

**UNIVERSITY TEACHERS
FOR
HUMAN RIGHTS (JAFFNA)
SRI LANKA.**

**Special Report No: 13
Date of release: 10th May 2002.**

**TOWARDS A TOTALITARIAN PEACE:
THE HUMAN RIGHTS DILEMMA**

SUMMARY

This Special Report offers a detailed analysis of the deteriorating human rights situation in the North and East of Sri Lanka against the backdrop of a peace process. While the cessation of hostilities between the Government and the LTTE has brought long overdue respite for the war weary people, continuing child conscription is a painful reminder that optimism is ill founded. Meanwhile, abductions and extortion have in fact increased. Furthermore, moves towards leaving the LTTE in total control of the interim administration, without a time-frame for the resolution of core issues and arriving at a political solution, is smothering any remaining social or political space for dissent in the Tamil community. The community is being thrust into a polity where the most fundamental of rights are neither acknowledged nor observed.

We find that there is a lack of critical scrutiny of the ongoing peace process, particularly, among the civil society. The UNF government appears desperate to sustain the peace process as it sees the process as the only way to stabilize the economy outside the North and East. On the other hand, civil society groups that recognize the need to end hostilities and arrive at a political solution, are faced with a challenge from Sinhalese chauvinists who are openly mobilizing against the peace process and the MoU. As a result, we are increasingly being pushed into polarized positions – for the MoU or against - without being able, critically and constructively, to engage with the ongoing peace process. What we have now is most NGOs avoiding reporting human rights violations in the North-East by the LTTE. This they do in the vain hope of not rocking the peace boat. This failure continues to be a major barrier towards tapping the immense potential for genuine peace in Sri Lanka. It has, moreover, led to a false perception, both locally and internationally, that all is well with the peace process.

The December 2001 general elections in Sri Lanka were themselves marred by terror and a severe lack of political alternatives. The new UNP government successfully carried out a strategy of winning Tamil votes and appeasing the LTTE in the hope of stabilizing the Southern economy. For their part, the LTTE through the use of terror and an appeal to their opportunism brought several Tamil parties together under the TNA umbrella. There was widespread anger in the Tamil electorate at continuing child conscription by the LTTE. The Tamil voters elected TNA candidates overwhelmingly in hope that the LTTE would return their children and end preparations for an offensive in the North. This was a choice made through sheer desperation for peace. Therefore, electoral support for the TNA by no means represents a belief that the LTTE is the sole representative of the Tamil people.

The Government of Sri Lanka by not wanting to offend the LTTE fails to protect its own citizens in the North-East. Since there continues to be an alarming silence among civil society and much of the peace lobby about these abuses – especially child conscription – the so-called peace process amounts to a game of deal-making between the Government and the LTTE. What is needed now more than ever is a genuine push to monitor and report all human rights violations whether by the LTTE or the Government. *It is now more than high time for the UN Special Representative of the Secretary General for Children to become directly involved in the monitoring process in Sri Lanka.*

Civil society organizations and peace groups must stand up and tell the truth about the worsening situation of the peoples of the North and East. Any level of peace will depend directly on addressing the immediate and desperate need for human security and freedom from terror. It is the duty of the Government, the LTTE, the Norwegian Monitoring Team and the International Community to heed this call for genuine peace with human rights.

1. Introduction

From 1985 the Tamil people have been clutching at every straw that offered some hope of peace. Economic constraints have driven governments in Colombo to place a high premium on peace, rising to desperation in recent years. There was no lack of opportunity since 1987 for a responsible Tamil leadership to settle for peace with dignity. However, the war has continued to be imposed on an unwilling people, bringing with it steady attrition of the community's strength. The accompanying suffering and atrocities by the State have provided fuel for propaganda to justify an utterly futile war. It succeeded in

portraying the Sinhalese, an essentially peaceful and unwarlike people, as matchless brutes. The Tamils gained nothing by it, even as they became inexorably brutalised.

Political as well as economic crises have precipitated a situation where the global managers have finally intervened. The country now finds itself in a peace process facilitated by Norway. Invariably, such processes are not bound to be ideal in every respect. At present, its direction is governed by the Memorandum of Understanding (MoU) signed by Prime Minister Wickremasinghe and LTTE leader Prabhakaran. Now that a process is on, we all want it to come to the best possible conclusion

With this end in view, we shall examine how the objectives of the process compare with the developing ground situation. We trust that the International Community, which supports the process, will also take the corrective measures necessary. If not, it is in trouble.

2. The MoU and Human Rights

The lack of an explicit human rights dimension in the MoU and its implementation orient the process in a way that is intrinsically dangerous. Arguably, however, the basic human rights, civil and political liberties of civilians have been protected by the following provision in Article 2 of the MoU:- viz, "*The parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment.*" Nevertheless, the last four are in fact carried out routinely by the LTTE. The taking of children, many of them under 15, for military service, remains widespread.

These practices are so deeply entwined with the LTTE as an institution that whether it ever intended to do without them needs to be questioned. Were the MoU serious on these matters, they should have been spelt out clearly and reinforced with credible monitoring arrangements. For, it is only then that the civilian population and civil society can play their due role by asserting themselves and constraining the combatants. The very notion of 'sole representatives' insisted upon by the LTTE at gunpoint is inimical to a healthy process.

The situation was made worse by the conduct of the Government and the Norwegians, where the nuances of the process gave the Tamil civilians a strong signal that they were being 'handed over to the LTTE'. There was an attempt by both to suppress, or minimise, mounting, substantiated reports of grave violations by the LTTE, especially regarding the conscription of children. Statements by the Defence Minister exonerating the LTTE were greeted with incredulity in view of contrary reports appearing in his own ministry's website.

It is also clear from the statements of the Norwegian facilitators that they take a very restricted view of violations against civilians. Asked about the Amnesty International report on the LTTE recruiting child soldiers, **Vidar Helgessen** (Norway's Secretary of State, Foreign Affairs), told the *Daily Mirror* (28.3.02) that the LTTE has denied it, while

they have been unable to verify it. Clearly, despite being the head of the facilitation mission to Sri Lanka, he has chosen neither to look for the evidence, nor examine what was presented. This appears to be the common line of Norwegian officials. The Peace Support Group which met the Norwegian team on the latter's initiative was left with the same impression. They have taken the trouble to obtain denials from LTTE functionaries in London and Mallavi without talking to the ICRC, UNICEF and SCF in Colombo.

General Trond Furuhovde, the Norwegian head of the Cease-fire Monitoring Mission, did not want to get drawn into reports of violations compiled by other groups. He would act, he said, only on authoritative complaints made directly to the Mission (*Sunday Times* 24.3.02 7). This would exclude a host of cases of child conscription and of confiscation of property of those refusing to part with a child, where the families concerned live directly under the LTTE's gun. Furuhovde told the *Island* (2.4.02) that none of the complaints examined by him were violations of the MoU, that they were rather criminal matters to be looked into by the Police. This seems to be passing the buck, since the Police, as is widely evident, have been instructed not to act on complaints involving the LTTE.

The Norwegians are trying to play two crucial roles, namely, facilitation/mediation and monitoring. Undertaking the combined responsibility has affected their monitoring function. The present monitoring committees embody locals nominated by the Government and the LTTE. This shows a lack of understanding of political realities in the North-East. The Government's Tamil nominees are also subject to control by the LTTE and of necessity have limited independence.

The cases presented below in this report are a tiny fraction of similar incidents taking place in the North-East. It would appear that Norwegian officials would dismiss them as 'rumours' or as matters irrelevant to their mission. Indeed it is clear from Helgessen's interview cited above that they are mainly interested in the cease-fire and in dealings between the Government and the LTTE, and not directly in human rights. There would have been merit in this approach if it were stated frankly. There would then have been no need for Norwegian officials to equivocate on matters like child conscription. More importantly, the gaps in the process would have been clearly identified for others concerned to act.

To give one example, a large number of children and adults who escaped from LTTE training camps in the East are now sheltering in areas under the control of the security forces, often close to their camps. What would be their fate in a peace process that amounts to the installation of the LTTE? If one is very reluctant to talk about child conscription, this grave problem is unlikely to be addressed.

What we have now is a very misleading MoU widely observed in the breach, delivering far less than it pretends to, while the Government and the Norwegians give a glowing picture of the peace process. If it is admitted that the kinds of violations presented in this report are taking place unchecked, one needs to be very skeptical about the kind of peace at the end of the process, if indeed there will be peace.

The people thus find themselves utterly powerless. They can see no one who would stand up for them. The message to them is, *“You are being sold, if you want to survive, surrender!”* The effect on the civilian population is generally very devious. Those looking at the surface could argue that there is nothing fatally wrong.

3. Ripples on the surface and the deeper ramifications

During mid-March 2002, a group of civilians in Manipay, Jaffna, had a meeting with some members of the LTTE. A woman asked them, *“Do you plan to tax us again as you did earlier when you were here?”* The answer came that taxes are levied everywhere by those in authority. In what was a cold reception, the woman asked again, *“Will you catch children as you did earlier?”* *“We will not take them by force, but if they come to us on their own, we will take them”*, came the reply. A civilian population used to having their rights trampled upon might feel relieved if things got no worse than this.

However, we see again the problem of the MoU failing to be explicit, as regards the rights and protection the civilians enjoy and ought to reclaim as their own. On the basis of a mere MoU the LTTE has asserted the right not just to extract money under threat, but even to remove children well under the age of consent. This is only the surface of a regime of terror. A seemingly minor breach of the protection owed to the civilian population, lets in the roaring flood – especially given the nature of the LTTE.

Take some of its ramifications. At a regular meeting of principals in one district, a matter came up under any other business. It was reported that several principals had already received letters from the LTTE to collect 8% of the salaries paid to the staff to be handed over to them. The question put to the chairman was what should they do. The chairman who had a family to think about was being asked to decide for everyone. After a pause the chairman blurted out, *“This situation may not last for more than a few months. Don’t add to your troubles needlessly.”* Everywhere, the principals decided to surrender.

This was just one step. The LTTE then started barging into and taking over schools in government controlled areas, showing their videos and conducting propaganda sessions. Principals and teachers had to stand aside as the LTTE took away children who ‘volunteered’. Some principals resisted as that of the school in Palaiyootru, near Trincomalee. No one is going reward them and they are bound to suffer when the LTTE is given the interim administration. Some principals have gone overboard to curry favour with the new masters, haranguing students to join the battle for Eelam.

During the night of 20th March, the Army in Kiran took down banners and decorations that had been put up for the 14th anniversary of Annai Poopathy’s fast to death. The Army maintained that under the terms of the MoU permission should have been obtained. Then the next day the LTTE commandeered several public transport buses and took them to several schools in the surrounding area. The schools included **Valaichenai Hindu, Kinniady Saraswathy, Petthalai Vipulanada** and **Kalkudah Nahammal**. The students

from 4th standard (9years) upwards were peremptorily ordered to get into the buses. They were taken to Kiran to picket the road and shout slogans at the Army until about 1.00PM. Then they were asked to get back home on their own.

A similar event took place in the area on 27th March when the Army, in Kinniady, stopped 3 members of the LTTE carrying some military equipment. Again the LTTE brought a large number of school children and made them shout slogans. At Valaichenai Hindu, the sports meet was stopped and the school was brought out. The Army avoided a grave incident by releasing the LTTEers.

Using innocent school children in protests of this kind is none other than cynical manipulation. When it becomes part of a war game played in the name of peace, its implications are dangerous. The LTTE has a long history of fishing for incidents to drive its propaganda mills.

Against this backdrop, there are a number of reports in circulation in Batticaloa on the fate of conscientious teachers who tried to stand up for their children. One such teacher confronted the leader of an LTTE press gang, by asking him how he joined the group. The LTTE man replied that he had joined voluntarily. The teacher replied, "That is the correct way for people to come into your movement. But today, you are ordering parents to hand over their children. This is utterly wrong". The LTTE man left without responding. That same night, a group of LTTEers came to the teacher's house and gave him a thrashing.

We have thus a glimpse into the deeper ramifications of compromising with LTTE terror by winking at seemingly light matters as 'tax collection' and barging into schools. It is enough to destroy the protective function of civil society. By pushing its advantage the LTTE has acquired complete license to regiment society in the manner of an army marching under orders. Under these conditions trying to follow up the conscription of children becomes almost meaningless. Earlier LTTE attempts to conscript children used to result in protest. It led to angry remonstrations and people often complained about it to others in the army-controlled area. Today there is silence and resignation. They have been sold out.

The peace process has indeed brought some unquestionable benefits. Behind it, however, the widespread misery that is being inflicted on the ordinary civilians by the LTTE is largely being blacked out. That there is very little discussion about its consequences for the peace process itself, is alarming. As concerns the loss of their young to a dreadful military machine, the last 8 months for the Tamils in the East have been worse than any past round of disappearances caused by the State Forces. Hundreds of young have been removed by the LTTE from areas under its control and now it is mainly a mopping up operation in pockets that have resisted or escaped. Those who have imposed this ignominy on society use legitimising rituals in an attempt to cloak the harsh reality.

