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As compared with 850 000 in the census of 1981, the present population of Jaffna is about 500 000 with perhaps a further 70 000 still trapped in the Vanni and about 100 000 in the South India. A Muslim population of about 60 000 expelled by the LTTE from Jaffna in 1990 (our Report No.6) are refugees whose return could be envisaged. About a further 400 000 would comprise persons domiciled chiefly in Colombo, Vavuniya, Trincomalee or the West. Militant

deaths together with civilian deaths from internal repression and military action by the State would comprise an estimated 20 000.

The present survey provides an overview of the current situation in Jaffna, pointing out areas where timely action would have a benign influence on future developments. It is based on communications with several persons active in diverse areas with a common social concern for the well being of the people. While the war and internal developments had exacted a heavy toll on the people, their institutions, the environment and especially on social values, the overall tone of the communications is not pessimistic. The subjects dealt with include human rights, accountability , the security forces and aspects of rehabilitation and reconstruction. The final section tries to answer a question that is frequently posed.[\[Top\]](#)

The Political Mood

It is hazardous and even meaningless to provide any kind of quantified political judgement about a place where there has been no open discussion for more than fifteen years and reading materials continue to be effectively censored to this day. Whether in the written or in the spoken word, the people continue to be exposed to propaganda that glorifies the LTTE and gives the message that its return is inevitable. In this ambience one needs to exercise great care in making judgements.

Among the class of people who are socially conscious and have a sober political outlook, the rejection of the LTTE is overwhelming. This class would include many who for a time thought that the LTTE had a role in countering the oppressiveness of the Sri Lankan State. There is also large group among the elite of administrators, clergy, businessmen and intellectuals who were favoured by the LTTE regime and remain favoured following the change of regime, who would remain fence sitters. But the nuances in their articulation would reflect a pro- LTTE slant. It is this class that counts the most in what passes for Tamil opinion in NGO and peace fora in Colombo. They have two main reasons for this role:- They need to justify their past services to a very oppressive LTTE regime, and it is moreover the LTTE which for its own purposes welded them together and gave them the position of influence they command today. Where Jaffna is concerned, this influence is stifling in every respect. More of this in the sequel.

Another class is comprised of persons whose plight must be viewed sympathetically. They are persons earlier associated with the LTTE, their families and families of LTTE cadre. Many of them became compromised for no fault of their own. The disappearances from July last year mostly affected this group. Many of them are continually subject to pressure from both the army and the LTTE. A large number of those who remain trapped in the Vanni are also from this category.

Of those remaining, who form the majority, their experience during and after the forced exodus of October 1995 resulted in much anger against the LTTE. This is particularly strong among those who have returned from the Vanni. During that period they saw the LTTE nakedly as callous and doing everything possible to extort their money and possessions on the one hand, and their children for its forces on the other. Yet their disposition should be regarded as fluid to the extent that nothing else has come into the vacuum left behind by the LTTE.

Many of them returned to Valikamam to face abject poverty, houses that had ceased to exist and fields infested with mines- laid by both the security forces and the LTTE, both of whom

remain unconcerned. The government's repeated promises of rehabilitation and reconstruction remain for the most part unrealised. Owing to difficulties in transportation, many who went back to agriculture are unable to make ends meet- often inputs do not arrive in time or they are unable to sell at viable prices.

A change in the direction of Jaffna will come about only when the latter group of people becomes convinced that there is a definite qualitative change in their prospects and a system of governance that works. True- they have seen that the Army is no longer the murderous one they once saw it was. They have dimly seen that protest without repercussions is possible and that a society where law and order prevail with no arbitrary exactions is at least conceivable. The rest needs more imagination rather than huge resources. [\[Top\]](#)

Human Rights

Disappearances, detainees and Accountability before the Law

The darkest chapter in the Army's take-over of Jaffna is the disappearance of upwards of 300 persons, mainly during the three months from the suicide bomb attack in Jaffna on 4th July 1996. Figures available from the Justice & Peace Commission of the Roman Catholic Diocese of Jaffna and the Guardian Association for Persons Arrested and Later Disappeared, both place the number missing up to the present time at around 360. With the government's failure to account for them for nearly a year, the general feeling is that perhaps the majority of them are no more. What is known (see our previous reports) strongly suggests connivance at high levels. The military hearing into the matter is suggestive of a sham exercise, because, for one, the military has all the means to know. Under no circumstances can an army be allowed to take the law into its own hands and indulge in elimination. If the government wishes to maintain some credibility with regard to human rights, it should inquire into the conduct of high ranking officials in this matter.

Because of several complicating factors, it will be dealt with in greater detail in a coming report. To begin with, the Army from April 1996 allowed former members of the LTTE and those who had worked for LTTE - run establishments to live under its control. Moreover many minor government officials appointed during the LTTE regime had links with the organisation. Absorbing them into civil society was a courageous and necessary move in the direction of finding a political solution. But given the Army's history of violations and the LTTE's destructive intentions, it became a high-risk policy leading to disappearances. Vadamaratchy is one area where the policy has continued without major set-backs. But this has required a high level of commitment and resourcefulness on the part of the military command. It needed to constantly coax and motivate junior officers to take risks and build up good relations with the public.

