

Tiger leadership must give an assurance that they would desist from carrying out such political assassinations.

The LTTE's declared aim is to establish a separate State of Eelam. However, their spokesmen have often said publicly that if the government were to offer an "alternative package which will fulfil the aspirations of our people, they would be prepared "to consider" such a package. The term "fulfil the aspirations of our people" is so indefinable, elastic and open-ended that the LTTE should be asked to put down in writing as to what they think are the proposals that they consider as fulfilling the aspirations of their people. From the days of "Sinhala Only", the so-called Sinhala position has, willingly or otherwise, substantially shifted which finds reflection in the 13th amendment to the Constitution and the establishment of the Provincial Councils system. It is not argued here that these are adequate at the present stage for a settlement of the ethnic conflict. Nevertheless, they represent a shift in the "Sinhala position". Now the time has come for the LTTE to state its position to the government as to what they regard as necessary for a settlement of the conflict.

The other important issue is the so-called administrative structures which the LTTE has built within the Jaffna peninsula. These structures have been created under conditions of war in which civilian institutions have not been permitted to exist and function. They operate under the absolute control of the Tigers. For example, the "judges" who preside in LTTE courts in Jaffna are LTTE cadres not learned in the law. Taxes

and levies are imposed and demanded arbitrarily at the pain of death. Many people are held in unacknowledged detention in secret Tiger camps to which even the ICRC has no access. People are denied the freedom of movement. A parallel Tiger network has been set up to monitor and direct as to what the Government Agent and his officers should or should not do.

Negotiations between the government and the LTTE must also seek to achieve two things. Firstly, the LTTE should undertake not to reproduce similar structures and measures elsewhere in the North and in the Eastern province. Secondly, all the institutions must be brought within the framework of the law as applying to the rest of the country. Additionally, a process of demilitarisation should be undertaken which will enable the recreation of civil institutions which are an essential pre-requisite for the re-establishment of a civil society.

In the pursuit of its military and political objectives, the LTTE has eliminated all dissent and banned the existence and functioning of all political parties or groups in the Tamil areas, particularly in the Jaffna peninsula. They have asserted their authoritarian hegemony by physically liquidating other Tamil parties and groups. Any eventual settlement of the ethnic conflict between the government and the LTTE should include a package that would guarantee political pluralism, democracy, human rights and fundamental freedoms for the people of the Northeast as much as they are enjoyed by the people in the rest of the country.

PRESIDENTIAL POLLS

We reproduce below a section from the Report on the Parliamentary Elections of August 1994 published by the Movement for Free and Fair Elections. The MFFE, with assistance from foreign observers organised by the International Human Rights Law Group, monitored both the election campaign and the events of the polling day.

VIOLENCE DURING THE CAMPAIGN

Although we have separated "campaign violence" and "use of state resources" into two distinct categories, it is important to emphasize that often the two went hand in hand. Often, we see thugs in government vehicles attacking campaign offices and individuals. Even more disturbing were the incidents of violence and intimidation carried out by provincial council candidates and officers and to a lesser degree by parliamentary candidates and sitting MPs.

Introduction

Campaign violence was widespread in the six week period leading up to the vote on August 16th, and escalated considerably on and after the deadline for nominations on July 11th.

As of August 3, police headquarters had received 1058 complaints and reports of election-related incidents between July 11 and August 3, including 9 political murders.

By the end of the first week in August, the police estimated that they were receiving at least 100 complaints every 24 hours.

By August 9, 122 violations had been reported in a 24 hour period, and the aggregate number was up to 2129.

As of 6 a.m. on August 16th, the Police Election Secretariat reported a total of 2092 incidents of some form of election-related intimidation, 1003 incidents of "simple assault", 47 incidents of "serious violence" and 12 murders. A tabulation of incidents of polls-related violence in terms of location and severity prepared by the Police Elections Secretariat is given as Annex I to this report.

