible from the main road although there are many. In the Tamil areas one would see the scars of war and hardly a new building of significance. The people too would appear frequently undernourished. A part of the reason is of course that agriculture has been much more adversely affected than trade, and that the Muslims have been more successful in adapting themselves to new circumstances. The dominant feeling among Tamils is one of being overwhelmed and rendered helpless, and behind the events they read a conspiracy to disinherit them. As a consequence the feeling that ‘if the LTTE is defeated the Tamils are finished’ has wide acceptance despite strong reservations and even anger at the LTTE’s conduct. Recently when some foreign personnel met Karikalan of the LTTE near Batticaloa, he cold-bloodedly articulated the view that the people need to lose everything, and only then will they join the struggle en masse! That says something about the thinking of the LTTE and what the people are up against. [\[Top\]](#)

Muslims in Batticaloa: The Struggle for Economic Recovery

For the Muslims in the Amparai District economic recovery was relatively easy. The LTTE is present but not in control, and neither the security forces nor the LTTE have obstructed cultivation in the proximity of Muslim areas. Tamil paddy land owners around Muslim or mixed villages (eg Akkariapatu and Sammanthurai) too have benefitted from being able to cultivate and harvest their fields. Tamil labourers too have benefitted from employment. At present the ripening rice fields bear the colour of joyous green as far as the eye could see. Yet Muslim traders, particularly those catering to Tamil customers, such as those in Akkaraipattu, Kalmunai and Batticaloa bazaars, feel the pinch of falling incomes resulting from the general impoverishment of the Tamil population in particular.

The hardest hit were Muslims in the Batticaloa district who had lost the use of their fields in areas under LTTE control. Several of them receive a small rent for their fields from Tamil cultivators, since the latter had also to pay the LTTE a land tax in fields west of the lagoon. Eravur, for example, is a Muslim village that depended mostly on agriculture.

In the Muslim villages of Eravur and Oddaimavady, many of their tractors and boats used for fishing have been taken by the LTTE. Only 3 tractors are now owned by Eravur folk that are currently employed in the Polonnaruwa District.

But through sheer determination and a willingness to adapt, Eravur has been making a slow recovery. A number of Muslim paddy land owners or Podiars now work as seasonal labourers in Akkaraipattu and Sammanthurai, and also in Polonnaruwa District where lands are owned mostly by Sinhalese.

As communal tensions with Tamils, which reached a peak in 1990, eased, milling activity in Eravur has recovered. An estimated 75% of the paddy cultivated in the surrounding area is brought to Eravur by Tamil cultivators for milling.

Several more have also taken to the traditional pursuit of tobacco cultivation which was pursued along the banks of the Mahaveli and in the less accessible parts of Polonnaruwa District (earlier known as Tamankaduwa Division) at least as far back as the 19th century- when the majority population in the district was Muslim. During 1993 a police party from Anuradhapura raided tobacco plots along the Mahaveli close to the Mannampitiya security post. The crop was destroyed, the pumps and other equipment were severely damaged and several hundred cultivators were remanded for a time at Anuradhapura. The reason given was that the land concerned was protected as a forest or wild life reserve.

Asked for his observations, a conservationist said that the police action is probably defensible under the law. “But”, he added, “there is a broad shaded region between what is a legitimate traditional pursuit or is permissible, and what is clearly not. Now take the Sinhalese peasants who have been planted on the borders of forest reserves in the Mahaveli region [eg;Dimbulagala] and in the Trincomalee district [eg; Tamplakamam] with influential backing. That in itself may not violate the reservations. But in the absence of a viable economic life you know for sure that they would make a living off the forest by becoming party to timber rackets. Then the question of taking action to protect the forest becomes also a political decision, and you know what politics in this country is about.”

There have also been allegations by the security forces that the LTTE obtains food from Muslims in the tobacco ‘Wadis’. But life in the East is such that it is difficult to draw lines. There is no separation between the LTTE’s economy and the ‘legal’ economy.

Communal Interdependence

As we have pointed out in earlier reports, the inescapable interdependence of the Muslim and Tamil communities stands in sharp contrast to the drift towards separate schools, hospitals, AGA divisions and even separate universities:

- Tamil rice cultivators traditionally obtain advances from Muslim rice merchants(eg. in Eravur) and pay these back at harvest time.
- Muslim tobacco cultivators obtain advances from tobacco merchants from Jaffna’s off-shore islands who have been prominent in the trade from the last century.
- Tamil migrant labour from the Batticaloa District have found regular and lucrative employment in harvesting the rice fields of Muslims in the Amparai District.

