

# Ethnic Conflict in Sri Lanka

## Developments and Trends in 1998/1999

### Contents

#### 1.) Political Solutions, Constitutional Reforms, and Peace Negotiations

- 1.1) Peoples Alliance government
- 1.2) United National party
- 1.3) Liberation Tigers of Tamil Eelam
- 1.4) Tamil Political parties
- 1.5) Muslim Political parties
- 1.6) Peoples Liberation Front and other Left parties
- 1.7) International Community

#### 2.) War and Militarization

- 2.1) Vision of the War
- 2.2) Reality of the War
- 2.3) Expansion of Militarization

#### 3.) Ethnic mistrust and Ethnic Polarization

- 3.1) New Trends in Sinhala Buddhist Nationalism
- 3.2) Trends in Tamil Politics
- 3.3) Development of the Muslim national Identity
- 3.4) Sinhala Muslim and Sinhala Tamil clashes
- 3.5) Sinhala—Tamil clashes
- 3.6) Ethnic bias of the Media

#### 4.) Human Rights and Peace-Efforts and Campaigns

- 4.1) Government Responses
- 4.2) Civil Society Movements
- 4.3) Business Community

#### 5.) Assessment for the year 1999

- 5.1) Possibility of Continuation of war
- 5.2) The Anti—Democratic results of the war
- 5.3) Intensification of Ethnic Polarization
- 5.4) The frustration of the Tamil people
- 5.5) Peace space will expand
- 5.6) Pressurization for a bi-partisan approach and a Third Party intervention

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## 1) Political Solutions, Constitutional Reforms, and Peace Negotiations

### 1.1) PA Government

Throughout 1997, the Peoples Alliance Government had conducted a massive publicity campaign throughout the country about its proposals for new constitutional reforms. Among these were proposals for a political solution to the war and the ethnic problem. The governments intention was to present these proposals to a Referendum in 1998, the 50th Anniversary of independence, for public approval. At the beginning of the year, the government had decided to obtain approval at a referendum to set up a council for formulating the new constitution by a majority decision in Parliament, since it was not able to obtain the constitutionally required 2/3 majority in Parliament to establish a new constitution. In fact, the government had even decided on a date (8th April) to conduct a referendum after consulting advisors on auspicious dates. The Military Political leadership had promised a decisive victory in the battlefield before February 4th, the day of independence. The leadership of the government believed that such a victory would help the government win the referendum. However, 1998 was destined to give a totally different experience in the new constitutions development. The draft constitution has not yet come out of the printers.

The government had based its approach on three strategies: the proposals for political settlement, the war for peace and isolating the LTTE internationally, but continually exhibited no practical interest in embarking on negotiations with the LTTE. On several occasions, President Chandrika Kumaratunga had stated three basic conditions as necessary to initiate negotiations: finishing the negotiations within a specified time frame, participation of the LTTE leadership in the negotiations, and the LTTEs giving up the demand for a separate state. The president had stated that she was prepared to negotiate with the LTTE at any time if these conditions were met. The government as a whole, however, did not show any enthusiasm to implement the Liam Fox Agreement that was reached with the mediation of Britain in order to have a bipartisan approach towards political negotiations. The president

refused to accept the proposal to have a third party mediation in the negotiations. She had said that she was ready to obtain the services of an external facilitator, but what she meant was not clear. At the end of 1998, she said that facilitation could be made by providing an external venue for negotiations. The opposition to a third party mediation expressed by Kadiragamar, the Minister for Foreign Affairs, was even more marked than that of the President.

### 1.2) United National Party (UNP)

At the beginning of the year, the UNP, Sri Lankas main opposition party and the party that had ruled the country for the longest period after independence, declared that it would present an alternative set of proposals for a political settlement. Accordingly, Prof. G. L. Peiris, Minister for Constitutional Affairs, postponed the Parliamentary Select Committee until January 31st and gave the UNP until that time to present their alternative proposals. The UNP, however, did not succeed in declaring their proposals as a complete document until the end of the year. They were instead presented in parts on three occasions. The UNPs proposal to set up a third assembly in order to distribute the power at the centre was agreed upon by the peace movement and the Tamil political parties in general. However, the framework acceptable to the UNP for overall distribution of power was the 13th Amendment of 1978, and they also said that they would not allow the proposal to change a constitutional term from "unitary state" to "united state". This resulted in a political retreat by the UNP. The UNP also stated that their agreement about an equal distribution of power meant not granting more powers to the north-east, but giving fewer powers to the Southern provinces. In addition, there was common acceptance of the proposal by the UNP to set up independent commissions for public services, police and judicial services. However, the Round Table Conference that was convened by the UNP for this purpose in September 1998, in which the Sri Lanka Freedom Party and the leftist parties within the government did not participate, did not yield the expected results. However, the report of the Citizens committee set up by this conference is scheduled to be published soon. The UNP decided to boycott the parliamentary select committee in

protest of the Presidents alleged statement that if LTTE agreed to a peaceful settlement, that she would give them the power to rule the north and east provinces for an interim period of 10 years and take steps to recruit the LTTE guerilla fighters into the police force. By the middle of the year, however, the UNP stated its position that unconditional negotiations with the LTTE should be initiated. The leader of the UNP, Ranil Wickramasinghe, stated that initiating negotiations was more important than the proposals for constitutional reform. He stated that a large proportion of Tamil people supported the LTTE, and therefore the strategy of trying to isolate the LTTE from the Tamil people was wrong. The UNP saw it necessary to have a multi-partisan rather than bipartisan approach in the negotiations, and said the Liam Fox Agreement provided the basis for such an approach. The UNP also agreed with the suggestion to have negotiations in another country.

