

# **Chapter 1**

## **Human Rights Violations during the CFA period**

### **1.1 Introduction**

The CFA signed by the Sri Lankan Government (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE) on February 24, 2002 (D-day) contains the essential elements to bring normalcy to the lives of people in NorthEast affected by two decades of war that destroyed their social and economic infrastructure. Some key points of CFA specifically intended to create normalcy are,

- Clause 1.8 Tamil paramilitary groups shall be disarmed by the GoSL by D-day + 30 at the latest. The GoSL shall offer to integrate individuals in these units under the command and disciplinary structure of the GoSL armed forces for service away from the Northeastern Province.
- Clause 2.1 The Parties shall in accordance with international law abstain from hostile acts against the civilian population.
- Clause 2.2 & 2.3 & 2.4 Public buildings occupied by either party shall be vacated by D-day + 30 and returned to their intended use.
- Clause 2.5 Parties shall review the security measures and the set up of checkpoints, particularly in densely populated areas in order to introduce systems that will prevent harassment of civilians. Such systems shall be in place from D-day + 60.
- Clause 2.12 The Parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place as of D-day + 90.

The full implementation of these key elements of CFA is essential for improving the human rights situation in NorthEast. LTTE has been repeating this message for almost four years. Tragically, the four year history of CFA is an indictment on the GoSL for failing to implement the above key clauses of CFA.

After the previous Sri Lankan governments ignored these clauses for almost four years, the new GoSL under the new Sri Lankan President, Mahinda Rajapakse, has gone far in reverse gear with regards to the implementation of CFA and bringing normalcy to the lives of civilians. So much so, that the current situation in the NorthEast can only be described as “terrorizing the people”. Disappearances and arbitrary killings have become almost a daily occurrence. The terror in the hearts of people is so pervasive that, when the Sri Lankan armed forces (SLAFs) and the paramilitaries unleash its terror, even the friends and neighbours are too frightened to come to the aid the victims of this terror.

Since the new Sri Lankan President Rajapakse took office, 109 civilians were arbitrarily killed by the Sri Lankan military with assistance from the paramilitaries. More than 48 civilians have disappeared after being either arrested by the SLAFs or abducted by the SLAFs. Terrorized people have started to displace to areas administered by us, the LTTE, as shown in the map.

The rest of this document gives a break down on the more serious human rights violations of right to life and right to security of person during the four years of CFA. In addition this document highlights some of the major thematic areas of human rights that have been violated. These include the plight of the fishing community, child rights, freedom of media, and the militarisation of civilian spaces.

Statistics show number of:

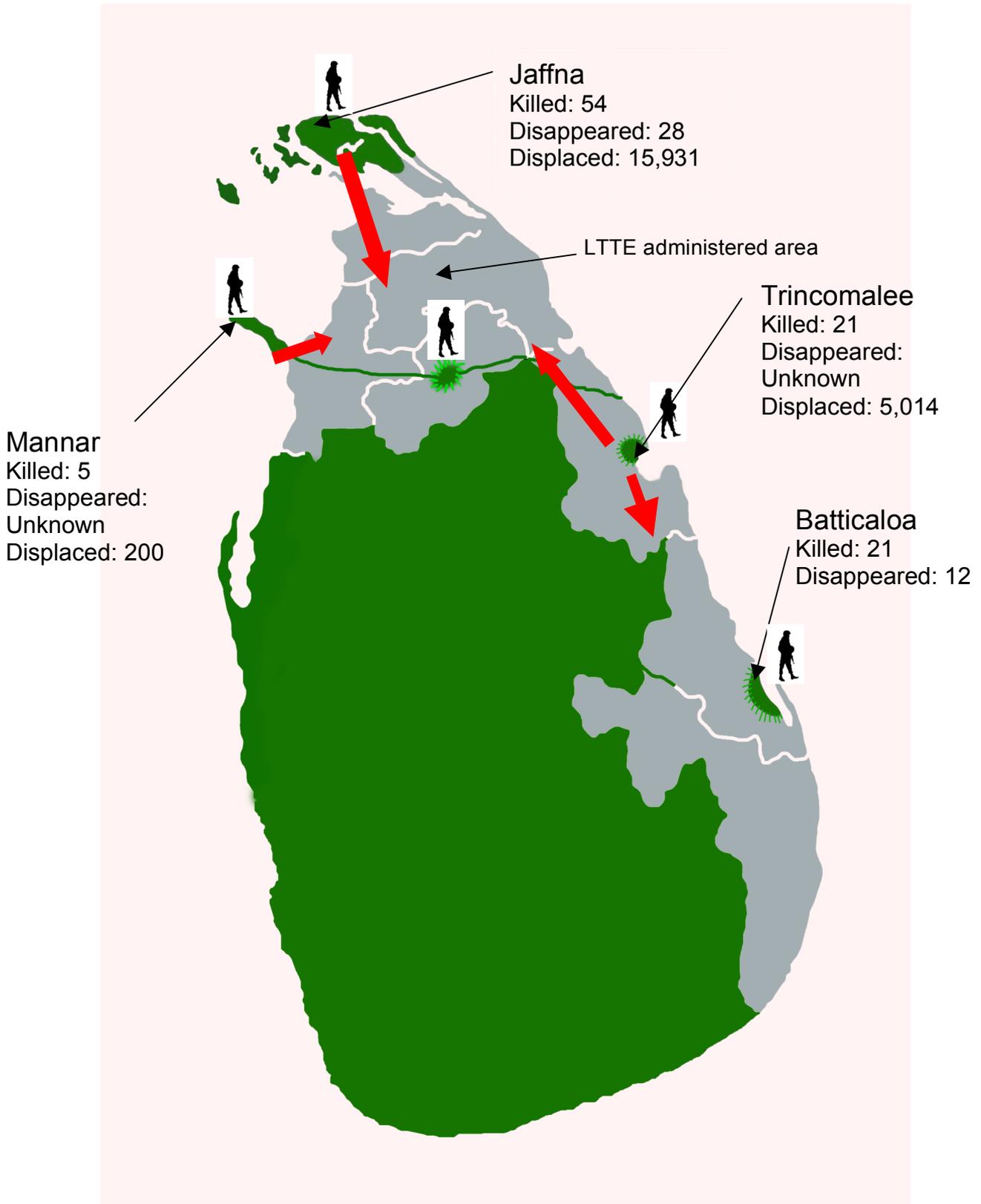
- Civilian killings and disappearances since Mahinda government took office until 3 Feb 2006
- Displaced people since Mahinda government took office until 22 Jan 2006



Movement of displaced people to LTTE administered area



Presence of Sri Lankan military in Northeast



## 1.2 Civilians killed and injured by Sri Lankan armed forces and its paramilitaries during the CFA period

*Right to life and right to security of person - UDHR*

Violations on right to life and right to security of persons in Northeast continued during the CFA period. In order to improve the understanding of the context in which these have occurred these violations are separated into several themes. The major theme used for clarification is the separation of the CFA period into two parts. These are, the period prior to 20 November 2005 and the period from then until 10 February 2006. This separation of the CFA period is justified by the sharp increase in the violence from the specified date of 20 November 2005. Data is further classified as follows.

1. There are several instances of attacks by both SLAFs and its paramilitaries on civilian gathering. Several civilians were injured in each of these attacks. Precise number of civilians injured in these attacks is not readily available. These are therefore, presented separately as incident reports in 2.1 covering the entire CFA period.
2. Data on the fishermen affected by the violence is presented separately in Section 3 covering the entire CFA period.
3. Remainder of the data on the number of civilians affected during the CFA period prior to 20 November 2005 is presented as Graphs. This data includes data on the number civilians killed as well as the number of civilians injured, for which data is available. These are presented in Graphs 1 & 2. *A more detailed description of the paramilitary phenomenon is given in Chapter 4.*
4. The second CFA period that is the last three months of the CFA period can only be referred to as a “period of terror”. Deaths and disappearances in this period are presented in graph form.
5. Deaths and injuries caused to members of LTTE during the CFA period is given in Table form.

### 1.2.1 Attacks on civilian gathering

#### By SLAFs

During the period of the CFA until 20 November 2005, attacks on groups of civilians by the SLAFs most frequently occurred when civilians were protesting unwarranted or excessive actions by the SLAFs. Many of the attacks on public demonstrations, some of which objected the opening of new checkpoints or army camps or previous assault of civilians or LTTE members, resulted in several civilian injuries. The incidents that are listed below show the type of attacks on groups of civilians that occurred during this time period.

In May 2002 several civilians, including a 12 year old student, were injured when SLAFs opened fire on a crowd who were holding a **public demonstration** in Batticaloa. Civilians were protesting an SLAFs assault of a member of the LTTE.

In July 2002 the SLAFs and police assaulted more than 20 civilians in Nanattan, Mannar. More 600 **civilians were protesting** and demanding that the SLAFs camp in the area should be removed immediately.

In October 2002 five civilians were killed and 15 were wounded when SLAFs opened fire on a **public protest** in Batticaloa. Civilians were protesting the assault of two members of the LTTE.

In May 2005 the SLAFs opened fire on a crowd of civilians, killing one civilian and wounding at least 15 civilians in Batticaloa. **Civilians were protesting** new SLAFs checkpoints set up near a school in Santhivel in Batticaloa.

In November 2005 six civilians were injured when SLAFs opened fire on a crowd of people in Vavuniya. SLAFs troops fired directly into the crowd of people who were gathered where earlier in the day the Tamil Eelam flag had been raised.

Since 20 November 2005 with the sharp increase in violence there was a corresponding decrease of civilian protests in GOSL controlled areas. The escalation of violence during this period that instilled terror in civilian life made people avoid doing any activities in public, let alone holding public demonstrations. One striking incident involving an attack on a public demonstration that occurred during this period was the Jaffna University community's protest against the rape and murder of Tharshini Ilaiyathambi. On 18 December 2005 SLAFs fired at the protestors. Thirty-five people including students, lecturers, the Vice Chancellor and a Member of Parliament were beaten by SLAFs.

### **By Paramilitaries**

In January 2005 three people were killed and 38 people were injured in a grenade attack on a tsunami funeral house in Batticaloa. Several people were gathered to attend a funeral of tsunami victims. An eight year old boy was among the three people who were killed. The attackers came in a three-wheeler and threw two hand grenades at the funeral house.