4. Pongu Thamil: Politics of the Oppressed or Oppressive Politics?

Pongu Thamil and commemorations of selected dead are among other means used to impose the stamp of conformity on society. The Hindu described the Pongu Thamil celebration in Vavuniya on 3rd March in the following terms: "It could have been a scene out of the Cultural Revolution in China or out of youth parades in Hitler's Germany. Slogan-shrieking school children carried placards saying, "Our choice is LTTE, we choose Tamil Eelam" and frenzied teenagers chanted "Our leader is Prabhakaran" ... A delirious girl, screaming "Tamil Eelam is our desire", had to be carried away on a stretcher by medical personnel..."

An announcer describing the event as an earthquake that would rock the conscience of the world, as the Tamils' demand for freedom and self-determination, added, "We are no longer afraid of speaking out. Today is the day for letting our feelings boil over." The report which described the proceedings as 'theatrical, high on drama and emotion', followed by speaking of a red shirted contingent of college students setting a giant replica of a soldier's boot on fire. Then followed a woman introduced as having lost a child to the 'freedom struggle' lighting a flame over a map of the 'Tamil Homeland', and then a group of boys in scout-like uniform carrying a picture of the LTTE leader onto the stage.

These rallies have also pushed heavily on deifying the LTTE leader as the collective life of the Tamil Nation. The Hindustan Times reported on the rally in Trincomalee on 19th March where participants, prominent among whom were TULF MPs, wore badges bearing the LTTE leader's image. They raised their hands 'in a Nazi-type salute as they swore allegiance to him and the LTTE'. (It may perhaps be a mere coincidence, but the famous posters, where an LTTE man is shown leading two children by the hand towards the distant sunset, have been identified as being very similar to those used by the Nazi SS in wartime Europe.)

A particular inspiration behind these proceedings has been the street theatre group associated with the Department of fine Arts, University of Jaffna. Some of its key individuals have long worked in tandem with the LTTE.

The group trained animators throughout the North-East. One of the group's earlier notable performances was in the Killinochchi area in the wake of the forced exodus from Jaffna in late 1995. A large number of displaced children were then on the streets. In this street drama performance, an actor coming in a van frantically raised the alarm about the Sri Lankan Army raping women and massacring civilians. The children in the audience were invited to get into the van to save the people under attack and to teach the marauding Army a lesson. The children eager for a joy ride were driven away not to be seen again by their parents. Pongu Thamil is an extension on a grand scale of the ideas developed over the years.

Senior TULF leaders have objected to critics who have read warlike overtones in Pongu Thamil by holding that it is a mass movement for peace. However, there was no peace and joy in the expressions of TULF leaders as they swore oaths of fidelity to the LTTE and its leader at the Trincomalee Pongu Thamil (see photograph, Sunday Times 24.03.02). They looked more like men (and a woman) haunted by a spectre of death.

Questions were raised within the TULF as to whether the leaders looked at the slogans they endorsed by their participation. Among these were warnings to the United States: '*Amayappohum Tamil Eelatthil America Thalayidathe*' ('America, don't you poke your head into the birth of Tamil Eelam that is imminent'). The leaders replied that they need to go along with such things for pragmatic reasons! The Eelam struggle is unique for the readiness of people to commit suicide for pragmatic reasons!

However, a chilling reminder of the mindset behind the Pongu enterprise was manifest in a welcome speech to the newly arrived LTTE officials at Nallur Kanthasamy Kovil, Jaffna, on 8th April 2002. The speaker was the student union leader in the University of Jaffna, who was a pioneer of the Pongu movement along with a drama don. He said, "Tamil Eelam remains our goal and this Government must come to a settlement with us. If it fails, Jaffna will become the burial ground for the 40 000 soldiers stationed in the peninsula."

More pertinently, is Pongu Tamil the politics of an oppressed people in search of peace with dignity? The answer is clearly NO. It is an attempt to engineer a fatal identification between the Tamil people and the leader of a movement steeped in murder. Apart from several thousand Tamil people, this group has calculatedly massacred thousands among Muslims and Sinhalese who too have their home in the North-East. Where do they belong in the scheme of peace? Unlike 25 years ago, Tamil Eelam is no longer the cry of the oppressed.

To be clear, the Muslims in the North-East are victims of the violence of organised Tamil chauvinism, just as the Tamil people were victims of the State inspired Sinhalese chauvinism. There can be no comparison between the violence of Muslim home guards and the deliberate and planned massacres inflicted on the Muslims by an institution representing the Tamil mainstream. Yet the Muslims have remained moderate in their politics, yearning for reconciliation.

Unlike Pongu, a genuine movement for peace should be able to transcend communal and group divisions and mourn for all victims of violence, in a common resolve to end all violence. A mature peace movement of Tamils should be able to mourn for the Muslims killed at prayer in their mosques at Kattankudy and the Muslim women and children hacked to death by the LTTE in Eravur (see our Reports 7 & 8). LTTE theoretician Balasingam would call this digging up old stories. But the LTTE is all the time making selective use of the dead to suppress other people's right to their grief. Moreover, nothing has changed in the LTTE's nature or agenda for more than two decades.

The imposed commemoration of Poopathy as the only one among the many who died at that time worthy of being mourned is a sordid reminder of what the LTTE represents. Indeed hundreds of the victims during that period were murdered by the LTTE. Poopathy was a middle-aged mother from Batticaloa who fasted to death in early 1988 voicing the LTTE's demands.

This imposition is moreover a warning to expunge from the record the murder of those not deemed human by the LTTE. For thousands of mothers whose sons and daughters were slain by the LTTE, or joined different groups and were killed by the security forces, or whose children are being carried away now as conscripts, their right to grief, and to tears, has been crudely suppressed. Abolished in the name of the god whom they must obey. This is the 'freedom' Pongu rallies and their like signify.

This feeling of anxiety about these "uprisings" was expressed in the lecture titled "**Collective Trauma**" delivered by **Prof. Daya Somasundaram** at the Annual Sessions of the Jaffna Science Association, University of Jaffna, 3rd April 2002:

"One can understand the need at this crucial time to mobilize the masses, as in the 'Pongu Thamil' , to show strength and a united voice to strengthen the LTTE's hand at negotiations. On the other hand, we have to create a "culture of peace". The leaders may negotiate for peace but for it to be sustainable it has to come from the bottom. The peace process is very fragile. If we leave it to the leaders they may break it as they see fit (according to their perceptions or interests). Mass mobilization will lead to flash points and triggers. But obviously there is a general yearning for peace. This has to come through.

"Community level peace building activities have to be initiated. The mode of thinking and acting has to change from a conflict-habituated system of suspicions, grievances, ethnocentrism, violent solutions and confrontation to a peace system with give and take, accommodation, flexibility, forgiveness, non-violence and a wider world view. A fixed belligerent posture should not be engineered or orchestrated, but a creative response should be allowed to grow independently and spontaneously from below. Only then can genuine peace be sustained."

We quote below an extract from a poem written by a resident of the East that has already appeared in print. For well-known reasons, the author needs to remain anonymous:

*Pongu Thamil an uprising!
Seeing all those people
Can I ask each one of them,
"What brought you here?"
Being part of such a massive crowd
Does it make you feel the futility of striving,
Struggling against the tide you've stepped into?
Think again;
I know it is easier to merge with them
They speak my language, are part of my culture
Not an alien culture hostile to me
And so, I am ready to celebrate, be one of them
I even forget what I need to stand up for
I looked around for at least one face,
For one person who may cry "foul!"
Nobody did, no one dared
A mass of humanity without a heart*

*A poem without a poet,
A story without an author*

We have mentioned that child conscription lay at the origins of Pongu Thamil and remains inseparable from it.

5. The Continuing Pressure of Children

Contrary to denials by the LTTE leader and the claim by the LTTE spokesman, Mr. Balasingam, that young children who came to them are being handed back to the parents and receipts obtained, any change appears to be merely cosmetic. Reports of a high incidence of conscription have been appearing for 8 months, and continued into the month of May 2002. There are no indications of any qualitative change on the ground.

5.1. The Untold Story

Mas. Kathirkamathamby Pathmasri (15) of Vilavedduvan, Navatkadu, Batticaloa District, was taken by the LTTE on 14th March 2002. He escaped and returned home on 1st April. The LTTE area leader, Mohan, came home in search of him the same day. Having found Pathmasri, he began assaulting him mercilessly with the intention of taking him back. Watching helplessly and unable to bear the sight of her son being mauled, Pathmasri's mother, **Mrs. Pathmavathy Sivakolunthu** (47), took poison and was admitted to Batticaloa Hospital, where she recovered.

Mas. P (17) of Trincomalee went with the LTTE after a propaganda meeting on 15th March 2002. He was taken for training to Raalkuli, about 5 miles from Alankerni towards Muttur. This is evidently a smaller training camp where those brought are kept for less than two weeks before being sent to the base at Koonitivu. He escaped on 21st March. According to his testimony, 175 youths were under training at Raalkuli, of whom 75 were under 15 years of age. Of the latter, above a dozen were about 10 years old.

The following four children escaped from the LTTE's training camp in Uppaar, near Alankerni, and surrendered to the Police at China Bay, Trinco District, on 6th April 2002, They have stated they were forcibly taken.

Mas. James Ganeshton alias Mathan (age 14) of main Street, Anandapuri, 3rd Mile Post, Trincomalee. Taken 12th February 2002.

Mas. Nishantan Shanmugam alias Vamadevan (14) of Pulithevanager, 3rd Mile Post, Trincomalee. Taken 15th March 2002.

Mas. Varatharajan Krishnan alias Eelaventhana (15) of 233. Mariamman Kovil Rd, Gandhi Nagar, Trincomalee. Taken 14th February 2002.

Mas. Satyaseelan Kuhathas (16) of 294/19. Puthukkudiyiruppu, Thuwarankadu, 3rd MP, Trincomalee. Taken 16th February 2002.

Mas. Balakrishnan Latchumanan (17) of 3. Alady Rd., Thonikkal, Vavuniya, has been in the custody of the Vavuniya Police since January 2002. He was recruited in 1999 at the age of 13.

Saved by Muslim villagers: A 15 year old boy from a Trincomalee suburb was taken along with two other boys of about the same age by LTTE recruiters who had screened action videos in early March. The boy's mother is a well-known craftswoman. Later on, this boy and one of his two companions escaped from their training camp near Mutur. Some days later, local Muslim villagers contacted parents of the escapees and informed them that the boys were with them. They explained that the boys had come to the Muslim village and sought help. The Muslims were keeping the boys until the search for them was called off. The boys were duly restored to their parents.

Signing away one's life: In early March, the LTTE stopped 3 students down Court Road, Trincomalee, after a tuition class. The three were persuaded to sign their names on blank sheets of paper. Later the LTTE went to the home of one of the boys and showed the parents a signed letter, where the boy had ostensibly volunteered to join the LTTE. They demanded the boy. The parents questioned the boy and refusing to give their son, explained the true position to the LTTE. Likewise, in the homes of the other two boys. The LTTE left after dropping dark hints that they would take up the matter again.

Mas. Suresh (15) of 6th Colony, Dehiwatte, Allai Scheme, south of Mutur, was forcibly taken away by the LTTE last November, after a propaganda meeting.

Mas. Suthahar Singarasa (16) of Verugal, Trincomalee District, who was schooling in Eechchilampattai, was forcibly taken away by the LTTE during March 2002.

Shorn, but safe: In early April, 20 girls made an escape from the LTTE training camp near Kudumbimalai in the interior of Batticaloa. Subsequently, soldiers from the Kaluwankerny camp lying in ambush to apprehend LTTE infiltrators, saw four figures crossing the water at Mavadiodai, whom they at first took to be males. On summoning them, the soldiers discovered that the four were girls with their heads shorn. The four were sent to Batticaloa and released to their families. They do not know what became of the other 16 who escaped with them. The shearing of heads is a practice adopted by the LTTE to make it difficult for escapees to hide. The four girls are: **Vinothini Pakiarasa** (aged 17) and **Ranganayaki Vyramuthu** (19), both from Kokkuvil, Batticaloa District, and **Kalanithy Tharmarasa** (16) and **Vasanthakumari Murugesu** (16), both from Vinayagapuram, Thirukkivil 3, Amparai District.

All four said that they had been abducted, the latter two while returning from tuition.

Missing: Mas. Mariyanayagam (17) was a student at St. Michael's Batticaloa, who went missing after attending a computer class in early March. After looking high and low for him for over two weeks, his mother and sister concluded that he must have been forcibly taken by the LTTE.

Into the Crocodile's Jaws: During February 2002, 5 youths, including **Mathialagan** (16) of Thampalakamam, escaped from the LTTE training camp at Eechchantivu, south of Mutur, with pursuers hot on their heels. Three of them succeeded and went into hiding. Two of their number, according to the survivors, had been carried away by crocodiles while crossing a waterway. The LTTE later visited the homes of the escapees and threatened the parents with severe consequences if their sons were not handed over.

What follows is a very small sample mainly from the conscription that has been taking place in the army-controlled area of Batticaloa District that is known to have increased after the signing of the MoU:

Mas. Karunathas Mylvaganam (16) of Veppavedduvan, Pankudaveli, taken 28th Jan.02

Mas. Sritharan Tharmalingam (15) of Kiramakkottu Veethy, Araiampathy, taken 3rd Mar.02

Mas. Nishanthan Sittiravel (16) of Thalavai, Morakkatanchenai, taken 12th Mar.02

Mas. Pratheepan Pakiarasa (15) of Post Office Road, Kiran, taken 23rd Mar.02
(The case of another boy taken from the same area on the same day is given in the next section.) Cases pertaining to April are given in Chapter 8 below.