### 1.3) Liberation Tigers of Tamil Eelam (LTTE)

The LTTE condemned the governments package of Political Solutions as mere "eye wash" to deceive the international community. Although the LTTE had said that it was prepared to retreat from its demand for a separate state, it did not indicate the practical level to which it was willing to change its position. The LTTE stated that the Thimpu proposals, namely the recognition of the right of that nation to self-determination and recognition of the two provinces north and east as the traditional homelands of the Tamil people, would be the basis of any peace negotiations. At a lecture delivered in London recently the legal adviser of the LTTE highlighted the removal of the Sri Lankan military from Jaffna peninsula as a necessary precondition for negotiations, arguing that successful negotiations cannot be held without a balance of power. Velupillai Prabhakaran, the leader of the LTTE, restated this argument in his Heros Day address on November 27th, 1998. The LTTE also stated that third party participation was essential to initiating negotiations.

### 1.4) Tamil Political Parties

The other Tamil Political parties, namely the TULF, PLOTE, EPDP and the EPRLF, do not consider the governments political proposals

complete, but have agreed to support them as a step forward. Almost all of these parties have put forward their own amendments to the proposed new constitution, the TULF and the EPDP having tabled their amendments in Parliament. These parties main target throughout 1998 has been the governments inaction. All these parties argue that the government should negotiate with the LTTE and that the northeast should be a unified province.

### 1.5) Muslim Political Parties

The All Ceylon Muslim Congress, the only political party based on Muslim national identity, has continuously argued for the declaration of a separate Muslim state in the northeast. However, the Minister for Transport and Highways, a Muslim leader, has not supported this position. Another Muslim leader and former Minister of Foreign Affairs, A.H.M. Hameed, belonging to the UNP, made a special press statement saying that if such a north-east state is set up, it would cause serious losses to the Muslims living in Trincomalee and Batticaloa. The government held the view that if a desire to join with the north is expressed at an initial referendum in the eastern province, then a subsequent referendum to be conducted in the proposed unified state would decide the governments position.

### 1.6) Janatha Vimukthi Peramuna (JVP) / Left Parties

Although the JVP has taken an anti-war stance, it has also expressed its opposition to a Federal political solution. While the JVPs official policy is still that the ethnic problem can only be solved by establishing Socialism in the country, there has been some relaxation of the JVP position on the concept of a military state. In the second half of the year they came to an alliance with three other Marxist parties that accept the right to self-determination of the Tamil people and demand that the government forces should be withdrawn from the Jaffna peninsula.

The Nawa Samasamaja Party (NSSP) took up the broadest possible Federal solution that is "friendly" towards the LTTE. The new left front led by the NSSP expressed its willingness to become a mediator between the LTTE and the government.

### 1.7) International Community

Throughout 1998, the interest of the international community was clearly seen. In January, delegations from the United States and Norwegian governments visited Sri Lanka to study the ethnic problem. Among those who visited Sri Lanka on such missions were special delegates dispatched to Sri Lanka by the Secretary General of the United Nations Elara Ottunu, President of the Commonwealth Imeka Anyo, US Secretary of Energy Bill Richardson, and Adviser to Indian Foreign Affairs Ministry Narendra Ja. These delegates all expressed both their willingness to give whatever assistance possible to help begin peaceful negotiations between the LTTE and the Sri Lankan government.

Elara Otanu in particular had the opportunity of meeting LTTE representatives in Vanni. The LTTE gave her assurances that they would not recruit children, they would not oppress civilians, and they do not object to the resettlement of Muslims who have been driven away from Jaffna. Although Otanu had stated at a press conference that the LTTE had consented to the construction of a mechanism to monitor their activities, no further progress was made.

The visit of British Foreign Secretary Pashat was an attempt to renew the Liam Fox agreement, according to the suspicions of the Sinhala Buddhist racist element, who put up posters in the city of Colombo saying "Pashat go home." The UN Secretary Generals representative for disarmament, Jayantha Dhanapala, made a statement to the press saying that the United Nations Organization could possibly agree to act as a mediator in negotiations at the end of the year if the government of Sri Lanka makes such a request. Further, the international community of states in general accepted that the package of political solutions of the Peoples Alliance government as a suitable constitutional frame work to solve the ethnic problem in Sri Lanka.

