



பாழ் கத்தோலிக்க மறைமாவட்ட நீதி சமாதான ஆணைக்குழு Commission For Justice & Peace of The Catholic Diocese of Jaffna

T.Phone No: 009421 222 2161

E-mail:jpcjaffna@sltnet.lk

P.O.Box : 02

Bishop's House,
Jaffna.

.....20.....

Director/Chairman

Rev.Fr.S.V.B.Mangalarajah

Patron

Rt.Rev.Dr Thomas Savundaranayagam

Bishop of Jaffna

Secretary

Mr.A.Santhiapillai

10.01.2013

The President & Members
Catholic Bishops' Conference of Sri Lanka
Sri Lanka

Your Excellencies,

May God bless you. We are happy that you have come once again to the North and visit certain places to find out the situation here and see for yourselves the real difficulties and anxieties of the people here. We would take to bring to your kind notice certain facts which may not be visible during a short visit.

General Situation

Three and a half years have passed since the 30 year war ended. As the people in the North who had to bear the brunt of the war especially during the final stages of the war we hoped that the situation would improve and in fact we were promised that a solution would be found for the ethnic problem and that there would be a peaceful future. Unfortunately the Government is paying more attention to the annual 'Victory Day' celebrations and ignoring a genuine pursuit for peace and reconciliation.

The developments during these three and a half years indicate that no serious effort is made to bring about peace with justice. The actions of the Government and the Security Forces so far are only alienating the people and making them lose confidence in a peaceful and just Sri Lanka.

There is no doubt that externally a lot of development works are undertaken with international assistance such as laying carpet-roads, railway-tracks, putting up new buildings for hospitals, schools etc. and launching a number of development projects. A visitor here now will get an impression that the North is developing fast after a long period of stagnation due to the war. But such a face-lift to the entire North is not a substitute for finding a just solution to the festering ethnic problem.

Many issues which need to be attended still remain unresolved and the day to day developments do not in any way help to bring about peace and reconciliation.

There are some long-standing issues for which no effort has been made to resolve since the end of the war as well as some recent developments which have contributed to the deterioration of the general situation.

“நீதியால் விளைவான என்றுமுள அமைதியும் நம்பிக்கையும்.” எசா. 32:17

“Justice will bring about peace.” Is 32:17



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Some long-standing issues:

Occupation of lands by the security forces

- The Security Forces still occupy large portions of civilians' lands and they continue to acquire new lands also. Still there are 24 G.S. divisions in the Valikaamam region under army occupation. Most of these lands are red-soiled and arable. Thousands of families displaced from here are still living in welfare-centres and in the homes of their friends and relatives. Further civilian lands are being occupied by the Security Forces in Jaffna Peninsula and in Wannai. In some places the original inhabitants have been told that their lands will not be returned to them and that they will have to settle down in areas indicated by the Security Forces. Eg. Keppapulavu people in the Mullaitivu district.

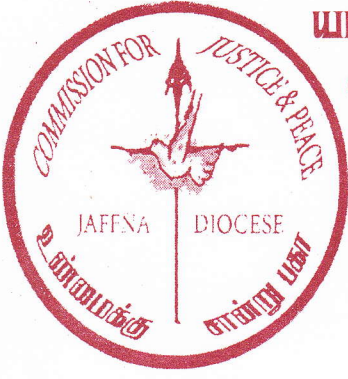
Allocation of the lands in the North to the Southerners

- Besides this, lands belonging to the civilians, unoccupied so far and the vacant state-owned lands are identified and these are being allocated freely to settle the families of soldiers and others from the South. We are not against individuals from anywhere in Sri Lanka buying lands in the North and settling down. What we object and note with suspicion is the state-sponsored and funded settlement of families from the South in the vacant lands in the North when there are many landless families in the North.

The plight of the political prisoners

- The plight of the political-prisoners continues. Hundreds of political-prisoners are still in detention with no cases filed against them for years. Eg. One woman named Thirumakal is in detention for more than 18 years and so far she has been produced in the courts more than 429 times till end of July 2012 and she is still there. The safety and security of those in detention is a major cause of concern. Last year two youngsters Nirmalaruban and Dilrucksan were tortured and eventually died of the wounds caused by the torture while many other were injured.

One lady Muththusamy Kathaye (68) from Badulla was arrested in 1994 in Chenkkaladdy in Batticaloa for having links with the LTTE and detained. She died on 6.01.2013 in the Welikkada prison due to lack of proper medical care. She was suffering from cancer and she had severe bed-sores when she died. Such incidents are not rare occurrences. After a spate of hunger-strikes and protests by political prisoners in Welikkada a promise was made by the relevant authorities to establish



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special speed-courts to expedite the hearing of such cases. So far very little action seems to have taken place.

Accountability

- The Government has still to come to terms with the huge number of civilian casualties especially during the final stages of the war. Initially the position of the government was that there was zero civilian causality in this 'war for peace' or the humanitarian operation. The Bishop of Mannar Rt. Rev. Dr. Rayappu Joseph in his testimony before the LLRC said that about 146,000 people were still unaccounted for and he based his argument on the statistics provided by the Government sources. LLRC in its report admits that there were civilian casualties and later on the UN Commissions also admitted that a substantial number of civilians also died in the shelling and bombings.

The fate of some of the people (including some LTTE members) who had surrendered to the army and taken away in buses is not yet known. There were some who gave evidence in front of the LLRC that they had seen Fr. Francis Joseph (81) the former Rector of St. Patrick's College, Jaffna and many others surrendering with white flags and their whereabouts are still not known.

Accountability for the large number of civilian casualties and the disappearance of the surrendees are very essential for a genuine reconciliation.

