

Situation in Sri Lanka's North and the East

Sri Lanka's East Anything but 'Liberated'

By Frederica Jansz, *The Sunday Leader*, Colombo, Sri Lanka, December 7, 2008

The Eastern Province is under siege from all sides. While the government is showcasing the region as one that is returning to normal, the people are still caught in a vicious cycle of violence.

The government says that the 'liberated' east is an example of democracy in action and a model for areas recaptured from the LTTE. The reality is anything but. Killings and abductions are rife, and there is total impunity for horrific abuses.

On November 25, 18 people were killed within 24 hours in Batticaloa District alone. Following a claymore mine attack that killed two Sri Lankan military personnel in Eruvil, three members from the same family were killed (grandmother, father and a son) in the village.

On the same day, in Kaluthawali, a village close to Eruvil, four members from another family were shot dead (young parents with their two kids). A vegetable vendor was killed in Kurukalmadam and a young woman was shot dead in Karuwakkerny.

A youth from Kimpankerney (Karadiannatu) was shot and later declared as a LTTE suspect. Another youth from Selvanagar, Arayampathy was shot by the roadside. Later that day, in Manmunai West, there were three incidents reported: A youth killed in Monkeycattu (Vavunatheevu) and three youth killed in Karravetti. A farmer was shot dead in the paddy field in Maheladditheevu. This is a day in the 'liberated east.'

Deepening tension

Reports of these killings and other abuses come at a time of deepening tensions and violent infighting within the TMVP [a political party formed by a Eastern paramilitary group], particularly between factions loyal to Karuna Amman, the founder, and Sivanesathurai Chandrakanthan, better known as Pillayan.

Instead of holding the group accountable, the Rajapakse government has provided unqualified support. No independent investigations into all these serious human rights violations have been opened, nor perpetrators held accountable.

While the government is on the one hand announcing triumphantly an end to conflict and strife, the war with its creation of zones of 'liberation' and 'occupation' has exacerbated the issue of landlessness, narrowing down opportunities for recovery and economic development in multiple ways that include drastic curtailment of cultivation, fishing, trade and infrastructural and social and cultural development programmes.

Changes

Of course there have been qualitative changes that have taken place since the military's capture of the east. With the defeat of the LTTE in the east, the threat of war has receded offering people the possibility of rebuilding their lives from the debris of war. Especially for communities that lived under LTTE control the sensational words of liberation and

development, do have some meaning; a new road, banking facilities, and housing assistance programmes.

But despite these dramatic changes, violence and fear loom large, threatening to aggravate old wounds and grievances, and in many ways, producing new tensions and crises.

The Coalition of Muslims and Tamils for Peace and Coexistence (CMTPC) say they are deeply concerned that short term military imperatives of the central government and a disregard for the principles of coexistence and democracy are creating a situation of worsening ethnic relations; increasing the sense of insecurity felt by Tamil and Muslim communities in the region.

Why? We are compelled to ask. The government and its apologists, including people from the left and some sections of civil society to varying degrees, are largely silent on the issue of escalating violence in the east; citing it as a fall out of a time of conflict, predicting better times ahead.

A Pyrrhic victory

For the government, a military victory over the LTTE is what matters most. Unfortunately the government has not capitalised on the moral victory it could have had over Tamil nationalist sentiments by pushing the agenda of peace and reconciliation in the east.

In the attempt to establish its control and command over the east in the short term, it has made politico-military alliances based purely on the need to control the Tamil people. So, we have the breakaway LTTE group, the TMVP in an unholy alliance with the government.

The TMVP, despite breaking away from the LTTE, is steeped in the violent culture of the LTTE. Even though the TMVP inducted, and even coerced, members of the general public as candidates for local government polls and to assist it in administration, the rank and file behaves with scant respect for the structures of democratic governance and are a law unto themselves. In the direct words of the people, "different name, same people."

Governance

At one level, there has been no fundamental change in the form of governance since the time of LTTE control, real or perceived. 'Taxation' has abated but kidnappings for ransom, crude intimidation by armed youth, and the spectre of abductions of children and adults continue. Killings in homes, paddy fields, by the roadside or seaside, near checkpoints, by temples, mosques, universities and hospitals continue.

Nor has there been any attempt at building upon the goodwill of the people following the elections on the part of the government. On the contrary, the government to all appearances has been actively promoting violent groups and political forces and alliances that are seeking to increase hostility among people.

Instead of encouraging the TMVP to embrace democratic politics and shed its LTTE practices, the government is determined to keep the TMVP as a paramilitary group.

