

International Press Freedom and Freedom of Expression Mission to Sri Lanka

Fact-Finding Report

Jaffna's Media in the Grip of Terror

Since fighting resumed in 2006 between the government and the Liberation Tigers of Tamil Eelam (LTTE), the Tamil-populated Jaffna peninsula has become a nightmare for journalists, human rights activists and the civilian population in general.

Murders, kidnappings, threats and censorship have made Jaffna one of the world's most dangerous places for journalists to work. At least six media workers, including two journalists, have been killed there since May 2006. One journalist is missing and at least three media outlets have been physically attacked. Dozens of journalists have fled the area or abandoned the profession. None of these incidents has been seriously investigated despite government promises and the existence of suspects.

Representatives of Reporters Without Borders and International Media Support visited Jaffna on 20 and 21 June as part of an international press freedom fact-finding mission to Sri Lanka. They met Tamil journalists, military officials, civil society figures and the members of the national Human Rights Commission (HRC). This report is also based on the day-by-day press freedom monitoring done by Reporters Without Borders and other organisations in the international mission. For security reasons, the names of most of the journalists and other people interviewed are not cited here.

Since the attack on 2 May last year on the offices of the Jaffna district's most popular daily paper, *Uthayan*, local journalists have lived and worked in fear. One paper shut down after its editor was murdered and only three dailies are now published. Newspapers have lost 90% of their staff in the past year, as young journalists and other staff have fled the business, often under pressure from their families. The paper *Valampuri* now has only five correspondents in the district, down from 75 in August last year. "We carry more national and international news than local reports because our staff are afraid," its editor said. "We all know that a life is worth more than a news story."

The staff of *Uthayan*, with a circulation of over 5,000, is now down to three senior journalists and one young reporter. One of the journalists has not left the office for 13 months for fear of being gunned down the moment he steps outside.

Nation and international media correspondents are steadily leaving the district or the country after getting death threats by phone or text-message. While the fact-finding mission was in Jaffna, the last full-time foreign media correspondent got a text-message and a call from a sat-phone saying it was his last warning before he was killed. He left Jaffna the next day.

The Sri Lankan army is expected to launch a major offensive in the north after successes against the LTTE in the east, but the media in Jaffna is living in terror. The government and President Mahinda Rajapaksa must urgently promise to protect journalists and guarantee press freedom.

Escalating violence against the media

The Tamil media is the target of one of the most enduring and violent wars of the past 30 years. The LTTE is fighting, including with terrorist methods, to force the central government to grant the right to self-determination to the “Tamil nation.” The fighting has taken more than 3,000 lives since it started up again last year and made hundreds of thousands homeless. Clashes are mainly in the north and east, but the LTTE has made attacks in Colombo and in majority Sinhalese areas.

The fighting in Jaffna, more than elsewhere, has led to extreme militarization of the region, involving curfews, humiliating treatment, restricted movement and constant identity checks. This has isolated the district from the rest of the country and created what Jaffna Bishop Thomas Soundaranayagam says is “despair” and “a feeling of being abandoned” among the population. “Journalists are also victims of this fear that’s paralysing our society,” he says.

The military offensive relaunched against the LTTE by President Mahinda Rajapaksa has produced a sharp deterioration in human rights. The “dirty war,” as one Jaffna lawyer calls it, involves kidnappings and extra-judicial killings. The HRC says at least 835 civilians were kidnapped in the Jaffna district between December 2005 and May 2007 and about 600 are still missing. The local media reports the kidnappings but journalists confined to their offices cannot investigate them or the involvement of the security forces. Death-squads moving around in unmarked white vans have become the symbol of the “dirty war” and instil terror in the population, including journalists in Jaffna and Colombo.

“Anyone who nationally or internationally condemns the situation in Jaffna risks being killed,” said a local Tamil member of parliament. “The murders of journalist Mylvaganam Nimalarajan and member of parliament Nadarajah Raviraj show that some people will stop at nothing to silence any reporting of the plight of civilians in the north.”

The current reign of terror makes proper coverage of military operations and the situation of Tamil civilians impossible. Journalists are caught in the crossfire between the security forces, the paramilitaries and the LTTE and live in fear of reprisals for any article, commentary, photo or cartoon they produce. A cartoon making fun of the leader of the paramilitary EPDP group, Douglas Devananda, who is also a cabinet minister, appeared to have led to the murder of two employees of *Uthayan* in May 2006.

