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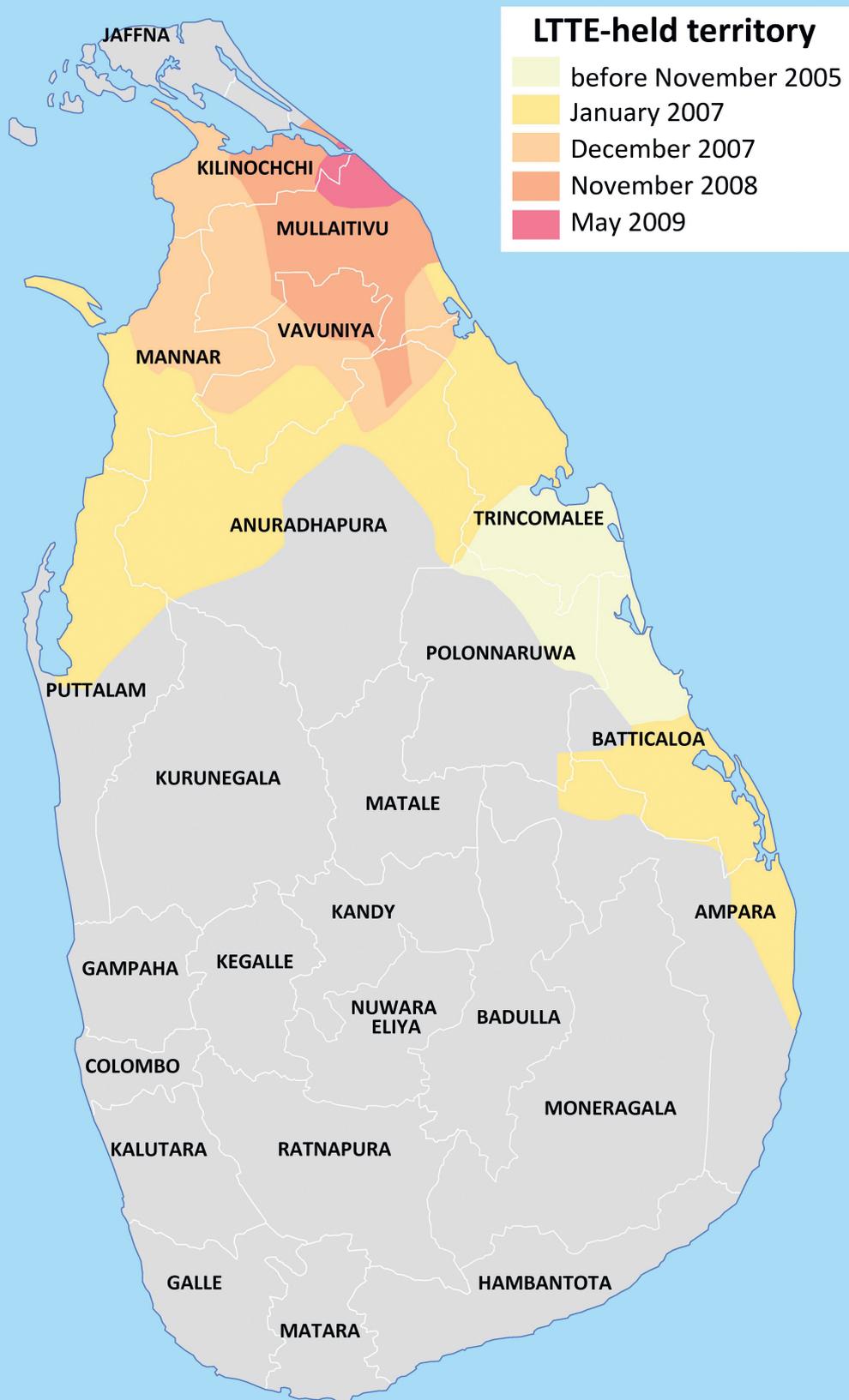
The Centre on Conflict, Development and Peacebuilding
CCDP Working Paper

An Institutional History of the Liberation Tigers of Tamil Eelam (LTTE)

Joanne Richards

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Map 1: LTTE Territory from Pre-2005 to May 2009.

It should be noted that both the white and yellow areas on map 1 (representing time periods prior to January 2007) are areas which were only partially controlled by the LTTE. Some areas within these white and yellow zones were completely controlled by the LTTE, others were completely controlled by the government, and other areas within these zones had strong LTTE influence. .

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List of acronyms

CFA	Ceasefire Agreement
EDD	Economic Development Department
ENLF	Eelam National Liberation Front
EPRLF	Eelam People's Revolutionary Liberation Front
EROS	Eelam Revolutionary Organization of Students
EEZ-MLST	Exclusive Economic Zone Maritime Logistics Support Team
FP	Federal Party
GA	Government Agent
GoSL	Government of Sri Lanka
IEDs	Improvised Explosive Devices
INA	Indian National Army
INGOs	International Non-Governmental Organizations
IPKF	Indian Peacekeeping Force
LTTE	Liberation Tigers of Tamil Eelam
LRRPs	Long Range Reconnaissance Patrols
MUST	Medical Unit of Service of Tamils
NTT	National Television of Tamil Eelam
NGOs	Non-Governmental Organizations
PARCs	Protective Accommodation and Rehabilitation Centres
PDS	Planning and Development Secretariat
PFLT	People's Front of Liberation Tigers
PLO	Palestinian Liberation Organization
PLOTE	People's Liberation Organization of Tamil Eelam
RAW	Research and Analysis Wing (of Indian Intelligence Agency)
REERO	Rural Economic Education and Research Organization
SCOPP	Secretariat for Coordinating the Peace Process
SLA	Sri Lankan Army
SLFP	Sri Lankan Freedom Party
STF	Special Task Force (of LTTE Police)
TEB	Tamil Eelam Bank
TEEC	Tamil Eelam Education Council
TEEDO	Tamil Eelam Economic Development Organization
TELO	Tamil Eelam Liberation Organization
TGTE	Transnational Government of Tamil Eelam
TLO	Tamil Liberation Organization
TMVP	Tamil Eelam Makkal Viduthalai Pulikal
TNT	Tamil New Tigers
TOSIS	Tiger Organization Security Intelligence Service
TRO	Tamil Rehabilitation Organization
TSL	Tamil Student League
TTN	Tamil Television Network
TUF	Tamil United Front
TULF	Tamil United Liberation Front
TYF	Tamil Youth Front
TYL	Tamil Youth League
TYO	Tamil Youth Organization
UK	United Kingdom of Great Britain and Northern Ireland
UNP	United National Party
VoT	Voice of Tigers

Preface

Episodes of armed violence are often followed by countering claims and divergent accounts of past experiences. The Sri Lankan civil war is no exception. After 26 years of military operations and the official defeat of the Liberation Tigers of Tamil Eelam (LTTE) in 2009, controversies over the conflict and its aftermath continue unabated.