*Akkaraipattu provides a stark illustration of how the economy falls apart if the two communities do not get on. Of the 4900 families in the Akkaraipattu Tamil Division, 2000 persons go daily into the Muslim area to work as labourers(Rs 150 per day), masons (Rs 250 per day) and carpenters (Rs 500 per day). Another 800 to 1000 Tamils work as agricultural labourers in more than 10 000 acres of rice fields owned by Muslims in Tamil areas. It has been said that when there is communal tension and life comes to a standstill, there is no food in Tamil houses. Although there appear to have been cases of isolated threats in times of

tension, senior members of both communities have been at pains to insist that communal relations are good.

With all these signs of steady improvement of their economic life, there is among Muslims an anxiety about the LTTE's unpredictable behaviour. Further, the feeling of powerlessness among Tamils has built up a dormant animosity against the Muslims. Moreover, leading Tamil politicians privately express the view that they are unable to concentrate on economic development because they have no control over the LTTE and its actions. Consequently they feel that the criticism directed against the Muslim politician is unfair. But, since they, nor the Tamil intellectuals, could discuss these concerns in public and so exert pressure on the LTTE, they are unable to have any impact either on the Government or on Muslim politicians. This results in a very unhealthy environment and drives the people further into narrow ideologies.

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Incidents

The following give the general flavour, but are by no means meant to be exhaustive:

Batticaloa District

26th November 1995: Valaichenai: During an Army round up Siripala Yogeswaran(27), a vegetable seller, was killed by soldiers while visiting his uncle at Kannakipuram. His brother Athishtan(17) and cousin-sister Miss.Jegasothy Sivanandan(29) who went looking for Yogeswaran disappeared after being taken by soldiers. The matter was given publicity by Mr.Thruairajasingham, the local MP, and Amnesty International. There has been no official response to date.

17th - 21st December 1995: Unnichchai:The following six and another were reportedly abducted by Sinhalese home guards probably from Mangalagama at 7.00 AM while grazing their cattle: Manikapodi Shanthakumar, Devanayagam Kiruparajah, Somasundaram Lingamayagam, Ananthan Sinapodiayan, Samithamby Vellakuddy and Kandappan Govindan. Another who escaped reported the matter to the Police in Batticaloa, the HRTF and the ICRC.

On 21st December Vianayagamoorthy Karalasingam, Peryathamby Vellapodi, Thiagarajah Jeyasangar and Ponnambalam Koneswaran of Unnichchai were picked up at Koppaveli while collecting firewood by sinhalese speaking persons believed to be homeguards. The matter was raised with President Kumaratunga on 22nd December by Joseph Parajasingam MP and subsequently given publicity by Amnesty International. Local inquiries had also been made by HRTF personnel. There has been no official response to date despite rumours that the persons concerned were seen at an army camp in the area.

Mangalagama in the Amparai District is an interior Sinhalese village, and though relatively new is not part of a colonisation scheme. It was one of the border Sinhalese villages attacked by the LTTE in late October 1995 on the eve of the Sri Lankan Army's capture of Jaffna. There are aspects to this incident that remain unexplained. Were these abductions a reprisal? If it was a reprisal the villagers would have feared further LTTE attacks which have not taken place. The villagers must be dealing with the LTTE through some channel. Since October 1995, the LTTE too has been very restrained in attacking Sinhalese villages. The attack on Eluvankulam in the Puttalam District on 11th June 1996 was, according to the residents, a private vendetta directed against the inmates of one house by a former Tamil resident of the

village, who had joined the LTTE after many in his own family were killed by a tough belonging to the house attacked.

23rd March 1996: Commathurai: The LTTE were waiting in ambush for the anticipated army patrol. The Army was informed of this by civilians. A group of soldiers went towards the place where the LTTE were said to be waiting. They spotted 3 LTTE men dressed in camouflage kits with foliage and shot them dead. They then went to the corpses, according to civilian sources, in a mood of jubilation. The LTTE opened fire when the soldiers were bunched together, killing 40. Thirteen others including an officer were injured. Although the particular incident reflects carelessness on the part of the Army, the general pattern, according to local sources, is that the civilians inform the Army of any impending danger.

Following the incident shells fired by the Army fell at Mavadyvembu, Vantharumoolai, resulting in the death of a little girl Rajani(7). A further three women Appachchi Kumarasamy(55), Nagamma (55), Arasamma(23) and a girl Kalaichelvi(7) were injured.

