

# TAMIL NATIONAL ALLIANCE

**Parliamentary Group  
Sri Jayawardenapura  
Sri Lanka**

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**26 October 2006**

**High Commissioner for Refugees  
UNHCR  
Geneva  
Switzerland**

**AND**

**The High Commissioner for Human Rights  
Palais Wilson  
United Nations  
Geneva  
Switzerland**

**Dear High Commissioners,**

## **HUMANITARIAN AND HUMAN RIGHTS CRISIS FACING THE TAMIL SPEAKING PEOPLES IN THE NORTH-EAST OF SRI LANKA**

We write to you as the elected representatives of the Tamil people of the North-East, the areas of historical habitation of the Tamil speaking people. 22 out of the 23 Tamil members elected to Parliament at the last General Elections on the basis of the votes cast in the North-East are from our Party. Amid the humanitarian crisis gripping much of the North-East, we wish to bring the following matters to your notice as being of utmost urgency.

### **Disregard for civilians in Government's Military Operations**

The Military operations by the Government of Sri Lanka (GOSL) Armed forces in the North-Eastern region in Sri Lanka, have been conducted with callous disregard for the safety and the security of Tamil civilian life and property.

The number of Tamil speaking civilians killed thus far this year by such GOSL military operations exceeds 1000, and the number of Tamil civilians grievously injured, mostly maimed exceeds 4000, since December 2005, according to local human rights groups and bodies.

Civilian property comprising houses, vehicles, livestock, plantations and personal belongings have been totally destroyed in areas where there have been attacks by the GOSL Armed Forces. The GOSL has executed a 'scorched earth' policy, which due to its immense destruction deter civilians from returning to their habitations.

Thus far around 250,000 persons have been internally displaced, and over 12,000 Tamil persons have fled across the seas to South India as a result of the present conflict. This is in addition to the nearly 800,000 people who continue to be displaced both internally and abroad as a result of the earlier phases of the conflict and the Tsunami.

The present military operations by the GOSL have been conducted indiscriminately in Tamil civilian populated areas by intensive aerial bombardments, heavy artillery fire and shelling, both from land and sea, frequently conducted in concert. The plight of the Tamil civilian population has been of no concern to the GOSL, despite repeated pleas by our party and civil society organizations.

It is our humble submission that the manner in which the GOSL has been conducting military operations demonstrates the intent to inflict maximum harm on the Tamil civilian population. This has been despite the several warnings issued in recent times by various sections of the International Community to the GOSL to ensure the safety of the Tamil speaking civilian population. The Government has acted in total disregard of the concerns expressed by the International Community and the pleas of the Tamil people.

The manner in which the GOSL has conducted its military operations in Tamil speaking North-Eastern region has thus been in violation of International Humanitarian Law and in flagrant contravention of the Geneva Convention pertaining to the need to ensure the safety of the civilian population in the course of military operations.

### **Extra judicial killings, their consequences and Government indifference**

Many Tamil individuals, including a Parliamentarian, ex Parliamentarians, members of the Clergy, Leading businessmen, journalists, civil society activists, aid workers employed by International and Domestic Non Governmental Organizations, students / children, civilians seeking refuge in places of worship and other civilians have been targeted and killed by members of the GOSL Armed Forces and military-backed Paramilitary Groups. The objective of attacks on political leaders, religious leaders, journalists and civil society activists is undoubtedly to terrorize and silence such persons and thereby both prevent the exposure of serious human rights abuses and deter participation in legitimate politics. In regard to extra judicial killings, the GOSL is either unwilling or unable to reign in its Armed Forces and Paramilitary Groups. A number of Tamil females have been raped by members of the GOSL's Armed Forces.

It is our submission that the Tamil civilian population is subject to such severe intimidation by the GOSL Armed Forces as to fear that their lives will be in danger if they remained in Sri Lanka. The aim of the GOSL clearly is to terrorize and subjugate the Tamil population in Sri Lanka.

