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Monthly Report – January 2008

Monthly reporting of Human Rights violations for the North East Secretariat on Human Rights (NESoHR) has been made a painful job for the month of January 2008 in view of the carnage in Madhu on Tuesday 29 January.

A school bus carrying students and teachers from Thedchanamaruthamadu in the Mannar district has been targeted by the Deep Penetration Unit of the Sri Lankan Military for its clandestine claymore attack that killed 20 civilians including 11 students, one teacher, driver, conductor and two hospital workers and also injuring 17 that includes 9 students and the principal of the displaced Sinnapandivirichchan School.



NESoHR, since its inception has been advocating a “Hands Off” policy on children in view of the vulnerability of children and women in conflict zones. We wish to place on record the ascending pattern of schools and children becoming targets of aerial attacks which are said to be aimed at military targets:

On 17 January 2008 the village of Kanagapuram in Kilinochchi was bombed around 09.30 and the vicinity of the bombing was the Kanagapuram Central School. This was the day new comers to Grade One, were ceremonially “Received In”. Many students were injured with shrapnels from the bombing site and the terrorized students including the new comers to Grade One fled for life hither and thither. One has to live in the aerial bombing theatre to understand the plight of the population from the time the fighter jet enters the sky over them till it departs. The terrorizing sound and the panic caused by the maneuvering of the pilots to discharge the bomb are life-threatening by themselves. The first day in school for the Grade One students of Kanagapuram Central School has been a traumatizing experience and that is going to be etched in memory for their life time.



Our reports of September, October and November 2007 contained the following incidents wherein school children were killed in aerial bombing and clandestine claymore mine attacks by the Deep Penetration Units of the Sri Lankan Military:

Killing by aerial bombing of 53 students (girls) at Sencholai, Vallipunam, Mullaittivu on 14 August 2006:

Zonal Director of Education, Mullaittivu: (Excerpts from the speech on the commemoration of the death anniversary)

“All people who fought for their freedom from oppression were treated differently by the oppressors, but this is a unique instance where the cream of the society that is fighting for justice has been targeted for extermination. We selected 530 leading female students from various schools in the district for a leadership training course. The location for the training was indicated in our program and this was approved by the department. A list of resource persons who would conduct the program too was submitted for approval. The location Sencholai is an approved institution that takes in orphan children and provides them education and livelihood.



It was explained that these 530 students were in their Advanced Level and selected on the basis of their performance. They were indeed identified as would be leaders of the society. There is no truth in the government's position after the aerial bombing that they were members of the LTTE.

As the Director of Education for the district, I truthfully certified the details of the student, their residence, age and the schools they attend in the list that was submitted to the President's office. In spite of this certification, the defense ministry adamantly maintained its position that they were not students. In the matter of the grant of compensation too, the government rejected it unlike any other incidents in the south."

Eleven killed in Military claymore mine

Eleven including seven students were killed and two students injured in a clandestine claymore mine attack by the SL Deep penetration unit at Iyankankulam, a small village in Kilinochchi on 27 November 2007 at 11.30 a.m. These children were travelling in an ambulance to participate in a first aid program. Two of the children killed Nagaratnam Mathikaran (15) and Nagaratnam Pratheepa (16) are from one family. Others killed are Nithiyananthan Nitharsana (13) Chandrasekaram Derosa (17) Karunakaran Kaushika (15) Shanmugavel Shakunthaladevi (17) all students and two Health volunteers Atputharajah Ajithnath (22) and Vairamuttu Krishnaverny (25) and the driver Kanthan. Those injured are Chandrasekaram Jaseetha (15) Thevarajah Uthayarani both being students.

Statement by Mr.Sangarappillai Nagaratnam, father of the two students killed:

"My son Mathikaran and daughter Pratheepa, Ages 15 and 16 were on their way to participate in a first aid program by an ambulance. This ambulance was attacked by a claymore mine near Iyankankulam. Seven students died in this attack. We are living here in perpetual fear of aerial bombing and claymore attacks. School going children are being killed and declared as terrorists. It is high time the international community take action against this government for its inhuman acts against an innocent civilian population."