5.2. Conscription of very young children

Campaigns about child soldiers tend to isolate children under 15 taken into an armed group. But in the Tamil case in Sri Lanka, this is just a reflection of the whole society being conscripted. The question of choice, whether child or adult, does not arise.

Mas. Duraisamy (11): **Duraisamy** of Kothiawalai resides at Pavatkodichenai, Unnichai, Interior Batticaloa, where he is a cultivator. In late March 2002, the LTTE went to his home and demanded a child in accordance with their scheme of one child per family. Despite Duraisamy's strenuous objections, the LTTE took away the eldest of his three children, a boy of eleven years. According to local sources, this remains the norm.

Mas. Karunakaran (10) is the 10-year-old son of **Nallaih Karunakaran**, of Unnichchai, a man who suffered from polio as an infant, and now ekes out a living by working as a labourer and collecting firewood. The LTTE demanded and took his son after mid-March 2002. The boy was taken to a training camp in the interior. However, the boy, who had been herding cattle in the area knew the ins and outs of the place. He escaped and now lives with an uncle who had converted to Islam and resides in a Muslim area.

Mas. Pakiaratnam Suthanthiravel (14) of Post Office Road, Kiran, was forcibly conscripted on 23rd March 2002.

The following two children were forcibly taken by the LTTE after 22nd February 2002, when the MoU was signed:

Miss. Kumuthu Thiagarasa (13) of Mahilavedduvan (not attained age)

Mas. Babu Thambimuthu (13) of Unnichchai

The two following children, both orphans, who were looked after by Pastor (**Miss**) **Rajini Thancharatnam** of Bethania Gospel Fellowship, Trincomalee, were abducted by the LTTE:

Miss. Kumari (12) was abducted in January, when returning from school. (Her parents had committed suicide.)

Mas. Yoshua (14) who was adopted by **Miss. Thancharatnam**, was abducted in early March 2002.

Miss. Thancharatnam brings up several orphans. Those familiar with her establishment have testified that the children received abundant warmth and love from her and there is no question of the children having gone to the LTTE willingly without a word.

Mas. Jeyakavithan Kalirajah (12) of Ward 10, Ahambaram Street, Trincomalee, was removed from school by the LTTE after a propaganda blitz in January 2002. During April, after the LTTE office in town was opened the boy's father, Kalirajah, and his mother went there and pleaded to be shown their only son. The LTTE political officials told Kalirajah that he had been in a group that conscripted youth for the Indian inspired TNA in 1989. For this reason, they said, he has no right to ask for his son!

Kothiyavalai, Kannankuda, Batticaloa District : On 10th October 2001, the LTTE did a roundup of this village in the interior. It then took away 67 children of whom 36 were girls and 31 boys. Many of them were very young.

The names of some of them follow:

Miss. Thanalatchumy Panchacharam (13)

Miss. Kamalanayaki (14)

Miss. Lingeswary Yoganathan (13) of Kuruvichaiyady Munai

Many tragedies concerning child conscripts are widely known, but only a tiny fraction can be, or have been, tracked down to their source. For example, several weeks ago, Electricity Board men in Batticaloa went into the LTTE-controlled village of Kakkadichcholai to attend to some work. They encountered an angry mass of villagers in an uproar. The electricity men were virtually chased off. The protest was against the LTTE that had conscripted a 13-year-old girl. The Electricity men were told that this girl had died in the training camp. Such spontaneous protests are quickly and effectively suppressed by the LTTE and nothing gets outside.

In another instance, in March, a family forced to surrender a child, handed in a retarded boy of about 15. The LTTE beat up the boy and dumped him. The boy was treated in hospital. We have so far been unable to track down the details and what happened to the family afterwards.

5.3. Ongoing patterns of child enticement/conscription

The LTTE commenced compulsory recruitment on a massive scale in the Batticaloa District last August. This followed huge losses in recent years and the drying up of recruits from the North, where resistance was building up. The LTTE's slogan in Batticaloa is one child per family and is still being implemented. The conscription was pursued with vigour even as the Southern polity ran into crisis last year and the tragedy in New York created an environment unfavourable to the LTTE. The same vigour was kept up even as the government changed and a Norway brokered peace process was in prospect. The typical scene in the rural villages was LTTE recruiters arriving in tractors and departing with a trailer load of children, leaving behind the village in anguished mourning.

Whenever international institutions (e.g. AI) protested with concrete cases, the LTTE prevaricated, tried to make out that the eastern leader, Karikalan, was acting on his own against policy, announced an inquiry, and, in effect, played for time. However, in September last year, much publicised representations were made to the LTTE by Bishop Swampillai and other religious leaders in Batticaloa. If there is any basis for relief in reports of outright forced conscription having declined, it is merely that the task in interior Batticaloa is nearing completion. Now it is mopping up.

The LTTE's attention is now diverted towards recruitment in areas previously under army control into which it has been allowed entry for 'political work' as stated in the MoU. The pattern is the same as that in Jaffna in the early 1990s and in the Vanni recently - barge into schools, or corner children on streets and squeeze them psychologically. Although, the numbers are again very high, it has not made news like driving tractors into a village and shovelling in children. The children are now taken away more discreetly. Often they are made to sign a letter of consent and are subsequently led away in smaller numbers, often in public transport, to contact points.

In several marginal areas or those where the security regime imposed by the state has been resented, there is also susceptibility among children to LTTE propaganda. These are often also areas where the Tamils have long felt economically, territorially and electorally threatened. This susceptibility has been greatly enhanced by demonstrations like Pongu Thamil and Annai Poopathy celebrations. Certain such areas are Trincomalee and Amparai Districts and others like Vavuniya and Cheddikulam.

An important feature to be borne in mind is strongly suggested by the large number of escape attempts by recruits. **This is that, of those taken away by the LTTE after being emotionally drugged, nearly all of them want to escape immediately afterwards.** We

receive further confirmation of this from the LTTE shearing the heads of girls and the fact that those who have succeeded in escaping are mainly children in their latter teens.

By early May, there was a further acknowledgement from the LTTE that the problem of escaping children was indeed phenomenal. About the beginning of May, several parents of conscripts went to the training camp in the Unnichchai area to see their children. They were turned back after being told by the LTTE that that they were in the process of shifting the camp further into the wild interior because many had escaped.

While the agony of missing their home must be greater for children in their early or pre-teens, they would be deterred by the severe hazards involved. The training camps are in wild interior areas and hazards from elephants and crocodiles to marshes have been encountered in cases presented in this report. Moreover, the punishment for those caught is severe (e.g. the assault of the 15 year old boy above). There is no doubt that only a fraction of escapees succeed and an even tinier fraction of escapes and attempted escapes come to light. Initially the longing to escape is high, until broken and entrapped in the organisation's workings.

6. Some Regional Traits in Child Conscription

6.1. Trincomalee

Although the peace process is the context behind the LTTE being given open entry to the government controlled areas, LTTE members barging into schools say not one word about peace. It is all about war. In a typical encounter, LTTE recruiters take over a class while the teacher is asked to stay away. The opening gambit to the children is: "Why do you want to waste time studying? You are not going to get jobs!" Then comes, "Who is going to come to your defence when the Army rapes your mothers and sisters and murders your fathers and brothers? Is it not ourselves?" The pressure is then built up, all the time appealing to an individual's sense of guilt and shame.

The total number of children recruited, after the signing of the MoU (22.2.02), from a single school in a Trincomalee suburb - Chelvanayakapuram High School - is placed at well over 100. We give below a small cross section of those taken:

Grade 8: Miss. Vimalakanthi (13) and Miss Kalaivani (14)

Grade 9: Mas. Thayan Joseph (14) and Mas.Saran (15)

Grade 10: Miss. Rasani (15), Mas. Thevanayagam (15), Miss. Nilun(16) and Mas. Sasitharan (16)

Grade 11: Miss. Nilun (16) , Miss. Vijayakumari (17, Miss. Samuthiura (17), Mas. Chnadiranesan (16), and Mas. Nilantharan (17)

The pattern is commensurate with that reported by the escapee above from the training camp at Raalkuli in March. The total number taken recently from Trincomalee town alone is estimated at above 1000. The total for the East is estimated at more than 5000.

6.2. Thirukkovil -Thambiluvil, Amparai District

The cease-fire was greeted with jubilation by people in this hard-pressed district. Earlier, the STF has imposed tight security in the area and residents were indoors by 6.00PM. The people suddenly felt free. Then the LTTE extortion and recruitment teams got to work and many children were carried away to the interior of Batticaloa for training. Now, say the residents, the atmosphere prevailing is that of a funeral house!

Although, as elsewhere, outright abductions are being reported, especially in the poorer areas (e.g. the case of 4 youths from Comary reported by Paul Harris in the Daily Telegraph), psychological pressure has been the chief means. Two 16 year old girls from Vinayapuram encountered earlier also said that they were abducted. A notable day was 27th February at Thambiluvil High School, when there was a sports meet. The LTTE came with action videos and worked on the children. A large number of children went with the LTTE. Such was the response that five children who wanted to go missed the bus.

In the case of a 15-year-old boy who went with the LTTE, a teacher was aware that the boy lived with his mother who managed the home. The teacher was curious to find out whether the boy's father had been killed by the security forces. Having asked around, the teacher was surprised to discover that the boy's father had left his mother and was living with another woman. The boy's motivation in joining the LTTE was to take revenge on his father. The teacher observed, "There is nothing political in these children joining the LTTE, Tamil Eelam is far away from their thoughts. They all have their personal agenda".

However, nationalistic rhetoric conjuring up a narrow nationalist ego, does provide a backdrop against which the susceptibilities of children are enhanced. In turn, many distraught parents have chosen suicide as a way out.

7. Conscription-related Suicide

It has been floated about in NGO circles in Batticaloa that about 16 parents of conscripts committed suicide. These too have been effectively suppressed. In our first attempt we got as far as two mothers, one in the village of Vilavedduvan and one in Nellikadu. We also learnt that in such instances the LTTE tries to step in quickly and conduct the funeral. The cause officially recorded would typically be snakebite. By sharp contrast, a large number of unsuccessful suicide attempts resulting in hospital care have gone down on record. The few cases below illustrate the agony of a society whose supposed approbation of this order is among those glib fallacies that stem from arrogance.

A Father's Suicide: Kanthasamy was a farmer living in Unnichchai in the interior of Batticaloa. During 1990, just after the Indian Army pulled out, his eldest son was meddling with a shell stuck at the edge of the tank. The shell exploded killing the boy and wounding his sister. The LTTE went to Kanthasamy's house on 23rd March 2002 and demanded a surviving son. Upon Kanthasamy's firm refusal, he was taken to the punishment farm in Tharavai. The LTTE released him on 30th March with orders to bring his son or face severe punishment. Kanthasamy committed suicide by taking poison near 8th Mile Post on the Badulla Road, where the road crosses a stream. His body was cremated by relatives who found it at 8 '0 clock the morning after.

Katthamutthu Peethambaram (46) was found hanging by his neck at his home in Vantharumoolai on 7th February 2002. This happened following the LTTE importuning him to surrender a son. Like many others placed in this situation, the victim had a close relative in a group brutally decimated by the LTTE.

Mylvaganam Thevi, wife of **Velmurugu Kopalasingam**, of Illupadichchenai, Pullumalai Road: Committed suicide in September 2001 when her daughter of 16 years was forcibly removed by the LTTE.

Sinnapillai Latchumi, wife of **Veluppillai Kanthasamy**, of Illupadichchenai, Pullumalai Road: Died of shock in September 2001 when her son **Jesudason** (17) was forcibly removed by the LTTE.

Mylan Mangai, wife of **S. Sivalingam** from the same area as the two above, about the same time: Fell into a well when her son **Arunas** was conscripted. She was saved.

Miss. Nanthini Thangarasa (15 or 16) of Ward 9, Kokkadiccholai, was a young girl in an LTTE establishment in Interior Batticaloa. She had committed suicide on 24th April 2002 and her body was sent home for burial. According to informants close to the family, Nanthini had been a few months pregnant through an affair with a Ravi of the LTTE's Communications Unit. The suicide according to these sources resulted from Ravi denying paternity of the child and refusing to marry her.

Another version of presumably the same incident from casual village talk illustrates how difficult it has become in that atmosphere to disentangle truth from half-truth. In this second version. the girl is said to have been 18 and had left the LTTE. She is said to have become pregnant by an affair with a married man, a civilian, in the Unnichchai area. Following the girl's suicide the LTTE is said to have detained the man and later released him. The interlocutor was not aware of the girl's name.

On applying for further clarification, we learnt that Nandini had been conscripted by the LTTE during 2001. She had been assigned to work in the Communications Unit at Kevarmalai, near Unnichchai, that was headed by Ravi. When she became pregnant, some unsuccessful attempts were made at abortion. It was then that she had confided in a few friends. Following her suicide, the LTTE decided to send her body home rather than

place her among the martyrs' graves. Ravi , we learn, was subsequently questioned, and the matter was hushed up.