In recent cases of arrest, there have been no major complaints. There were two recent cases in Puttur, for example, where the parents were informed, regular visits were allowed after two weeks and the detainees were released after four to six weeks. In both cases the families admitted the recovery of arms or incendiary material. Torture remains a particular area of concern.

There are again other matters that need to be dealt with. Licence given to an army to go beyond the law and kill is the thin end of the wedge leading to criminality, rape and even homicide and indiscipline within the army.

The PTA & Emergency Regulations

The large number of disappearances last year and the glaringly wide discrepancy in punishment attendant upon gross offenders from the State who get away scot free under normal law and mere civilian ‘suspects’ often subject to extreme hurt, necessitates far reaching revision of the above, if they cannot be repealed immediately. These laws are etched in the Tamil mind as having been specially targeted to crush their legitimate aspirations and share the history of state terror brought to bear from the late 70s. They continue to create severe insecurity to ordinary people in operational areas, since they still do provide license for crimes by the security forces and the use of terror. In recent times a number of army officers have themselves demonstrated that they could handle the situation without straying far from normal law. In Jaffna suspects have been taken in and released within 2 months even after recovering arms they had helped to hide . Former hard - core LTTE cadre have been allowed to surrender and lead normal lives.

By contrast the courts operating the law in Colombo have shown little flexibility or discrimination. A good example is a young LTTEer who left the organisation in 1991 and lived in the South with friends and even exposed the working of the LTTE to human rights organisations. He was picked up by the police in a random arrest in 1995 to whom he admitted his past. After more than a year he was charged under the PTA, given 7 years by the judge, and is serving the sentence with LTTEers who continually beat him up as a traitor.

Repealing these laws is essential to restore democratic norms in society. These laws led to a flow of events where the erosion of the State’s legitimacy, violent anti-state activity and the need for further repressive measures fed into each other. Given the resulting climate of volatility, there are arguments based on practicality against a precipitate dismantling of these laws. Powers of discretionary detention where absolutely justified must be balanced by institutional safeguards, both effective and accessible to the victims, against torture and corrupt or malicious use. Where there has been such use, penalties must be imposed.[\[Top\]](#)

Freedom Expression & Organisation

A need for a diversity in newspapers and in the printed word is deeply felt but has proved very hard to realise in the context of Jaffna. The chief obstruction is the real threat posed by the LTTE which used its agents to promptly smell -out any development that would pose a long term threat to it. The slightest talk that the LTTE is prying into something suffices for a warning. A second obstruction is the absence of presses. During its reign the LTTE took over nearly all the presses which have either been moved to the Vanni, or were lost during transportation thither. Uthayan is at present the only newspaper published in Jaffna and owns the only press that could print mass circulation journals. It also commands a monopoly over the only block making facilities. Attempts to start a weekly simply to promote democratic values fizzled out once it was brought to bear that the odds were against such an attempt.

The Uthayan and the privately owned Tamil papers that come from Colombo, all for a mixture of reasons of fear or empathy, by what is said or not said, or how things are said, at least implicitly legitimise the politics of the LTTE. Prose or verse available in shops in Jaffna conform to the same criteria. Even when they seem to be saying something different, there is a calculated ambiguity. For example, no publication has given a hint of the deep anger felt by the mass of the people against the LTTE over what they experienced during and after the forced exodus of 1995.

There is on the other hand a large segment of opinion that sees the present drift as inimical to the future of the Tamils, and the contrived expressions that are passed off as Tamil opinion as definitely mischievous. Through their experience they feel that: The government's political package with its shortcomings must be viewed positively and implemented expeditiously, the military presence in Jaffna must be accepted as the inevitable outcome of Tamil politics, but that its bad effects should be controlled through organised democratic means; and that making future arrangements for the Tamil community contingent upon the LTTE's participation as essentially futile. As important as it is, this segment of opinion remains stifled and the brainwashing of the public goes on at various levels.

Several organisations have sprung up to deal with missing persons. In several villages (e.g. Kaputhoo and Pandeteruppu) villagers have spontaneously come forward to confront the army over the treatment of detainees during round ups. These are hopeful signs. But in the absence of healthy mass politics, these stand to be hijacked and misused for destructive ends.[\[Top\]](#)

Power & Administrative Accountability

As suggested earlier there is little administrative accountability and the people have almost no control over regulating their very basic needs. Two instances amply illustrate this. Following the recent threat to shipping issued by the LTTE that was given prominence as banner headlines in the Uthayan, kerosene oil was hoarded by traders, and what was sold for Rs.13.50 per litre started fetching Rs.70. Protestations by the military authorities that there were sufficient stocks made little impact and appeared as a minor item on the front page. The public had been reduced to being helpless individuals who had no means to counter the cynicism with which alleged shortages were manipulated by private interests.

