

Report of the Inter Religious solidarity visit to Mannar *23rd April 2008*

A. INTRODUCTION

At the invitation of the Reconciliation and Peace Desk, Colombo Diocese of the Anglican Church, a team of religious leaders visited Mannar from 15th – 18th April 2008. The team included a senior Buddhist Monk, several Anglican priests, a Methodist priest, a Catholic Priest, a Catholic nun and two lay Christians.

The visit was intended as a solidarity visit to the people and religious leaders in Mannar and to better understand the present situation in Mannar.

The team met with displaced people from Mussali (Arippu, Silabathura areas) and Manthai West (Vanni), residents of Mannar, representatives of the Fisherfolk groups, traders groups, Citizens Committee and local and international NGOs. The team also met the Government Agent of Mannar and held several meetings with clergy of the Catholic diocese of Mannar. We visited the Buddhist Temple but were unable to meet its incumbent who was out of Mannar. We also sought an appointment with the Area Commander of the Security Forces to which there was no favorable response, but had the opportunity to interact with several soldiers and officers manning checkpoints.

In addition to Mannar town, the team visited Nanattan, Pesalai, Kalimoddai, including several camps hosting displaced people. We also had the opportunity to join a fast - prayer service calling for the protection of the Madhu shrine from political and military activities, which was organized by the Mannar Catholic Diocesan Inter-Religious Council.

Please note that the contents of the report, observations, conclusions and recommendations are limited to the areas we visited and information received during the visit, although in some cases, relevant background information is cited.

B. OUR EXPERIENCES, OBSERVATIONS AND KEY ISSUES IDENTIFIED

1. Militarization and checkpoints

Mannar town and all outlying areas are heavily militarized. All passengers entering and exiting Mannar through the A30 Vavuniya – Mannar road, or through the A14 road from Medawachiya (by train or by road) are subjected to intense checking and registration. Security forces personnel were present on the road leading to Mannar and several times, the vehicle we were traveling stopped and pulled aside to let military convoys pass through. Between Medawachiya and Mannar, our vehicle was stopped and registered 6 times. Our group was not subjected to intensive checking, but we noticed that at each checkpoint, passengers traveling by bus had to get down, carry their baggage and walk a distance that would range from few meters to half kilometer, as part of the “checking” procedure. There was also heavy presence of security forces in Mannar town and outlying areas we visited.

2. Restrictions of road access to Medawachiya

Since early this year vehicles going from Colombo to Mannar are not allowed proceed beyond Medawachiya, and vehicles leaving Mannar are also not allowed to proceed beyond Medawachiya. This is applicable to buses as well as private vehicles. Thus, we were compelled to take a train and request friends in Mannar to arrange transport between Medawachiya and Mannar. This is causing severe inconveniences to civilians, particularly elderly, handicapped, those with infants etc.

This is also hampering the work of relief agencies that provide assistance to displaced people, as supplies have to be unloaded and reloaded again. This also increases the price of relief supplies,

There is no clearly spelt out procedure on criteria and procedure to apply for exemptions, when a need arises. We learnt that the current practice adopted for such exemptions is approval by military, including by the Defense Secretary.

While the primary restriction is on vehicles, we also heard that the security forces have been arbitrarily deciding not allow some people to pass through Medawachiya. We were told by one humanitarian organization that two of their staff, who were going from Mannar to Anuradhapura in the 1st week of April were not allowed to proceed beyond the Medawachiya checkpoint by security forces.

More disturbingly, we also heard of stories of blatant discrimination of Tamil community, as some had been told that Tamil people could only travel from Medawachiya by train and not by road, beyond Medawachiya.

3. Preventing non Mannar residents entering Mannar

On the 15th April, on the way to Mannar, we met a staff of a humanitarian agency, resident in Chettikulam but working in Mannar, who had been not allowed to go to work on 14th April, after being stopped at Kattaiadampan by security forces. There has no notice or information given on this.