Having gone through several aspects of child conscription and its effects on society, the question naturally arises whether the LTTE does respond to international concern, and of what value are assurances from the highest LTTE officials?

8. The LTTE Leader on Child Conscription: Fact and Fiction

At the press conference of 10th April, the LTTE denied before the world media that they were conscripting children. **Balasingam** went further and added that they were returning children who had come to them on their own to their parents and were obtaining letters of acknowledgement. Those who knew the situation in the interior of Batticaloa were clear that conscription was going on during the month of April. While they reported a lull during the traditional New Year (mid-April), they expected it to resume afterwards. Confirmation of its resumption came subsequently.

One might have thought it prudent for the LTTE to stop for now and to do it more surreptitiously over a period of time. World opinion on the question has been flagged in several press reports of foreign journalists and by the reports of Amnesty International. Why does the LTTE take a risk in defying world opinion especially after the Leader himself denied it before the world?

We recall that the LTTE had laid it down as a law in Batticaloa that each family must give a child or forfeit its property. This was being systematically implemented. The dreadful power of the LTTE among the people stems from the belief that no one can escape its fiat. The god must be obeyed. This belief among the LTTE cadre is the key to unquestioning obedience. Any crack in this belief will threaten the organisation and its writ.

On 11th March came the warning by the US regarding developments in the East. The LTTE could not afford to give the people the impression that it may be made to bow down by US pressure. A god could not give in to a mere superpower. Had the LTTE not repeatedly reiterated its ambitious scheme of conscription in the Batticaloa District, it could have afforded to lie low or go slow for a while, as it is now doing in the Mutur area.

Following the US warning angry references to the US and the West appeared in Batticaloa leader Karikalalan's interviews (Sunday Leader 17.03.02 and Paul Harris). In the weeks that followed the US warning, LTTE political wing leaders **Nizam**, **Kanga** and **Visu** went around schools around Batticaloa reiterating the demand of one child per family and attacking the US as an obstacle to peace.

The process of conscription went on. The LTTE used officials and records of the Government's Samurdhi scheme for the poor to track down families with children that

had not given a child. Many families identified were given notice by the LTTE from the latter part of March.

At Unnichchai, 18 families on the Samurdhi list have each been asked to surrender a child. The children in these families are generally 13 years of age or younger. **Mr. Perinparajah** who heads a family on this list has been asked to surrender his son aged 13. When these agonised families protested that that children were barely out of their infancy, the LTTE said that it would educate them! These families live in terror, expecting the LTTE to come anytime and remove the children forcibly. This is underway as seen below. The pattern is the same as that reported in 9.1 below, a month earlier.

An LTTE party under **Mohan** raided Eechchantivu in the night of 21st April 2002 and removed in all about a dozen children aged about 15. A separate report from the same village said that 8 homes were raided at 3.00 AM in the morning of 22nd April and a corresponding number of children were removed. The LTTE had previously forced these families to sign letters pledging to give a child. 21st April was the deadline. In another report, a poor farmer from Pandariaveli, Kokkaldichcolai, had said on 21st April that he had been ordered to surrender his 11-year-old son.

On 22nd April, the LTTE Leader Mohan went to the homes of Messrs. **Krishnapillai, Suntharam** and **Ponnudurai** of Navatkadu and removed a daughter from each home. The girls are respectively, **Sasikala** (16), **Santhira** (16) and **Kalavathy** (15). All three were O. Level students at the Eechchantivu School.

The case of **Miss. Nadeswari Karuppiah** (16) of **Sitthandy**, Batticaloa North, is a microcosmic illustration of how the entire Tamil society is being forced to acknowledge the LTTE as their sole representatives. A few days after the traditional New Year (mid-April), **Nadeswari** was seen being virtually dragged through the army-controlled village by members of the LTTE. The girl who had obviously been given no time to change was led away crying miserably and protesting bitterly. Her jewellery was later returned to her home. In early May, a man in religious orders and friend of the family, approached the LTTE on their behalf. Nadeswari was brought before the man. Incredibly, she said that she had joined willingly!

Again in Kalkudah, about April end or early May, a youth of 16 (name suppressed by request), a cowherd, was abducted by the LTTE. He escaped in a day or two.

On 30th April 2002, the LTTE conscripted about 46 children in Vantharumoolai, which comprises a wide area north of Batticaloa. This was again a night operation targeting families that had failed to deliver by the deadline given. A small sample of those taken is listed below:

Miss. Sivajini (15), Market Road,

Mas. Vellayan Thangarasa (15), Uppodai Road

Mas. Chandrakumar Kanthasamy (16), Uppodai Road

Mas. Navas Balu (17), Uppodai Road

Mas. John Silva (17), Uppodai Road

Also conscripted on the same day (30.4.02) was **Miss. Annalutchumy Ariyanayagam** (15) of Kothiyavalai, Kannankuda.

On 8th May 2002, again the LTTE launched a round of conscription in the same area. Among those taken were the following boys aged 17 from the same class. They are, **Mas. Suhanthan Sivamoorthy, Shankar Kanthalingam, Shanmugalingam Samivelu & Vijayan Subramaniam.**

The evidence points to continuing conscription over a wide area. What is rather creepy here is that the LTTE leader's word given before the whole world on such a sensitive matter means so little. In the meantime, propaganda speeches made in the villages by local leaders are about war and not peace.

What this shows is that most people have failed to understand the essential nature of the LTTE. Constraining it would require careful planning with global co-operation and a global consensus. Such co-operation is at present lax and ad hoc. It calls for political measures at home and a global effort in checking the flow of destructive materials. We now move on to the general context of terror and capriciousness in which the children in the community are being mentally and physically maimed.

9. Reinforcing the Web of Terror: Deliverance or Degradation?

The plight of children being conscripted (or cajoled) into the LTTE's military machine must be seen against the background of thuggery and intimidation evident in the cases below. The LTTE, which has been enforcing the demand of one child per family in the Batticaloa District, is now extending it to the Amparai District. In the government-controlled areas like Trincomalee and Thirukkivil into which the LTTE has recently been allowed practically free access, its main modus operandi for recruitment has been to rouse emotions with festivals like Pongu Thamil (Tamil Inspirational or Boiling Over) and propaganda sessions in schools. The required effect on children is secured by making adults, teachers and even churches conform by a variety of means.

For the Pongu Thamil festival in Trincomalee held on 19th March, the schools were simply ordered to bring their children. Dissenting teachers were told that they would have to report to the LTTE office in Mutur for an inquiry. That is enough to keep anyone on pins. Among the first things the LTTE did upon being allowed entry into government controlled areas for 'political work' was to raid the offices of NGOs and government departments to look into their funds and demand their share. Demands were made for houses where the owners had rented them out. The message again was, if you value your peace, play safe.

Thus the Pongu Thamil at Trincomalee saw good participation by many from all Hindu and Christian persuasions as the image of **Prabhakaran** was rolled along on a temple chariot with bare-bodied devotees rolling on the ground in obeisance to their god. Rolling on the road from Sivan Kovil through Post Office Junction to the Mahesar Field was no mean feat of devotion. To ensure a full crowd at the final day celebration of Annai Poopathy on 19th April, the LTTE went into the surrounding villages (e.g. Puthur, Thimilathivu, Sethukuda, Mamangam, Kallady and Iruthayapuram among them) and ordered that each family should send two persons. Failure to comply would lead to a fine of Rs. 500 from a family or a cut in the Samurdhi (government support for the poor) grant. This was to be implemented by the Government's village headmen.

Of course, the LTTE claimed that these grand gestures had nothing to do with them, but were rather, the people spontaneously 'boiling over'. In the present vogue of double-speak, questioning the LTTE's terror has been branded 'anti-peace'. With such humbug elevated to the respectability of peace activism, we may expect many more spontaneous uprisings. These would include spontaneous attacks by the people on anyone who dares to engage in independent political work in the North and East.

9.1 Thuggery and Deprivation Related to Conscription

Parutthichenai, Kannankuda, Vavunativu DS Division, Batticaloa: During January 2002 (see **Bulletin 28**), The people of the area resisted the LTTE who came into the area to conscript children and other young persons. Parents came out with poles and blocked the tractors brought by the LTTE to transport conscripts. The young were sent into hiding. Over the coming weeks the parents managed to get several of the young out of the area, sometimes into Muslim villages to work as farm hands or at rice mills.

About 10.00 PM in the night of 22nd March, the LTTE raided homes in the village and took away several fathers who had resisted and sent their children away. Among those taken away were farmers **Ramakutty Seenithamby, Palachamy Kanthasamy, Vellupillai Kumarasamy** and Palipody. They were sent to the Thottam (Garden), a farm near Thanthamalai where detainees do forced labour. Their release is conditional upon their locating and handing over a child to the LTTE.

The same night, the LTTE forced their way into the house of **Periyathamby** of Kalimadu and caught his 14 year old son, who was bound and taken away.

Stories of this kind are enormous in number and are becoming increasingly difficult to track down to their source because of mounting fear. The fate of children cannot be separated from the general atmosphere of intimidation and thuggery that prevails under the LTTE.

Mr. Arunasalam of Kiran, Village Headman, Navalady, had two daughters, the elder married, and a son. He was taken into custody by the LTTE after he turned down the LTTE's demand to give a child. In late March he was still under custody.

Mr. Puvaneswaran from Kokkadichcholai cultivated lands and owned a textile shop. The LTTE demanded a child from him after it started forced conscription last August. The man who had dealings with the LTTE refused and pointed out that the organisation owed him Rs 4 lakhs for textiles he has supplied to them. In reply the LTTE removed his tractor and took over his paddy field. **Puvaneswaran** complained to higher officials, who promised to sort it out with those responsible.

Later, **Thurai**, the local LTTE man in charge of conscription, came to Puvaneswaran with some young underlings. Thurai watched as the underlings assaulted Puvaneswaran on his orders. Hearing about her father's plight, Puvaneswaran's daughter who was schooling in Batticaloa, came home and gave herself to the LTTE. Then Puvaneswaran's goods and the Rs 4 lakhs owed to him were returned.

The 'Garden': After the LTTE started conscription in Batticaloa last August, a government servant in Pattipalai, with the understanding of a local LTTE leader, helped to get his niece, a degree student, away to the South. In January, the new leader arrested him and sent him on punishment to the 'Garden'. There he was made to chop and uproot trees. He was given poor quality food and made to sleep in the open on grass, with only some cadjan above him. Unable to take the strain at his time of life, he escaped by night - a hazardous undertaking as seen in a case below - and arrived in Batticaloa town during early February.

Mr. Panchacharam was the head of the school in Parutthicchenai. About September last year, the LTTE wanted him to surrender his son who is studying in Batticaloa town. When he refused, the LTTE detained him. Later they released Panchacharam for medical treatment and took his wife. Panchacharam came to Batticaloa town. His wife was later released and slipped away into town during November's Vilakkidu festival (Festival of Lights). Panchacharam had asked for a transfer and been refused.

9.2 Confiscation of Property for Failing to give a Child:

Alagiah Chandran and Alagiah Rajaratnam are two farmer brothers in Unnichchai. The former has two boys and two girls. When the LTTE demanded children, they each gave a boy. The two boys escaped from the LTTE training camp after mid-March and with help got to the STF-controlled area. One boy is studying and the other is working for a Muslim mill owner. The parents decided that they would refrain from giving any of their children to the LTTE. The LTTE, as punishment, took Chandran's 240 tractor and 300 cows after making him sign a letter transferring these. **Rajaratnam** had to hand over 150 cows. Likewise from the same area, in lieu of children, **Kathiresar** had to hand over his 50 cows and **Samitthamby** Paludy, 5 acres of paddy land and 50 cows.

Ruthirapody of Kotthiavalai is the father of two boys and two girls. Upon his refusing the LTTE's demand for a child, the LTTE after mid-March confiscated his 240 tractor and paddy fields. Another podiar in the same area, who refused a child, had to part with his 240 tractor. He later gave his eldest daughter to the LTTE and got his tractor back.

This and the previous paragraph are related to the suicide of **Kanthasamy** given in Section 7.

Outsiders may feel angry with parents who hand over a child to the LTTE in order to protect their property. However, these parents deserve sympathy. When they hand over a child, they do so with immense heartburn. There is the practical question: How can they raise their children when their means of livelihood are taken away?

9.3. Harassment, Pillage and Violence

S. Pulenthirarajah (27) of Mutur was in the militant group PLOTE and had left the organisation 4 years ago. He was married and the father of a child. His wife had taken employment in the Middle East. The LTTE came to his home on 10th March 2002 and forcibly took him away. The following day they sent a message to his brother and sister to call at their Sambur office and collect his remains. Pulenthirarajah's corpse was given to them with two gun shot wounds in the chest and several other injuries from torture.

In this ambience the next incident does not come as a surprise and points to the influence of impunity on the direction of the LTTE.

A Woman's Trauma: In Thiruperunthurai, close to Batticaloa town, behind the seminary, there lives a 35-year-old widow with her 7 year old son. Reputedly a chaste woman, she earned a living as a labourer and resided in a flimsy cadjan hut. Late one night in mid-April, three men pushed the wooden barrier at the entrance and barged into her hut. A would-be rapist was upon her, and being a strong woman she fought him off and gave him a kick. The man knocked the bottle lamp that was burning and his sarong caught fire. The three took to their heels.