April 1996: Batticaloa: The following incident illustrates the Army's new sensitivity to be seen to be playing by the book. A 15 year old boy was doubling his 12 year old brother on the causeway, on their way home, when they were stopped at an army check-point. The Army detained the elder boy and asked his younger brother to go home. Perhaps to avoid further beating, the detainee admitted knowing a spot near a Hindu temple where arms were hidden. When taken there, no arms were to be found. Soldiers were then seen beating the boy. The matter was raised with Brigadier Kottegoda by the Peace Committee. The former immediately summoned Captain Suleyman of Military Intelligence and verified that the boy was being held. He then told the Captain, "The men have been told that if a prisoner is beaten, they will be punished. The officers have been instructed that there should be no beating of prisoners". On a subsequent occasion Kottegoda told the Peace Committee that the officer concerned had been dismissed from the Army. Although the truth of the claim may be doubted and it is known that detainees are regularly beaten upon arrest, the new sensitivity of the Army was welcomed.

It is also reported that the Counter Subversive Unit of the Police at Batticaloa has been disbanded and the OIC demoted, following charges of extortion for the release of prisoners.

Brigadier Kottegoda was commended as being "Very reasonable, active, and having very good public relations.... as good as Rohan Gunawardene, who was sometimes a little moody though". Kottegoda has been succeeded by Brigadier Anton Wijendra.

2nd April 1996: Batticaloa: Jude was a student at St Michaels, a well known sportsman, was friendly with the armed forces and had even been photographed with leading army officers at sporting events. On this day Jude was injured by an explosion while assembling a bicycle bomb at a house in Bharathy Lane(Muslim colony), and died on the way to hospital. The owner of the house, a teacher, was detained. His wife, an Agriculture Department clerk and his sister were questioned and released. A young newly married Seventh Day Adventist pastor who had bought a motorcycle from Jude is also under detention, but is allowed Sunday visits by his wife.

It is now reported that Jude had joined the LTTE, but that the LTTE had sent him back to carry out sabotage operations.

May 1996: The following illustrates the continuing concern over Tamil groups operating with the forces with considerable impunity. The most recent addition are EPRLF cadre under Razik, a key figure in the short-lived Tamil National Army, many of them recently brought back from India. The total number is variously estimated at 500 and above. The EPRLF which had formerly eschewed militancy maintains that the persons deployed are part of the regular forces and have no links with the organisation. But locally the Razik Group are known to indulge in some extortion, even issuing 'EPRLF' receipts for 'donations' of figures such as Rs 500 for a lorry per month from the owner.

Two youths, Balasubramaniam Pradeepan(an undergraduate) and Rajasingham Anushyan(an A.Level qualified boy), happened to meet on the road and were chatting. Anushyan had been given forced training by the ENDLF in 1989 when youths were conscripted for the TNA. At this point they were arrested by Shankar of the EPRLF, taken to their office and assaulted, and then handed over to the Army as LTTE suspects. This was on 23rd May. Two days earlier Xavier Shanthikumar(fisherman in his early 20s) was given similar treatment. All three were released by the Army as innocent by June 3rd.

The presence of armed militant groups in Batticaloa contributes to the atmosphere of lawlessness. A number of cultivators from Paduvankarai have been avoiding coming into Batticaloa out of fear of harassment and further extortion to what the LTTE takes from them. A good example is a farmer in connection with whose support for the TULF leader Amirthalingam at the 1989 parliamentary elections, had his brother killed by the EPRLF.

11th May 1996: Morakkatanchenai- Kaluwankery: The LTTE attacked troops in Morkkatanchenai, killing 14 and injuring 15. Troops claimed to have recovered 9 bodies of LTTE cadre.

Subsequently the coastal village of Kaluwankerny, 1 ½ miles from Morakkatatanchenai camp, was shelled from Sittandy. This led to the death of 11 civilians, including 5 children, the youngest aged 3. A further 16 were injured, including an infant and several children. One house was badly damaged with three corpses mutilated beyond recognition. The Army's explanation of the shelling of the village was that they had fired at the withdrawing LTTE force.

Late May: Thurainilavanai: The STF and a party of the militants from the Razik Group(EPRLF) waited in ambush for the LTTEers who often made the lagoon crossing before dawn. Civilians who came that way were asked to sit down quietly. The LTTE failed to turn up. The withdrawing ambush party caught a boy from the village whose brother was in the LTTE, beat him and cropped his hair.

Late May 1996: Batticaloa: The following illustrates the plight of fishermen who receive no compensation for the loss of trade. A fisherman went to Buffalo Island in the Batticaloa lagoon to fish during the night and was mistakenly shot dead by an ambush party. He leaves behind 3 children. [\[Top\]](#)

Individual Killings by the LTTE

7th March 1996: Peruveddai, Sittandy: K. Thangaraja, father of seven, shot dead.