The August 2006 killing of **Sinnathamby Sivamaharajah**, managing director of the Tamil daily *Namathu Eelanadu* (Our Eelam Nation), showed clearly that the death-squads no longer tolerate media that openly supports the LTTE and the paper shut down. The 68-year-old Sivamaharajah, who was also a politician, was murdered at his home in Tellippalai, an area guarded by the army 15 km from Jaffna.

The paper, launched in 2002 after the government-LTTE ceasefire, focused on local news and strongly supported Tamil nationalism. The army searched its Jaffna offices and questioned staff for several hours in December 2005.

A stifled media

The press in Jaffna was also hit by a serious shortage of newsprint and ink between August 2006 and May this year that stifled three papers. In August 2006, after fighting resumed, the government cut the A9 road between Colombo and Jaffna that passes through LTTE-controlled territory and the Jaffna district has since had to get its food and supplies by air or sea. The military at first refused to classify newsprint and ink as items needed in Jaffna.

Despite increasing demand by local people for news, the dailies *Uthayan*, *Yarl Thinakural* and *Valampuri* were forced to drastically reduce their size and distribution and shrank from eight or 12 pages to only four between December 2006 and April this year. Press groups had to pay high prices for standard newsprint and ink and *Valampuri* even had to use coloured paper.

The army blocked normal supplies despite repeated requests by the papers and a government official in Jaffna. However, it lifted the ban on 1 May this year after international pressure and supplies from Colombo arrived by sea a few days later. "Our circulation is increasing because of public demand for news but we're dependent on the army's goodwill," the managing editor of *Valampuri* said. Another Jaffna journalist said bluntly it was all part of the army's plan to "shut down the Jaffna press."

The isolation and difficult working conditions were at their worst in August 2006 and during the week of total curfew the press vanished. Supplies were irregular and mobile phones were cut off. The day after a night-only curfew was restored, printing works started up again. But a delivery driver for *Uthayan* was shot dead at the wheel of his truck near a military checkpoint.

Closure of the A9 road badly hit distribution of national and local Tamil, Sinhalese and English-language papers. The few on sale at newsstands were very expensive, sometimes 50 times dearer than in Colombo. More than two-thirds of Jaffna town's Internet cafés have closed over the past year because of the economic crisis and curfew, making access to online news more and more difficult for local people. Journalists can use the MRTC media centre supported by the international community.

"When the government blocked access to the website Tamilnet, it prevented Tamils, Sinhalese and foreigners from getting news about the situation in Jaffna," said one journalist from the Tamil daily *Sudar Oli*. "It's the same old strategy." Tamilnet was blocked by Internet service providers on 15 June this year after official pressure.

Radio stations help ease this dearth of news and the *BBC World Service*, relayed by the SLBC state radio, is very popular. Colombo's FM stations are also listened to but have little detailed news about Jaffna. Several Tamil journalists have strongly criticised the content of a Tamil-language news programme produced by allies of the EPDP militia and broadcast by SLBC.

Journalists are regularly refused access to official information, even when it is of general interest. Since March this year, the HRC has forbidden its local offices from giving news about cases it is investigating. "It's crucial for the local press to be able to follow human rights violations," said a Jaffna lawyer. "This decision, made under government pressure, conflicts with the Paris Principles that govern the HRC's work."

Jaffna journalists also feel isolated. "The Colombo media rarely send reporters up here,"

said an official of the North Sri Lanka Journalists' Association. "They say it's too expensive and too risky and those who come with the army to visit the front-line aren't interested in the civil population, so we're not protected."

***Uthayan*, a heroic paper**

This newspaper, Jaffna's most popular Tamil daily, has paid a heavy price for doing its job since it was founded in November 1985. Its offices were bombed by the Indian army in the 1980s and then by Sri Lankan warplanes in 1990. Its staff have been threatened by several Tamil armed groups, including the EPRLF and the LTTE, that have been fighting in Jaffna for the past 20 years, and in 1999 paramilitaries threw a grenade into its offices.

The staff are on constant alert in the paper's offices in central Jaffna town and one journalist lives there round-the-clock. The restrictions have also reduced the circulation from 25,000 in August 2006 to 5,000 since February this year.