In the morning the widow related her story to a young couple in the neighbourhood. The widow also identified her main assailant as **Gadaffi**, a well-known LTTE figure from Sathurukondan. She was unable to identify the other two. The couple feeling indignant about the incident went to lodge a complaint at the newly opened LTTE office in Batticaloa. The LTTE men who would have known Gadaffi's reputation, started acting threateningly towards the complainants. We also learnt from another report that Gadaffi was in the office at that time. Rather than being intimidated, the wife raised her voice in anger. Getting alarmed that the commotion would be heard in the street, the LTTE men tried to pacify the couple and sent them away. Undaunted, according to local reports, the couple sought advice and lodged a complaint with the local Monitoring Mission. It is now rumoured that Gadaffi has been disciplined.

What is remarkable about the incident is not so much that there are Gadaffis in the LTTE, but the attitude of the political office at a time when the LTTE's control is yet incomplete.

The Cost of a Saw: The LTTE borrowed household implements one after the other from the home of a retired head master living in the interior of Batticaloa District. Owing to

these implements not having been returned, the head instructed those at home to refuse any further requests. In early February, when the man was away, the LTTE came home and obtained the saw from a small child. The child reported this to the retired head when he came home. The man became angry and beat the child.

The retired head's wife then went to the LTTE camp and asked for the saw. Offering an excuse for wanting the saw immediately, she mentioned that her husband had beaten the child. A little later a small LTTE boy went to the man's house and summoned him to the camp. The man flatly refused. Then several small LTTEers were sent with orders to tie the man and bring him. At the camp the venerable pedagogue was assaulted while he was tied. Any decent political organization would have politely raised the issues with him and tried to convince him that he should not have got offended for minor things. But it is not an organization that anyone could afford to brush against. During the night he escaped from the camp and reached Batticaloa town.

Podiar Thiruchelvam, originally from Kurumanveli, had vast acres of rice fields and a large herd of cows in Vaharai, north of Batticaloa. The pride of his herd were 1200 white cows. Further, he had 800 coloured cows and 400 buffalos. He employed 40 labourers and his daily milk production was worth Rs. 15,000.

Around January this year, the LTTE without warning removed all his cattle. One cow each was given to about 1000 families from whom the LTTE had recruited/conscripted (Poralikal Kudumbam). A large number of cows were also slaughtered by the LTTE. About 400 cows escaped from their captors and returned home. The LTTE came back and removed them. Why the LTTE did this is not clear. It may be to soothe discontent among poor families in the area whose children had recently been removed.

Thiruchelvam was heart broken and fell mentally ill. His brother **Thiruganesh**, a retired principal in Araiampathy has vainly tried to tell him that the LTTE would return his cattle. The services of poosari (a non-Brahmin Hindu Priest) have been obtained to perform healing ceremonies.

Mr. Sabaratnam of Kokkadichcholai was acquainted with a traffic policeman in Batticaloa. During mid-January this policeman was abducted by the LTTE and taken to the interior and detained. 12 days later, he escaped during the night and was proceeding towards Batticaloa, when Sabaratnam on his bicycle met him. The policeman told Sabaratnam that he had been released. Sabaratnam gave him a lift on his bicycle and took him to town. Later the LTTE took him into custody accusing him of helping the policeman. Sabaratnam's pleas of innocence were brushed aside and he was asked to pay Rs 4 lakhs for his release. Sabaratnam got out after paying Rs. 2 lakhs.

Markandu (55) of Kumaralayaveethy, Kiran had a tractor that the LTTE forcibly removed from him on 3rd May 2002. Markandu complained to the Police who got the tractor back and returned it to him on 7th May. The LTTE came back and took it from him again. Feeling helpless and exasperated, Markandu swallowed poison and was admitted to Batticaloa Hospital.

9.4. Escape from Forced Conscription

A Night Safari: In what follows some details have been suppressed. C had recently left school and was a religious worker. Taking advantage of the MoU, he visited relatives in a village under LTTE control in early March. On questioning him, the LTTE found that none from his immediate family, which lived south of Batticaloa, had joined their organisation. He was taken into custody and detained in the same village. An LTTE leader plopped his Bible on the table and accused him sarcastically of making conversions. The following day he was taken to a camp in the jungle beyond Kokkadichcholai.

At this camp C was placed with two others who were brought there under similar circumstances. Of the two one had got married in the hope of escaping conscription and the other had gone through arrangements to marry for the same reason. The three were placed under the care of an LTTEer with instructions to watch them while also attending to other chores. There were also in the camp eight other very young boys who were definitely under 15. The three adults were prevented from talking to them. This was a camp in which people were held until sufficient numbers were collected to form a batch of 25-50 to be sent for training deeper into the jungle. The three figured that if they were to escape, they should do it without delay.

That night they heard their guard asking for a replacement over his walkie-talkie. The three made a run for it in the general direction of the east, and were lucky that the moonrise was to be late that night. Almost immediately they heard the alarm 'Panjittangal' ('They have jumped off'). The fugitives heard shouts and saw torches flashing. Though tired and breathless, one of the escapees warned the others that if they stopped, they are finished. Having run until thoroughly exhausted, the three lay flat in a paddy field, their bodies stretched alongside the bunds. The search party came and flashed their torches, but missed the fugitives. The fugitives moved on after the search party withdrew. In sight of Mahiladitivu junction, the fugitives saw LTTEers plying the road on motorcycles with headlights flashing, in an attempt to cut them off.

Realising that they should avoid roads, the fugitives walked south towards Central Camp through fields and jungle. Towards the south of the district, their route was wild and thorny. This area separated Sinhalese and Tamil settlements, which since the outbreak of communal tensions was generally avoided by both groups. The fugitives could also hear the trumpeting of elephants. Whenever the sound was close, they hid themselves for the fear of being attacked.

Later on, the fugitives found themselves facing 38th Colony, a Sinhalese settlement protected by the STF. Seeing the fugitives clearly by moonlight, the guards fired a single shell. C reflected that it was a warning shell to turn them back, since it fell far away from them, whereas they could have been picked off easily with small arms. The escapees decided to lie down in the jungle, since they were weary and could not tell the direction.

At dawn, they found their way to 36th Colony, Vellavelly, and then to the STF camp in Mandur. The STF contacted their guardians and released them.

Drowned Escaping: Following the signing of the MoU, the LTTE sent large numbers it had newly acquired from the government controlled areas of Trincomalee for training at Raalkuli, west of Mutur. Two men, **Sinnavan** and **Kanagasingam**, from a village near Mutur were forcibly taken by the LTTE to cook for the trainees. The two men escaped during the latter half of March, but only Kanagasingam made it. Sinnavan drowned while crossing a waterway. He leaves behind his wife and three young children.

9.5. Forced Conscription of Adults

About early January, the LTTE took **Mathan** (19) from the village of Sambur, near Mutur, to carry some things for them. He was then conscripted and not allowed to go back.

Miss Vani Alavathas (18) of Alles Garden, Trincomalee, was forcibly conscripted by the LTTE during February 2002. Alles Garden is a refugee camp. **Miss.Nanthini Sivalingam** (18) from the same camp is said to have gone on her own.

The foregoing sections bring us to the challenge of monitoring, which is an essential part of the peace process.

10. The MoU and Monitoring

10.1. The Batticaloa Experience

The Sri Lanka Monitoring Mission (SLMM) has set up Local Monitoring Committees (LMCs) in the six districts of the North-East excluding Killinochchi and Mullaitivu. It has its head office in Colombo headed by Maj. General Furuhoide from Norway and each LMC is headed by a monitor from a Nordic country. The district monitor is assisted by four civilians from the district - two government nominees and two LTTE nominees. After being set up they have been receiving complaints for several weeks. With the qualification that it is still early days, the Batticaloa Mission is a good test case. This is because the situation there is the most contentious. Further, the local team is not as one sided as it would tend to be in other areas.

The Batticaloa team that is headed by Lars Tidbeck has Fr.Harry Miller, a highly dedicated human rights defender, who has for many years taken the security forces to task. It also has Mr.Sinnaiah, a retired public official with good access to the LTTE. By April end, the Mission had received over 75 complaints. The complaints reveal what the public feels relatively free to complain about, and also the areas where they feel complaining to be dangerous or pointless. Complaining against the Army is safe. However, the complaints are largely to do with the LTTE - abduction, houses, property, extortion etc.

Only about four of the 75 complaints are to do with conscription. One was a complaint from a 35-year-old father where the LTTE was demanding a son or daughter. Three cases dealt with persons already conscripted.

In one instance the LTTE had forcibly taken a 15-year-old boy from a playground. Another pertained to the abduction of a 13-year-old girl with a short leg. In both cases the LTTE has either denied or played for time saying that it would search for the person. These cases that are still being pursued leave the SLMM with some hard choices. The conditions there give little reason to doubt the veracity of the complaints. The SLMM could pursue the cases with vigour and convince themselves of the necessity of identifying violators and deterring them effectively. This would strengthen the SLMM's credibility.

Alternatively, the SLMM could maintain that they have nothing to go upon other than the LTTE's denial. Then the matter becomes a 'police case' to do with a missing boy or girl. This would also mean that people would stop going to the SLMM with child conscription cases, now endemic in the region.

The third case dealing with conscription concerns an 18-year-old woman who is newly married. The complainants are the woman's parents and her 20-year-old husband. In this case the LTTE, we understand, maintains that the woman came voluntarily and the marriage is sham. However, it appears that in customary (Thesavalamai) law, there is no question about the validity of the marriage when the man and the parents of the woman are agreed that the union is an accomplished fact. We understand that the SLMM wishes to accompany the complainants and meet the woman without the LTTE being present, to hear her side.

10.2. The Sithamparapillai Case and its Implications

A case that attracted significant international attention was LTTE's abduction of **Mr. Sithamparapillai**, an 82 year old retired notary in poor health, from Bar Road, Batticaloa town, on 15th April. He was released on 17th April with his relative **Sundaresan** standing surety that Rs. 25 Lakhs will be paid to the LTTE. The son through a written complaint notified the SLMM. On 25th April Sundaresan went to see the LTTE. Evidently the LTTE insisted that it must have the entire ransom.

Mr. Sithamparapillai went to the LTTE the following day (27th April) to pay Rs. 3 lakhs and ask for time to pay the rest of the ransom and was promptly detained by the LTTE. All this happened despite attracting a great deal of international attention. When he was in detention he was forced to send a letter to his bank to issue a certified cheque for Rs. 1,500,000/-. The LTTE couriers went to the bank on 30th April to collect the money. However, the Bank, probably acting on the advice of the Police declined to honour the request in the absence of clear authorisation.

Meanwhile, the pressure was mounting on the LTTE and the Head of the Monitoring Mission, General **Trold Furuho**, visited Batticaloa on the 30th. At the same time,

the 1st of May being a bank holiday, the family was planning to send a surety to stay in Mr. Sithamparapillai's place, and release him to go personally to the Bank and collect the money. In the meantime, when **Athiamman**, the Chief Extortioner, realized that the money could not be collected by confining Mr. Sithamparapillai, released him on condition that the full ransom will be paid promptly.

Mr. Sithamparapillai's release was a limited success resulting from the wide publicity campaign carried out by diverse persons and groups. These included Amnesty International, which had issued an appeal on the victim's behalf. It was not the end of the story!

While the victim himself declined to make any formal complaint, LTTE's Athiamman kept telephoning him at home insisting that the money be paid in full before May 10th. Meanwhile, the LTTE's international media (e.g. Eelamnation) claimed that the SLMM had found no evidence of wrongdoing on the part of the LTTE. Quoting presumably LTTE appointees to the SLMM, they harped on the victim failing to lodge a complaint and referred to those who raised the matter as 'anti-peace' forces. On the other hand, persons in the SLMM who understood the victim's plight said that they avoided visiting Mr. Sithamparapillai because his family was under enormous pressure.

Mr. Sithamparapillai is one among scores of persons being held for extortion and, among them, many small businessmen being sent to rack and ruin. Others dared not come public. The recent statement by the Batticaloa-Amparai Civil Liberties Association (BACLA) brought a few of the cases to the public domain.

Regarding Mr. Sithamparapillai's case the LMC is trying to convince the LTTE that they must leave Mr. Sithamparapillai alone in their own interests. For otherwise, they would force a confrontation with the LMC that would be obliged to defend the victim. But taking on other cases or getting other hostages released is beyond the LMC's capacity.

As explained in connection with child conscription, the LTTE knows that it is on a slippery slope if the people begin to see that it is amenable to international pressure. Sithamparapillai's is an isolated case, which, if allowed to go too far, may lead to a snowball effect. It is therefore very likely that the LTTE would make the old man pay up using covert pressures.

The facts of the Sithamparapillai case demonstrate that the LTTE is wantonly in breach of the MoU on several counts. In fact, the LTTE leaders on the ground have been very clear about their group's attitude to the MoU, even after Prabhakaran's press conference. One-eyed Mohan who has been very prominent in child conscription has warned people against complaining to the SLMM or giving information to any outside agency. He added that whatever anyone says, they are the sole authority here.