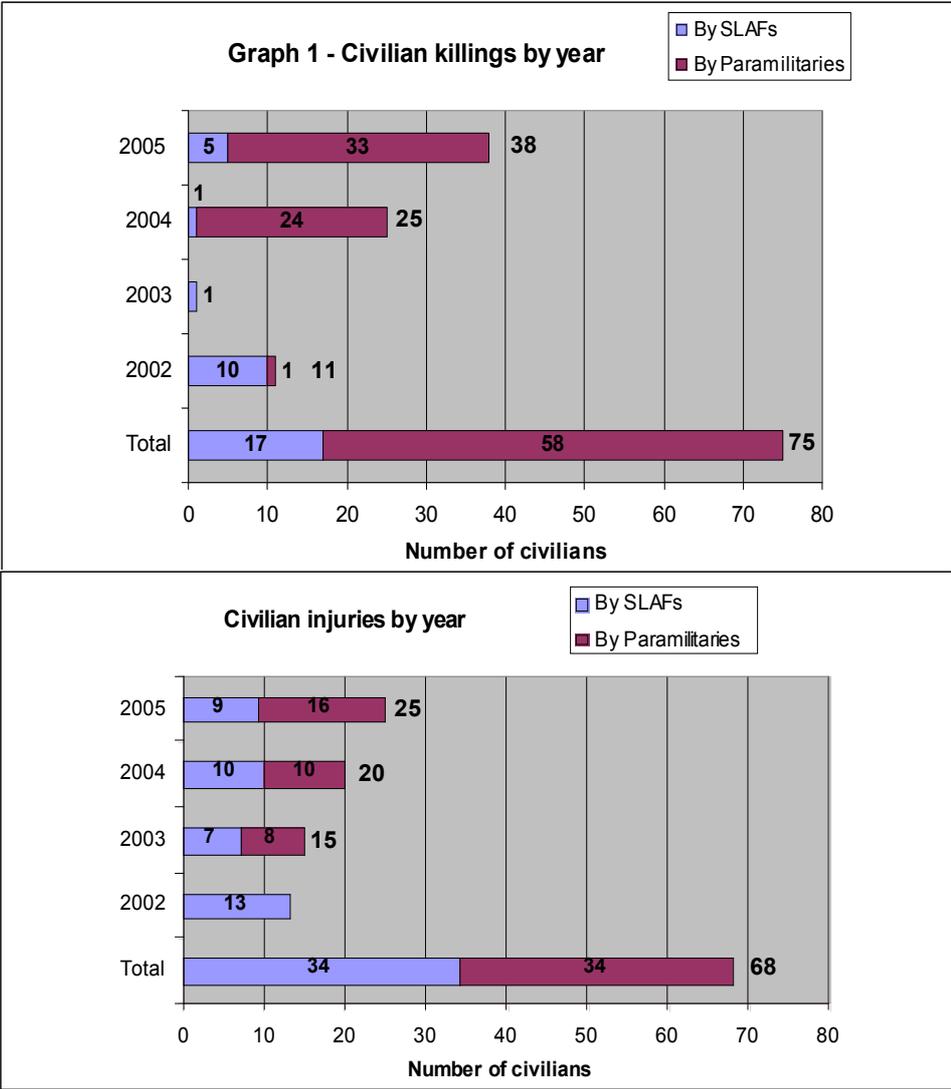
In June 2005 16 civilians were injured when attackers from a paramilitary group lobbed a grenade at the funeral of a former LTTE cadre, who was shot and killed on by unidentified gunmen in Sorivil in Polannaruwa district, Batticaloa.

## **1.2.2 Statistics on number of civilians killed and injured until 20 Nov 2005**

SLAFs has continued to use fire power against civilians even during the CFA period. Graph 1 on yearly deaths clearly shows this. Paramilitary violence was minimal in 2002 and 2003 which was the period when the six rounds of talks was taking place. With the dissolution of parliament in this period and new government paramilitary violence started to increase sharply from 2004 onwards.

**2002:** In 2002, SLAFs opened fire on two public demonstrations on two different dates. Ten civilians were killed as a result. The people were protesting against SLAFs attacks on LTTE members. The first incident took place in October 2002 when SLAFs shot dead seven protesters in Kanchirankuda in Amparai. Further 25 civilians were injured. The second protest which was held to protest this killing was also shot at and three protesters were killed. In a

separate incident a youth was found shot dead in the paddy fields near the FDL of the SLAFs in Eluthumadduval which is also a High Security Zone (HSZ).



**2003:** In 2003, one civilian was killed by SLAFs fire from an SLAFs base in Trincomalee. This occurred just a few days after serious Tamil-Muslim clash in Muttur in Trincomalee in which one Tamil and one Muslim was killed.

Injuries to civilians were caused in February 2003, when SLAFs attacked civilians and female LTTE members at Manipay junction when the LTTE members refused to remove their belt, always worn by them, as ordered by SLAFs.

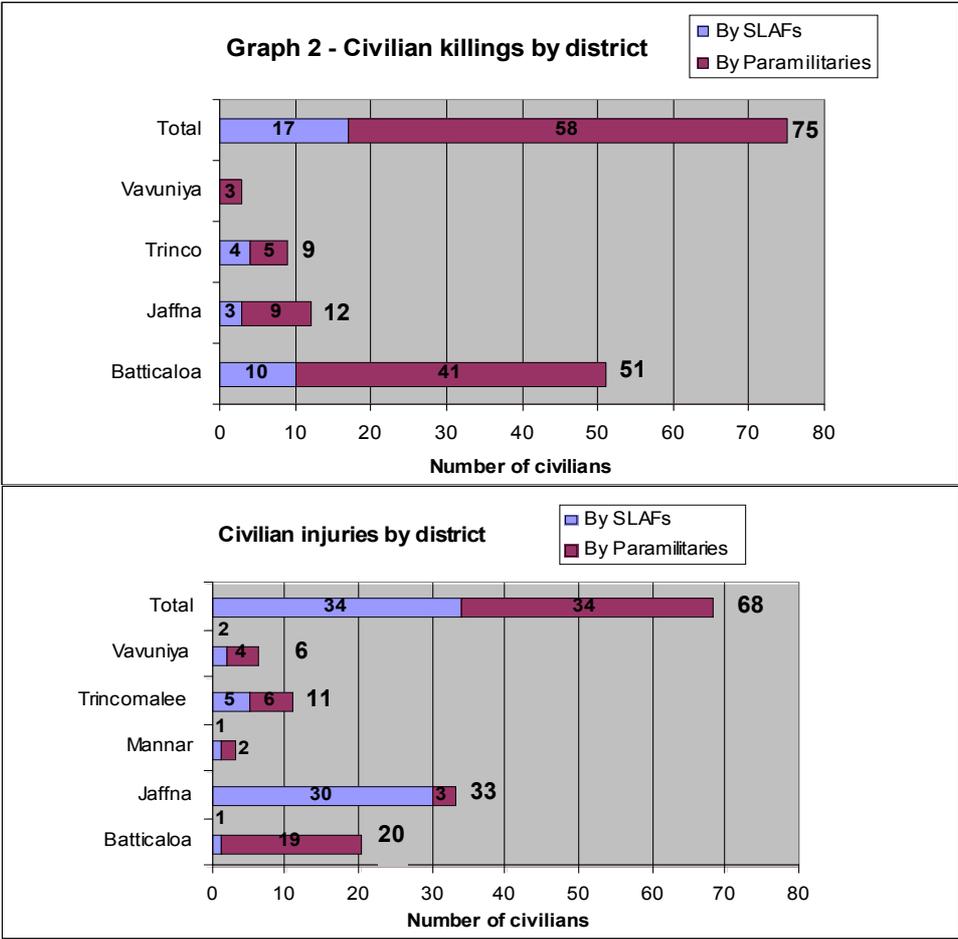
**2004:** In February 2004, Sri Lankan police shot dead Sivakumar in Vadamaradchi for failing to heed a stop order from the police. One fisherman was killed in the sea by the Sri Lanka Navy (SLN) in March.

In February 2004 two civilians in Manipay were assaulted and injured. In September 2004, three officers of Jaffna branch of the human rights commission were assaulted by police when they went to the police station to investigate an arrest. There were at least three reports of

assault in Jaffna by police during the months of August to September, one involved torture in a police station. SLAFs is also accused of assaulting a female teacher and students who were a part of a UNICEF funded project for drop-out students in September.

Twenty-four civilians were killed by paramilitaries in 2004. In September Muthaih (75) was shot in Punnalaikadduvan in Jaffna by helmeted motorbike riders while he was working in his paddy field. In November two civilians were shot and killed in a school football ground in Point Pedro in Jaffna, by helmeted motorbike riders. Two civilians in Batticaloa who were decorating for the LTTE Hero’s day celebrations were shot dead by helmeted motorbike riders in November.

Paramilitaries caused injuries to more than 10 civilians. Most of it was caused by throwing grenades into both private homes and LTTE offices. There were also shootings and stabbings of civilians by paramilitaries.

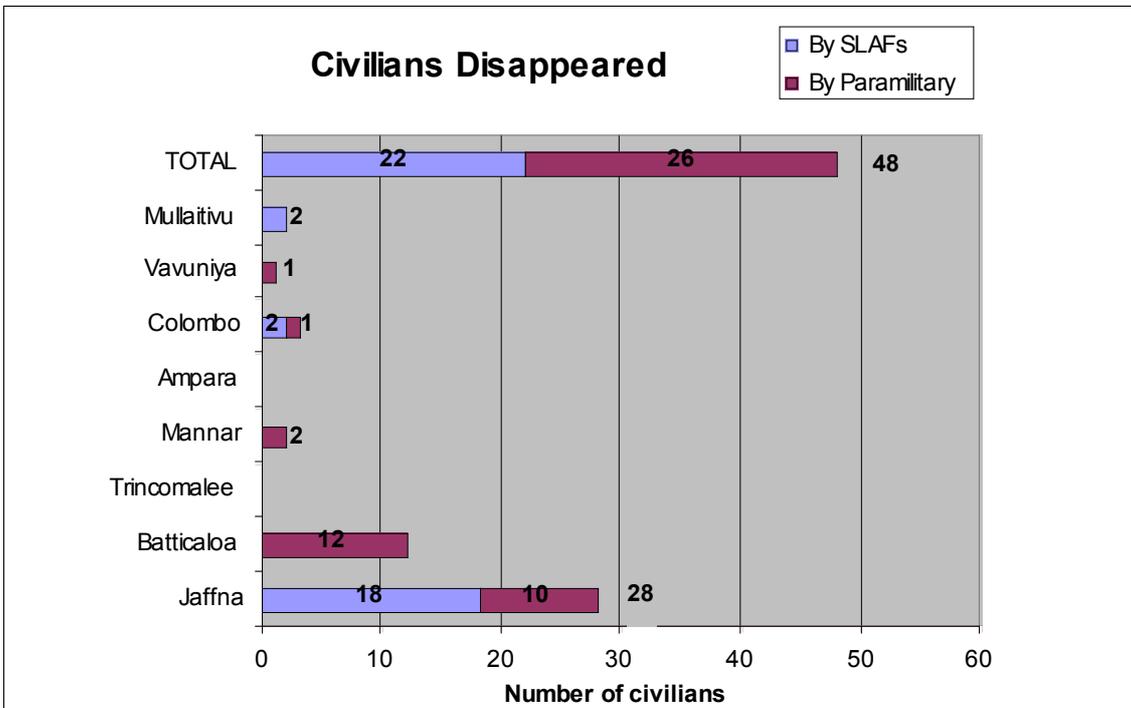
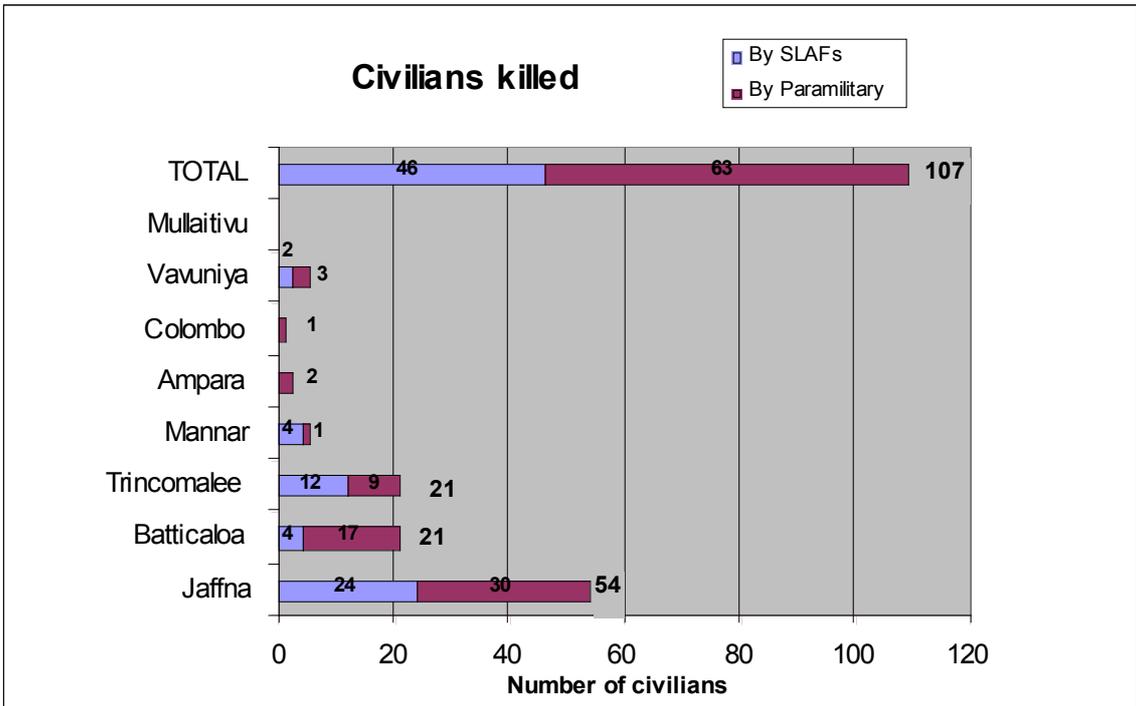