NESoHR, as a Human Rights body for the Tamil people, cannot make these reports on the attacks on children in isolation. Rather, it is appropriate to look back and report on the systematic pattern of a genocidal program that is aimed at Tamil children:

Early seventies saw the legitimization of discriminatory educational policies intended to cut down on the entry of Tamil children to universities by a process identified as 'standardization'. Denial of the basic human right for higher education led to frustration and despair among Tamil students. This was the turning point for militancy.

Fourteen students below Grade 5 were killed in an aerial attack closer to the primary school at Nagarkovil in Jaffna in 1993 and the 'tall' claim of the then Defence establishment was that 14 terrorists were killed in a successful aerial bombing. A dozen or so children injured in this bombing and got timely hospitalization with the intervention of MSF are disabled youngsters now.

Five Tamil university students on vacation were killed by the Sri Lankan Army in Trincomalee on 2 January 2006 and the perpetrators have not been brought to book as yet though incriminating evidence is available implicating the military.

NESoHR decided to set apart the reporting for January 2008 with a focus on aerial bombing and the impact on children and their studies. Education of the Tamil children has always been a sore point in the governance of this island since independence. Tamil people have seen different forms of discrimination all aimed at curtailing the number of Tamil children to the various disciplines. As we mentioned elsewhere, it has been a systematic cut down on the number. Qualitatively too, from the time school book publication was taken over by the government, the Tamil children are badly affected due to ill-designed texts and distorted history. Adding to this is the aerial bombings that have become a routine now. School children are the worst affected whether while in school or otherwise. Most of the children are scared to wake up and face the day, for it has become a daily routine.

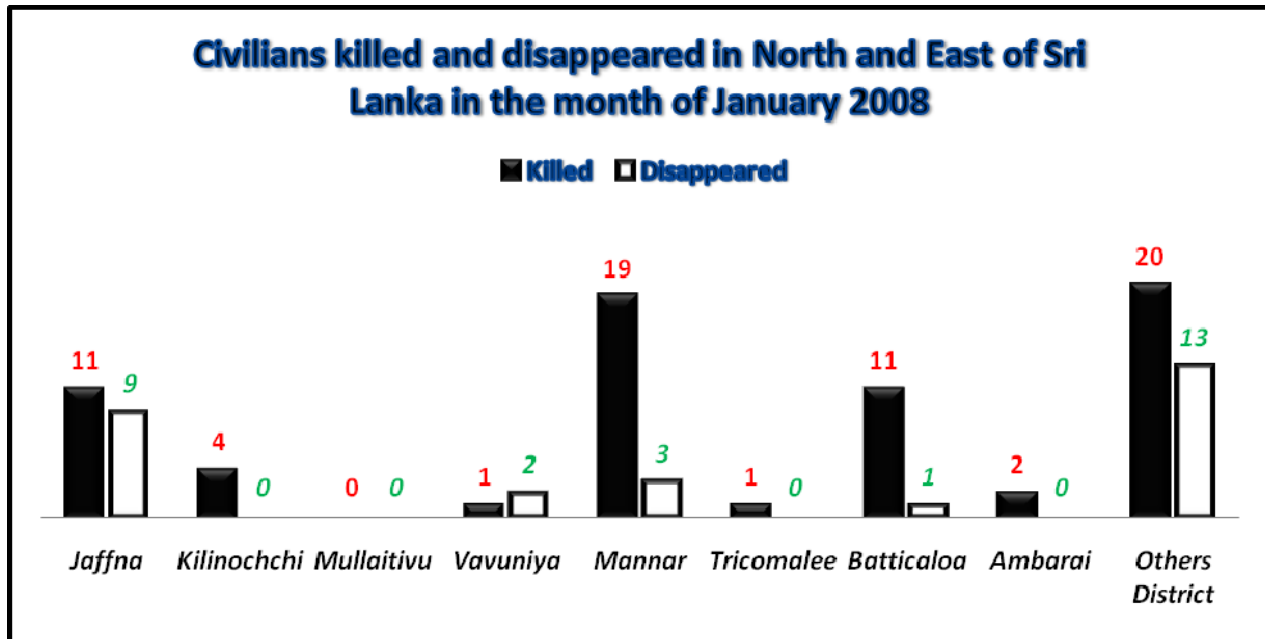
Human Rights violations for the Tamil people forced to live in the military occupied parts of the North East continue on an accelerated pattern. No amount of reporting has brought about any change for the better. Military occupation of parts of North East of Sri Lanka has to be viewed in an entirely different political perspective unlike a country's military positioning in civilian habitats to do civilian duty in times of emergencies. Such military presence is appreciated by civilians. These are mostly military personnel who speak the language of the people, profess their religion and generally their own people. Not so in Sri Lanka. The military is one hundred percent Sinhala and the population of the occupied parts is predominantly Tamil. The political establishment has systematically portrayed the Tamil people as a subject race and a threat to the Sinhala people. Based on the numerical majority in this island, the Sinhala people are made to consider them supreme. This supremacist psychosis seriously intervenes in inter personal relationship and hence a situation of perpetual conflict between the occupying military and the Tamil civilian.

