

**Political wing head quarters  
Liberation Tigers of Tamil Eelam  
Press release  
08 Dec 2006**

**LTTE appeals for unconditional opening of A9 and A15 highways**

The Norwegian Special Envoy, Jon Hanssen Bauer, held discussions with the LTTE Political Head, S P Tamilselvan, today, at the LTTE Political Head Quarters in Kilinochchin. At this meeting Tamilselvan raised several urgent issues with the Norwegian facilitators. Most importantly he appealed for the unconditional opening of the A9 access to Jaffna and the A15 access to Vaharai on a purely humanitarian basis. This press release briefly restates the issues raised by Tamilselvan at the meeting. The attached details “Cease-fire agreement (CFA) and the Government of Sri Lanka (GoSL)”, were also raised at the meeting and it supports the statements in this press release.

The CFA is made up of three major articles, modalities of a ceasefire, measures to restore normalcy and the Sri Lanka Monitoring Mission (SLMM). As the detailed analysis attached demonstrates, the GoSL have contravened each of these articles on innumerable occasions.

The GoSL has carried out innumerable offensives, occupations, and firing into civilian settlements in contravention of the first CFA article on modalities of ceasefire. It continues to support paramilitary groups in spite of several international voices raising their concern. It has prevented the freedom of movement of unarmed LTTE members as agreed under the first article. The GoSL violations of the second article of the CFA, about normalcy, go completely against the spirit of the CFA. It continues to occupy places of worship and schools. It abducts and kills civilians and the number killed has exceeded one thousand. It has closed the A9 and the A15 highways and has blocked basic items being taken to these areas of large civilian population resulting in immense human tragedy. It persists with severe fishing restriction pushing the fishing families to starvation. The final straw that appears to have broken the back of the CFA is the introduction of new regulations under Public Security Ordinance, which is the old PTA under new cloak.

The GoSL has struck at the very basis of the CFA by blocking access to our area to the Norwegian facilitators and also undermined their position as the facilitators by leveling baseless accusations against them.

The third article of the CFA on the SLMM safety and freedom of movement has also been seriously compromised and violated by the GoSL. On two occasions the Head of Mission was directly fired at even though the GoSL was informed of the SLMM presence in the area. The GoSL has also blocked access to SLMM on several occasions.

The Norwegian facilitators, the SLMM and the international community that has been backing the CFA have failed to condemn and halt the vast majority of the blatant CFA

violations by the GoSL military. While the CFA was being destroyed systematically by the GoSL, the Norwegian facilitators, the SLMM and the international community remained silent for most part. This failure by the Norwegian facilitators, the SLMM and the international community, encouraging the Rajapakse government on its genocidal program and a military solution will steadily push the island into monumental irrecoverable state of destruction.

If permanent peace is the desired outcome, the CFA signed by both parties and backed by the Norwegians, and the international community must be implemented 100%. The GoSL must remove all hurdles placed on the SLMM preventing its impartial functioning to monitor the implementation of the CFA. All extrajudicial killing of our people must be brought to an end and offensives and military moves of occupation must be stopped. The closed A9 and A15 highways must be opened unconditionally on a purely humanitarian basis since these are the only land routes to Jaffna and Vaharai respectively where large civilians population remain trapped without the very basic essentials for living. This will build the confidence of our people and bring some semblance of normalcy.

The Norwegian facilitators and the international community must understand that this is the only path that will halt the worsening situation and stop the GoSL embarking on a military solution.

## **Cease-fire agreement (CFA) and the Government of Sri Lanka (GoSL)**

The ceasefire agreement between the Liberation Tigers of Tamil Eelam (LTTE) and the Government of Sri Lanka (GoSL), signed on 23<sup>rd</sup> February 2002, created confidence among all that it will lead to a lasting solution in the island. The reason for this heightened confidence is the ceasing, sustained for a length of time, of direct clashes between the two parties that were previously engaged in a two decades long war. Yet, all efforts to fully implement the clauses in the agreement have remained futile. One party to this agreement, the LTTE and the Tamil people it represents, have lost confidence in the ceasefire agreement due to blatant contraventions by the GoSL of almost all of the important clauses in the agreement.