After SLMC's Rauf Hakeem met the LTTE leader in mid-April, the latter gave an assurance that Muslims will not be subjected to extortion. However things were different on the ground. Some Muslim leaders in Oddaimavady in the Batticaloa District met some

senior local LTTE leaders to sort matters out. We reliably understand that they were told, "Whatever America, Norway or even Prabharan might say, the money will have to be paid".

This inhumanity in Sithamparapillai's case, far from being isolated, is part of an order that is being installed. It is not peace making, it is a scandal. The SLMM could openly say so in the interest of its credibility. If not, it could waffle along pretending to fulfill its mission. It would then at best be a post office, through which the LTTE communicates its demands and terms to parties going to the SLMM with a problem, such as an abducted relative or hijacked vehicle.

We are also aware of the case of the Colombo-based Tamil businessmen from the North, who recently met Prime Minister Wickremasinghe. It is now known that in Colombo the LTTE is extorting amounts in crores of rupees each from several Tamil businessmen in Colombo. Those who tried evasive action have been tracked down and warned. One was reportedly abducted and released. The group of businessmen concerned, who had supported the UNP at elections, appealed to the Prime Minister to use his good offices to deal with their problem of extortion. We reliably understand that the answer they got was the Government will not intervene.

A senior citizen of Batticaloa who is familiar with the working of the SLMM made the following observation on the difficulty faced by the civilians in coming forward: "The people have over the years seen so many actors come and go, policies change and change again rather confusingly. Assurances are given and broken without rhyme or reason. Today the Norwegians are here with their Monitoring Committee. Those who go before it to complain about the LTTE will have to think, what would become of this Committee in six months time? It may be gone, but they must live here."

10.3. Dilemmas of Monitoring: The Vaharai Affair

The East Coast, where the adjoining sea is used by the LTTE to move fighters and materials between the North and East, has remained a tense area. Early in 2001, the Navy shot and killed about 4 civilians in Nilaveli at sunset, while they were attending to their fishing gear. The protest that followed led to the disappearance of two other civilians. On 1st December 2001 a shell fired by the Army fell in a playground in Sambur, near Mutur. This led to the death of the 10 year old boy Sivan Nathan and injury to an old lady Amirthamani. The ongoing recruitment and military preparations in Batticaloa have done nothing to reduce tensions in spite of the MoU.

On 29th April 2002 at 9.30 P.M., **Marimuthu Pechchimuthu** (43), and a small girl **Subhashini** (13), were shot and injured by the Navy, also in Gopalapuram, Nilaveli. Tamil Net reported that the shooting was done by naval men lying in ambush, and also mentioned a dead cow that had been taken away in a tractor. The Military Spokesman said on the other hand that the shooting was accidental and that the naval men had aimed at a wild buffalo. The most serious incident so far, however, occurred off Vaharai.

At sunset on the evening of 30th April, a naval patrol at sea had spotted a trawler and a smaller boat, which they suspected of shipping arms. Owing to the prevailing sensitivity, the patrol had continually sought instructions from higher authorities. What followed, however, is subject to dispute. According to the Navy, they neared the larger trawler with a view to boarding for a search, when it exploded in a huge ball of fire. According to this version, those in the vessel had apparently blown themselves up with the vessel to avoid capture and exposure.

In the meantime the smaller vessel that was accompanying the trawler, says the Navy, sped away and disappeared behind a fleet of fishing vessels. The Navy claims that they opened fire only after LTTE craft fired at them using the cover of the fishing fleet. The incident happened in the early hours of 1st May off the Vaharai coast that is under LTTE control. There was no immediate formal reaction from the LTTE. Tamil Net released a report on the night of 3rd May titled, "Muslim, Sinhala fishermen describe SLN attack".

Tamil Net quoted from testimonies to the Monitoring Committee by Sinhalese and Muslim fishermen who were in the fleet caught up in the incident. They reportedly denied that the LTTE was present. These were fishermen who inevitably had close dealings with the LTTE. They fled to the shore to escape naval firing and were looked after by the LTTE for some days. **Naseer** is a Muslim fisherman from Valaichchenai, whose vessel had been hit by naval fire and two of his companions died. He was quoted in the Tamil Net report, saying, "I saw another trawler on which the Navy fired going up in flames".

Tamil Net does not tell us anything about the persons in that trawler which went up in flames and there is nothing in the evidence to suggest that they belonged to the party of predominantly Muslim and Sinhalese fishermen who were caught up in the melee. The only confirmed casualties from the incident up to 8th May (see also **MP Joseph Pararajasingam's** interview with **Frederica Jansz** of this date) are two dead and one injured, all from Naseer's boat.

The *Tamil Net* report itself does not cite any denial by the LTTE that it was party to the incident, even though it cites the Navy's claim about the exploded vessel in order to discredit it. A formal denial by the LTTE was posted electronically only on the evening of Sunday 5th May, two days after the Tamil Net report and four days after the incident. This was clearly done after weighing the evidence that had transpired. We may take it that the persons in the vessel that exploded were strangers to the fishermen.

Let us make the not unreasonable hypothesis that those in the exploded vessel were members of the LTTE and see how it fits the known facts. The Navy itself has not been very consistent in the versions it has given journalists. A well known foreign correspondent obtained the following version from a senior naval officer long identified as a reliable source:

According to this version, the Navy chased two boats and one exploded. The smaller of the two boats sped towards the Vaharai estuary and beached. The naval patrol, which

went in pursuit, was then confronted by Sea Tiger boats. In the exchange of fire, one Tiger boat was destroyed and another damaged. This fits well with the basic testimony of the fishermen if one substitutes fishing vessels for the last two boats in the version above.

We then have a tentative picture that the two original vessels, on realising that the Navy was on their tail, made a dash for the shore when the chances of succeeding were at their best. Planned or unplanned, the cover provided by the civilian fleet in the regular fishing grounds at the estuary served the purpose. The rest falls into place.

The Navy claims to have shown the monitors ammunition recovered from the sunken trawler. What is clear is that the Navy had fired at civilian fishermen about their normal work. Claims by the Navy that they were fired at first by the LTTE from behind the cover of the fishing fleet may be difficult to prove or contradict. The Muslim and Sinhalese fishermen cannot afford to testify against the LTTE if they want to continue fishing in that area. For further clarifications we will have to await the report from the monitors.

Throughout the history of the conflict thousands have been punished merely for being at the wrong place at the wrong time.

11. A Vale of Misery

On the surface there is a whiff of peace in the North-East. Tourism is booming in Trincomalee. It is exhilarating to go by bus to Jaffna after 12 years. A perceptive outsider will, however, soon notice something deeply sinister. A group of NGO folk in Batticaloa holding forth about army harassment at checkpoints, lapsed into pin drop silence and looked around at each other, when asked about child conscription by the LTTE. After an uneasy lull, one gave the lead, and the others followed in turn, swearing that nothing of that sort is going on. It is with much hesitation that teachers would hint at the trauma of children in an atmosphere of violence and intimidation under the LTTE, and their own fear of complaining against child conscription.

In Trincomalee, a group of schoolgirls not yet in their teens, was talking about the LTTE's entry into town. They were suddenly struck by the thought that someone in their family may be conscripted and broke down crying.

To these who move among the people, peace appears a rather elusive prospect. The first question that comes to their mind is, why impose conscription on the present scale on a community gasping for a breath of sanity? The dominant feeling is fear, fear for their children and their collective future. As one community leader in the Amparai District put it, "We are living under a pall of gloom".

A high-ranking church leader in Jaffna visited the LTTE-controlled Vanni after the signing of the MoU. He confided on his return, "I expected to see some relief and happiness. But things are, sadly, much the same". However, warnings to the LTTE by the US government and **Prime Minister Wickremasinghe's** visit to Jaffna sent signals that

gave some courage to people in the North. For this very reason they were bitterly resented by the LTTE.

In the LTTE-controlled part of Mannar District, farmers who had for some time quietly resisted the LTTE's attempt to regiment their lives decided to protest. After paying considerably more for inputs, they sold their paddy to the LTTE at Rs. 500 a bag, while farmers in Murungan in the government-controlled area, 3 miles to the south, spent less and sold their paddy in the open market for Rs. 900 a bag. They told the LTTE that times are changing and while the government is removing all restrictions, they have not liberalised restrictions on their part. They also demanded leniency in the pass system.

In the wake of concerted pressure by civilians there has been some easing of restrictions. The selling price of rice in the LTTE-controlled Vanni has now risen to about Rs. 800 a bag. Unlike before, entire families can now get passes to leave the area for a fee of Rs. 900 provided a guarantor stands surety for their return. An individual of recruitable age can similarly obtain a pass for a fee of Rs. 700 with the family standing guarantee. However, the continuation of the pass system in the Vanni raises a worrying question for all residents of the North-East. Would it extend throughout the whole region once the Government completes its ongoing hand-over?

What LTTE politics has brought to the Tamil people is the destruction of everything good in society. The educational system and administration have been perverted in the interests of extortion and conscription. One comes across a number of youths in the Vanni and the environs of Mutur, whose educational opportunities have been frittered away. Their families have shuttled them from one relative to another to escape LTTE press gangs. These poorest of people have been cornered to become mere cannon fodder.

Small businesses painstakingly built up by people who valued freedom rather than riches are being driven to the wall by extortion. Even the meanest fisherman is taxed for his equipment and daily for his catch. To give one example, this is harvest time in the Vanni, and millers are being taxed according to capacity at Rs. 70 per bag. The owner of a large mill for example has to pay Rs. 2 ½ lakhs to the LTTE every 10 days, well in advance of disposing of his stocks. Failure to pay before the given time would mean having to pay double. The miller therefore spends sleepless nights, raising cash and going for overdrafts on his bank account.

Only the big millers can do this. The small ones go to ruin. The same logic applies in many areas of activity. Take for example the small shopkeeper on the fringe of the government-controlled area of Batticaloa District. The LTTE has sent him a love letter summoning him to appear with Rs. 100 000. The man can hardly raise a tenth of that sum. Should he go with Rs. 10 000 to explain his position, he will be imprisoned. Should he not go at all, he has to live in constant fear of abduction. Either way, ruin stares him in the face.

On top of taxes on their salary, those on low incomes also buy daily necessities at prices inflated by arbitrary taxes. It is a society in which only the big and corrupt, who have no

qualms about colluding with fascism, can thrive. The LTTE does not care if the poor starve. They can always work for LTTE Inc.

Despite all the painstaking preparations and the presence of bigwigs to give the LTTE a flattering welcome in Jaffna on 8th April, it has been widely admitted even by the LTTE supporters that the public mood is sullen. People are watching the LTTE very guardedly. Because of the Army's presence, there have also been surprising instances of the people spontaneously reacting to the LTTE in a manner to show that they will not be pushed around. But once the LTTE reorganises its spy ring and gets control of the government administration and the village headmen, the people will simply have to bow down. Given the LTTE's well-known proclivities, what would be the fate of any remaining political opposition?

12. The future of democratic freedoms

Questioned about this at the Killinochi press conference of 10th April 2002, **Balasingam** prevaricated. The LTTE's planned mass murder of members of other Tamil groups was subsumed by Balasingam under the word 'contradictions' between the groups. He then said that today the Tamil parties [i.e. those in the Tamil National Alliance (TNA)] are backing the LTTE's stand (i.e. as sole representatives of the Tamil Speaking People). The parties outside the TNA were dismissed as mercenaries.

The TNA comprises the TULF and three other parties, many of whose leaders and supporters have since 1986 been ruthlessly eliminated by the LTTE. With prodding from the LTTE, they were, in time for the December 2001 elections, linked in a shotgun marriage to articulate the LTTE's positions. The carrot was the LTTE's terror aiding their campaign for seats in Parliament.

Nothing was to be left to chance. At a public rally in London, the home of the 'Mother of Parliaments', Balasingam warned TNA members on the eve of the elections. They were told that should they get other ideas after being elected, they may have to be 'garlanded' by LTTE suicide teams. The West that lectures us endlessly on democracy, human rights and good governance, graciously sent us Balasingam on a special flight with a Norwegian escort, to determine the future of a 'liberated' Tamil community.

So here is the bottom line, courtesy of the West. The LTTE is to be rewarded with the fait accompli it achieved through terror and murder. The Tamils will enjoy puppet democracy with Big Brother pulling the strings. To give one example of how the people are being represented, the Press recently questioned the TULF MP in Batticaloa about child conscription. The MP claimed that he had received no reports. However, a senior TULF official in Colombo confided that this was taking place on such a huge scale that people in Batticaloa are pleading with them to put a stop to it. The Batticaloa MP merrily went on to issue an effusive paen on the dawn of peace and the singing fish in the Batticaloa lagoon bursting out into song after twelve dark years.

The LTTE leader for his part played the new game to perfection. Having invited the TNA leaders to the Vanni, he reminisced warmly with senior TULF men about the good chummy old times in the 1970s. If the TULF men were struck by chilling thoughts about the man who cold bloodedly exterminated their colleagues, they did not let them spoil the conviviality. They were more than ready to forget that their colleagues ever existed, even though it was mere chance that they themselves had survived to attend this warm reunion. They were assigned the task of lobbying for the proposed interim council. In his several meetings with political figures, the LTTE leader was said to be in his element in small talk on security matters. The visitors reportedly received gratuitous tips on picking their personal security detachments and on the security hazards of using cell-phones.