The CCDP hereby presents Working Paper 10, written by Dr. Joanne Richards. It provides a detailed account of the institutional history of the LTTE – including both the civilian and military wings of the organisation – from its creation as a political movement in 1976, through the commencement of its military campaign in 1983, up until the defeat in 2009. The Working Paper also analyses the complex societal dynamics in which the civil war evolved.

Given the sensitive nature of the subject matter, the text has undergone an extensive blind peer review and fact-checking process. The aim was to produce a concise and accessible reference document for the benefit of the public at large. Every effort was made not to pass judgment on contentious events, but to flag competing claims and interpretations when they arose during the research process.

The Working Paper was mandated by the Swiss Federal Office for Migration. Currently there are over 40.000 persons of Tamil origins residing in Switzerland, and the CCDP is pleased to be able to contribute to public debates surrounding this diaspora community with our in-house expertise on armed groups and conflict dynamics.

Needless to say, the views expressed in this Working Paper are solely those of the author and do not reflect institutional views in any way. The text thus also does not claim to be the conclusive document about the LTTE. Instead, and as the series title suggests, it is a publicly available document that seeks to offer an informed contribution to on-going discussions.

Keith Krause
CCDP Director

November 2014

1. Introduction

This report provides an historical overview of arguably one of the most sophisticated non-state armed groups ever assembled, the Liberation Tigers of Tamil Eelam (LTTE). Based in the north-east of Sri Lanka (formerly Ceylon), the LTTE established a complex, yet highly structured military wing accompanied by a supporting political wing and international network. This report charts the development of each of these component parts (military, political, and international), from the LTTE's inception in 1976 to its defeat in May 2009, with particular emphasis given to the post-2002 era.

To fully understand the institutional development of the LTTE, it is often necessary to grasp how the dynamics of armed conflict in Sri Lanka prompted the LTTE to evolve and change. Consequently, rather than divorcing the LTTE's institutional development from its historical context, in this report, both are presented side by side.¹ The analysis begins with some background remarks on the Sinhalese and Tamil communities in Sri Lanka and the rise of inter-communal conflict which led to the emergence of the LTTE.² The report then moves on to examine the institutional set up of the LTTE's military wing, political wing, and international network.³ While this discussion provides a detailed overview of the LTTE's key organizational structures at home and abroad, the final section of this report examines how these military and political structures were dismantled and destroyed in a series of final battles waged between the LTTE and the Sri Lankan Army (SLA).⁴ This concluding section also discusses the breakaway LTTE faction known as the "Karuna group," and the continued survival of the LTTE's international network.

The information contained within the following pages draws from a thorough review of the academic and policy literature on Sri Lanka, articles retrieved from Tamil websites and the Sri Lankan and Indian press, confidential embassy cables, and the Jane's Intelligence Review. It should be noted however, that these sources - and the sources on which these sources rely - are not always impartial (see Annex 1 for a brief discussion of this point). Commentators on both sides of the conflict have often written about the LTTE in a way which favours their own viewpoints and allegiances, selectively omitting or misrepresenting certain facts while including others.⁵ In addition, because north-eastern Sri Lanka was often closed to outsiders during periods of armed conflict, the historical record of the LTTE not only contains certain biases but is also sometimes incomplete, particularly prior to the 2002 ceasefire.

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- 1 It should be noted that this report does not follow a strict historical narrative, but instead focuses on the historical development of each of the LTTE's component institutions in separate, thematic sections. This allows readers to refer only to the sections they deem most relevant to their particular interests.
 - 2 These background remarks (discussed in sections 1, 2, 3, and 4 of this report) cover Eelam War 1. Phase one of Eelam War 1 began in the mid-1970s, whereas phase two began in July 1983 and ended in July 1987. On the Eelam Wars, see Samaranayake 2007: 176.
 - 3 These sections (5 and 6) cover Eelam War 1, Eelam War 2 (July 1991 - December 1994), Eelam War 3 (April 1995 - February 2002), and the period prior to the start of Eelam War 4.
 - 4 This concluding section (section 7) covers events after February 2002, and includes Eelam War 4, which began with the resumption of hostilities in 2006 and ended with the LTTE's final defeat in May 2009.
 - 5 This point has also been made by Austin 1994: 61 and Salgado 2004: 5.

To address these issues, the information presented in this report has, where possible, been cross-checked and triangulated with other sources, including external experts. Furthermore, while the sources used herein were selected due to their relevance to the topics covered, a variety of sources (with differing biases) were sought in order to piece together coherent accounts of events. While it was very often possible to compile and cross-reference different sources of information, in other instances, corroborating sources were unavailable. This report therefore uses the qualifiers “reportedly,” “allegedly,” and “according to one source” to indicate that a claim has not been triangulated. Claims which exhibit obvious bias are omitted, and missing and contradictory information is also flagged. More generally, because information on the LTTE is often scarce or politicized, the findings contained within this report should not be interpreted as uncontested facts but should, instead, be treated with caution.

2. The Tamil and Sinhalese Communities in Sri Lanka

The origins of the Sinhalese and Tamil communities in Sri Lanka can be traced back to early patterns of migration from India. The ancestors of the present day Sinhalese community – who currently speak Sinhala and who are primarily Buddhist – migrated to Ceylon from the north of India and eventually settled in the south, west, and central parts of the island. In contrast, the predominantly Hindu Tamil community, who speak Dravidian Tamil, originated from southern India. The Tamil community (which is composed of both Sri Lankan and Indian Tamils – see below) is a minority in Sri Lanka and, since 1946, has made up between roughly 11 and 18 per cent of the population of Sri Lanka, in contrast to the Sinhalese community's 75 per cent.⁶

While Sri Lankan Tamils make up the majority of the population in the north and east, approximately half of the Tamil population (both Indian and Sri Lankan) has long lived in all corners of Ceylon (renamed Sri Lanka in 1972), with an especially significant community in the capital of Colombo.⁷ Indian (or “Estate”) Tamils arrived much later than the initial wave of Ceylon Tamil migrants, and these late arrivals were brought from Southern India to Ceylon as indentured labourers during the late 19th and early 20th centuries, when both Ceylon and India were under British colonial rule.⁸ Indian Tamils worked on Ceylon's tea plantations and settled in the central highlands found in the predominantly Sinhalese central and southern portions of the island. In addition to the divide between Ceylon and Indian Tamils, the Tamil community in Sri Lanka is also divided by region, with northern Tamils having experienced greater historical autonomy than eastern Tamils, who were more fully incorporated into the Sinhala Kingdoms which existed prior to the arrival of the Portuguese in 1505.⁹ During the following century the Portuguese lost control of Ceylon to the Dutch who in turn ceded power to the expanding British Empire in 1796.¹⁰