20th March 1996: Chenkalady - Badulla Road: Vyramutthu Kathalinam(43) and Sooty shot dead by the LTTE and left on the road with accusatory statements. The two had been held for 45 days by the LTTE.

28th March 1996: Puthukkudiyiruppu: Thangaraja Pushparaja (20) of Nasivanthivu shot dead about 4.00PM. He had formerly been associated with the LTTE. The Virakesari quotes TELO sources as having said that he had contemplated joining their group. The incident is one among many which illustrates the meaninglessness of the politics among the rural folk. All groups have lost any sense of purpose and carry only their hatreds, wounding the same community and even the same family, from whom they all have drawn their cadre.

10th May 1996: Vantharumolai: Vani was a Radiologist at Batticaloa Hospital. Her father, Mr.Sornalingam, is a well-known Tamil poet who was first a supporter of the Federal party, then the UNP and lately the TULF, the FP's successor. Such things are normal in the politics of the East where the choice between 'Rights' and 'government patronage' is an acute one.

Vani was fluent in all three languages and Army officers were among those who conversed with her. Gossip grew around her accusing her of an illicit affair with an army officer.

She was not evidently conscious of danger and continued staying in Vantharumoolai that was readily accessible to the LTTE. The LTTE abducted her and held her for 45 days.

Delegations of her relatives and well-wishers met the LTTE and pleaded on her behalf. On 10th May she was shot dead and left on the road with a written accusation charging her with being a traitor and informer.

29th May 1996: Cheddipalayam: A member of TELO and two members of PLOTE were shot dead about 6 P.M.

Damage to public property caused by LTTE activity:

4th January 1996: Kalmunai telephone exchange was severely damaged by a bomb which went off at 2.30 AM.

23rd March 1996: Akkaraipattu telephone exchange damaged by bomb explosion resulting in outage of 300 telephones.

20th April 1996: The LTTE set fire to a public passenger bus at Urani on the Akkaraipattu-Pottuvil Road about 12 noon. a bus on this route had been burnt previously. The Police party that went from Akkaraipattu was attacked by the LTTE. Three died in the melee including an inspector and a constable. The bus service has since been stopped. The journey from Pottuvil to Akkaraipattu now costs an extortionate Rs 30/-, with especially women and children who travel for medical care packed in tiny vans. Tamil villages on the 20 mile stretch between Thirukkivil and Pottuvil are now largely cut off.

Such bus burnings have been reported elsewhere- eg; Vantharumoolai when the driver protested at the LTTE for removing fuel and putting him in an awkward position.

10th May 1996: Kallady Fisheries Training school robbed by the LTTE.

13th May 1996: Explosion at the Ceylon Petroleum Corporation's depot in Batticaloa. The claim that the LTTE was responsible is contested (see below).

31st May 1996: 8 buses parked in the major bus depot at Kalmunai were burnt by the LTTE during the night.

On 5th June 1996 Rehabilitation Minister M.H.M Ashraff obtained Cabinet approval to replace the burnt buses using Rehabilitation funds and to shift the depot to his electoral base of Sammanturai.

This is the kind of development that Tamils most fear and are helpless against. They see the LTTE playing the scape goat enabling public infrastructure and amenities to be progressively run down in Tamil areas and being developed or transferred into Muslim areas. [\[Top\]](#)

Doubts about bombs:

Several bomb explosions have been more or less definitely identified as being caused by the LTTE. But certain incidents have created doubts as to whether more than one party is playing the game. On 5th June at about 10.30 A.M there was a bomb explosion in the police booth on Trincomalee Road by the side of Hindu College. No one was seriously hurt. The Batticaloa Station Master who was on his way to the market received three blows from flying objects, rolled away upon seeing the flying booth descending upon him, and crept to safety under a fence to avoid being shot at by mistake. According to some sources the two policemen in the booth had crossed the road into a boutique a few minutes earlier. A Maruthi jeep with service personnel who were laughing and talking among themselves while the jeep was parked on the opposite side of the road, had passed close to the booth when it was driven away. The belief that the armed services were responsible for the bomb was contested by others who said that on an earlier occasion when a bomb was discovered in the area, the police had stopped civilians from going that way.

Earlier on 9th May a bomb had gone off in the Petroleum Corporation's Batticaloa depot. 13 newly recruited employees were taken into custody and 8 of them, including the 4 Muslims among the detained, were released a few days later. Senior citizens said that the continued detention of the five is unfair, since all employees were rigorously checked by the police prior to entry and were required to leave their bicycles outside the premises, as at the Telecom, out of fear that they may conceal a bomb. The police sub-inspector, they said, had resented the employees having complained about his excessive strictness. They feel that the police cannot shake off the entire responsibility for the explosion.

