

Sri Lanka

Response to Information Request Number:	LKA99001.ZAR
Date:	December 2, 1998
Subject:	Sri Lanka: Information On The Current Status Of The People's Liberation Front (Janatha Vimukthi Peramuna - JVP) In The South Of Sri Lanka
From:	INS Resource Information Center, Washington, DC
Keywords:	Sri Lanka / Political Movements / Political Opposition / Killings / Disappearances / Extrajudicial Executions / Political Violence / Terrorism / Kidnapping / Death Squads

Query:

1. Has there been a reemergence of the People's Liberation Front (Janatha Vimukthi Peramuna - JVP) in southern Sri Lanka and, if so, have its activities increased since April 1, 1997?
2. Are there ongoing examinations of the political killings by the JVP in the late 1980s?
3. Have investigations into the disappearances of the late 1980s and more recent disappearances resulted in the prosecution of some security officials?
4. Information on whether the current government of Sri Lanka supported the activities of the JVP at one point, and therefore is not investigating the deaths of the late 1980s.
5. Were there recent kidnappings at the University of Colombo by a pro-JVP group?

Response:

The JVP

The JVP is a Marxist revolutionary group composed largely of disaffected Sinhalese university students and schoolchildren. The JVP launched two violent insurrections in the early 1970s and again in the late 1980s. During the second insurgency, the ruling United National Party (UNP) launched a counter-terrorism campaign in the south, resulting in an estimated 60,000 people who died or disappeared during the 1987-1989 revolt. In November, 1989, JVP leader Rohana Wijeweera died while in the army's custody; twelve of Wijeweera's 13-member politburo were also killed, with the remaining member now living in exile in Europe (*The Economist* 15-21 Apr. 1995, 37).

Early 1990s

In April 1992, authorities arrested a JVP leader who confessed to 13 murders, including two policemen, and several bank and store robberies. Xinhua news agency reported that, since the demise of the party after their revolt was crushed, "with its organizational network paralyzed, JVP has adopted a new strategy to infiltrate into legal political parties and gather strength" (Xinhua 20 Apr. 1992).

In August 1992, President Ranasinghe Premadasa warned that the JVP was planning a

come-back, stating that the subversives had already mounted their familiar letter and poster campaign to generate terror in the people. However, political analysts at the time said that the president's speech appeared to be aimed at the opposition's criticism of his government, and that despite stray incidents staged by the JVP, the group had ceased to be a serious threat after all its top leadership were wiped away or forced to leave the country in the government's counter-insurgency campaign (AFP 23 Aug. 1992).

Arrests of suspected JVP members continued in 1993 and early 1994, including an arrest for possession of firearms (Xinhua, 21 Oct. 1993), an arrest for crimes including 40 murders and possession of a grenade and firearms (Xinhua 29 Dec. 1993), and the arrest of a gang allegedly responsible for a series of murders, robberies, rape, and arson (Xinhua 4 Feb. 1994).

In 1994, the Directorate General of Canada's Immigration and Refugee Board interviewed a post-doctoral fellow at Carleton University's Norma Paterson School of International Affairs, who stated that despite the government crack down on the JVP in the late 1980s, the surviving leaders were hoping that the organization would make a strong comeback. The fellow stated that students are resorting to "JVP-type" tactics as they did in 1971 and the late 1980s. Another source indicated that recent incidents in Colombo, Peradeniya and Batticaloa led to the shutdown of one university faculty and two universities in February 1994 (DIRB 11 Apr. 1994).

August 1994 election

During the August 1994 general election, the JVP received 92,000 votes, gained one parliamentary seat, and subsequently splintered into several competing factions (*The Economist* 15-21 Apr. 1995, 37). The lone parliamentary seat was occupied by JVP leader Nihal Galappaththy. As an example of the tensions and splits within the party, in Jan., 1997, the Sri Lanka Information Monitor reported that Galappaththy had been expelled from the JVP, and was facing the possibility of losing his seat in the parliament, with the case pending in court (INFORM Jan. 1997, 9).

Inter-election activities

The year 1995 was marked by several activities indicating a resurgence of the party. In early 1995, the JVP's distinctive red and yellow posters began to appear on walls in Colombo and in the south, accusing the government of surrendering to demands of the IMF and the World Bank factions (*The Economist* 15-21 Apr. 1995, 37). *The South China Morning Post* reported in April that the Sri Lanka Progressive Front (SLPF), a coalition group that includes the JVP, launched a massive membership drive, hoping to evolve into a representative legal force (*The South China Morning Post* 4 Apr. 1995). In July, the JVP called for a referendum on political proposals to end the civil war, stating that concessions to minority Tamils amounted to a betrayal of the nation. (AFP 31 July 1995). There were a number of robberies in the southern province, including the theft of antiques from a Buddhist temple and weapons from security forces personnel, which were linked to the possibility of efforts by the JVP to resurrect itself. Police arrested 35 people suspected of the robberies, and several of the suspects were found to have been involved with the 1987 southern insurgency (*The South China Morning Post* 26 Sep. 1995). On November 13, 1995, the JVP held a massive rally in Colombo to mark the sixth anniversary of the death of JVP leader Rohana Wijeweera (*India Abroad* 26 Feb. 1996, 19).