According to the 2012 Sri Lankan census, Indian Tamils currently make up roughly one third of the Tamil community - Indian Tamils comprise 4.2 per cent of the Sri Lankan population, whereas Sri Lankan Tamils comprise 11.2 per cent.¹¹ Other communities currently present in Sri Lanka include the Malays, Burghers, Sri Lankan Chetty, Bharatha, and a minority community of Arabic and Indian Muslim descent. This latter, Muslim community - otherwise known as “the Moors” - represents approximately 9.2 per cent of the Sri Lankan population according to the 2012 census.

6 Chattopadhyaya 1994: 10-12; Hoppood 2006: 46; Mampilly 2007: 155.

7 Tambiah 1986 (cited in Mampilly 2007: 153) estimates that 47 per cent of the Tamil population lived outside of the Northern and Eastern Provinces.

8 Samaranayake 2007: 172.

9 Sivathamby 2005 cited in Mampilly 2007: 155; Samaranayake 2008: 143.

10 Samaranayake 2008: 143.

11 Sri Lankan Census 2012.

3. Conflict Antecedents

Conflict between the Sri Lankan (Sinhalese dominated) government and separatist members of the Sri Lankan Tamil community is a relatively recent phenomenon. Although historical competition existed between the Sinhalese Kingdoms in Sri Lanka and invading armies from South India, it can be said that, immediately prior to the 1920s, elite competition in Ceylon was based on caste rivalries within the Sinhalese community rather than communal competition between Ceylon Tamils and the Sinhalese.¹² The shift to armed conflict between Tamil militant groups and successive Sinhalese-dominated governments emerged gradually as a result of British colonial policies (which favoured members of the Tamil community in education and civil service jobs) and imperial constitutional reforms.¹³ For example, in 1833 the British introduced the idea of ethnic representation into the Sri Lankan legislature and, despite the fact that the Sinhalese formed a majority of the population, a similar number of Tamil (Ceylon and Indian) and Sinhalese representatives held legislative seats.¹⁴ This situation of equal balance changed in 1920 when, as a result of further constitutional reforms, it was decided that legislative representation was to be determined by both ethnic and territorial factors. With their greater numbers and territorial coverage, this favoured the majority Sinhalese (who subsequently held more seats), and created an inter-communal point of tension with Tamil elites who continued to push for balanced (or 50:50) representation between the Sinhalese and all other minority groups. In 1921, and in reaction to these legislative reforms, Tamil elites broke away from the National Congress forming a mono-ethnic political organization known as the *Tamil Mahajana Sabha* (The Great Council of the Tamils). This marked the beginning of a trend in which political organizations began to form along ethnic rather than national lines.¹⁵ Examples include the *Sinhala Maha Sabah* (the Great Council of the Sinhalese) formed in 1936, the Ceylon Indian Congress in 1939, and the Tamil Congress in 1944.

Differential opportunities for economic advancement also exacerbated the emerging political conflict between representatives of the Ceylon Tamil and Sinhalese communities. Under the British colonial administration English was made the official language of government and higher education, and this created a situation in which access to an English education opened the door to a limited pool of jobs in government and in the private professional sphere. Residing in areas where land was scarce and infertile, Ceylon Tamils focused on education as a means of advancement. This was partly because they were unable to pursue large-scale agricultural activity but was also partly attributable to the spread of missionary schools in the north and east.¹⁶ Owing to their English literacy, the British government favoured the Ceylon Tamils who held 60 per cent of the professional positions employed by the state at independence in February 1948.¹⁷ Initially this was not a source of contention as low-country Sinhalese, who resided in the fertile southern and western coastal areas of Ceylon, and who also received an English education, were engaged in trade and

12 De Silva 1981: 389; Manogaran 1987: 31.

13 DeVotta 2009: 1025.

14 Manogaran 1987: 31; Jeyaratnam Wilson 2000: 41, 42, 48; Samaranayake 2008: 159-60.

15 Samaranayake 2008: 159-60.

16 Chattopadhyaya 1994: 15.

17 Hussain 2010: 389; DeVotta 2009: 1025.

plantation work. However, when the low-country Sinhalese began to exhibit a preference for government employment in the early 20th century, competition for limited jobs between Ceylon Tamils and the Sinhalese began to emerge.¹⁸

At independence the Tamil political party, the Tamil Congress, joined the right-wing United National Party (UNP) in a coalition government.¹⁹ The UNP contained many disparate groups, including the Sinhala Maha Sabah and the Muslim League, and in one of its first post-independence moves the UNP attempted to electorally undermine the left by disenfranchising Indian Tamils.²⁰ This triggered a split within the Tamil Congress with some dissatisfied Tamil politicians breaking away to form a splinter organization, known as the Federal Party (FP), in 1949.²¹ The Federal Party was the dominant Tamil political party for the following two decades, and was a vehicle for nationalist elements within the Ceylon Tamil community.²² Importantly, the FP was the first Tamil organization to claim that Ceylon Tamils constituted a distinct nation with a distinct territorial homeland in the north and east.²³

Support for the FP remained limited until the Sri Lankan Freedom Party (SLFP) won the 1956 general election following a campaign to introduce the “Sinhalese Only Language Act” (known formally as the “Official Language Act No. 33 of 1956”). The original impetus for a discussion over language was, as aforementioned, related to the British administration’s use of English in education and positions of state employment. In 1944 the legislature opted to address this issue by agreeing that Sinhala and Tamil should replace English as the official languages of Ceylon. This policy known as *Swabasha* (“the vernacular languages”) was supported by all of the main political parties until 1954. However in 1955, pressure from Sinhalese-Buddhist nationalist forces pushed the SLFP to change from *Swabasha* to Sinhala only, with “reasonable provisions” for the use of Tamil.²⁴ This was seen by the Tamil community not only as a way for the Sinhalese to reduce their access to government employment, but as “an instrument of cultural oppression and as a denial of Tamil identity.”²⁵ On the ground, animosity between the Sinhalese and Ceylon Tamil communities was also bolstered by government-sponsored resettlement schemes which were given new impetus in the post-independence period, and which resettled at least 165,000 Sinhalese in Tamil-dominated areas in the north and east between 1953 and 1981.²⁶ In 1956, and in reaction to these developments, the Federal Party convened a conference encouraging Tamils to begin a campaign of non-violent civil disobedience. This campaign provoked some members of the Sinhalese community, who staged violent and retaliatory anti-Tamil riots in response.²⁷