Despite prompt representations made by us to Government at the highest level there has not been a single instance of the perpetrators of human rights abuses being brought to justice. This is the strongest indication of the GOSL's complicity in the individual extra judicial killings. The GOSL's Armed Forces have acted with utmost impunity and with the fullest awareness that they have a free license from the GOSL to act as they wish against the Tamils. The deliberate killing of individual Tamil civilians is a continuing phenomenon.

This is particularly manifest in the predominantly Tamil speaking Trincomalee District where the Tamil civilian population is being specially targeted by the GOSL Armed Forces and where a large number of substantial Tamil business establishments are being destroyed with the support of the GOSL Armed Forces. We submit that the GOSL is engaged in a deliberate policy to drive the Tamil civilian population out of the Trincomalee District. Though specific representations in regard to the Tamil civilians in Trincomalee have been made to the President of Sri Lanka, such attacks are continuing. It is not a coincidence that a retired military official has been posted as Government Agent to the Trincomalee District. This is the first instance of such an appointment, and has been done to ruthlessly pursue anti Tamil policies in the Trincomalee District.

The GOSL Armed Forces are over 99% Sinhalese, and are openly hostile to the Tamil people. The Tamil people look upon the GOSL armed forces as an Army of Occupation and have every reason to fear that the massacre of Tamil civilians, which has been a part of the conflict since the outset, will recur. The Police forces which are over 95% Sinhala do not take steps to protect the Tamils or investigate any crimes committed against Tamils when security forces, including the police themselves, are suspect.

### **Blocking of International Non Governmental Organizations (INGO)**

INGO's are being prevented by the GOSL Armed Forces from taking relief to the affected Tamil people in the North-Eastern region. In some instances workers and vehicles of such organizations have come under attack by security forces and associated paramilitaries. The attacks on INGO's and the use of official bureaucratic obstructions to deny them the freedom of movement in the North-East to provide relief to the affected Tamil people is aimed at depriving the latter of much needed humanitarian assistance. The GOSL's objective is also to compel the INGO's to leave which will render the affected Tamil people destitute and compel them to submit to GOSL's terms of rule. Some INGO workers have been refused extensions of visas and work permits, without explanation or accusations of acting against 'national security'. Unable to tolerate the harassment of the GOSL Armed Forces, some INGO's are contemplating withdrawing from Sri Lanka. It is clear that the GOSL is using the humanitarian crisis as a tool of war. This intent of the GOSL is amply demonstrated by the refusal to allow the A9 highway (the only land route that links the Jaffna peninsula with the rest of Sri Lanka) to be opened, and the blocking of aid into the Vagarai area in the Batticaloa District.

It is our submission that the GOSL's plan is to progressively exclude the International Community, diminish its involvement in Sri Lanka and, in particular, its ability to witness the curtailment of humanitarian and human rights abuses and ensure their eventual withdrawal, so as to be able to unleash, unfettered indiscriminate, even genocidal attacks against the Tamil people.

Please find below a District wise summary of the Human Rights and Humanitarian situation that is currently prevalent in the North-East, the areas of historical habitation of the Tamil speaking Peoples in the island of Sri Lanka:-

## **Statistics District wise**

### **BATTICALOA DISTRICT**

<b>Incidents</b>	<b>Details</b>
Murders	Total 82 (1) Government Servants-06 (2) Females- 07 (3) Children – 09
Injured	Total 41 (1) Females – 11 (2) Children – 07
Abductions by GOSL Armed Forces and its Paramilitary Groups	Total 267 (1) Official complaints –66 (2) UNICEF report – 30 (23.06.2006 – students under age of 18)
Deaths due to Artillery and aerial bombardment	Total 107 (including 97 persons who had been displaced from Trincomalee)
Internally Displaced Persons	Total 61000 (1) From the Trincomalee District - Sampoor, Eachilampattu- 41000 (2) Batticaloa District -20000
Refugee Camps	Total 13 (1) Vagaries – 06 (2) Batticaloa – 04 (3) Paduvankarai - 03
Robberies carried out by GOSL Armed Forces and its Paramilitary Groups	Total 07
Number of damaged houses	Estimated that over 250 houses have been damaged
GOSL Paramilitary camps	Total 08-Sitiated at Army controlled areas, Batticaloa, Chenkaladdy and Valachchenai