MFFE and Police records reflect between twelve and twenty murders committed during this period. There were many more incidents of stabbings, shootings, stonings, beatings and abductions, as well as crimes against property including houses being burned to the ground and widespread destruc-

tion of campaign vehicles by all sides. There were many cases in which police, local officials, MPs and candidates were directly implicated in attacks. In addition, there were also many cases reported in which government vehicles (and in some cases, officially issued weapons) were reported to have been used and serial numbers corroborating this claim were submitted. Although violent incidents were reported in virtually all provinces, Matale, Kurunegala, Puttalam, Anuradhapura, Ratnapura and parts of Colombo District seemed to have the highest number.

The last day on which nominations were received, July 11th was also the day on which most nominations were made. This often led to the congregation of numbers of candidates and their supporters at election secretariats. The occasion usually generates some tension and leads to argument. On this day, the tension often erupted into violence.

Violent clashes of a serious nature occurred in Kalutara, Ratnapura, Balangoda, Anuradhapura, Polonnaruwa, Kegalle, Matara and Wennappuwa, primarily between supporters of the PA and the UNP. Firearms, bottles of sand and other missiles figured in these clashes, indicating some degree of preparedness either to attack or to defend. These clashes led to the death of four persons, at Wennappuwa, Polonnaruwa, Kalutara and Ratnapura.

We reproduce below a selection of incidents illustrative of the nature, spread and scope of violence; they are itemized under electoral districts.

Vanni :

Vannikulam, Vavuniya

On August 10, at about midnight, a 30 year old lorry driver named Arumugam Rajadurai was killed, allegedly by a group of TELO supporters.

Vavuniya

On August 14th, a TELO supporter was shot to death by unidentified gunmen while he was postering at Bandarikulam. Two others were injured.

Puttalam :

Deaths

Wennappuwa:

On July 11th, a meeting held by the PA subsequent to the handing in of nomination papers, was attacked by supporters of the UNP's Minister of Fisheries, Festus Perera. During the attack, Sugath Tissera, A Northwestern Provincial Councillor of the UNP is alleged to have ordered the police to shoot at the supporters of the PA. Ven. Suduwelle Uparathana was seriously injured during the attack and died on July 26th. It is also alleged that Tissera led another attack that same day against another PA supporter who was hospitalized as a result.

Wennappuwa

On July 19th, at about 1 a.m. UNP Provincial Councillor Sugath Tissera, a supporter and a group of 15 men entered the

home of and assaulted PA supporter Stanley Joseph Fernando at the Lunuwila Soysa Housing Scheme. Fernando lost consciousness as a result of the attack and was prevented by the gang from seeking medical attention until the next day. He was admitted to the Intensive Care Unit of the General Hospital in Colombo, where he never regained consciousness and died of his injuries. It is reported that the OIC in charge of the Wennappuwa Police Station and of the investigation into this incident, Inspector Umagiliya, handed over his duties on July 24th and left his post saying that, due to political pressures he was unable to hold a fair and impartial inquiry.

Kurunegala District

Meegalaawa, Nikaweratiya

On August 4th, at 11.30 p.m., UNP Provincial Councillor RMTB Ratnayake allegedly shot dead PA supporter Hemasinha Mudiyanalage Dhanapala in his residence. A revolver issued by the government to the Councillor allegedly used in the killing was recovered by the police. After the killing, police said persons said to be PA supporters had attacked houses in the area belonging to UNP members, including Ratnayake's.

Gampaha District

Negombo

On August 1st, a Provincial Councillor (the son of a ruling party government Minister contesting Gampaha District) along with several others, assaulted a PA lawyer and injured two other PA supporters.

Polonnaruwa District

Deaths :

Diyabeduma

On the 11th of July, UNP supporters travelling in a motorcade to Bakamuna were stoned and attacked by a group of persons at Diyabeduma. Two people, H.W. Kusumalatha and Piyadasa were critically injured and died later in hospital. Seventeen others were injured and over twenty vehicles were said to be damaged.