18 Chattopadhyaya 1994: 15.

19 De Silva 1981: 490; Manogaran 1987: 39; Ratnayake 2010: 127.

20 Manogaran 1987: 39-40.

21 Hussain 2010: 389.

22 Samaranayaka 2008: 163.

23 Wilson in Samaranayaka 2008: 164.

24 DeVotta 2004 Chapter 3.

25 Hussain 2010: 389; DeVotta 2004: Chapter 3.

26 Monogram in Samaranayaka 2008: 147-8; Premdas and Samarasinghe 1988: 677 have written the following on the pre-1988 period: “the rift between Tamil and Sinhalese grew wider daily; friendships became fewer and cross-communal voluntary associations lost their old intercultural vitality.”

27 Swamy 1994: 10-11; DeVotta 2009: 1025.

In 1956, the Federal Party's main demands were the creation of a federal system including a Tamil-language state (or a smaller governing unit such as a Tamil provincial council), a two-language policy, cessation of peasant resettlement schemes, and the repeal of citizenship laws which disenfranchised Indian Tamils.²⁸ This was followed, in 1958, by further violent anti-Tamil riots which occurred after the Sinhalese Prime Minister S.W.R.D. Bandaranaike, leader of the SLFP, acquiesced to Sinhala nationalist and Buddhist pressure and reneged on a pact with the FP. Under the terms of this pact, the use of Tamil would have been allowed in Tamil districts through the establishment of new Tamil regional councils.²⁹ When this failed to come to fruition, the FP stepped up its nationalist rhetoric throughout the 1960s, referring for the first time to the existence of a Tamil "historical homeland" based on the former Jaffna Kingdom which existed between the 13th and 16th centuries.³⁰ A later compromise pact, this time between the FP and a new UNP government (elected in March 1965), was again blocked by Sinhalese-Buddhist opposition. Together the failure of the UNP, and previously the SLFP to reach a political compromise (in each case with the FP) led many Tamils to believe that neither party was responsive to their interests.

When the UNP was electorally defeated in 1970, a new government, staunchly opposed to Tamil demands to federalism came to power. This prompted S.J.V Chelvanayakam, leader of the FP, to call for the establishment of an independent Tamil state.³¹ The passage of the 1972 constitution brought further urgency to these demands, not least because the new constitution confirmed Sinhala as the national language and eliminated protections for minorities, but also because the constitution sanctioned later measures – including the introduction of quotas and unequal examination requirements in 1973 - which were perceived as a way to prevent Tamils from entering university and public and professional service.³² In response to the new constitution, S.J.V. Chelvanayakam resigned from his seat in parliament and Tamil leaders began to openly discuss secession. Various Tamil parties, including the FP, also began to unite, forming the Tamil United Front (TUF) in 1972.

28 Bhasin 2004: 28 cited in Hussain 2010: 390.

29 Roberts 1978: 361-2; Rinehart 2013: 112.

30 Samaranayaka 2007: 173.

31 Rinehart 2013: 117.

32 DeVotta 2009: 1026; Bose 1994: 69-71 cited in Hopgood 2006: 47.

4. The Evolution of the LTTE

By the early 1970s, at least some Tamil youth, who were particularly hard hit by the new restrictions on university entrance, “felt that peaceful political agitation by the old men had got nothing for the Tamils and [that] it was the boys turn to secure [Tamil] rights,” through more radical means if necessary.³³ In this regard, Tamil youths formed the Tamil Student League (TSL), headed by Ponnuthurai Sathyaseelan, which organized protests against the new university policies and constitution.³⁴ The TSL became the Tamil Youth League (TYL) in 1973 and acted as the youth wing of the Tamil United Front.³⁵ The future leader of the Liberation Tigers of Tamil Eelam (LTTE), Vellupillai Prabhakaran, participated in both leagues (the TSL and the TYL), and had contact with two league members - Nadarajah Thangathurai and Selvarajah Yogachandran (also known as Kuttimuni). Together, these latter two individuals formed one of the earliest Tamil armed groups, the Thangathurai-Kuttimuni group (formed in 1969) which committed random acts of arson and political assassinations.³⁶ Gaining experience in the Thangathurai-Kuttimuni group, Prabhakaran formed the Tamil New Tigers (TNT) in 1972 with Chelliah Thanabalasingham (alias Chetti).³⁷ A dedicated and hand-picked group of young men reportedly served under Prabhakaran's command, including Sivarajah, Ramesh, Inbam, Chelliah Pathmanathan (alias Kannady), Saravanan (alias Patkunarajah), Kalapathy, and Kirupaharan.³⁸

In March 1975, the Tamil United Front changed its name to the Tamil United Liberation Front (TULF). The following year, and just nine days before TULF's first national convention, S. Subramaniam (alias Baby), who was in charge of his own small Tamil armed group, joined forces with Prabhakaran and on 5 May 1976 the TNT became the LTTE.³⁹ Prabhakaran vowed that the LTTE would strive to implement the Vaddukoddai Resolution passed at this first TULF convention. This resolution urged “The Tamil Nation in general and the Tamil youth in particular to come forward to throw themselves fully in the sacred fight for freedom and to flinch not till the goal of a sovereign state of Tamil Eelam is reached.”⁴⁰ Shortly after the passing of the Vaddukoddai Resolution, Appapillai Amirthalingam and M. Sivasithamparam, who were both prominent TULF members, created the coalition's military wing, which was known as the Tamil Youth Front (TYF).⁴¹ Although members of the TNT formed the LTTE, members of the TYF also participated in Prabhakaran's new militant group, with some being members of both groups simultaneously. For example, Uma Maheswaran (also known as Mukunthan) was at first both chairman of the LTTE and the Colombo secretary of the TYF.⁴² Prabhakaran also initially had meetings with Amirthalingam who went on to become the President of TULF following Chelvanayakam's death due to ill-health on 5 April 1977.