After proceeding towards Mannar, we ourselves were stopped at Kattaiadampan checkpoint and told that people outside Mannar (meaning people whose National Identity Card didn't have a Mannar address). We had to wait for almost 2 hours, in the hot sun, with no shelter or shade, while making frantic phone calls to the Bishops House in Mannar, who in turn had contacted the security forces, who had finally given us the green light to proceed, just after we had turned back the vehicle to proceed towards Medawachiya again.

We met one woman whose was being stopped, and who told us that she is not able to reach her husband who was in Mannar. Several others were coming back to Mannar after New Year celebrations elsewhere. Some were going to work, Mannar island being the central point of the district. While we were waiting, some relatives from Mannar came to meet some people held up, but we saw one group turning back and going without having being able to convince the security forces to let their relatives come to Mannar. We saw some who had been waiting from morning, turn back towards Medawachiya - Vavuniya, hitching a rides in a lorry.

The officers manning the checkpoint were almost apologetic to us, saying they can't take any decision to allow us through to Mannar, until orders from superiors were received. One said he didn't know the reason for the order, while another said it maybe because some Sinhalese visitors from the south had been abducted by the LTTE. However, during our stay in Mannar, we never heard about such an incident, even from other security forces personnel we interacted with.

Subsequently, we came to know from eye witnesses, that the security forces had continued to stop people from entering Mannar at Kattaiadampan, although the Area Commander as well as Military Spokesperson had denied such restrictions were in place when questioned by media.¹

4. SPECIFIC CONCERNS OF DIFFERENT COMMUNITIES IN MANNAR:

4.1 People displaced from Vannai

Amongst the places we visited was a camp in Kalimoddai. Many people living in the LTTE controlled Vanni areas have started to come by boat to Mannar. Initially, they had been questioned on arrival by security forces and then left alone. Few young men had been detained for further questioning.

But since March, the security forces have decided to hold all these people in a camp in Kalimoddai. Thus, although many of them that we met mentioned that they prefer to stay with friends and relatives elsewhere, they are not allowed to do so.

¹ Refer Lanka Enews news report dated 16th April available at <http://www.lankaenews.com/English/news.php?id=5707>

We heard from the people as well as the security forces in charge of the camp that the camp is snake infested. We saw a snake that was killed when we were in the camp, and were told that snakes are killed there daily. We also heard that UN agencies and NGOs provide assistance for shelter, food etc. But many complained that these were far short of what they needed.

We came to know of a pregnant women, who is expected to give birth in two weeks time from the date we visited, i.e., around 30th April. She urgently needs medical attention. She has relatives in Mannar who are ready to host and take care of her until and after delivery. We also met a distraught women whose husband and children are in the Vanni, and she is unable to join them, after she had accompanied some children of a relative. Another boy we met is ready to go abroad and his father is waiting in Colombo. But he is unable to join his father in Colombo and neither is his father able to visit him, due to prevailing restrictions on travel imposed by security forces.

There were young children, advanced level students and also university students who are unable to continue their education. There was also a girl whose wedding arrangements have been finalized and but she herself, the bride, is unable to go.

Teachers and government servant have not received salaries and others such as fisherfolk and farmers also have no income, as they remain confined to the camp.

We also heard that some people had been allowed outside for few hours, but this had stopped after one boy who had been allowed for few hours, could not come back due to non availability of public transportation from Mannar. The boy told us that this was inspite of the fact that he had informed security forces in Mannar about this situation and returned to the camp by 10am next day.

Several people expressed frustration that they are being held back by the government, after promises of being looked after if they ran away from the Vanni to government controlled areas. They all had come with hopes of better lives in government controlled areas. But their hopes are dashed, and many told us that they would not have come if they knew the government was going to confine them to a camp.