While UNESCO was staging celebrations for World Press Freedom Day in Colombo, five people burst into the paper's offices on 2 May 2006 and demanded to see chief reporter **R. Kuhanathan**. When they could not find him, they opened fire on staff and equipment, killing marketing manager **Suresh Kumar**, 35, and **Ranjith Kumar**, 28. Two other people were wounded and several computers destroyed. Official investigation of the attack produced nothing despite management giving the name of a pro-EPDP suspect to police.

One of the paper's delivery drivers was shot dead at the wheel of his truck near a military checkpoint on 15 August last year. Three days later, the paper's main warehouse was burned down in the city's Kobay neighbourhood and its circulation was badly hit. Armed men threatened security guards outside the paper's offices on 7 September, after a curfew had been imposed, and ordered the paper to print an appeal to Jaffna's students to call off their strike. One of them, gun in hand, said in Tamil that they would "come back tomorrow" if it did not appear. Three days later, armed men entered the building after jumping over a wall. Police guarding the front of the building detained them but then let them go.

A motorcycle gunman shot dead one of the paper's reporters, **Selvarajah Rajivarnam**, on 29 April this year as he was riding a bicycle near the paper's offices in Jaffna Town. Rajivarnam, 24, had worked at the paper for six months covering crime stories and visiting police stations and hospitals to investigate disappearances. He was also taking evening classes in journalism at Jaffna University. He had worked for three years on *Namatbu Eelanadu*, whose managing director was killed in August 2006. The brief police investigation of Rajivarnam's murder produced nothing, but several people told Reporters Without Borders the EPDP may have been responsible.

Despite the attacks, a smaller staff continues to produce *Uthayan*. "We had 120 employees, including 20 journalists, up to August 2006 but now we've only got 58 people, including four journalists who are fighting their fear," said editor **M. V. Kanamailnathan** in his Jaffna office. He said four journalists, including him, had been threatened with death by the paramilitaries. "Despite our police protection since the May 2006 attack, everyone knows the paramilitaries can strike whenever they want," said one his deputies. "We're victims of terror."

Uthayan's sister daily in Colombo, *Sudar Oli*, had frequently been targeted. While the international fact-finding mission was in the country, its editor, **Nadesapillai Vidyatharan**, was followed by one of the white vans used by the death-squads. The paper's offices were attacked with grenades twice in 2005.

The army and the Tamil press in conflict

The army is everywhere in Jaffna and military camps and areas off-limits to civilians dominate the outskirts of the city. Some 40,000 soldiers, 99% of them Sinhalese, are currently based in the region, which you need a military permit to enter or leave. Tens of thousands of civilians have once again had to flee their homes because of the frequent artillery exchanges between the army and the LTTE, which regularly attacks urban areas.

It is hard for the Tamil press to cover army operations. Journalists from Colombo are sometimes invited to visit the front-line, but the army makes no effort to keep the local press informed and has no spokesman or official who can answer journalists' questions in Tamil. An intelligence officer told the fact-finding mission that no Tamil was willing to be an army spokesman in the district or elsewhere. This strengthens the feeling of locals, often reflected in the press, that the troops are an army of occupation.

"The soldiers have no respect for Tamil journalists," said a Jaffna reporter who has fled to Colombo. "First because they can't communicate with them but mainly because they see them as pro-Tamil Tiger." A young reporter on the daily *Valampuri* said Tamil journalists "no longer dare to venture into the field with a camera or other sign of being a journalist."

The president of the North Sri Lanka Journalists' Association said that "since President Rajapaksa's family has come to power, hostility to Tamil journalists has steadily grown, with constant pressure and violence in Jaffna. When you write about a sensitive topic, you have problems the next day."

Over the past year, army officers have summoned Tamil media chiefs at least four times to order censorship of things such as speeches by the leader of the LTTE, the students' strike, kidnappings and other matters the army would prefer were not reported by journalists. This puts the Tamil media in an impossible situation because the LTTE demands they cover such topics because they are key to Tamil nationalism.

Gen. G. A. Chandrasiri, commander of the Palaly army camp, summoned a *Uthayan* official on 24 September last year and ordered him not to print news that showed the government and the army in a bad light. "If you refuse to do this, the paper will be closed," he warned, adding that the summons must remain a secret, especially from *Tamilnet*. But despite threats, *Uthayan* is still printing criticism of the authorities.

Media officials were also summoned on 11 October by the commander of the 52nd Brigade, who asked them to stop printing news from the LTTE.