**2005:** Five civilians were killed by SLAFs by shooting in 2005 prior to 20 November.

Two youths were injured when Sri Lankan Air Force fired at a cement factory in Trincomalee. One civilian was injured in the shooting in Jaffna following a civilian protest.

Thirty-three people were killed by paramilitaries in 2005 prior to 20 November. Their method of killing is either by shooting or by lobbing grenade. Further 16 people were injured by paramilitaries in this period in these attacks.

### 1.2.3 Statistics on civilians killed and disappeared since 20 Nov 2005 (Approx. 3 months)



The graphs above shows the number of civilians killed and disappeared in the last three months that is since 20 November 2005. The sudden and sharp increase in the violence against civilians only goes to show that SLAFs did not change its conduct towards civilians in spite of the human rights training that it has received.

Several of the abductions and killings had a distinctive pattern. SLAFs personnel will arrive a few hours earlier to the scene of crime and clear the area of as many people as feasible. There were instances when they barred traffic from entering certain sections of the road so that there will be no travelers on the road near the scene of crime. In some cases SLAFs stood guard in front of the neighbouring houses preventing neighbours from coming to the aid of the victims they were targeting. The abductors in civilian clothes with their faces masked with black balaclava will arrive in an unmarked white van and carry out their crime without fear or hindrance.

A typical incident was the one on 15 January 2006, when paramilitary groups with the assistance of SLAFs broke into the home in Manipay and shot dead the mother and her two daughters and injured the father and the son (see NESOHR report). In another incident of this type, Member of Parliament Joseph Pararajasingam was murdered inside a Cathedral at a mass on the Christmas Eve of 2005 in Batticaloa.

There were also incidents where SLAFs committed the human rights violation without the assistance from its paramilitaries. For example, on 23 December 2005, the SLN made a retaliatory attack on a community in Pesalai, Mannar, which resulted in the burning and killing of four civilians, the brutal beating of several civilians, and the burning of several homes. On 2 January 2006, five high school students in Trincomalee were shot in their heads and killed by SLAFs while they were spending an evening at the seaside with friends.

The people have been terrorized to the extent that there was large scale displacement during this period from GOSL controlled areas to LTTE administered areas. 15,900 civilians displaced from GOSL controlled areas in Jaffna to LTTE administered areas in Vanni during this period. 5,000 people displaced from GOSL controlled areas in Trincomalee to LTTE administered areas in the same district. About 200 people also displaced from GOSL controlled areas in Mannar to Vanni. Many from Mannar also displaced to India.

#### **1.2.4 Sexual violence by SLAFs**

By its very nature sexual violence, especially those that are committed against women, are mostly silenced crimes in the Tamil community. When a woman or girl is subjected to this form of violence, secrecy is sought by the family above all else. Women have reported sexual harassment at the checkpoints throughout the presence of SLAFs among the Tamil community. Some incidents during the CFA period are described below.

The excruciatingly painful case is the rape and murder of a woman in August 2005 in Methodist Central College only 50 metres from the SLAFs HSZ border inside the Batticaloa town. The most depressing part of this incident is that no one came forward to either to identify the woman's body or to claim it.

Tharshini Ilaiyathambi raped and murder by SLN men in Pungudithivu in Jaffna in December 2005 is yet another lesson on the culture of rape, murder, and cover up within the SLAFs (see NESOHR report).

In October 2003 a retarded 32 year old woman was brutally raped by two police men in Uyilankulam in Mannar when they came to buy cigarettes at her father’s shop. The victim was admitted to the Anuradhapuram hospital.

In February 2005, an 18 year old boy was sexually tortured by a policeman in Thalvuppadu in Mannar. The boy’s genitals were cut with knives and there were bite marks on his chest. Thalvuppadu fishermen saw a policeman attempting to throw the unconscious body of the 18 year old boy into an abandoned well and rescued him. He was transferred to Vavuniya hospital because he was in critical condition.

Given the continuity of this recurring pattern it is safe to suggest that this is a culture/subculture within SLAFs that would take a Herculean effort to reverse.

**1.2.5 LTTE members killed and injured during the CFA period**

The Table above shows the number of LTTE members killed by SLAFs and its paramilitaries during the CFA period.

In 2003 three separate incidents at sea took the lives of 26 LTTE members. Three LTTE members took their life by blowing up their trawler when SLAFs surrounded and tried to abduct them in February. In March SLN sank an LTTE merchant vessel in international waters 220 nautical miles off Trincomalee coast and 11 LTTE members were killed. On June 2003 another 12 LTTE members were killed under very similar circumstances.

<i>Year</i>	<i>Killed</i>	<i>Injured</i>
<b>2002</b>	1	2
<b>2003</b>	27	4
<b>2004</b>	50	3
<b>2005</b>	31	16
<b>2006</b>	08	3
<b>Total</b>	117	28

Unarmed LTTE members were already being abducted and killed in Batticaloa in 2003. Incidents of shooting to death of unarmed LTTE members in GOSL controlled areas started to increase in 2004 and it has continued ever since. Notable case is the murder of Kousalyan, Head of Batticaloa-Amparai Political Division in February 2005. His vehicle was stopped and occupants of the vehicle were shot. A Chandrnehr, former member of parliament and a member of “NorthEast Secretariat on Human Rights” (NESOHR), was also killed in this incident.

There were also planned attacks on LTTE camps carried out by the paramilitaries in Batticaloa. A notable one is the attack on April 2004 in Batticaloa on an LTTE camp in LTTE administered area. This camp took care of LTTE members who have been disabled. Four LTTE members were killed and three were injured in the attack. Three of those killed were disabled members. One of them was wheelchair bound.

There were also several assaults on the LTTE members. In June 2005, for example, a convoy carrying Amparai Political Head of the LTTE, Kuyilinpan and 40 other LTTE members traveling with SLAFs escort facilitated by SLMM was attacked at Welikanda. One LTTE member was injured in the attack. The ambush took place near the Welikanda SLAFs base.

### 1.3 Plight of the fishing community

Fishing community in the NorthEast is easily the worst affected community during and prior to the CFA period. It is also the community that was affected by the tsunami. Below are some incidents that have occurred in this community during the CFA period. The number of killings and disappearances in this community on a per capital basis is much higher than the rest of the community in the NorthEast. This community also suffered loss of livelihood due to severe fishing bans placed on them. They also face constant harassment and threat from the SLN even during the CFA.

The following sections describe respectively, disappearances of fishermen during the CFA period, attacks on fishermen during the CFA period prior to Mahinda government, fishing bans imposed during CFA prior to Mahinda government, and the situation as described by fishermen in the post Mahinda government period.

#### 1.3.1 Disappearance of fishermen

On January 2003, three fishermen were reported missing in the sea off Polikandy after SLN gunboats rammed their fishing boats in the northern sea. The missing fishermen were identified as Subramaniam Jeyakumar, Kasinathar Satkunam and Ponnai Gnaneswaran.

On July 2004, six fishermen who set out to sea from Inparutty, a coastal suburb on the outskirts of Point Pedro in Jaffna disappeared.

On October 2004, Mr Saverimuthu Norbert (38) a fisherman of Manatkadu in Jaffna disappeared in Northern sea after being attacked by unidentified persons while fishing.

On January 2005, two fishermen disappeared off the Mullaitivu coast. Their boat was swept ashore two days later with ropes and iron cables used by the SLN.

