

months. At the end of March 1996, two of them (those dealing with complaints in the south of the country) were given extension of three months despite not having heard evidence in relation to more than half the complaints put before them. On 20 June, Amnesty International wrote to President Chandrika Bandaranaike Kumaratunga asking for clarification of the nature and the reasons for this decision. At the time of writing, no response had been received. Amnesty International did learn, however, that, amid widespread protests, the commissions were given a further extension until the end of September 1996. The Presidential commission of inquiry investigating complaints in the north and east was not asked to complete its investigations. Due to the ongoing armed conflict in the areas covered by them, progress in their investigations is slow.

When meeting the members of these commissions of inquiry, Amnesty International discussed earlier observations and recommendations it had made with regard to their work.² These had included the investigation of more than 680 cases reported prior to 1 January 1988; the suspension of alleged perpetrators from any official duties

pending investigations; the establishment of a simple, speedy, just and fair procedure for the granting of compensation; protection of witnesses; adequate resources; the use of forensic expertise; and the publication of the final report and its wide distribution.

Amnesty International urges that the work of the commissions, which in many ways provides the linchpin between past, present and future in the current human rights situation, is fully supported by the government and that prompt action is taken to bring perpetrators to justice in those cases in which the commissions have found *prima facie* evidence against those responsible. In addition, victims or their relatives should be granted adequate compensation.

Note

1. The PCIIRP was established 1991 to investigate "disappearances" reported after 11 January 1991.

2. See *Sri Lanka: Time for truth and justice* of April 1995 (AI Index: ASA 37/04/95)

II. Reproduced below is the summary of special report no. 7 issued by the University Teachers For Human Rights, Jaffna issued on 29th August 1996. The report is entitled *Jaffna: The Contest between Man and Beast within*

AFTER THE CONQUEST, A NEW CONTEST

This report mainly covers the situation in Jaffna during the four months following the mass return of refugees to Valikamam. Though the security forces had shown a refreshing level of care in Jaffna, cases of human rights violations continue to be covered up and the Government remains unaccountable for many of their actions. The LTTE remains determined to block any attempt at peace or rebuilding, focusing their efforts on selective assassinations and executions. A political vacuum hence exists, where the people of Jaffna struggle to deal with the past cycle of terror and the resulting present environment of cynicism.

In the 21/2 months following the return of civilians to Jaffna in April 1996, the armed forces had been surprisingly accommodating in their relations with civilians. A concern for civilian safety has been demonstrated and harassment has decreased substantially. When the LTTE has attacked security forces, the traditional knee-jerk reaction of reprisal killings of civilians has largely not occurred. There is concern around the question of how long this restrained behaviour will continue, following the loss of Mullaitivu at the end of July and recognizing the fact that unauthorized arrests increased dramatically in Jaffna after the July 4th incident where the LTTE made an attempt on a minister's life.

Cases of unauthorized arrests, beatings, torture and killings by the security forces continue nonetheless, and have become notably worse after Mullaitivu. Several incidents of rape also have been reported. Arrest receipts are not being issued and the detainment of

prisoners is most often denied. In situations such as the rape and killing of civilians in Manthuvil in May, the Government simply blamed the LTTE. There is a very serious concern that the failed terror methods used in the past as well as the infamous white van abductions and killings are going to be introduced again. Units who were involved in these activities are still at large in the security services and there is strong testimony to the sighting in Jaffna of the white van in recent times. Correspondingly, there is a rising incidence of missing persons.

While the situation in Vadamaratchy remains hopeful, the current physical insecurity reawakens in Valikamam memories of the early days of state repression from July 1979. The level of unchecked indiscipline in Thenmaratchy is substantially worse - 20 homicides, mostly attributed to the Army, having been recorded by mid-August.

Any feeling of security on behalf of the people of Jaffna has been shattered by LTTE assassinations and provocations. Many who have returned gestures of goodwill towards members of the army have met their fate after being labelled as 'traitors' by the LTTE. Civilians continue to be used as cover when LTTE cadres have rolled grenades through food queues, for example, in the direction of security personnel. Extra-judicial executions occur after desperate efforts to gain any form of public support, fail.

The Government has taken many urgent steps to supply essentials to the Jaffna community, an ordeal complicated by the lack of any land route to the area. Still, the commitment to providing food and medical supplies has been lacking in substance. At least initially local administrators have been accused of racketeering in partnership with some members of the security forces. In its paranoia, the government has refused to utilize the capabilities of professionals and NGOs, a solid medical staff being desperately needed at Jaffna Hospital. In some cases, the army had underestimated and lost control of returning groups of refugees, resulting shortage of supplies, LTTE infiltration and injury from remaining landmines.

Jaffna remains a closed community. While the Government continues to restrict access to the media, the LTTE uses terror to weed out public criticism and all initiative for the common good essential for the revitalization of the community. Children still grow up knowing nothing other than their violent surroundings. The result is a deeply traumatized and worn down society.

Refugees remaining in the Vanni, who have been displaced over and over again by either the security forces or the LTTE, do not see a

caring government. The recent push towards Killinochchi by the army is further exacerbating the problem. In many cases, the bombings have been interpreted as direct attacks on civilians, the LTTE being nowhere near the refugee camps. Such occurrences offer a dark reminder of the bombings near the Church at Navalay and near the school at Nagar Kovil in 1995, a clear attack on civilians which the government remains unaccountable for.

The people of Jaffna need recognition and restoration of the freedom to empower themselves through collective political action. The once heralded education system of Jaffna must be immediately rebuilt from the ground up. The government must end its meaningless policy of censorship and facilitate freedom of movement, despite the logistical problems, between Jaffna and the outside world at least by allowing journalists and other groups to visit more frequently. All parties must take full responsibility for their actions and demonstrate the will to aid legitimately and honestly in the renewal of the community. Not only must the survival of Jaffna's citizens be established and asserted, but also their integrity, dignity and humanity respected. ■

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