

MILITARISATION IN SRI LANKA

TAMIL INFORMATION CENTRE

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Tamil Information Centre

PUBLISHER'S NOTE

This paper raises the issues of Militarisation in Sri Lanka and the gross violations of human rights by the Sri Lankan government.

These two issues are linked and have led to the dehumanisation of the Tamil people of Sri Lanka. Militarisation has also affected the development of the country to a great extent.

We hope that this paper would bring about greater awareness of the developments of the country to a great extent.

We hope that this paper would bring about greater awareness of the developments in Sri Lanka, and also be useful for campaign against arms sales to countries which violate human rights.

We wish to thank the individuals and organisations, which assisted us in the preparation of this paper.

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CONTENTS

Page

<u>Sri Lanka: Demography</u>	1
<u>Recent History</u>	9
<u>Fundamental Rights and Freedoms</u>	11
<u>The Independence of the Judiciary</u>	12
<u>Human Rights in Sri Lanka</u>	14
<u>Departure from Non-alignment</u>	19
<u>Military Expenditure</u>	21
<u>Military Training</u>	27
<u>Home Guards, Special Task Force and National Auxiliary Force</u>	29
<u>Military Camps</u>	31
<u>Arming Sri Lanka</u>	32
<u>The British Connection</u>	32
<u>The Israeli Connection</u>	35
<u>The American Connection</u>	39
<u>The Pakistan Connection</u>	42
<u>The Chinese Connection</u>	43
<u>Arms Acquisition</u>	44
<u>The Problem of Information</u>	46

ANNEXURES

<i>Annexure</i>	<i>1</i>	<u><i>International Human Rights Instruments and The Sri Lanka Constitution</i></u>	52
<i>Annexure</i>	<i>2</i>	<u><i>Indian Ocean Peace Zone (IOPZ)</i></u>	56
<i>Annexure</i>	<i>3</i>	<u><i>Atrocities by Home Guards</i></u>	59
<i>Annexure</i>	<i>4</i>	<u><i>Killings by Police Commandos</i></u>	63
<i>Annexure</i>	<i>5</i>	<u><i>Military Camps in the Tamil North and East</i></u>	65
<i>Annexure</i>	<i>6</i>	<u><i>Mass arrests of Tamils by security forces</i></u>	68
<i>Annexure</i>	<i>7</i>	<u><i>Shelling of Tamil villages by the Navy</i></u>	73
<i>Annexure</i>	<i>8</i>	<u><i>Destruction of property by security forces</i></u>	74
<i>Annexure</i>	<i>9</i>	<u><i>Torture methods</i></u>	80
<i>Annexure</i>	<i>10</i>	<i>Restricted zones</i>	82
<i>Annexure</i>	<i>11</i>	<u><i>Commandeering by security forces and ejection of civilians</i></u>	88

Tables

<i>Tables</i>	<i>I</i>	<u><i>Sri Lanka - Population 1981 - Ethnic composition</i></u>	<i>1</i>
<i>Tables</i>	<i>II</i>	<u><i>Sri Lanka - Tamil population 1981</i></u>	<i>8</i>
<i>Tables</i>	<i>III</i>	<u><i>Budget deficit, foreign financing and defense expenditure</i></u>	<i>22</i>
<i>Tables</i>	<i>IV</i>	<u><i>Defense expenditure and foreign aid</i></u>	<i>23</i>

Maps

<i>Map</i>	<i>1</i>	<u><i>Sri Lanka in the Indian Ocean</i></u>	<i>2</i>
<i>Map</i>	<i>2</i>	<u><i>Sri Lanka and India</i></u>	<i>3</i>
<i>Map</i>	<i>3</i>	<u><i>Sri Lanka - provinces</i></u>	<i>4</i>
<i>Map</i>	<i>4</i>	<u><i>Sri Lanka - administrative districts</i></u>	<i>5</i>
<i>Map</i>	<i>5</i>	<u><i>Sri Lanka - Northern and Eastern provinces</i></u>	<i>6</i>
<i>Map</i>	<i>6</i>	<u><i>Sri Lanka - Plantation Tamils</i></u>	<i>7</i>
<i>Map</i>	<i>7</i>	<u><i>Surveillance and Territorial zones -April 1984</i></u>	<i>82</i>
<i>Map</i>	<i>8</i>	<u><i>Prohibited zone - November 1984</i></u>	<i>84</i>
<i>Map</i>	<i>9</i>	<u><i>Prohibited zone - March 1985</i></u>	<i>86</i>
<i>Map</i>	<i>10</i>	<u><i>Jaffna Security zone - January 1986</i></u>	<i>88</i>
<i>Map</i>	<i>11</i>	<u><i>Territorial Zone (extended) - February 1986</i></u>	<i>90</i>
<i>Map</i>	<i>12</i>	<u><i>'No Go' zones</i></u>	<i>92</i>

Figures

<i>Figure</i>	<i>1</i>	<u><i>Defense expenditure 1978-1986 (graph)</i></u>	<i>24</i>
<i>Index</i>			<i>95</i>

ABBREVIATIONS

BP	Bhasa Peramuna (Language Front)
CP	Communist Party
CWC	Ceylon Workers Congress
EPRLF	Eelam People's Revolutionary Liberation front
EROS	Eelam Revolutionary Organisers
FP	Federal Party
ICES	International Covenant on Economic, Social Cultural Rights
ICPR	International Covenant on Civil and Political Rights
IGP	Inspector General of Police
JOSSOP	Joint Services Operation
JVP	Janatha Vimukthi Peramuna (People's Liberation Front)
LSSP	Lanka Sama Samaja Party (Equal Rights Party)
LTTE	Liberation Tigers of Thamil Eelam
MEP	Mahajana Eksath Peramuna (people's United Front)
PLOT	People's Liberation Organization of Thamil Eelam
PTA	Prevention of Terrorism Act
SAARC	South Asian Association for Regional Co-operation
SC	Supreme Court
SLC	Sri Lanka Constitution
SLFP	Sri Lanka Freedom Party
STF	Special Task Force (Police Commandos)
TC	Tamil Congress

TELO	Thamil Eelam Liberation Organisation
TUF	Tamil United Front
TULF	Tamil United Liberation Front
UDHR	Universal Declaration of Human Rights
UNP	United National Party
VLSSP	Viplavakari Lanka Sama Samaja Party (Revolutionary Equal Rights Party)
VOA	Voice of America

SRI LANKA : DEMOGRAPHY

Sri Lanka (formally Ceylon), the island in the Indian Ocean 25,332 square miles (65,610 square kilometers) in extent, lies about 25 miles from Southern tip of India, between, latitudes 5 55' – 9 51' N and longitudes 79 41' – 81 53' E. (Maps 1 and 2)

The island is divided into nine provinces and 25 administrative districts (Maps 3 and 4).

The population of Sri Lanka is nearly 15 million. The ethnic composition of the population according to the census of 1981 is given in the following table:

Table 1

Sinhalese	10,985,666
Tamils	2,696,768
Muslims	1,056,972
Malays	43,378
Burghers	38,236
Others	28,981
Total	14,850,001

The Tamils form two distinct groups. The Sri Lankan Tamils (population: 1,871,535) who have lived in the island, according to some scholars, from prehistoric times 1/ occupy mainly in the Northern and Eastern areas of the island (Map 5). The Plantation Tamils (sometimes referred to as the Indian Tamils) are descendants of workers brought by the British in the 19th century (beginning in the 1830s), the majority of whom live and work in the tea and rubber plantations (Refer Table II and Map 6).

The language of the Sinhalese is Sinhala and the Tamils and the Muslims speak the Tamil language. Thus the Tamil-speaking people of Sri Lanka form 25.3% of the total population. Of the Sri Lankan Tamils, according to the 1981 census, 27.4% lived outside the traditional Tamil areas of North and East Sri Lanka. However, since 1983, due to violence and harassment a large number of the Sri Lankan Tamils living outside the North and East have left the island or have moved to the North and East.

1 "Tamil Social Formation in Sri Lanka : A Historical Outline" by P. Ragupathy – Feb 1986 Madras.

Table 2

SRI LANKA – POPULATION 1981

DISTRICT	TOTAL POPULATION	SINHALESE	SRI LANKAN	TAMILS		TOTAL TAMIL SPEAKING
				INDIAN	MUSLIMS	
COLOMBO	1,698,322	1,322,658 (77.9%)	165,952 (9.8%)	21,504 (1.3%)	140,461 (8.3%)	327,917 (19.4%)
KALUTARA	827,189	722,075 (87.3%)	8,601 (1.0%)	33,510 (4.1%)	61,706 (7.5%)	103,817 (12.6%)
GAMPAHA	1,389,490	1,280,942 (92.2%)	45,807 (3.3%)	5,732 (0.4%)	38,607 (2.8%)	90,146 (6.5%)
RATNAPURA	796,468	674,657 (84.7%)	17,979 (2.3%)	88,429 (11.1%)	13,531 (1.7%)	119,939 (15.1%)
KEGALLE	682,411	588,675 (86.3%)	14,095 (2.1%)	43,879 (6.4%)	34,832 (5.1%)	92,806 (13.6%)
KURUNEGALA	1,212,755	1,128,548 (93.1%)	13,438 (1.1%)	6,427 (0.5%)	61,342 (5.1%)	81,207 (6.7%)
PUTTALAM	493,344	407,453 (82.6%)	33,218 (6.7%)	2,964 (0.6%)	47,959 (9.7%)	84,141 (17.0%)
KANDY	1,126,296	844,325 (75.0%)	55,675 (4.9%)	104,840 (9.3%)	112,056 (9.9%)	272,571 (24.1%)
MATALE	357,441	285,514 (79.9%)	20,936 (5.9%)	24,084 (6.7%)	25,836 (7.2%)	70,856 (19.8%)
NUWARAELIYA	522,219	187,280	70,471	247,131	14,668	332,270

		(35.9%)	(13.5%)	(47.3%)	(2.8%)	(63.6%)
BADULLA	642,893	440,245	36,585	135,795	26,808	199,188
		(68.5%)	(5.7%)	(21.1%)	(4.2%)	(31.0%)
MONARALA	279,743	259,825	5,023	9,164	5,322	19,509
		(92.9%)	(1.8%)	(3.3%)	(1.9%)	(7.0%)
ANURADHAPURA	587,822	536,899	7,113	785	41,833	49,731
		(91.3%)	(1.2%)	(0.1%)	(7.1%)	(8.4%)
POLONNARUWA	262,753	238,803	5,875	205	17,091	23,171
		(90.9%)	(2.2%)	(0.08%)	(6.5%)	(8.7%)
JAFFNA	831,112	4,615	792,246	20,001	13,757	826,004
		(0.6%)	(95.3%)	(2.4%)	(1.7%)	(99.4%)
MANNAR	106,940	8,710	54,106	14,072	28,464	96,642
		(8.1%)	(50.6%)	(13.2%)	(26.6%)	(90.4%)
VAVUNIYA	95,904	15,876	54,541	18,592	6,640	79,773
		(16.6%)	(56.9%)	(19.4%)	(6.9%)	(83.2%)
MULLAITIVU	77,512	3,948	58,904	10,766	3,777	73,447
		(5.1%)	(76.0%)	(13.9%)	(4.9%)	(94.8%)
BATTICALOA	330,899	10,646	234,348	3,868	79,317	317,533
		(3.2%)	(70.8%)	(1.2%)	(24.0%)	(96.0%)
TRINCOMALEE	256,790	86,341	86,743	6,767	74,403	167,913
		(33.6%)	(33.8%)	(2.6%)	(29.0%)	(65.4%)
AMPARAI	388,786	146,371	78,315	1,410	161,481	241,206

		(37.6%)	(20.1%)	(0.4%)	(41.5%)	(62.0%)
GALLE	814,579	768,928	6,093	11,069	25,896	43,058
		(94.4%)	(0.7%)	(1.4%)	(3.2%)	(5.3%)
MATARA	644,231	609,367	3,918	13,931	16,457	34,306
		(94.6%)	(0.6%)	(2.2%)	(2.6%)	(5.4%)
HAMBANTOTA	424,102	421,965	1,553	308	4,732	6,593
		(97.4%)	(0.4%)	(0.07%)	(1.1%)	(1.5%)
TOTAL POPULATION SRI LANKS	14,850,001	10,985,666	1,871,535	825,233	1,056,972	3,753,740
		(74.0%)	(12.6%)	(5.6%)	(7.1%)	(25.3%)

PREPARED FROM: CENSUS OF POPULATION & HOUSING 1981 DEPARTMENT OF
CENSUS AND STATISTICS

Recent History

The first westerns to arrive in the island were the Portuguese in 1505, when there were three kingdoms in Sri Lanka, the Jaffna kingdom of the Tamils and the Kandyan and Kotte kingdoms ruled by Sinhalese kings. By 1594 the Portuguese had taken possession of the Kotte Kingdom and in 1619 captured the Jaffna Kingdom. The Dutch who arrived in 1638 had taken control of all the maritime provinces by 1658. The Kandyan Kingdom retained its independence. The last of the western rulers the British, seized the maritime provinces from the Dutch in 1796. They were able to subjugate the Kandyan kingdom only in 1815. Sri Lanka gained independence from the British in 1948.

The first post-independent government was formed by the United National Party (UNP) led by D S Senanayake, who became the first Prime Minister. The main party of the Sri Lankan Tamils, the Tamil Congress (TC) headed by G G Ponnambalam became an ally of the UNP government in 1948 after having sat in the Opposition benches from 1947. The Tamils who were dissatisfied with the UNP policies, particularly with regard to the decitizenising and disenfranchisement of the plantation Tamils, left the TC in 1949 and formed the Tamil Federal Party (FP). In the 1952 general elections the UNP won and Dudley Senanayake became Prime Minister (1953-56).

The Sinhala Buddhist-oriented united front, the Mahajana Eksath Peramuna (MEP), comprising the Sri Lanka Freedom Party (SLFP), led by S W R D Bandaranaike, the Viplavakari Lanka Sama Samaja Party (VLSSP), led by a Marxist Philip Gunawardene, and the Bhasa Peramuna (Language Front) headed by W Dahanayake came to power in the general elections held in 1956. The MEP government was responsible for the enactment of the Sinhala only Act. This period also witnessed two anti-Tamil riots (1956 and 1958).

In 1959 when S W R D Bandaranaike was assassinated, W Dahanayake became Prime Minister for a short period. In the March 1960 general elections the UNP emerged as the largest single group and formed a short-lived minority government, which was defeated in Parliament by the SLFP and FP. In July 1960 when general elections were held, Bandaranaike's widow and the new leader of the SLFP, Sirimavo Bandaranaike led the party to victory. During her period as Prime Minister the Indo-Ceylon Agreement of 1964 relating to the Tamils of Indian origin was signed.

The UNP formed the government with the assistance of the FP after the March 1965 general elections and Dudley Senanayake became Prime Minister once again. In the May 1970 general elections the United Front comprising the SLFP, the LSSP (Lanka Sama Samaja Party) and the CP (Communist Party) won and

gained a two thirds majority in Parliament. Using this majority a new constitution was promulgated in 1972 which made Sri Lanka a republic and extended the life of Parliament Buddhism, provided constitutional status to the Sinhala language as the official language of the country and did not include provisions of section 29 which had been enshrined in the Soulbury Constitution of 1947 Constitution of 1947 for the protection of minority rights.

The UNP emerged victorious in the 1977 general elections with a two-thirds majority in Parliament. A new constitution was framed in 1978, which created an executive President with extensive powers. J R Jayewardene became the first President and again won the Presidential election in October 1982. The life of Parliament was extended for another six years (until 1988) by referendum in December 1982. This period witnessed pogroms against the Tamil people (1977, 1981 and 1983). The violence by the armed forces against the Tamils continues to date.

The proposals submitted by the Tamil parties to the Constituent Assembly formulating the 1972 constitution were rejected. Consequently the Tamil parties including the Ceylon Workers Congress (the representative organisation of the Indian Tamils), which were hitherto divided came together and formed the Tamil United Front (TUF) in May 1972. In the face of continuous violence, discrimination and the government's persistent refusal to negotiate, the TUF reconstituted itself in May 1976 as the Tamil United Liberation Front (TULF) and resolved in convention to restore and reconstitute the 'State of Thamil Eelam based on the right of self determination inherent to every nation.' The TULF obtained a mandate from the Tamil people at the 1977 general election for the formation of such a State.

Meanwhile the youths formed several several militant groups and took up arms to liberate the people from decades of oppression. Five militant groups represented the Tamil people, along with the TULF, in the Thimpu (Bhutan) peace talks between the tamils and the Sri Lankan government covered under the auspices of the Indian government in July and August 1985. The five groups are Eelam People's Revolutionary Liberation Front (EPRLF), Eelam Revolutionary Organisers (EROS), Liberation Tigers of Thamil Eelam (LTTE), People's Liberation Organisation of Thamil Eelam (PLOT) and Thamil Eelam Liberation Organisation (TELO).

Fundamental Rights and Freedoms

In Sri Lanka, provisions to protect fundamental rights are included in the 1978 republican constitution. Article 10 of the constitution guarantees freedom of thought, conscience and religion and article 11 abolishes torture, cruel, inhuman and degrading treatment or punishment. Equality before the law is guaranteed by article 12 (1) and discrimination on grounds of race, religion, language, caste, sex, political opinion or place of birth is prohibited by Article 12 (2) and (3). Freedom from arbitrary arrest and the rights of arrested persons are assured by Article 13. Article 14 grants to all citizens the freedoms of speech, assembly, association, occupation and movement.

Though fundamental rights are guaranteed by the provisions indicated above, Article 15 gives the right to the government to derogate from the presumption of innocence and permits retroactive application of criminal law in the interests of “national security”. Other rights such as the right of freedom of association and occupation can be restricted in the interests of “national economy”. Article 16 in effect nullifies all the fundamental rights guaranteed in the constitution by providing that law and forms of punishment recognized in already existing legislation shall remain valid, even if they are inconsistent with fundamental rights guaranteed in the constitution.