#### 1.3.2 Attacks on fishermen at sea

Affected Party	Incident description
Fishermen of Vaakarai	On May 2002 the SLN fired on fishing boats off the coast of Vaakarai, <u>Batticaloa</u> destroying at least two vessels and killing several fishermen.
A Sivakaran G Ravikumar	On Oct 2002 two fishermen of Supparamadam, Point Pedro of <u>Jaffna</u> were severely assaulted by SLN personnel when rough sea forced them to drift towards the high security zone of the Kankesanthurai harbour.
S Sothilingam Kandeepan	On Jan 2003 SLN Dvora gunboat rammed a fishing boat off the coast of Thondamanaru, <u>Jaffna</u> . Two fishermen, of Kerudavil were wounded when the boat capsized.
V Arumaichelvan G Chandrakumar J Premadas S Rajendran	On <u>Jan 2003</u> Sri Lankan naval personnel who had gone in a Dvora gunboat intimidated the fishermen of Vadamarachchi, <u>Jaffna</u> and ordered them to dump all their belongings kept in the boat such as fuel, fishing gear and food items into the sea. Then the SLN assaulted the fishermen with clubs and electric wires.
P Yogathas	On <u>July 2003</u> several Valvettiturai fishermen had gone fishing in

Other fishermen of Valvettiturai	Valvettiturai Northern Sea seas. An SLN Dvora boat stopped one fishing boat. Fishermen in the boat then protested that they were already checked by the SLN soldiers located at the shore and there was no need for a second search in the sea. Angered soldiers then started assaulting fishermen in the boat.
A Muthukumar K Xavier T Thiraviyam P Maran 15 other fishermen	On <u>Oct 2003</u> Sri Lanka army soldiers assaulted and injured 19 fishermen in Munai, a coastal village on the outskirts of Point Pedro town, <u>Jaffna</u> . The assault on the fishermen began after SLAFs soldiers assaulted a young fishermen who sought permission to return home before the time ordered by the SLAFs.
T Lawrence B Gnanamani	On <u>Jan 2004</u> two fishermen were wounded when a SLN vessel rammed their boat in the seas off Point Pedro, <u>Jaffna</u> despite having a night lamp on their boat as instructed by the SLN. The lamps are intended to avoid collisions at night with SLN patrol craft in the sea. The injured fishermen were taken ashore by the SLN and admitted to the Jaffna Teaching Hospital.
N Jeyasingham	On <u>Mar 2004</u> a fisherman of Point Pedro, <u>Jaffna</u> was reported to have been killed in northern sea when a gunboat of the SLN rammed the plastic boat in which he and two others went for fishing.
I Jesuthas A Anton	On <u>Sept 2005</u> two fishermen of Polykandi were severely assaulted by the soldiers of the SLN when they were fishing in Myliathanai Sea along the coast of Kankesanthurai in Vadamarchchi, <u>Jaffna</u> .
Fishermen of Vadamarchchi North	On <u>Sept 2005</u> Sri Lanka Army soldiers assaulted a group of fishermen of Vadamarchchi North, <u>Jaffna</u> early morning for returning to the shore before the time that was ordered by the Sri Lankan armed forces. Fishermen of Vadamarchchi North have been ordered by the SLAFs not to return to the shore with their catch before 6.30 a.m.

### 1.3.3 Denial of Livelihood of fishermen

Affected Party	Incident description
Fishermen in Manalkadu	On <u>Apr 2002</u> Sri Lanka army barred 50 fishermen of Manalkaadu, on the southeastern coast of <u>Jaffna</u> , from setting out to sea for fishing in the early hours of the morning. The fishermen's national identity cards were sized by the military. They were then taken to the SLAFs camp at Kudathanai.
Fishermen of Myliyathanai	On <u>Aug 2002</u> , more than 600 fishermen residing in three villages close to the east of Sri Lanka Army's main Palaly base in <u>Jaffna</u> were told by the SLAFs that they should go to sea from the shore where the Myliyathanai army camp is situated. The SLAFs further instructed them not to keep their fishing crafts in their villages but to keep them at Myliyathanai army camp site under its supervision.
Fishermen of Manalkaadu	On <u>Sept 2002</u> , the SLN re-imposed draconian restrictions on fishing in the Manalkaadu area on <u>Jaffna's</u> southeastern coast. They were ordered by the SLN to obtain special identity cards and permits for setting out to sea.

Fishermen and civilians in Gurunagar	On <u>Mar 2003</u> the Sri Lanka Army ordered the Northern District Fisheries Co-operative Federation (NDFCF) to stop the construction work of the ice factory immediately in the Gurunagar, <u>Jaffna</u> . The SLAFs has told the NDFCF management that they issued the order to ensure the security of the military installation in the area.
Fisherman of Point Pedro	On <u>May 2003</u> SLAFs ordered that trawlers will not be allowed to anchor in the jetty during nights.
Fishermen in Vadamarachchi	On <u>Aug 2003</u> the Sri Lanka Army stopped an Asian Development Bank funded project to assist fishermen on <u>Jaffna's</u> Vadamaradchi coast, even though the fisheries societies had obtained permission for the project from the SLAFs.
Fishermen in Munai	On <u>Oct 2003</u> fishermen in Munai alleged that Sri Lanka army troops in the area had scuttled five boats and cut the moorings of another two in retaliation of other incidents in Point Pedro town, <u>Jaffna</u> .
Fishermen of Thondamanaru	On <u>Feb 2004</u> the SLAFs banned fishing in the Thondamanaru lagoon, <u>Jaffna</u> . Hundreds of fisher families residing in Kerudavil, Akkarai and Thondamanaru areas in Vadamaradchchi division were badly affected by the ban. A complaint was lodged at the SLMM office in Jaffna.
Fishermen in Vadamarachchi	On <u>Aug 2004</u> the SLAFs imposed new restriction on fisheries societies in the Vadamarachchi division, <u>Jaffna</u> , deepening about 21 fisheries jetties. The SLAFs said it would deploy a group of 15 SLAFs soldiers to each fisheries jetty area to supervise the deepening work for security reasons.

### 1.3.4 Post Mahinda government period for fishermen

The post Mahinda government time has seen the level of oppression of the fishing community in the NorthEast get worse. Statements made by fishermen from around the NorthEast about their plight during this period are listed below.

On Jan 2006, SLN banned fishing in most sections of the north seas of the Jaffna peninsula, a coastal area where High Security Zones have already restricted fishermen from earning a living.

On Jan 2006, Eastern regional Commander of SLN has declared indefinite restrictions for fishing in the eastern sea. Especially, these restrictions on fishing have been imposed from Trincomalee harbour to Koneswaram Fort Naval Base. Prior to the CFA and during the war, the restricted areas in Trincomalee were 2 miles on either side of military camps, and 2 miles out to sea. Currently, restricted areas stretch 5 miles across the base in the bay and 10 miles out to the sea. This implies that almost the entire Trincomalee coastal area is subjected to fishing restrictions.

The SLN also stated that any fishing boats that go into the zone would be considered a threat and will be attacked. Fishermen are suffering for their day-to-day life due to these restrictions.

### Kayts fishermen

1. When using alternate routes to avoid checkpoints, fishermen are routinely stopped and asked about their activities and harassed.

2. Boats have been confiscated by the Navy and only returned after prolonged petitioning and intervention by the Fishing Society.
3. Society members have been assaulted and jailed without due cause
4. Paramilitary organizations such as the EPDP have been known to come to villages while the men are away during the day fishing and intimidate women and children. Many of these incidents have been reported to government authorities but no action has been forthcoming.
5. Fishermen society heads have been told that if war breaks out again he will be a target due to his position as a leader in the fishing community.
6. The government has imposed restrictions on where fish can be brought ashore, limiting these locations to military areas, often far from the intended destination of the fish. The result is increased cost and at times ruined fish due to extended transportation times.
7. There is no viable alternative livelihood outside of fishing in these communities. In the absence of fishing, workers would have to do day labor to try and make ends meet. This is not a steady source of employment.
8. The Navy has been known to continue harassing fishing communities at night. Families are in the habit of locking their doors and must deal with the tension of a possible knock on the door.
9. There has been a de facto siege environment in some communities after a series of abductions, killings, and rapes during the rise in tensions in December 2005 and January 2006. Families were scared to leave homes, and many decided to seek refuge in the Vanni.
10. Fishing families has had to change houses 9 times in the past, and has been displaced once after the CFA as well. Out of 1,224 families, about 100 families have been displaced after CFA. These families fled to the Vanni during the last couple of months.
11. Informal reports indicate that some of the houses left behind have been broken into, robbed, and/or vandalized. It is not known who is responsible, and in fact could be anyone given that the area is vacant. Many boats have been abandoned when their owners fled. These boats are exposed to the sun and are susceptible to cracking. They will need significant repairs if/when their owners return.
12. The current situation has disrupted internal financial arrangements within the fishing communities. The common pool of money used to provide loans to Society members cannot function when income flow is disrupted by displacements.
13. Although farmers are harassed as well, fishermen are targeted more. Farmers have more mobility while the fishermen cannot relocate as easily.

### **Mulaitivu fishermen**

1. There are over 5,000 families in this Co-operative
2. Two serious incidents occurred soon after the signing of the Cease Fire Agreement (CFA):
3. While a fisherman by the name of Philipiah Pakiarasa was fishing about 5 Km out at sea, a SL Navy boat approached him, honed in, and rammed his vessel.
4. A similar incident happened to another fisherman by the name of Daniel when he was about 6 Km out at sea. In both of the above incidents, the fisherman survived, though their boats were sunk.

5. Although the Navy restricts fishing activities of local boats, Southern vessels are given unfettered access - even to the best fishing areas that are over 10 Km out at sea.
6. SL Navy boats routinely provoke local fishermen. The SL Navy boats hone in on the local fishing boats causing the local fishermen to leave their nets and flee. When the fishermen return to gather their nets, the Navy boats return and intimidate the fishermen. This is undertaken as a kind of game at the expense of fishermen
7. A serious incident took place on the 23<sup>rd</sup> of January 2006. A local boat was attacked about 4 Km from shore by the Navy. Two fishermen are still missing:
8. The Navy had apparently tried to tow the boat away after removing its engine. Not being able to do this, another Navy boat rammed the fishing vessel and sank it
9. It is suspected that during this process, the two crew of the boat were either brought on board the Navy vessel or disposed of at sea
10. Authorities in Kilinochchi and Vavuniya have been informed but there has been no response thus far
11. Among the many hardships the fishermen endure are the delays caused in bringing the catch back to shore because boats are submitted to thorough inspection. These delays result in the fish (and especially prawns) being spoiled, rendering them unfit for sale.
12. In transporting the catch unwarranted delays at check points and frequent closures cause a twofold loss by melting of ice that has to be replenished and spoiling of the catch.
13. During the war in 1996-1997, the lighthouse in Mulaitivu was destroyed. The international NGO GTZ agreed to undertake the building of another, but due to military opposition this has not materialized. At times boats are lost and end up far from their home port (some have strayed as far as the Indian shoreline). Sometimes when the boats are lost, Indian trawlers will pick them up, but charge up to Rs.50,000 to bring them back to shore.
14. There have been no displacements in this area, but people from the North who are displaced often seek refuge here. Approximately 150 families are being accommodated as a result of displacements in recent months. At the beginning there was no help from the government to take care of these 150 families, but recently the GA has provided limited support.
15. The fishing societies in Mulaitivu have been able to function, but when they try to cooperate with societies in the North, they often find that the Military has taken over society offices in the North.
16. About 3,500 people were lost to the Tsunami in the Mulaitivu area. The LTTE were the first on the scene and helped the communities get organized in the aftermath. However, despite the promise of aid from foreign governments and donors, to this day there are no completely rebuilt houses.
17. There is a general tendency for the Military to justify harassment on the grounds that civilian fishing communities are sympathetic to the LTTE and the Sea Tigers. The Military and Navy should be protecting the local population, but are in fact systematically acting against the interests of the Tamil population of the North East.