Nine Roads are closed in the Batticaloa Districts connecting the GOSL controlled areas and LTTE controlled areas. Due to this closure the following restrictions have been imposed by the GOSL:-

1. Economic Embargo \
2. Restriction on fuel
3. Restriction on building materials
4. Restriction on farming and other activities
5. Complete fishing ban
6. Restrictions of heavy vehicle transportation
7. Restriction on NGO's and INGO activities

**AMPARAI DISTRICT**

<b>Incidents</b>	<b>Details</b>
Murders	Total 25 (1) committed by Paramilitary -12 (2) GOSL Armed Forces-13
Injured due military operations	Estimated to be over 20
Abductions by GOSL Armed Forces and its Paramilitary Groups	Total 65
Internally Displaced Persons	Total 15000 belonging to 925 families
Refugee Camps	Total 3 at Kalmunai, Aalayadyvembu and Thrikkovil
Robberies carried out by GOSL Armed Forces	Total 17
Number of damaged houses	Estimated to be over 250
GOSL Paramilitary camps	Total 05

**MULLAITIVU DISTRICT**

1. Number of civilians killed 62, due GOSL carrying out aerial bombings and shelling, and GOSL Paramilitary Groups carrying out claymore mine attacks.
2. Number of civilians injured 94, all of whom are school children.
3. Internally displaced consist of 26,552 families amounting to 113,056 individuals.
4. Fuel requirement per month:
  1. Kerosene – 1,400,000 Litres; only 600,000 Litres being provided.
  2. Petrol – 800,000 Litres; no petrol has been provided.
  3. Diesel – 3,298,000 Litres; no diesel has been provided.

**JAFFNA DISTRICT**

1. Total population 653,755 persons, 188,266 families
2. Number of families below poverty line is 125,465 consisting of 431, 516 persons. Out of this only 53, 615 families, consisting of persons 125, 675 are the recipients of free dry rations from the GOSL
3. Number of families dependant entirely on fishing is 17, 000, consisting of 100,000 persons. At present fishing is totally banned by the GOSL. Yet none of these families are being provided any assistance from the GOSL.
4. Number of Internally displaced families: 42,000
5. Total food requirement for the Jaffna peninsula per month is 11,000 Metric Tons, including 8000 Metric tons of essential food items. For the last three months only 14000 Metric tons of food items had been sent by ship, the short fall is 19, 000 Metric tons.
6. Fuel requirement per month
  - a. Kerosene – 1,500,000 Litres
  - b. Petrol – 800,000 Litres
  - c. Diesel – 3,298,000 Litres

However the fuel that is currently available is grossly inadequate. The official figures are being withheld by the GOSL.



**TRINCOMALEE DISTRICT****From 1<sup>st</sup> of January 2006 to 20<sup>th</sup> of October 2006**

<b>Incidents</b>	<b>Details</b>
Murders	Total 124 (1) Government Servants, NGO & INGO workers- 27 (2) Students & Children - 11
Abductions	Total 68 (Government Servants – 9)
Robberies carried out by GOSL Armed Forces and its Paramilitary Groups	Total 72
Arson and looting carried out gangs backed by GOSL Armed Forces	Total 37 incidents
Persons killed by aerial bombardment & artillery shelling carried out by GOSL Armed Forces	Total 104 - (Children – 13)
Persons injured by GOSL military operations	Total 985 - (Children – 51)

**Internally Displaced Persons :-****Mutur East -**

- ♣ Due to aerial bombardment, severe damage caused to areas surrounding Sampoor.
- ♣ Most people are displaced to Vagarai area in the Batticaloa District and living as refugees.
- ♣ The Number of affected:
  - Villages – 23
  - Families: 3716,
  - Population 15201,
  - Schools – 20,
  - Public Buildings, Temples, Cultivations and houses are damaged.

**Verugal/Eachilampattu -**

- ♣ People are displaced to Vagarai area in the Batticaloa District and living as refugees.
- ♣ The Number of affected:
  - Villages – 25,
  - Families: 2798,
  - Population 12923,
  - Schools – 12,
  - Public Buildings, Temples, Cultivations and houses are damaged.

