

2 C, Summit Flats.
Keppetipola Road.
Colombo - 05

30th January 2008.

Statement issued by Illankai Tamil Arasu Kadchi outlining reasons for not contesting Local Authority Elections in Batticaloa District.

The reason for the Illankai Tamil Arasu Kadchi not contesting Local Authority Elections to be held in the Batticaloa District on 10th March 2008, is our conviction that the forthcoming election will not be free and fair, and that consequently the result of the election would be a perversion of democracy.

The T.M.V.P in alliance with the ruling U.P.F.A and also independently, is contesting the elections to the said local authorities. The T.M.V.P is an armed para-military group. It has moved around in the Eastern province, openly brandishing weapons. The T.M.V.P displays a strong armed presence in all parts of the Batticaloa District. It has freely used its weapons on the people. Extra – judicial killings in all parts of the Batticaloa District have been a common and continuing occurrence. Abductions and extortions are frequent occurrences.

The Police and the Armed forces do not take any action against the cadres of the T.M.V.P. The Law enforcement machinery in the Batticaloa District is paralysed. No investigations are conducted nor any arrests made in regard to any crimes committed by the cadres of the T.M.V.P.

It is the public belief that the T.M.V.P enjoys the patronage of the present Government; that the Police and Armed forces are hand in glove with the T.M.V.P; and will never enforce the law against the T.M.V.P. Consequently, the civilian citizenry experience a deep sense of insecurity. The people are gripped with the fear that the T.M.V.P could with impunity inflict the penalty of death on any one, who offends them in anyway, as has happened in several instances.

The climate of fear is compounded by the ruling U.P.F.A and the T.M.V.P being in electoral alliance with each other. This confirms the public fear that the rule of law could be violated by the T.M.V.P with impunity. The following are some of the atrocities committed by the T.M.V.P against politicians.

1. The killing of Mr. Joseph Pararajasingham M.P. by shooting inside the Church premises at Batticaloa on Christmas eve 2005.

2. The rocket propelled grenade attack on the residence in Batticaloa of Mr.S.Jeyananthamoorthy M.P Batticaloa, on 21st July 2007 and the subsequent murder of his step brother Mr.Thambipillai Thiyagachanthiran by shooting on 20th August 2007 at Batticaloa.
3. The abduction of Mr.K.Sasitharan at Batticaloa, son-in-law of Mr.T.Kanagasabai M.P, Batticaloa on 18th November 2007 and intimidation of death, so as to prevent Mr.Kanagasabai exercising his vote in Parliament at the 2nd reading of the Budget on 19th November 2007.
4. The abduction of Mr.P.Srikanthaseya at Batticaloa, brother of Mr.P.Ariyanenthiran M.P Batticaloa; the abduction of Mr.Arunachelan Sivapatham at Batticaloa, nephew of Mr.S.Jeyananthamoorthy M.P Batticaloa; the abduction of Mr.R.Nagalingam at Batticaloa, personal secretary of Ms.K.Thangeswary M.P Batticaloa; accompanied by intimidation of death of all three persons, so as to prevent the said three Members of Parliament from voting in Parliament at the 3rd reading of the Budget on 14th December 2007.

The aforesaid four Members of Parliament of the Batticaloa District have also been consistently threatened with death by the T.M.V.P.

The aforesaid matters were brought to the notice of the Government at the highest levels but no action was taken against the T.M.V.P or its cadres.

5. The following Members of Local Authorities of the Illankai Tamil Arasu Kadchi elected to Local Authorities in the Amparai and Trincomalee Districts in March 2006 have been shot and killed by the T.M.V.P.
 - (I) Mr.Gopalasundaram Pathmakalapan, Member of the Seruvilla Pradesha Sabha, Trincomalee District on 30th October 2006.
 - (II) Mr.Thangarasa Ithayarasa, Member of the Kinniya Town Council Trincomalee District on 26th January 2007.
 - (III) Mr.Thilainayagam Uthayakumar the Chairman of the Thirukkivil Pradesha Sabha, Amparai District on 26th June 2007.
 - (IV) Several other local politicians have been killed.
 - (V) Several other local politicians have been abducted.
6. Numerous other extra judicial executions of civilians in the Eastern Province particularly in the Batticaloa District have taken place in 2006, 2007, and are continuing. It is reasonably estimated that around 400 Civilians have been victims of extra judicial executions or enforced disappearances at the hands of the T.M.V.P in the Batticaloa District after mid 2006.

It is also widely known that Professor S.Raveendranath, the Vice-chancellor of the Batticaloa University was abducted within a High Security Zone in Colombo by the

T.M.V.P, and it is widely believed now, that he has been killed. Despite the Government having been informed at the highest level no action was taken to save Professor Ravendranath.