Some months ago a member of the EROS group was killed when trying to place a bomb in a transformer close to the EROS office in Puliyantivu. [\[Top\]](#)

Tamil Militant Groups

Presence of armed militant groups along with the army is still cause for concern among the people. Although no killings or disappearances, as far as we are able to locate from the best informed sources, have been reported, these groups have been known to extort either by pressure, intimidation or abduction. The distinction between current members of PLOTE & TELO and former members who now closely work with the SL Army is difficult to make. As far as the people are concerned they do not see any political need for the existence of these

groups with arms. Although the groups claim to have arms for their defence, they are invariably used to intimidate the people.

It also shows the confusion these groups have about their present role. All these groups still carry names which have lost all relevance. In the present context they are unable to redefine their role and to seek a common consensus in order to work for the benefit of the people.

Two cases of detention by the TELO or PLOTE were given worldwide publicity: Nagalingam Rishikeshamoorthy (36) of Chenkalady on 1st January 1996 and Kandiah Vyrmutthu(31) of Sittandy on 20th February 1996. According to the sources contacted, the two have been released. Currently, these groups normally do not hold detainees for more than two days.

The situation in Valaichenai

The atmosphere here was rendered oppressive owing to the relatively harsh attitude of the Army, which feels insecure, and the LTTE, which moves freely during the nights while the Army are in barracks. To ease their fear, soldiers have frequently fired shells westward in the night towards the jungle, from the army camps at Valaichenai, Kumburumoolai and Kiran.

An incident involving the murder of a civilian by soldiers and two disappearances took place in November 1995 (see above). But of late the situation is said to have improved following a change of approach by the Army in trying to be friendly towards the civilians. During June, attacks by the LTTE also reached a low ebb after showing signs of intensifying in May. Shelling at night too has largely ceased. [\[Top\]](#)

Amparai District

7th -8th November 1995: Akkaraipattu

At 9.15 A.M on 7th November, Constable Hashim of Oluvil who brought his OIC Jamaldeen's car for repairs to a garage at Carmel Convent junction, was shot dead by an LTTE intruder who then escaped. Some time later, firing was heard as policemen came running towards that area. Civilians ran away while the village council chairman alerted the STF, 2/3 mile away, by phone. The Police then advanced from the junction. Not finding anyone in the first few houses on Sagamam Road, they came to the fourth set of houses, where they met Mrs.K. Ponnammah (60). The woman had previously upon hearing the commotion asked the workmen on the roof to come down and go into the house. When the police asked her for persons in the house, she summoned the workmen. The three workmen Jeevaratnam(55), a mason from Akkaraipattu, his son Wijeyaratnam (20) and Sritharan(20), a labourer from Vinayagapuram, along with the old women, were shot dead by Constable Irashad. Another boy had escaped by hiding in a rolled up mat. The STF then arrived and prevented further incidents, and tried to douse the fire in two boutiques. An Elf van-load of home guards who arrived with fuel in cans were also turned back by the STF. The Police then got down a coroner from Palamunai who certified that the four victims had died during cross-fire in a confrontation with the LTTE.

The following day after a meeting of the Citizen's Committee, drunken policemen in mufti were found assaulting two boys. The policemen were confronted by Thayaparan, the AGA, who was also a former militant. The latter was instrumental in the release of 5 Tamils who had been locked up in a police station lavatory by home guards. Relations with the Police have continued to be problematic. No action has been taken to punish the killer.

The use of human shields and forced labour by the STF

10th April 96: Colony 13: STF from Colony 13 camp selected 25 civilians from Colonies 7 & 15 and forced them to march ahead of the STF into the Nediawattai jungle, with the STF firing. No one was hurt.

17th April 96: Kittangi (near Kalmunai): STF in mufti took 8 students including Thevarajah (18) as a shield on their way to Thauravatheriyamdu.

11th Apr 96: Urani and Thandiyadi (between Thirukkovil & Pottuvil): STF forced daily wage earning labourers to clear jungles and shrubs along the roadside without any compensation.

Cases of assault by the Security Forces

12 Apr 96: Kamalaharan (23) of Navithaneveli: By the STF at Mandoor check point, on his way to discuss sale of goats.

15th Apr 96: Kalmunai: N.Sivaharan(21), N.Gengatharan(26) & V.Vishnutharan (22) by Kalmunai police during overnight detention, after being detained with the aid of Natpiddimunai home guards.