33 Akhter 2007: 107 cited in Hussain 2010: 395.

34 Sabaratnam 2011 Introduction, Part 2.

35 Sabaratnam 2011 Chapter 6: Birth of Tamil New Tigers.

36 Swamy 1994: 53; Furtado 2007: 76.

37 Sabaratnam 2011 Chapter 6 Birth of Tamil New Tigers.

38 Ibid.

39 Rinehart 2013: 126.

40 Sabaratnam 2011 Introduction, Part 2, Annex 1.

41 Rinehart 2013: 118.

42 Ibid.

5. The LTTE Military Wing

The constitution that officially changed the TNT into the LTTE was written by Prabhakaran and adopted by a five member central governing committee on 5 May 1976. This committee had responsibility for both LTTE military operations and political decisions and was allegedly initially composed of Nagarajah, Sellakili, Iyer and Vichchveswaran.⁴³ The fifth member was Prabhakaran who was elected chairman of the central governing committee and commander-in-chief of the military wing.⁴⁴ The LTTE constitution stated that members would fight to establish the total independence of Tamil Eelam, to establish a sovereign and socialist democratic people's government, to abolish all forms of exploitation (particularly the caste system), to establish a socialist mode of production, to uphold armed revolutionary struggle as an extension of the political struggle, and to gradually and systematically transform guerrilla warfare into a genuine people's war of liberation.⁴⁵ At this time Prabhakaran also reportedly divided the activities of the LTTE military wing into three main divisions: 1) a division responsible for the "elimination of traitors" and the Sri Lankan police intelligence network, 2) a second division responsible for crippling the administration of the Sri Lankan government, and 3) a third division responsible for the destruction of Sri Lankan army camps and the establishment of a nascent administrative structure which would lay the foundation for a Tamil Eelam state.⁴⁶

Initially, the LTTE was one of approximately 37 Tamil militant groups.⁴⁷ Of these 37, the five most significant groups (known as "the big five") were the LTTE, the Tamil Eelam Liberation Organization (TELO), the Eelam Revolutionary Organization of Students (EROS), the Eelam People's Revolutionary Liberation Front (EPRLF), and the People's Liberation Organization of Tamil Eelam (PLOTE).⁴⁸ Both TELO and EROS were founded in 1975, the former by Nadarajah Thangathurai and Selvarajah Yogachandran (alias Kuttimuni), and the latter reportedly by Eliyathamby Ratnasabapathy and/or Velupillai Balakumar.⁴⁹ In contrast, both EPRLF and PLOTE emerged slightly later, initially as breakaway factions from other Tamil militant groups. More specifically, EPRLF was founded in 1981 when K.S. Padmanabha broke away from EROS. Similarly, PLOTE emerged when Uma Maheswaran, the one-time chairman of the LTTE's central governing committee, broke away from the LTTE sometime between 1978 and 1980.⁵⁰ The "big five" were involved in (attempted) killings of the security forces, bank robberies, and other criminal activities.⁵¹ However, Prabhakaran reportedly

43 Sabaratnam 2011 Chapter 9: TNT Matures into the LTTE.

44 Ibid; Hussain 2010: 397.

45 Sabaratnam 2011 Chapter 9: TNT Matures into the LTTE.

46 Ibid.

47 Gunaratna in Balasuriya 2009: 23. It should be noted that this number is an estimate, and that the exact number of Tamil militant groups in existence during this period is contested. Furtado 2007: 75 states that 40 militant groups were active in Jaffna and cites "confidential Jaffna police documents."

48 Furtado 2007: 75-6; Marks 1996: 187.

49 Information on these groups is taken from Balasuriya 2009 Chapter 2. Balasuriya 2009 gives Balakumar credit for the founding of EROS. However, other sources, (i.e. Gunaratna 1998a), state that Ratnasabapathy was the founding member. Overall it can be said that four men led EROS in these early days of the insurgency: Eliyathamby Ratnasabapathy, Velupillai Balakumar, Shankar Rajee, and A.R. Arudpragasam. See Staniland 2014: 154.

50 Balasuriya 2009 Chapter 2; Marks 1996: 189.

51 Bandarage 2009: 97.

believed that the LTTE were the only Tamil militant group truly dedicated to armed struggle, while perceiving the others as likely to give into political rhetoric.⁵²

The “big five” Tamil militant groups all received backing from India following the anti-Tamil riots of 1977 and throughout the early 1980s (particularly following the 1983 “Black July” riots, on which more is said below).⁵³ In particular, the 1977 riots triggered interest across the Palk Strait, in the Indian state of Tamil Nadu, where the situation of Sri Lankan Tamils (considered as “ethnic kin” to Indian Tamils) became central to domestic politics. Around this time, and in order to appease their domestic constituencies, the leading political parties in Tamil Nadu sought to affiliate themselves with the Sri Lankan Tamil militant groups, providing money, and allowing the establishment of front offices and training bases across the state.⁵⁴ Back in Sri Lanka, violence between the many Tamil armed groups and the Sri Lankan government forces continued to intensify, exacerbated by the constitutional reforms of 1978. These reforms centralized all state power in the hands of President Jayawardene, promoted Sinhala Buddhist hegemony, and failed to adequately protect minority rights.⁵⁵ The following year, in 1979, President Jayawardene (who was leader of the UNP party) declared a state of emergency and ordered the Sri Lankan Army to deploy to Jaffna, the capital of Sri Lanka’s Tamil-dominated Northern Province.⁵⁶ The LTTE decried this move as the occupation of the Tamil motherland by a foreign army and Prabhakaran, the LTTE’s leader, subsequently fled to Tamil Nadu from where he continued to direct LTTE operations.⁵⁷

Officially, the LTTE dated the beginning of its war against the Government of Sri Lanka (GoSL) to 27 November 1982. This was the day the LTTE experienced its first death, when Lieutenant Shankar was shot and killed in Jaffna by Sri Lankan soldiers hunting for LTTE members following an attack on a police station.⁵⁸ Fighting between the LTTE and the government forces continued at a low intensity until a notable attack on 23 July 1983, when the LTTE ambushed an army convoy outside Jaffna killing 13 Sri Lankan Army soldiers. This attack was retaliation for the killing of one of the LTTE’s founding members, Charles Anthony (alias Seelan) who was part of a triumvirate that ran the LTTE in the north when Prabhakaran was away in India.⁵⁹ Notably, one of the individuals involved in the 1983 attack was Sathasivam Krishnakumar (alias Kittu), who later became the LTTE’s regional military commander of Jaffna.⁶⁰ Retaliatory anti-Tamil riots began the day after the convoy attack, spreading throughout Sri Lanka and killing somewhere in the region of 2,000 Tamils (350 according to government estimates).⁶¹

As a result of these “Black July” riots thousands of young Tamils, both male and female, flocked to the various Tamil militant groups including the LTTE, with a variety of motives

52 Furtado 2007: 79.

53 Ibid: 75-85.

54 Ibid: 72.

55 ICG 2007: 6; Prior to these constitutional amendments, Jayawardene had already amended the 1972 constitution in order to make the presidency an executive post. Under the terms of this amendment, the incumbent Prime Minister (who at the time was Jayawardene himself) became President. Jayawardene was sworn in as Sri Lanka’s first president on 4 February 1978.

