

REPORT OF FACT-FINDING VISIT TO WELIKANDA: JUNE 2, 2006

Participants: Ramani Muttetuwegama (Law and Society Trust); Kumudini Samuel (Women and Media Collective); Udaya Kalupathirana (Free Media Movement); Sunila Abeysekera (INFORM); Chandani Wijetunga (from Sinhapura, Welikanda); Jayasiri Jayasekera (Ravaya)

We reached Welikanda town at about 11 a.m. One group visited the Police Station, the other went to the office of the Mahaweli Development Agency.

We visited the villages of Dimbulana, Sinhapura, Maitrigama and Bo Atta.

The context:

Welikanda is an area that has traditionally been part of the so-called border area between the Eastern province and the North-Central Province. The Welikanda army cap is the last big security forces encampment until one reaches the outskirts of Batticaloa. The villages in these areas have been at the receiving end of a great deal of violence, brutality and displacement due to the conflict throughout the 1990s. The names of Karapola, Mutugala, Alanchipothana and Bo Atta are familiar to us because of the brutal killings of civilians of all ethnic and religious communities by the security forces, the LTTE and in bitter inter-communal clashes in the early 1990s.

Welikanda is a predominantly agricultural area, with most villagers dependent on paddy cultivation for a living. It is very poorly served in terms of infrastructure. There are few tarred roads, very irregular public transport and few opportunities for people living in these areas to access higher education or advanced health care. Many of the villagers living in this area have been displaced at least once in the past ten years. In times of tension, they have often moved to safer shelter of into the jungles surrounding their homes during the night time. Following the CFA, many of them experienced a period of stability in which they could cultivate their fields and live in their homes.

The area was originally populated by an indigenous Vanni population speaking a mixture of Tamil and Sinhala and with forms of worship and cultural expression that are very specific to the region. Many of the Mahaweli villages were established in already existing villages, 'purana gam' or 'traditional villages' as they are known, and given new names. The officers of the Mahaweli Development Agency play a critical role in the daily lives of the villagers in this area, providing transport to take sick persons to hospital and paying allowances for pre-school teachers as well as providing a range of support services for farming.

Since the split in the LTTE and the emergence of the Karuna faction as a player in the ethnic conflict, Welikanda has been a centre of activities of the Karuna group and many stories have circulated regarding camps of the Karuna group being located in and around Welikanda. In the last two years there have been quite a few attacks on civilians and on LTTE personnel that took place in and around Welikanda that have been attributed to the Karuna group. The issue of the 'paramilitaries' that has proved to be a sticking point in the peace negotiations between the LTTE and the government have their roots in the

allegations made by the LTTE regarding the existence of armed cadre of the Karuna group in areas under the control of the SL army, in particular, in Welikanda.

The background to the visit:

On May 31, newspapers reported the killings of 12 Sinhala villagers in Omadiyamadu in the Welikanda area on May 29. Ten of them were labourers working on the construction of a canal that would take water to Omadiyamadu, a Tamil village, from Ransaratenna. Omadiyamadu is located on the border between the Valaichenai and Welikanda Police Divisions and is a part of the Vakarai administrative area..

Of the 12 killed in this incident, 9 were from Maitrigama, also a Mahaweli village about 6 kilometers from Welikanda town. They were identified as D.M. Gunaratna (37), K.M. Sirisena (44), J. Ajith Ranaweera (32), D.T. Tilak Dhammika (31), B.M. Dharmadasa (49), D.V. Vasantha (22) K.W. Samaranayake (19), E.A. Sarath Kumara (45). 1 person H.M. Sarath was from Monaratenna, another Mahaweli village. Kumara from Kuliyapitiya, was also killed; he was the driver of the back-hoe tractor working at the site. The driver of the trailer G.W.G. Gunawardena (48). The labour contractor, P.G.A Abeysuriya (50), popularly known as ‘Mahatun mudalali’, who was killed in the incident was the owner of several small shops in the Welikanda town and the President of the Trader’s Association.