Officers of the army's Jaffna-based 512th division summoned the city's editors on 6 November to warn them not to print the message of LTTE leader Veluppillai Prabhakaran on Heroes Day (27 November). Despite the risks, *Uthayan* eventually printed virtually all of it, while *Valampuri* quoted some parts.

The army officers reportedly also criticised the editors for reporting extensively on the humanitarian crisis in the Jaffna district. But journalists have rejected these demands to stop writing that the lack of food and fuel was mainly due to the army's embargo on supplying Jaffna.

In early May this year, the army put pressure on the Jaffna media not to cover demonstrations by students protesting against the kidnapping of four of them. In June, soldiers searched the offices of *Yarl Thinakural* for no apparent reason.

Self-censorship increased in the Jaffna press after anti-terrorist laws came into force in December 2006. The major media in Colombo, even the English-language press, do not mention certain aspects of the civil war while the Jaffna media is careful not to report in detail on army or LTTE operations.

“The Jaffna papers are defenders of Tamil nationalism, a resistance media,” said a foreign observer. An official of *Uthayan* said: “We’re victims of a government that wants to crush Tamil nationalism by force. I don’t see anything shocking about defending the right of Tamils to self-determination.”

The army has set up a radio station, *Yal FM*, at the Palaly military camp to inform the population, especially about curfew times. “Some of the practical information is useful for civilians but we can’t accept that the *SLBC* national radio puts out a two-hour programme from the EPDP militia,” said an official of the North Sri Lanka Journalists’ Association. The programme (“Ithaya Weeni”), produced in Colombo by pro-EPDP journalists, is broadcast in the evening and, according to one journalist, is “dreadful propaganda that insults all of us.”

The complicity of the army

Several independent organisations, including the International Crisis Group, have said the death-squads targeting the media are mixed teams of army intelligence and members of Tamil militias, mainly from the EPDP and the dissident Karuna faction of the LTTE. These paramilitaries, which have been incorporated in the army, have been mainly responsible in recent years for the deterioration of working conditions for journalists.

Most of the attacks have been in top-security areas where the police and army have many checkpoints and sometimes occur during the curfew. Police only make an initial on-the-spot investigation and the matter stops there.

The army allows the Tamil paramilitaries, especially the EPDP, to carry out some operations in this “dirty war.” The EPDP party and militia, both founded in 1987, use the protection they get from the army and the government. Its leader, Douglas Devananda, is minister of social affairs and a major target of the LTTE, which has tried to kill him a dozen times.

Devananda claims he is defending Tamils against the LTTE’s authoritarianism but in fact the EPDP has committed human rights violations for more than a decade. As Reporters Without Borders noted in an earlier report, EPDP members in Jaffna were involved in the murder of journalist Mylvaganam Nimalarajan. They are also strongly suspected of being behind recent physical attacks on *Uthayan*.

The international fact-finding mission confirmed the presence of Tamil paramilitaries in military patrols in Jaffna. Most of the time they do interpreting and guide work but they also take part in military operations and violence against civilians.

“As long as nobody is punished for the murders of journalists, there can be no trust between the Tamil media and the army,” said a Tamil member of parliament from the Jaffna district. “The government can say what it likes but it’s clearly an accomplice in the attacks.”

A journalist disappears

Soldiers took part in the kidnapping on 15 February this year of journalist **Subramaniam Ramachandran** north of Jaffna, near Vadamaradchi. He is reportedly being secretly held in a military camp. He was a reporter for the daily *Yarl Thinakural* and had investigated smuggling of sand involving a businessman and the army and had reported details including registration numbers of vehicles involved and links between the businessman and certain army officers. Soon afterwards his reports appeared, a judge investigated and ordered the seizure of a vehicle involved. LTTE supporters burned another vehicle used by the smugglers.

Ramachandran had been threatened by the LTTE for his good relations with the military and in November 2006 is thought to have been investigated by LTTE intelligence officials after taking photos of a rally to honour its chief, Velupillai Prabhakaran. But friends said he was no longer being threatened by the LTTE when he was kidnapped.

The circumstances of his disappearance show clearly that the army was involved. He left the school he ran in Karaveddy in the early evening of 15 February with a friend. Soldiers stopped them for questioning when they got as far as the Kalikai Junction military camp. His friend was allowed to leave and Ramachandran was detained. Eye-witnesses said that an hour later, a vehicle arrived with a military intelligence officer, two EPDP activists and a military informer. They left a few minutes later with Ramachandran and his family have since had no news of him. Several Jaffna journalists say he is being held at a military camp (perhaps Urelu) run by army intelligence.