The STF in Thirukkovil had recently ordered all boutiques to shift to the main road and the quantities of essentials in stock have been severely restricted, in an attempt to allegedly prevent the LTTE from getting supplies. Some of the shopkeepers including Krishnan, Mylvaganam and Murugan were beaten. The first is said to have been ordered to close down.

About 14th April 1996: Thirukkovil: Two boys in their teens from Kolavil paid a traditional new year's visit to a lady in Vinayagpuram and were returning the next morning when they were stopped by the STF at the Thirukkovil check point. They were detained reportedly because the STF suspected the lady of the house they visited to be entertaining the LTTE. The lady then went to the STF camp. She was given the bicycles of the two boys and told that they would be released later. The lady informed the relatives of the boys at Kolavil who went to the Thirukkovil camp. They were told that the boys had been sent to the Akkaraipattu STF camp. The latter when contacted denied having received the boys. The boys remain unaccounted for.

2nd June 1996: Akkaripattu: The STF made a swoop late in the evening and detained 9 persons accused of helping the LTTE, including the co-operative manger Kalanathan. Kalanathan's parents -in-law, Mr.&Mrs.Kanapathipillai, said that Kalanathan was an innocent, timid man who mostly stayed at home. Other local sources said that the arrest was based on information supplied by young LTTEers who had deserted and surrendered to the STF. Local sources also said that the LTTE is usually about the place and have little difficulty in negotiating supplies from merchants or agents in the Muslim quarter where there are no restrictions.

Latter June 1996: Colony 13: The LTTE attacked a security post in the colony under the Gal Oya scheme killing two policemen and two Muslim homeguards from a neighbouring ward. Other policemen with homeguards marched towards ward 3 of Colony 13 where Tamils live. The STF tried to prevent the reprisal attack going to the extent of firing warning shells into the paddy field. However the attackers burnt some Tamil huts while the residents ran away.

The STF has since encouraged the Tamils to come back, but the residents are reported to move into the jungle for the nights. An year ago Sinhalese homeguards attacked Tamils in Colony 4, that was recently resettled, after an LTTE attack on a nearby Sinhalese colony. Up to about 4 Tamil civilians were then killed. The STF had also then intervened to reassure the Tamils.

No structures exist at present where community leaders from different communities could meet regularly to prevent such reprisals from taking place. The role of homeguards remains as questionable as ever. [\[Top\]](#)

Poverty & alienation in Tamil areas.

Conditions are far from ideal for a community severely caught up in the war. The problem is most acute in the south of the Amparai district where the residents between Akkariapatu and Pottuvil are solely Tamil. the STF has been applying restrictions on farming and trade without any political opposition. The better off have moved close to STF camps to escape LTTE extortioners. The others who supply wage labour have been largely left to themselves and the LTTE, without work and without means.

The rice growers who need to maintain a delicate routine and keep to strict timing say that it is pointless for them to sink capital when the STF has been whimsical and arbitrary in the instructions it issues. On crucial days the labourers may be prevented from going to work resulting in damage by cattle, the rice not being fertilised or even the irrigation gates may be closed on STF instructions. The owners have also lost about half their cattle. Calves have not been branded for about two years. While regular cattle-men are prevented from going into the fields by the STF, rogue teams sent by butchers in Akkaraipattu who bribe the STF, the owners say, are rounding up cattle.

Vinayapuram, just south of Thirukkivil, is among the badly affected villages. Since the LTTE burnt two public buses between Thirukkivil and Pottuvil, the villages inbetween are for practical purposes 'out of sight and out of mind'. It must be remembered that it is from among the poorest that large numbers were killed, particularly during 1990. Amparai District alone has over 1500 Tamil widows.

Several people in Vinayapuram came from the Ninthavur area and have close Muslim contacts. So intense is the poverty, it is said, that most parents borrow Rs 5000 to pay agents and send their daughters to the Middle - East as domestic helps using passports bearing assumed Muslim names. In several cases young women married to a farmer who went out of work, had left the children with him and went to the Middle-East, for a wage as low as Rs 3000 (USD 60) per month. They are often illiterate and their salaries are conveyed home through Muslim agents. Since they cannot write letters, the same agents bring home taped messages. Any proper rehabilitation exercise would have ensured each household a proper livelihood in place of the Rs 3000 from the Middle-East obtained at heavy cost to the community. [\[Top\]](#)

The LTTE

There are reports of significant LTTE movement everywhere in the East served by informers and agents. For the present, at least, a decision has been taken not to give offence to the Muslims. Relations with the community are relatively cautious and indirect. Younger

members of the LTTE are seldom identified by older civilians, but the young often know better.