On the ground, in Batticaloa the LTTE has warned transporters and distributors against dealing in the EPDP financed weekly - Thinamurasu. Leading the intimidatory diatribe in Jaffna against other groups who have not accepted the LTTE as overlord is the daily Uthayan. The journal has good connections where it counts.

Organised attempts to terrorise the EPRLF(V) into submission are already underway in Batticaloa. During the last decade, this group has been exemplary in its conduct as a democratic political party. Going against the narrow nationalist grain of Tamil politics, EPRLF(V) has articulated a broader democratic vision within a united Sri Lanka. The LTTE has for some months tried intimidation, assault and incarceration to win over individual members and supporters. We take some recent events.

On 13th February 2002, the LTTE abducted **Nahamuttu, Lohitharaja** of the EPRLF(V) from the Valaichenai bazaar, tied him and took him to Pandimadu in a three-wheeler. Under the cease-fire in force from Christmas Eve, the Army had resigned itself to free movement of the LTTE in town. Lohitharaja later escaped and found his way to the party office.

Again on 21st February, on the eve of signing the MoU, the LTTE abducted **Raju Suman** from Ramna St., Valaichenai, and took him away on a bicycle. It is believed that he was later taken to Vaharai, to the north, which is under LTTE control. Although detaining him is in clear violation of the MoU in force, Suman is still missing and worse is feared.

Subsequent to Suman's abduction, **G. Nadesan**, a columnist of the Virakesari, and **Thurairatnam** of the Thinakkathir, met the EPRLF(V) in Batticaloa town and asked them to come into the TN Alliance - the pro-LTTE front. The EPRLF in Batticaloa firmly refused and issued a leaflet condemning the abduction.

About 22nd March, **Seelan** of the EPRLF(V) went into Batticaloa town and boarded a bus going south. He had been followed in to the bus by four members of the LTTE. Subsequently, having identified those tailing him, Seelan took alarm. He realised that their intention was to stop the bus in a lonely spot and drag him away. As the bus approached a police post near Thannamunai, in the Araipattai area, Seelan went to the

entrance to get down. The four LTTE men tried to restrain him. Seelan shook them off, jumped out of the bus and alerted the Police. The Police ordered the bus to stop. But the LTTE men compelled the driver to move on and escaped.

Ulahanathan Sivakumar (21) of Sethukuda and **Arjuna Vijayakumar** (19) of Pasikudah are members of the EPRLF (V) attached to its Chenkalady office. They were cycling back to their office after dinner about 9.00 PM on 18th April 2002, when they were stopped in Eravur 5 by a group of the LTTE led by **Kannan**, area leader of the political wing. The latter had been decorating the street for the Annai Poopathy death anniversary the following day. **Sivakumar** and **Vijayakumar** were assaulted by the LTTE with a view to their abduction. Vijayakumar managed to escape and reach the Eravur police station. The Police later took him to his party office that was recently given police protection, after the government weapons given to the party were removed under the terms of the MoU.

Sivakumar was tortured, bound and left in a house in Eravur 5, evidently with a view to causing him further harm. He managed to escape at 2.00 AM on the 19th after biting through his bonds. Later he was warded in Baticaloa Hospital.

The LTTE's intentions are clear, only the methods may vary from time to time. The position of Tamil political parties opposed to the LTTE has been made worse by the careless and insensitive manner in which their position had been handled in the Norway-brokered MoU signed by the Government. It provides for only the LTTE to do political work everywhere in the North-East. The others have been referred to as 'paramilitary groups' and only in the context of having to be disarmed.

All groups carrying arms have been involved in abuses against the people. The people would like everyone disarmed. However, the story of how some Tamil groups were pushed into performing paramilitary functions for the Government is a tragedy in which no one comes out with credit. The Government owed it to them to handle their issues sensitively. The spirit in which things have been done appears to give the LTTE licence to grievously harm persons involved in bona fide political work and write them off as paramilitary agents. What we have in effect is a seedy one party state in the North-East. Here pervasive terror goes hand in hand with pulling out people and dignitaries for mass rallies in a show of hundred percent support for the Leader.

13. Of Talibans and Scapegoats

Optimists have even written that the LTTE is concerned about economic development along capitalist lines. The only development practiced in the interior of Batticaloa is to remove children from families and give them a fraction of the land and cattle pinched from others who have safeguarded their children.

Because of remoteness these events have attracted little publicity. In Batticaloa town, however, the descent of the LTTE destroyed any appearance of normality. Many

residents confessed that things are much worse after the MoU. A professional said about his experience: "I feel depressed and pessimistic to see people around me bending in two to accommodate the LTTE. One has to say yes to everything. Even on professional matters, I keep my opinions to myself. If I open my mouth, the consequences will go far beyond my ability to bear them."

At a major government city hospital in the East, the LTTE announced plans to collect taxes from doctors. A well-meaning employee told them that some of those most needed would leave if forced to pay. The LTTE man in charge replied, "Let them go". The others concluded with dismay that the LTTE was only interested in unquestioning obedience, and not the least in service.

In Batticaloa, the LTTE walked into banks demanding customers' accounts that are confidential. Frightened bank employees obliged without protest. All this was going on with the Sri Lankan Police and Army within close proximity. The case of schools and teachers has already been mentioned.

Under the designation of 'political work' the LTTE went around town summoning to the interior, or abducting, persons who had previously resisted the LTTE's extortion demands. Those abducted are often released on their promising to pay a given amount, provided another stands surety. When by chance the Police came into the picture, it was to offer friendly advice to pay. Then we have the instructions about how women should dress to uphold Tamil tradition in its purity.

A respected senior citizen of Batticaloa observed, "It is like having the Taliban upon us. The administration of this place was soon bound to crack up. It cannot take much more." Another elder familiar with the rural areas roared with indignation, "The Tamil papers have become masters at lying without any stirrings of conscience. They pretend that the conscription of children is not taking place. They may be doing it to get some favours. But you must go to the villages to see the utter misery, terror, and the helplessness."

In response to mounting pressure, the LTTE leadership went through the motions of summoning its Batticaloa leader **Karikalan** to the Vanni in early April. It was even rumoured that he was taken under arrest. In Batticaloa, there was some feeling of relief that things would change for the better, although the only indication was a lull in activity during the traditional New Year (mid-April).

Forced conscription on a large scale had been going on for 8 months. Karikalan, whose minutest actions were monitored by the Leader, was none other than carrying out orders. Moreover, he was not the only leader carrying out conscription of children. It has also been going on markedly in Trincomalee for some months, but under another leader. After much speculation about Karikalan's removal, he returned to Batticaloa in late April, his position undiminished. Through his unparalleled services in conscription, he must have become irreplaceable. Other leaders, such as those in Jaffna, must now be under pressure to equal his example.

If their local LTTE leaders strike the people in the East as Talibans, it is because of the manner in which the hierarchy has used them. They have been used in abducting children, beating them and in crudely manhandling their parents. Extortion is a game of browbeating, intimidating and deriding persons of seniority, who have long been the pillars of society. The first step is a letter from the Financial Unit in a tone of mocking officiousness: "You are required to be present at our office at ...on [day and time] in order to discuss an important matter. Do not dishonour this notice and be present at the time appointed." Such practices degrade.

The immense power of these local leaders in seeing all and sundry cringe before them has gone to their head. We gave above the case of Thurai the Abductor having a man beaten for complaining to his superiors. In February 1998, Mahilavadduvan area leader Ravi had a man who discovered his affair with a woman executed as a spy.

Enjoying this enormous power in a politically bankrupt organisation has led to an open manifestation of narrow prejudices, some of which are encouraged. These could be anti-Muslim, anti-some-other-caste or anti-Christian. Notwithstanding Karikalan's unsavoury record concerning Muslims, he has made his feelings clear even recently. There was an LTTE-instigated murder of a Christian leader followed by an attack on Christian families in Vaharai last year. **Aingaran**, the LTTE leader in charge of the new Trincomalee office, was blamed by people of the area for instigating an attack on several Christian families in 1998. This happened in the Veddah village of Kiruvalkuli (near Kattaiparicchan), now renamed Santhosapuram.

14. Ground Realities & the Dangerous Drift

The shape of things presented above may seem unduly alarmist. The most likely alternative is something going wrong on the way and a premature resumption of hostilities. An optimistic view of developments will have to be justified by reference to the ground situation. The continuing practices of large-scale conscription and extortion, in blatant defiance of the MoU, and rhetorically charged Pongu Tamil "uprisings" have nothing to do with a desire for peace. The deification of Prabhakaran and the conscription of very young children have long-term totalitarian implications.

The people are desperate for peace. But there is no independent peace activity in the North-East where the Tamil people come forward as big enough to talk about the fears of the Sinhalese and Muslims, and their obligations towards them. Directly and indirectly, the whole arena of public discourse has been monopolised by the LTTE. The main events today are Pongu Tamil and Annai Poopathy. Never has the LTTE talked to the people about peace in any concrete sense. In schools the LTTE has only talked about Eelam and the children having to join to resist rape and massacres by the Army. Then we have the threat referred to earlier, where a Pongu leader spoke of the prospect of Jaffna becoming the burial ground for the 40 000 troops stationed there.

Rhetoric may be explained away. But taken along with the total picture, the direction is unambiguous. Some further aspects are also revealing. It was only when the US delivered

its warning to the LTTE on 11th March that it realised that the peace process was trying it down to an extent not anticipated. Taking alarm, the LTTE tried playing India against the US. The US was reprimanded at Pongu Thamil and in the media, and the Uthayan appealed to India not to let go its legitimate influence to the US by keeping out.

At ground level in the East, leaders spoke of war being imminent because of US interference. In Trincomalee, it was said by LTTE men that notwithstanding all the pressure on the leader, he would first, by hook or by crook, obtain Eelam, and then commit suicide! Prabhakaran may not have actually said so this time, but this is how middle level LTTE leaders would have read his mind. Dying for Eelam, exterminating dissidents ('traitors') and even suicide after swearing an oath to the Leader and receiving his benediction have all been drummed into their minds as the highest virtues. A man who had sanctified himself in a river of blood to assume godhead cannot become a democrat. He can only be Fuehrer.

Thus even as Balasingam and Prabhakaran claim before the world media that they do not recruit children, but are recruiting only adults for political work, there are almost daily children escaping from training camps in the East. The only safety available to them is to inform the security forces and to live with relatives close to security establishments. Such children, their families and those who hold dissident views are living in terror of what the Government and the Norwegians are doing.

The LTTE will therefore do everything possible to get the security forces withdrawn. Meanwhile, it is getting harder all the time to get information on violations by the LTTE. More and more people do not want to know what is going on around them and do not want to know about child conscription. One may soon have to start thinking about the North-East as though it were the dark side of the Moon.

By comparison with the present exercise of abdication, therefore, separation would have been more honourable and fairer by the people and the security forces. It may have meant the UN setting up the legal system, the police, and the judiciary and holding elections. Then at least the position of the people would have been clearer, in comparison with simply handing them over to a group that acknowledges no law in the name of peace, amidst a host of uncertainties.

For reasons well known, the Sri Lankan State has a problem of legitimacy among the Tamil people. However, secession was never the best possible answer. Today the Tamils seek escape from the politics of secession that began as a gimmick and turned fascist. The LTTE has demonstrated that a singular obsession with destructiveness can break up a country with ease. By comparison, keeping a country together means good governance and a readiness to solve problems promptly. This country has for some time suffered from non-governance.

Neither the Bindunuwewa massacre of October 2000, nor the Mawanella violence, was followed by credible action to punish the culprits and reassure the minorities. The residual citizenship problem of 200 000 Hill Country Tamils was used by the LTTE in

1990 and remains unresolved to this day, even though the UNP and PA are in principle agreed on its resolution. What we have today is a dangerous drift with unpredictable consequences. What the Tamils look for is a political solution to affirm their rights. They certainly do not seek to be handed over to the LTTE under the charade of an Interim Council without any guarantee of a political solution that would enshrine democratic rights.

15. The Challenge of Preserving the Peace Process

The account we have presented above points to the fault lines in the peace process and the corrective measures that need to be taken. Sri Lanka is a small country and it is not hard for the International Community to effect these measures, if they see things in perspective.

Against the well-publicised brutality of State in the 1980s and early 90s, there has been a reluctance to face up to the true extent of the LTTE's depravity. It had almost nothing in common with other liberation movements alongside whom it sought to place itself. In the early 1990s, we tried to draw the attention of the International Community to the methodical elimination of thousands of dissidents who passed through the LTTE's torture camps and detention centres. It had some effect and led to campaigns on some individual detainees. Although our evidence was wide-ranging and well corroborated, its significance was not fully grasped. Why, is a question we will not go into here.

In a world where the principle Might is Right governs international relations and the weak, like the Palestinians, are punished simply for being weak, the LTTE stood to gain by its sheer destructiveness. If after 53 years of building institutions to safeguard human rights, not being able to anticipate and prevent this avoidable tragedy is inexcusable. The peace process has undoubtedly made some important gains although these remain fragile. Stopping the shooting, allowing the free flow of goods and traffic and clearing mines, come as an immense relief to the civilian population, especially in the North. The LTTE must be made to accept changes if these gains are to be preserved. These can easily be explained with reference to its conduct.