Sri Lanka is a member of the United Nations since 1955 and is a signatory to several human rights instruments adopted under the auspices of the United Nations. In May 1980 Sri Lanka became, for the first time, a signatory to the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural rights and the Sri Lanka government made a declaration recognizing the competence of the Human Rights Committee under Article 41 of the Covenant on Civil and Political Rights. However it has intentionally avoided ratifying the Optional Protocol to the Covenant as such ratification would enable individuals to invoke the procedure set forth in the Protocol in the event of violations of human rights. Sri Lanka is also a signatory to the Convention on the Prevention and Punishment of the Crime of Genocide and in 1982 acceded to the Convention on the Elimination of All Forms of Racial Discrimination and the convention on the Suppression and Punishment of the Crime of Apartheid.

Ratification and accession to international covenants have not deterred the Sri Lankan government from acting in breach of articles in the covenants referred to; the government continues to be a member of the United Nations although several provisions of the Universal Declaration of Human Rights and the covenants have been violated by successive governments, the present government in particular (See Annexure 1 for Articles from the Sri Lanka Constitution and International Human Rights instruments)

The Independence of the Judiciary.

The independence of the judiciary is guaranteed by Articles 147-117 of the constitution. Article 116 specifically prohibits interference with the judiciary. However interference with the judiciary appears to have become part of the business of government. The constitution of 1978 empowers the President to appoint all judges of the Supreme Court, the Court of Appeal and the High Court. When President Jayewardene appointed the judges after the promulgation of the 1978 constitution, seven judges of the Supreme Court (SC) and five judges of the High Court lost their offices. Four other judges of the SC were demoted to the lower Court of Appeal and the Chief Justice was appointed from the unofficial bar, evidence of the government's uncertainty of the judges of the SC. 1/

Two instances where the independence of the judiciary was seriously undermined by the interference of the government are given below:

An inter-religious organisation called the "Voice of the Clergy" was campaigning against the referendum of the 22nd December 1982. A Superintendent of Police, P. Udugampola, seized 20,000 leaflets from the organisation. The Secretary of the organisation, a Buddhist monk, instituted action under Article 126 of the constitution in the Supreme Court alleging infringement of fundamental freedoms of speech and expression.

The Supreme Court on 8th February 1983 held that there had been a breach of fundamental rights and awarded Rupees 10,000 as damages and costs personally against the Superintendent of Police. On 2nd March 1983 the cabinet decided to promote the police officer and pay the fine and cost out of public funds these measures were taken at the instances of President Jayewardene.2/

On 8th March 1983 (International Women's Day) Mrs. Vivienne Gunawardene (a former member of Parliament and Junior Minister) after participating in a peaceful procession which handed over a petition to the US embassy protesting against the establishment of nuclear bases on Diego Garcia, was manhandled at a police station by a police officer. She instituted action under Article 126 of the constitution in the Supreme Court for infringement of fundamental rights. On 8th June 1983 the court held that there had been a breach of

1 Civil Rights Movement of Sri Lanka - New Judicial Appointment 1979.

2 Sri Lanka : Mounting Tragedy of Errors - Paul Sieghart - ICJ - March 1984

fundamental rights, ordered the State to pay damages and directed the Inspector General of Police to conduct inquiries into the allegation of degrading and inhuman treatment. On the same day the cabinet decided to promote the Sub-Inspector of Police who had manhandled her and the inquiry directed by the Supreme Court was also not conducted. On 10th June 1983, two days after the judgment, thugs who arrived at the homes of the judges, shouted obscenities at them and threw stones.

The judges sought help from the police which was not forthcoming. The thugs had arrived in buses belonging to the Sri Lanka Transport Board, which is a state corporation. Later the judges had given the registration numbers of the buses to the police, but no action was taken. President Jayewardene strongly criticized the Supreme Court and added that the "people had exercised their rights in demonstrating in front of the houses of the judges" 3/.

(It is interesting to note that Vivienne Goonewardene and other women were victims of police brutality twice again on 8th March 1984 and 8th March 1985 4/)

3 Paul Sieghart - op. cit. ; Island 3.3.83; Civil Rights Movement - Documents of 18.6.83 and No. E02/6/83.

4 Lanka Guardian 15.3.85

Human Rights in Sri Lanka

The violation of human rights by the government and its agents have been highlighted on several occasions by the international media and international human rights organisations. Amnesty International after investigation has produced evidence of extra-judicial killings of Tamils by armed forces, destruction of property belonging to Tamils, mass arrests and torture. The 1985 annual report of Amnesty states:

"Amnesty International was concerned about reports of random killings of non-combatant Tamil civilians by members of the security forces. It also remained concerned about the detention of Tamils, members of left-wing opposition parties and students under legislation permitting long-term detention without charge or trial. It continued to receive reports of widespread torture of detainees. Several reports of deaths in custody, allegedly as a result of torture or shooting were received ...

"Amnesty International was concerned that growing numbers of Tamils were arrested and held under the Prevention of Terrorism Act (PTA) which permits detainees to be held incommunicado for up to 18 months without trial. The Act also permits trial under special procedures which curtail normal legal safeguards. The majority of those arrested were people suspected of knowing about the activities of Tamil extremist groups. The PTA was also used to detain people participating in peaceful opposition activities..."

"Amnesty International received many reports of torture and ill treatment of detainees in army custody or in police stations, the majority of whom had been arrested under the PTA. There were frequent reports of such detainees being beaten, in several instances with plastic pipes filled with sand. Released detainees stated that they had been beaten while hanging upside down, had needles inserted in various parts of the body and had been burned with cigarettes. One person reported witnessing soldiers shooting a fellow detainee through the hands; the victim subsequently died in army custody. Among the places where torture reportedly occurred were Elephant Pass Army Camp, Palaly Army Camp, Vavuniya Army Camp and Jaffna Fort. There were also allegations of torture by special police interrogators at the newly established Boosa Army Camp in the south. Members of the Sri Lanka Freedom party and a number of JVP members or suspects were also allegedly beaten and ill-treated after arrest..."

By 1985 the incidence of torture of Tamil detainees in Sri Lanka prisons and army camps had become so grave that Amnesty International compiled a special file on torture in Sri Lanka

and published portions from the file in its October 1985 newsletter. Two British members of Parliament, Kilroy Silk and Roger Sims, who visited a prison in Sri Lanka and interviewed detainees, found, in addition to clear evidence of torture, many innocent Tamils held incommunicado for long periods, even after their release had been recommended by the Advisory Board. This situation was first denied by the Minister of National Security, Lalith Athulathmudali. The Minister later pleaded that there was a "shortage of clerks" 1/

Lord Avebury speaking in the House of Lords on 3rd June 1985, highlighting the killings of Tamils in Sri Lanka said:

"Is the noble Lord aware that I have received a report just now of an incident in Pankulam, on the road between Trincomalee and Jaffna, when a bus carrying 57 Tamils was stopped by the air force and 13 of the passengers were shot dead? It was only the latest in a series of massacres by members of the armed forces. Sixty people, for example, were rounded up by the Special Task force in the Eastern province after being arrested on the 16th, 17th and 18th May and shot and buried in a mass grave near Thanbiluvil. Five refugees were murdered by a soldier in an army camp near Anuradhapura. Seventy-five civilians, including women and children were killed in Valvettithurai on 9th May. One could go on. there are a great many such incidents involving members of the security forces. Are the government aware that at least 1,300 people, innocent civilians, perished in actions by the security forces during 1984, and that the scale of the carnage is much greater during the present year?" 2/

In fact more than 3500 civilian Tamils were killed by the security forces in 1985 and within the first three months of 1986 over 500 civilians were massacred. The Sri Lanka government has time and again denied the involvement of troops in the killings, but it has become increasingly difficult for the government to cover up such mass murders. In August 1984, after the destruction of Mannar 3/, Senator Gareth Evans, Minister representing the Minister of Foreign Affairs in the Australian Senate said " It is clear that the Government's

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- 1 Sri Lanka: A Nation Dividing - Robert Kilroy Silk MP and Roger Sims MP - Parliamentary Human Rights Group - House of Commons -Feb 1985.
 - 2 Parliamentary Debates - House of Lords - 3.6.85 vol. 464 No. 99 Column 530.
 - 3 In the 1984 destruction of Mannar, the security forces shot dead 9 Tamil civilians and burnt 148 shops and houses and many vehicles. 5000 Tamils were made homeless (Refer Newsweek 27.8.84).
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security forces have on several occasions at least, gone well beyond the bounds of acceptable behavior. Reprisals have been directed at innocent Tamil civilians and numbers of Tamils have been killed including, in Mannar" 4/.

In August 1985, Simon Winchester of the Times (UK) reported of the Tiriyai (a village in Trincomalee District) attack by the Sri Lankan soldiers which can in many aspects be compared to the My Lai massacre:

"Infantrymen fully equipped for battle spilled from the vehicles..... Systematically they went from house to house, pouring paraffin on the grass roofs, lightening them, moving on. They set animals free, and shot them down. They stormed into the tiny library, pulled out all the books - no more than a couple of hundred at most - and made a bonfire of them. They wrecked the half-dozen International Harvester tractors and set fire to their wooden trailers....."5/

Ian Ward of the Daily Telegraph (UK), who visited the scene of the Thambiluvil (village in the Eastern Province where in an incident reminiscent of the Nazi days, the Special Task Force made Tamil youths to dig their own graves before gunning them down on 17 May 1985) massacre warned "Like it or not, the Sri Lankan Government must come to grips with the Thambiluvil slaughter....."6/

The human rights situation in Sri Lanka during 1985 had deteriorated to such an extent that Amnesty International reiterated its opposition to the refoulement of members of the Tamil community from other countries 7/. The European Parliament adopted a resolution on 3rd June 1985 calling on "the Governments of all the Member states to comply with the recommendations of the UN High Commissioner for Refugees and not to send any Tamils back to Sri Lanka before the political conflicts there have been settled in a satisfactory way" and urged the Sri Lankan Government "to take any further steps needed to maintain discipline among the security forces" 8/.

4 Hansard of the Australian Senate 22.8.84 page 133.

5 "A village that died in a day" - Simon Winchester in The Sunday Times Magazine (UK) - 18.8.85.

6 "Massacre amid beauty in land of ethnic crises" -Ian Ward in the Daily Telegraph (UK) - 25.5.85.

7 "Sri Lanka: Reports of recent violations of Human Rights of Tamil community to Sri Lanka" - 9.1.85 ASA 37/01/85 "Updated statement of AI position on refoulement of Tamils of Sri Lanka" - 24.5.85 ASA 37/09/85.

"AI reaffirms its continued opposition to refoulement of Tamils to Sri Lanka" - 11.4.86 ASA 37/02/86.

8 Minutes of proceedings of the sitting of the European Parliament 1985 - 1986 - 13.6.85.

The leader of the Indian delegation to the 42nd Session of the Commission on Human Rights summed up the plight of the Tamils in the following words:

"...The blatant killings of innocent civilians, through ground, naval and air actions are beginning to look like victimisation of the entire community of Sri Lankan Tamils by the Sri Lankan security forces. Attacks on innocent civilians have been repeated too often, with ever-increasing severity. They have been picked up on mere suspicion, brutally tortured and some even killed" -9/

Disappearance of Tamils arrested by security forces is currently causing concern amongst the Tamil Community and human rights organisations. The Batticaloa Citizens Committee alone has thus far recorded 341 disappearances in the Batticaloa area 10/. The Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights transmitted to the Sri Lankan Government 194 cases of disappearances. The government responded only in respect of nine cases and of these only three cases were regarded by the Working Group as clarified by the government's response 11/.

Several laws and regulations have been enacted, in the guise of controlling "terrorism", and used against the Tamil population. The Prevention of Terrorism Act of 1979 is the most repressive law ever enacted in Sri Lanka, and has been used almost exclusively against the Tamils. All offences under this retroactive law may be tried without preliminary inquiry, before a judge of the High Court, sitting without a jury. Statements oral or written made to a police officer are admissible in evidence (such statements are not admissible as substantive evidence under the Evidence Ordinance) and any document found in possession or custody of a person can be used against the accused person at the trial. The Act grants unprecedented power to the police to search and arrest and a suspect may be held for eighteen months without trial or being brought before a court at any time. Under this Act thousands of Tamils have been detained but only a very few have faced trial.

Referring to the Prevention of Terrorism Act Professor Virginia Leary says, "The South African Terrorism Act has been called a piece of legislation which must shock the conscience of a lawyer.

9 Statement by Dr. G S Dhillon, leader of the Indian delegation to the 42nd Session of the Commission on Human Rights under agenda item 12 - Geneva - 5.3.86.

10 India Today - 15.3.86 and report of Citizens' Committee, Batticaloa -7.5.86.

11 Report of the Working Group on Enforced or Involuntary Disappearances, submitted to the 42nd Session of the Commission on Human Rights - UN/ECOSOC/E/CN.4/1986/18 -24.1.86.

Many of the provisions of the Sri Lankan Act are equally contrary to accepted principles of the Rule of Law" 12/ and Paul Sieghart condemns the Act as "an ugly blot on the statute book of any civilised country" 13/.

The obnoxious emergency regulation 15A promulgated in June 1983, authorized the security forces to dispose of dead bodies in secret without any inquest proceedings or post-mortem. Following worldwide condemnation, regulation 5A was replaced with regulations 55B to 55F. These regulations direct the Assistant Superintendent of Police, in case of death in custody to proceed to the scene, make inquiries and report to the Magistrate.

However the regulation does not lay down the time limit for such inquiry whereas under the Criminal Procedure Code the inquirer must proceed immediately to the scene and forward his report forthwith to the Magistrate. Further the Magistrate has no power under the regulation to initiate an inquiry, and he can act only if the matter is referred to him by the Inspector General of police(IGP) or Deputy Inspector General of Police. Furthermore the jurisdiction of the High Court can be activated only on an application by the IGP. Under such limitations it is extremely unlikely that any judicial inquiry would be held the powers of the courts are very much restricted. Thus the change of regulations made matters worse.

Several emergency regulations have been enacted to restrict the movement of Tamils within the country. The surveillance zone and the Territorial Zone which were established in April 1984 and the Prohibited Zone and Security Zone established in November 1984 have put 200,000 fishermen and dependents out of business and have led to their destitution. Movement within the Tamil districts is also restricted by regulation and by the security forces. All forests, sanctuaries and national parks were made 'No go' Zones in October 1985 and the area around all the camps of the security forces up to 1000 metres was declared as a Security Zone in January 1986. The Territorial Zone was extended along the Eastern Province in February 1986. These restrictions applicable in the Tamil areas of North and East Sri Lanka have placed immense hardship on the Tamil people. Coupled with the atrocities perpetrated by of the security forces, some 130,000 Tamil have been compelled to seek refuge in India and 50,000 Tamils in other countries. One hundred and fifty thousand Tamils have been rendered refugees within the Northern and Eastern provinces of whom 75,000 are in refugee camps. (See Maps 7 to 11)

12 "Ethnic Conflict and Violence in Sri Lanka" - Report of a Mission to Sri Lanka in July - August 1981 ICJ - Virginia A Leary 1983.

13 Paul Sieghart - op. cit.

Departure from Non-alignment

Sri Lanka's concentration on militarisation in the last few years goes hand in hand with the government's shift from non-alignment. Sri Lanka hosted the conference of the non-aligned nations in 1974 and it was the first to propagate the idea of an Indian Ocean Peace Zone (IOPZ), initially focused on a 'demilitarisation principle' whereby the littoral states, as well as outside powers, would be called upon to limit their military capabilities and related activities 1/ (See Annexure 2). When India exploded a nuclear device in May 1974, Sri Lanka renewed its demand that denuclearisation of the Indian Ocean should cover all littoral states 2/.

However, the direction of foreign policy has altered since 1977, when the present UNP government took over. By the end of 1980 press reports suggested that Sri Lanka may even grant rights for military facilities to the United States. 3/

In 1980 a group of nine countries was appointed to expedite preparation of the conference of the expanded Ad Hoc Committee of the United Nations on the Indian Ocean Peace Zone scheduled for July 1981. 4/ Sri Lanka, the Chairman of the Committee and the Group, in February 1981, at the New Delhi meeting of the Non-Aligned Movement supported an ASEAN sponsored move for the deletion of Diego Garcia from the draft declaration 5/ and at the conference of the Non-Aligned Nations in Havana in March 1983, to the shock of all littoral states, pleaded for the delinking of the proposal from the restoration of Diego Garcia to Mauritius from the demand to demilitarise the Indian Ocean 6/. Being the Chairman of the Ad Hoc Committee, Sri Lanka has definitely postponed the Conference which was to be held in Colombo, because the United States had refused to participate 7/.

Another important tilt in foreign policy by Sri Lanka was the attempt to join the Association of the South East Asian Nations (ASEAN). Prime Minister Premadasa announced in Manila in April 1981 that Sri Lanka was anxious to apply for membership in ASEAN 8/. Even while attempts were being made to join the five member alliance, Finance Minister Ronnie de Mel told reporters in Kuala Lumpur that the question of withdrawing from ASEAN in case of change of government, would not arise, as he was certain that Mrs. Bandaranaike would not

1,2,3,4 The Indian Ocean - Region of conflict or Zone of peace - Dieter Braun - 1983.

5 Lanka Guardian 1.8.81.

6 Indian Express 6.3.83

7 Lanka Guardian 1.8.81 and parliamentary Debates December 1985 reproduced in Lanka Guardian 15.12.85.

8 Tribune (Sri Lanka) - 2.5.81.

come to power 9/. Although Colombo initially denied any intention of joining ASEAN, an application for admission was in fact made by Sri Lanka in June 1982 when the Regional Group met in Singapore. the application however was rejected on the ground that Sri Lanka did not come within the South East Asian region. Meanwhile Sri Lanka, former chairman of the non-aligned movement, attended a four day meeting of the Asian and Pacific Army Commanders in Manila, which discussed the professional techniques of defence management. The meeting was hosted by the US Army Western Command and the Phillipine Army 10/. While advocating non-alignment and posing as a democracy Sri Lanka has been moving since 1977 towards increased repression and authoritarian government.

9,10 Lanka Guardian 1.3.82.