It also appears the government is determined to divide the TMVP by setting up Karuna as an alternate eastern leader to Pillayan. As the two factions battle it out for control in the east, we can only expect the fratricide in the Tamil community to worsen.

The killing of Pillayan's Secretary Kumaraswamy Nandagopan, alias Ragu on November 14 is perhaps the most telling instance of this vicious struggle for power. The government seems to

fundamentally distrust its own ally, which might end up forcing the TMVP back into the arms of the LTTE.

A region under siege

The LTTE in particular has been responsible for decimating rivals in other militant groups, political parties and allies of the state, and independent Tamils. This bloodbath has left a deep scar on Tamil society.

With the split in the LTTE in 2004, Eastern Tamils found themselves under attack as the two groups eliminated perceived enemies. This state-sponsored fratricide may get worse as the internal struggle within the TMVP is hitting a crisis point, particularly with Karuna attempting to re-establish control.

The CMTPC maintains the violence following the provincial council elections in May this year demonstrated a possible trajectory that ethnic relations could take. The killing of two TMVP cadres in Kathankudi resulted in the TMVP retaliating in a brutal manner against Muslim civilians. The violence rapidly escalated with both Tamils and Muslims becoming subject to violence and displacement.

Some instances included attacks on Muslim shops in Batticaloa Town; Tamils living in Saukadu displacement camps were forced to flee; a Muslim woman was shot dead in Eravur.

Pattern

A day before Ramazan a grenade went off near the mosque by the main road injuring 24 persons. A month later, on October 24, another grenade set off near Hussainmiyah Mosque near the Kathankudy-Manjanthoduvai border injured about six persons, one critically.

While the violence seems mindless, there is an insidious pattern, logic, to its ethnicised nature. The logic of violence pivots on the logic of ethnic divide, calculated to aggravate the fragile peace that exists between communities.

In recent months there have been targeted killings of Sinhalese in the east. On October 20 three Sinhala youth involved in construction work, part of the Negenahira Navodaya programme, were shot dead in Kokkaddichcholia, Batticaloa. Why were they killed? Was it just because they happened to be Sinhalese?

On October 16 two Muslim and two Tamil men were killed in a paddy field in Waddamadu, Akkaraipattu. It remains unclear as to who killed them and why. Was it the LTTE, TMVP, military or another interested party? Was it because they had crossed an ethnic boundary that prevents certain ethnic communities from accessing lands which they claim?

Under siege

The Eastern Province is under siege from all sides. While the government is showcasing the region as one that is returning to normal, the people are still caught in a vicious cycle of violence.

The harthal called by Karuna to protest Indian intervention is part of the circus of intimidation and a show put on by forces allied to the government. In a throwback to the Pongu Thamil events organised by the LTTE in the north and east, the TMVP forced large numbers of people from farflung areas like Komari and Thirukovil into buses for a rally in Batticaloa on October 26 as a show of strength.

This time though the state is backing the intimidation of Tamil civilians - the buses are state-owned and armed forces and police watched as TMVP cadres forced people at gunpoint to close shops. The state's connivance in this abuse is absolute.

'Colonial' Development

Within this context the idea of development, such as building roads, and rebuilding tanks, is critical for the rehabilitation and development of the east. There are other ambitious plans of constructing factories, coal power stations and highways.

But where the local people fit into this programme of Negenahira Navodaya is still open to question. **Concerned parties have been told construction companies are from the south, and bring their work force along with them.**

Add to this the proposals for providing land for Sinhalese and the restoration of Buddhist sites and the scene is set for unnecessary tension. In two previous reports the CMTPC focused on the **fears of the local communities of state-sponsored colonisation efforts in the militarised region.**

The government website carries a page on its programme for the next three years for cultural and archaeological preservation which is almost wholly of Buddhist sites. The CMTPC says not a single Muslim site has been earmarked for cultural preservation or as a heritage site. Also, the omission of Koneswaram Temple in Trincomalee, parts of which ancient Pallava structure lie destroyed in the nearby seabed is telling.

Boundaries marked in blood

Boundaries are being marked in blood. Individuals who have crossed ethnic borders and administrative divisions to carry out livelihoods as they have or had done for years pay the ultimate price.

The identity of the killers and their motives may remain unknown but it is speculated that four farmers were killed in Akkaraipattu, two Tamil and two Muslim for trying to cultivate paddy land which had been declared out of bounds by one or other of the Tamil militant groups.

A group of 26 Muslim wood collectors from Pottuvil found themselves at the mercy of the Special Task Force (a militarized police force). There are rumours that they were beaten up in the camp and were accused of assisting the LTTE. On September 24, one of the incarcerated Muslims died in jail.