Thambala

On August 11th, a teenage supporter of the PA, M. Rajimudeen died of gunshot wounds sustained earlier in the week.

A PA rally held at Lankapura Thambala village was attacked and fired upon by a gang of people at approximately 6 p.m. on August 5th. Five persons were severely injured. The UNP candidate for the district was arrested in connection with this incident.

Anuradhapura District

Pillayarawatte, Devanampiyatissapura

On the evening of July 28th, a gang of ten people, armed with automatic rifles, stormed the residence of and shot dead

Navaratnaraja Tilakaratne, a PA supporter. The killing is said to have followed a commotion between UNP and SLFP supporters in which a PA supporter was cut with a sharp instrument and a shop was damaged.

Makulawa, Eppawala

On July 29th, it is alleged that UNP Minister for Posts and Telecommunications, AMS Adikari and some of his supporters assaulted SLFP organizer for Eppawala Makulawa, RB Piyasena, at his residence and set fire to his house in the village of Makulawa. The victim's wife and daughter recounted that as he left the house and was on his way to report the attack to the police, he was attacked and stabbed by the same gang. Piyasena died of his injuries after the gang prevented his family from taking him to the hospital.

Assaults :

Padiketuwewa, Galenbidunuwewa

On July 31, 100 UNP supporters allegedly attacked an SLFP meeting in Padiketuwewa, at 3:15 p.m. The SLFP organizer for the area, along with two others were injured and had to be rushed to the hospital. This was allegedly one of 60 such attacks that took place in the Anuradhapura District, intended to intimidate party supporters and keep them from coming out to events.

Batticaloa District

Deaths

Sittandy, Eravur

On July 17th, at about 7.30 p.m., two persons abducted Velapody Alagaiah from his home, took him a short distance away, and shot him to death. Alagaiah was a member of the Batticaloa Pradeshiya Sabha and contested the last Pradeshiya Sabha election on an independent list supported by TELO, but was believed to have decided to support the TULF in this election.

Assaults :

Kottaikallar

On August 9th, the home of the TULF candidate and five other homes in the area were attacked by persons wielding knives and other weapons. The candidate's wife was injured and his house damaged by the attackers. Sixteen people of a rival political organization were arrested in connection with the attack.

Three persons were injured, one hospitalized when several UNP supporters, including a Cabinet Minister allegedly attacked the SLMC election office near Al-Manar Central College in Maruthamunai. The attackers carried out the assault wielding axes and clubs, causing Rs.100,000 damages and severely damaging a campaign van.

Ninthavur

On or around August 5th, a gang of persons led by two UNP PS members travelling in a government vehicle attacked the SLMC office and damaged 4 push cycles.

Digamadulla District

On August 10th, a group of people returning from a UNP meeting at Amparai town were assaulted by unidentified persons at Udayagiri Junction at Uhana. More than 20 people were reported injured, five requiring hospitalization.

Matara District

A branch office at Ginneliya, Batapothdeniya in Deniyaya electorate was reportedly burnt by some unidentified persons.

Kandy District

Deaths

Hasalaka

On August 2nd, K.A. Singho, a 60 year old PA supporter, was fatally injured in an attack by a group of UNP supporters on a PA rally. It is alleged that T56 machine guns and double barrel shot guns were used to attack people at the rally, where two others were critically injured and ten others suffered lesser injuries. The alleged assailants have been identified as the Minipe Pradeshiya Sabha President, Kannangara, Deputy President, E.M.P.W. Navaratne and another member of the organization.

Assaults :

Hasalaka

On August 2nd, an unidentified gunman fired on a PA meeting, wounding 3 people just before Chandrika Kumaratunga arrived. 8 more people were hurt, one seriously, when police opened fire to quell clashes after UNP supporters began stoning the crowd.

Nuwara Eliya District

On August 10th, at 9.30 in the evening, Subramaniam, a supporter of Kandurata Janata Peramuna leader Periyasamy Chandrasekera was stabbed to death after returning home from a political rally.