Military Expenditure

The annual expenditure for defence was relatively small prior to 1977 however there has been an enormous increase in the expenditure for defence so much so that Finance Minister Ronnie de Mel during his Budget speech in parliament on 13 November 1985 deplored the increase. Expenditure had risen from 560 million rupees in 1978 to 6196 million rupees in 1985 ^{1/}. Though the defence budget for 1985 had been estimated at Rs 6196 million, Parliament approving several supplementary estimates during the year ^{2/}. For 1986 the defence estimate was Rs 6000 million and Parliament approved a supplementary estimate of Rs. 8855 million. There is little doubt that the actual expenditure at the end of the year would have risen many times over.

The Sri Lankan government has denied that foreign aid is being utilised for military purposes. If such a large sum is not spent for militarisation, this amount could be diverted for development purposes and the dependence on foreign aid and loans could be minimized. Table I I I shows the overall budget deficits and foreign financing from 1978 to 1986. It also shows the total budget and the defence expenditure for these years (the 1986 figures are estimates). Table IV shows Defence Expenditure and Foreign Aid from 1978 to 1985. Defence expenditure for 1985 was Rs. 6196 million which represents 28.6% of the annual budget deficit of 21,457 million. 65.6% of the overall budget deficit is met by foreign financing and defence expenditure represents 44% of foreign financing. Similarly in 1986, the estimates for defence expenditure represent 30.9% of the budget deficit and 62.4% of foreign financing. The expenditure for defence in 1985 represents 45.6% of all the foreign aid granted to Sri Lanka. We may reasonably conclude that foreign aid has been indirectly spent for defence. The contention of the Sri Lanka government that aid is not utilised for military purposes is therefore untenable. (See also Figure 1)

In addition to the specified amounts on defence expenditure, there are many expenses which are connected to the military and are not indicated as military expenditure. For example, the Manpower Utilisation Unit of the Ministry of Youth Affairs and Employment is involved in the military training of students who will be directly recruited by the armed forces ^{3/}. The expenses in relation to such training will not fall under defence. For the purpose of mobilization and development of manpower a sum of Rs 273 million was allocated

1 Daily News 14.11.85.

2 The Island 20.9.85; Hansard (Sri Lanka) 24.10.85.

3 The Island 19.6.85.

Table-3

BUDGET DEFICIT, FOREIGN FINANCING AND DEFENCE EXPENDITURE									
(Rupees-Millions)									
Year	1978	1979	1980	1981	1982	1983	1984	1985	1986
Budget Deficit	7,165	8,791	16,274	14,866	20,091	21,606	16,543	21,457	28,694
Total Expenditure	18,853	21,521	30,343	31,039	37,900	46,816	47,313	59,498	67,000
Foreign Financing	4,454	4,237	6,735	8,203	8,794	10,950	12,312	14,071	14,200
Defence Expenditure	560	411	1,080	1,100	1,428	1,925	3,288	6,196	8,855
Foreign Financing as a percentage of Budget Deficit	62.2	48.2	41.4	55.2	43.8	50.7	74.4	65.6	49.5
Defence Expenditure as a percentage of Total Expenditure	3.0	1.9	3.6	3.5	3.8	4.1	6.9	10.4	13.2
Defence Expenditure as a percentage of Budget Deficit	7.8	4.7	6.6	7.4	7.1	8.9	19.9	28.9	30.9
Defence Expenditure as a percentage of Foreign Financing	12.6	9.7	16.0	13.4	16.2	17.6	26.7	44.0	62.4

SOURCE : Central Bank Reports , Sri Lankan Newspapers

Table-4

DEFENCE EXPENDITURE AND FOREIGN AID									
(Rupees – Millions)									
Year	1978	1979	1980	1981	1982	1983	1984	1985	1986
Defence Expenditure	560	411	1,080	1,100	1,428	1,925	3,288	6,196	8,855
Foreign Aid	6,202	8,853	11,466	16,805	10,599	8,865	11,550	13,583	14,200
Defence Expenditure as a percentage of Foreign Aid	9	4.6	9.4	6.5	13.5	21.7	28.5	45.6	62.4

SOURCE : Central Bank Reports , Sri Lankan Newspapers

for the Ministry in the budget for 1986, which will probably wholly be spent on military training.

Although a massive 6000 million rupees was initially allocated for military purposes for 1986, when the budget was submitted in Parliament in November 1985 there were demands that the allocation should be increased as it was inadequate. It was also stated that military expenditure should be used for technological innovation as in the United States 4/. The budget for 1986 itself was referred to as a "war budget" by a Deputy Minister, G V Punchinilame 5/. Another Deputy Minister, G M Premachandra, demanded the establishment of a "War Lottery" 6/. President Jayewardene capped it all in January 1986 and announced "a military solution first and politics later" 7/. In October 1985 while enormous sums were being spent for military purposes and a campaign was relentlessly being pursued within and outside Parliament for increased military expenditure, Prime Minister of Sri Lanka Ranasinghe Premadasa addressing the United Nations General Assembly called upon the UN to present a resolution to the leaders of the United States and Soviet Union to agree to a substantial reduction in military expenditure and asked that the super powers agree to an annual 10% cut in defence spending for five years 8/.

The pronouncement by parliaments by parliamentarians of the governing party and the President of Sri Lanka indicate that military expenditure, direct and indirect, is increasing enormously, casting a heavy burden on the people. It would not be surprising if by the end of the year an amount equivalent or more than foreign financing would have been spent on militarisation.

A Ministry for the Security of Commercial and Industrial Establishments has been established and allocated the responsibility of the security of government departments and corporations, corporate bodies and government acquired institutions. This Ministry which was allocated Rs 5.84 million in the budget for 1986 has delegated its responsibility to private companies. For example the security of Lanka Ceramics Corporation is the responsibility of Sydney de Zoysa (Agency) Ltd. at a fee of Rs 126,300 per month 9/.

In order to supplement the military expenses a National Defence Fund was created in March 1985 by the enactment of the National Defence Fund Act. Initially Rs 6 million from the

4 Hansard (Sri Lanka) 28.11.85 Column 187-190

5 The Island 16.11.85.

6 The Island 22.11.85.

7 The Island 26.01.86

8 Asia 1986 yearbook - Far Eastern Economic review.

9 For list of the companies see Hansard (Sri Lanka) 9.12.85 column 1347-1561.

President's Fund and Rs 24 million from another account were transferred to this Fund 10 and currently money is collected from within and outside the country for the Fund.

The envoys of Sri Lanka in other countries are directly involved in collection of money for the National Defence Fund. For example in Australia, the Sri Lankan High Commissioner has opened an account in the ANZ branch in the Canberra suburb of Manuka and the account is receiving deposits from expatriate Sinhalese in the region notwithstanding strong protests from institutions such as the Australian Council for Overseas Aid 11.

10 The island 30.3.84; Hansard (Sri Lanka) 5.3.85.

11 News releases by the Australian Council for Overseas Aid 20.5.85 and 18.6.85; Tamil Information 1.10.85.

Military Training

Since independence in 1984 the armed forces of Sri Lanka had played only a ceremonial role. In 1961, for the first time the army was used by the government for repressive action against the Tamils. In 1971, the army suppressed the insurrection organised by the Jantha Vimukthi Peramuna (JVP) (People's Liberation Front). However until the present government gained power there was no appreciable military build up. Since 1977 special attention has been paid to building the armed forces. This has resulted in training of large number of personnel, particularly after the July 1983 violence.

In 1980 there were 15,000 men in the armed forces. By 1984 it had increased to 16,000 1/. In 1985 the total regular forces numbered 21,560, reserves 18,200, police 14,500 and Home Guards 5,000. In 1984 the government had decided to increase the armed forces by 2000 persons every month. Many temporary training camps were established for this purpose 2/.

On 31.5.85, 119 recruits who had been given military training at the air force base at Hingurakgoda were commissioned and at the passing out parade, the Minister of Education, Employment and Youth Affairs, Ranil Wickramasinghe expressed "his confidence in the ability of the recruits to protect the institutions and vanquish the enemy." 3/. Such rhetoric has been heard at training centres and passing out parades. Minister Wickramasinghe also put into effect a plan to ensure that those entering the security services will not be raw recruits but men and women with a high degree of military training. Cadet services have been launched and a large number of schools are to be increased to 10,000 which would include 400 school girls 4/. In 1985, 116 recruits of the Engineering in Trincomalee 5/.

The manpower unit of the Ministry of Education, Youth Affairs and Employment acquired two schools, the Madampe Maha Vidyalaya at Madampe and Akuramboda Maha Vidyalaya at Matale, in 1985 and converted these into military training centres. The students at these schools were sent to other schools. Five hundred G.C.E. (Advanced Level) qualified Sinhalese youths were trained at these Centres in Commando and jungle warfare,

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- 1 World Military and social Expenditure 1983.
 - 2 Jane's Defence Weekly 12.1.84.
 - 3 The Island 01.06.85.
 - 4 The Island 19.06.85.
 - 5 The Island 09.07.85.

in addition to 150 police Sub-Inspectors. The intake at the Centres are to be increased to 700 during 1986. Plans are also afoot by the Ministry to establish more military training centres in 1986 6/. it was reported in May 1985 in the Indian press that according to Sri Lankan officials 200,000 Sinhalese persons would be given military training at Mawathagama and settled in the North over a period of one and half years 7/.

The government with its two thirds majority in Parliament legislated to facilitate military training and the militarisation of young people. In April 1985 Parliament approved the Firing Ranges Regulations under the Firing Ranges Regulations under the Firing Ranges and Military Training Act (Chapter 363) 8/. These regulations were made for regulatory use of the Sri Lanka Air Force Firing Range at Kalpitiya, for air to ground bombing and rocket and weapon firing practices. It would appear that the decision to bomb the Jaffna peninsula had been taken then and the necessary regulations were prepared at that time.

Conscription on the lines of the Israeli requirement of compulsory military service came into force in Sri Lanka on 10th October 1985 by the enactment of the Mobilisation of Supplementary Forces Act 9/. This act which makes it compulsory for persons of both sexes above the age of 18 to enlist themselves in the National Armed Reserve 10/, was rushed through parliament as "urgent and in the national interest" Members of Parliament were not given the opportunity to study its provisions. As for a person to seek exemption on the ground of conscience or profound conviction arising from religious, ethical, moral, humanitarian, philosophical or other similar motives. According to the Civil Rights Movement of Sri Lanka such right flows naturally from the right to freedom of thought, conscience and religion guaranteed by Article 18 of the international Covenant on Civil and political Rights. This is also the view taken by the Consultative Assembly of the Council of Europe 11/.

Emergency regulations have been made to facilitate military training. For example the Emergency (Military Training Centres) Regulations No.2 of 1985 empowers the Minister to establish military training centres through a Competent Authority. It provides for the making of rules for training, issue of arms, ammunition, equipment and clothing and for the manner and methods of training 12/.

6 The Island 18.9.85; 10.10.85.

7 The Hindu 24.5.85.

8 Gazette Extraordinary (Sri Lanka) No.328/25 of 18.12.84.

9 The Island 11.10.85.

10 The island 04.10.85.

11 Civil Rights Movement-Document No. E 02/1/86.

12 Gazette Extraordinary (Sri Lanka) No. 341/30 of 18.3.85.

Home Guards

Many hundreds of Sinhala hooligans and thugs have been recruited by the government to operate in the Tamil areas of the Northern and Eastern provinces for the alleged purpose of protecting the civilians. They are called "home guards". These persons have gone on the rampage on several occasions particularly in Trincomalee and Vavuniya killing many Tamil civilians and destroying property. In the later part of 1985 the home Guards joined the army in the plunder and murder of Tamils in many Tamil villages around Trincomalee. Many Tamil civilians were massacred and hundreds of homes were set ablaze 1/. On 25th December 1985 four home guards arrested two Tamil women from a house in Muthur, raped and shot them. One woman died and the other escaped with injuries 2/. On the 6th of March 1986 the Home Guards walked into a Tamil house at Kinniya in the Trincomalee district and cut to death six members of a family with swords, including three women and a child 3/. These are just three examples of the hundreds of similar atrocities committed against Tamils by Home Guards (See Annexure 3 for further details of atrocities by Home Guards).

Special Task Force

In 1984 the Sri Lankan government hired the Channel Island Company of Kini Meeni Services (KMS) to recruit and train a 900 strong commando unit 4/. Former British Special Air Services (SAS) personnel provided by the Company have been training the police commandos in alleged counterinsurgency methods. The commandos are now in operation in the eastern Province, particularly the Batticaloa and Amparai districts and have proved themselves as the most ruthless killers the island has ever seen 5/. They have killed hundreds of Tamil civilians and burnt thousands of houses and shops belonging to Tamils and have even destroyed crops on several occasions. The Thambiluvil massacre earlier described was carried out by the police commandos 6/. Countless number of Tamil civilians have been arrested by the commandos and held incommunicado in

1 Letter of 16.11.85 by the Trincomalee Citizens' Committee for National Harmony to the Ceasefire Monitoring Committee ; Letter of 08.12.85 by the Refugees Rehabilitation Association of Muthur to the Ceasefire Monitoring Committee.

2 Trincomalee Citizens' Committee Report dated 31.12.85.

3 Eelanadu 7.3.86.

4 Financial Times (UK) - 3.9.85.

5 The Sunday Times (UK) - 23.2.86.

6 Amnesty International Report ASA 37/14/85/of 16.10.85.

camps. The Batticaloa Citizens Committee has recorded more than 300 “disappearances” thus far

the most gruesome attack by the commandos was carried out at Iruthayapuram, a village in Batticaloa on 19th January 1986. They surrounded the village and shot dead 24 Tamils, assaulted and tortured several persons in a church in the presence of the parish priest and an American missionary, destroyed many houses and raped ten women. The dead were piled in a truck and taken to the camp. at the camp, to the surprise of the commandos and the prisoners, one person in the pile of bodies was alive and called for water. He was taken into the buildings in the presence of the other prisoners and later announced dead 7/.

The atrocities of the Task Force of Police Commandos continues without any check although the Citizen's Committees and other welfare organisations have sent representations to the authorities and president Jayewardene. (See Annexure 4 for atrocities of the police commandos)

National Auxiliary Force (NAF)

The Sri Lankan government announced on 7th August 1985 its intention to raise a 10,000 strong National Auxiliary force drawn from civilians, to assist the armed forces. A sum of Rs 18.5 million was set apart for this purpose and Members of Parliament were requested to supply personnel from their constituencies 8/. the Minister of National Security Lalith Athulathmudali speaking in parliament in November 1985 announced that some of the MPs had responded by sending two hundred to three hundred persons, and called upon all Members of Parliament "to bring people from their constituencies to be sent to the NAF camps". He also reminded the members that "decentralised budget money was available to be used for this purpose" 9/.

7 Eye Witness Report - Tamil Information Centre Vol. 1 No.1 Feb.1986.

8 Daily News 8.8.85.

9 Hansard (Sri Lanka) 28.11.85 Columns 241 and 242.

Military Camps

Within the last five years many military camps have been established in the Tamil provinces of North east (which have 8 districts) and presently there are 42 army camps, five naval bases, six air force bases and 43 police commando posts (see Annexure 5 for details) making a total of 96. of the army camps 15 were established during the ceasefire period in 1985 (18 June to 18 September). Comparatively, in the other 17 districts of Sri Lanka there are only 22 army camps, 3 naval bases and 8 air force bases. This means that 75% of the military installations of Sri Lanka lie within the eight Tamil districts of the North and the East.

The establishment of the camps have caused immense difficulty to the Tamils apart from the physical savagery committed by the armed forces. Buildings in the vicinity of the camps have been either acquired or destroyed and people have been ordered to demolish parapet walls along the roads. For example in March 1985 families around the Gurunagar army camp were forcibly ejected and in August 1985 all residents in the 223 houses within 500 yards of the air force camp at Palaly were ordered to leave the area. In Vavuniya 400 acres around the airport were taken over by the armed forces in September 1985 and the residents driven out.

The armed forces have also acquired buildings such as schools, houses, cinemas, play grounds, sports training centres and vehicles of civilians such as cars, lorries and boats for their use. Several hundreds of Tamils have become refugees as a result of the mere establishment of camps.

Furthermore on 17th January 1986 the government declared a 1000 metre security zone around all security camps in the North. This has proved to be a great danger to civilians and since the declaration many civilians have been killed by the armed forces indiscriminately firing from the camps. Eight hospitals, several dispensaries, nine schools, markets, the Jaffna Municipal Council, the Central bus stand, temples, churches, 2180 shops and 2681 houses lie within the 1000 metre security zone around the army camp in Jaffna Fort and 52,000 civilians in the zone are affected. In the Jaffna peninsula 101,000 civilians live within the security zones imposed around the army camps and in the Northern province 250,000 civilians are affected by the zones.

The statement of the Ministry of National Security regarding the security zones accepts that "civilians would be affected and property will damaged by the imposition of the zones", and request the people to "advise the Tamil militants to refrain from attacking the security forces" 1/

Arming Sri Lanka

The British Connection

Before Sri Lanka's independence in 1948, Britain and Sri Lanka entered into agreements (11th November 1947) on defence and external affairs which provided for "affording to each other such military assistance for security of their territories" and for "training and development of Ceylonese armed forces". The agreements also provided for the retention by the British of military bases at Trincomalee (naval) and Katunayake (air) (The bases were transferred to Sri Lanka in 1957). The agreements which probably led to the use of the veto by the Soviet Union to prevent Sri Lanka from entering the United Nations until 1955 1/, have long since fallen into disuse apart from training of a few Sri Lankan personnel from the armed services. During the 1983 July violence Sri Lanka requested military assistance from four nations including the United Kingdom (the other countries being USA, Bangla Desh and Pakistan). When this news leaked, Sri Lanka denied requesting any assistance, but the Foreign Office in London confirmed such request 2/.

On the occasion of the opening of the Victoria Dam in April 1984, President Jayewardene reminded the British High Commissioner that the defence pact between the two countries was still effective 3/. He went a step further in 1985 (13 April 1985) by announcing at a banquet given in honour of the British Prime Minister Margaret Thatcher in Colombo, that Britain should station its troops in Sri Lanka in order to "sustain democracy" 4/.

The Sri Lanka government has been purchasing arms from private companies in Britain. In 1977 Cheverton delivered 5 fast patrol boats to Sri Lanka 5/ and during 1980 Britain signed a contract with Sri Lanka for the supply of military equipment 6/. In recent times Sri Lanka has been buying assault rifles, light machine guns, gun boats and other weapons and equipment.