56 Senaratne 1997 cited in Hopgood 2006: 48.

57 Samaranayake 2008: 218.

58 Hopgood 2006: 48.

59 The other two members of the triumvirate were Mahattaya and Ragu. See Transcurrents March 2009; Furtado 2007: 73.

60 Rajasingham 2002a.

61 Tambiah 1986: 22 cited in Hopgood 2006: 49.

including protection and revenge.⁶² India also stepped up its support for the “big five” Tamil armed groups in the wake of the 1983 riots and the Indira Gandhi government sanctioned its international intelligence agency, the Research and Analysis Wing (RAW) to arm and train the Tamil militants.⁶³ The rationale behind this move was two-fold, as the Indian government hoped that by controlling the insurgency it would be able to: (a) pressure the Sri Lankan government into making concessions for Sri Lankan Tamils, and (b) pressure the Tamil militants into accepting the concessions.⁶⁴ This two-pronged approach was deemed to be the best way to prevent similar secessionist movements from emerging in Tamil Nadu.

One year after the “Black July” riots, in April 1984, the LTTE joined a coalition of Tamil militant groups (including TELO, EROS, EPRLF, and PLOTE) known as the Eelam National Liberation Front (ENLF). This coalition did not last long, however, and the LTTE soon turned on and began to eliminate TELO, which it believed represented India's (rather than Sri Lanka's Tamil) interests.⁶⁵ In part, the LTTE's conflict with TELO arose because India tried to push the Tamil militant groups towards a political settlement in 1985. TELO which “could not survive without ammunition and funding from India” was consequently strong-armed by its sponsor into scaling down its demands for secession to autonomy, a shift which the LTTE believed undermined its own efforts for a separate state of Tamil Eelam.⁶⁶ Between April and May 1986 nearly 150 TELO members, including the group's leader, Sri Sabarathnam, were killed by the LTTE.⁶⁷ In December 1986, the LTTE also attacked training camps belonging to the EPRLF, killing several hundred EPRLF members and forcing this group to withdraw from Jaffna.⁶⁸ It was also around this time that the LTTE issued notices in Jaffna and in Madras (India) banning all PLOTE activities and demanding that all remaining Tamil militants join with the LTTE. According to one source, however, it was not uncommon for surrendering fighters, who were promised safety if they gave themselves up to the LTTE, to be massacred immediately.⁶⁹

The absorption of the remaining armed Tamil militant groups into the LTTE meant that Jaffna became an LTTE-dominated city, and that the LTTE's numbers increased to around 5,000 members in the mid-1980s.⁷⁰ During these years, some high-level LTTE members were trained in the Middle East by Palestinian groups including Al Fatah (the military wing of the Palestinian Liberation Organization) and the Popular Front for the Liberation of Palestine.⁷¹ Indeed it is widely believed that the LTTE's later use of suicide terrorism is attributable to these influences.⁷² As aforementioned, regular LTTE troops were also trained in bases along the coastline of Tamil Nadu during the early 1980s.⁷³ Indeed, between 1983 and 1987, the Indian Intelligence Agency, the Research and Analysis Wing (RAW), reportedly trained “an estimated 1,200 Tamils in the use of automatic and semi-automatic weapons, self-loading rifles, 84mm rocket launchers and heavy weapons, and in laying mines, map reading, guerrilla

62 Swamy 1994: 96-7; The 1983 riots also marked the beginning of an era in which women began to seek out more active combat roles in the LTTE (see section 5.4).

63 Furtado 2007: 74; Thompson and Turlej 2003: 41.

64 Furtado 2007: 74; See also Rao 1988.

65 Mehta 2010: 51.

66 Furtado 2007: 76-7.

67 Samaranayaka 2008: 218.

68 Thompson and Turlej 2003: 42.

69 Ibid.

70 Stack-O'Connor 2007: 47; Sardeshpande 1992: 25.

71 Hussain 2010: 397.

72 Ibid.

73 Sridhar 2008: 185.

war, mountaineering, demolitions, and anti-tank warfare.⁷⁴ This training helped the LTTE to take virtual control of the Jaffna peninsula in 1985, and also to establish its “command centre” which was believed to be in a building at Kokuvil, near the University of Jaffna campus.⁷⁵ Following the seizure of Jaffna, and from at least as early as the late 1980s, the LTTE divided its military units into regiments and smaller sub-units including brigades, and at the lowest level, squads.⁷⁶ These regiments and sub-units were spread across five different military regions, which are examined in section 5.1 below. Furthermore, at some (unknown) point in time, the LTTE also introduced a conventional system of ranks similar to the Sri Lankan national army, with three categories of enlisted ranks, non-commissioned officers, and commissioned officers.⁷⁷ Rather unconventionally, LTTE cadres also adopted aliases which were sometimes changed when an individual changed area, region, or military role, or because of de-Sanskritization initiatives within the LTTE which required that members had purely Tamil names.⁷⁸ All members of the LTTE were Sri Lankan Tamils, and the participation of other minorities, such as the Muslim or Indian Tamil communities, was either nominal or minimal.⁷⁹

Aside from the LTTE's unconventional use of aliases, between the late 1980s and the end of the Sri Lankan war, the military wing of the LTTE increasingly came to resemble that of a conventional national army, with Prabhakaran as commander in chief. Indeed, as discussed in the remainder of section 5, this transformation – from guerrilla to conventional fighting force – was particularly acute during the period of conflict commonly known as Eelam War 3 (April 1995 – February 2002).⁸⁰ The LTTE chain of military command also reflected these changes, and eventually came to consist of a deputy commander (subordinate only to Prabhakaran) and a number of special commanders in charge of specific subdivisions which were established at different points in time. By 2002, these subdivisions included the LTTE's army (the ground forces), navy (the Sea Tigers), air force (the Air Tigers), and the LTTE intelligence wing (the Tiger Organization Security Intelligence Service, TOSIS). By 1999, the LTTE also possessed a number of civilian auxiliary units (some which participated in battle, some which conducted targeted assassinations, and others which provided non-combat support) although it is unclear from the available information whether a special commander was in charge of all such civilian units. The LTTE's ground forces also evolved and by the turn of the 21st century had grown to include the Jeyanthan infantry brigade (created in 1993), the Kittu artillery brigade (the LTTE's main artillery unit), the Kutti Sri Mortar brigade, the Ponnammam mining unit, the Victor Anti-Tank and Armoured Unit, the women's Malathi and Sothia brigades, and finally, two bodyguard brigades (known as the Radha and Imran Pandian regiments). Elite army brigades were also developed and were reserved for individuals with extensive experience or specialized training. These elite brigades included the Black Tigers (a suicide commando unit, which was attached to the LTTE's intelligence wing), the Leopard commandos (sometimes known as *Chiruthaigal*), and the Charles Anthony special forces. For an overview of the LTTE's military wing and ground forces as they existed in 2002, see figures 1 and 1.1 respectively. Further discussion of the military units summarized in these figures is provided in sections 5.1 to 5.7.