Three issues were given priority in the CFA, these are,

- Modalities of a ceasefire,
- Measures to restore normalcy and
- The Sri Lanka Monitoring Mission (SLMM)

### **Article 1 is to do with the modalities of a ceasefire.**

*Clause 1.2 says, neither party shall engage in any offensive military operation. In addition it says that there should be no aerial bombardments, offensive naval operations, the firing of direct and indirect weapons, armed raids, and activities by deep penetration units.*

The GoSL during the CFA period carried out many armed offensives against our members. GoSL deep penetration units penetrated into areas administered by us and carried out several claymore attacks on civilians. We have submitted ample evidence pointing to the culprits behind these attacks to the SLMM. We have even handed over bodies of killed members of the GoSL military through the ICRC.

In the middle of March 2006, Sri Lankan Navy Gunboats fired into Chenaiyoor and Kadatkarachenai areas in Trincomalee and displaced thousands of civilians from their own homes. At the same time, intense artillery firings into our areas were also carried out by the GoSL military. Sri Lankan Air Force bombers on several occasions dropped bombs, killing many and displacing thousands of civilians.

A civilian dispute over water supply in Mavilaru which was about to be resolved through the intervention of the SLMM was transformed by the hard line stance of the GoSL into a military operation. Although we warned of the planned military attack no efforts were taken to stop it.

The military offensives by the GoSL continued and our area, Sampoor, was occupied by the GoSL military and the people who lived there were chased out. Our areas that were occupied by the GoSL military still remain under its occupation.

The ongoing occupational offensives continue at present at Muhamai and Vaharai.

The military offensives launched by the GoSL military continue to kill and injure civilians including scores of children. The GoSL is unmoved even by the international condemnations for the massacres carried out by its forces.

*Clause 1.8 says, Tamil paramilitary groups must be disarmed by the GOSL within thirty days of signing the agreement.*

Yet, these same paramilitary groups are killing and disappearing people throughout the Tamil homeland. Our political leaders, community leaders and supporters are being killed on a daily basis. Although we have repeatedly proved that these killings are carried out by the paramilitary groups, the GoSL has taken absolutely NO action regarding this. It is worth noting that the SLMM on several occasions have confirmed that the paramilitary groups are operating with the GoSL military. Not only that even UN representatives have confirmed that these paramilitary forces are abducting children with the cooperation of the GoSL military.

*Clause 1.13 says, all unarmed LTTE members shall be permitted freedom of movement in the North and the East to carry out political work.*

The intensity of the atrocities of the GoSL military prevented unarmed LTTE members from doing political work in the GoSL controlled areas of the Tamil homeland. Our members were attacked while they were traveling. There was no assurance given to their safety. As a result they were all withdrawn from the GoSL controlled areas. Once our members were withdrawn, killing and other military excesses were let loose on the people. As a result hundreds of people were killed. To date the number of civilians killed has exceeded one thousand.

The GoSL also refused to make arrangements for the transport of our members as agreed. It imposed many new conditions. This caused long delays in organizing direct peace talks.

**Article 2 is to do with the actions to bring back normalcy.**

*Clause 2.1 is about abductions and disappearances*

*Clause 2.2 is about the GoSL military withdrawing from places of worship*

*Clause 2.3 is about the GoSL military withdrawing from occupied schools*

*Clause 2.6 is about GoSL not blocking basic items taken into areas not controlled by the GoSL military.*

Yet, in spite of several efforts by many, the GoSL did not fully implement these clauses. When people staged peaceful protests against the non-implementation of these clauses

they were broken by the GoSL military at gun point. Professors and students who took part in these protests were attacked by the GoSL military.