On May 1, 1996, the JVP held a May Day rally in Colombo's Havelock Town area, where participants denounced the World Bank and government privatization plans (AFP 1 May 1996).

March 1997 elections

Tilvin Silva, General Secretary of the JVP, announced on Jan. 23, 1997, that the party

would be contesting the March local government elections (Xinhua 24 Jan. 1997).

The Sri Lanka Information Monitor reported that during the period leading up to the March 21, 1997 elections (February 5 - March 19) there were 1,836 complaints of violence, including allegations of simple threats, assaults, mischief, damage to property, and threat and intimidation. Of these 1,836 incidents, the JVP was allegedly responsible for 34. The report did not specify the type of complaint alleged against the JVP (INFORM Mar. 1997, 19).

In the landslide victory by the ruling People's Alliance (PA) party, the JVP emerged as the third largest party in the country, receiving 3.7 percent or 258,545 of the total vote, including votes from all over the country, not just the south (*The Hindu*, 23 Mar. 1997). Although the JVP failed to win a single council, the party's success in 3.7 percent of the vote enabled the JVP to secure over 100 council seats in the opposition benches of local government (AFP 22 Mar. 1997).

Recent Activities

In October 1997, the JVP joined with the influential Buddhist clergy to oppose the government's ethnic peace plan. The party participated in a Parliamentary Select Committee that studied the reform plan, initiated by President Chandrika Kumaratunga in August 1995 (AFP 22 Oct. 1997).

On January 15, 1998, the JVP launched a 15-day door-to-door campaign aimed at raising membership, disseminating party literature, and reorganizing itself. JVP leaders hope the party will become the third largest party in the Parliament in the next general election in 1999, behind the People's Alliance (PA) and the opposition United National Party (UNP). A JVP official stated that "The JVP will not resort to an armed struggle" (IPS 23 Jan. 1998).

On May 1, 1998, the JVP held its May Day demonstration and rally in Colombo, drawing thousands of young men and women to a meeting where a red stage was decorated with portraits of Lenin and Marx (Xinhua 1 May 1998). Party officials said that they had given up on violence and would strive to win power with democratic methods and contest the upcoming provincial council elections. "The government wants to project the JVP as a violent group," said JVP Secretary General Tilvin Silva. "That is not correct. The JVP was not responsible for the insurrections. It was done by a group of former JVP members who were angry over the proscription of the party." Silva said that JVP politburo member Somawansa

Amarasinghe, who fled to Europe in 1989, was currently organizing the "international network" (AFP 3 May 1998).

On June 4, 1998, students at Colombo University prevented 23 faculty and staff members from leaving the campus for more than nine hours. The incident occurred following the release of the results of the Arts Faculty students union election. The results indicated that the Eksath Shishya Sanvidhanaya (ESS) defeated the Podu Shishya Kriyakari Sanvidhanaya (PSKS), and the PSKS objected to the way the elections were held (*The Island International* 4 Jun. 1998). According to the *Daily News*, the defeated student organization is a pro-JVP group (*Daily News* 6 Jun. 1998).

Warnings

Ever since the JVP was virtually crushed following the 1987-90 revolt, there have been warnings about the movement's reemergence as a violent force. In 1992, *The Island* published an article based on interviews conducted in the southern province regarding the reemergence of the JVP. Matara H.R. Piyasiri, State Minister of Labor and Vocational Training, said that about 300 to 400 hardcore JVP members were still moving freely in the south, committing robberies and looting for a living. Piyasiri stated that although he did not

think that the JVP could resurrect itself as the JVP as the people still hated the organization, he did warn that JVP elements were waiting for an opportune time to creep into other political parties and grab the radical elements in them. Another person interviewed said that reports of the reemergence of the JVP was a total fabrication by those with a view to removing radical opposition members by leveling a terror campaign against them (*The Island International* 9 Sep. 1992).

In October 1993, Xinhua News Agency reported that police found evidence of attempts to revive the JVP in southern province since 1991, and, in December 1993, that intelligence reports warned Sri Lankan authorities that the JVP's residual elements appear to be planning a comeback (Xinhua 21 October 1993, Xinhua 29 Dec. 1993).

Warnings have continued despite efforts of the JVP to reorganize itself in the form of a mainstream political party.

In December 1997, President Chandrika Kumaratunga attended a rally in the southern city of Galle, and, noting that the JVP seemed to be raising its head again, warned youths not to be misled by the party (Xinhua 31 December 1997).

In January 1998, Victor Ivan, a former JVP guerrilla who became the editor of a popular tabloid, stated his belief that the JVP will not be successful in its reorganization efforts. "They still don't have the leadership that matters," he said. However, Dharmaratnam Sivaram believes the party could benefit on growing public discontent with the government. "The conditions for its rejuvenation are ripe. The cost of living is becoming unmanageable to most rural as well as urban households and discontent is growing" (IPS 23 Jan. 1998).