There were widespread complaints of corruption against a key public official holding a commanding position in the distribution of resources. The government sent a team of investigators to Jaffna and the official sensed trouble. A number of advertisements were placed in the Uthayan by traders and other interests praising his services to the community. A felicitation ceremony was organised for him, where speakers included leading academics from the University of Jaffna, educationists and some prominent religious figures, all praising him as a great servant of the public. It was an unusual event and perhaps the first of its kind in Jaffna. Nevertheless the official was replaced.

These illustrate the kind of interests brought together by the LTTE, who continue to hold society in a vice-like grip. Artificial shortages were a means of regular income for the LTTE and its favoured traders. The administrative machinery was used to suck dry resources the government sent for the people. A well-known ruse was to pad up population figures for extra government rations taken over by the LTTE. In the matter of development funds and funds for co-operatives, contracts worth tens of millions of rupees were given to LTTE - front organisations for work that never got done. The result was an enormous corrupting influence on the administrative machinery. Many administrators learnt to use the LTTE as a scapegoat to have their own way with the public. The term public servant lost any residual meaning.

The education authorities too did their part in implementing the LTTE's alternative curricula. All school functions had to be held in the mornings - the reason being that students should be loitering in the streets in the afternoons and evenings to facilitate their being accosted and carried away by LTTE recruiters. Senior academics of the university too with their inspiring speeches and other gimmicks completed the trap for the sons and daughters of impoverished peasants and

out-of-work artisans to be sent into battle. These tales of hypocrisy and duplicity would cover volumes.[\[Top\]](#)

The Security forces:

The Army

The security forces do and will play a pivotal role in Jaffna for some years to come. Where the Army is concerned the general public impression remains favourable to an extent. The presence of the Army is mostly accepted as an inevitable necessity. The general conduct of soldiers is fairly disciplined although there are exceptions. At check points the atmosphere is now much more relaxed than earlier but is still in need of improvement. Due to the possibility of LTTE attacks and other consequences of their presence, many people feel more nervous without checkpoints than with them. This was evident to a number of observers when several points were closed with the commencement of operations in the Vanni.

Against the background where LTTE attacks are mainly geared towards provoking the army to unleash terror on the people and in the light of their past experience, the people's assessment of the army is weighted on the side of caution. Its faults are also seen by many as those of any army. In comparison with their past experience and what happened in the East during 1990, there is a strong feeling that the army in Jaffna at present is much more disciplined. Particularly around the towns of Jaffna, Pt Pedro and Chavakacheri life is coming back to normal and the intrusion of the military presence is minimal. As things are now, even from more distant places such as Palai , the reports are that things are improving. In this context it would be wrong to say that the people see the Sri Lankan Army in Jaffna as simply an 'army of occupation'. The transition from an oppressive regime of native extraction under the presence of an army that is still virtually dominated by Sinhalese, however disciplined, must of necessity straddle many practical, emotional and political complexities. We stress this aspect because there is so much misrepresentation. Having said this, there are abuses, several areas of concern and a grave need to stabilise the present trend towards one of steady improvement and to provide mechanisms against the kind of deterioration that resulted in a large number of disappearances in the months following 4th July 1996.

Deterrence against abuses

This is an area in which the government has shown a singular lack of conviction and whatever action taken on a number of well publicised cases under normal law, in effect, amounts to no more than a conjuring trick. This is in sharp contrast to the legally sanctioned and uncompensated punishments ordinary civilians undergo under the repressive powers of the State. After long delays and foot dragging in the AG's department the cases of the Bolgoda corpses, the Kumarapuram massacre, and a number of cases involving rape and murder against the security forces are bound to vanish with the accused bailed and shunted out.

In the matter of disappearances in Jaffna, particularly during July to September 1996, the government has not even got down to the business of fixing responsibility although there was a clearly defined military hierarchy. The long awaited HRTF office never materialised. Neither has Jaffna seen any signs of the new Human Rights Commission. These are serious lapses. In effect Jaffna was deprived of the means to check violations when they were most needed.

It needs to be recognised that the pattern of violations that has taken root under the granting of powers to security forces under the supercession of normal laws by extra-ordinary laws, cannot now be contained by normal law. Given that far too many in the security services have their past records to live down, even the use of court martial procedures to curb violations has to come as a political decision.[\[Top\]](#)

The Police

Although not generally noticeable at present, concern has been voiced about some disturbing trends in the police that had contributed much to bring the ethnic crisis to boiling point in 70s and early 80s. Several instances have been cited where policemen have accepted bribes from parties at fault to subdue and deny justice to victims and complainants. This has happened in Jaffna in a number of cases of disputed occupation of premises. In one instance an absentee tenant of sublet business premises was through agents trying to prevent the owner from asserting his rights. A responsible witness said that the OIC Jaffna had threatened the owner with, ‘This is Riviresa’. The use of the name of the military operation to take over Jaffna was suggestive of a remainder that the police had arbitrary powers under emergency laws. In another instance a constable had tried to wheedle Rs 10 000 from a man whose son -in law had committed suicide, but the post mortem revealed signs of earlier gunshot injuries , by telling him that he had been harbouring a terrorist in his home.