## **Vadamarachchi East fishermen**

1. Vadamarachchi East is a LTTE area of control in the Jaffna Peninsula outside the Military controlled High Security Zone (HSZ) of Vadamarachchi North. The area experienced many waves of displacement during the 20 year war, and has struggled to reincorporate returning families after the signing of the Cease-Fire Agreement.
2. During the war years - and especially since 1991 - there were numerous displacements of people from Vadamarachchi East. Most people fled as refugees to the Vanni and Jaffna, but returned to their homes soon after the ceasefire was established in 2002. However, the returnees had to contend with significant damage to housing and infrastructure that had occurred due to fighting during the military occupation.
3. For reconstruction, the UNDP pledged Rs.30M in aid, of which each society received 2M. Out of the 30M, 6M went to Vadamarachchi North, and the rest to Vadamarachchi East. The Vadamarachchi East money was used to buy plastic boats, engines, nets, sails, catamarans, etc. and no money was used for houses. The money was disbursed like loans, and the people repaid these loans through their fishing activities. Just as the community was starting to get back on its feet and repay its loans, the Tsunami struck and 1,218 people were killed. Over 2,400 were injured. 1,200 boats and catamarans were destroyed, and 95 houses were demolished.
4. After the tsunami, the Societies used the aid received to buy 816 SeaHorse PIO boats from the South. It is significant to note that 50 of the boats received from the South have already fallen apart simply through normal use. The boats supplied by the vendors in the South were of such poor quality that they were considered too dangerous to use on the high seas.
5. Shallow-water fishing requires a certain type of net. These shallow-water nets were largely destroyed by the tsunami. International NGOs helped replace fishing gear, and these communities have been able to recover as a result of this aid.
6. Following the CFA the Navy did not interfere with fishing because the people limited themselves to within 5Km of the shore. This self-imposed restriction was due to stories of Navy harassment of fishermen in Vadamarachchi North.
7. During the war, the Military and Navy were wary of incursions into civilian areas because of LTTE presence. However, following the CFA (and especially in recent months) they have been making more incursions and causing problems within fishing communities. People in Vadamarachchi East are tense because they hear stories of what is happening in Vadamarachchi North, which is under Military control.
8. Before the CFA, the Navy and Military hindered fishing by outlawing outboard motors. The pass system was also introduced to restrict the movement and range of fishing activities. After the CFA, fishermen were allowed to use outboard motors, but the horsepower of such motors was restricted to 15 HP, thereby preventing fishing activities beyond 5Km out to sea.
9. The continued imposition of the pass system enabled the Navy and Military to monitor all activities - including the 15 HP restriction.
10. In addition to the hardships at sea, fishermen were also confronted with heavy losses during transportation of the catch to market. The normal time required to transport fish to market is 8-12 hours. It now often takes more than 2 days. This delay causes fish to spoil and ice to melt (i.e. losses are two-fold).

11. The Military and LTTE have skirmished, but the people here were not a part of the fighting. Yet they are the ones who are being punished through restrictions on their fishing and the constant harassment of the Military
12. About 2,500 people from Vadamarachchi North have left the area. They have spread out in the Vanni, and are being taken care of by the LTTE. The only thing they want is to return to their homes although it is suspected that their homes have been robbed and vandalized in their absence.
13. After the tsunami, much equipment was lost, and then replaced by foreign NGOs and donors. Yet when families fled Vadamarachchi North they were not permitted to bring this equipment with them.
14. Over 1,000 people have had their lives threatened by the Eelam People's Democratic Party (EPDP). They are being told that they must join and support paramilitary forces or will suffer the consequences (there are letters to this effect that can be produced). At midnight on the day these letters were distributed paramilitary forces knocked on doors, scaring families. The SLMM and Human Rights Commission (HRC) in Jaffna have been informed of many of these problems.
15. After the tsunami, the LTTE gave Rs.300M to rehabilitate the people, whereas the government has failed to respond adequately. There is an overall sense of disillusionment about what can be delivered through the peace talks. Citing the recent TRO abductions as an example, a number of fishermen expressed their lack of confidence in the current situation. A common sentiment is that previous peace talks have only led to more violence and no resolution.
16. Many of those interviewed feel that the highest priority for the talks should be the elimination of the paramilitaries, which are the biggest obstacle to peace. They also insist that conditions of normalcy must be established (e.g. elimination of High Security Zones (HSZ), disbanding of paramilitaries, and granting freedom of movement). Without these there is little hope for the success of the peace talks. The people in the coastal areas are tired of running and being displaced. Given the precedence of talks with the government, it appears that the only way normalcy can be established is through the active intervention of the international community.

### **Poonakary fishermen**

1. Poonakary is one of the smaller fishing communities in the Mannar District located slightly west of the Jaffna Peninsula. The fishing communities here face not only the hardships heaped upon them by the SL armed forces but are also subject to the encroachment and poaching of their natural fishing habitats by large scale Indian trawling fleets. These incursions rather than being checked by the SL military are encouraged or at best ignored by the authorities.
2. At the onset of the CFA, there was an incident where three (3) LTTE cadres were killed. The fear instilled in the people by this incident curtailed fishing activities. Consequently, Indian trawlers moved in and began poaching activities. Fishing activities have been correspondingly disrupted. Even though these trawlers are deep-sea boats, they move in close to the shore as well, which disrupts the ocean bed and scares away even the small fish found in shallow waters.
3. During the war, the LTTE protected the waters, but after the CFA, the Navy, which is supposed to provide this protection, has been remiss in their duties. The Navy continues to allow Indian trawlers to fish in the waters, mainly to hurt the local fishing community. There have also been incidents where trawlers have rammed fishing boats from local

communities. The Navy prevents local fishermen from fishing freely, but leaves Indian trawlers unmolested.

4. The TRO was trying to provide trawlers and large deep-sea fishing boats, but the Navy prevented this because they were afraid that these would be used to attack Navy boats
5. Local fishermen are limited to shallow waters. The equipment they use to catch prawns and other fish have been destroyed by the activities of the trawlers that make incursions into these waters as well
6. When the fishermen leave their nets and flee from Navy intimidation, Indian trawlers often move in and pick up the catch.
7. Recently there have been four (4) incursions by military and paramilitary forces to damage boats and equipment near the shore
8. The community feels that the LTTE presence is the only reason they are not harassed in their homes
9. The use of dynamite is prohibited for fishing among the local population, both by the government and by the LTTE (for environmental reasons). Nevertheless, the Navy has been known to give dynamite to paramilitary forces to use for fishing (which provides them with a source of income).
10. In the last few months the Navy has provoked locals by entering LTTE areas of control. This generates fear among the local fishermen and inhibits their movement and activities.
11. Normally fishermen go out to sea at 5 PM and return between 11PM and 3AM. This ensures that the catch will be fresh when transported to market. Under current restrictions, if a boat leaves at 5 PM or later, it cannot return before 6AM the following morning.
12. In Mannar, the pass system prevents fishing at night, and fishermen are forced to fish in the day, which is less productive. Detentions occur as a result of “pass infractions”, and it is time-consuming and difficult to secure the release of people once detained.
13. Usually, when the catch is brought to shore, it is rapidly transported to market. Now, with so many security checkpoints, the process is very slow, and fish often spoil. About half the catch can be lost.
14. Normally it takes about 13 hours to get fish to market. Now, with delays, it takes about 3 days.
15. In the past there were numerous routes to send the fish to market, but because of the presence of the army, there are only a few routes that are now available, so delays on these routes have a significant impact on transportation time.
16. Many displaced persons have come into the community. Sometimes four (4) families must occupy the space in which one (1) family ought to live. Among the problems that have accompanied this influx of refugees is a growing class size in local schools.
17. The refusal of the Military to allow displaced fishermen to bring their fishing gear with them when they flee denies these refugees a source of income in their host community. As a result, the host community resources are stretched to the limit to take care of incoming refugees.
18. In Mannar, southern boats have also been known to encroach and fish in local waters. While there is no law prohibiting this, the problem is that local fishermen are unable to do the same.
19. After the war, local communities had lost a significant amount of infrastructure, including boats, nets, sails, etc. The government and NGOs have not responded adequately. The

Fisheries Ministry has not provided sufficient aid. NGOs that were supposed to provide compensation for 150 families only provided relief to 20 families.

20. The schools that suffered damage during the war have not been repaired. Classes are often taught in the shade under trees.
21. Transportation to Jaffna, which used to be easy, is now very difficult because of poorly maintained roads and delays due to checkpoints.
22. There has not been direct harassment within the community mainly due to the LTTE's presence. If the CFA were properly implemented, there would be no need for the LTTE protection, but this is not the case.
23. Many of those interviewed felt frustrated because earlier they were dying because of the fighting, but now they cannot peacefully earn a living even when there isn't fighting. They feel they must fight to free themselves from this problem. There is consensus that radicalization has occurred due to harassment.
24. The tsunami did not have a devastating effect on this community in terms of lives lost (9), but a lot of damage was done to equipment (boats, nets, etc)
25. Roads are in such bad condition that a trip that used to take 1 hour now takes 3 hours. This is especially difficult when transporting people who are sick. T
26. The pass system was never implemented here so that has not been an issue. But sometimes the Navy has detained people for not having a pass. The process to secure their release is very complicated and time-consuming, and includes petitioning the GA.
27. Some locals suspect that the government has been introducing drug trafficking to create social problems in their communities.
28. Thiruketheeverum is a famous Hindu Kovil. It is completely surrounded by the military, and the local Hindus cannot go there to worship. Two people who visited the Kovil are now missing, presumed abducted.
29. Sometimes locals travel to Mannar to get cheap fuel. The military and Navy have been known to harass them and confiscate the fuel when they try to transport it. Technically they are not allowed to buy the fuel and transport it but they do so in their desperation due to lack of income from their normal livelihood.
30. At the end of December, five (5) residents of Poonakary were detained and taken to Colombo. Weapons were planted on them to make them look like LTTE cadre. There has been no inquiry. Although this practice was reported to the SLMM, nothing has been done. The five residents are still missing.
31. Many of the above issues have been brought to the notice of the GA and government authorities numerous times. One fisherman proposed that in order to show goodwill to the people amidst the resumption of peace talks, the government authorities could make a gesture like releasing the five (5) people who are missing, or at least disclosing where they are or what has happened to them. They are also calling for the release of the TRO workers who have disappeared.
32. The locals are fed up with all the talks, and they feel that peace talks are often used to deceive them. They feel that if these talks fail, they will be forced to fight again. They are at the end of their tether. These communities lack modern fishing technology, and even to maintain the boats they currently have, they need to borrow money. They cannot invest in the future, especially given the uncertainty of the situation.