The killings took place at the end of the day when the contractor had come to ensure that the work quota for the day had been completed. The entire group was led away from the construction site, had their hands tied behind their backs and then were shot at close range. It was an execution style killing. Two persons escaped. Upali Rajakaruna (24) was unhurt while Priyadrashana Wijebandara (24) was wounded. Their statements indicate that the group of armed men who abducted them and killed their colleagues were familiar with the location, spoke in Sinhala and were young. The contractor’s motorcycle and the trailer in which the workers were transported were set on fire.

In the days following the killing, many people had begun leaving their homes at night-time out of fear. The Welikanda town had been shut down on June 1, the day prior to our visit, because that was when the funerals of the persons killed in the incident were held. Although there had been an anti-terrorist demonstration in the town in the afternoon of the funerals, the Police had diffused the tensions. There was a great deal of anxiety and insecurity expressed by all the persons we met when we visited the various villages.

Findings:

About the killings:

Many people we spoke to said that the killings of the labourers was a shock and could not be explained. The contractor had obtained the contract for building this canal from the Mahaweli Authority, a state institution, and had put teams to work on this project since August last year. The project was funded by a Saudi Arabian grant. Work had proceeded without any interference from the LTTE although many people felt that the canal was on the borders of LTTE-controlled territory. If one were to continue through Omadiyamadu, one would reach Vakarai which has been contested terrain between the LTTE and the Karuna faction for over a year. Other labourers who had also worked on the site said that they would leave their tools and equipment in small huts at the site overnight and nothing would be stolen or damaged. Thus, there was a level of confidence with which the workers

engaged in the construction work. What happened to destroy this confidence is as yet unclear. What emerged from different stories that we heard was the possibility that there had been a warning issued to the contractor by the LTTE to stop some of his business practices which were being perceived as 'helping the Karuna faction'.

The killings took place one evening. It took the Police until afternoon the next day to actually go out and retrieve the bodies. It was obvious that someone had been watching the location because as soon as the Police vehicle carrying the bodies had left, another group of persons removed the back-hoe trailer that was lying at the site.

The Police stated that the bodies should have been taken to the Valaichchenai Hospital for the post-mortem examinations since the area in which they were killed fell into the Valaichchenai Police Division. However they were able to have the whole process shifted to Pollonnaruwa in order to facilitate the release of bodies to the families. People we spoke to including at the Police said the Tamil woman doctor in Pollonnaruwa was extremely supportive and carried out the examinations in the night itself so that the family members could claim their bodies within a short time.

We visited Maitrigama, the village from which eight of those killed had come. Many of those killed had left behind dependent families with young children, and their future was a matter of concern. Earlier, we had heard that among the promises made to the community by the politicians and officials who attended the burial on the previous day had been the handing over of the young children of fathers killed in this incident to the care of the probation authorities. There was no clarity regarding payment of compensation.

People there were extremely concerned about their own security, about their inability to sell their paddy at a fair price and at the lack of public transport to the village. One man told us that having a bus that would not break down coming regularly to the village would resolve many problems including that of sending children to school. At present, the lack of dependable transport creates a situation in which many children, especially younger ones, do not go to school since they are unable to walk the eight kilometers to the town and back.

Sinhala engagement with Tamil politics

In almost every single conversation, the level of engagement between the Sinhala villagers and contemporary Tamil politics was very clear. The Sinhala people in the Welikanda area are part and parcel of the dominant politics of the area that relate to the struggle between the LTTE and the Karuna faction. It is clear that their day to day lives are so entangled with the Tamil political battles being fought in their immediate vicinity that they have no choice but to choose the path of survival. In addition, there seemed to be some economic arrangements for example relating to the transport of food or other necessities from the town to the camps or doing clearing and building of bunkers, into which one could observe people being linked.

Critical among the issues that people raised were :

The lack of clarity regarding what constitutes 'cleared' and 'uncleared' areas in the Welikanda region.

Dimbulana is a Mahaweli village located on the road to Sinhapura. It has about 300 families, a Police Post, a Buddhist temple and a primary school. The village located almost

on the edge of Kasankulam where a big battle between the LTTE and the Karuna faction took place in early May. The people of Dimbulana told us that they were shocked to see that area being described as an uncleared area by media reports on the clash. Their comment was: 'When it suits them (the authorities) we are living in an 'uncleared' area (and therefore under LTTE control) and when it comes to something like elections, we belong to the cleared area.