On 23rd July Jaffna Magistrate’s court recorded a complaint from a woman in the case of a jewellery theft. A Sergeant Ratnayke and Constable Ravi of the Kopay police had called the complainant’s husband to a side and assaulted him in the presence of the persons suspected by the woman of the theft reported. A lawyer appearing in the case had requested police protection for the complainant’s party.

There are now police stations in Jaffna town, Kopay, Chunnakam, Illavalai, Pt Pedro and Chavakachri. Complaints of misconduct on the part of the police are more from the first three and hardly any from Pt Pedro. The cases above may not be startling as these may be seen as the common practice of a much debased police force in any part of this country. But in an environment where people have lost everything and are trying to rebuild their life with little hope, the behaviour of the police vested with arbitrary powers accentuates the feeling of alienation. [\[Top\]](#)

Rehabilitation & Reconstruction

Jaffna has witnessed continual visits by delegations of officials, UN experts, diplomats and International NGOs, promises made and hopes kindled, but little of substance has come from these. The premises occupied by International NGOs are a constant reminder to the people of the drabness they have been relegated to. Where people have had the resources to scrape up some kind of normality in their lives, their refrain is a stoical,” we rehabilitated ourselves. The government gave us only food.” The manner in which this has been happening in the absence of any co-ordinated effort or an appropriate input of resources, combined with large scale poverty, will have long term ill-effects. This will be taken up below.

Two cases illustrate how different classes of people face up to their future in Jaffna. A young working couple receiving professional salaries, with young growing children, had their house in town flattened by aerial bombing. Commendably they have decided to stay on and rebuild their

house. To this end they plan to sell their jewellery. They said that they cannot afford a bank loan as the interest rate is too high, whereas jewellery can be replaced when they have the money.

Another was a baker from Puttur, who with his family is presently in the Vanni. He learnt from his former neighbours that his house and bakery were flattened during the army advance, the rubble from which now very likely adorns the army's now abandoned bund nearby. Having nothing to come back to and start life with, he decided to remain in the Vanni.

Where people are doing some reconstruction on their own, they buy cement minimally at Rs.530 per bag as against the Colombo price of Rs.260. Tiles, concrete blocks and metal window frames are supplied to the market by 'Kassippu' (illicit liquor) mafias that have sprouted amidst poverty and unemployment. These materials are stripped off houses where the owners have not returned - really a case of shuffling the problem of reconstruction of private habitations.

These illustrate how empty and irresponsible the reconstruction effort has been, particularly on the part of the government. Instead of promising to rebuild Jaffna, the least that the government could have done is to subsidise shipping and transportation costs, and make sure that adequate cement and materials were available at Colombo prices. Neither are significant low-interest loan facilities available.

By increasing the supply and drastically reducing the cost of building materials, reconstruction can be speeded up and the social menace of organised theft stopped. For example, apex tiles used on the fold of a roof cost Rs.18 a piece in the South. But in Jaffna new ones cost Rs.57 and stolen ones Rs.45 to 50. Some very unreasonable transportation costs are also passed on to the people. For example, the hire for a lorry to transport goods over ten miles from KKS harbour to Jaffna was fixed at Rs.4000 by the Kacheri administration and was later reduced to Rs.3000 plus fuel. Knowledgeable persons locally estimate that the all inclusive cost should not exceed Rs.1500 to 2000.

Recommisioning of the distillery at Thickham has proved a boon to toddy tappers in neighbouring areas of Vadamaratchy who are now assured of a steady income. This move was facilitated by the interest taken by the military authorities. A push towards processing palm products through already existing co-operatives could benefit large numbers of people in need of social upliftment in return for a modest outlay of capital.

Agriculture in several areas has benefited from the distribution of pumps, seed material, and the availability of kerosene and fertiliser at lower cost. Yet the benefit to farmers has been limited. The unpredictability of shipping has meant greater disruption. Moreover shipping services are provided by a handful of big businessmen who can afford the capital. This makes production costs higher and limits marketing opportunities. Farmers have thus to dispose of their harvested onions and tobacco to intermediaries at prices where earning a living becomes tenuous. The farmers are keenly aware that these problems would disappear once the road to Vavuniya is open - an eventuality they tend to describe innocently as 'viduthalai' (liberation). [\[Top\]](#)

Some priorities

According to persons with long experience in commercial activity, the most effective and least costly means to revive the economy would be to create conditions in which free enterprise, whether by individuals or co-operatives, could revive. The first step is a steady power supply from Chunnakam power station. Other steps are to revive cement production at KKS in stages,

and to provide low interest loans to small scale entrepreneurs. There are several experienced people around, and many things would then fall into place.