## **Trincomalee fishermen**

1. Trincomalee is one of the key flashpoints and strategic areas in the overall ethnic conflict similar to the Jaffna area that is under Military control. The added dimension in the case of Trincomalee is due to the harbor and port facilities that have geo-political and strategic importance in the conflict. The population is almost equally divided among the Sinhala, Tamil and Muslim communities due to a history that is replete with colonization. The demographics are complicated and the delineation of the communities is not well defined. These factors place the Tamil fishing communities of this area in a very unique and vulnerable situation.
2. In Trincomalee the current position is that people can only fish from 6AM to 5:30PM - and night fishing is not permitted. People working in Sampur, Sudaikuda, and Ilankanthai are not allowed to go directly to Sali, 10<sup>th</sup> Division, and Kumbrupitiya. They must make a 18Km detour instead of the normal 2 Km route. This was imposed after the Mahinda government came into power.
3. Even at sea fishermen are harassed by being stopped and asked for papers, etc. Although there are Singhalese, Muslims, and Tamils in Trincomalee, it is the Tamil population that is singled out and harassed. The last two months have seen an increase in the harassment of Tamil fishermen.
4. Previously, fishermen were able to bring their catch straight into Trincomalee town, but now this is not possible. The money received from selling the fish at Trincomalee was available as disposable income immediately. Now they have to send fish through ice coolers to Colombo since they cannot at Trincomalee. This means that it takes days instead of hours to get money in hand.
5. The 5Km cordon is in effect. Yet boats are forced to make an 18Km detour, which takes them further than 5km from shore. Consequently, they are subject to detention for the violation of the cordon.
6. Tamil people and relatives of fishermen who travel to Trincomalee are stopped and questioned about why they are traveling in the area.
7. During the cease-fire period, there were many instances where Navy personnel seized boats, cut nets, rammed boats, etc.
8. There have been repeated instances of discrimination and harassment, including the following:
9. In Trincomalee there are roughly 100 multi-day boats, owned and operated by Singhalese, about 35 owned and operated by Muslims, and only 1 owned and operated by a Tamil. From day one he was harassed, questioned, and intimidated. His son was detained and taken to the Naval dockyard. Complaints were made, Navy personnel denied any involvement, but then released his son.
10. There is a systematic economic embargo against Tamils.
11. In Pesalai new restrictions were imposed but due to subsequent protests, these restrictions were eventually removed.
12. In order to prevent landings at night, fishermen are prevented from returning before 6AM in the morning.
13. In spite of the CFA, restrictions were not only maintained, but extended
14. Some areas are closed to Tamils unless they have a certain pass, which is distributed in an arbitrary manner by certain government officials.
15. Within restricted areas, fishermen cannot claim damages to their equipment.

16. As far as Trincomalee is concerned, marketing is in the hands of Singhalese, who buy and ship the catch to Colombo. A Tamil group tried to become involved in marketing but failed, largely due to the efforts of interested Singhalese parties, who acted with the cooperation of government forces to drive the Tamil group out of business.
17. There are restrictions placed on Tamils on the use of outboard motors. In fact, motors cannot be registered in the name of a Tamil. Tamils have to pay money and buy the motor, but then register it under a Sinhala name.

## **1.4 Child Rights**

Please see Chapter 2 on “Child Rights” for a more detailed treatment of the subject. Notable issues are the loss of education for the children, malnutrition, and health rights. Instruments proposed during the CFA period namely, SIHRN and PTOMS did not take off leaving the child rights situation more or less the same as what was before CFA was signed. Also of concern to the international community is the under-age youths joining the LTTE. It is important to understand the background to this issue in the context of CFA because this has been counted as the largest number of CFA violations against LTTE.

## **1.5 Violations on the freedom of media**

Three high profile journalists from the NorthEast were killed during the CFA period. On June 2004 a leading Tamil media journalist Nadeson was shot dead on his way to work. On April 2005, internationally renowned journalist and a TamilNet editor, Sivaram Dharmeratnam, was abducted and killed in Colombo. On January 2006, Sukirtharajan, Trincomalee correspondent for a Tamil daily, “Sudaroli”, published in Colombo was shot dead near his home. Two of the above murders of journalist happened more than a year ago. Yet, as is the pattern in Sri Lanka no one has been brought to courts and charged for these murders.

Two newspaper distributors of the paper “Eelanatham” were also killed in Batticaloa. A Kannamuthu was killed in June 2005 and K Jokakumar was killed in September 2005

The “Thinakkural” Tamil Daily press office in Batticaloa was attacked on December 2004.

On 29 August 2005, Sudaroli weekly press office in Colombo was attacked with two grenades lobbed into the building. Its security guard, David Selvaratnam, died of injuries sustained in the attack. Three more employees were injured.

## **1.6 Militarization of civilian space**

The High Security Zones (HSZ) as declared and implemented in Sri Lanka is uniquely unfair for the civilians in the declared areas. Whereas in other parts of the island civilians are permitted to live in the HSZ, in the NorthEast civilians are barred from even entering their own homes. This phenomenon is described in Chapter 4. The militarization of the NorthEast goes on beyond the declaration of HSZ as the following sample instances show.

### **Batticaloa-Amparai**

In June 2003, Vinayagr Vidhyalam School in Kommanthurai was still occupied and was prevented from functioning in its own building.

In August 2003, in the Kachchakodi Swamimalai in Batticaloa-Ampara district IDPs were prevented by the SLAFs from resettling in their abandoned homes.

### **Trincomalee**

On October 2004, Pathinipuram farmers were prevented from cultivating their paddy fields.

On May 2004, residents of Muthur east were prevented from taking cement and fuel to rebuild tsunami affected coastal areas.

On December 2004, several sentry points were established in the town and its suburbs.

### **Mannar**

On August 2005, Uppukulam and Sinnakaddai areas were subjected cordon and search.

### **Jaffna**

On June and July 2003 there were severe cordon and search operation in Vadamaradchi area.

On May 2003 SLAFs prevented NECORD workers from entering schools in Tellipalai.

On September 2003, SLAFs prevents reconstruction of post office in Point Pedro HSZ.

On June 2005, Amban dispensary that was renovated was prevented from opening by SLAFs.

On April 2004, resettled families 600 metres off the HSZ border complained that SLAFs was harassing them so that they will displace again from their homes.

New checkpoints and camps were opened,

- on May 2002 Point Pedro,
- on June 2002 in Columbuturai,
- on June 2002 Sakkaddai,
- on September 2002 in Mirusuvil,
- on September 2002 in Delft,
- on Jan 2003 in Varani,
- on January 2003 in Chavakachcheri,
- on June 2003 Valvettithurai,
- on July 2003 in Ariyalai and
- on Oct 2003 in Manalkadu.

## **1.7 Civilian Massacres in the Northeast: 1974 – 1999**

The 48 massacres against Tamil civilians listed below are a selection of the hundreds of massacres that took place throughout the Northeast districts from 1974 to 1999. Most of the massacres were committed by the Sri Lankan Armed Forces (SLAFs) and other incidents involved the Indian Peace Keeping Force (IPKF). The massacres proved the ruthlessness of both of the SLAFs and the IPKF and the atrocities they forced upon Tamil civilians in the Northeast.

### **1.7.1 Civilian Massacres in Mullaitivu**



#### **Othiyamali Massacre on 01-12-1984**

This is a remote village on the border of Mullaitivu district. More or less the entire population worked in their own paddy fields and they had a trouble-free life. It was a time when Sinhala settlers were settling in Ken Farm and Dollar Farm in turn displacing the Upcountry Tamils who were already settled there after displacing from Upcountry as a result of ethnic violence in the Upcountry area.

The SLAFs had declared curfew from 29-11-1984 until 02-12-1984. A SLAFs regiment moved from Pathaviya to Othiyamail on 01-12-1984. The SLAFs rounded up the people of Othiyamalai village. When the villagers opened their door at 5.00 am on that day, they saw the Sri Lankan soldiers standing in green attire. The soldiers spoke fluent Tamil and asked for all the men in the village to come to the LTTE development society building, and demanded that they assist the struggle. Deceived by the pretension of the Sri Lankan army soldiers more than 30 men went. They were taken behind the building and shot through their eyes and mouth.

Terrorized by this massacre thousands of people in the surrounding areas displaced to temples and schools.

Available names of those killed = 27 (includes 2 under 18)

### **Mulliyavalai Massacre on 16-01-1985**

Mulliyavalai is an ancient Tamil village along the highway joining Mullaitivu and Vavuniya. The day after the Thaipongal festival in 1985, on 16-01-1985, around 4.00 am when people were just getting ready for the day, people realised that the SLA soldiers have encircled their village. They arrested a pregnant woman, a mother of three children and 15 others and took them away. They set alight many houses. A little while later villagers saw the military vehicles moving towards their camp in Mullaitivu. They saw bicycles and other furniture belonging to the villagers being taken away in the vehicles. Villagers did not realize at that time that the bodies of the relatives and friends were also in those vehicles.

Next day they went to the SLAFs camp with a local community leader Mr. Thiagarajah (JP) and there they saw the bodies of their relatives thrown outside. The dead people were killed in a gruesome manner. The stomach of the pregnant woman was burnt and both her legs were cut off. The baby was killed, too. The body of the other woman was burnt with cigarettes. The SLAFs said that they would give the bodies only if the family signs a document stating that those killed were terrorists. When the families refused the SLAFs burnt the bodies.

Available names of those killed = 11 (includes 3 under 18 and 2 women)

### **Puthukkudiyiruppu Iyankovilady Massacre on 21-04-1985**

As usual on 21-04-1985 SLAFs from Mullaitivu rounded up the village of Puthukkudiyiruppu. Government employees were identified among them and released. People who did labour work for daily wages were taken in a military vehicle towards Oddusuddan.

Available names of those killed = 17 (includes 1 under 18)

### **Puthukuddiruppu Junction Massacre on 30-01-1991**

Puthukuddiruppu was heavily populated during the period when the SLAFs was occupying Mullaitivu. People who displaced from Manalaaru, Kokkulai, Thennamaravaadi and also from Trincomalle, Batticaloa, and Amparai were living here. More than 1,500 families were in refugee camps at the Subramaniam School. On 30-01-1991 at 5.30 pm Sri Lankan Air Force bombers suddenly dropped bombs in this region. After this bombing 25 dead bodies were recovered and more than 40 were injured.

Available name of those killed = 16 (includes 2 people under 18 years of age)

### **Vatrapalai Massacre on 18-05-1992**

Vatrapallai is very famous female goddess temple in the Northeast region situated along the coast in Mullaitivu. Once a year on the full moon day in May hundreds of thousands of people gather here for community cooking and eating. Since 1990 due to SLAFs threats the number of people who come to this temple for this day has diminished. 18-05-1992 was the annual day for this year when more than 5,000 devotees have gathered at the temple. The SLAFs shelled from its camp in Mullaitivu at 12.45 pm at the peak time of the festival, as if they were deliberately trying to destroy the festival. Ten people died on the spot, five more died at the hospital, and 60 people were injured.