School children and University students in the military occupied Jaffna peninsula undergo immense hardship in the hands of the omnipresent military and are humiliated in the most indecent manner. Military check-points and sometimes full fledged military camps are positioned cheek by jowl to popular schools like Hartley College and Methodist Girls' High School in Point Pedro and the students have to pass through the check-point daily and subjecting them to body checks. Arbitrary arrests and torture of students who participate in student rallies are taking place on a daily basis. Disappearance of senior school children and University students are being reported regularly. Closely watched and analyzed, these are nothing but the outcome of jealousy and race- hatred on the Tamil children who are doing well in their studies. Reported killings of students have not been properly investigated and the killers, mostly the para-military groups that work with the military, roam around with impunity.

NESoHR wishes to reiterate its position on the setting up of an independent Human Rights body, preferably from the UN while at the same time urge the international community to explore all avenues to stop the war efforts and bring about the right political climate that would diffuse the present stalemate. A political settlement of the national problem that includes adequate arrangements with guarantees for freedom and dignity alone can provide relief to a people who have borne the vagaries of a cruel war for over three decades. Natural justice dictates that the Tamil people deserve, that too most immediately, a political arrangement that would restore basic human rights denied to them for too long a time in human history.

Presented below in summarized form is a list that contain the numeric relating to killings, abductions, disappearances, unlawful arrests, injured in various ways, aerial bombings and displacements consequent to military operations in North East:

- Killings – 69
- Disappearances – 28
- Unlawful arrests – 407 (405 in Colombo)
- Injured – 89
- Sought refuges, HR office, Jaffna – 12
- Eighteen killed and eighteen wounded in Military claymore mine near the Madhu Church in Mannar district
- One civilian killed and Six civilians wounded in aerial attack at Kanagapuram in Kilinochchi
- Thirteen civilians wounded in aerial attack at Uduppukulam in Mullaiththeevu
- Atrocities



It is also appropriate to recall that the anniversary of the below listed genocidal mass killings of Tamil civilians.

1. Jaffna Kilali Massacre – 02.01.1993
2. Trincomalee University Students Massacre – 02.01.2006
3. Mannar Padaguththurai aerial bombing Massacre – 02.01.2007
4. Jaffna Chunnakam Police Station Massacre – 08.01.1984
5. Batticaloa Echchayadiththeevu Massacre – 08.01.1990
6. Jaffna Tamil Conference Massacre – 10.01.1974
7. Mullaitheevu Mulliyavalai Massacre – 16.01.1985
8. Jaffna Manipai Massacre – 16.01.2006
9. Kilinochchi Railway Station Massacre – 25.01.1986
10. Batticaloa Kokkaddichchola Massacre – 28.01.1987
11. Mannar Vaddakkandal Massacre – 30.01.1985
12. Mulliththeevu Puthukkudiyiruppu Junction Massacre – 31.01.1991