The main thrust of the governments foreign policy has been to get an international recognition of the LTTE as a terrorist organization and acceptance of the governments proposals for a political solution.

## 2) War and Militarization

### 2.1) Views of the War

The Sri Lankan Government defines the war as a "war for peace" and defines the objective of the war as the liberation of Tamil people from the LTTEs grip. The areas occupied by the governments armed forces are called liberated areas. The government considers the LTTE and the Tamil people as two separate groups and holds the opinion that the LTTE obtains the Tamil support by coercion. According to the government, the LTTE is a terrorist organization fighting to dismantle Sri Lanka and must be defeated by armed conflict in order to achieve peace. The Deputy Minister of Defense has said that the "war for peace" is 90 percent over, and the president has promised to bring the war to an end by 1999.

The LTTE defines the war as "war for liberation." Its objective is to establish a separate state called Eelam by freeing the Tamil people from Sinhala Buddhist domination. The leader of the LTTE, Velupillai Prabhakaran, stated in his 1998 Heros day address that only establishment of a separate Tamil state would provide a permanent solution to the problems of the Tamil people. The LTTE believes that it is necessary to wage a war of liberation to repulse the Sinhala army from the land of Eelam. Near the end of 1998, the LTTE declared that Prabhakaran is at Jaffnas doorstep and that a military victory is imminent.

### 2.2) Reality of War

The main thrust of the war launched by the government in 1998 was to recapture A-9, the Kandy-Jaffna highway, with "Operation Jayasikuru". The government troops which had established themselves at Puliyankulam at the beginning of 1998 reached Mankulam by the end of September. 20.000 — 30.000 "Operation Jayasikuru" troops had marched only 30 kilometers. For nearly nine months, the government was spending about Rs. 145 million per day on "Jayasikuru". In 1998, about 500 government troops were killed and about 1000 were permanently injured. On December 1st, Operation "Jayasikuru" was called off after having captured only 42 of the 72 kilometers between Vavuniya and Kilinochchi. On the same day, "Operation Rivibala" was launched in the direction of

Mankulam, another strong hold of the LTTE.

On September 27th, the LTTE launched a massive attack on government troops and captured the town of Kilinochchi. In that attack, 632 government soldiers were killed, 771 were counted as missing in action, and 426 were permanently injured. This was a major defeat for Sri Lankan government and was destined to have far reaching repercussions. At the end of the year, casualty figures had climbed to approximately 10.000-15.000 killed and two to three times of that figure injured on each side of the conflict.

Although the recapture of the A-9 highway was the main objective of the governments military campaign, Jaffna peninsula remains the centre of the wars politics. On January 29th, local government elections were held in Jaffna peninsula in an unexpectedly peaceful atmosphere. 49 percent of eligible votes were polled and 234 members were elected for the local bodies of the subcontinent. The governments expressed desire in holding the election was to speed up reconstruction and rehabilitation of Jaffna having established civil administration, but it failed due to various reasons. Elected members of local bodies did not assume duties for several months, claiming that there were not enough funds for the councils and that the funds promised by the numerous institutions of United Nations were not properly channeled, postponing local bodies' access to them.

The LTTE initiated their challenge to the governments political/military plan in the peninsula by demanding the resignation of elected members, which some TULF local government members in Jaffna did. A few months later, on May 14th, a suicide killer in Jaffna killed Brigadier Larry Wijerathna, a successful military leader in the "Hearts and Minds" campaign in Jaffna. On May 17th, the TULF mayor of Jaffna, Sarojini Yogeswaram, was assassinated at her home. A few months after that Jaffna town commander Brigadier Susantha Mendis and Pon Sivapalan, the mayor appointed after Yogeswarams assassination, were killed in a bomb blast at the municipal council. Two Jaffna district leaders were then also gunned down, one of whom, Pon Mathimugaraja, was to become the

next mayor after Pon Sivapalan. Then, two more local government members, one EPDP and one PLOTE, were also gunned down in Jaffna.

Two days after the LTTE overran bases at Kilinochchi, Lion Air flight 602, a civil airplane flying between Jaffna and Colombo crashed in to the Mannar Sea. There are reasonable arguments that this too was an act of the LTTE. It is believed that all 47 civilians, who happened to be Tamils, died in the crash. After this tragedy, civilian air traffic between Jaffna and Colombo was halted indefinitely. In the meantime, heightened Tiger activities in the Mullaittivu Sea blocked the sea passage to Jaffna. Although the campaign launched by the LTTE to disrupt civilian life in Jaffna during Heros week - Oct 21-27th - did not succeed, it created fear among the people of Jaffna. By the end of 1998, the situation in Jaffna did not allow for civilian rule by elected bodies. Instead of reestablishing civil administration, tightening of its military grip of Jaffna had become number one in the government agenda.

According to the military map distributed by the government information department in November 1997, 543.600 people lived in the government controlled area of 5.343 square kilometers in the north. In September 1998, the area remained the same, but the population had increased to 551.800. That showed that the government administration expanded only towards an extra 8.200 persons within nearly a year.