To add a note of caution, some long standing environmental concerns over cement production at KKS need to be considered. One is to do with the effect of large scale removal of limestone on fresh water storage in Jaffna. The other concerns dust pollution in the surrounding area. Concern had also expressed for some time about the reckless use of pesticides in cash crop production. It was said that unlike in other places where rain water flows into the sea, in Jaffna these toxic materials would be absorbed by the ground water . These may be issues on which the opinions of local people would be more readily forthcoming.

Another matter that needs urgent reconsideration is that all present efforts rely heavily on the public administration as intermediary. This machinery is adequate for tasks such as channelling resources, materials and implements for the upliftment of agricultural and fishing communities. But overall planning, industry and revival of the spirit of enterprise call for technical, financial and commercial expertise. Those who can provide such expertise locally have so far been largely ignored. It is not hard to identify a good deal of potential that could look at the future of Jaffna from a standpoint guided by experience and professional integrity. If such persons are brought in, the outlook would be very different.

Reconstruction efforts are at present partly hamstrung by a line of thought prevalent in Colombo that nothing would work in Jaffna until the LTTE is brought into a political settlement. This approach is unproductive and is socially disastrous. It comes from a failure to understand the LTTE, for which no one can blame the LTTE, and may mean waiting until it is too late.[\[Top\]](#)

Urban and Rural Poverty

This problem confronts a large segment of the population in the peninsula. The causes are varied and numerous - farm labourers out of work, fisher-folk deprived of their normal livelihood, artisans under employed or poorly paid and so on. The resulting social disintegration indirectly affects discipline and morale among the security forces. In Gurunagar (Small Bazaar) for example, the majority of the population have returned - many had fled to the Vanni. There is much anger against the LTTE particularly among the Vanni returnees. The people are mostly fisher folk and Roman Catholic Christians by faith. Presently fishing is restricted and a large section is out of work. Social workers complain of widespread resort to manufacture and sale of illicit liquor, and an unprecedented circulation of blue films. Sermons in churches could be regularly heard over loudspeakers " God brought you back safely home, but not for such shame". These are said to have some impact. The pattern is similar in several places.

Mafias organised on the basis of theft and illicit liquor were an old phenomenon. Now they are on more fertile ground. A part of their current trade is to supply building materials for houses being repaired by stripping houses partly damaged or not occupied. In earlier times laying hands on someone else's property was taboo. Now someone intervening to protect a neighbour's house from being stripped is frequently told by these gangs, " If it is not your property, it is none of your business. Keep off!"

The leaders of these groups have always been shadowy elements in society. They enjoyed a new influence under the LTTE regime which needed such persons for intelligence (e.g. people's family connections and wealth) and extortion. They were simply hated. A number of observers have said that it is such elements who are also now trying to get close to the army - particularly by supplying illicit liquor to the low ranks. The army around Jaffna town is said to be largely indifferent to their activities. Such activities are much more under control in Vadamaratchy where there is ready access to the high command. A social worker who regarded both the people and the ordinary Sinhalese soldiers as victims of circumstances observed that both were together 'going to pieces' as current uncertainties drag on. [\[Top\]](#)

Resettlement of Valikamam North

Resettlement of several areas has been hampered by very poor co-ordination between military and civil authorities. Examples are Alaveddy North and Erlalai North. In the first case people had for two months been given permission to clear their premises by day, but not to occupy them. The bund used as the forward defence following 'Operation Leap Forward' in July 1995 which runs through the area is no longer in use, but according to the villagers, the mines had not been removed.

In Erlalai North, south of Palaly, the contour of the whole village has changed. Landmarks have disappeared. In certain areas junctions cannot be identified. In the goldsmith's section most houses had been destroyed by shelling. During the last month there were three incidents of civilians in the area losing limbs due to mine explosions. It is not clear whose these mines were. They are said by local sources to be mostly the army's. The bund running through the area has been abandoned. Though the mines have markers, parts of the barbed wire fence have collapsed, posing a hazard to civilians and cattle. (In most places nearer town where bunds are still visible, we were told that the army had scooped out the mines, but exceptions have been claimed.)

Here is the experience of one determined farmer in Erlalai North. The 100 lime trees which he had planted on loaned capital had been destroyed. He employed labour at Rs.125 per man per day, spending Rs.35000 to clear his land. This involved clearing a section of the bund 40ft in length and 10ft wide running through a corner of his land. The men worked with a rakes having four long spikes and a long handle. Several mines were uncovered. The army was reportedly indifferent about doing the job for which they were far better equipped. Having gone this far many farmers are finding it unprofitable to work the land owing to several other constraints, except to do subsistence farming. For those with some savings, sending their children abroad appears the most attractive option. For the poor it is very bleak times. The fact that they are prepared to do such hazardous work as mine clearing for as little as Rs.125 a day shows their desperation.