Barbarous Massacre of School Kids and Civilians.12 Children and 06 Civilian Killed, 18 Injured at Mannar Thatchnamadhu Claymore Attack on 29.01.2008



A claymore was detonated at Mannar Thatchanamadhu on 29.01.2008 at 14.30 hours targeting a line bus that was carrying mostly school children and civilians. This is a premeditated massacre of children and innocent civilians as this is a bus that runs on this route daily carrying children at this hour. The perpetrators must have been fully aware of this fact.

09 children died at the spot and three more succumbed to the injuries on their way to the hospital. The bodies of these three were left at the Akkarayankulam hospital, 15 of the injured were admitted at the Pallamaghu and Mullankavil hospitals and the three who were seriously injured were taken to the Kilinochchi hospital. Many of those injured are said to be in a critical condition. All the children killed were between the tender ages of 10 and 16. Out of the 18 injured 10 are

students who are between 08 and 16.

Some limbs of the children were found strewn in the vicinity of the accident. Both the eyes of some children have been affected. It is yet to be seen whether they will get their sight back.



Those Killed are:-

Name	Age	occupation
01. Hudsan	11	Student
02. Esman	11	Student
03. Benard George	16	Student
04. Jude Constan	16	Student
05. Jhonny	13	Student
06. Janarthan	13	Student
07. Milsen	16	Student
08. Bruno	15	Student
09. Britto	12	Student
10. Roshan	14	Student
11. Samsan	14	Student
12. One Student		(Details unknown)
13. Rajasooriyan	37	Teacher
14. Rita	39	School Employee
15. Jerard	32	Bus Driver
16. Suresh	25	Bus Conductor
17. Sundaram	61	School Watcher
18. Mary Jhonsen	31	Madhu Church Tractor Driver

Those Injured:-

Name	Age	occupation
01. Kirushanth	08	Student
02. R.Fiolin	09	Student
03. Jenittan Peris	12	Student
04. Jenosastika	12	Student
05. Tharshana	13	Student
06. Diyulus	15	Student
07. Mathusalini	16	Student
08. Anita	16	Student
09. Consita	16	Student
10. R.Tahnushika	16	Student
11. Lember	51	Principal
12. Resitra	38	Teacher
13. Thusitha	35	Teacher
14. Nirmala Ranjini	36	Teacher
15. Kunaseeli	45	Teacher
16. Gnasooriyar	35	Postman

17. Gnasooriyar Jasinthra (Details unknown)
 18. Packiyathan 60

Miss Francis Xavior Mathusha in her statement to the B.B.C. stated:-

"We travel to school daily by bus. On the day of the incident we heard an explosion while we were in the bus on our way home. The bus went off the road and crashed against a tree. There were mostly students and teachers in that bus. Since there was a sports competition we were returning after the competition was over. Right after the accident there were artillery shells exploding in the vicinity of the incident. On hearing the claymore explosion and the shelling that ensued I was lying down on the floorboard of the bus. When the shelling subsided I tried to get up but I couldn't. It was only then I realised that I was hit on both my legs."

The Parish priest Rev.Fr.S.Sathiyaraj while commenting on the incident said:-

This attack on the students and the civilians deserves condemnation. It was very hurting to note the condition of the affected, when they were brought to the Pallamadu hospital. This attack has drowned the whole of Vanni in sorrow. This is a well preplanned attack on the civilians. While strongly condemning this atrocity I appeal to the International Community to take early steps to save our people from such incidents.

Statement by Rev.Sister Ranjini:-

"Children, teachers and civilians were happily travelling, when we heard a claymore attack at an unexpected moment. Thereafter a scary silence prevailed. Within a short time artillery shells were directed towards us. Only three of us were conscious of what was happening. I thought all the rest have died."