Matale District

An armed gang in three vehicles allegedly attacked the vehicle in which opposition leader of the Matale Pradeshiya Sabha was riding at Hathamunagala. The leader was stabbed and the vehicle was burnt and the tires slashed.

A supporter of the PA was allegedly kidnapped and assaulted and another supporter's house was destroyed.

In Morahela, on August 14th, a PA supporter was abducted, blindfolded and beaten by a group of men he recognized as UNP supporters (one of whom was the UNP candidate from the District). On election day, the UNP candidate and his sons, who have been implicated in numerous acts of violence and intimidation during the campaign, came to this same person's house and attacked him in front of his wife. When they left, he went into hiding.

Mahawela

PA supporters allegedly attacked the office of the Rajammana, Matale Grama Niladhari and broke his two children's legs.

Divulgaskotuwa

On July 28th, the house of a PA supporter was burnt to the ground by three unidentified persons.

Kalutara District

Deaths :

Kalutara

On July 11th, at 2.30 p.m. right after nomination papers were handed in at the Kalutara Secretariat, a group of PA supporters congregated on an islet by the Kalutara Bridge and were pelted with stones by a group of persons in green hats marching in the direction of Colombo. The stone throwers are alleged to have been pelting stones and running towards Kalutara North while two persons began shooting at the SLFP supporters on the islet. Two persons were shot in the chest, one of whom, Rajawansage Gunatileke subsequently died of his injuries.

The PA office in Mahagama North was burned down some days before the election.

Colombo District

Grandpass

Waduluwatte, Urugodawatte

A thirty-year old PA supporter named M.K.S. Pradeep Kumar was hacked to death on August 5th after an armed group stormed his house.

Assaults :

Willorawatte, Moratuwa

On August 7th, Four supporters of two Colombo District parliamentary candidates were assaulted by thugs armed with iron bars, bottles, wooden stakes and stones. Four PA supporters' vehicles were damaged as well as the UNP office and a UNP vehicle. A police jeep was parked near the UNP office where the attack began from.

Kesbewa

At 2 p.m. on August 12th, at Miriswatte Junction, Colombo District candidate Amal Senadhilankara's motorcade was attacked by Deputy Minister and candidate Gamini Lokuge along with an armed gang on motorbikes. Fifteen people were injured, Four people were missing from the scene and thirteen PA vehicles were completely destroyed.

Shortly thereafter, a motorcade of nearly 50 vehicles attempted to drive through a public rally in support of the PA where Ms. Chandrika Kumaratunga was scheduled to speak. The vehicles were severely damaged by PA supporters and the police were able to quell the disturbance only after firing tear gas.

Colombo Central

One person was hospitalized after a UNP Colombo District and his supporters were stoned near the flats opposite P.D. Sirisena grounds at Maligawatte

Kohuwela

On August 5th, a former MEP MP's house was attacked with bombs by an unidentified gang.

Minimuthugama, Sevanagala

Three PA supporters were injured in handbomb attacks on August 5th, and had to be hospitalized when a gang of UNP supporters arrived in two jeeps and a van and forcibly entered the residence of a PA supporter and assaulted him. Others were injured when they came to his aid and a bomb was lobbed.

Mount Lavinia

In a violent melee near the police station, in which shots were fired, 49 persons were arrested for putting up posters for a UNP candidate. Police seized five vehicles containing thousands of posters along with a revolver.

Four persons were arrested by police for abducting and assaulting a PA supporter who was hospitalized as a result of his injuries.

Ratnapura District

Pelmadulla

On July 11th, J.M. Amarasinghe, a PA supporter, died in the Colombo General Hospital of head injuries received when a convoy of vehicles he was travelling in was stoned allegedly by UNP supporters clad in green.

Parakaduwa, Watapitiya

On July 30th, K.P. Salmen, a supporter of the PA candidate was attending a PA meeting when he was attacked by a gang of men and stoned to death. Salmen was a well known left activist in the area. His assailants are alleged to be supporters of the UNP candidate for Ratnapura District.