74 Akhter 2007: 306 cited in Hussain 2010: 402.

75 Krishna 1999: 186-7.

76 Steven and Gunaratna 2004: 201.

77 Ibid.

78 Confidential source 2013; Jeyaraj 4 November 2012.

79 Samaranayake 2007: 174.

80 Hashim 2013: 112-113; Indeed, according to Lindberg et al 2011: 52, in the early stages of the Sri Lankan war improvised landmines were the main weapons used by the LTTE to inflict government casualties, while later, this changed to indirect artillery fire.

Figure 1:
LTTE Military Wing in 2002

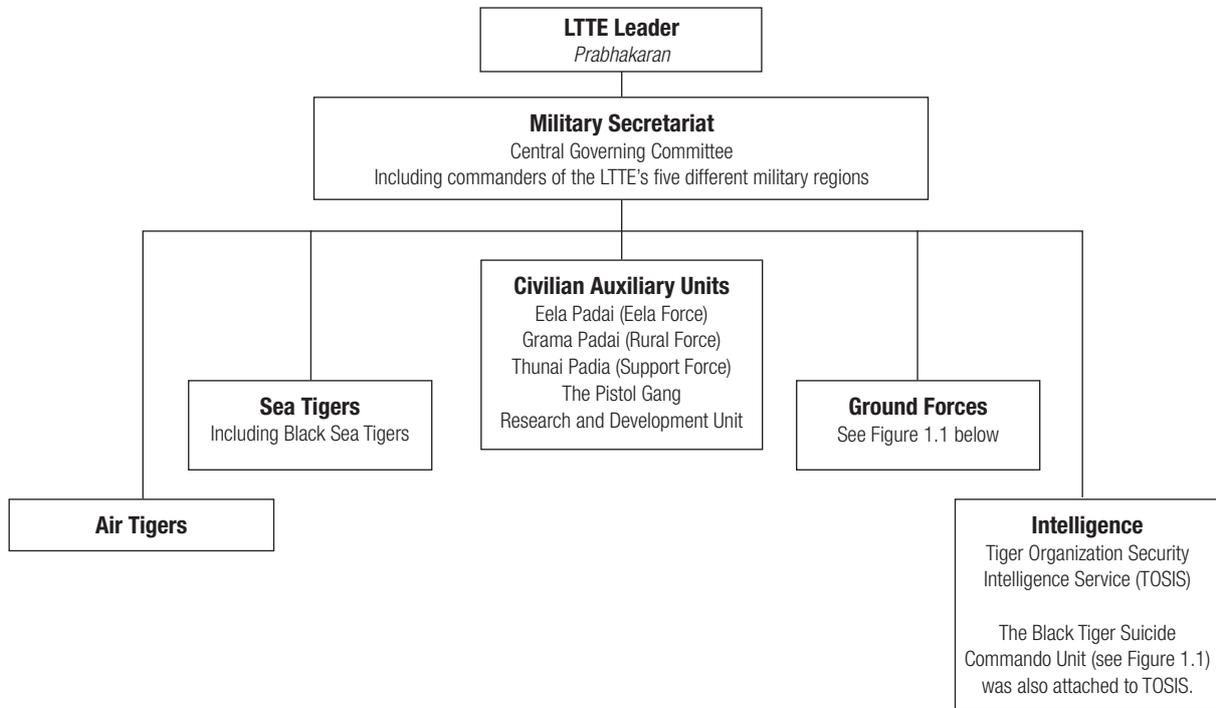
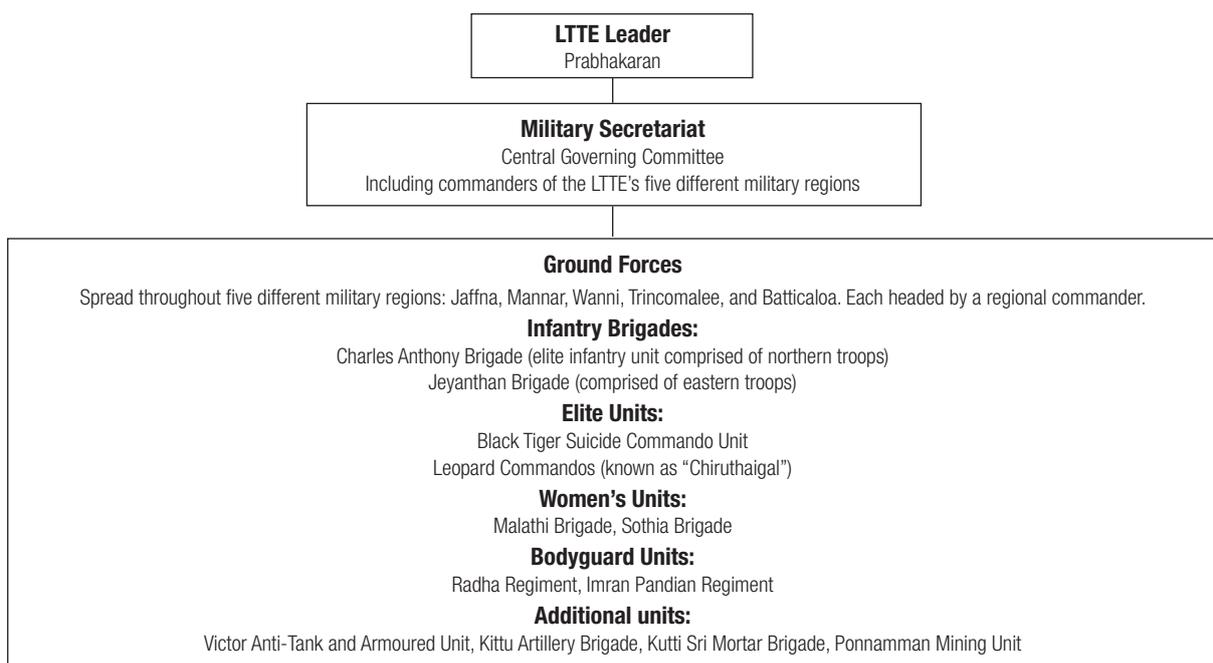