Shoba from Periyapandivirutchan said:-

The refugee camp for the Internally Displaced, where I live, was subjected to artillery attack on 27.01.2008. My sister was badly injured and was admitted at the Pallamadhu hospital. I went to see her on the 29th and was returning home in this bus when the claymore exploded. Right after I heard the explosion I saw the bus deviating from the main road and it crashed on a wayside tree. While we tried to get out of the bus artillery shells started falling everywhere.

This is not the only incident where Civilians and school children are targeted. To cite a few examples appended are some examples of recent happenings.

1. 29.08.2007 Artillery shells of the SL armed forces made people from Manthai West to vacate their village.
2. 25.10.2007 When the refugee camp at Periyamadhu village came under attack 03 were killed and 09 were injured.
3. 13.11.2007 A 5 year old child, who was playing in the compound of the Madhu Church, was killed when an artillery shell fell inside the Church compound.
4. 27.01.2008 Thatchanamadhu refugee camp was shelled and 04 were injured.

The above incidents portray that the Sri Lankan forces show no mercy even on children, refugees and innocent civilians.

**MIG Bombers Narrowly Miss Kanagapuram School in Kilinochchi
 One Killed & 6 Civilians Severely Injured Several Residences
 Destroyed.**



Six civilians including children and women were injured when 4 MIG bombers hit several private residences at Kanagapuram narrowly missing the school, Kanagapuram Maha Vidhiyalayam, in Kilinochchi. Several houses were damaged including four that were completely destroyed. The bomber appeared so suddenly that the children and the civilians had hardly any time to seek shelter. It was a miracle that only one life was lost. The bombs fell hardly 100 metres from the said school.



It was at 09.30 a.m. on the 17th January 2008 that four MIG planes from the Sri Lankan air force appeared quite suddenly in the sky and commenced bombing in close proximity to the above said school. At that moment there were 800 students inside the school, which was in session.

Since the time was limited and there were so many children a pandemonium prevailed and only a few children managed to get into the bunkers, some ran in all directions screaming and the rest fell prostrate on the ground.

Murugaiyah yogeswari (aged 33) was killed on the spot. Those injured are:-

1. Thanabalasingam Sarany(06),
2. Thanabalasingam Maheswary (49),
3. Sinnathurai Sivarajah (44)

4. Suppar Sinnaiya (82),
5. Sivarasa Suresh (15) and
6. Sivarasa Sabes (18)

Out of the four houses that were totally destroyed three belonged to Chandrakumar Kalaimakal, Sivarasa Malini and Packiyaluxmy. The owner of the fourth house was not accessible.

A local resident from that area Nithiyakumar Ranjini stated,

“My husband had gone for work and I was bathing my one year old child when I heard the Unmanned Aerial Vehicle (UAV) circling my house. It scared me. I hurriedly tried to finish bathing him, when there was a K Fir right over in the sky. I ran to the bunker with my child. As I was in the verge of entering it a bomb fell very close to our house. The severe vibration shook me and masses of earth and debris were pouring all over us. My child was screaming. When I looked up I saw a dense smoke in the vicinity.”

Their house was one of those damaged. Hence they are now living with friends and relatives. It is noteworthy that there is an International Non Governmental Organisation (INGO) called **Oxfam** in that vicinity.

The bombing created a chaos in the neighbouring schools, where there are 7500 students and five Preschools. Children were running amok for the fear of their lives. At the time the bombs fell there were reception ceremonies being conducted for the new students being admitted to Class One in all those schools in accordance to the circular issued by the department of education. The parents who were accompanying their children were utterly scared. Most of the children were screaming. Even some parents were crying and some were seen running aimlessly holding their kids in their hands; not knowing where to run. There was panic all over. Some went under the bridges with their children.

A principal of these schools said:-

“due to this disaster that occurs on the first day of admission to the Class One we see a drop in the attendance of the students. We notice the panic stricken faces of our students not only when they hear an approaching plane but also at the sound of a heavy vehicle. Since that date until the 23rd instant our schools remained closed. If bombers are sighted in this area there is a drastic drop in the attendance of the students. AS a result of this one has to note that the education of the children is badly affected.”