Two articles appearing in the *Daily News* on March 3, 1998 and June 22, 1998, warned of a third insurgency by the resurrected JVP (*Daily News* 3 Mar. 1998, *Daily News* 22 June 1998).

Investigations

On 11 January 1991, the government of Sri Lanka, headed by the United National Party (UNP), established a Presidential Commission of Inquiry into the Involuntary Removal of Persons (PCIIRP). However, the PCIIRP's mandate only covered investigations into violations that occurred on or after the date of its establishment (AI Feb. 1998, 5).

Three members of the Working Group on Enforced or Involuntary Disappearances (WGEID) of the United Nations Commission on Human Rights visited Sri Lanka from 7 to 17 October 1991, and paid a follow up visit from 5 to 15 October 1992, at the invitation of the Sri Lankan government. Prior to the 1992 visit, the WGEID had transmitted 4,932 cases of "disappearances" to the Government of Sri Lanka and had received reports from various reliable sources about approximately 9,000 cases that had not been processed. The WGEID considers only cases of "disappearances" in which the government is involved; thus, although the WGEID acknowledged it received information about people who disappeared at the hands of the JVP and the LTTE, it could not consider these cases in its report. The WGEID reported its findings to the Commission in February 1993, issuing a series of recommendations, including one that the PCIIRP expand its mandate to investigate the thousands of cases reported prior to its establishment (AI Feb. 1998, 2-3,5).

In August 1994, the People's Alliance (PA) party won the parliamentary elections, ending 17 years of UNP dominance in Sri Lanka. In November, the leader of the PA, Chandrika Kumaratunga, won the presidential elections.

In late 1994, the newly-elected president established three presidential commissions to investigate past human rights violations, including thousands of "disappearances" since 1 January 1988. The three commissions had similar mandates, but were responsible for the

investigation of "disappearances" in three different geographical areas (AI Feb. 1998, 4). By 1995, the commissions had received over 34,000 complaints from relatives of the disappeared (*The Economist* 15-21 Apr. 1995, 37).

On September 3, 1997, the three commissions issued their report, stating that they investigated 19,079 complaints, and found evidence of 16,742 persons involuntarily removed and having disappeared. Human rights groups said that the figure was too low and estimate that as many as 60,000 people disappeared or were killed by government-sponsored hit-squads (AP 3 Sep. 1996). A two-page statement from the president's office stated, "A large number of persons responsible for the disappearances - government officers and others - have been identified in the report." The report said that the commissions had no legal authority to take legal action but were asked to identify those responsible for the killings. "Therefore the government will institute special arrangements to complete the legal process necessary to prosecute the persons responsible for the disappearances" (AFP 3 Sep. 1997).

On May 8, 1998, the government appointed another presidential panel to investigate the disappearances during the 1987-90 JVP revolt. The three-member panel was given the mandate to continue the work of the three previous commissions, investigating more than 11,000 remaining cases, and covering the entire country. However, this new commission also does not have punitive powers to prosecute those responsible for the disappearances (AFP 9 May 1998, IPS 16 July 1998).

In July 1998, the WGEID issued a statement praising the government of Sri Lanka as one of the few countries to establish a special commission to investigate "disappearances" in the country, noting that the establishment of the commission was a positive development. The WGEID said that a second positive development was the government's willingness to pay compensation, with the government setting aside \$1.7 million for compensation payments. However, the WGEID stated that "it remains concerned at the fact that notwithstanding the efforts of the government, very few cases on the Working Group's files have been clarified." (*Daily News* 25 July 1998, *India Abroad* 31 July 1998).

Efforts to prosecute those responsible

Despite the government commissions investigating disappearances that have identified perpetrators, no government action has been taken against them. According to political analysts, the government will be careful not to alienate the military and police, since it is trying to end a 15-year civil war. There is a worry that "the guns may be turned on government politicians like [President] Kumaratunga" (IPS 16 July 1998).

Allegations of government support of JVP activities in the past

Regarding the question whether the current government supported the activities of the JVP at one point, and therefore is not investigating the deaths of the late 1980s, the RIC found only one source that alleged a relationship between the current president's party and the JVP. In a 1998 opinion article published in the *Daily News*, warning of a reemergence of the JVP, Amaradasa Fernando accused people of being deluded by the JVP's new organization, and reminding readers of others who mistakenly accepted the JVP in the past. "The high watermark of this kind of credulousness and stupidity was some time in between the '88 and '90 insurrections, when Anura Bandaranaike, as Leader of the Opposition, impetuously invited the JVP to join a future government of the SLFP [Sri Lanka Freedom Party, the party of current President Chandrika Kumaratunga], offering three portfolios, with the portfolio of Labour to [JVP leader] Johana Wijeweera!" (*Daily News* 22 June 1998).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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