With regard to the canal that the labourers were constructing in Ransarathenna too, there was lack of clarity as to its location, whether within or outside the LTTE- controlled area. In Vadumaran, people on the town and in the villages told us of a large LTTE camp in what is technically supposed to be government controlled territory.

Security issues cannot be resolved by distributing guns among villagers

All the people we met in the villages we visited were extremely anxious about security. They said that they lived in constant fear of attack by either the LTTE or the Karuna faction, or of a clash taking place between the LTTE and the SL army in their own area. However, they were clear that the distribution of guns among villagers, which was taking place when we visited, and had taken place earlier as well, was not the answer to their problems. In Sinhapura, for example, we were told that only 3 out of over 100 villagers accepted the guns. In Maitrigama, the village most affected by the killings of May 29, only 9 villagers had applied to receive guns. Other villages identified as being particularly vulnerable were Kurulugama, Mahasenpura, Ruwanpitiya and Monaratenna.

At several points during the day, in different situations, many people were asking the question as to why they should be responsible for their own security and why the government could not provide them with the security that they needed. They accepted that there were insufficient numbers of police in Welikanda to provide security to the villages in the area which are allocated at fair distances from each other and from the town. Some people, especially in Bo Atta, referred to the fact that the conflict had to be resolved if they were to live securely. Others were scathing in their comments about the fact that the few policemen available were more often than not detailed to provide security for visiting politicians and officials along the main roads, completely ignoring the insecurity of villagers living off the road.

The villagers were extremely astute regarding the issue of guns. While some of them said they wanted the guns for hunting and for fighting off wild elephants from their fields, most felt that many issues in this regard were problematic. For example, they pointed out that there was confusion as to who was the decision-making authority when it came to determine who was eligible to receive guns and who was not. There was no clear criteria as to the issue of guns by the police except that the Bo Atta case showed preference for Sinhala persons over persons of other ethnicities. They also raised the issue of which authority would monitor the use of the guns by the villagers.

Home Guards

There has been a surge in recruitment of Home Guards in this region, as in areas such as Gomarankadawela immediately after an attack has taken place. 325 home guards are returning from training on Monday June 5. While the poverty and unemployment in this area make this one of the few avenues of employment open to young men in particular, the villagers are well aware that it is the Home Guards who often face the brunt of attack by

the LTTE. Also people raised the issue of whether the number of 325 persons was adequate to provide security for over 60 villages that are located at a fair distance from one another and that are often situated on the borders of LTTE-controlled territory.

Villagers also pointed out that Home Guards were mostly put on guard duty at night-time. Many of them were tired by then, after a day of working for a living in the fields or on a construction site, and did not have the discipline to stay awake. In addition, in the event of an attack being mounted during the day, there would be no protection for the village. A comment was made that the security cost of arming, training and maintaining a Home Guard outweighed the potential security gains.

Bo Atta:

On June 2, during our visit, a split was emerging in the village of Bo Atta between the Sinhala and Tamil villagers over the refusal of the Police to issue guns to the Tamils. The Village Defence Committee acknowledged that this could be an issue that divided the village on the basis of ethnicity. The members of the Committee went in a delegation led by its Chairman and including a Tamil youth, the Secretary of the village Kovil Committee, to submit a list of people to be issued with guns to the Police. After scrutiny, the Police officer had asked the Tamil member whether there was a guarantee that the gun given to him would not be turned against the army or police. The entire delegation found this an offensive comment and they left the Police Station after the Chairman handed over his letter of resignation to the Police over this issue.

However, this was not sufficient to allay the fears of the Tamil residents of Bo Atta that their Sinhala neighbours were being given arms that may be turned against them and that the mistrust displayed by the Police officer was also present in the village. The Police had asked the Grama sevaka to certify the list submitted for issue of guns by the Bo Atta VDC. However, the villagers told us that a few nights previously, the Police had turned up at 2 a.m. and distributed guns to whoever was up and on the main road at the time, without any vetting.