Recent developments

- Remembering the dear ones is a basic fundamental duty everybody wishes to fulfil. The people in the North have been denied this basic right especially during the past three and a half years since the war was over. During the earlier four-year ceasefire period the Tamils were not obstructed from doing so and the war-cemeteries of the LTTE were allowed to be maintained. Since the end of the war all these war-cemeteries in the North have been bulldozed and defaced. In these places permanent army-camps, play-grounds etc for them have come up. The people are forbidden to light lamps, candles, to ring bells and to have any memorial service in their respective places of worship to remember the dead during the war. Even the normal liturgical services on such days are not allowed to be conducted freely.



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In this background a peaceful commemoration of the war victims on the 27th. of November, 2012 by the Jaffna University students was prevented by the Security Forces by force and then a peaceful demonstration of the students to protest against the use of force by the army on the following day was forcefully put down by the Security Forces during which several students were injured.

In the following days four of the students who were arrested were taken to the South for 'rehabilitation'. Along with them 45 others from the Jaffna peninsula during the following days were arrested and sent for questioning and 'rehabilitation'. Some of them had already been 'rehabilitated' and the others were accused of having had some contacts with the LTTE earlier.

In the midst of this, statements have been made by responsible authorities in the Security Forces that hundreds of others (a Sinhala newspaper Lakkima says about 1000) are under surveillance and they also will eventually be arrested and sent for 'rehabilitation'. All these developments have sent shock-waves among the people in the North and they live in fear.

- The recent recruitment of about 100 young girls in the Wanni region has caused a lot of concern among the general public as there was no transparency in the whole procedure. The promise given to the girls and their parents was that they will be given some training in computer-programming and given some office work. They were promised that they will get a minimum salary of 30,000 Rs. per month and it was very attractive for them.

When they went in they felt that things were different. Some of them had the courage to leave immediately and some of them fell sick and had to be hospitalised. The rest were not happy with the whole procedure, but opted to stay on. Of late as a kind of diversion they were taken to Trincomallee for an excursion and now they have been taken to Colombo for a week of sight- seeing tour etc.

In connection with hospitalization of some of these girls a Tamil doctor attached to the Base hospital at Anuradhapura, Dr. Shivasankar who tried to help a girl of this group who was admitted in the hospital to return home has been arrested under PTA. and he is still in detention. The real reason of his arrest, the interrogation details and the failure to produce him in the courts with substantiated accusations etc. remain a mystery

- The serious attempts to appoint the uniformed soldiers to teach Sinhala in the schools in Wanni have caused alarm. There is a severe shortage of teachers in the



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Wanni schools for English, Maths, Science and even the mother-tongue, Tamil and filling up these vacancies is the priority and any such work has to be done by the Department of Education. Though this plan is not carried out now there is a fear that it may be resumed at a later stage. This is a phenomenon, pointing to the fact that the Security Forces are seriously trying to have a hold in all the civil departments.

- During the past few weeks the Parish Priests in the R.C. Churches in the Wanni area have been approached by the Security Forces in the respective areas and were asked to submit their 'year plan' for 2013 consisting of all the functions and liturgical celebrations, feasts etc. to be celebrated throughout the year.
- The schools also have been asked not to have any special function however small, without the explicit permission of the Security Forces. The Security Forces take it for granted that they can take the school-children anywhere for functions they consider important even at the expense of postponing the semester examinations leave alone the regular classes.
- Even after three and a half years after the end of the war the Security Forces have failed to build up a good relationship with the general public. The attitude of the 'victor and the vanquished' is still very noticeable. About ten days ago at Paranthan in the A-9 road the two traffic policemen stationed there had tried to stop a speeding mo-bike to have a routine check. The mo-bike stopped a few yards ahead of them and policemen started attacking the two youngsters for not stopping the mo-bike in front of them. The beating they received was so bad that they had to be admitted in the hospital at Kilinochchi. In the meantime the situation there became tense as number of people started to gather there. The O.I.C. of the Kilinochchi Police Station had to come and pacify the crowd. Such high-handed attitude of the law-enforcing personnel is not rare in the North and this will in no way help to bring about peace and reconciliation.

Conclusion

- The above mentioned developments among other things are only some symptoms which indicate that the civilian administration in all important State Departments is only nominal. The military seems to be having the say in every sector.



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- The external face-lift to the North especially in the city of Jaffna and other main towns does not indicate that the people generally are enjoying real peace without any fear.
- It looks as if the entire North is kept in a state of '**enforced rehabilitation**'.
- We would like to urge the members of the CBCSL to use their good offices to give pressure to the Government authorities to manifest by their actions that they are sincerely interested in peace and reconciliation. Unfortunately the actions so far are not in the right direction. For this the people in the North should be allowed to be directly under civil administration as in the rest of the country. The Government must show that they are serious about peace and reconciliation by certain actions of owning up accountability in certain burning issues. Some examples would be, bringing to books the real culprits of the killing of the five students in Trincomallee and again the massacre of the 17 aid-workers of the ACTION FAIM in Muthur in 2006.
- Systematic state-funded colonization of the Sinhalese of the South is changing the demography of the Tamil areas so that in course of time the Tamil community will become a minority in their homeland.
- If the present situation continues we fear that it will be paving the way for another cycle of violence. The country cannot afford to pay such a heavy price as in the past.

We wish and pray that the CBCSL will do something substantial to build up a peaceful nation based on justice.

Thanking you

Yours sincerely

S.V.B. Mangalarajah

Fr. S.V.B. Mangalarajah

President

Commission for Justice & Peace of the Catholic Diocese of Jaffna

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