Even way back in 1987 the Indian Peace Keeping Force which took on the task of mine clearing had told farmers in Vasavilan (now a prohibited area) that the task was going to prove extremely difficult as both the Sri Lankan Army and the LTTE had buried mines without mapping out the locations. [\[Top\]](#)

Vadamartchy East: Life in an uncleared area

While living conditions have been improving in most parts of Jaffna, the opposite has been happening in Vadamartchy East, a long strip on the east of the peninsula that is sparsely

populated and has long been regarded as unhealthy. Prominent among its inhabitants are fisherfolk plying their trade along the coast. Two main factors that determine the fate of this population are that the coast which is outside the army's control is a much used route for LTTE infiltration into the peninsula. The other is that the army appears to have put off taking control of this area, even though ambush parties go into the area upon receipt of information.

In early June the bus service from Manthikai to Chempianpattu had stopped. The reasons are not clear. For some time now the Kudathanai hospital has not functioned since neither a doctor nor medical staff are reporting to work. The two factors together place an enormous strain on the population who now lack ready access to the most basic medical facilities. Some in the population have moved into the cleared area near Pt Pedro. But it is not generally feasible for people to leave their home, livelihood and possessions and live as paupers. At present the only accessible hospital is Pt Pedro hospital at Manthikai. From Manthikai the bund lies 4 miles south-east just beyond Vallipuaram temple where the cleared area ends. From the check point at the bund it is a further 8 milies to Nagar Kovil and Chempianpattu is further south. The co-op where these people collect rations is at Vallipuram on the cleared side, and only limited quantities are allowed.

Bringing a patient to hospital means either coming on foot or conveying the patient on a bicycle along a very bad road. To compound matters frequent decisions are made without warning to stop civilians coming into the cleared area and going out of it on that particular day. This means carrying the patient back home in the burning sun after waiting in hope and coming the next day. No one could account for this aspect of things other than as deliberate harassment. Such practices have also proved an impediment to operating schools in the area and in maintaining any meaningful services.

On 6th July the shore of Kudarappu was shelled by the navy from mid-night to early morning destroying some fishing boats and accessories. Fishing activity in Nagar Kovil and Mamunai came to a stop for several days.[\[Top\]](#)

Hope for Jaffna Teaching Hospital

Despite rumours of an impending closure of the Medical Faculty in Jaffna, senior members of the Jaffna Medical Association are hopeful. Finding persons to fill vacant senior positions on a permanent basis has been largely unfruitful up to now. But where willing persons were identified, the health ministry bureaucracy has been found to delay inordinately in giving its clearance. One case pertained to a Roman Catholic nun, a fully qualified gynaecologist who is an MRCOG, presently attached to Holy Cross Hospital, Jaffna. It has been suggested that the Director, Teaching Hospital, should be empowered to make appointments and obtain ministry clearance later.

The more promising means of obtaining relief is from doctors with connections to Jaffna working in this country, who are willing to do short tours in Jaffna. Here again it falls to the government to make appropriate arrangements. Precedents cited are doctors released for short tours in Amparai hospital and Palaly military hospital. Recent consultations by interested groups with the Minister of Health and the Ministry of Higher Education have sounded an optimistic note.

Civilians & Landmines

Landmines are a particular form of terror that is going to be with civilians for a long time. Minefields laid prior to the Indo-Lanka Accord of July 1987 were concentrated mainly around Palaly Base in the north and around other Sri Lankan Army camps, particularly Jaffna Fort. These were largely cleared by trained personnel of the Indian Peace Keeping Force. The mines laid after the re-commencement of the war in June 1990 have led to a nightmare situation. The lines of minefields kept shifting, mainly southwards, with successive frontlines as the LTTE lost ground to the Sri Lankan forces. In June 1990 the front-line south of the northern sea coast just enclosed Palaly and KKS. Through successive operations mainly to safeguard landing aircraft and KKS harbour, and to extend the front-line westwards so as to increase options for the final push southwards, by June 1992 the new front-line included Mathagal, Tellipalai and Vasavilan going eastwards. It stagnated there until July 1995 when the abortive Operation Leap Forward made a further territorial extension southwards to include Alaveddy and Mallakam , just missing Erlalai.

With the launching of Operation Sunshine in October 1995 the shift southwards was rapid until Jaffna fell on 5th December. Within a few days of the launching of the operation the new front-line going eastwards was (1)Alaveddy- Mallakamam- Erlalai- Achelu- Puttur. By the end of October after the heavy battle for Neervely it was (2) Maruthanamadam-Urumpirai - Kopay, and then Kondavil- Irupalai. The next stage of mine laying was by the LTTE around the City of Jaffna, (3) in residential areas such as Chetty Street, Rasavinthottam, Jaffna railway yard and Brown Road. There was no margin of defence here. Mines were placed under coconut trees where soldiers might try to bring down coconuts to drink, and under shady trees where they may take breather. When the civilians returned in April 1996, there were dozens of incidents around Jaffna town from mines and unexploded devices. These tapered off after civilians started cautiously going back to area (2). The last three months have seen a further spate of mine incidents mainly attributable to civilians feeling their way back to area (1) and some of the interior places in (2). In the two months from 10th June to 10th August ten or more incidents have been reported in the Uthayan involving at least 12 casualties, most of them losing a leg.