Bo Atta is a 'traditional' village in which Mahaweli settlers have lived side by side with the indigenous Vanni people and is one of the few mixed (Sinhala/Tamil) villages in the Welikanda region. There is a terrible history of massacre and counter-massacre between the two communities in October 1995, in which 37 persons including 12 women and 10 children were shot and hacked to death by unknown persons. Among the dead were 3 Tamils. Tamil people returned to the village after spending several years in transit camps and temporary shelters only in the period after the Ceasefire.

The people who spoke to us, from both communities, continually emphasized the fact that they were united, and that they had faced the massacre of 1995 and returned to live together because of their confidence in each other. Yet, it was also clear that there was a breakdown of that trust in the wake of recent events. The Tamils of Bo Atta who spoke to us emphasized their vulnerability. Because they lived in an area known to be under the control of the Karuna faction, the LTTE regards them all as traitors and they cannot therefore seek refuge in the Vanni or in LTTE controlled areas. Yet at the same time the police and the army treat them as terrorists because they are Tamil.

Destruction of livelihoods

As much as people in the Welikanda area spoke to us about the conflict and their anxieties about the future with regard to peace, they spoke to us about their anxieties regarding their livelihood and the lack of an economic future in Welikanda.

Because of the security situation the security forces have declared some areas of cultivated land out of bounds and farmers are unable to access them. This is reminiscent of the High Security Zones over which there has been so much controversy in the Jaffna peninsula. In other areas there have been shootings at people while in their fields and the farmers themselves fear to enter into those fields. As a consequence, more than half the arable land in the Welikanda area has not been cultivated in the past year. In some villages almost the entire stretch of paddy land lies fallow.

The inability of those farmers who did manage to work their fields and produce a harvest to sell their paddy at a reasonable rate was also a matter that everyone we spoke to reiterated. In this area a few years ago there were reports of several farmers committing suicide over their inability to pay off their debts through the sale of their harvest.

The proposal of the security forces to provide a circle of security (security 'valalla') within which people could go out to their fields and return is untenable, according to the farmers. On the one hand they feel that the presence of the security forces in the fields will make them even more vulnerable to attacks by the LTTE. On the other hand, the nature of their cultivation calls for their presence in the fields at night, for example, during the period in which the grain is ripening, in order to protect the seed from birds and elephants. Thus the provision of security for a certain period during day time does not meet their security needs.

In addition, the key issue remains the inability of the government to honour its commitments to purchase paddy from these farmers and the cycle of exploitation the farmers are locked into because of this. According to the farmers, the criteria imposed by the government is too strict – certain levels of dryness, no stones, no black grains etc. – and they prefer to sell it at a much cheaper rate to outside traders because of the extra work involved in bringing their produce up to the standard required by the government purchasing agency. Some farmers still have paddy left over from the January/February harvest that they have been unable to sell. Mahaweli authorities had instituted a mobile purchasing scheme for buying 1000 kg of paddy directly from framers. However, this scheme too was criticized as being based on patronage.

In addition, many of them are trapped in a debt cycle arising out of the cultivation loans (wagaa naya) given by the state, some of which was written off but some of it which was not. The poverty-stricken state of the villagers makes them take on whatever employment is offered. Many of them work as contract labourers at sites very similar to the one in Ransarathenna where the recent massacre took place. The indebtedness also made it very difficult for people to obtain credit from banks for engaging in any other kind of business, such as animal husbandry or production of food items for sale.

In Maitrigama, where many of those farmers who had been killed in the recent incident came from, is a good example of an impoverished Mahaweli village with over 300 families and a range of uncultivated fields. Only 18 of the families had been able to sell their paddy to the government. They said that outside traders were also not visiting their villages to purchase paddy as they did in the past because of the deteriorating security situation.

Political Patronage

Farmers were scathing in their comments about political patronage and the ways in which it acts to favour some among them who are allied to those political forces in power in this region. Purchasing of paddy, distributing of jobs and guns, cancellation of debts – everything that was the cause of grief to these communities was, according to many we spoke to, being done at the behest of politicians from the provincial capital with little regard for the fairness of the procedures and for the sufferings of the people living in these villages.