The movement towards an LTTE-controlled interim council, as envisaged in the present peace process, has steadily exacerbated totalitarian terror in the North-East. Further, with the passage of time, it would rejuvenate chauvinist elements in the South who have temporarily been marginalised. The signs on the ground are ominous. Observers describe the people of the East living under the LTTE as 'trembling in fear'. The reaction in Jaffna of even passive dissidents to the LTTE takeover is 'we are finished'. This would also be the first time the West and the International Community - champions of the rule of law - are, in the name of peace, thrusting a people into a legal vacuum where child conscription and abduction are the norm.

Our main criticism of Norway's role is that it has sidelined the larger interests of justice and human rights against the narrow one of getting the main protagonists to hold their fire and make a deal. How the prevalence of systematic violations, allied

to the corrosive politics at ground level, distorts the process is largely left out of account. The outcome will finally be determined by relative destructive power with little reference to justice. Such a peace would become a preamble to a larger tragedy.

It is perfectly legitimate to harness the war-weariness of the people to imbue them with a vision of peace with justice and generosity to all. That is how it often works. If that were the intention, the present peace process is inherently misdirected. Placing the Tamil community under an interim administration ruled by the LTTE's iron fist, would inevitably dissipate the potential for that desirable end. It would moreover subdue any salutary tendency within that community to examine the malignant aspects of its own past. It would in turn provide grist for the mills of the Southern lobby that has always opposed political accommodation.

The resulting process, as is already evident, drives the peace constituency in the South to propagate superficial accounts of the disposition of the people living under the LTTE. This they do in the hope of countering their hard-line opponents. This may be easy at present, but would in time be confronted with skepticism and incredulity. At the same time those in the North and East those who work for peace outside the LTTE's ideological agenda would be completely stifled.

The need for whitewashing the LTTE to sustain this process is a stark distortion of the role of civil society organisations. Were the pressure instead for both sides to arrive at a political solution, their goal would have been clear and realistic. In common with civil society groups in the North-East, their task would have been to press the main parties to act responsibly and to build a culture of peace at the grass-roots.

It is here that the International Community too must take a stand. Much has been discussed in the past and much agreed upon among the PA, UNP, TULF and the SLMC. A political solution that would defuse the ethnic conflict is not at all hard to find. The parties concerned must be prevailed upon to come out of their lethargy and myopia.

A great deal becomes clearer once it is admitted that the LTTE has absolutely no justification to resort to war that, least of all, the Tamil people want. Unfortunately, the discussion of the issue invariably begins by assuming, wrongly, that there is irreconcilable animosity between the Sinhalese and Tamils. There is no genocide in Sri Lanka today. There is no issue of discrimination or unfairness to the Tamils that the UNP or PA has refused to address at least in principle.

There is a clear acceptance that the polity is in need of a major overhaul. At the same time violent upheavals have also pushed simmering conflicts among intra-regional identities to the fore (e.g. Muslim-Tamil in the East). An amicable framework guaranteeing dignity and security to all may be found only in an atmosphere of openness where the past can be forgiven and buried.

For the Tamils, what is needed is time and participatory political action. Even those who justify the LTTE's breach of the cease-fire and resort to war in April 1995, could come up only with absurdly banal reasons for imposing death and misery on thousands. In the meantime much could be done in the area of human rights to give people in the North-East the full benefit of the MoU.

16. Strengthening Human Rights

There is an unfortunate tendency for human rights activism to be routine and unimaginative. Although, the LTTE, as widely known, has practiced child conscription for 15 years, there has been no concerted campaign to get the children released. In 1998 the UN's **Olara Otunnu's** talks with the LTTE were widely regarded a breakthrough. The question regularly asked was, 'Has it declined' and was answered in the affirmative. There was satisfaction all round. Then in August 2001, child conscription by the LTTE reached a notorious intensity in the East and went on into 2002.

Then AI issued a statement on child conscription in mid-February 2002 and again the AI and the US embassy in the second week of March. The question was again asked, has it declined? Again an affirmative answer was given. However, the fact that it intensifies time and again suggests that the question is wrong and the problem has not been addressed. The relevant question is a political one: What is the LTTE? It is a politically vacuous totalitarian force that prefers them very young. It would intensify child conscription at opportune times and lay off when it attracts unfavourable attention. Child conscription by the LTTE is endemic and exposure is not enough.

There is another reason why the political question should receive greater attention. Often when child conscription is intense, one could only get general reports. Without adequate specific information with names, one cannot raise the issue in the normal way. This was the case in Jaffna from 1990-95 and in the Vanni from 1996 onwards. If the LTTE does succeed in neutralising completely the security forces in the East, specific information will dwindle to almost nil, while conscription will be more blatant.

Child conscription, as we have tried to show, is one element in a broad spectrum of violations. Therefore, even from a human rights perspective, it becomes important to take the LTTE to task on political criteria. The keener German minds like Dietrich Bonhoeffer did not have to wait ten years until the 1940s to know the extent of harm Hitler's National Socialism would do to the German people. In February 1933, even as most of his academic colleagues were trying to reach a compromise with National Socialism, Bonhoeffer denounced on the wireless 'a political system which corrupted and grossly misled a nation and made the "Fuehrer" its idol and God'.

There is also a further attitude that is common and misses the point. Whenever a violation by the LTTE is brought to notice, its gravity tends to be classified according to whether it was before the signing of the MoU (22.2.02) or after. There is no difference in the pattern before and after. Nor is there any evidence that the MoU or even warnings by powerful actors like the US have constrained the LTTE. It would, as we have argued, take much more to do so. A necessary step is to give human rights a higher profile than the Norwegians have been willing to do.

The MoU acknowledges International Law, in accordance with which the Parties have agreed to refrain from hostile acts against the civilian population. The cut-off date 22nd February 2002 is for monitoring purposes, but the MoU does not grant indemnity for offences before that date. We may point out that for most violations in this report, the cut-off date is irrelevant. For the LTTE to have in its custody now a child conscripted before 22nd February is a current offence that comes under the purview of the Monitoring Committee. So it is with the LTTE holding property or livestock robbed before 22nd February from a family that refused to surrender a child.

The Monitoring Committee is moreover obliged to obtain the release of Suman of EPRLF(V), whom the LTTE abducted a day before the MoU was signed. If the LTTE says that it killed him on the same day, it would be a crime that would further reveal its cynical approach to the MoU.

Although the scope of monitoring appears rather restricted at present, the MoU does provide opportunity to widen the scope of monitoring and bring substantial relief to the civilian population. In this context we have some valuable insights from Fr. Harry Miller. He observed:

"Under the present conditions the reluctance among people to come forward and make a complain to any monitoring group is understandable. On the other hand if there is a body with teeth giving people the confidence that it has a good chance of getting back their children and properties from the LTTE, you can be sure that large numbers will come forward and complain. As it is, people think that complaining may do them more harm than good."

The challenge now is to put in place a body with teeth before the child conscripts are thrown into the flames of another unwanted round of war that the people of this country do not want. What is the LTTE? We touch an aspect implicit in our reports.

17. Children and the Orwellian Edifice

When faced with accusations of child conscription, LTTE apologists are quick to claim that children are useless in combat. Balasingam and Prabhakaran too made this point at the press conference (10.4.02), claiming instead that the LTTE is looking after a large number of orphans and giving them education. However, the experience on the ground points to the LTTE's insatiable appetite for children. Outright abduction of children as young as 10 has been common in Batticaloa North and in the interior (see our recent bulletins) where the level of poverty is also high. Often, in these instances, the LTTE has claimed that it would educate the children.

What is clear is that the LTTE has been learning from experience to stabilise its organisation's long-term future in the face of mounting disillusionment among the people. We have seen that the desire to escape is high among new recruits and a large number of the older ones in the East make the attempt. Although this tendency has been known in

the Vanni (see **Bulletins 23 & 25**), it was not so evident because the North is hermetically sealed and the chance of success in escape is almost nil. The older recruits are good for immediate use as cannon fodder, but are unreliable for long term use.

With very young children it is different. They are relatively easily brainwashed into the leader's personality cult and streamed off according to ability for various departments in the organisation.

There are also several parallel moves which complement this trend. Reports in the media based on interviews point to the LTTE itself arranging marriages between its men and women members, where the offspring are nurtured virtually as part of the organisation, while the parents go about their duties separated much of the time. The cases below points to the organisation's moves to control the lives of its former members.

Sathyan, who is a labourer in Sambur, married recently a girl from Muhattuvaram, Batticaloa, who was in the process of leaving the LTTE. The couple was 'remanded', owing to the offence of the girl marrying without the LTTE's permission. Sathyan escaped after 15 days about mid-March when the prisoners were taken out to perform manual labour. He found his way to Batticaloa with help and came back with his wife's people. They negotiated with the LTTE and the couple now lives in Sathyan's village.

Kanthappan, from near Mutur, had been married for some time and left the LTTE about 4 years ago. He then found it difficult to make a living and his family suffered for 2 years. Then he became a paid helper at the Black Tiger camp nearby. He also carried tales about people in the village to the LTTE for which reason he was unpopular. About last November, after the LTTE started its recent round of mass recruitment, Kanthappan handed his 11-year-old son to the LTTE. The area has become increasingly poverty stricken as the war progressed, offering few economic opportunities. With the LTTE tightening its control of the resources, it has the ability to bond families and in Kanthappan's case, he had little choice

The simple term child soldiers therefore fails by far to capture the LTTE's agenda for children. It is far from warlords with short-term goals arming children for street bashes. With the LTTE, the use of children has been institutionalised with increasing sophistication over more than 15 years. At the core of it are children reared as automatons, whose only world is the LTTE. Its ramifications are long term and totalitarian, not peace with democracy in the short term that the people of this country dream of.

18. Conclusion

The long drawn failure of the State and the major political parties to find a just settlement to the ethnic problem has led to the present impasse. They laboured under an illusion of preserving sovereignty and Sinhalese dominance in the face of steady deterioration of the polity. Now the bubble has burst and it has become for the Government a desperate game of clutching at any thread proffered by the International Community. Against this

confusion, even legitimate fears expressed about the MoU, and the peace process, are quickly taken over by extremist elements in the South.

The PA opposition, which in power was prepared to go beyond the unitary state in resolving the crisis, is now showing signs of wavering. The UNP which subverted the PA government's attempt at resolution, adopted its own strategy for dealing with the LTTE with the sole aim of capturing power and achieving short term economic stability. By trying to manipulate the system rather than pursue an honest and transparent approach to a political solution, it has achieved a temporary convergence of interests with the LTTE. Neither party is desirous of addressing the core issues.

Meanwhile, civil society organizations that lack an independent capacity to mobilise the masses, find themselves in the UNP government's bandwagon, defending its agenda. To them, international involvement has become the only channel to address current human rights concerns in the North-East. They avoid dealing directly with these concerns on the pretext that extremists may use their work to undermine peace. In so doing, they are inadvertently strengthening extremists on both sides.

In the meantime, a totalitarian force has accorded itself the right to extortion and child conscription by proclaiming itself the sole defender of Tamil rights. In this context making the LTTE answerable to the people has become a Herculean task that requires more than formal institutional approaches. The failure to grasp this reality and deal with it may make this country another 'failed state' like Cambodia and Sierra Leone.

In such a situation, allowing the UN and other international structures to run this nation may seem far less painful than prolonged war. Surely, this is not a fate that our people deserve. Before it is too late we must bring human rights issues to the fore. If we renounce our vision for a just and democratic society and consequently drive the people to despair, we would leave the way wide open for extremism to gorge itself on revenge and insecurity. It therefore falls to civil society to raise the human rights issue in such a way as to:

1. Address the political realities of the State and the dominant ideologies of the Sinhalese and Tamils.
2. Help the Tamil community to make the LTTE accountable for its actions.
3. Initiate a process to account for the State's atrocities against the Tamil community that included a host of massacres. Eelam War II, that stemmed from the UNP government's attempt to appease the LTTE in 1990, led to huge, unaccounted violations in the East. These were glossed over, and the result was paraded politically as the successful neutralising of the LTTE in the East. In this regard, the previous PA government too failed to account for hundreds of missing persons in the Jaffna peninsula during the latter nineties.

4. Not brush aside the LTTE's atrocities, but rather challenge it to transform its totalitarian and narrow nationalist outlook.

To this end we have to find mechanisms that will allow the people to come forward and complain against the LTTE. A system of independent monitors with which the people could interact in confidence needs to be established. Regarding child conscripts, it is not simply enough to stop it, but we must ensure that all conscripts are released to their parents.

Already the ICRC and several UN agencies are functioning on the ground. We need to find ways to extend their agenda to include monitoring human rights violations. To this end we need to muster the expertise of internationally respected human rights organizations such as HRW and AI towards designing and implementing new monitoring mechanisms. These should include a commitment to:

- stop all acts of terrorism against civilians as a means to secure their complicity
- stop recruiting children to become combat soldiers/militants; and release all those who were forcibly conscripted
- release all hostages and desist from taking any more for ransom or other purposes
- stop all torture and executions.

Agreements between state and rebel groups that ensure human rights are honoured have been successful as seen in the case of El Salvador in 1990. We believe that premising the peace process on respect for human rights would further strengthen the prospects for sustainable peace and a just political solution.