Apart from engaging government forces in the north and east, the LTTE targeted the Temple of the Tooth, one of the most sacred places of worship for Sri Lankan Buddhists in Kandy. On January 26th, a Lorry laden with explosives was driven in to the Temple by a suicide killer. Six pilgrims died and the Temple was damaged considerably. On March 16th, a bus laden with explosives exploded in front of Maradana railway station (Colombo) during rush hour, killing 30 civilians and injuring 235. Throughout the second half of 1998, a number of telephone exchanges and electricity transformers were blasted, attacks which the LTTE is also believed to be behind.

The LTTE carried out similar activities in government-controlled areas of the north and east.

Batticaloa was in darkness at both the beginning and at the end of the year. Throughout 1998, the LTTE maintained a grip on the hinterland around Batticaloa and an invisible power in the town administration. There were, however, no large scale attacks from the LTTE in Trincomalee or Batticaloa districts in 1998. In the eastern province their activities were more or less confined to guerilla activities. The 24 child soldiers who surrendered to the government at Mankulam showed that the LTTE is faced with a problem of man/woman power.

The commanders of government forces, though, lamented that they themselves don't have enough man/woman power to carry out the war successfully. The government declared five general amnesties for deserted soldiers to report back, but even with these efforts, about 20,000 deserters were at large at any given time of the year. For instance, according to a military spokesman, 5,000 soldiers deserted during the months of August, September and December. The governments lowering the qualifications to join the forces and a considerable salary increase were not able to attract enough youth to the battlefield. Even the patriotic propaganda has not been answered which went public last August saying that some kind of compulsory military service is necessary. As a result, the army commander also proposed conducting appropriate programmes in schools to make school leavers join the forces. Military commanders told newspapers that they need extra 20,000 soldiers, placing the burden on the poorest of the poor and youth from the border areas to join the army and die in battle.

Funds allocated for defense for 1998 were increased by 30 percent in September, shooting the proposed expenditure up from Rs. 46 billion to Rs. 58 billion. Budget proposals for the next year increased the defense levy from 4.5 to 5.5 percent. At the same time, there was no response from either public or private sectors to the governments written request to donate one weeks salary to the defense fund.

### 2.3) Expansion of Militarization

Militarization expanded into the mass media during 1998. At the

beginning of the year, Emergency Regulations censored the publication of distorted or burning dead bodies. The government announced that it was compelled to bring such regulation because the mass media was not keeping with social values with the publication of photographs and video footage of the LTTE bomb attack on the Temple of Tooth, which the government deemed unfit for civilized society, an explanation that media organizations did not agree with. The government then prohibited the possession and publication of LTTE literature.

Thirdly, it imposed censorship on war news, prohibiting reports on military operations and purchase of armaments. For the first time in the history of Sri Lanka, military officials were appointed as the censorship authority. In November 1998, a civilian authority was appointed as censor, but censorship was expanded to the previous military operations as well. The president of Sri Lanka showed her dislike of the press once again in her most recent interview with Indian magazine Frontline, saying that the Sri Lankan Press was acting irresponsibly in regard to the prevailing military situation. Three Tamil journalists were taken into custody under suspicion of having links with the LTTE, but had to be released without charges. In 1998, a group of persons suspected to be Air Force officers entered the home of well-known defense correspondent Iqbal Atthas and threatened to kill him.

Although the government held local government elections in Jaffna peninsula, it postponed five provincial council elections, using the continuing war situation as an excuse. In March 1998, the government indefinitely postponed the election of 11 local bodies in Trincomalee district, 12 local bodies in Batticaloa district and 10 local bodies in Ampara district.

In the village of Tampalakamam in Trincomalee district, government soldiers killed several civilians and terrorized the whole village, saying that the LTTE killed two soldiers near their village. Several instances of such terrorizing tactics were reported from the eastern province throughout the year.

The president appointed a special committee to investigate the disappearances which took place after 1995 when the representatives of the Guardians Association

of Jaffna met her to demand an investigation. The committee had 30 sessions in Jaffna, and its recommendations for further investigations into 134 disappearances were submitted in April 1998. Its report also revealed that 210 persons who have been released by the military have disappeared, and that sixteen persons have died in military custody. The Inspector General of the police was asked to take necessary action against 25 police officers who were responsible for the disappearances.

The Jaffna parents campaign on the disappearances took a new turn with the disclosure of the Chemmani mass grave. In spite of national and international pressure, the government did not take any meaningful action in investigating this disclosure, and has yet to reply to queries made by Human Rights Commission of Sri Lanka. Agitation over the mass grave played a decisive role in shaping Jaffnas mindset in the latter half of the year 1998.

The verdict given by the high court in Krishanthi Kumaraswamy rape case in July, which gave the death sentence to offenders, was a landmark decision in fighting military abuses, but failing to act on the Chemmani mass grave lost the government whatever credibility it could have gained by that verdict. It is believed that the military leaders exerted pressure on government not to proceed with any real investigation on the disappearances which took place in the north and east, blaming them on armed Tamil political parties working with the government forces in Vavuniya. In spite of requests made by Amnesty International, the government failed to take any action.