Current recruitment in areas not controlled by the LTTE is placed by many observers to be almost nil. Many in the Paduvankarai area, who could afford it, have sent their children to Batticaloa town. The town has undergone a significant change in its composition since the beginning of the war. Extortion by the LTTE has been among the causes of movement into town. While people know and some times admire the LTTE's destructive capacity, its image as a liberating force has fallen sharply. Due to the lack of movement towards a political solution, a feeling commonly remains among Tamils that if the LTTE is defeated, the Government would then cheat them.

The LTTE's excesses too have contributed to whittling down its economic base. There is too much disillusionment present for voluntary contributions. Had it not interfered with economic activity and had avoided alienating the Muslims, it may have got away with taxation that was not extortionate. By driving people off economic activity through extortion, it has now taken over abandoned paddy fields and herds of cattle in the Batticaloa District.

A Muslim from Earavur went in search of his 145 head of cattle driven away by the LTTE from the Welikande area. He encountered the LTTE near Veppuedduvan. He was courteously entertained, served tea and vadai and was told that they needed his cattle. The herd kept by the LTTE is estimated at 2000, from which milk reaches depots along the main road. It also taxes many necessities that reach the residential areas from the interior, such as gravel and illegally felled timber. Bricks that formerly cost Rs 2000 for a tractor-load of 2000, now costs Rs 3800.

Its methods of extraction in the poorer areas are much cruder. These also point to its difficulties. Those able to pay something are no longer in areas it has ready access to. The poverty stricken village of Vinayapuram though in an STF controlled area, is virtually under LTTE rule. Young boys facing an empty life are given grenades by the LTTE or allowed to handle weapons and are thus made to feel important. They in turn help the LTTE in extortion. This means harassing people with hardly anything to give. After starting by demanding Rs 1 ½ lakhs, the LTTE goes away with Rs 5000 or so paid after pawning some belongings. When such boy helpers go to the jungle and join the LTTE, they are often a liability. When they get disillusioned and surrender to security forces, valuable information is passed.

Several local observers feel that the influence of the central command has weakened and that the area leaders are doing very much their own thing. Several individual killings of civilians have been placed as private vendetta affairs. The LTTE's mindless destruction of public property and its readiness to interfere with any rehabilitation effort which the people desperately need, not to ensure that they get a fair deal, but to fill its purse at any cost to them, contributes towards the Tamil people despairing of any future for them in the East. The LTTE is on the other hand a beneficiary from official corruption that thrives off funds destined for the lost and the bereaved. [\[Top\]](#)

The Security Forces: An overview

We mentioned that the main public grievance against the security forces is not so much to do with outright violations as the feeling that their routine actions show very little respect or

concern for the people. These actions they feel are primarily about protecting themselves. A respected citizen pointed out that the Army's attitude to road closures and diversions points to sheer lack of imagination: "When the Government claims that the Army is in control, we expect to see more confidence on its part and a progressive easing of the situation. But we see the opposite. Alright there is a security problem at the Batticaloa Telecom. The Army's answer to that is to close the road. Now one taking a child to a nursery, instead of crossing 75 yards of Station Road, has to travel over quarter of a mile. Outside Batticaloa, Army camps meant to protect the main road feel threatened. Fair enough. But what do they do? Instead of shifting the camp away from the road, they close the road. At Commanthurai, the traffic has to take a very dusty diversion of half a mile on an ad hoc loose-gravel road. Buses and lorries raise a lot of dust, and old men pushing loaded bicycles and five year old children returning from school have to walk this road at noon, covered in dust and sweat."

A middle aged man who lived close to Morakkatanchenai army camp said, " I returned after being a refugee in 1990, rebuilt my house and lived for four years alongside the army without any problems. But suddenly after the resumption of war in 1995, the Army forced us terrified civilians to sit around their camp as a shield during the nights. I decided to leave the place and am now in Batticaloa. I do not know why they did that. The trust we had in the Army was shattered."

Such practices have been controlled at least in army controlled areas. But the feeling remains with civilians that it is not their army, but an alien army with an agenda, and basically untrustworthy.

Although there is tremendous disillusionment with the LTTE and recruitment has fallen sharply, the effects of even seemingly minor breaches of discipline should not be underestimated. Most such incidents are covered up and forgotten. One such happened in May last year, in the Batticaloa suburb Of Iruthayapuram [[Bulletin No 6](#)], where the police went on a rampage killing about six civilians and causing harm to several more. The only action taken was the transfer of several policemen. A couple of journalists from the foreign media went there, but sadly no one from the mainstream local media, and things seemingly returned to normal. We learnt that about 25 youths from the locality had subsequently joined the LTTE. A boy Rathy went the following morning. The rest followed over the coming week as the LTTE sent messages that the only thing they could achieve by staying there was to be beaten and killed by the armed forces. Kumar, a recruit, was killed during the attack on the Ambalanthuri STF camp a month later. The majority were sent to the North by the LTTE, and their fate is not known. The effect of the Killiveddy massacre and that at Kaluwankerny in May, we only guess.