Arupalamulla, Ruwanwella

On August 11th, P.M. Adikari, a resident of Arupamulla village was attacked while returning to his home from a PA rally. He was attacked with a sword and killed by a group of unidentified persons alleged to be supporters of the State Minister U.L.M. Farook.

Assaults :

On or around August 12, a PA supporter in police custody was reportedly taken from police headquarters and assaulted in front of police officers by 7 supporters of the Ratnapura UNP candidate. He had to be hospitalized as a result of his injuries.

Ellawala, Eheliyagoda

On or around July 31st, three campaign workers had to be hospitalized after their vehicles were stoned at Ellawala, Eheliyagoda.

On August 3rd a UNP candidate was arrested in connection with a series of poll-related incidents in which the candidate, along with a gang of UNP supporters, damaged a house, threatened SLFP supporters and fired shots with a T56. The accused were allegedly retaliating for an alleged attack by SLFP supporters the previous week in which two UNP supporters were wounded.

Kegalle District

Moronthota

Three PA activists were shot while putting up a stage in preparation for a campaign rally.

Moneragala District

Deaths

Udawalawe, Sevanagala

On the night of August 7th, Aluthgamage Dharmasena, a supporter of a PA candidate was attacked by a group of persons claiming to be police who entered his home and clubbed and shot him. He died of his injuries in the Intensive Care Unit of Ratnapura Hospital.

Moneragala

On Sunday, July 31st, angry crowds attacked and burned a van in which a former SLFP MP was travelling, after learning that PA leader Chandrika Kumaratunga was advised not to attend a mass rally at the Moneragala Town Hall. The former MP and his driver were treated for minor injuries at hospital and released.

Moneragala

Four campaign offices (Buttala, Mohagodayaye, Nakkala and Madu Pothangarawa) belonging to various parties were broken into by an unidentified gang. Office furniture and equipment was smashed.

Badulla District

Assaults :

Badulla

On the morning of August 10, two PA candidates from Badulla and Matale along with their supporters were attacked by 30 policemen attached to the riot squad. Later that day a group of policemen in Badulla assaulted one of the PA candidates, Dhilan Perera, as well as his bodyguards, while they were canvassing voters. Police stopped the canvassing and arrested the Matale PA candidate. A few supporters were also injured at this time.

Badulla

A PA candidate and several supporters were allegedly assaulted by several members of the Badulla Police Force, while they were distributing leaflets in Badulla Town.

Galle District

Deaths

Mapalagama, Hiniduma

On August 9th, an altercation between UNP and PA supporters took place which resulted in 17 year old Ruwan Chaminda being knifed to death by a person clad in green.

Intimidation

Intimidation, accompanied by threats of violence, has been a feature of this election campaign. The highest number of complaints made to the police are about intimidation. However, it is more difficult to identify the source of threats which often come anonymously.

Candidates themselves have been involved in acts of intimidation. On the night of August 7th, Lalith De Silva, a UNP candidate and his supporters gathered outside a house at Karawalabedde, Galle, where a PA meeting was in progress and threatened the meeting. Gunshots were heard coming from outside; at least one bullet shell was later found inside the house. PA supporters then retaliated. In another instance in Eravur, Batticaloa, SLMC candidate Dawood publicly threatened to "shave heads", "inject cyanide" and to kill people who supported the UNP.

Intimidation is all the more alarming when it comes from state officials, particularly of the police. In one flagrant example, on or around August 14, a Reserve Sub-Inspector in Hewahata threatened PA supporters that they would be killed if they didn't vote for the UNP.

In another instance, the local PA branch office at Ganethenna in the Ratnapura district reported having received violent threats from approximately 10 people including one policeman. The group came to the office and threatened to burn it down if it did not close immediately.

Another object of intimidation has been the seizure of polling cards. On or around August 10th, estate workers on Ampitikanda Estate in Bandarawela, were surrounded by thugs and threatened with death. 350 of the workers had their identity and polling cards removed at gunpoint and were warned not to vote. A similar instance was reported from Katugastota in the Kandy district.