Vavuniya may, in fact, be the town in Sri Lanka subjected to maximum militarization. A special pass system, to which everyone who visits or lives in Vavuniya is subjected, considerably suppresses freedom of movement. Issuing special identification cards and confiscating national identification cards was used as a convenient way to control any movement of the Tamil population. In Jaffna, everybody had to carry special I.D. cards issued by the local military authority wherever they went.

In response to the bomb blast at Maradana in March and in the aftermath of the attack on The

Temple of Tooth, the military/political leaders proposed to have large-scale security checkpoints at every road into the eastern province. The proposed plan would virtually cut off the eastern province from the rest of the country. This proposal was a result of intelligence reports that most vehicle bombs exploded in Colombo had come from the eastern province. According to the plan, all goods and people coming from and going into the eastern province had to change to some other vehicle at the checkpoints. On some roads this plan was put in to effect for two or three days. It caused severe difficulties for the civilians and traders. Although abandoned by authorities as result of public outcry, the scheme showed the length and depth to which militarization could grow, neglecting peoples interests completely.

In the wake of those developments, the military came up with a plan to establish separate shelters for non-resident Tamils in Colombo.

### 3.) Inter Ethnic mistrust and Ethnic Polarization

#### 3.1) The Developments in the Growth of Sinhala-Buddhist Nationalism

The temple of the sacred tooth relic in Kandy which was subject to a Lorry Bomb attack by the LTTE, causing very serious damage is the most respected place of worship of the Buddhists in Sri Lanka. Therefore, this attack was bound to lead to a chain reaction. The Deputy minister of Defense General Anuruddha Ratwatte resigned immediately following the attack admitting his responsibility for the failure in providing the necessary protection to the Temple. Although the Government did not accept his resignation the war inclined forces in the country led by the highest ranks of the Buddhist Clergy rose up to protect the deputy minister general. It was very clear that those who rallied round him were the forces that opposed the political package of the government.

They organized marches and agitations demanding that the LTTE should be declared illegal (or proscribed). Accordingly the government declared the LTTE illegal. Simultaneously, the chief monks of the 3 main Buddhist chapters issued a joint declaration demanding the withdrawal of the governments political proposals for

the ethnic conflict. The government did not withdraw the proposals, but instead indefinitely postponed the referendum that was due to be held on the proposals.

The Sinhala Buddhist racist groups that came forward to defend General Ratwatte formed a broad front under the name National Movement against Terrorism. It gave leadership to a series of mobilizations, publicity campaigns and agitations advocating war and opposing any form of politically negotiated settlement and the proposal for any third party intervention in the negotiations. The Sinhala and English mainstream media published in Colombo gave much publicity and support to this agitation. The government controlled media too gave broad support.

Further, these forces formed an alliance with the government in order to create a helpful environment for the governments intention to create a cry for postponement of the provincial Council elections in the Western, North Central, Sabaragamuwa, Uva and Central provinces that were due to be held on August 28th 1998. The Sinhala-Buddhist extremists groups who insist on the continuation of the war to its completion carried out a campaign saying that it was not necessary to have elections when there is a serious war being fought in the country. On two occasions these forces attempted to disrupt peace actions held in Colombo and they demanded that the leaders of Peace Movements should be arrested and tried under the Prevention of Terrorism Act.

Among these forces the best-organized group is an organization of the Sinhala trading community who called themselves the Sinhala Weera Vidhana. This is spread Island wide and it is financially strong too. They clearly state that the domination of the Sinhala traders should be established against those of the other ethnic groups. Their main target is the Muslim trader community. Sinhala Weera Vidhana launched an campaign to purchase paddy (rice) at the higher price only from the Sinhala Buddhist farmers in Polonnaruwa during the Yala Seasons harvest in 1998, as one of their economic projects. They have set up offices in many areas including Nuwara Eliya in addition to their office in Colombo.

### 3.2) New formations and trends in Tamil Politics

Through out the year the Tamil Political parties were engaged in debates with the government on day to day problems of the Tamil people, Human Rights issues and on political ideological matters. During the Urban Council elections in Jaffna at the beginning of the year all these parties launched heavy criticism against the government. No party conducted any anti-LTTE propaganda at that time. In general there were frustrations among Tamil parties with the government.

Within the TULF there was a clearly visible trend of friendliness with the LTTE. The Batticaloa section of TULF described the LTTE as liberation fighters. Toward the end of the year the Tamil parties aligned themselves for a direct confrontation with the President on the statement that she had made saying that the Tamil people are demanding a separate country (State) for themselves, although they are not original settlers of this country. The moderate Tamil Community became more and more distant from the government throughout the year. The LTTE friendly political trends began to take bolder positions. The understanding that Chandrika government seeking a military victory and is giving up the faith in a political settlement began to get deep rooted among them. The LTTE friendly political trend was based on this feeling and understanding. The military-political developments of the year 1998 have raised again the serious fundamental question whether a government of the Sinhala Buddhist majority could ever be sensitive towards the social, political and economic needs of the Tamil People in this Country.