During the regime of Mahinda Rajapaksha the following schools were bombed:-

1. Mullaitivu/Chundikulam Aaladitivu School – 19.03.2007
2. Mullaitivu/Alambil Roman Catholic Vidhiyalayam – 27.07.2007
3. Vavuniya/Katkulam Government Tamil Mixed School – 13.08.2007
4. Vavuniya/Olimadhu Government Tamil Mixed School – 14.08 2007

It is noteworthy that the last two were on consequent days.

Due to these bombings one could note that a total of 61 students were killed and 160 injured within a period of five months. Out of those injured one student lost both his legs and five lost one leg each. A female student lost one of her eyes. These children face not only difficulties in continuing their studies but also have psychological problems and a bleak future to face.

These frequent bomb attacks have imposed a sense of fear in the minds of both the students and the teachers while attending school. When the Nagar Kovil school, which is situated in the G.A's division of the Vadamaradchchi East in the Jaffna district was bombed on 22.10.95, 20 children lost their lives and 42 were injured. Again on 14.11.2006 when the Sencholai orphanage at Vallipunam in the Mullaitivu district was ruthlessly bombed by several bombers a total of 52 children were massacred on the spot and 130 were injured while they were undergoing a drill in First Aid. United nation's Agencies and the Sri Lanka monitoring Mission (SLMM), who visited the site immediately, confirmed that there were no LTTE bases in that vicinity; thus disproving the claim of the government, which said that they bombed an LTTE training camp. These numerous bomb attacks result in the frequent closures of the schools and thus a perpetual fear has crept in the minds of all the students and this is adversely affecting the education of these children. Since the teaching hours are reduced the teachers find the completion of the syllabus a Herculean task.



Indiscriminate Air Attack at Uppukulam in the Karaithurai AGA division at Alambil in Mullaitivu District 11 Including Infants and Children Injured; 12 Houses Badly Damaged

On the 4th January 2008 at 4.30 p.m. K Fir bombers sprayed bombs on the settlements of the tsunami victims. Infants, children at play and people praying in a Kali temple totaling 11 were seriously injured. 12 houses from that colony were badly damaged. Three of those injured are in a critical condition. They have been transported to the hospital in Anuradhapura. Since the houses are damaged the occupants have sought refuge in the school at Uppukulam and with relatives.



"I was playing with my friends in the afternoon after coming from school. At that time we heard the roaring sound of the K Fir. Everyone started to run wild and I too ran and looked up at the sky and saw the K Fir plunging down and I fell prostrate. While lying down I heard the blast and I did not know what happened thereafter." This was narrated by the Ithees (09 years), who was one of those injured.

Those injured are Arumugam Subramaniam (age 57) wife Sivasakthi (36) son Sujinthan (18mts), Johnmenco Sarmalatha (30), Adaikalam Ithees (09), his brother Rathees (07), Santhiramorthy Jesuba (12), Rajagopal Pakiarajah (22), Muthulingam Selvam (55), Muthulingam Nixon (13), Karmekam Chandramohan (29), Ramamoorthy Muhunthini (15) and Ramamoorthy Initha (10). Among them Rathees, Nixon and Selvam are those who were sent to the Anuradhapura hospital in a critical condition.

Of those who are living in temporary accommodations after being affected by the tsunami only 46 families received newly put up houses. Due to the embargo on building materials the construction work is severely affected. Work is terribly retarded. The 12 houses that were damaged are among those newly put up houses.



"We faced severe destruction under the tsunami in 2004. While we were managing with the reliefs granted to us and trying hard to make some progress, such frequent aerial attacks hinders our effort to go fishing. The naval attacks are also very common and it makes thing worse for us. We tread with fear while going fishing. It hurts to think that we after losing our house we are now housed in a school as refugees experiencing difficulty in getting food. My health has to improve and I have to support my family," said Arumugam Subramaniam explained the trauma he undergoes.