Militarising education

On November 16 Palithakumara Pathmakumar, a doctor serving in Naavatkaadu Hospital in Vavunatheevu was killed within the hospital premises. As a result the GMOA went on strike demanding better protection for doctors in the north and east.

This killing highlighted the crisis of violence in the east. At the same time it also showed how security is understood by the various actors.

The Health Minister called for only Tamil doctors to serve in the north and east while the GMOA called for more security. The presence of police officers and armed military personnel or militant groups does not result in greater confidence as each community has fears and violent memories of each of the armed actors.

Political violence permeates and controls the actions of civil society. The Eastern Province boasts two universities; one in the Batticaloa District, located in Vantharamullai and the other, South Eastern University in Oluvil in the Ampara District.

Site of conflict

The Eastern University has been a site of conflict and a battleground for long years now. Over the years various armed groups attempted to establish their presence in the university, with the LTTE taking strong measures to control the expression of staff and students.

During the split in 2004 in the ranks of the LTTE, academics and others came under extreme scrutiny; academics, journalists and others suspected of being loyal to this or the other side were abducted, cautioned and on occasion murdered.

With the establishment of control by the army and police and TMVP, the university has come under increased surveillance from these quarters aligned to the state. In an effort to establish control of the Eastern University, the TMVP abducted the Dean of the Arts Faculty in late 2006. Then the Vice Chancellor, Prof. V. Raveendranath disappeared in broad daylight from the heart of Colombo city, from an area marked for its high security checkpoints. The TMVP is believed to be behind this abduction. The Vice Chancellor is believed to be dead.

The South Eastern University is also facing similar problems. The university has a 90% Muslim majority student population. During the Ramadan holiday in September, the government placed a new security system in the university, with many checkpoints and over 60 police personnel guarding the entrance alone, in addition to STF and armed military patrolling the surrounding area round the clock.

Outside force

It is within this situation, that on August 22 of this year Sucharitha Pasan Samarasinghe, a fourth year Sinhalese student at the Eastern University, was killed, purportedly by a force from outside the university.

A Tamil student was taken in for questioning after this incident and to date he is being detained by the CID without any charges.

When the University Grants Commission Chairman visited the Eastern University in August this year he talked to the Sinhala students and assured them of their safety. He did not see the need to allay the fears of the Tamils or Muslim students.

Hopes and fears

While we write, the war rages on in the north. But none of the political forces, none of the leading left wing activists who support the war have voiced their concern about the lack of political will on the part of the government to devolve power to the east and north.

The Situation in the Vanni

The Executive Director of the Center for Policy Alternatives in Colombo, in an article in the *Sunday Leader* of 8th March 2009 says “In the Vanni there are those who are there on their own volition, and will not move out for a variety of reasons including support of the LTTE, the desire to stay with their family members who are LTTE cadres, and fear of the reception they will be accorded by the government if they do leave “

The Director goes on to say, “The GOSL¹ has yet to convincingly rebut the charges that its artillery has hit medical facilities, civilians **within and outside the No Fire Zone** and that its strategy in the face of the humanitarian catastrophe in the Vanni is driven by military considerations to the point that it is better described as one of elimination of the LTTE and its support base.’

“The argument that the forces have to respond to LTTE firing surely does not hold when it is known that such a response will result in civilian deaths and injuries, given the space and the number of people trapped within it?”

Sir John Holmes in his statement to the Security Council pointed out: “The government has assured me at every level that they have virtually stopped using heavy weapons because of their recognition of the need to spare the civilian population, who are of course their own citizens. It remains unclear how far this is the case in reality.” (February 27, 2009)

The international community is still to learn that the first casualty in war is truth and Sinhalese politicians say what their listeners want to hear, with no intention of carrying their statements out. Both major Sinhalese parties have followed this practice, as seen from our first pamphlet on “ The Background to the Conflict.”²

The CPA Executive Director continues, “And surely any strategy of maintaining the level of hostilities and the inadequacy of food and essential supplies to the point that the civilians will be compelled to ‘make a dash’ of it en masse, is an egregious affront to the noblest traditions of the land and to universal norms and standards of civilized behavior in this day and age.”

Lasting consequences

How the end game ends will have lasting consequences for peace, unity and reconciliation in Sri Lanka. It must already scar the memory of the civilians trapped by the army as an unimaginably awful collective punishment. The government and the LTTE must hold back from slaughter and civilian sacrifice and let the people come out into safety and security.