#### *Growth in the Muslim identity Politics*

Throughout the year 1998 the deepening of Muslim identity politics in various sectors of Muslim society took place. This emergence of Muslim identity politics was a by-product or a side effect of the ethnic problem in this country.

The Muslim Congress led by A.H.M.Ashrof has become the main representative of Muslim identity. Within this general tendency one could also see certain expressions of Muslim extremism too. However, the Sri Lanka Muslim Congress

(SLMC) does not have a broad popular base except in the eastern Province. The Urban council elections held in March 1997 showed that the Muslims in other regions have greater liking to work with the two major parties.

### 3.4) Sinhala-Muslim and Sinhala-Tamil clashes

In 1998 there were 3 instances when Sinhala-Muslim clashes took place in various areas. In the month of May in Galagedara in Kandy district, in June a clash took place in Welimada in Badulla District and in December a clash occurred in Kumbukgate in Kurunagala District. It was possible to prevent a clash that was about to take place in Weligama in Matara District at the last minute. In all these instances it was the case of clashes between individuals of Sinhala and Muslim communities growing into inter-ethnic conflicts within just 24 hours.

In almost all these incidents there were also agitations to boycott Muslim shops. In Galagedara, Kandy the Sinhala people are still prevented from dealing with Muslim traders, buying things from their shops. There were also attacks on such shops. In 1915 too when there were large scale, wide spread Muslim-Sinhala conflicts the attacks on Muslims were organized under the slogan of boycotting Muslim shops and traders. In addition to these there was a Tamil-Muslim conflict in Matale at the beginning of the year.

In September 1998 there was a major attack against the up-country Tamil people in Alukolawatte in Ratnapura district. The angry Sinhala crowds launched a massive attack against the Tamil plantation workers after an incident of killing a Sinhalese illicit arrack trader. The supporters of a government politician led this attack. The Police did not take adequate measures to prevent or suppress this attack. During this attack over 300 houses of plantation workers were burnt down. As a result thousand of plantation workers became homeless destitute. Participation of nearly 1.000 Sinhalese in this attack are a factor that indicates the level of ethnic contradictions.

A trade union struggle started by the plantation workers in Passara plantations in November 1998 led to certain attempts by some forces to turn it in to a Sinhala-Tamil

conflict. Especially, certain media attempted to give ethnicity-based interpretations to some acts of violence that emerged during this workers strike.

There were series of anti-Tamil incidents in Kandy town following the bomb attack on the Temple of the Tooth, Dalada Maligawa. The racist terror groups that attacked a Hindu Temple in Katukale, Kandy caused several million rupees damage and destroyed a large number of sacred statues. In addition many houses of poor Tamil families living close to the town were burnt down. The further spreading of anti-Tamil attacks were prevented by immediate intervention of the government against those attackers.

In September 1998 a conflict that arose with a Tamil business man on a road leading to a Catholic church in Wennpuwa nearly led to a Tamil-Sinhala conflict. However the community leaders in the area mediated and settle the issue.

### 3.6) Ethnic Role of Media

The year 1998 was also a year when the ethnic bias of media were further established. These trends of bias on ethnic issues in the media could be given a simple classification as the misconduct of Sinhala owned media and Tamil owned media. The Upali Group of newspapers, the Vijaya Group of newspapers and the Lake House group of the government are newspaper groups (companies) owned by the Sinhalese. The Express Newspaper Limited and The Independent are main stream newspapers owned by the Tamil business men. Further, the news paper companies owned by Sinhalese do not publish any Tamil newspapers. Although the Lake House Group of the government publishes a daily Tamil newspaper, it is considered as more of a translation of its Sinhala and English publications. The Tamil newspaper companies do not publish any Sinhala newspaper.

The Ethnic misconduct and bias is particularly visible in news reporting. The general news presented by the Sinhala newspapers give an overall picture of the government winning the war and the LTTE is presented as extremely weak. The general practice of the Sinhala mainstream newspapers was to use the military

statements of the state as their main sources. The statements by the LTTE generally were not published at all.

Although the harassments and damages of the Sinhala and Muslim civilians by the LTTE were given top priority no reporting took place of the damages and hurt caused to the Tamil civilians by the military actions of the state. The tragic situation of the Tamil refugees and particularly that of the Tamil people living in the war zone was left almost totally unreported.

Generally the mainstream Tamil papers acted to fill this vacuum, playing a supplementary role. On the whole the media of this country played a general role of creating separated or almost contradictory ideas and perceptions among the Sinhala and Tamil people on the war and its repercussions and results. Although there are a few Sinhala medium newspapers attempting to change these perceptions it is not possible to see such an effort among the Tamil medium newspapers.

The government owned Lake House group of papers acted as the voice of the government irrespective of their language medium. Further, at times they aligned with the Sinhala-Buddhist extremist groups and contributed towards creating a war supportive anti-Tamil environment in the country.