The British government has always said that the Sri Lankan government purchases arms in the private market and that Britain does not supply any. Furthermore it has also declared that the Britishers operating in Sri Lanka do not belong to Britain's armed forces but have been recruited by private security firms.

- 1 Politics in Sri Lanka 1947-1979 Jayaratnam Wilson.
- 2 Times of India 3.8.83.
- 3 Times of India 9.4.84.
- 4 Times of India 14.4.85.
- 5 Campaign Against Arms Trade (CAAT) Fact Sheet 25.
- 6 CAAT Fact Sheet 31.

The contention of the British government is untenable considering the restriction placed on private companies in Britain for the supply of arms to foreign countries. All exports from trans-shipment through Britain of defence equipment defined as arms, ammunition, military stores, para-military police equipment, and as having dual military-civilian uses must, by law, be licenced by the Department of Trade. The licence is valid for twelve months and must be renewed. Exports of nationalized defence industries, are also subject to similar restrictions. Orders are checked by the Foreign and Commonwealth Office for political implications by the Ministry of Defence for security and strategic implications and by the Treasury and/or Export Credit Guarantee Department in the Department of Industry if financing or credit guarantees are required.

The application for licence is also reviewed by the relevant Ministry. However there is no statutory requirement for consulting or even informing Parliament about prospective or existing sales of arms.

In the recent years British arms sales have declined because of International competition and Britain has been pushed to fifth place in the sale of arms. Defence sales in Britain account for approximately 140,000 direct and indirect jobs and £1.5 billion of revenue in 1981.

The economic aspects and the close political, consultative and strategic links with the United States appear to have made the Conservative government to change Britain's approach to arms sales by relaxing boycotts and restrictions relating to countries violating human rights, although former Foreign Office Minister Douglas Hurd has included "human rights considerations" among the reasons for the restriction on sale of arms.

The British government which said that no sales would be made to states guilty of torture 7/, has allowed supply of arms to Sri Lanka although evidence of torture has been placed before it by its own member of Parliament 8/. It is disheartening that Britain which co-sponsored the draft UN convention on the transfer of inhumane weapons and which supported the UN study of conventional arms trade and advocated the publication by all states of total volume of arms production and trade, is supplying weapons to a country which is using weapons to decimate its own citizens.

Ban on trade with Israel hitherto in force was lifted by Presidential decree and Israelis were freely allowed to enter the country 11/. The Deputy Minister of Foreign Affairs, Tyronne Fernando disclosed in parliament in April 1985 that the personnel of the Israeli Interests Section were not required to obtain visas. Between 1st May 1984 and 28 February 1985 alone Sri Lankan visas had been granted to 78 Israeli citizens 12/. Later in the beginning of 1986 the government decided to afford to Israel the facility of visa-free entrance for its nationals to Sri Lanka 13/.

Soon after the arrival of the Israelis a change in the military activities in the Tamil areas was observed. Methods similar to those adopted by Israelis in the occupied West Bank were used by the Sri Lankan security forces.

It also must be borne in mind that veterans of the former Special Air Services (SAS) (from the Kini Meeni Services) usually do not operate in foreign countries without the tacit approval of the British government 9/. Furthermore, British

7 Guardian 9.6.80.

8 Sri Lanka: A Nation Dividing-Robert Kilroy Silk and Roger Sims.
India Today 31.3.86.

pilots have been flying helicopters and airplanes in attacks in Tamil areas and other British mercenaries are reported to be leading ground attacks. The air attacks by the mercenaries have resulted in many civilian deaths and destruction of property. Although this has hitherto been denied by the British government, evidence has been provided by Times Reporter Simon Winchester who discovered during the first week of May 1986 that two Britons and South African have been manning helicopter gunships which regularly bomb targets in the Tamil areas. These mercenaries receive a fee of £2500 a month 10/.

At the 42nd Session of the United Nations Human Rights Commission, the representative of the United Kingdom (6.3.86) announced that his government had "consistently pressed on the Sri Lankan government the need for a political rather than a military solution to the ethnic tensions in Sri Lanka" and assured that "Britain will continue to urge the Sri Lankan government the urgent need to take firm action to stop human rights abuses by Sri Lankan government by the indirect supply of military weapons and personnel.

10 Sunday Times (U K) 11.5 .86.

The Israeli Connection

Soon after gaining power in the 1970 general elections the Sri Lanka Freedom Party government of Mrs Sirimavo Bandaranaike, ordered the closure of the Israeli embassy in Colombo as promised in the Election manifesto. The break in diplomatic relations was on the ground that Israel did not adhere to UN resolution 242 relating to the Palestinians 1/. Thereafter there was no resumption of diplomatic relations with Israel and extreme restrictions were placed on Israelis entering the country. However the present government, when appeal to several countries for military assistance did not have the desired effect, approached Israel in 1983. Negotiations were begun with the secret visit to Israel of the cabinet secretary G V P Samarasinghe in August 1983 2/, though the two governments had been in contact much earlier. The government of Sri Lanka had decided to resume relations with Israel although the official position of Sri Lanka and Israel towards the Palestinian question had not changed.

The United State played a major role in the negotiations by providing General Vernon Walters to assist Sri Lanka in the drafting of the agreement it signed with Israel in May 1984 3/. The "Israel Interests Section" was opened in the US embassy in Colombo on 24th May 1984. There were reports that even before this date Israel personnel were involved in training Sri Lankan soldiers 4/. David Matnai, the Assistant Director of Israel's Foreign Ministry, Asian Division who had arrived in Sri Lanka in April 1984 took charge of the Interests Section 5/.

There were widespread protests, particularly among the Muslim community in the island, but the government came down hard on the protesters. Police opened fire on a peaceful demonstration before a Mosque in Batticaloa and twenty demonstrators were injured. Demonstrators in several other places were dispersed by the police. The government also imposed press censorship by invoking regulation 14 (1) of the Emergency Regulations which effectively censored all news relating to the Interests Section 6/. At a meeting of the Executive Committee of the UNP on 9th June 1984, President Jayewardene confirmed his commitment to keep the Interests Section open and told Muslim MPs that "If they do not support the government decision they could leave and if they spoke against the decision they would be forced to leave the party" 7/.

1 The Israel Connection - D B S Jeyaraj - The Island 27.5.84.

2 News Today 15.4.84.

3 The Economist 15.9.84.

4 The Guardian 24.5.84.

5 The Island 2.9.84; The Jewish Chronicle 24.8.84.

6 For Regulation 14(1) refer Gazette Extraordinary No.341/6 dated 18.3.85.

7 Lanka Guardian 15.6.85.

Although initially it was denied that Israeli personnel were stationed in Sri Lanka for military training purposes, National Security Minister Lalith Athulathmudali admitted at a news conference in Colombo on 11th August 1984 that the Israeli internal security agency "Shin Beth" was involved in the training of the Sri Lankan armed forces 8/. However he denied that the Israeli intelligence agency MOSSAD was operating in Sri Lanka. In November 1984 The Economist also reported that many military advisers belonging to the Shin Beth were training Sri Lankan soldiers at a military establishment near Colombo 9/.

A senior Israeli diplomat Agrail Karni arrived to take charge of the Interests Section as its permanent head, on 21st October 1984. Before leaving Sri Lanka, David Matnai disclosed that the Sri Lankan government had been in contact with Israel much before the July 1983 violence 10/.

Curfew was imposed and mass arrests of young Tamils between the ages of 18 and 35 took place (on 22.11.84 a continuous curfew for 30 hours, on 18.12.84 for 42 hours and on 10.12.84 for 61 hours were declared by the government). Certain areas were surrounded and arrests were carried out. In certain places (eg. Valvettiturai in the Jaffna peninsula on 4.8.84 when 327 were arrested and on 9.8.84 when more than 1000 were arrested) security forces made announcements requesting parents to hand over their sons promising that they would return before the end of the day 14/. But most of those arrested were transported to the South of the Island to be held in prisons and camps. (See Annexure 6 for details of arrests).

8 Indian Express 23.8.84; Daily Times (Malawi) 14.8.84.

9 The Economist 15.9.84.

10 The Island 2.9.84, 3.9.84.

11 Forum 1.7.85.

12 Forum 1.4.85.

13 Weekend (Sri Lanka) 27.4.86.

14 Eelanadu 200.12.84.

Continuous shelling of villages from the sea by the navy took place. Point Pedro, Valvettiturai and Mathagal are some of the worst affected areas of naval shelling in the Jaffna Peninsula (For example, on 14.8.84 due to Naval shelling of Mathagal and surrounding villages 90 shops, 130 houses, 4 cars and 6 fishing boats were damaged (See Annexure 7 for details of shelling). Israeli methods of setting fire to whole villages, raids and killings in refugee camps and search and destroy operations have also been adopted (See Annexure 8). Holding for long periods in detention, interrogation and torture in custody became common. A variety of ingenious and gruesome methods were adopted for torture (See Annexure 9 for torture methods).

Many emergency regulations were promulgated similar to the Military Orders on the West Bank. Under these regulations a Surveillance zone, security zones, prohibited zones and no-go zones have been created adversely affecting the Tamil community in pursuing their economic activities and day to day life. Other regulations have further restricted movement, prohibited visitors to houses and imposed restriction on the sale of fuel. (See Annexure 10).

Walls lining streets have been demolished and empty houses burnt by security forces as done by Israelis on the West Bank and Civilians in the vicinity of military camps have been forcibly removed (See Annexure 11). A security zone was created as in the West Bank, enclosing Jaffna and Kilinochchi districts, under Emergency Regulation No.1 of 1984 which is strikingly similar to the West Bank Military Order No.3.. The regulation imposed the following:

- 1 All persons should carry their identity cards always with them.
- 2 To enter or leave the security zone permission should be obtained from the Assistant Government Agent.
- 3 Possession of vehicles prohibited without the permission of the police.
- 4 Vehicles could be used only on specified roads.
- 5 Vehicles could be used only during specified hours.
- 6 Motor cycles could only be in specified colours.
- 7 Drastic reduction in the number of authorized dealers in petrol.
- 8 Prohibition to possess more than 10 litres of petrol, except the dealers.
- 9 Prohibition on dealers to sell more than 10 litres of petrol to each persons.
- 10 Security forces given power to demolish anything that obstructs sight.
- 11 Security forces given power to search premises and remove vehicles.

The provisions in the Prevention of Terrorism Act (PTA) relating to detention, admissibility of evidence and applicability of the Evidence Ordinance are similar to those

under Military Order No. 378 (Article 84 and 87) effective in the West Bank and the Gaza Strip. On the West Bank, administrative orders are issued, even during hearings by the Military Court, for extended detention. In Sri Lanka Tamils held in prisons under the PTA are transferred to military camps, after the lapse of the maximum period of detention allowed by the law to be held in further custody.

The Israeli Military Orders 396 and 297 require possession of special identity cards by those residents on the West Bank. Similarly in Sri Lanka special identity cards have been issued by the security forces to youths between the ages of 15 and 35 in the Tamil areas. It is also the common practice by Israelis to confiscate the identity cards during the searches and thereafter arrest those persons for not possessing identity cards. On several occasions the Sri Lankan security forces have destroyed the identity cards of Tamils in their presence and have arrested them for not possessing identity cards 15/.

The 'Home Guards' system is similar to the "village Leagues" system created on the West Bank in 1979. The village leagues have their own 'security forces' and they petrol streets at night; they attack cars and homes of outspoken nationalist Palestinians' 16/. The home guards are a step ahead of these forces - they attack Tamils indiscriminately and have no hesitation to murder.

President Jayewardene met Israeli Prime Minister Shimon Peres secretly in Paris after attending the Commonwealth Conference in Bahamas in 1985 17/. There is no doubt that the talks would have centred around supply of arms and military personnel for Sri Lanka.

It is a tragedy that a people who suffered the 'Holocaust' during the Second World War, within four decades are assisting a government to commit the extermination of another people, who are similar to them in outlook, who are sometimes being referred to as Jewish in habits, who are looked down upon as non-Aryans while the Sinhalese pride in their Aryan origins and those modern day leaders, have been very much influenced by Leon Uris's Exodus.

15 Law in the Service of Man - Newsletter No.9 July - Oct 1985; No.11 Jan-Feb 1986.

16 Israel's Role in the Third World: Exporting West Bank Expertise-Jan Nederveen Pieterse-Lanka Guardian 15.9.84.

17 The Hindu 9.11.85.

The American Connection

The United States has been interested in Sri Lanka for strategic purposes. The 1980 Congress presentation of the Security Assistance Programme of the IMET pointed out that the aim of assistance to Sri Lanka was to "reinforce the professionalism of the Sri Lankan military" and that it would allow Sri Lanka to "continue avoiding undue dependence on any single power" 1/. The US has shown keen interest on developments in Sri Lanka in the recent past and a number of high officials from the US have visited Sri Lanka in the last two and a half years. US Defence Secretary Casper Weinberger visited Sri Lanka on 1st October 1983 probably in response to the request by the Sri Lankan government for military assistance immediately after the July 1983 violence. Although it was announced that Weinberger was stopping over for tea, there is no doubt that military aspects would have been in the agenda for discussion.

Weinberger's visit was followed in November 1983 by that of General Vernon Walters who denied any agreement had been reached on military assistance. On 12th January 1984 a six-man delegation led by Joseph Addabbo, Chairman of the defence Appropriations Committee of the US House of Representatives visited Sri Lanka immediately and after discussions with the government announced that it would recommend \$350,000 to be released to Sri Lanka immediately for defence purposes. Addabbo also said that the US would consider the Sri Lankan request for a 'military type surface ship' and modern training facilities for the Sri Lanka Navy 2/. Richard Murphy, the US Assistant Secretary of State for the Near East and Far East arrived in Sri Lanka in October 1984 (26.10.84).

Apart from these visits President Jayewardene, Prime Minister Premadasa and Lalith Athulathmudali made visits to the United States to procure military assistance. It seemed that during President Jayewardene's visit to the US, base facilities for the US Navy had been agreed, but he denied any such agreement.

However, the Trincomalee oil farm deal appears to have granted access to the harbour for the US Navy. Oil storage facilities had been constructed by the British in the 1920's consisting of 101 oil tanks each with a 10,000 tonne capacity. The Trincomalee Tank Development Project was leased to an international consortium on 23rd February 1984 by the Sri Lankan government. The consortium consists of three firms, Oroleum (PVT) Ltd, Oil Tanking and tradinaft based in Singapore, West Germany and Switzerland respectively. This consortium appears to have been floated (in 1982) specifically to obtain this lease. Oroleam (PVT) Ltd was set up by persons

1 Lanka Guardian 1.7.81.

2 Financial Express 18.1.84.

in Coastal Corporation of Singapore, an affiliate of the Coastal Corporation of Bermuda which was refused the Trincomalee contract in 1981 due to protests in Sri Lankan Parliament as the company had deals with the US Navy.

Tenders for the contract in 1984 were submitted by several countries including India which offered a more profitable proposal. Oroleum Ltd. submitted its tender after the deadline, but won the contract. The contract allows the Company to supply petroleum to foreign warships without the permission of the Sri Lankan government 3/.

On 15th January 1985 villages of Thoduwawa (800 acres) and Iranwila (200 acres) in Nathandiya in the West Coast of Sri Lanka were handed over to the US under an agreement signed on 10th December 1983 to install the most powerful Voice of America (VOA) transmitter outside the US which would be capable of jamming any other broadcast in the region and with possible links to communication satellites. The 200 families in the villages were evacuated 4/. It is reported by defence strategists that VOA can broadcast low frequency messages to US nuclear submarines that lie in canyons beneath the North Indian Oceans without these submarines having to surface to the Ocean to receive the messages.

The present agreement is an expansion of the agreement for VOA facilities signed in 1951 and unlike the latter excludes the jurisdiction of the Sri Lankan government over the administration, operation and maintenance of facilities under the agreement. The Sri Lanka government cannot evaluate the VOA transcripts before broadcast as done earlier and the US has the right to build associated communication and operation facilities 5/.

The Trincomalee harbour is a large and natural one and could accommodate any of the large fleets of the super powers. the harbour proved to be a valuable asset to Great Britain during World War II. It is not surprising that the US has an 'eye' on Trincomalee for this reason and its strategic position in the South Asian region and the Indian Ocean. When, in 1981, the Sri Lankan government removed the ban on foreign warships at Trincomalee, the US sent a number of warships on various pretexts 6/.

An official document of the United States titled "Military Posture" by General David C Jones (USAF), Chairman of the Joint Chiefs of Staff, published in 1980, referred to Trincomalee as an American military facility. Later the US government said that this was a printer's error 7/.

3 'Ethnic Crisis in Sri Lanka - India's Options' - V P Vaidik - New Delhi 1986.

4 Forum 1.7.85; Island 7.3.85.

5,6 V P Vaidik - op.cit.

7 Daily News 20.2.82.

The arms supplied to Sri Lanka by Pakistan, China and Singapore are believed to be from the United States which does not wish to be seen as directly involved. It has been reported that at least 100 gun boats and 50 helicopter gunships have been supplied by the US through Pakistan and China 8.

8 Foreign Report by Economist 11.10.84.

The Pakistan Connection

Pakistan was one of the countries from which Sri Lanka requested arms immediately after the July 1983 violence. Thereafter there have been regular exchange of officials and supply of arms by Pakistan. The Sri Lanka Navy Chief, and Sri Lanka's foreign Minister A C S Hameed visited Pakistan in 1984 and the Pakistan Foreign Minister visited Sri Lanka after the SAARC conference in the Maldives in 1985.

President Jayewardene himself visited Pakistan in 1985 and the President of Pakistan General Zia Ul Haq made an official visit to Sri Lanka in December 1985 (10.12.85) when he announced an annual increase in the two way trade from US \$ 60 million to 200 million ¹/. Though not announced, military assistance to Sri Lanka would also have increased substantially. In March 1986 India today reported:

"Pakistan's involvement extends well beyond weapons supply. In the last one year, an estimated 8,000 officers, Junior commissioned officers and other ranks have returned from Pakistan having completed courses in counter-insurgency, artillery, junior commanders' training. Pakistan is also reportedly training Sri Lankan air force and naval pilots"²/.