The main aspiration of these people was very simple, that is to be allowed to be free and live with friends and relatives without being confined to a camp. This may indicate the reaction of some of those who told us that they don't want the dry rations being offered by various aid agencies, but just want to be free.

We would like to place on record that the security forces at the camp welcomed us politely, even offered us few chairs they could find and facilitated our visit and interactions with people by not following us around. They requested that we not carry our cameras and phones and not to take photos or video, which we followed.

4.2 People displaced from Musali division

We also visited some displaced people living in camps in Nanattan. However, unlike in Kalimoddai, it was difficult to interact with people, as security forces followed us when we tried to talk with the people. Our team as well as people was not keen to talk with us in the presence of security forces. Though we were escorted to one camp situated within a church compound by the priest in charge, security forces insisted that we get their permission to visit the site and take photographs.

The people we visited were amongst the more than four thousand that had been displaced by security forces operations in the Musali division, in early September. During this operation by the security forces, there had been no reported casualties to the security forces or LTTE cadres, but 12 civilians were killed in an explosion. We also heard reports of two others who had been killed.

At the time they had been asked to leave, they were told by the security forces that they would be allowed back home within 2-3 days. Subsequently, they had heard through media, security forces announcements that they could go back to their homes in January. However, when we visited, more than 7 months after being displaced, they are still not allowed to go back.

The facilities in the camps we visited were basic and the conditions in Nanatan Rice Mill in particular looked terrible. We were told that NGOs and UN agencies were assisting with food and shelter. While we were at the rice mill, ICRC was distributing cadjan for temporary shelter. The camp in the Church compound in Nanattan had its own temporary school, made out of cadjan, wood and bamboo. We were told that classes are conducted upto advanced level, and that the teachers who had been displaced are teaching there. It was brought to our notice also that there is a lack of furniture in the school.

4.3 Fisherfolk

Fishing is a popular occupation in Mannar. We met fisherfolk and representatives of fisherfolk groups in Mannar as well as in Pesalai. They face a number of difficulties in fishing, such as the restrictions on night fishing, which is most productive time for fishing and also restrictions on “dragnet” fishing. There have also been recent regulations asking fisherfolk to deposit their engines to the security forces by 6pm and collect them following morning. Though fisherfolk had offered to keep the boats instead of engines, this request had not been granted by the Navy. Furthermore, only 10 & 15 horse power engines allowed to now. Restrictions on fuel also affect the livelihood of fisherfolk.

We heard that number of fisherfolk get beaten by the security forces for even slight delays in obeying these regulations. We also heard that Navy personnel take some of the best fish for themselves without any payment for personal use when going home for holidays and also for regular use in their camps.

Another key concern raised was the tolerance of illegal fishing by Indian trawlers, even in night when fishing is prohibited. When local fisherfolk go in the morning, as per Navy rules, available fish is already less.

Fisherfolk also face difficulties in transporting fish, due to restrictions imposed, particularly at the checkpoint at Medawachiya as well as several other checkpoints. We heard stories of how the fish had been spoilt and there had been no income from lorry loads of fish, due to delays, and being checked several times. We also came to know that it was difficult to obtain sufficient amounts of ice, which is essential to transport fish.

4.4 Traders

Transport restrictions are also adversely affected due to restrictions on travels. Goods have to be unloaded and reloaded twice, at the Medawachiya checkpoint, as well as Uilankulan checkpoint closer to Mannar. At Medawachiya, the vehicle also has to be changed. This means extra labour and transportation costs as well as possible damages. One trader told us that a lorry load of tiles that used to be Rs. 15,000 now cost about Rs. 50,000. Another trader told us that hardware stores are facing severe problems due to restrictions such as on iron rods.

4.5 Farmers

Along with fishing, agriculture is also a popular occupation. The unexpected rains had negatively affected the harvest, but we came to know that this was being made worse by arbitrary opening of the water of the Giants Tank. Although the opening and closing the water is a prerogative of the civil administration, we learnt that this decision had been made by the security forces. The regulation asking labourers from outside Mannar, such as those from Batticaloa to leave is also affecting the farmers, and in addition to this, many labourers who come to Mannar to assist with agriculture are not able to come, due to restrictions imposed at Kattaiadampan.