**Mutur West –**

- ♣ Due to artillery and aerial attacks the villages of Ral Kuli and Navalady have been severely affected.
- ♣ Both villages have been completely destroyed.
- ♣ All the people are displaced and presently are in Refugee Camps situated at Kinniya, Eachanthivu, Alankerny, Trincomalee
- ♣ The Number of affected:
  - Villages – 02,
  - Families: 163,
  - Population 623,
  - Schools – 01,
  - Public Buildings, Temples, Cultivations and houses are damaged.

**Morawewa – Pankulam, Shanthipuram, Nochchikulam**

- ♣ After the disappearance of three youths, people have been displaced and presently are in Refugee Camps situated in Trincomalee.
- ♣ The Number of affected:
  - Villages – 03,
  - Families: 295,
  - Population 1181.

**Seruwila – Lingapuram, Athiyammankerny, Sivapuram, Thanganagar**

- ♣ Many persons killed due to military operations.
- ♣ Machines, vehicles and jewelry have been robbed. Due to fear, people have been displaced and presently are in Refugee Camps situated at Trincomalee and in public places of the respective villages.
- ♣ The Number of affected:
  - Villages – 04,
  - Families: 385,
  - Population 1483,
  - schools 03,
  - Public building and temples are damaged. .

**Mutur South-**

- ♣ The Number of affected:
  - Villages – 51,
  - Families: 9679,
  - Population 27700,
  - schools 36,
  - Public buildings, hospitals and temples are damaged.

**Steps have only been taken to resettle the Sinhalese and Muslim people.**



### **Trincomalee village and environments-**

1. Tamils, Muslims and Sinhalese people are living.
2. Surrounded by the GOSL Army, Navy and Air force
3. Many Tamil businessmen have been abducted by the GOSL Armed Forces and its Paramilitary Groups, as a result of which most of the businesses have closed down.
4. Murders, abductions, arrests and tortures are continuing.
5. Fishing is totally banned.
6. 1000 fisher families from Thirukadalur, Murukapuri, No – 10 Division, Salli, Konesapuri have fled to India by sea. Many persons have died during the sea journey.
7. Several GOSL Paramilitary offices have been opened.
8. The Government Agent has not taken any action regarding the refugees at Mutur.
9. Daily 10-15 families are fleeing to other districts due to fear.

### **VAVUNIYA DISTRICT**

- Arrested by GOSL Armed Forces – 49
- Disappeared – 199
- Murders – 60
- Robberies carried out by GOSL Armed Forces and its Paramilitary Groups – 46
- Internally Displaced – 7000 persons

### **KILINOCHCHI DISTRICT**

- Number of civilians killed 5, due to GOSL carrying out artillery shelling and GOSL Paramilitary Groups carrying out claymore mine attacks.
- Number of civilians injured 10.
- Internally displaced consist of 5063 individuals, all of whom are with no work and no income.

Considering the grave Human Rights and Humanitarian situation facing the Tamil people in the North-East of Sri Lanka, we the undersigned members of the Tamil National Alliance Parliamentary Group strongly urge you to take appropriate and meaningful action. Thanking you in anticipation.

Yours truly,

[All TNA members]

No	Name	Signature
<b>Amparai</b>		
01	K. Pathmanathan	
<b>Batticaloa</b>		
01	S. Jeyanthamoorthy	
02	T. Kanagasabai	
03	P. Ariyanthiran	
04	Ms. Thankeswary	
<b>Trincomalee</b>		
01	R. Sampandan	
02	K. Thurairetnasingham	
<b>Vanni</b>		
01	A. Adaikalanathan	
02	Sivanathan Kisshor	
03	S. Vinoharathalingam	
04	N. Sivasakthi Ananthan	
05	Kanagaratnam	
<b>Jaffna</b>		
01	Kajendran	
02	Pathmini Sithamparanathan	
03	G.G. Ponnambalam	
04	N. Raviraj	
05	Suresh K. Premachandran	
06	M.K. Sivajilingam	
07	Mavai. S. Senathirajah	
08	K. Sivanesan	
<b>National List</b>		
01	M.K. Eelaventhan	
02	C. Chandranehru	