The Pakistan trained soldiers are supplied with black uniforms, and are known to have committed a number of atrocities against Tamil civilians including indiscriminate killings, injuring, rape and destruction of property.

1 The island 13.12.85.

2 India Today 31.3.86.

The Chinese Connection

As observed earlier the Peoples Republic of China has been supplying arms to Sri Lanka 1/ after 1983, particularly after the visit in September 1983 to China of President Jayewardene's brother Hector Jayewardene. President Jayewardene too visited China in 19984. China has indicated that it opposes any external interference in Sri Lanka and is opposed to the partitioning of the country 2/.

A delegation of Chinese air force officers visited Colombo in July 1984 and Lalith Athulathmudali paid a visit to China in July 1985 followed by Lt. General Tissa Weeratunge, JOC Chief 3/. These visits culminated in the official visit of the Chinese president Li Xiannian to Sri Lanka in March 1986 (11.3.86) 4/. Though the president spoke only about the sovereignty and territorial integrity of Sri Lanka, there is little doubt that secret talks would have been conducted about the supply of arms.

1 India Today 31.12.85.

2 As told to Professor A Jeyaratnam Wilson by the Chinese Ambassador in Colombo.

3 Lankan Guardian 1.8.85.

4 The Island 12.3.86.

Arms Acquisition

Sri Lanka has purchased weapons from several countries and is continuing to amass arms in great quantities. Several helicopters, aircraft, armoured cars, gunboats and a variety of arms have been purchased. The government has contacted various private firms in South Korea, Belgium, UK, USA and West Germany for weapons. Arms have also been received from South Africa, particularly vehicles for military operations.

Israel has supplied Westwind Seascan reconnaissance aircraft, Dacur-class patrol craft equipped with 22 mm guns, .50 calibre machine guns, Galil 5.56 mm assault rifles, Uzi sub-machine guns, hand grenades, anti-personnel mines and an electronic surveillance system 1/.

On 12.8.84 and 3.9.84 South African airlines unloaded large quantities of arms and ammunition at the Katunayake airport 2/. A Portuguese aircraft loaded with arms for Sri Lanka was detained by the customs at the Trivandrum (in the state of Kerala in India) airport on 28.2.85. Later it was allowed to proceed to Sri Lanka by the Indian government 3/.

At the beginning of 1984 Sri Lanka purchased two gun boats each from Israel and UK and placed an order for 12 US built Bell Jetranger helicopters from Singapore at a cost of \$15 million, which have already been supplied. Later 9 more Bell helicopters were purchased from Singapore which have been converted to gunships. In December 1984 three 600 dwt boats were purchased from Singapore 4/.

In May 1985 six Dubar coastal vessels. These are 40 kt crafts and are equipped with missiles. It was reported that two Israeli personnel were involved in training Sri Lankan Naval Officers in the handling of the missiles at the dockyard base in Trincomalee. A further ten surveillance boats were also purchased from Cougar Holdings, a company based in Southampton in U K 5/.

Pakistan has supplied to Sri Lanka, large amount of heavy and medium artillery in the form of 25 pounder field guns, 130 mm medium guns and rocket propelled grenades and also an estimated 10,000 small arms in the form of rifles, light machine guns and mortars. It appears that Pakistan would also provide six helicopter gunships 6/.

1 V P Vaidik - op. cit.

2 Diary of Incidents 1984 - Tamil Information Centre.

3 The Island 11.2.85

4 Jane's Defence Weekly 12.1.84

5 Jane's Defence Weekly 23.5.85.

6 India Today 31.3.86.

During 1985, Sri Lanka acquired 150 armoured cars and personnel carriers from South Africa and Israel, six SIA Marchetti aircraft from Italy for strafing another six Cessna 337s for surveillance. During this year altogether 50 petrol boats and 40,000 land-mines were bought 7.

The amassing of arms continues and a large amount of money is spent for purchases without any regard for development programmes of the country.

1 India Today 31.3.86.

The Problem of Information

In Sri Lanka the media is almost completely controlled by the government. The major newspaper houses, the Associated Newspapers of Ceylon Ltd (Lake House) and the Times of Ceylon Ltd are managed and controlled by censorship, laws and regulations, pressure and influence. The Associated Newspapers of Ceylon Ltd, the largest newspaper company in Sri Lanka was taken over by the former government in 1973 under a special law and the Times of Ceylon Ltd was acquired by the present government under the Business Undertakings Acquisition Act, in August 1977 1.

An amendment enacted by Parliament in 1978 to the Parliamentary (Powers and Privileges) Act empowers Parliament to sit in judgment and punish persons who in the view of Parliament have breached the privileges of members of Parliament. Newspaper editors have been punished under this Act for publishing news concerning parliamentarians 2. The present government after gaining power invoked in December 1980 some of the harsh provisions of the Press Council Law of 1973, which it had opposed as "draconian" while in opposition in 1973. The invoked provisions (Section 16) prohibit publication of cabinet proceedings and contents of cabinet documents unless approved by the Cabinet Secretary. It also prohibits publication of statements relating to monetary, fiscal, exchange control or import control measures under consideration unless officially authorized. Under these provisions two private newspaper companies "Sun" and "The Island" were prosecuted for publishing articles relating to cabinet proceedings.

The Prevention of Terrorism Act No 48 of 1979 prohibits publication of "any matter relating to the commission of any act which constitutes an offence under the Act" without the written approval of the Competent Authority.

Furthermore the Emergency Regulations give power to the Competent Authority to take measures "for preventing or restricting the publication in Sri Lanka or any specified area in Sri Lanka, or transmission from Sri Lanka to places outside Sri Lanka, of matters which would or might be prejudicial to the interests of national security or the preservation of public order". Under the regulation all documents, pictorial representations, photographs, cinematography films, teleprinter, telegraph, television, transmission of matters relating to the operation of security forces including news reports, editorials, articles, letters to editors cartoons

- 1 Media and Government in Sri Lanka-Victor Gunawardene Index of Censorship 4/83.
- 2 Civil Rights Movement-Documents Nos. E 01/4/80 and E 03/6/80.

and comments are required to be submitted to the Competent Authority before publication 3/.

In addition to the restrictions by laws and regulations by laws and regulations the government has gone to the extent of banning certain newspapers. The Tamil newspaper "Suthanthiran" was banned on 20th October 1982 under emergency regulations and the opposition newspaper "Aththa" was banned in November 1982. The Northern English newspaper "Saturday Review" was banned on 1st July 19983 4/. Although it was allowed to recommence publication in January 19984 (10.1.84) it was subject to special censorship until July 1985..

The radio is completely controlled by the government and private radio stations are not permitted. Television, including the independent television are under direct government control.

The newly revived news agency the "Lankapuvath" is an organ of the government and transmits only the highly distorted, mostly invented, news of the government 5/.

The newspapers are continuously warned regarding news being published. For example, during the violence between the Muslims and Tamils in the Eastern Province in April 1985, "Virakesari" an independent Tamil newspaper published a statement by the cabinet Minister Thondaman exposing that thugs had been transported from Colombo in government owned vehicles to create chaos I the Eastern Province. The Minister of State Ananda Tissa de Alwis recommended to the cabinet that "Virakesari" should be banned. However the government decided to warn the newspaper at this instance and issued a warning through the Competent Authority 6/.

News coming into the country is also checked by the government. Many periodicals and papers reporting events in Sri Lanka have been banned. For example, issues of India Today (15.3.85) 7/ and Frontline (issues between 23.3.85 and 5.4.85) were banned by the government 8/. The government had distributed a note to all the foreign missions at the end of March 1985 that henceforth all foreign journalists should apply for visas in advance.

Foreign reporters have been reprimanded by the government for publishing news items distasteful to the government; in one a journalist faced prosecution. The correspondent of the Press Trust of India (PTI) Krishan Anand was arrested in April 1985 for being responsible for the publication of the statement by President Jayewardene requesting British troops to be

3 Regulation 14 - Gazette Extraordinary No. 341/6 of 18.3.85.

4 Paul Sieghart - op. cit.

5 Lankapuvath Rises from the Dead - Forward 15.7.85.

6 Virakesari 24.4.85, 27.4.85.

7 Why was India Today Banned - Forward 1.4.85.

8 Eelanadu 31.3..85.

stationed in Sri Lanka. It was alleged that he had distorted the statement of President Jayewardene. However when the case was taken up, the prosecution withdrew its case 9/.

Paul Nallainayagam, a Tamil Canadian Citizen was arrested on 22nd May 1985 for exposing the Thambiluvil massacre by the police commandos 10/. He has been prosecuted and the case is pending. Meanwhile the Supreme Court in an action by Nallainayagam for infringement of fundamental rights awarded him Rs.5,000 as damages for failure by state authorities to follow proper legal procedures.

Foreigners, particularly foreign journalists are debarred from entering the Northern and Eastern provinces. On 9.2.85 three British journalists Michael Zaliakas, Nicholas David Coleridge and Peter Jouvenal were arrested in Jaffna, brought to Colombo and held in custody at the Welikade maximum security prison 11/. Later, after the intervention of the British High Commissioner they were released. Simon Winchester of the Times and photographer Peter Dunne were arrested in Trincomalee, taken to Colombo under escort and interrogated for five hours before being set free 12/. Intimidation of foreign reporters continues in the island 13/.

The telephone link between the Northern Tamil areas and the rest of the world was disconnected by the government of Sri Lanka on the 14th July 1984 and remains disconnected up to date. The government has sought to block every avenue through which news about atrocities in the Tamil areas and other anti-harassment and intimidation the government has striven to keep the people silent. It has also prevented voluntary organisations such as the International Red cross serving the refugees within the island with a view to preventing its atrocities from being publicised. Due to the stringent measures adopted by the government, the problem of obtaining information has been worsened.

9 the guardian 9.5.85; Island 25.5.85.

10 Amnesty International report ASA 37/08/85 of 28.5.85.

11 The Times (UK) 11.2.85.

12 Simon Winchester - The Sunday Times Magazine (UK) 18.8.85.

13 A BBC reporter recounted a harrowing experience when a soldier at a military camp in the North pointed a gun at him and shouted angrily; "BBC tells lies".

The Political Consequences

The political consequences of the planned state militarisation of the civilian population of Sri Lanka are devastating. The utilisation of foreign aid for the purpose of purchase of arms, military training and various military connected activities has resulted in the slackening of development and other programmes of the country so much so that the Finance Minister in an interview with the BBC on 28th April 1986 stressed the "need for an early solution to the ethnic problem as defence expenditure had escalated, adversely affecting the tea, coconut and tourist industries". The apprehensions of the Finance Minister are not shared by the other politicians including President Jayewardene who are hell bent on a "military solution". The voters have been drilled into a war psychosis and made increasingly dependent on a "Marcos Style" dictatorship.

People are warned of an "impending invasion by foreign elements" and youths are called upon to "defend the nation" and make sacrifices in the interests of "the Sinhala race and Buddhism". the Sinhala race is identified with Aryanization, a view which Paul Sieghart deplored stating that this attitude today existed only outside the Nazi imagination.

War has indeed been declared on innocent Tamil civilians by the government. In retaliation for attacks by the Tamil militants Tamil civilians are rounded up, held in custody and tortured or summarily executed 1. Where civilians are arbitrarily killed by security forces the Ministry of Defence issues statements of "hours long battles with terrorists" with finally the "security forces emerging victorious after the killing of the terrorists". these statements are given the widest possible publicity in the local media. Reports published by the international media massacres in the Tamil areas are dismissed by the Sri Lankan government and the local media as "distorted, malicious and false propaganda". The country is continuously kept in a state of tension and the emergency which was declared on 18th May 1983 continues to be in force after 1125 days (on 15 June 1986) which enables the government to resort to illegal and criminal means under its cover.

1 For extra-judicial killings by security forces, torture, arbitrary arrest and disappearance in Sri Lanka refer Amnesty International Reports, ASA 37/16/83 of September 1983, ASA 37/03//84, ASA 37/05/84 of 1.6.84, ASA 37/01/85 of 9.1...85, ASA 37/03/85 of April 85, ASA 37/07/85 of 24.5.85, ASA37/09/85 of 24.5.85, ASA 37//02/86 of 11.4.86, ASA 37///03//86 of 30.4.86 and Amnesty Newsletter of July 1983 (Vol XII No. 7) and October 1985 (Vol XV No. 7) and October 1985 (Vol XV No. 10).

The parliamentary system has been so completely derailed that it is unlikely that Sri Lanka will hereafter be able to hold free and fair elections. The referendum in order to extend the life of Parliament by six years held in December 1982 (22.12.82) was the final blow to democracy in Sri Lanka. the referendum was held not only to extend the life of parliament but also to continue the government's two thirds majority in Parliament. the one million new voters registered between the previous election in 1977 and the referendum lost their franchise rights while the referendum froze the opposition seats in parliament. One month before the referendum key oppositions organisers including the General secretary of the Sri Lanka Freedom Party. Ratnasiri Wickremanayake were arrested and held in custody. Opposition newspapers were banned and printing presses sealed. During the referendum which was held under emergency rule, blatant disregard was shown by the government party to the laws relating to posters and leaflets. such literature advocating 'No' votes in the referendum against parliament's extension were seized by the police. The police also took an active part in the suppression of the opposition.. Voters were intimidated and the 'thugs' of the ruling United National Party assaulted and harassed everyone who was opposed to the referendum 2/.

The government resorted to many other acts which were completely opposed to the principles of democracy and the concept of the parliamentary system.3/.

In the Tamil areas of North and East thousands of houses, community centres, temples, vehicles, schools, libraries and even state buildings have destroyed by the security forces. On 4th June 1985 alone 1500 houses belonging to Tamils were burnt by the security forces and Home Guards in Muthur in the Eastern province. Farm animals have been killed, agricultural implements and crops destroyed. As recently as February 1986 (19.2.86) crops in the village of Udumpankulam in the Eastern Province were burnt by the security forces.4 As a consequence of the 'scorched earth' policy of the government, even in the highly unlikely event of a settlement to the ethnic problem, restoration of normalcy in the Tamil areas would take a very long time.

2 Sri Lanka's First Referendum: Its conduct and Results-James Manor.

3 For particulars of erosion of democracy see "Oppression of Tamils in Sri Lanka" - Mayan Vije-Tamil Information Centre.

4 On 19.2.86 security forces shot dead 60 farmers working in the field at Udumban kulam in the Eastern province and burnt their bodies along with harvested crop. They looted and burnt houses, raped women and carried away 150 bags of rice.

In order to divert international attention the government recently decided to restore the civic rights of former Prime Minister Srimavo Bandaranaike 5/ and grant citizenship to stateless plantation Tamils 6/. Granting civic rights to Mrs Bandaranaike is meaningless in the present context and there is no doubt that the law relating to the granting of citizenship to the plantation Tamils will not be implemented just as in the case of the Tamil language (Special Provisions) Act No 28 of 1958 and the Development Councils Act No. 35 of 1980.

The continuing policy of militarisation by the Sri Lanka government, training of soldiers merely to murder, maim, arrest torture of the Tamils whether children, women or the aged, the condonement and sometimes even justification of the barbarous acts of the security forces by the government, the high incidence of disappearances of Tamils arrested, the establishment of a vast number of military camps in the Tamil areas, air raids on civilian targets, the engagement of foreign mercenaries, the enactment of laws and regulations restricting fundamental rights and freedoms of the Tamils, killing the Tamil women by soldiers after their being brutally gang raped, spraying chemicals from air on populated areas, depriving the Tamils of their livelihood by the imposition of restricted zones, burning of whole villages by soldiers, mass arrests, driving out whole villages of people, robbing of money and property of Tamils by soldiers, denial of medicine and equipment to hospitals in Tamil areas, destruction of places of worship (Hindu, Catholic and Protestant) and burning of books and libraries, the deprivation of facilities for Tamil refugees, attacking refugee camps and killing of refugees by soldiers and home guards, prevention of international and local social service and humanitarian organisations from serving the refugees, destruction of schools and killing of children, continued settlement of Tamil areas by driving out Tamils with the vilest dregs of Sinhala society, the direction of all governmental machinery in the dehumanisation process of the Tamils, discrimination in education and employment and the denial of the right of self determination, all lead only to one conclusion as warned by Professor Leo Kuper: GENOCIDE 7/.

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- 5 She was deprived of her civic rights on 17th October 1980 by action initiated by the present government.
 - 6 The Plantation Tamils were deprived of their citizenship and right to vote, by legislation in 1948 and 1949.
 - 7 International Action Against Genocide - Leo Kuper - Published in 1984 by the Minority Rights Group.

ANNEXURE 1

International Human Rights instruments and the Sri Lanka Constitution

UDHR - Universal Declaration of Human rights

ICPR - International Covenant on Civil Political Rights

ICES - International Covenant on Economic Social & Cultural Rights

SLC - Sri Lanka Constitution

Rights to Life

Article 3 (UDHR) - Everyone has the right to life, liberty and security of person

Article 6 (ICPR) - Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Freedom of Torture

Article 5 (UDHR); Article 7 (ICPR); Article 9 (SLC) - No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Equality before Law

Article 7 (UDHR) - All are equal before the law and are entitled without discrimination to equal protection of the law

Article 26 (ICPR) - All persons shall be equal before the courts and tribunals.

Article 12 (1) (SLC) - All persons are equal before the law and are entitled to the equal protection of the law.

Freedom from arbitrary arrest and detention

Article 9 (UDHR) - NO one shall be subjected to arbitrary arrest, detention or exile.

Article 9 (ICPR) - Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

Article 13 (1) (SLC) - No one shall be arrested except according to procedure established by law. Any person arrested shall be informed of the reason for this arrest.

Fair trial

Article 10 (UDHR) - Every one is entitled in full equality to a fair and public hearing by independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge against him.

Article 14 (ICPR) - In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

Article 13 (3) (SLC) Any person charged with an offence shall be entitled to be heard, in person or by an Attorney-at-law, at a fair trial by a competent court..

Presumption of Innocence

Article 11(1) (UDHR) - Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

Article 14(2) (ICPR) - Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

Article 13(5) (SLC) - Everyone person shall be presumed innocent until he is proved guilty.

Movement, Residence and Return to Country

Article 13(1) (UDHR) - Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country including his own, and return to his country.