5. Progress on investigations on Pesalai Church incident²

On 17th June 2006, when thousands of people had been taking refuge in St. Mary's Church, Pesalai, men on motor bicycles had come and fired at the church and also thrown grandees. One woman was killed and 47 reported as being injured. Five fishermen were also killed by the Navy on the same morning in a related incident.

²For background and more details of the incident, refer to the report by the Catholic Bishop of Mannar dated 18th June 2006 and report dated 28th June by the Centre for Policy Alternatives and INFORM

There is no doubt in the minds of the local people who were eyewitnesses and church leaders that it was the Navy that was responsible for this. Marks left by the grenade and bullet holes are still visible in the church. Many people in Pesalai had subsequently fled to India in fear as refugees after this incident, as they realized the place they considered their last place of refuge, the Church, is not immune to attacks by security forces.

Although this received wide publicity, and was also in Nov. 2006 included amongst 15 high profile cases to be inquired into by a Presidential Commission of Inquiry, we are extremely concerned to note that to the best of our knowledge, no progress had been made and no one has been prosecuted or even subjected to disciplinary inquiries.

6. Concerns regarding Madhu shrine

Madhu Shrine has been a sacred place of worship for Catholics, as well as Non-Catholics, all over Sri Lanka, representing all communities. In the last three decades, the Madhu Shrine had offered refuge to thousands of displaced people irrespective of their religious affiliations and came to be recognized locally and internationally as a “safe haven” for the displaced.

The Catholic Diocese of Mannar which administers the shrine had attempted to keep it strictly away from any military or political activities and purely as a place of religious worship and humanitarian refuge for displaced people.³

Despite this, in several instances, the Shrine has come under attack, resulting in death of several people, including some incidents few months ago. Almost all people in the Shrine area had fled in fear as Sri Lankan Armed forces intensified operations around the Madhu area. On 31st March 2008 and the days following, shells had again fallen in the Shrine area, and forced the priests and others who had remained in the church with the sacred statue of Our Lady of Madhu, to hide in bunkers. On 3^d April, priests and others had also fled the Madhu Shrine for safety, taking the sacred statue with them.

They relocated to Thevanpiddy with the statue, the only functioning Catholic Church in the Mannar diocese in the Vanni area. It is also the northern most Church in the Mannar diocese and borders the Jaffna diocese. We met priests who had been involved in this process, as well as those who had visited Thevanpiddy while we were in Mannar. Their common reflection was that Our Lady of Madhu statue was displaced for the first time in history, ironically, after offering refuge to thousands of people over three decades of war. But without doubt, the arrival of the much revered Our Lady of Madhu statue to Thevanpiddy, would be welcomed by the displaced people from the surrounding areas who had gathered there. In effect, Our Lady of Madhu statue had followed the displaced in their new place of relocation.

The Bishop of Mannar, the priests and people of Mannar, as well as the Catholic Bishops Conference of Sri Lanka had been calling on the government and the LTTE not to use the Madhu Shrine for military and political purposes, not to enter the shrine area and to leave it in the sole and complete control of the Church and to declare it a zone of peace. Church leaders have made clear that their intention is to return the statue to Madhu shrine when those conditions are ensured.

We also had the opportunity to join and express our solidarity towards this cause by joining a peaceful prayer – fast, on 18th April in the Mannar town. Several other services were also being held in churches around Mannar towards this, and we also learnt that about 4000 people had taken part in a public prayer service and peaceful March 1st April. The leadership of the Catholic Bishop and clergy and the commitment of the people of Mannar was inspiring to all of us.