Conclusion

Most violence took place during the campaign; election day itself was relatively peaceful though it was not without its problems and incidents of violence which are chronicled in a later part of this report. Thus the most crucial time for domestic and international intervention and monitoring is really during the six weeks leading up to the vote, in addition to election day itself.

All major parties in the election were involved in the violence as both perpetrators and victims. Almost all the incidents involved local party officials or supporters attacking supporters of other parties—not just leaders or key organizers.

It is important to spotlight this pre-election violence because it has several deleterious effects on the election: first, by murdering and disabling campaign workers it deprives the electorate of a full and robust campaign where they are able to hear all points of view and be exposed to the platforms and candidates of all the parties; second, fear of violence certainly lowers popular participation in party campaign activities; third, selective violence prevents certain candidates and parties from effectively communicating their points of view to the electorate; finally, in the face of serious and prolonged pre-election day violence and intimidation it is almost a certainty that some voters concluded that voting was simply too dangerous to risk.

Recommendations :

The prime context of electoral violence as we have described above is the generalized political violence which has characterized Sri Lankan politics in the entire decade of the 1980s. Anti-Tamil riots in 1983, the war between the Sri Lankan state and Tamil guerilla groups, and the armed conflict between the state and the Janatha Vimukthi Peramuna (JVP) in 89 to 91 were the main episodes that saw unprecedented political violence covering the entire political spectrum. As militarized political conflicts, they represented a specific phase in the country's politics in which many political actors, state as well as non-state, accepted terror and brutality as 'legitimate' mechanisms of political bargaining.

One specific aspect of the generalized political violence in the past decade was the violent opposition mounted against elections by armed militant groups in 1988 and 1989. When campaigns started for Provincial councils elections (1988), Presidential elections (February 1988), the LTTE in the north-east and JVP in the south declared these elections 'illegal' and invalid. Their objective was to disrupt the election process, before the actual date of election, by unleashing terror and violence against individuals and parties that contested the elections as well as voters and party supporters. Political murders and disruption of election campaigns by

means of armed attacks were intended to paralyse the election process altogether. On the days of election, voters who went to polling stations were intimidated, threatened and in some cases killed in order to generate a state of fear so that the actual polling would be severely disrupted.

The ways in which political parties, both ruling and oppositional, handled the crisis during the elections of 1988 and 1989 has contributed to subsequent process of electoral violence. Candidates were provided with fire arms and armed bodyguards for their protection. In many instances politicians were reported to have used these facilities not only for their protection, but also to intimidate political opponents and voters. Attempts to recall these weapons later were ineffective and the armed groups that thus came into existence still linger in the shadowy background.

The current spate of electoral violence may also be placed in the context where the state has become particularly violent and a ruling party has utilized the repressive agencies of the state for its own regime interests. The use of police for individual political objectives of politicians in power as well as of the ruling party has been a major aspect of the phenomenon of 'abuse of state power' in Sri Lanka. Thus the resort to violence and infractions of election laws have become a habit among certain sections of ruling party politicians. Opposition activists, meanwhile, appear to react to this situation in a spirit of tit-for-tat.

In this context it must be an act of will by political parties and the people that can rid the political process of violence. We need concerted action by all these actors if political and electoral violence is to be eliminated and replaced by democratic contest.

In the short term, it is necessary as far as possible to ensure police neutrality and to activate them to quick response to situations that can be prevented from becoming violent. Education and training of the police in election duty also appears necessary.

NEW AGES

A new age does not begin all of a sudden.
My grandfather was already living in the new age
My grandson will probably still be living in the old
one.

The new meat is eaten with the old forks.

It was not the first cars
Nor the tanks
It was not the airplanes over our roofs
Nor the bombers.

From new transmitters came the old stupidities.
Wisdom was passed on from mouth to mouth.

Bertolt Brecht