*Clause 2.10 says that the A9 highway must be kept open for non-military traffic of goods and passengers.*

The A9 highway that was opened under this agreement was closed by the GoSL military in August 2006 without any warning. The GoSL neglected the humanitarian crisis that was forced on the 600,000 people by this closure. Even when we raised this humanitarian crisis at the last peace talks it failed to move the GoSL. The crisis faced by the people in Jaffna due to this is worsening day by day with many having lost their livelihood are facing starvation. This is the most important reason for the total loss of confidence in the CFA.

*Clause 2.12 speaks of easing the restrictions on fishing.*

Presently, the entire fishing community living along the coast of the Tamil homeland is frightened to go to sea. Military posts are setup densely along the coast of the GoSL controlled areas preventing hundreds of thousands of fishing families going for their livelihood. These families are also facing starvations. Under the pretext of protecting the sea, the GoSL has intensified the ban on fishing in the vast majority of the sea areas of the Tamil homeland.

*Clause 2.10 says that the Parties agreed that search operations and arrests under the Prevention of Terrorism Act will not take place and arrests will be conducted under due process of law in accordance with the Criminal Procedure Code.*

President Rajapakse introduced new regulations under the Public Security Ordinance in December 2006 referred to as, "Prevention and Prohibition of Terrorism and Specified Terrorist Activities". This new regulation is none other than the PTA mentioned in the CFA clause above under a new cloak. The introduction of this regulation appears to be the final straw that broke the back of the CFA.

Although search and arrests were prevented except under due process of law, the GoSL military has already intensified these outside the due process of law. The Prevention of Terrorism Act having effectively made the CFA meaningless has put the lives of the Tamil people in the GoSL controlled areas under serious threat.

The CFA was signed in February 2002, only after both sides agreed to remove the PTA that was in force before the signing of the CFA. If changes are to be made in the CFA, then as specified in its clause 4.3, it can be only be done with the mutual consent of the two parties. There is no room in the CFA for unilateral changes to its clauses. Yet, the GoSL is adamant it will reintroduce the PTA under a new cloak.

### **Article 3 is to do with the activities of the SLMM**

*Clause 3.9 says that both parties are responsible for the the appropriate protection of and security arrangements for all SLMM members.*

Yet, the GoSL has hijacked the activities of the SLMM and used it as human shield for its own military purposes.

It carried out attacks on the SLMM doing their duty even after being told of their presence and work. For example, it fired artillery exactly when and where the Head of Mission of the SLMM was present to open the Mavilaru sluice gate and it did it again when the Head of Mission went to Poonahari to study an alternate route.

*Clause 3.10 says that members of the SLMM must be given the freedom of movement to perform their tasks and its members must be given immediate access to areas where violations are alleged to have taken place.*

Violation of this clause is another important factor that has brought the validity of the CFA into question. The GoSL military have refused to give permission to the monitors, who have been appointed through the CFA to monitor violations, to go to the location to investigate violations.

Very often the GoSL military after committing a CFA violation would then turn around and blame it on us. Even when we gave full cooperation to the SLMM to investigate these violations the GoSL refused to cooperate thus making the job of monitoring the CFA ineffective. This in turn assisted the GoSL military's excesses and paved the way for it to commit innumerable CFA violations unquestioned.

### **Endnote**

When the present situation is viewed, with the purpose and the goal of the CFA as the background, it certainly appears that the GoSL has fully embarked on a project to destroy the CFA. People have started to loose confidence in the CFA as soon as its clauses were not implemented as agreed. This tendency to not implement the clauses existed on the GoSL side almost immediately after the agreement was signed. The CFA, in which our people entrusted hope to bring an end to their misery, has steadily lost its validity clause by clause. The misery of our people continues. Our people believe that the GoSL is fully responsible for this situation.

The Norwegian facilitators, the SLMM and the international community that has been backing the CFA have failed to condemn and halt the vast majority of the blatant CFA violations by the GoSL. While the GoSL systematically destroyed CFA, the Norwegian facilitators, the SLMM and the international community remained silent for most part. This failure by the Norwegian facilitators, the SLMM and the international community, encouraging the Rajapakse government on its genocidal program and a military solution will steadily push the island into monumental irrecoverable state of destruction.

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