Article 12(1) - (ICPR) Every one lawfully within the territory of a state shall, within the territory, have the right to liberty of movement and freedom to choose his residence.

(2) Everyone shall be free to leave any country including his own.

(3) No one shall be arbitrarily deprived of the right to enter his own country.

Article 14(1) (h) (SLC) - Every citizen is entitled to the freedom of movement and of choosing his residence within Sri Lanka.

(i) Every Citizen is entitled to the freedom to return to Sri Lanka.

Retroactive Law

Article 11 (2) (UDHR) - No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 13 (6) (SLC) - No person shall be held guilty of an offence on account of any act or omission which did not, at the time of such act or omission, constitute such an offence and no penalty shall be imposed for any offence more severe than the penalty in force at the time such offence was committed. (There are two provisos to this Article.)

Article 15 (1) (ICPR) - No one shall be held guilty of any criminal offence, on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed.

Thought, Conscience and Religion

Article 18 (UDHR) - Everyone has the right to freedom of thought, conscience and religion, this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 18 (1) (ICPR) - Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice and freedom individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

(2) No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

Article 9 (SLC) - The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana (the organised Buddhist clergy), while assuring to all religions the rights granted by Articles 10 and 14 (1) (e).

Article 10 (SLC) - Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice.

Article 14 (1) (SLC) - Every citizen is entitled to the freedom, either by himself, or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice and teaching.

Opinion and Expression

Article 19 (UDHR) - Everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 19 (1) - (ICPR) - Everyone shall have the right to hold opinions without interference.

(2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Article 14 (1) (a) (SLC) - Every citizen is entitled to the freedom of speech and expression including publication.

Freedom of Assembly and Association

Article 20 (1) (UDHR) - Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21 (ICPR) - The right of peaceful assembly shall be recognized.

Article 22 (1) (ICPR) - Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

Article 14 (1) (b) (SLC) - Every citizen is entitled to the freedom of assembly.

Article 14 (1) © (SLC) - Every citizen is entitled to the freedom of association.

Property

Article 17 (1) (UDHR) - Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

ANNEXURE 2

Indian Ocean Peace Zone (IOPZ)

Important elements of the IOPZ formulated at the Non-Aligned summit at Lusaka in 1970:

- The region should not offer the pre-requisites for involvement in a military confrontation between the super-powers. It should therefore be free from military bases, from the regular presence of navies, and from nuclear weapons.
- The littoral states should not enter into any military commitments with the super-powers (especially military pacts) which were obviously conceived in the context of global super-power rivalry.
- The littoral states want to reserve for themselves, by means of a special regime and in keeping with the concept of collective self-determination, the decision to limit rights of free passage and of sojourn, as well as rights to fly over the region and other military uses of the ocean by external powers.

(These tenets were introduced in a speech to the United Nations General assembly in October 1971, by Mrs Srimavo Bandaranaike, then Prime Minister.)

UN RESOLUTION ON A ZONE OF PEACE, DECEMBER 1971

General assembly - subject: Declaration of the Indian ocean as a zone of peace. resolution 2832 (XXVI), 16 December 1971.

The General Assembly,

Conscious of the determination of the peoples of the littoral and hinterland States of the Indian ocean to preserve their independence, sovereignty and territorial integrity, and to resolve their political, economic and social problems under conditions of peace and tranquillity.

Recalling the Declaration of the Third Conference of Heads of State or Government of Non-Aligned Countries, held at Lusaka in September 1970, calling upon all States to consider and respect the Indian ocean as a zone of peace from which great Power rivalries and competition should be excluded, and declaring that the area should also be free of nuclear weapons.

Convinced of the desirability of insuring the maintenance of such conditions in the area by means other than military alliances, as such alliances entail financial and other obligations that call for the diversion of the limited

resources of these States from the more compelling and productive task of economic and social reconstruction and could further involve them in the rivalries of power blocs in a manner prejudicial to their independence and freedom of action, thereby increasing international tensions.

Concerned at recent developments that portend the extension of the arms race into the Indian Ocean area, thereby posing a serious threat to the maintenance of such conditions in the area,

Convinced that the establishment of a zone of peace in the Indian ocean would contribute towards arresting such developments, relaxing international peace and security,

Convinced further that the establishment of a zone of peace in an extensive geographical area in the region could have a beneficial influence on the establishment of permanent universal peace based on equal rights and justice for all, in accordance with the purposes and principles of the Charter of the United Nations,

1. Solemnly declares that the Indian Ocean, within limits to be determined, together with the air space above and the ocean floor subjacent thereto, is hereby designated for all time as a zone of peace;
2. Calls upon the great Powers, in conformity with this Declaration, to enter into immediate consultations with the littoral States of the Indian Ocean with a view to:
 - (a) Halting the further escalation and expansion of their military presence in the Indian Ocean;
 - (b) Eliminating from the Indian Ocean all bases, military installations, logistical supply facilities, the disposition of nuclear weapons and weapons of mass destruction and any manifestation of great Power military presence in the Indian Ocean conceived in the context of great Power rivalry;
3. Calls upon the littoral and hinterland States of the Indian Ocean, the permanent members of the Security Council and other major maritime users of the Indian Ocean, in pursuit of the objective of establishing a system of universal collective security through regional and other co-operation, to enter into consultations with a view to the implementation of this Declaration and such action as may be necessary to ensure that:
 - (a) Warships and military aircraft may not use the Indian Ocean for any threat or use of force against the sovereignty, territorial integrity or independence of any sovereignty, territorial integrity or independence of any littoral or hinterland state of the Indian Ocean in contravention of the purposes and principles of the Charter of the United Nations;

- (b) Subject to the foregoing and to the norms and principles of international law, the right to free and unimpeded use of the zone by the vessels of all nations is unaffected;
 - (c) Appropriate arrangements are made to give effect to any international agreement that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace;
4. Requests the Secretary-General to report to the General Assembly at its twenty-seventh session on the progress that has been made with regard to the implementation of this Declaration;
 5. Decides to include the item entitled "Declaration of the Indian Ocean as a zone of peace" in the provisional agenda of its twenty-seventh session.

ANNEXURE 3

Examples of atrocities by Home Guards and others armed by the Sri Lankan Government.

04.12.84 - Vavuniya - Attacked the Tamil village of Asikulam, killed 6 persons and injured 12 others. They burnt 5 houses.

06.12.84 - Vavuniya - Attacked Maruthankulam, Thatchankulam and Kovilkulam killed twenty persons and burnt 40 houses. Many were injured.

06.12.84 - Trincomalee - Attacked the village of Thennaimaravadi and burnt 125 houses belonging to Tamils. As a result 749 persons of 147 families sought refuge in other villages.

06.12.84 - Mulaitivu - At Kokkilai burnt houses of Tamil families.

30.05.85 - Trincomalee - Security forces and Home Guards burnt more than 100 houses at Poonagar, Mankagam and Thangaveli.

03.06.85-

08.06.85 - Trincomalee - 11 villages were burnt by the Home Guards and the security forces and scores of villages were attacked. 3500 houses were destroyed and more than 100 Tamils were killed.

12.06.85 - Wennappuwa - Home Guards shot dead a Sinhalese passenger in a bus.

12.08.85 - Trincomalee - Home Guards killed 9 Tamils at the Thiriyai refugee camp.

15.08.85 - Trincomalee - Many Tamils were killed by the Home Guards.

04.09.85 - Trincomalee - 52 houses and 60 shops were burnt by the Home Guards at Lingangar.

05.09.85 - Trincomalee - 18 people were killed and at Anpuvalipuram. 250 houses were burnt. Sivapatham, Thirunavukarasu and Krishnan were among those killed.

08.09.85 - Trincomalee - Krishna temple and several houses were burnt. 17 people disappeared (Their names appear in Part A).

16.09.85 - Trincomalee - A Tamil named Arunasalam was dragged along the streets by Home Guards with a fishing hook passing through his neck.

Trincomalee - Troops and Home guards went on the rampage at Nilaveli and killed more than 100 civilians and burnt their bodies. 13 were identified (their names appear in Part C)

21.09.85 - Batticaloa - Home guards opened fire into a crowd of Tamil civilians watching TV and killed 10 persons and injured 13, at Sinnawaththai.

19.10.85 - Trincomalee - killed 5 Tamils and 10 Muslims at Mallikaithivu.

27.11.85 - Trincomalee - killed 21 Tamils and burnt 165 houses.

06.03.86 - Trincomalee - Six members of a Tamil family were cut to death with swords at Kanniya.

12.06.86 - Trincomalee - 23 Tamils were massacred at Eechilampathai.

PART A

The following persons are missing following the 08.09.85 incidents in Trincomalee:

- 01 S Thiyagaswaran - 19 yrs - Main Street, Trincomalee
- 02 Paul Raj
- 03 Varaprasatham
- 04 Ratnam (Driver)
- 05 Varnakulasingham (Cleaner)
- 06 Thiruchelvam (Nos 2 to 6 travelling in a Port Authority Lorry and they were abducted by the Home Guards)
- 07 Sellathurai (Port Cargo Corporation, Trinco)
- 08 Thamotherampillai (Port Cargo Corporation, Trinco)
- 09 Rajah (Mechanic)
- 10 S Puvaneswari
- 11 S Thirugnanasampanathan
- 12 S Mariathas (SLTB)
- 13 S Amarasingam (Retired from Post & Telecommunication Dept)
- 14 Thomas Manuvel
- 15 Manithurai Banuthasan
- 16 Rasagone Mukilan
- 17 Kandiah Sivalingam

PART B

- 01 Muthukumaru Krisnapillai - aged 53 - Watcher at Nilaweli Village Council
- 02 Chitravelu Marimuttu - aged 50 watcher at Nilaweli Multipurpose Co-op Society
- 03 Sellathamby Ratnarajah - aged 38 Naval Yard Office
- 04 Velu Ponnama - 45 years female
- 05 Rasiah Thurainayagam - aged - 35 yrs Farmer from Ward 2,, Nilaweli
- 06 Subramaniyam Baskaran - aged 18 yrs - refugee from Thirukodaloo
- 07 Shanmugasunderam Mankavelu - aaged - 45 yrs - Ward 2
- 08 Sellathamby Nirmalanathan - aged 24 yrs - refugee from Kuchchively
- 09 Thuraijasekaran Puvirasa - aged 37 yrs - Refugee from Kuchchively
- 10 Vallipuram Dharmalingam - aged 17 yrs - Student Ward 2, Nilaweli
- 11 Vallipurampillai Yogarasa - aged 24 yrs - Ward 2, Nilaweli
- 12 Naamangam Rajanesan - aged 25 yrs - Ward 2 Nilaweli
- 13 Visvanathan Francis - Died in naval Yard.

PART C

- 01 Masilamany Ponnathurai - aged 40 yrs - from Kataiparichchan (KP)
- 02 Ponnathurai sri Jayakumar - aged 14 yrs - Son of the above
- 03 Murukappa Gunesekeeran - aged 59 yrs from K P
- 04 Ponnathurai Subramaniyan - aged 37 years
- 05 Sundaram Anandan - aged 18 yrs - Refugee
- 06 Vyamuttu Amirthalingam - aged 17 yrs - K P
- 07 Rasiah Vellayuthan - aged 26 yrs - from Sampur
- 08 Ponniah Pathiniyan - aged 28 yrs - K P
- 09 Vadivel Thavarasa - aged 15 yrs - Refugee from Illankaithurai

ANNEXURE 4

EXAMPLES OF KILLINGS BY POLICE COMMANDOS (Special task Force)

- 24.01.85 - At Koddaikallar the commandos shot dead seven Tamils: Vijayakumar, R Ravintranathan, K Somasundaram, K Kirupairajah, S Selvakumar (age 16, student), P Ramanathan (age 15, student) and A Nagenthiran (age 24).
- 17.05.85 - 35 youths were asked to dig their own graves before being gunned down, at Thambiluvil, Batticaloa. (Their names appear in Part D)
- 41 Tamils were shot dead at Sinnamuhathuwaram, Batticaloa and their bodies burnt.
- 06.06.85 - 5 youths were shot dead in Batticaloa.
- 16.08.85 - More than 100 Tamils were killed by the army and police commandos at Vavuniya.
- 23.08.85 - At Thirukovil in Batticaloa 26 Tamils were shot dead. 4 fishermen were also shot dead.
- 26.08.85 - At Amparai and Pottuvil 16 Tamils were shot dead.
- 16.09.85 - Two school children named S Kamachisundaram and P Nalliah aged 13 and 15 respectively were shot dead at Chenkaladi, inside the school premises.
- 18.09.85 - 12 Tamils watching TV were killed at Sinnawathai, paddirupu. they were Anthonipillai (age 28), Pakiayarajah (age 32) S Sun tharalingam (age 8), Miss Yogamalar (age 13), Tharmalingam (age 16), Sellathamby (age 25), Ganeshan (age 12), Arasaratnam (age 18), Mrs Nesammah (age 41), Miss Sivaguru. those injured: Yogamalar (age 4), Raju (age 5), Miss Maheswary (age 22), Miss Kokilavani, Pakiam (age 4), Saroja (age 7), miss Navamani (age 12), Selladurai, Yoganathan.
- 26.09.85 - 7 Tamils were shot dead at Arapathai.
- 05.10.85 - 12 Tamils were shot dead at Batticaloa.
- 25.10.85 - 7 Tamil school children were shot dead at Veeramunai in Batticaloa.
- 14.11.85 - 8 Tamils were killed in Batticaloa.
- 19.01.86 - 24 civilians were killed at Iruthayapuram, Batticaloa.
- 19.02.86 - At Thangaveluyuthapuram 36 farmers and 8 gypsies were shot dead while working in the fields.

PART D

DETAILS OF PERSONS KILLED BY POLICE COMMANDOS IN AMPARAI DISTRICT ON
17.05.1985

(All of Natpattimunai, Kalmunai)

<u>No.</u>	<u>Full Name</u>	<u>Age</u>
01	Mylvaganam Parameswaran	25
02	Sathasivam Thangathurai	22
03	Veerakuddy Thangavel	30
04	Elayathamby Selvarajah	27
05	Kulasegaram Selvanayagam	25
06	Thambimuttu Palarajah	26
07	Thuraiappah Nadesan	21
08	Arumugam Nadesamoorthy	31
09	Rasamanikam Thangarajah	19
10	Sivanandan Kulasegaram	24
11	Kanapathipillai Nesathurai	22
12	Gnanapragasam Uvanis	27
13	Balasundaram Udeyakumar	22
14	Mylvaganam Sothiswaran (Jaffna)	45
15	Rasiah Sivalingam Sarma (Kurukkal)	28
16	Thuraiappah David	-
17	Kulaidavel Ponnuthurai	26
18	Kunarathnam Muraleetharan	22
19	Gunaratnam Suthakaran	24
20	Thambrase Visvakandan	22
21	Kanagasooriyam Kopalasingam	28
22	Kanagaratnam Thangavel	19
23	Kandapody Pushparajah	22
24	Varatharajan Sureswaran	28
25	Alagaih Kopalasingam	-
26	Varatharasan Varadeswaran	-
27	Thamirajah Thiruselvam	-
28	Elayathamby Selvanayagam	-
29	Arampan Thamilvanan	-
30	Kasupathy Sivakumar	-
31	Samithamby Pathmapillai	-
32	Ehamparam Thamilvanan	25
33	Samithamby Sundaralingam	23
34	Ratnam Jayachandarn	-
35	Samithamby Krishnapillai	-

ANNEXURE 5

Military Camps in the Tamil North and East

	ARMY	NAVY	AIR FORCE	POLICE COMMANDOS
JAFFNA	Gurunagar (Housing Scheme)	Karainagar	Palali Airport	Nallur
	Palali	Kayts		Chavakachecheri
	Kankesanturai (Harbour View Hotel)	Kankesanthurai (Harbour View Hotel)		Kodikamam Palai
	Point Pedro (Police Station)	Point Pedro (Dist. Judge's Bungalow)		Karaveddy Point Pedro
	Navatkuli			Kopay
	Mathagal			Chunnakam
	Jaffna Fort			Annaikoddai
	Valvettiturai			Valvettithurai
	Thondamanaru			Kayts Delft
Kili-nochchi	Elephant Pass			Elephant Pass
	Poonagari			Kilinochchi Town
	Poonagari 4 th Mile Post			
	Kokkavil			
	Kilinochchi			

(cond)

	ARMY	NAVY	AIR FORCE	POLICE COMMANDOS
Mullaitivu	Mullaitivu Town			Mullaitivu Town
	Oddusuddan			Oddusudan
	Kokkilai			Mankulam
	Mankulam			
	Nayaru			Nedunkeny
Vavuniya	Vavuniya Town Eraperiya- Kulam (JOSSOP)		Eraperiya- Kulam	Vavuniya Town
Mannar	Thallady			Mannar Town
	Silavathurai			Murunkan
	Talaimannar			Pesalai
	Murunkan			Talaimannar
	Nanaddan			
Trinco- malee	Mattakkaly	Trincomalee Town	China Bay (Training base) Morawewa	Trincomalee Town Uppuweli Kantalai China Bay Muthur Nilaveli Harbour

JOSSOP - Joint Services Operation

(cond)

	ARMY	NAVY	AIR FORCE	POLICE COMMANDOS
Batticaloa	Kallady		Alaiady -cholai	Batticaloa Town
	Kurukkalmadam			Eravur
	Vahari			Valaichenai
	Kalkudah			Punanai
	Kumburumullai junction			Kaluwanchikudy
	Vellavelly			Vellavelly Pullumalai
Amparai	Amparai (Central Camp)		Uhana	Amparai Town
	Akkaraipattu (Central Camp)			Uhana
	Komari			Kalmunai
				Sammanthurai
				Akkaraipattu
				Pottuvil

ANNEXURE 6

Mass Arrests of Tamils by security forces from July 1984

(Please note that this list does not contain all arrests of Tamils by the security forces)