One was in Brown road just north of the city involving two men who rested under a tree after discussing business. Other cases include a young expectant mother going to look at her house treading a mine in the bund of a field (Maruthanamadam) and a similar case of a young man in Urumpirai. Incidents along the army's main line of advance from Puttur to Irupalai include the case of one young woman who was breaking stones and two men chopping firewood. Incidents along (1) comprise mainly men involved in agricultural pursuits and one of a woman in Achelu cleaning the back of her compound.

All but a few of these incidents owe to mines haphazardly buried by the LTTE. The LTTE never seriously hoped to take back areas into which the army had advanced, and as far as it is concerned civilians who go back to living in army controlled areas are traitors. Mines laid by the army are better defined, but the army has been culpably negligent in clearing them from certain areas. As time goes and signs such as fences and bunds become less defined, the prospect of accidents increases. At any rate the authorities have been very negligent about the safety of returning civilians.

The next stage that would involve resettling civilians about the Tellipalai- Vasavilan - Atchuvely line would pose far greater hazards as this served as a buffer for nearly 3 years, whereas (1), (2) and (3) served for just a couple of weeks at best. It must also be kept in mind that the areas affected by mines form the rich agricultural core of Valikamam. If the present pattern is

followed, it would mean sending first the poorer and more desperate farmers to test the ground . This is not an acceptable scenario, and if the army, for whatever reason, cannot do a proper job of mine clearing, arrangements should be made to set up a team of civilians who are trained, equipped and remunerated for doing the job. Though not sharply defined, the areas that need clearing are by now known.[\[Top\]](#)

Jaffna before and after the army take -over

It is easy to pick out a few aspects of life in Jaffna and make a case that things are far worse after the army take-over compared with what it was under the LTTE. Indeed our reports have contained much that could be used to this end. We are now, with the help of comments and criticisms from our readers, we hope, in a better position to give a comprehensive picture.

Many of the present difficulties are strongly war-related, and there has been a steady attempt to improve, such as reducing the irritation at checkpoints, and a good deal is now almost normal in urban and suburban areas. It is true that there is much clumsiness in the military administration and much dislocation with regard to resettlement. These too are partly war-related and to be fair, the Army has shown itself sensitive to pressure and criticism. It is also well-known that newly resettled areas are quickly prone to forceful LTTE infiltration that puts an additional strain on the Army.

Take the particular example of difficulties in travel, resulting in part from extremely poor administration on the part of military authorities. Cancellations of ships and flights, for reasons beyond control, create chaos. There is no proper rescheduling of passengers. People come from places as distant as Moolai and Pt Pedro starting early in hiring cars (at heavy rates), stand in the rising sun for hours in front of what used to be the Jaffna railway station, some carrying children, go back home if their name is not called, come back the next day and perhaps for days after. There is no appeal if one's name had been wrongly missed out. One cannot be sure that places confirmed in Pt Pedro and Colombo will be honoured in Jaffna. The military has a serious communication problem within itself. Unless one is influential or athletic, even places confirmed by the Army's Civil Affairs Office in Jaffna have little meaning.

To place the issue in sharper focus, take the 7000 passengers to Jaffna now left stranded at Trincomalee, many for more than a month. This followed the LTTE in early July burning one ship, hijacking another and openly threatening all shipping to Jaffna. This has resulted in much dislocation in the lives of many ordinary people. Much anger will no doubt be directed against the government that undertook responsibility for administering and restoring normality and services in Jaffna. Although the threat to the stranded passengers is posed by the LTTE, it took a month of indecision on the part of the government before it became evident that passenger shipping to Jaffna will not resume immediately. In the next turn of the rusty wheels of government bureaucracy, it was decided to treat the stranded passengers as refugees and house them in camps. Nothing was done to address their anxieties, apprise them of alternatives or to give them regular factual briefings about what, if anything , was being done. Instead a great deal that surfaced in newspapers turned out to be mere rumours. What remained was alienation and the image of an uncaring government.

If one highlights this problem in isolation (which would disappear if the land route is opened) one would despair about Jaffna. But others are quick to point out the injustice of comparisons based on short-term considerations. During the LTTE regime those wishing to travel to

Colombo used to queue up outside pass offices from 3 AM, not infrequently to be told later in the day that 'Iyah' was not coming. From time to time the press used to announce that there would be a boat service across Jaffna Lagoon on a particular night. Even if there were only about say 200 places, a much larger number were allowed to travel by bus from Jaffna to Kilaly at Rs.150 per head and join a long queue at Kilaly to take a number. Those who could not make it that night often had to spend several days at Kilaly spending daily Rs.150 eating at LTTE shops, or return to Jaffna again paying the extortionate fare. Much of this may not have been visible to the local elite or to the visitors who enjoyed special privileges.