Available name of those killed = 13 (includes 4 people under 18 years of age)

Available name of those injured = 14 (includes 7 under 18 years of age)

### **Maththalan Massacre on 18-09-1993**

Maththalan is a village along the coast of Mullaitivu and the residents of this village are fishermen. On the day of the incident the villagers gathered to open a community hall. Among the people were displaced people from Jaffna and Kilinochchi as well as locals. At 4.00 pm a SLAFs helicopter was circling over the crowd. People were in a state of fear. At 5.30 pm, all of a sudden, a Bokara bomber plane dropped bombs, three of which fell on the new building. Thirteen people died on the spot and 40 were injured.

Available name of those killed = 13 (includes 3 under 18 years of age)

### **Suthanthirapuram Massacre on 10-06-1998**

On the day of the incident, Suthanthirapuram, which is along the coastline in Mullaitivu, came under SLAFs air attack and shelling attack from 9.15 am to 10.30 am. Because the attack was continuous, people were unable to find safe areas, 25 people were killed and more than 50 were injured. Several hundreds of thousands rupees worth properties were damaged. Hundreds of coconut trees on which people depended for livelihood and 10 houses were completely destroyed. Hundreds of houses were partially destroyed.

Available name of those killed = 21 (includes 4 under 18 years of age)

### **Manthuvil Massacre on 15-09-1999**

In this village at the Manthuvil junction there was a marketplace which had a church, a temple, several shops and an open market. On the day of the incident, as usual, the junction was busy with people doing their daily businesses. At 10:25 am a SLAFs Kibir dropped several bombs at this junction. Twenty-two people were killed. Ten people, half alive, were taken to the hospital and all of them died. More than 40 were injured. Hundreds of thousands worth of property were damaged including the church. It is undeniable that the SLAFs targeted this center because it was full of people at that time.

Available name of those killed = 22 (includes 2 under 18 years of age)

Available name of those injured = 33 (includes 3 under 18 years of age)

## 1.7.2 Civilian Massacres in Jaffna



### Tamil research conference massacre on 19-01-1974

A Tamil research conference was planned for 8 days from 03-01-1974 till 10-01-1974. Right from the beginning Colombo government was against holding the conference in Jaffna and tried to shift the venue to Colombo. However, Tamils proceeded with the plans to hold it in Jaffna. Permission to use the venue to hold the conference in Jaffna was withheld until the last minute by the then mayor of Jaffna under instruction from Colombo.

The conference was eventually held in Jaffna as planned. On the last day of the conference, Sri Lankan police entered the huge crowd at the conference held in the “Muttraveli” open air venue and began to attack the people. The police team was led by the head of police for Jaffna at that time Chandrasekara. Nine people were killed in that attack. Subsequently the Prime Minister at that time, Srimavo Bandaranayake, commended the police chief Chandrasekara and gave him job promotion.

Available names of those killed = 9 (includes 2 under the age of 18)

### Burning of the Jaffna library on 01-06-1981

Jaffna library at the time of its burning down in 1981 boasted of a collection of 97,000 books which included many ancient manuscripts not available anywhere else in the world. Many international scholars visited the library for their research. Thugs entered the library after attacking the security guard and set the entire building alight after pouring petrol all over it. Many rare manuscripts were also lost in the fire. There are strong evidence cabinet ministers were present in Jaffna at the time of burning directing the burning of the library.

### Thirunelveli massacre on 24, 25-07-1983

On 3 July 1983 SLAFs were given special powers to dispose of the bodies of civilians killed without postmortem. On 23-07-1983, between the Thirunelveli junction and Parameshwaran junction, near the Jaffna University, an SLAFs vehicle came under a landmine attack and 13 SLAFs soldiers were killed. On the next day the SLAFs went on a rampage and shot dead people by entering their homes in the area. They also set alight several shops and houses in the area. More 51 civilians were killed.

Available names of those killed = 14 (includes 3 under the age of 18)

### Valvai library massacre on 09-05-1985

Valvai is an area along the northern coast of Jaffna. The people in Polikandy, a village in Valvai, were about to open a public library they have named “Chemmeen library”. Three days before the opening ceremony SLAFs cordoned several neighbouring villages and arrested several people. They locked 50 people arrested inside the new library building and blew it up with bombs. All 50 people died and their bodies were blown to pieces. More people were lined up with their hands tied behind in the nearby temple tank and were shot dead.

Available names of those killed = 43 (includes 2 under the age of 18)

### **Kumuthini boat massacre on 15-05-1985**

The boat “Kumuthini” provided an essential service for the people of Delft Island, located off the coast of Jaffna. People had to travel to Jaffna using the boat service to obtain many essential services and items. “Kumuthini” boat leaves Delft Island at 7.00 am and returns back at 5.00 pm. On the day of the incident about 60 people were traveling in the boat from Delft Island. Sri Lankan Navy (SLN) soldiers from the camp in another islet “Nainativu”, approached the “Kumuthini” boat at high speed and massacred the people in the boat with knives. Many died on the spot. Some died as the boat sped to the Jaffna coast. It was evening by the time the boat reached the Jaffna coast. Injured people were admitted to hospital. The people of Delft Island heard the fate of their relatives only through the news media.

Available names of those killed = 30 (includes 4 under the age of 18)

Available names of those killed = 25

### **Mandaitivu massacre on 10-06-1986**

Fishermen from Kurunagar village who were involved in fishing on the day of the incident were approached by the Sri Lankan Navy (SLN) soldiers on high speed boats. The SLN soldiers massacred the fishermen in spite of them raising their hands on the approach of the SLN. 33 fishermen were killed in gruesome manner.

Available names of those killed = 31 (includes 1 under the age of 18)

### **Alvai Muthumariamman temple massacre on 29-05-1987**

On 26-05-1987 SLAFs started “Operation Liberation” that involved the land, sea and air forces lead by military chiefs like Lalith Kothalawela and Denzil Kobbekaduwa. There was constant shelling, aerial bombing and gunboats firing. People took refuge in the Muthumariamman temple. Shells and bombs started to hit the temple and several people died. 22 people were injured.

Available names of those killed = 37 (includes 11 under the age of 18)

### **Jaffna hospital massacre on 21, 22-10-1987**

This massacre occurred during the peak of a battle between the IPKF and LTTE. The IPKF was trying to capture Jaffna from the LTTE. Many civilians were injured and the medical staff at Jaffna hospital with their own efforts brought the injured to the hospital.

At 4:30 pm on 21 October the IPKF entered the Jaffna hospital premises and started attacking medical staff and patients on wheelchairs, injuring many. Twenty-one medical staff and 47 patients were killed.

Available names of those killed = 62 (includes 4 under the age of 18)

### **Chavakachcheri market massacre on 27-10-1987**

It was an important religious day, ‘Kanthashasti,’ and the Chavakachcheri market was crowded as people were busy preparing for the day. At 12:00 pm the IPKF arrived in military tanks and opened fire directly into the market where civilians were crowded. Sixty-eight people were killing and 175 people were injured.

Available names of those killed = 66 (includes 7 under the age of 18)

#### **Valvai massacre on 02, 03, 04-08-1989**

The massacre in Valvai took place continuously over a period of three days. IPKF began killing people in public places on the streets by shooting them. People gathered in groups in homes to hide and then the IPKF went to homes and shot them dead.

Available names of those killed = 66 (includes 6 under the age of 18)

#### **Mandaitivu massacre on 24, 25-08-1990**

The SLAFs moved towards Mandaitivu during the battle for control of the Jaffna Fort. People were told to take refuge in churches and temples. Army brigades came one and another and took men between the ages of 15 and 45, altogether 800 men were taken. Most were released and they did not release 70 men whose whereabouts are still unknown. The SLAFs also killed several people who did not follow their order to take refuge in temples and churches. Another 20 people were killed in this manner.

Available names of those killed = 90 (includes 4 under the age of 18)

#### **Navali church bombing on 09-07-1995**

Eight rocket bombs were dropped on Navali church and its surroundings on 9 July. The church was crammed with people who had taken refuge in the church when they realized the army was bombing their area. 155 bodies of civilians were recovered from the church and its surroundings and 250 people were injured. There is no doubt that the SLAFs deliberately dropped a bomb at a place where there was a maximum density of people gathered, and the large crowd of people would have been noticeable from the air.

Available names of those killed = 155 (includes 43 under the age of 18)

#### **Nagar kovil school massacre on 22-09-1995**

On this day the SLAFs dropped several bombs in Nagar kovil area. There were 810 students at the Nagar kovil school when the bombing started. It was about 12:45 pm when the SLAFs dropped a bomb on the school. Twenty students were killed and 42 were injured. Among them were several students who lost their limbs. In addition, 20 people in the village were killed.

Available names of those killed = 29 all under the age of 18

### **1.7.3 Civilian Massacres in Batticaloa**



#### **Kokkadichcholai massacre on 28-01-1987**

Over three days, the SLAFs entered villages around **Kokkadichcholai** on military tanks. They killed about 200 men between the ages of 14 and 40 over these three days. These are some of

the incidents that took place. They entered a rice mill and shot dead 24 people who had taken refuge there. They also entered the prawn factory where another 24 people had taken refuge and they were also shot dead. In the village Ambilanthurai 45 people were killed and their bodies were set on fire.

Available names of those killed = 133 (includes - under the age of 18)

### **Eastern University massacre on 23-05-1990**

On this day, due to SLAFs onslaught people took refuge at the Eastern University building in Vantharumulai. The military arrived and arrested 58 young men and took them to Saththurukondaal. All 58 were shot dead with their hands and legs tied and set on fire. The SLAFs returned to the university the next day and arrested 168 people and were taken to the military camps in Senthiladi and Saththurukondaal. They too were killed and set on fire in a similar manner.

### **Siththandi massacre on 20, 27-07-1990**

On 20 July the SLAFs took all the people in the village to the Murugan temple. There they selected 80 people, blindfolded, tied their hands behind and took them to neighboring Sinhala villages, killed them and set them on fire. On the same month, on 27 July, they took 27 young men following a cordon and search, blindfolded them and took them to the Sinhala villages, killed them and set them on fire. In total 137 people were killed.

### **Saththurukondal massacre on 09-09-1990**

Due to military attacks, people took refuge in schools and other public places. After a few days the military allowed the people to go back to their homes. Trusting the SLAFs, people went back and settled in their homes. Immediately after, the SLAFs surrounded the village and took 184 people. On that night they raped and murdered several women, all together 85 women were killed. Twenty-eight men were chopped to death. Five babies, under the age of 1, 42 children under the age of 10 were killed.

Available names of those killed = 180 (includes 74 under the age of 18)

### **Kokkadichcholai massacre on 12-06-1991**

The SLAFs shot dead 166 people in this village and the surrounding villages of Arisadithivu and Mahaladithivu. They entered a rice mill and killed all 47 people who were working there. In total 185 people were killed. Scores of Tamil women were raped.

### **Mylanthanai massacre 09-08-1992**

The SLAFs were stationed in the village and were continuously doing cordon and search operations. One day the SLAFs arrived and carried out the massacre of 50 Tamil civilians.