The Jaffna office of the HRC handled the case and then passed it on to Colombo. The army, including the Jaffna district commander, was duly informed. But, as lawyer Madiyapu Remedias puts it, in such matters “everyone is afraid to oppose the army, which has denied involvement.”

LTTE threats

LTTE pressure is more subtle, though just as effective. The separatist movement takes criticism badly and is always quick to move against dissident voices in the Tamil community, including the media, which means pro-EPDP journalists are often targeted. Two have been murdered in the past four years.

One Tamil editor said: “The reaction of the LTTE can be just as damaging for our staff, so we’re careful. Each word has to be weighed when we mention the LTTE and the army and we obviously never call the Tigers “terrorists.”

The fact-finding mission was not told in Jaffna of any direct attacks by the LTTE, but several journalists who have fled the city said the Tigers' "instructions" about what to report were hard to ignore. LTTE intelligence agents are very active and well-informed and often summon Tamil journalists to ask for information or to provide it.

The *Voice of Tigers* radio station can still be heard in Jaffna district. Some people, including prominent people and journalists, say it broadcasts "propaganda" and is less listened to these days. "People are afraid to do so," said the Bishop of Jaffna.

Silence, exile or death

The terror that still reigns in Jaffna has driven very many journalists out of the profession. Others continue working but very cautiously and stringers for national and foreign media refuse to identify themselves as such. They remember Mylvaganam Nimalarajan, the *BBC World* Sinhalese Service stringer and also fixer for visiting foreign journalists, who was murdered at his home one night in October 2000 by the EPDP.

A score of journalists in Jaffna have also fled the district or even the country after being threatened by paramilitaries or security forces. LTTE harassment has also forced several reporters to leave. Sri Lankan journalists have taken refuge in Switzerland, France, Britain, India and the United States.

While the fact-finding mission was in Jaffna, **Jeyann Vincent**, a correspondent for the *Associated Press* news agency, got a text-message headed "Last Warning" from a sat-phone and signed by the Makkal Padai (People's Force), which has claimed responsibility for several LTTE attacks. It said he could be killed at any time. A few hours later, the message sender called Vincent. His employers helped him get army permission to leave Jaffna the next day for Colombo. "I don't know who's behind the threats," he said. "It could be anyone. No side likes my coverage of the military and humanitarian situation," he told the mission.

A propaganda war

The civil war in Sri Lanka is covered in an incomplete and biased way by many Sri Lankan and foreign media. This serious lack of news, and sometimes objectivity, is mainly due to extremely difficult working conditions of journalists in the affected areas.

"I'd thought the national and international media would be more courageous in wartime," said Jaffna's Bishop Soundaranayagam, "but the journalists who come here too often aren't interested in independent sources, which makes it easier for the army to implement its policy of hiding what's going on. The media should visit the north more often and talk to civilians and independent figures."

Very few national and international reporters come to Jaffna. "When I have some news, I text-message my editors and they write up the article for me," said the correspondent of a national daily. "It's too risky gathering details in Jaffna itself."

This absence of journalists and foreign observers on the field allows the two warring sides to wage an absurd battle of figures. When the army forced the LTTE out of the eastern region of Thoppigala, the government said about 450 rebels and 20 soldiers had been killed, while the LTTE said it had lost only 60 of its fighters and killed at least 150

army soldiers.

“If you add up all the army’s claims of how many LTTE soldiers it’s killed since the start of the war, you wonder how there are any Tamils left in the whole country,” said one foreign journalist. A reporter in Jaffna added: “Both sides have suffered heavy losses, but neither can admit it because they don’t want to demoralise their civilian supporters.

The international fact-finding mission urges the Sri Lankan government to:

- Seriously and openly investigate the murders of media workers in Jaffna.
- Pay special attention to the safety of media workers in the areas of fighting.
- Allow a UN mission to come to Sri Lanka to protect human rights.

The mission calls on all sides in the fighting to:

- End all threats to and harassment of media workers.
- Stop trying to restrict editorial freedom.
- End the public abuse of media outlets and journalists.
- Amend the emergency laws and others that do not meet international standards of freedom of expression.