Our reports suggest that the situation in the STF controlled areas is worse. This is felt more strongly in parts on the Amparai District where there is a strong feeling that the STF is part of a planned attack on the Tamils' economic life. [[Top](#)]

Investigation into Disappearances

This particular matter which concerns several thousand victims and their families in the East, would to a large extent determine the credibility of a political solution. The number for the Eastern Province, if one is to go by the applications before the disappearances commission for the North- East, is around 4 to 5 thousand post 1987. Other estimates point to around double that figure. Owing to the political vacuum and the lack of activism, human rights observers

feel, things are not going too well. As long as the armed forces play an obstructive role, it would hinder a political solution. Terror would then be in covert use, through agents and members of Tamil groups who play a subservient role. It must be kept in mind that even this government continues to maintain in reserve, at least, operatives such as Martinersz (aliases: Munas and Dias Richard) and Mohan who had earned notoriety. The former though reported dead by the Sunday Island columnist 'Ravana' in November 1993, was reported seen at the Ward Place STF camp in mid-November 1995.

The following gives an indication of how the commission is faring: The Commission met at Batticaloa during the first half of last year. It promised to meet there again, but has not done so. The commission questioned the officer, who was then Lt. Colonel Percy Fernando of the Batticaloa Brigade, about the massacre by the Army on 9th September 1990, of about 180 persons from four villages around Sathurukondan. Percy Fernando is reported to have told the commission, "This is the first time I have heard about it".

Father Harry Miller, a member of the Peace Committee, recalled that as soon as they had recorded the testimony of an injured survivor the following day, they had informed Brigadier A.M.U Seneviratne [our [Report No.8](#)]. Seneviratne had gone to that area with a party in vehicles, that included Percy Fernando. Brigadier Seneviratne then contacted Fr. Miller and told him that they found nothing. Fr. Miller then asked, "How about the people?" Seneviratne replied that there were no people. "There", replied Fr. Miller, "I told you that a large number of them had been killed!" The Peace Committee had later sent the Brigadier a list of missing persons. Percy Fernando when later questioned by the Peace Committee had replied, "It is a mystery".

The matter was raised with JOC Chief General Wanasinghe by Amnesty International in February 1994. Wanasinghe replied in April that he had instructed the Inspector General of Police to conduct an investigation 'at the grass-root level'. In July 1994, Fr. Miller inquired about the investigation from Brigadier Rohan Gunawardene who was in charge at Batticaloa. The latter expressed surprise and suggested that the past should be left alone!

Two recent events provide grounds for further pessimism despite some firm initial action by the present government- action though confined to low ranking personnel who could not have acted without sanction or complicity from above. About a dozen army personnel had been detained following inquiries, following the Killiveddy massacre of February this year. An MP for Trincomalee District, while talking to a judicial officer in Trincomalee, learnt that the detained soldiers had been released on bail during mid- June. "Who ordered their release?", the MP asked. "The Acting Magistrate", replied the judicial officer. "Who is the Acting Magistrate?" the MP asked. After some hesitation the judicial officer admitted sheepishly, "I am". The MP, himself a lawyer, observed that those detained on charges of murder cannot be granted bail by a magistrate, it requires a High Court decision. In February, STF personnel and other security operatives detained 5 months earlier in connection with missing Tamil persons who appeared as corpses in waterways, were also released on bail by a Colombo magistrate. The technicality in both cases perhaps, is that no charges had been framed even though the evidence was strong- in the latter case, this was claimed by the IGP at a press conference at the end of August 1995, where the murders which took place at the STF head quarters were described in graphic detail. It seems that the wheels of justice in Sri Lanka turn slowly and differentially: If a member of the security forces is accused of murder, after a face - saving public relations exercise, he is quietly allowed bail. If an ordinary Tamil is picked up on mere suspicion of LTTE links, he could spend an agonizing 3 years being 'reformed' at

some detention centre, before a court decides that the charges, if any, are without substance.

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Further issues

Other important issues which underlie current developments such as the Government's Rehabilitation Programme, Muslim - Tamil relations and questions surrounding the North-East merger, have not been discussed here. Associated with these are the political compulsions of the Muslim Congress and of Tamil Nationalism that are on a divisive course, from which all stand to loose. On the Tamil side matters are going by default, owing to a fear of frank appraisal. These will be discussed in a coming publication.