<u>DATE</u>	<u>PLACE</u>	<u>NO. ARRESTED</u>
20.07.84	Jaffna Town	200
04.08.84	Valvettithurai	32
09.08.84	Valvettithurai	1000
21.08.84	Nelliady	400
23.08.84	Karaveddy	150
05.09.84	Vavuniya	500
17.09.84	Jaffna	50
	bus stand	
26.09.84	Mullaitivu	150
27.09.84	Mullaitivu	45
13.10.84	Batticaloa	25
14.10.84	Batticaloa	60
19.10.84	Jaffna	20
21.10.84	Trincomalee	15
05.11.84	Trincomalee	(Large number)
09.11.84	Vavuniya	100
10.11.84	Mullaitivu	25
13.11.84	Killinochchi	500
14.11.84	Killinochchi	20
24.11.84	Kaludawalai	125
	Batticaloa	
25.11.84	Kaluwanchikudi	123
	Batticaloa	
27.11.84	Colombo	200
30.11.84	Mannar	50

01.12.84	Kankesanthurai	15
03.12.84	Semamadu	93
	Vavuniya	
04.12.84	Kankesanthurai	16
06.12.84	Jaffna	60
07.12.84	Colombo	1000
09.12.84	Kaithady	500
	Annaikkottai	180
	Tellippalai	30
	Mullaitivu	800
14.12.84	Kokuvil	60
	Panagam	26
	Karaitivu	
	Kokkatticholai	40
	Unnichchai	
16.12.84	Chavakachcheri	300
17.12.84	Thenmaratchy	200
	Batticaloa	40
19.12.84	Jaffna town	2000
21.12.84	Jaffna	20
02.01.85	Alvai, Thikkam	
	Navalady	200
	Inparuddy	
05.01.85	Jaffna town	500
07.01.85	Kuppilan	23
10.01.85	Avarangal	44
18.01.85	Mandur	98
	Batticaloa	
26.01.85	Thuraineelavanai	80
	Batticaloa	
30.01.85	Batticaloa	1000
18.02.85	Batticaloa	57

21.02.85	Mannar	40
28.02.85	Batticaloa Town	35
04.03.85	Mannar	247
07.03.85	Karaveddy	40
11.03.85	Batticaloa	60
24.03.85	Chavakachcheri	30
27.03.85	Addaalachchenai	25
06.04.85	Poonakari	60
	Mullaitivu	
01.05.85	Udappu	500
	Puttlam	
07.05.85	Kaluwanchchikudi	200
24.05.85	Mannampitiya	30
25.05.85	Colombo	200
26.05.85	Batticaloa	30
03.06.85	Thuraineelavanai	50
	Batticaloa	
16.06.85	Trincomalee	300
17.06.85	Arayampathi	94
	Batticaloa	
17.09.85	Nilaveli	97
	Trincomalee	
23.09.85	Poovarasankulam	42
	Mannar	
21.09.85	Vadamunai	86
	Batticaloa	
25.09.85	Batticaloa	100
28.09.85	Trincomalee	45
30.09.85	Trincomalee	2000
01.10.85	Sambaltivu	60
02.10.85	Batticaloa	300
11.10.85	Aarapathai	54
	Batticaloa	

13.10.85	Punnacholai Batticaloa	24
25.10.85	Vavuniya	1000
05.11.85	Batticaloa	200
08.11.85	Trincomalee	70
09.11.85	Paddiruppu	150
10.11.85	Palukamam Batticaloa	80
13.11.85	Muthur	70
14.11.85	Batticaloa	200
15.11.85	Mullaitivu	100
24.11.85	Mullaitivu	300
25.11.85	Potuvil	100
29.11.85	Mandur	200
04.12.85	Palaly Jaffna	40
14.12.85	Batticaloa	40
22.12.85	Akkaraipattu Batticaloa	400
25.12.85	Sinnappoduwa Batticaloa	200
29.12.85	Batticaloa	75
29.12.85	Nilaveli Trincomalee	200
30.12.85	Valaiyeravu Batticaloa	75
05.01.85	Puliyantivu Batticaloa	100
25.01.86	Paddiruppu Batticaloa	167
29.01.86	Batticaloa	100
08.01.86	Batticaloa	70

02.03.86	Periyakadai Trincomalee	75
20.03.86	Batticaloa	75
21.03.86	Kallady Batticaloa	200
29.03.86	Karaitivu Batticaloa	300
08.04.86	Thalavay Batticaloa	40
09.04.86	Pankudahveli Batticaloa	99
06.05.86	Akkaraipattu	60
07.05.86	Vellavelly Batticaloa	50
17.05.86	Colombo	90
03.06.86	Iruthyapuram Batticaloa	40
07.06.86	Kaluvanchikudi Batticaloa	50

N.B : It is extremely difficult to obtain for the number of releases from custody. It is believed that more than 4000 Tamils are yet in custody.

ANNEXURE 7
SHELLING OF TAMIL VILLAGES BY THE NAVY

- 04.08.84 - Navy shelled coastal villages of Valvettithurai and Polikandy. Many houses were damaged, scores of boats were destroyed and thousands were rendered homeless.
- 13.08.84 - Coastal villages were shelled by the Navy.
- 14.08.84 - Navy shelled Mathagal and other coastal villages. Due to shelling and other attacks by the army, 90 shops, 130 houses, 4 cars and 6 fishing boats were destroyed.
- 15.09.84 - Navy shelled coastal villages. As a result, at Kumulamkoodal, Karanavai a pregnant woman named Kalawathy Thangathurai was killed. Eight buildings including a temple were damaged.
- 22.09.84 - Navy shelled Mathagal from the sea and several houses were damaged. Hundreds of people took refuge in other areas.
- 07.10.84 - Jaffna - Due to shelling by navy, the people of Sembianpatru, Thalaiyadi, Uduthurai and Kodukkulai began spending the nights away from the villages.
- 10.10.84 - Jaffna - Villages of Uduthurai and Aaliyavalai were shelled by the navy.
- 30.10.84 - Jaffna - The navy shelled Mathagal. Many buildings, including the Fishermen's Development Society building were damaged.
- 01.11.84 - Jaffna - A lorry worth Rs. 75,000 was damaged as a result of shelling by Navy.
- 04.11.84 - Mathagal and Myliddy were shelled from the sea.
- 04.01.85 - Jaffna and Myliddy were shelled from the sea.
- 08.11.85 - Trincomalee - Kadalkaraichenai was shelled by naval gun boats.

ANNEXURE 8

Destruction of houses, shops temples and crops by the Security forces.

06.08.84 - Jaffna - more than 50 houses, shops and schools were burnt in the town by the security forces.

Vavuniya - Several shops were burnt by the army in the town.

1.08.84 - Mannar - the army burnt 106 shops in Mannar, 22 shops in Murunkan, 15 shops and houses at Manthai junction and 6 shops in Adampan.

13.08.84 - Jaffna - Army burnt 3 shops at Manipay.

Mannar - More shops were burnt at Murunkan by the army.

24.08.84 - Jaffna - Some shops were burnt at Karaveddy by the army.

25.08.84 - Jaffna - 15 houses were burnt by the army at Karanavai.

26.08.84 - Mannar - 20 houses were burnt by security forces at Alampil.

01.09.84 - Jaffna - Many shops were burnt by the security forces at Point Pedro.

Jaffna - Security forces burnt three main buildings, the laboratory and the library of Hartley College.

Jaffna - Houses of fishermen at Thikkam, Sakkottai and Inbarooti were destroyed by security forces.

04.09.84 - Mullaitivu - The army burnt several houses at Mankulam.

06.09.84 - Jaffna - Army burnt the Modern Market and a few shops at Point Pedro.

12.09.84 - Vavuniya - army burnt several houses at Anandankulam.

Vavuniya - Army damaged three shops and a dispensary.

01.10.84 - Vavuniya - Army burnt more houses at Anandankulam.

Vavuniya - Army destroyed the house of Sitrampalam former DDC Chairman.

- 07.10.84 - Jaffna - Army damaged buildings of Hartley College for the second time.
- 19.10.84 - Jaffna - Security forces burnt 6 shops and houses at Sillalai and Mathagal.
- 22.10.84 - Jaffna - Army burnt a houses at Arali North.
- 23.10.84 - Jaffna - Army burnt a house at Mavady, Karainagar.
- 25.10.84 - Jaffna - Army burnt a house at Sandikulam.
- 30.10.84 - Jaffna - Army burnt a house at Mathanai.
- 01.11.84 - Jaffna - Army looted and burnt 25 houses at Atchuvely.
Jaffna - Army looted and burnt 13 houses at Urelu.
Jaffna - Army burnt several houses at Urumpirai.
- 02.11.84 - Jaffna - At Valalai army burnt 36 houses, agricultural implements, a lorry, hundreds of tons of seed onions and other goods.
Jaffna - At Thenmoolai army burnt 26 houses, agricultural implements and furniture and robbed cash and jewellery. They also destroyed a vineyard.
Jaffna - At Atchuvely army looted the Christian Orphanage and damaged the building.
- 03.11.84 - Jaffna - Army damaged a house.
- 04.11.84 - Kilinochchi - Army burnt a house at Karandankulam.
- 06.11.84 - Jaffna - Security forces burnt a few houses at Chandikulam near Karaveddy.
Jaffna - Security forces burnt a house at Natchimar Koviladdy.
- 12.11.84 - Kilinochchi - Army burnt two houses at the Thirunagar old colony and Paravippayanthan.
Nuwara Eliya - Army burnt a shop in the town.
- 13.11.84 - Kilinochchi - Army burnt a shop at Skandapuram.
- 19.11.84 - Jaffna - Army burnt 14 houses at Varuthalaivilan.
Kilinochchi - Army burnt a house at Ramanathapuram.

- 20.11.84 - Jaffna - The police burnt 8 houses at Chavakachcheri after robbing the valuables.
- 29.11.84 - Jaffna - The airforce dropped logs and iron rods from helicopters and damaging houses at Thikkam.
- 01.12.84 - Vavuniya - The airforce fired into villages from helicopters and dropped incendiary bombs in the Nedunkerny area.
- 02.12.84 - Vavuniya - Army burnt 8 houses at Cheddikulam.
- 04.12.84 - Mannar - Army burnt 20 houses and many shops at Uyilankulam.
Vavuniya - Security forces burnt 4 houses at Parayanalankulam.
Jaffna - Many houses in front of the army camp at Valvettiturai were bombed.
- 06.12.84 - Vavuniya - The army burnt the Regional Office of the Ceylon Workers Congress.
- 12.12.84 - Mannar - Army attacked the plantation Tamil settlement at Periyakattu and burnt 30 houses and 10 shops.
- 22.12.84 - Vavuniya - Army burnt 13 houses at Kandasamy Nagar and 15 houses at Periyakattu.
- 23.12.84 - Jaffna - Security forces damaged several houses at Irupalai.
- 24.12.84 - Jaffna - Army damaged or destroyed more houses at Irupalai.
Jaffna - Security forces burnt the Social Service Centre at Nelliady.
- 30.12.84 - Vavuniya - 42 houses were burnt by the army.
- 24.01.85 - Jaffna - Five buildings belonging to the Vallai hospital were blasted with bombs by the army.
- 25.01.85 - Jaffna - Several houses were burnt by army at Paranthan and a Hindu temple was blasted with bombs.
- 30.01.85 - Batticaloa - At Kirankulam the Ayyanar Hindu temple was demolished by the police commandos.
- 31.01.85 - Jaffna - The security forces burnt 45 houses at Point Pedro.

- 06.02.85 - Jaffna - Army burnt several houses near the Gurunagar Army Camp.
- 13.02.85 - Batticaloa - Police Commandos burnt 22 houses at Vellaveli. They also burnt paddy in the fields.
- 21.02.85 - Mannar - 6 houses were burnt by the army.
- 25.02.85 - Batticaloa - Army burnt houses and shops at Kiran.
- 01.03.85 - Killinochchi - Army burnt 9 shops, destroyed 15 houses and damaged a Hindu temple.
- Jaffna - Security forces burnt 8 houses at Navalay.
- 02.03.85 - Batticaloa - Army burnt several houses at Chittandi.
- 03.03.85 - Batticaloa - Police burnt houses adjoining Vellaveli Police Station.
- 05.03.85 - Batticaloa - At Vantharumoolai and Kommadurai 90 houses were burnt by the army.
- 09.03.85 - Batticaloa - Police Commandos burnt stacks of paddy at Kadukkamunai.
- 17.03.85 - Batticaloa - Stacks of paddy at several villages were burnt by security forces.
- 20.03.85 - Trincomalee - 130 houses at Thennaimaravadi were demolished by the army.
- 29.03.85 - Batticaloa - At Thuraineelavanai security forces burnt a few houses.
- 04.04.85 - Batticaloa - Police Commandos set fire to houses at Pankudaveli.
- 04.04.85 - Batticaloa - Police Commandos burnt 60 houses at Chenkaladi.
- 06.04.85 - Batticaloa - Police Commandos burnt houses and stacks of paddy at Aythiyamalai.

12.04.85

to

25.04.85 - Batticaloa - More than 3500 houses and shops were burnt by mobs led by police commandos at Mallikaikadu, Karaitivu, Akkaraipattu, Eravur, Oddumavady, Manchanthoduvai, Nochchimunai and Navatkuda.

02.05.85 - Batticaloa - At Navatkudah junction security forces burnt a few houses.

02.05.85 - Batticaloa - Police Commandos burnt a house at Karaveddy.

09.05.85 - Jaffna - Security Forces burnt 17 houses at Udupiddy, Polikandy, Thikkam and Urikadu.

11.05.85 - Batticaloa - Police Comandos burnt many houses at Kurinchimunai.

30.05.85 - Trinco - Security forces and Home Guards burnt 40 houses at Poonagar and 60 houses at Mankamam and Thangaveli.

03.06.85

to

06.06.85 - Trinco - Eleven entire villages were burnt by security forces and home guards and scores of villages were attacked. 3500 houses were destroyed and about 200 Tamils were killed; 25000 Tamils were refugees.

15.06.85 - Jaffna - Security Forces demolished two houses in Gurunagar.

10.08.85 - Vavuniya - Army burnt over 90 shops in the town.

23.08.85 - Batticaloa - The police commandos burnt 350 houses at Vanthraumoolai.

04.09.85 - Trinco - Home Guards burnt several houses at Linganagar.

Vavuniya - villages were attacked from helicopters and houses were set ablaze at Veeranagar.

08.09.85 - Trinco - Armed forces set fire to 20 houses at Murugapuri.

16.09.85 - Trinco - Six tanks and 12 armoured cars surrounded Nilaveli and destroyed many houses (several were killed).

- 19.09.85 - Mannar - Security forces destroyed a Hindu temple and 4 shops at Pampaimadu.
- 26.09.85 - Batticaloa - At Navatkuda the security forces burnt 40 houses, a market and 6 shops.
- 08.11.85 - Trincomalee - 40 houses were burnt by security forces.
- 25.11.85 - Vellavelly - 30 houses were set on fire by the forces.
- 24.01.86 - Jaffna - Air Force helicopters damaged 16 houses and a bus at Thellipalai.
- 25.01.86 - Jaffna - 12 houses were damaged in air attacks.
- 18.04.86 - Trincomalee - 60 houses were burnt by security forces at Selvanayagapuram.
- 26.05.86 - Batticaloa - At Vadamunai 20 houses were destroyed by security forces.
- 18.05.86 - Ambalanthurai - Security forces burnt 34 houses and demolished a Hindu temple.
- 19.05.86 - Jaffna - Bombs were dropped from aeroplanes. Several shops and houses were damaged.
- 22.05.86 - Batticaloa - At Pullumalai 217 houses were set on fire.

N.B: The particulars of houses, shops and other property destroyed by the security forces in the case of some of the incidents are yet to be received by us.

ANNEXURE 9

TORTURE METHODS OF THE SRI LANKAN SECURITY FORCES

Beating, mainly on the buttocks, with plastic pipes filled with concrete.

Hanging by the feet over a chillie fire.

Hanging by the feet over a chillie fire with the head covered with a sac.

Pushing pins down finger nails and toe nails.

Burning with lighted cigarettes all parts of the body including the tongue.

Slitting the skin and packing with chillie powder.

Slitting the skin and pouring salt water.

Thrusting a live python into the mouth.

Forcing to carry corpses.

Inserting spikes into the body.

Applying chillie powder to sensitive parts of the body.

Beating with gun butts, iron rods and batons.

Hanging by the feet and beating

Keeping in the nude splashing with water and exposing to the cold.

Keeping without food for many days and giving salt water to drink.

Keeping without food for many days and giving rice mixed with small stones.

After assaulting severely and causing injury, pouring water on the ground and forcing to lie on it.

Hanging by the feet for many hours.

Keeping with handcuffs throughout the night.

Not allowing to sleep throughout the night by flashing powerful light on to the face.

Keeping in the nude for many days.

Forcing to kneel down on hot sand for many hours.

If detainee faints after severe assault, reviving him by pouring water and then begin assaulting again.

Forcing to sleep in a room where there are corpses.

Forcing to lie down on hot tin sheets.

Inserting thin needle-like wires into the urethra.

Inserting iron rods applied with chillie paste into the rectum.

Pulling out pubic hair with pliers.

Injecting chemicals of unknown composition.

Forcing to swim in sand in the nude.

Forcing to drink human blood.

Forcing to drink urine.

Forcing to drink water from the commode.

Sources: Reports of Amnesty International
6.7.83, ASA 37/03/84, 1.6.84, 9.1.85, 24.5.85.

Amnesty International Newsletter - October 1985

Amnesty International Report 1985

Sri Lanka - A Nation Dividing - Report by Robert Kilroy Silk and Roger Sims MP – House of
Commons

Affidavits by victims.