³ See appeals by the Bishop of Mannar dated 1st April and 7th April 2008, statements by the Catholic Bishops Conference of Sri Lanka dated 10th April 2008 and an appeal by the Inter-Religious Council of the Mannar Catholic Church on 18th April 2008.

7. Thalladi Church incident ⁴

St. Anthony's Church falls under the St. Sebastian's Parish (Cathedral) and has been a popular place of devotion. In the months preceding the incident, the church had been a church only in name, as security forces had taken control of it and not allowed priests and devotees to conduct or join religious services and in fact had used it as a military facility, thereby exposing it as a target.

When six soldiers in the church premises were killed by LTTE shelling on 12th February 2008, the military made false accusations that the priests had asked soldiers to clean the church. The priests concerned brought to our notice that the truth of the matter was that they had only asked for the church be made available for religious services. As we passed by several times in front of the church, we were able to witness for ourselves that the Church was indeed occupied by the military. From the main road, military vehicles and personnel were clearly visible inside the church premises.

We also noted with regret that the explanation of the priests involved was ignored by a widely publicized public statement by the Catholic Bishops Conference of Sri Lanka, which is only based on the versions given by the military and state media.

C. SITUATION AND RESPONSE OF THE RELIGIOUS LEADERS

We observed that the Church leaders (clergy and religious) play a proactive role in assisting and protecting people affected by violence and subjected to human rights violations. The predominant Catholic Church's work in this regard is visible and praiseworthy. Its leader, Bishop Rayappu Joseph regularly speaks out about the plight of civilians, abuses by security forces and has been calling on all parties to end violence and revert to negotiations. Priests and religious play a less publicly visible, but equally important role. Priests and religious proved to be a valuable source of reliable information about local realities to our team.

However, we regret to note that Church itself has been under attack. A priest of the diocese, who was involved in assisting the displaced people, was killed in Sept. 2007, while delivering assistance. A Catholic priest had also been killed in 1985 and a Methodist priest in 1984. Several churches had been attacked, including the ones mentioned above. No progress had been made with regard to investigations and prosecutions into any of these incidents. Many priests we met reported harassments and threats at the hands of security forces in and around Mannar. And we also learnt that priests serving in areas controlled by the LTTE also face challenges in the face of abuses by the LTTE. We came to admire the commitment of the Bishop and priests, as they continued to travel dangerous ground by bus, motorcycle and serve their people with the minimum facilities at their disposal.

We were saddened that the Bishop and priests are often labeled as "LTTE supporters", despite their tireless work for the people of Mannar, in the face of dangerous and difficult conditions.

We also heard that the Churches in Mannar, particularly the Catholic Church, appreciated the assistance and concern of different church based groups and civil society groups, several of whom had been visiting Mannar and working with the Bishop and clergy.

However, the need for continuing and even intensified support from civil society and religious leaders was stressed by several priests in our formal and informal meetings. The need for greater understanding and involvement of the Churches in other parts of the country, especially in the south was also clearly visible to us.

⁴For further details, refer to the statement by the priests concerned endorsed by the Catholic Bishop of Mannar on 14th February 2008

D. CONCLUSIONS AND RECOMMENDATIONS

During our visit, we realized that people in Mannar, the residents as well as the displaced, live in fear and with a feeling of hopelessness. Catholic clergy and religious we met on the eve of our departure re-affirmed this, acknowledging that in the context of Mannar, a priority in their ministry is to give people hope, and they seek to do this by various interventions that give witness to the truth regarding the plight of the people and coming forward to assisting and protecting victims, survivors and family members of human rights violations, often at great risk to themselves.

Clearly, there is a total lack of confidence of ordinary people, church leaders and civil society and even senior government civil officials about possible redress mechanisms available to the public.