The latter responsibility rests primarily with the government and here the assurances given to Sir John Holmes in respect of minimum international and national standards

¹ Government of Sri Lanka

² Copy(s) available by request to the Ilankai Tamil Sangam.

must be upheld. **“Independent monitoring of [the entire process] is essential and, crucial in this respect, is the unrestricted access of the international humanitarian actors to the civilians.”**

Sir John Holmes told the Security Council:

“I urged the government to move swiftly to eliminate progressively the military presence inside the IDP sites, and to ensure increasing freedom of movement for the IDPs. I also raised specific concerns with the government about the transparency of the initial security processes and about cases of family separation, and stressed the need for enhanced monitoring by the ICRC and the UNHCR. (February 27, 2009)

Assured

Sir John also raised the issue and was assured by the GOSL that IDPs would be allowed to return to their places of origin as soon as possible - a goal of return of 80% of the IDPs by the end of the year was identified, once de-mining was completed. The government had earlier said that the IDPS would be kept in camps for three years.

“Bad faith in respect of treatment of civilians and a speedy return will guarantee protracted conflict. The absolutely urgent and pressing need is to end the horror of entrapment in the Vanni.”

Risk to Civilians

In a follow up article in the *Sunday Leader* of March 15th, the Executive Director says, **“The current tragedy in our country is not one that any international or national actor can claim ignorance about. Were that to have been the case, the High Commissioner’s statement settles the issue.** Are the civilians expected to move out en masse on their own and risk being mowed down by both sides? Can the sick, the injured, the starving, the old and the young be expected to do this?”

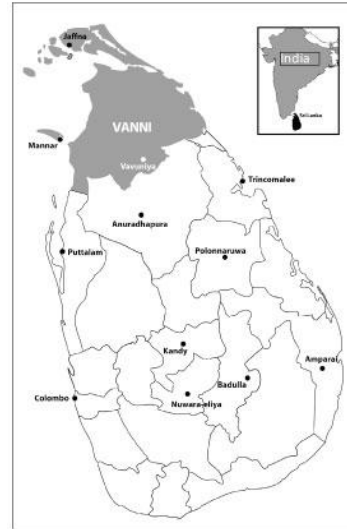
In a statement issued on March 13, 2009 High Commissioner Pillay warns

“Certain actions being taken by the Sri Lanka military and by the LTTE may constitute violations of international human rights and humanitarian law. We need to know more about what is going on, but we know enough to be sure that the situation is absolutely desperate. The world today is ever sensitive about such acts that could amount to war crimes and crimes against humanity.”

The High Commissioner goes on to point out that, despite the problems with getting information out of the Vanni, a range of credible sources have informed her office that:

1. Repeated shelling has continued inside government designated “safe” or “no fire” zones.
2. More than 2,800 civilians may have been killed and more than 7,000 injured since January, 20, many of them – estimated at two-thirds of the overall total – inside the No Fire Zone. This includes hundreds of children killed and more than a thousand injured.

3. Despite the government announcement of Feb 24 that no heavy weapons would be fired in to the No Fire Zones, some 500 persons were reportedly killed and more than a 1,000 injured in those zones, with the “great majority” being attributed to the use of heavy weapons.
4. Very limited food supplies and reports of malnutrition.
5. Key medical supplies – e.g. sutures, painkillers and antibiotics are not available in the “one makeshift medical facility” still functioning.



On the LTTE

On the LTTE shooting at civilians attempting to leave and using civilians as human shields (the government’s allegations), the High Commissioner serves notice that;

“The brutal and inhuman treatment of civilians by the LTTE is utterly reprehensible and should be examined to see it constitutes war crimes.”

The UN – there is no other actor that can do this – must decide to open up channels of communication to both sides and engage them in the modalities of bringing the end game to a close within a framework of civilian protection. Its energies and resources must be geared to this as a matter of the utmost urgency and priority. Or else there is catastrophe for all for which the world will be responsible.

Secretary of State Hillary Rodham Clinton expressed deep concern on March 13, 2009 over deteriorating conditions and increasing loss of life in safe zones in the north, stating “the government should not fire into the civilian areas of the conflict.” She called on the president “to devise a political solution” and “to give international human rights organizations full access to the conflict zone, displaced persons’ camps, including screening centers.”

The Tamils who are behind the frontlines know from word of mouth what is happening in the Vanni and the East and are reluctant to go into government-controlled areas. WHO CAN BLAME THEM?

The international community should impose a ceasefire, let people stay where they are and have international monitors supervise till a settlement is found. In the opinion of most Tamils, there can be no acceptable solution without an outside guarantor. A settlement can be reached using a referendum amongst Tamils living in the island and those who left the country after the 1983 pogrom. This referendum should be conducted under international supervision, since the government members are past masters at rigging elections.

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