## 1.7.4 Civilian Massacres in Kilinochchi



### **Piramanthanaru massacre on 02-01-1985**

This is a border village of the Kilinochchi district. On this day at 5.00 am five SLAFs tanks arrived at the border of the village and more than 100 SLAFs men entered the village. The SLAFs first entered a shop and shot dead the owner. Then they tied all the people who were in the shop and shot them dead. They then killed four people in one house and began driving their tanks while shooting. People scattered everywhere and ran away to the neighbouring villages. By 3.00 pm the SLAFs returned to their camp in Anuradhapuram. The scattered people returned to their village, and it looked like a cemetery. Twelve people were killed and two were injured.

Available names of those killed = 9

### **Naachchikuda massacre on 16-03-1996**

On this day at 5.20 am people were asleep and fishermen were at seas fishing. The SLAFs arrived in tanks and started shooting at the village. Sixteen people died and 60 people were injured and hundreds of homes were set on fire.

Available names of those killed = 17

Available names of those killed = 60 (includes 16 under the age of 18)

### **Pannangkany massacre on 27-07-1996**

As part of their sathjaya military operation the SLAFs moved from Elephant Pass camp and entered Kilinochchi town. People left all of their belongings and displaced further into the Kilinochchi district. Due to poverty, people returned to their homes to collect some belongings and produce from their land. Three men who returned to collect their things were caught by the SLAFs and were tied up. One man witnessed the other two being chopped in half and thrown in a well. He managed to escape and tell this story. In 2000 when the military was expelled from Kilinochchi, people came back to resettle. When people went to clean their wells, they discovered the dead bodies of seven people. Villagers identified them all as their relatives. There were several incidents like this around Kilinochchi where skeletons were found in wells and toilet pits. Tamil Eelam police holds about 50 skeletons.

Available names of those killed = 9

### **Uruththirapuram massacre on 04-02-1999**

On this day, which happens to be independence day for Sri Lankans, two SLAFs air force bombers were circling the village at 11.00 am. The people were at the marketplace and they started scattering in all directions after seeing the bombers. Four bombs were dropped and one did not explode but the other three exploded. Nine people who took refuge under a bridge were killed on the spot. The next day when the funeral took place for those killed, the bomber planes returned and dropped more bombs but no one was injured.

Available names of those killed = 9 (includes 5 under the age of 18)  
Available names of those injured = 2 (includes 1 under the age of 18)

## 1.7.5 Civilian Massacres in Vavuniya



### Chettikullam massacre 01-12-1984

This is a continuation of the pogrom that started in July 1983 and spread throughout the island. On this day SLAFs declared a curfew and they arrive at this village at 5.30 am. The SLAFs cordoned the village and took 52 men to Madavaachchi. Nothing was heard about them for a long time. Later on, it was heard that they were taken to a Sinhala village in Madavaachchi where they were chopped to death. Yet parents of these young men believe that even today their son is alive somewhere and they will return some day.

Available names of those killed = 28 (includes - under the age of 18)

### Aasikullam massacre on 6-12-1984

Aasikullam is surrounded by Sinhala villages. The people of this village were continuously harassed by Sinhala thugs. On the day of the incident, Sinhala thugs arrived with the SLAFs and started attacking the people. They chopped to death everyone on the road and burgled several houses and also set several houses on fire.

Available names of those killed = 4  
Available names of those injured = 3

### Eddimurinchal massacre on 19-03-1986

Many upcountry Tamil people who were subjected to violence by the Sinhala government displaced and settled in the Vavuniya district in places called Dollar Farm, King Farm and Ceylon Theatre. These people were again chased out from these places by the SLAFs. Armed Sinhala prisoners were brought and settled there. From then on, the neighboring Tamil villages were subjected to violence by these thugs. These thugs began stealing Tamil people's belongings in the villages and started committing violence with the assistance of the SLAFs. On the 19<sup>th</sup> the SLAFs and thugs arrived in the Tamil village together and started shooting people and burnt down several houses.

Available names of those killed = 5

## 1.7.6 Civilian Massacres in Trincomalee



### Thuvarunkaadu massacre on 17-08-1985

On this day Sinhala thugs arrived in a white van to the village at 12.30 pm and started attacking the people. Ten people were killed and eight were injured.

Available names of those killed = 10

### **Peruvelli refuge camp massacre on 15-07-1986**

Peruvelli is a remote village about 8km from the Batticaloa highway. The SLAFs has armed home guards in the neighboring Sinhala villages. On this day, the home guards from the neighboring village of Nilapolla arrived with SLAFs in the middle of the night and were hiding in the forest surrounding the refuge camp. They entered the camp in the early hours of the morning and started shooting. Forty-eight people were killed, more were injured and scores of women were raped. The following day volunteers took the injured and dead bodies to the hospital. The citizens committee for this area organized a funeral for nearly 50 people who were killed. There was a hospital report about this massacre.

### **Thambalakamam massacre on 20-06-1986**

On this day there was heavy bombing by the SLAFs so people moved out of their homes and took refuge in a rice mill. The SLAFs arrived at the rice mill and arrested all of the people. Later all of the people were shot dead.

Available names of those killed = 18 (includes 5 under the age of 18)

### **Kumarapuram massacre on 11-2-1996**

Nanjukuda is a sparsely populated village surrounded by bushes. During this period the SLAFs regularly patrols this area. During the patrolling the SLAFs always harasses civilians and young women who pass them. There was a clash between the SLAFs and the LTTE at around 5:30 pm near this area. The SLAFs took revenge attack on the Kumarapuram people. Many people have ran away from their homes in fear. Many people took refuge in a shop owned by Kalimuththu. All together there were fourteen people, including a 16-year-old girl. The SLAFs arrived at the shop and started shooting, and nine people died. They saw the 16-year-old girl and dragged her into a ruined building near by. There, several SLAFs men raped her and then killed her. At the same time another group of SLAFs men and went to a temple where people took refuge and opened fire and killed people. In this firing 26 people were killed and 22 people were injured. Some people who survived this are still living today without limbs.

Available names of those killed = 25

## **1.7.7 Civilian Massacres in Amparai**



### **Udumpankullam massacre on 19-02-1986**

It was harvesting time and people in the village were busy in their fields. Six SLAFs men from the Amparai military camp started moving toward the village. The SLAFs men got off their tank with hands on their guns and rounded up people working in the paddy fields. The people put their hands up, they were told to follow the SLAFs men and were taken to a forest nearby. People were lined up in the forest. Women working in the fields were dragged away

from the rest and the rest were shot dead. The men were taken to another place and were gang-raped and killed brutally. They took all the harvested hay and covered the dead bodies with it and set them on fire.

Available names of those killed = 24 (includes 1 under the age of 18)

#### **Thiraikerny massacre on 05-08-1990**

On this date 14 Muslim farmers were killed by Sinhala thugs, but the Sinhala people said this killing was done by Tamils. The Muslim community wanted to take revenge on Tamil civilians. The SLAFs ordered the village people to go to Periyathambiraan Temple in the village. The people did not know what was going to happen to them, so they went to the temple. There, Muslim people chopped Tamil civilians with knives while the SLAFs guarded the temple. In this incident 52 people were killed. Women who were left in the homes were raped and chopped to death.

Available names of those killed = 41

#### **Veeramunai massacre on 20-6-1990, 4-7-1990, 10-7-1990, 26-7-1990, 12-8-1990**

On the first day in the early morning at about 8.30 am, people heard gunfire sounds. The people thought they were going to be attacked. After a few minutes the people from the village were ordered by SLAFs and Muslim thugs to go to a temple near this village. Most of the people from this village went to the temple. In the temple 60 men were selected by SLAFs and were taken to a forest nearby. The 60 men were burnt in this big fire. The people who refused to be thrown in the fire, were shot dead. The 58 people that remained in their homes in the village were taken to Kondavadduvan, a neighbouring village and were also killed by being set on fire. The following month, people who displaced from this village were attacked again by SLAFs. Groups of youth were abducted and killed. These massacres happened over five days. All together 204 people from this village were killed.

#### **Pottuvil massacre on 30-7-1990**

People from this village displaced to Pottuvil Methodist Mahavidyalayam School. The people in this school were surrounded by SLAFs and Muslim thugs and arrested 132 people. The 132 people were burnt to death.

Available names of those killed = 21 (includes 1 under the age of 18)

#### **Thurainilavanai massacre on 12-08-1990**

On this day the SLAFs from Nilavanai, Kallaravu camps entered the village and shot dead 60 people as they tried to flee. The SLAFs released a statement that they have killed 60 terrorists.

Available names of those killed = 47

### **Natpiddimunai massacre on 10-09-1990**

This village is in the Kalmunai region. On the day of the massacre the SLAFs arrested each and every young man they could see on the road. They entered homes by breaking doors and arrested young men inside their homes. Twenty-three young men were taken to their camp. They were tortured and killed and their bodies were dumped into a grave in the village of Thambiluvil.

Available names of those killed = 23



## **1.7.8 Civilian Massacres in Mannar**

### **Nanattan massacre on 04-12-1984**

Fifteen civilians who were already in the Thalaady SLAFs camp were killed on this day. Thirty people from the village of Nanattan who were traveling on the roads were arrested and burnt to death, along with the 15 dead bodies who were killed earlier. When the funeral of these civilians took place later on many of the SLAFs personnel entered the area and arrested people who were traveling on the road and shot more than 40 civilians who were on the road. The total deaths from this massacre were 200.

Available names of those killed = 69 (includes 2 under the age of 18)

### **Vankalai church massacre 06-01-1985**

The priest of this church, four children and two adults, were shot inside the church by SLAFs. The SLAFs first began shooting outside of the church, so the priest went outside of the church. The SLAFs turned their gunfire to him and the priest shouted a she ran inside, and begged them to not shoot, but they did not listen. Some people inside the church were hiding in the upper part of the church and witnessed these killings.

Available names of those killed = 7 (includes 4 under the age of 18)

### **Vaddakandal massacre on 30-01-1985**

On this day more than 200 SLAFs entered this village and opened fire on civilians outside. The SLAFs went inside the Vaddakandal government Tamil-mixed school and shot 18 people which included students, the principal, vice principal and teachers. They also shot women and men who were working in the paddy fields. Then the SLAFs raped women who were in homes by themselves. This genocide continued for more than six hours. More than 52 civilians were killed and more than 42 people were injured.

Available names of those killed = 36

### **Madhu church on 20-11-1999**

Madhu church is a St. Mary's Catholic church that is popular among all ethnic communities in the area. During the 1990s following the SLAFs attacks several people from Jaffna, Mannar and Vavuniya were displaced to the church's surroundings, as it was considered a safe refuge. The SLAFs was advancing on 20 November 1999 through the forest towards the church and firing all the time. As a result, people in the villages like Palamputti, also displaced to the surroundings of Madhu church. The SLAFs forced all to go to the church. At 9.45 pm the SLAFs started shelling. Two of the shells fell on the banyan tree in front of the church. The third shell fell on the church. Thirty-one people including children died. Nine more people died in the hospital. More than 60 were injured.

Available names of those killed = 36 (includes 16 under the age of 18)

Available names of those injured = 59 (includes 11 under the age of 18)