We also saw clearly that the civil administration in Mannar exists only in paper and name, and that key decision that affect civilian life is taken by the security forces, side lining and not even consulting the civil administration, leave alone civil society and ordinary people. It appeared that Mannar is a defacto military junta. The considerations for decisions that affect civilian life are based on military and political priorities, with minimal or no consideration of humanitarian needs. Sri Lanka's international human rights commitments and even the fundamental rights guaranteed to citizens also clearly have no place in Mannar.

We regretted that there was no favorable response to our request for a meeting with the Area Commander of the Security Forces, which would have given us an opportunity to engage in a dialogue with him about our observations and include the security forces perspectives in our report.

According to government statistics, about one fourth of the Mannar district's population is displaced. They live in conditions that are inhumane and lack essential facilities such as food, shelter, healthcare and education.

However, the constant and loudest cry we heard from people in Mannar was a cry to be able to live in dignity, to be respected as human beings, to be treated as equal citizens. A cry for freedom, to be free from fear, want, live in their own homes or with their relatives and friends, to be able to engage in their normal occupations.

As religious leaders, we do not agree with the militaristic approach and violent tactics adopted by the Government of Sri Lanka, the LTTE and other armed groups, however legitimate their causes maybe, and believe that the ONLY way forward towards resolving the ethnic conflict is through negotiations.

At the same time, we recognize that the Government of Sri Lanka has the legal authority to engage in military operations and to derogate some international human rights commitments and fundamental rights guaranteed in the Sri Lankan constitution, in certain situations, at its own discretion. But it is paramount that even these restrictions must be in line with procedures laid down, particularly international standards and norms and that international humanitarian law (rules of war) is respected in military operations. What we have seen in Mannar, as pointed out above with actual cases, are frequent violations of international humanitarian law as well as international and even local standards and norms regarding derogation of human and fundamental rights and non-derogable rights.

We are also convinced that "national security" of all people in this country is best achieved by respecting and fulfilling human rights, in the short term as well as long term and respecting all Sri Lankans as equal citizens and dignity.

It is based on these reflections that we make the following commitments and recommendations:

We commit ourselves to:

- i. Share what we have seen and heard in Mannar, as well as our perspectives on these in the light of our religious teachings, through collective action and individually
- ii. Take up with relevant authorities and other people who could assist, various issues that we have highlighted in this report
- iii. Be in regular touch with our fellow religious leaders and civil society groups in Mannar
- iv. To support the efforts of religious leaders and civil society groups in Mannar in their efforts to assist and protect victims of human rights violations and general violence prevailing in and around Mannar

We call on the:

The Government of Sri Lanka to

- i. Immediately halt the blanket restriction imposed on people entering Mannar
- ii. Gradually ease the restrictions on vehicular traffic through the Medawachiya checkpoint, and immediately make known procedures to be followed in obtaining exceptions to the existing restrictions
- iii. Facilitate the freedom of movement of people confined to the Kalimodai camp and address urgent humanitarian issues faced by people in the camp, including those highlighted in this report
- iv. Facilitate the return of people displaced from the Musali division in September 2007
- v. Ease the restrictions imposed on fishing, including some of those highlighted in this report
- vi. Ensure proper and speedy investigations, prosecutions and convictions in relation to the attack on Pesalai church in June 2006 and make progress known publicly
- vii. Ensure that security forces do not attack nor enter the Madhu Shrine and for the President to declare it a “Zone of Peace” to be administered by the Catholic Church in Mannar

The Liberation Tigers of Tamil Eelam to:

- i. Ensure that its cadres do not enter the Madhu Shrine area and do not use it as a shield in confrontations with government security forces
- ii. Ease the restrictions imposed on civilians living in the LTTE controlled areas in coming to government controlled areas

Civil society including churches and other religious groups (in Sri Lanka and outside):

- i. Constantly monitor the human rights and humanitarian situation in Mannar, disseminate this information to the general public and relevant authorities
- ii. Undertake regular solidarity and fact finding missions to Mannar
- iii. Assist religious leaders and civil society groups in their humanitarian and human rights work