Significantly, despite local and international pressure, the LTTE consistently dragged its feet and sabotaged attempts to open the land route through Elephant Pass. The LTTE was clear that it was not concerned about civilian safety. It on the other hand for one needed civilian cover in the lagoon for its own military communications. Despite threats posed by navy and airforce activity, LTTE supervised passenger boats were run without long interruptions. If the civilians completed the journey in safety it was thanks to the LTTE's protection. If occasionally something nasty happened as during the Navy's massacre on 2nd January 1993, it was grist for the LTTE's propaganda mills. The difference is that the LTTE has fewer inhibitions, a clear mind about its immediate objectives, and in this context has the ability to make quick decisions to safeguard its perceived interests.

Hence superficial comparison on the basis of day-to-day life will not lead to a proper understanding of the underlying reality. Unless we read the political tendencies at work to discern what the future portends for the people, and the role it offers them as responsible agents, we are bound to be carelessly contributing to uncertainties and fortifying a vicious culture founded on violence and human debasement.

In the matter of human rights there are serious concerns such as torture and the absence of accountability for disappearances over which unremitting pressure must be kept up. But it would be unjust to describe the current scene and future prospects as hopeless. Given the perverse and complicated nature of the situation, the fact that the parents of those who disappeared under army action have been able to organise themselves without harassment needs to be taken note of. There have also been several instances of villagers coming out defiantly to resist arrest of individuals during army round ups - something unimaginable under the LTTE. Moreover the parents of several thousands who disappeared during the LTTE regime remain tongue-tied and even today no one dare organise them in a demand for accountability and ask for a commission of inquiry.

In the field of social justice, one sees little prospect of change for the better. The same classes whose dominance was strengthened by the LTTE continue to increase their hold, and by comparison those who had suffered exceedingly from war, displacement, privation and the exodus will find the going extremely difficult. The LTTE's repression silenced those very sections of society that were concerned about social justice.

Many in Jaffna in particular have been alarmed that they are being misrepresented at all levels. To the bulk of them the idea of a return of the LTTE is a nightmare. Even as it was being claimed naively or deliberately in far corners of the world that the LTTE was administering Jaffna as was never done before, it was clear to a large section of the population by mid-1995 that Jaffna could not take another two years of it. Contrary to the impression that is sought to be created about present insecurity felt by parents on behalf of their children, it is estimated that during the last few months of the LTTE regime in Jaffna, about 250 school boys and girls were practically conscripted to its ranks in the environs of Jaffna town.

What most people at present count as definite changes for the better are:

- Greater benefits from their earnings that are no longer subject to anything like the same extortionate taxes directly or from artificial shortages on a whole variety of essentials.
- Schools are no longer interfered with for purposes of recruitment and propaganda.
- Parents can send their children to school or out on the streets without the fear that they would be accosted and carried away by recruiters.
- The environment is free of almost every aspect of it being distorted by suffocating propaganda: songs glorifying the Leader and his movement, toy guns in children's parks, cut-outs of dead cadre, slogans on walls etc.

The loss of freedom of movement at present too needs to be qualified since reports passed around by word of mouth and often publicised, or the selective reporting in the Tamil media, tend to give an impression of extreme insecurity. Apart from the normal insecurity arising from a large military presence in a tense environment, closer examination shows that some sort of trust has also been established between the civilians and the Army. The most significant source of anxiety is the fear that someone going out may be affected by an LTTE land mine or grenade explosion in a public place. As a general rule civilians are affected by the explosions themselves rather than by reprisals that have been very few.

The presence of a large body of armed men equipped with a range of powers to arrest or harm anyone on the mere allegation of LTTE involvement is undoubtedly a constant source of anxiety. But certain steps taken by the Army over recent incidents have been moving matters in the direction of giving confidence to the civilian population. One case of rape in Chavacakacheri last May, one in Araly during July and another case of alleged rape in Vadamaratchy are presently before magistrate's courts where the accused have been produced after being picked out at identification parades. In the first case other army personnel had fired at the culprits when they ran away from the scene of crime, and in the second case the culprit was badly beaten by his fellows after he had been identified. These cases have demonstrated a tough stance by local commanders in complying with the law rather than just a grudging acquiescence. Yet the fear of rape continues to enhance feelings of insecurity. People now take the precaution of not allowing young women to pass through check points in lonely places unescorted.

The ability of normal law to deliver justice to victims of misconduct by the armed forces remains to be seen. The decisive question should therefore be, whether the government is capable of acting firmly against acts of crime before they are allowed to become tendencies. The government's failure to act with any conviction in this matter will keep alive doubts about its sincerity.

To reiterate once more, one cannot talk about long term trends with any assurance until there is a stable political process at least in the South regarding a political solution to the ethnic crisis, and a steady improvement with regard to human rights that would enable opening up of spaces within the Tamil community. In the meantime a concerted effort must be made, and risks taken, to rekindle healthy political trends within the Tamil community.

This is important, as the diseased politics of this community has been dominated by an armed group that admits no allegiance to its well being, and by elite Tamil spokesmen who sport in its shadows. The bloodstained progress of this crew constantly kindles doubts in the South about the wisdom of a political resolution. We are then left with a vicious cycle fraught with unpleasant possibilities.