The two Sinhala and English newspapers of the Upali Group consistently adopted an editorial policy that took a Sinhala Buddhist ideological stance. Its Sinhala newspaper acted as the voice of various Sinhala-Buddhist groups who oppose a political settlement. Especially its special feature articles were devoted almost completely to the above aim.

## 4.) Humans Rights and the Peace efforts and campaigns

### 4.1) Responses of the Government

Human Rights are directly linked to any long lasting peace in Sri Lanka. Experience has shown that no effective political integration is possible without a national integration. Therefore protection of Human Rights in society is a necessary first condition in achieving National integration. It is an essential requirement.

However, what was seen

throughout last year was that for both parties in war protection of Human Rights is only a trump card used to win the support of the international community to established their own "power" projects. In 1998 government of Sri Lanka declared the establishment of the Human Rights Commission which has a conceptual value. Further, this commission was established and brought into operation by making the Human Rights Task Force and its network by linkage non-functional. However, even with certain weaknesses the Human Rights Commission is functioning today in our society.

Another important development in 1998 was the Anti-Harassment committee established on the recommendation of the President. The declared objective is to prevent the situation of harassment and torture faced by the Tamil people living outside the northern and eastern provinces during the search operations of the state defense forces and arrests made on suspicion. The minister for cultural and Buddhist Affairs Mr. Lakshman Jayakodi was appointed as its president. The minister of justice and constitutional Affairs Prof. G.L. Peiris, Mr. Batty Weerakoon (LSSP) and several Tamil and Muslim M.P.s were also appointed to the committee. In addition a high ranking Police officer and two Lawyers of the Attorney Generals Department were also included. Although this committee recommended a common code of conduct to be adopted in taking persons into custody, this committee did not appear to have made any positive development of the situation faced by the Tamil people.

Introduction of a Human Rights chapter with broad coverage to the proposed constitution is also another marked development achieved during this year.

On the other hand assurance given by the LTTE to the special representative of the UN Secretary General Mr. Olara Otunu not to recruit children into the LTTE forces, not to attack civilian population and also to allow the Muslims driven out of their homes to resettle in Jaffna were not fulfilled. The LTTE had also agreed to set up a monitoring mechanism on this.

There was no positive development of Human Rights related to the

ethnic problem in Sri Lanka during the year 1998. There were continues reports of civilian disappearances in the north-east. Large-scale arrests were made in Colombo and in the immediate surrounding areas. These were done under the Prevention of Terrorism Act and Emergency Regulations. On many such occasions there were reports on torture. In the eastern province too there was only deterioration of Human Rights and no improvement.

#### 4.2) Civil Society Responses

MIRJE, National Peace Council, Inter-Religious Peace Foundation, National Alliance for Peace, the Sri Lanka Group of the World Solidarity Forum and Mothers and Daughters of Lanka engaged themselves in Peace actions at various levels throughout the year.

Two main peace rallies and campaigns were organized in Colombo on January 4th led by the National Peace Alliance and on December 10th, 1998 led by MIRJE. The National Alliance for Peace had its first delegates conference with broad participation in September 1998. The Inter-religious Peace Foundation launched a campaign of collecting 500.000 signatures demanding the two major political parties to come to a bi-lateral agreement on Peace in November 1998. MIRJE initiated an educational campaign in the eastern and western provinces with the objective of improving the understanding of school students about Human Rights and peace.

Further a fact finding citizens commission on war border villages of the north and east of the country was launched by the Border Villages Co-ordinating Committee for Peace and Right to Life in the second half of the year. The draft report of the commission was published on December 10 - the human rights day. The final report will be published at the end of April 1999.

The Peace movement has also initiated a continuous campaign to compel the government to investigate into the complaints about the mass graveyard in Chemmani, Jaffna.

#### 4.3 Effort of the Business Community

The Business Community took initiative to raise a strong voice to

end the ethnic war and to achieve peace. In 1998 the Ceylon Chamber of Commerce, Sri Lanka National Chambers of Commerce, the Sri Lanka Association of Chambers of Commerce and Industry, the Sri Lanka Chamber of Industry, the Employers Federation of Sri Lanka and the Sri Lanka Association of Exporters including all the major Trade Chambers in the country made a joint declaration which stated as follows:

*"We are disturbed by the fact that although we, the private sector had been considered and accepted by the successive governments as the engine of economic growth and an open economic system had been adopted during the last 20 years Sri Lanka has yet failed to achieve a lasting economic progress to a considerable level. Unemployment, homelessness, poverty, lack of infrastructure facilities yet exists amidst other burning problems. The ethnic issue, which has become the highest priority, has not yet been solved causing serious damage to the country.*

*Therefor, we have realized that it is necessary to request all political parties to adopt and implement common policy framework that would enable the private sector to carry out its role effectively and would allow the future generations of Sri Lankans to hope for a better quality of life.*

*We therefore propose to all political parties to adopt a common and joint (united) course of action regarding the following:*

- Effectively solve the north-east conflict,
- To ensure no discrimination or injustice. Equality of all Sri Lankan civilians is assured respective of ethnic, gender, political affiliation or religion,
- To ensure peace and personal security of all Sri Lankans,
- Introduce English as a link language and legalize English as an official language,
- Ensure independence and authority of public service commission, Judicial services commission and police service."