MAP 7
SURVEILLANCE ZONE

The boundary of the Surveillance Zone extends from Chundikulam to Talaimannar at a distance of five miles from the shoreline measured along the North-Eastern and Northern coast and West coast of Delft Island direct to a point five miles West from Talaimannar shore and defined by the latitude and longitude set out below :

F 1 - 09°33'.0N 80°38'.25E	F 7 - 09°50'.0N 79°49'.0E
F 2 - 09°53'.5N 80°18'.5E	F 8 - 09°44'.0N 79°42'.7E
F 3 - 09°54'.6N 80°16'.6E	F 9 - 09°35'.5N 79°34'.6E
F 4 - 09°54'.7N 80°08'.7E	F 10 - 09°29'.8N 79°34'.5E
F 5 - 09°54'.2N 80°02'.5E	F 11 - 09°04'.2N 79°37'.2E
F 6 - 09°52'.7N 79°55'.SE	

TERRITORIAL ZONE

The Territorial Zone comprises of the area between the outer boundary of the Surveillance Zone and the corresponding Indo-Sri Lanka Maritime Boundary and the outer limit of the Territorial Sea defined by the latitude and longitude set out below :-

Position lbh :	- 09°38'	7	North 80°42'	4	East
Position lbg :	- 09°49'	3	North 80°29'	2	East
Position lbf :	- 09°51'	2	North 80°27'	6	East
Position lbe :	- 09°54'	4	North 80°26'	3	East
Position lbd :	- 09°57'	5	North 80°24'	1	East
Position lbc :	- 10°11'	1	North 80°13'	4	East
Position lbb :	- 10°08''	4	North 80°09'	5	East
Position lba :	- 10°05'	8	North 80°05'	0	East
Position 1 :	- 10°05''		North 80°03'		East
Position 2 :	- 09°57'		North 79°35'		East
Position 3 :	- 09°40'	15	North 79°22.60		East
Position 4 :	- 09°21'	80	North 79°30.70		East
Position 5 :	- 09°13'		North 79°32'		East
Position 6 :	- 09°06'		North 79°32'		East

-*-

- 1 No person can enter the Surveillance Zone in any boat or vessel or in any other manner or remain within the zone.
- 2 No person can enter the Territorial Zone in any boat or vessel or in any other manner or remain within the zone, except with the written authority under the hand of the Commander of the Sri Lanka Navy or any person authorized by him.
- 3 No person within the Surveillance Zone or the districts of Jaffna, Kilinochchi, Mannar and Mullaitivu, can be in possession of or use an outboard motor, the horsepower of which is in excess of 15.

MAP 8

AREAS COMPRISING THE PROHIBITED ZONE

All that area within a limit of one hundred metres landwards of the mean high water line, and a limit of five miles seawards, of the mean low water line extending from Kokkilai to Kudremalai Point along the East, North-Eastern and Northern Coasts and Westwards of Delft islands to a point five miles West from Talaimannar shore and extending Southwards along the West of Kudremalai Point.

- 2 The Waters of the Jaffna Lagoon.
- 3 The Roadway covering a distance of 25.20 miles from Punnalai to Point Pedro.

-*-

- No person can enter or remain within the Prohibited Zone for any purpose whatsoever except with the written authority of the Competent Authority.

- A person who is permanently resident in any of the following islands has access to the mainland only between 6 am and 8.30 pm and from the mainland back to the islands between 2pm and 4 pm:

- 1 Eluvaitivu
- 2 Analaitivu
- 3 Nainativu
- 4 Delft
- 5 Palaitivu
- 6 Iranaitivu

(Gazette Extraordinary 332/23 of 18.1.1985 18.1.1985)

Prohibited Zone

Regulation 4A (Gazette No. 341/35 of 18.3.85) permits limited fishing. The conditions are as follows:

- 1 Fishing allowed only from 4am to 4pm.
- 2 Fishing crafts can set out to sea only between 4am and 5am.
- 3 Maximum aggregate horse power of the outboard motors can only be 15.
- 4 Maximum number of fishermen:
 - (a) boats with outboard motors - 3 persons.
 - (b) mechanised vallams -4 persons.

THIRD SCHEDULE

Area A

(i) Sea area bounded by a line joining Kudremalai Pt., Northern tip of Karaitivu Island, Nadukkuda and the coast line of Mannar District passing through Arippu, Silavathurai to Kudremalai Pt.

(ii) A corridor of 1 n.m. extending southwards from the southern coastline of Mannar Island extending from the western extremity of Mannar Island to Nadukkuda.

'Area B

(i) Sea area bounded by a line joining Pesalai, Kakerativu Island beacon, Punkudutivu Island Light House and the coastlines of Jaffna, 'Kilinochchi and Mannar districts passing Kalmunai Pt., Devil's Pt. and Vidattativu to Pesalai.

(ii) A corridor of 1 n.m. extending northwards from the northern coastline of Mannar Island from the western extremity of Mannar Island to Pesalai.

Area C

Sea area extending approximately 3 n.m from the coastline between Mullaitivu Light House and Kokkilai lagoon mouth.

(Gazette Extraordinary No. 341/35 - 18 March.1985).

MAP 10

Jaffna Security Zone

The Jaffna Security Zone extends to a radius of 1000 metres from the Jaffna Fort which houses the army camp (similar zones have been established around all the camps of the security forces in the North) The following lie within the Zone among other buildings and institutions :

8 hospitals (including the Jaffna General Hospital)
9 schools
Municipal Council secretariat
Central bus stand
Temples and churches
2120 shops
2681 houses
Co operative Office
Post Office
Telecommunication Office
Markets
Public library
Regional Transport Board
Railway Station
Main branches of the banks
Most of the offices of the government departments
High Court Magistrate Court and District Court

52 000 civilians are affected as a result of restrictions on movement of civilians into and out of the zone The security forces are empowered to take any action within the zone including firing from the Fort into the buildings

Territorial Zone

Area comprising the Territorial Zone :

All that sea area comprising the territorial sea of Sri Lanka from Point Pedro 09 49.6'N. 80 15 E to Komari 06 50'N. 81 51.8 E as defined by the following co-ordinates.

09 49.6'N	80 15'E	09 49.6'N	80 27.1'E
06 59'N	81 51.8'E	06 59'N	82 03.8'E

Sea areas approved for fishing between Point Pedro to Komari :

Area A - An area extending 03 miles to Sea between St. Mary's Church Kudarppu village and St. Anthony's Church Maruthan Kemi.

Area B - An area extending 03 miles to sea and covering from Mullaitivu Light House Southward up to the villages of Kallarawa and Tiriyai.

Area C - An area extending 03 miles to sea and covering from Elizabeth Point (Challi and Sempaddu villages) to Foul Point (Kevuliya Light House) including the approaches to Trincomalee Harbour. Backy Bay, Dutch Bay, Koddigar Bay etc. within these limits.

Area D - An area extending 03 miles to sea and covering from Panichchankerni Thallitivu to Periya Wattavan village in Vendeloos Bay.

Area E - An area extending 03 miles to sea and covering from Kallar Southwards to Kalmunai and Karaivaku villages.

Area F - An area extending 03 miles to sea from Palamunai and Panayaddipiddy villages Southwards upto Akkaraipattu town.

"NO GO" ZONES

Seventy two forest reserves were declared "NO GO" Zones by the Sri Lankan government on 16 October 1985 under emergency regulations. The prohibited areas comprise 38 forests, 20 sanctuaries and 14 national parks. The important reserves in the Northern and Eastern Provinces are shown in Map 12. The prohibited areas lie in 13 districts and the following have been appointed as Competent Authorities relating to the areas in the Northern and Eastern Provinces :

Jaffna	- Brigadier H. Wanasinghe
Vavuniya	- Brigadier S.M.A Jayewardene
Mullaitivu	- Lt. Col. C.L.Algama
Mannar	- Lt. Col. N.G.A.L.C.de.S. Wijesekera
Kilinochchi	- Major T. Tillekaratne
Trincomalee	- Naval Capt. J.Jayasuriya
Batticaloa	- Superintendent of Police T.A.Pakeer
Amparai	- Lt. Col. N.C.M.M.Wickramaratne

ANNEXURE 11

Examples of Commandeering by security forces, ejection of civilians and other restrictions.

- 02.06.84 - Jaffna - The Gurunagar Housing scheme building was taken over to establish an army camp.
- 13.06.84 - Trinco - The Dockyard Gymnasium was taken over by the army.
- 10.08.84 - Jaffna - Rani Theatre was taken over by the army.
- 14.08.84 - Mullaitivu - Three schools were taken over by the army.
- 07.10.84 - Batticaloa - Police began issuing special identity cards for persons between the ages of 14 and 35.
- 06.12.84 - Jaffna - More the 100 families in the vicinity of the Gurunagar army camp were ordered to leave the area.
- 21.12.84 - Mullaitivu - Army ordered 10,000 Tamils from Kokkilai, Nayaru Kumulamunai Ambil and Semmalai to leave the areas.
- 16.01.85 - Jaffna - People of Jaffna were ordered that they could use only the Perumal Kovil Road to go into Jaffna town from other places.
- 03.03.85 - The houses adjoining the Vellaveli police station were burnt.
- 13.03.85 - Jaffna - The parapet walls and trees in front of the houses at Kadduvan in Jaffna were ordered to be removed by security forces.
- 14.03.85 - Jaffna - 85 remaining families near the army camp at Gurunagar were ejected.
- 21.08.85 - Batticaloa - All residents living within 500 metres of the Air force camp were ordered to leave. Within this area there are 223 houses, 2 schools and 3 temples.
- 27.08.85 - Vavuniya - at Thetku Iluppaikulam 200 families were forcibly evacuated by security forces.
- 02.09.85 - Batticaloa - 300 families living near the Batticaloa airport were asked to leave.
- 18.09.85 - Vavuniya -400 acres around the airport were taken over by the forces and residents driven out.

INDEX

Acquisition of arms, 32, 44, 49
Administrative districts. 1, 5
Air attacks, 17, 34, 51
Air force, 15, 27, 28, 31, 42, 43, 65,-67
Amnesty International, 14, 16
Anti-Tamil riots, 9, 10
Arms export, 33
Arrest, 11, 14, 17, 29, 36, 48, 49, 50, 51, 68-72
Arson, 16, 29, 37, 50, 51
Asia and Pacific Army Commanders' meeting, 20
Assault, 30
Assistant Superintendent of Police, 18
Association of South East Asian Nations, 19, 20
Australian Council for Overseas Aid, 26
Australian Senate, 15

Bangla Deash, 32
Banning of newspapers, 47, 50
Bombing of civilian targets, 28, 51
Buddhism, 10, 49,
Budget deficit, 21
Business Undertakings Acquisition Act, 46

Cadet services, 27
Ceylon Workers Congress, 10
Chief Justice, 12
China, Republic of, 41, 43
Civil Rights Movement of Sri Lanka, 28
Commandeering by security forces, 31, 94
Commando training, 27, 29
Commission on Human Rights, 17, 34
Communication satellites, 40
Communist Party, 9
Conscription, 28
Constituent Assembly, 10
Constitution, 10, 11, 12, 52-55
Consultative Assembly of the Council of Europe, 28
Convention on Elimination of All Forms of Racial Discrimination, 11
Convention of Prevention and Punishment of the Crime of Genocide, 11
Convention of Suppression and Punishment of the Crime of Apartheid, 11
Convention of Transfer of Inhumane Weapons, 33
Court of Appeal, 12
Criminal Procedure Code, 18
Croel, inhuman and degrading punishment, 11
Curfew, 36

Death in custody, 14, 18
Decitizenising, 9
Defence agreements, 32
Defence Appropriation Committee, 39
Demilitarisation, 19
Democracy, 20, 32, 48, 50
Denuclearisation, 19
Department of Trade, 33
Destruction of
 crops, 50
 places of worship, 51
 property, 16, 29, 37, 42, 50, 51, 74-79
Detention, 11, 14, 15, 17, 29, 36, 37, 38, 48, 49, 50
Development Councils Act, 51
Diego Garcia, 12, 19
Disappearance, 17, 30, 51
Discrimination, 10, 11, 51
Disenfranchisement, 9
Disposal of dead bodies, 18
Dutch, 9

Eelam People's Revolutionary Liberation Front, 10
Eelam Revolutionary Organisers, 10
Emergency, 49
Emergency (Military Training Centres) Regulations, 28
Emergency regulations, 18, 35, 37, 46
Equality before the law, 11
European Parliament, 16
Evidence, 17, 37
Evidence Ordinance, 17
Executive President, 10
Extension of the life of Parliament, 10, 50
Extra-judicial killings, 14, 15, 16, 17, 29, 30, 31, 37, 42, 49, 51

Federal Party, 9
Firing Ranges and Military Training Act, 28
Firing Ranges Regulations, 28
Foreign aid, 21, 49
Foreign and Commonwealth office, 33
Foreign financing, 21
Foreign journalists, 48
Foreign mercenaries, 34, 51
Foreign policy, 19
Freedoms
 assembly, 11
 association, 11
 movement, 11, 18
 occupation, 11
 speech and expression, 11, 12, 35, 46-48
 thought, conscience and religion, 11
Fundamental rights and freedoms, 11, 12, 13, 48, 51

Gaza Strip, 38
General elections, 9, 10, 35, 50
Grant of citizenship rights, 51
Great Britain, 1, 9, 32-34, 39, 40, 44

Harassment of reporters, 47
High Court, 12, 17, 18
History, 9
Home Guards, 29, 38, 50, 51, 59-62
House of Lords, 15
Human rights, 11, 14, 16, 33, 43
Human Rights Committee, 11
Human rights organisations, 14, 17

Identity cards, 38
India, 1, 3, 10, 17, 18, 19
India Ocean Peace Zone 19, 56-58
Indo - Ceylon Agreement, 9
Inhuman and degrading treatment, 13
Injury, 42
Inspector General of Police, 12, 18
International Covenant on Economic, Social and Cultural Rights, 11
International Covenant on Civil and Political Rights, 11, 52-55
International Red Cross, 48
International Women's Day, 13
Iruthayapuram massacre, 30
Israeli Interests Section, 35, 36
Italy, 45

Jaffna kingdom, 9
Janatha Vimukthi Peramuna, 14, 27
Judiciary, 12
Jury, 17

Kandyan kingdom, 9
Kini Meeni Services, 29, 33
Kotte kingdom, 9

Lankapuvath, 47
Lanka Sama Samaja Party, 9
Liberation Tiger of Tamil Eelam, 10

Magistrate, 18
Mahajana Eksath Peramuna, 9

Manpower Utilisaton Unit, 21, 27
Mauritius, 19
Media
 International, 14
 Sri Lankan, 46-48, 49
Militant guoups, 10
Militarisation, 19, 21, 25, 49, 51
Military assistance, 32, 35, 39, 42, 43
Military camps, 14, 31, 38, 51, 65, 67
Military equipment, 32, 33, 34, 44
Military expenditure, 21-26, 49
Military facilities, 19, 40
Military orders, 37
Military training, 21, 25, 27, 28, 32, 35, 36, 42, 49
Military training centres, 27, 28
Military solution, 25, 49
Military of Defence (UK), 33
Military of Youth Affairs and Employment, 21, 27
Military rights, 10
Mobilisation of Supplementary Forces Act, 28
MOSSAD, 36
Muslims, 1, 35
My Lai massacre, 16

National Armed Reserve, 28
National Auxiliary Force, 30
National Defence Fund, 25, 26
National Defence Fund Act, 25
National ecomony, 11
National security, 11
Navy, 17, 31, 37, 39, 42, 44, 65-67
'No Go' zones, 18, 37, 92-93
Non-alignment, 19
Northern and Eastern provinces, 1, 6, 18, 29, 31, 48, 50
Nuclear submarines, 40

Official language, 10
 Optional Protocol, 11

Pakistan, 32, 41, 42, 44
Palestinians, 35, 38
Parliament, 9, 21, 25, 28, 30, 33, 36, 40, 46, 50
Parliamentary (Powers and Privileges) Act, 46
People's Liberation Organisation of Thamil Eelam, 10
Phillippine army, 20
Political consequences, 49
Population, 1, 8
Portuguese, 9
Presidential election, 10
President's Fund, 26

Press Censorship, 25, 46
Press Council Law, 46
Press Trust of India, 47
Presumption of innocence, 11
Prevention of Terrorism Act, 14, 17, 37, 38, 46
Problem of information, 48
Prohibited Zone, 18, 37, 84-87
Provinces, 1, 4

Radio and television, 47
Rape, 29, 30, 42, 51
Ratification and accession, 11
Referendum, 10, 12, 50
Refoulement, 16
Refugees, 15, 18, 31, 37, 51
Repressive laws, 17
Restoration of civic rights, 5551
Retroactive law, 11, 17
Rights of arrested persons, 11
Robbery, 51
Rule of law, 18

Sale of fuel, 37
Search, 17, 37, 38
Security Assistance Programme, 39
Security forces, 10, 14, 15, 16, 18, 21, 27, 29, 31, 36, 38, 49, 50, 51
Security of Commercial and industrial establishments, 25
Security Zone, 18, 31, 37, 88-89
Self determination, 51
Shelling, 37, 73
Shin Beth, 36
Singapore, 41
Sinhala language, 1, 10
Sinhala only Act, 9
Soulbury Constitution, 10
South Africa, 44
South African Terrorism Act, 17
South Asian Association for Regional Co-operation, 42
Soviet Union, 25, 32
Special Air Services, 29, 33
Special Task Force, 16, 29, 48, 63-64
Spraying of chemicals, 51
Sri Lanka Freedom Party, 9, 14, 35, 50
Sri Lanka Transport Board, 13
Supplementary estimates, 21
Supreme Court, 12, 13, 48
Surveillance Zone, 18, 37, 82-83

Tamil Congress, 9
Thamil Eelam, 10
Thamil Eelam Liberation Organisation, 10
Tamil language, 1
Tamil Language (Special Provisions) Act, 51
Tamil United Front, 10
Tamil United Liberation Front, 10
Technological innovation, 25
Telephone link, disconnection of, 48
Territorial Zone, 18, 82-83, 90-91
Thambiluvil massacre, 15, 16, 29, 48
Thimpu Talks, 10
Torture, 11, 14, 15, 17, 30, 33, 37, 49, 51, 80-81
Trincomalee harbour, 39, 40
Trincomalee military base, 32
Trincomalee Tank Development Project, 39, 40
Two-thirds majority, 10, 28, 50

UN High Commissioner for Refugees, 16
United Front, 9
United National Party, 9, 19, 35, 50
United Nations, 11, 19, 25, 32
United States, 12, 19, 25, 32, 33, 35, 39-41, 44
Universal Declaration of Human Rights, 11, 52-55
US Army Western Command, 20

Voice of America, 40
Voice of Clergy, 12
Viplavakari Lanka Sama Samaja Party, 9
Visa requirements, 36

West Band, 36, 37, 38
Working Group on Enforced or Involuntary Disappearances, 17