None of the aforesaid killings have been investigated by the law enforcement authorities nor have any arrests been made.

The Sri Lanka Monitoring Mission, Human Rights Organisations and Independent Media personnel, have widely reported on the outrageous criminal activities of the T.M.V.P in the Batticaloa District. Neither the Government nor the law enforcement authorities have taken notice of such reports.

The Illankai Tamil Arasu Kadchi is convinced that the Government will not take any legal action, against the T.M.V.P for any of its crimes, and will give the T.M.V.P a free hand to commit such crimes during the current electoral process.

The Tamil people of the Eastern Province have since 1956, overwhelmingly supported the policies of the Illankai Tamil Arasu Kadchi at all electoral processes, at all levels, Parliamentary, Provincial, District or Local. They have supported the ITAK which stood for substantial autonomous rule in the areas of their historical habitation, the North Eastern region, based on a federal arrangement. The people of the Northern Province have supported the same policy at all levels.

In fact, the T.M.V.P leader Karuna, unreservedly supported the Oslo Communique of December 2002, and the Interim Self Governing Authority proposals of October 2003, which stood for the right to internal self determination in the areas of historical habitation of the Tamil speaking people - the North – Eastern region, based upon a federal arrangement, within a united country.

At the Local Authorities elections held in the Amparai and Trincomalee Districts in March 2006, the Illankai Tamil Arasu Kadchi was overwhelmingly victorious in the predominately Tamil areas, the Sri Lanka Muslim Congress was similarly victorious in the predominantly Muslim areas, and the said two parties were victorious in the mixed Tamil and Muslim areas.

The fundamental cause of the current conflict, is the failure of successive governments to accept Democratic Pluralism and meaningfully recognise the democratic electoral verdicts of the Tamil people.

The Government is now attempting to subvert this democratic political history of the Tamil people, through an undemocratic electoral process at the Batticaloa local authority elections, with the armed might of the T.M.V.P.

The people of the Batticaloa District are aware of the manner in which military operations were conducted by Government forces with total disregard for the safety of Tamil Civilians and Tamil habitations. Over 300 Tamil civilians were killed as a result of aerial bombing and multi barrel rocket fire. Very many hundreds were gravely injured. Thousands of houses were destroyed or extensively damaged. Plantations and crops were destroyed. Live stock were killed. Vehicles, fishing and farming equipment were destroyed. Even the Government Agent Batticaloa was not able to freely send food or medicines to the affected people. Non Governmental Organisations were prevented or restricted in rendering humanitarian relief.

Several people were drowned when they were fleeing from this military onslaught. The T.M.V.P worked with the Government forces to destroy Tamil lives and Tamil owned property.

Several hundreds of thousands of Tamil civilians were displaced and rendered destitute during the military operations in the Batticaloa District. These people are subjected to much deprivation, particularly as non governmental organisations do not have free access to serve these unfortunate people. These people are in no position to exercise their democratic wishes. No arrangements made can be an acceptable substitute for these people being able to exercise their franchise while resident in their homes, without fear or favour, as these persons have historically done.

The T.M.V.P claims that they support the policies of the Rajapakse Government.

The Tamil people have suffered immensely at the hands of this Government and continue to suffer. Politically, this Government continues to reverse whatever progress was made towards a negotiated peaceful resolution of the conflict.

The North-East merger which existed for over eighteen years has been held to have been irregularly done, after this Government came into power, and this Government is taking steps to institutionalise this position. After twenty years of efforts to evolve an acceptable solution, the Government is attempting to implement the outdated 13th amendment, in the North – East. The T.M.V.P finds such policies of the Rajapakse Government acceptable. Such conduct on the part of the T.M.V.P is highly questionable. Even the Sri Lanka Muslim Congress which held several ministerial positions in the Government have resigned their ministerial positions and crossed over to the opposition, accusing the Government of being unjust to the minority Muslim and Tamil peoples, particularly in the Eastern Province.

The Government is concentrating on the Sinhalisation of the Eastern Province. High Security Zones have been declared in parts of the Eastern Province and Tamil people are being prevented from resettling. It is such a Government that the T.M.V.P wants the Tamil people to support.

It is because the T.M.V.P even in these circumstances, supports the Government, that no action is taken to enforce the Law against the T.M.V.P. This is why the T.M.V.P is able to act with absolute impunity.

The Local Authority Elections to be held in the Batticaloa District would be a Mockery of Democracy and a Travesty of Justice.

It is for these reasons that the Illankai Tamil Arasu Kadchi has decided not to participate in this illegitimate and farcical process.

Mavai.S. Senathirajah
General Secretary
Illankai Tamil Arasu Kadchi