Later they convened an all-party conference and attempted to reach a broad consensus on the above. However, the UNP boycotted this conference. Subsequently they were able to get the consent of both parties to set up a committee to take their proposals forward with

delegates from both the government as well as the UNP. However, by the end of the year the effort of the business community seemed to stagnate.

## 5.) Assessments for 1999

### 5.1) Possibility of Continuation of war

When the two parties in war are considered not only as military forces but also as forces with political ideologies we see that we have to go much further to reach a lasting peace.

Sri Lanka has not yet reached a situation of complete brake down due to the ethnic war. Both parties can still continue the war under the existing social, political and economic situation. There were signs by both sides for peace negotiations at the end of 1998. However, these signals were based on conditions to which the other side could not agree. The Sri Lanka government is not at all ready to remove the military from the northern province and to agree on the Thimpu proposals. The LTTE will not agree with the conditions of the Sri Lanka government to lay down arms and for LTTE leadership to come for negotiations within a set time table.

Under this situation only a temporary truce period and superficial negotiations can take place. Signs of such process are visible at the beginning of 1999. But a genuine political commitment or basis is not seen behind these signals. As long as the government does not succeed in moving out of the war path with at least a complete model of a federal solution to solve the ethnic problem peace negotiations will only be tactics used for another agenda.

Further, since 1999 and 2000 will be both election years the Government cannot be expected to be prepared to move towards a process towards a genuine settlement of the ethnic issue. Their strategy will be to impose their solution by force upon a defeated LTTE. The LTTE strategy on the other hand will be the opposite to get the government to forcibly accept their demands through military victories.

We cannot yet see a political ideology and a vision that brings together the desire of the Sinhala people to see Sri Lanka as one country and the desire of the Tamil

People to protect their national identity and to obtain the rights of self-determination. Under these conditions we can only see the possibilities of war and not of peace in the future.

### 5.2) The Anti-Democratic results of the war

The continuation and intensification of the war will pave the way towards suppression and loss of basic democratic rights. The shadows of the military rule in the north will begin to fall upon the southern society. It would become necessary to introduced ways and means of introducing compulsory military service. It will become necessary to further increase war taxes. If the war situation becomes unfavorable to the government the media censorship will be raised and grow into media suppression. Attacks on independent organization patterns will increase and application of undemocratic laws such as social services regulation law will be intensified.

The result of these developments will be suppression of democracy and strengthening of dictatorial tendencies in Sri Lankan politics. The election violence seen in the Wayambe (NWP) election in early 1999 and the suppressive publicity campaign launched by the government following this election can easily become early fearful signs of these developments. The reduced popularity of this government resulting from these has reduced the possibilities of bringing about a pro-people solution in the near future.

### 5.3) Intensification of Ethnic Polarization

Continuation of the war situation leads to racist feelings been strengthen against each other. Due to this polarization of Sri Lanka society will further intensify in the coming years. This will create a fertile soil for extremist tendencies.

There will not be any conscious efforts to curtail or pacify the small-scale ethnic clashes that emerged outside the north and east. The Sinhala extremist movements may come out into the open taking more militant forms.

As reported at the end of the year there is a militant Muslim organization named "Jihad" acting in the Eastern province. The tendencies for ethnic unrest

growing outside the north and east has become bigger (there were two Muslim—Sinhala clashes in the first two months of 1999).

If the government continues on the warpath the peace movement will be attacked not only by the extremists but also by the government.

### 5.4) The frustration of the Tamil people

The actual commitment of the government to peace needs to be reassured. The aspirations of the Tamil people for a political solution has ones more become an unrealizable dream as a result of the governments failure to at least implement the 13th amendment to the constitution, the attempts made to establish power in the provincial councils using authoritarian ways and making no attempts to reach a multi-party agreement for a lasting solution. This situation has affected and will affect the efforts for national integration very seriously.

### 5.5) Peace space will expand

Prolongation of war will intensify the aspirations of the people for peace. However, it is doubtful whether these aspirations would be allowed to find sufficient space to be articulated. The reason for this is the growing anti-democratic tendencies and the inadequate organizational strength of the peace forces. The need to develop a peoples movement for peace to supplement all peace efforts made at higher levels has become a necessity more than ever before. Developing a right vision and infrastructure and foundation for such a peace movement is the basic challenge faced by the peace movement of this country in 1999.

### 5.6) Pressurization for a bi-partisan approach and a Third Party intervention

There will be greater emphasis on the need for agreement between the two major political parties to stop the war. The national and international pressure for this will increase. However, in the emerging election environment the room for success of such a step is small. The possibilities of one party approach to find the solution without a bi-partisan approach succeeding is extremely low.