Figure 1.1:
LTTE Military Wing in 2002 – The Ground Forces



Discipline in the LTTE military wing was historically rigid and was upheld over time. Indeed, from 1976 onwards LTTE cadres were held to a strict code of moral conduct in which cigarettes, alcohol, and casual relationships with the opposite sex were strictly prohibited.⁸¹ LTTE cadres were also prohibited from becoming “too friendly” with civilians and were reportedly informed that anyone who lost their weapon (during battle or otherwise), would not be provided with a replacement.⁸² In addition to these basic regulations, the evidence suggests that LTTE cadres were required to wear a cyanide capsule in the form of a pendant at all times. Prabhakaran became aware of cyanide poisoning in 1974 through the death of Ponnudurai Sivakumaran, a member of the militant Tamil movement who committed suicide in order to avoid capture by the Sri Lankan police.⁸³ After this event, LTTE cadres who passed through military training were handed cyanide in small glass vials known as *kuppi* at a “graduation ceremony.”⁸⁴ These cadres were also instructed to commit suicide (i.e., “to bite the *kuppi*”) if they were in imminent danger of being captured so as to prevent the enemy from gaining information on the LTTE, possibly through torture.⁸⁵ As a complement to this policy, LTTE members were reportedly not permitted to leave the group without prior consent, and were prohibited from joining or organizing other armed groups.⁸⁶ Similarly, it has also been alleged that the LTTE did not allow individuals who had previously served in other armed factions to join its ranks, although exceptions to this rule appear to have been made.⁸⁷

In accordance with this strict and unwavering policy on discipline, throughout the LTTE's existence its chain of command was authoritarian and hierarchical, and all cadres were obliged to swear an oath of allegiance to the struggle for Tamil Eelam, and more particularly, to Prabhakaran.⁸⁸ From the beginning of the LTTE's military struggle, the results of all battles were faithfully passed up the command chain to senior officers who, if necessary, punished lower ranking combatants and commanders for unsatisfactory performance and for breaches of the code of conduct. All cadres were made aware of these codes and the associated punishments, which could range from mess duty to demotions in rank, during a period of basic training which could last anywhere between three and seven months.⁸⁹ This basic training, which was mandatory for both male and female LTTE cadres since at least the early 1980s (see section 5.4), mimicked the training systems used by conventional national armies and included both military and political components. With regard to the latter, political component, LTTE cadres were required to spend time reading and memorizing LTTE literature and viewing LTTE films.⁹⁰ With regard to the former, military component, basic training also required LTTE cadres to complete military exercises in physical fitness, basic infantry skills and tactics, weapons usage, parade drills, and finally, the use of code words and map reading.⁹¹ Individuals who successfully passed through basic training went on to begin advanced training and were assigned to a particular unit in order to learn a more

81 Samaranayaka 2008: 222; Sabaratnam 2011 Chapter 9: TNT Matures into the LTTE.

82 Ghosh 1999: 103.

83 Narayan-Swamy 2002 cited in Herath 2012: 133; Post 2007: 94; Roberts 2007: 4.

84 Herath 2012: 133.

85 Post 2007: 94; Roberts 2007: 6; This is not to say, however, that all cadres followed these instructions and at least some who were captured did not kill themselves.

86 Samaranayaka 2008: 222.

87 Ibid; For example, the LTTE development office (known as TEEDO) was at one point headed by a one-time senior member of EROS, Velupillai Balakumar, see Sunday Times Situation Report 2002a.

88 Hussain 2010: 397.

89 HRW 2004: 26; Ghosh 1999: 103; Balasingham 1993.

90 Singer 2006: 79; Gunaratna 2003 and Bandara 2002 cited in Herath 2012: 131.

91 Hopgood 2006: 61; Singer 2006: 79.

specialized set of skills, perhaps involving specific weapons systems, security, intelligence, or administration.⁹² Punishment was harsh for those trying to escape from LTTE training camps and military units, and could include beatings or death.⁹³

5.1 The Ground Forces and the Intelligence Wing

To structure the LTTE ground forces, at some point during the late 1970s/early 1980s, Prabhakaran divided the eight districts in the Tamil Northern and Eastern Provinces into five military regions: Jaffna, Mannar, Wannai (comprised of Vavuniya, Kilinochchi, and Mullaitivu districts), Trincomalee, and Batticaloa (including both Batticaloa and Amparai districts).⁹⁴ Each of these military regions was headed by a “regional commander” who also sat on the central governing committee and who was chosen by and reported directly to Prabhakaran. Directly underneath the regional commanders in the LTTE military hierarchy were “area commanders” who reported to the regional commanders.⁹⁵ This basic command structure remained in place as the LTTE ground forces grew and expanded over time although the demarcation of military areas and regions was sometimes changed (see below). Regional commanders reportedly maintained strict control of all supplies and ammunition given to their area commanders and it is also claimed that they maintained a sophisticated radio communications network between each of the regional commands.⁹⁶ According to one Indian military commander who was present in north-east Sri Lanka during the late 1980s, other individuals at the same tier of the LTTE's military hierarchy as its regional commanders were heads of training, logistics, communications, and political go-betweens and coordinators.⁹⁷ This source also claimed that the LTTE's area commanders existed at the same tier of the LTTE's military hierarchy as LTTE high command representatives, expert guides and navigators, special guards, tax collectors, and LTTE experts in weapons, explosives and communications.⁹⁸

The Northern Province, and Jaffna in particular, was initially the nucleus of the LTTE's activities and the majority of LTTE members originated from the Northern, rather than the Eastern Province. In particular, the LTTE initially drew its membership mostly from Velvetithurai, Vadimaratchi and Point Pedro – three major fishing villages in the Northern Province.⁹⁹ The leadership of the LTTE (including Prabhakaran, who was from Velvetithurai) and a majority of LTTE members were consequently from the same fisherman caste (Karaiyar). However, a significant number of individuals from the domestic servant caste (Koviyar) and another fisherman caste (Mukkuvar) were also represented. By 1986, the LTTE had 25 military bases and many more sub-bases within the Northern Province, both in the populated areas of Jaffna and in the thick jungles of Vavuniya.¹⁰⁰ Each of the major bases was reportedly manned by 60-70 members, while approximately 25-30 members operated from each of the sub-bases. Furthermore, by the time an Indian Peacekeeping Force (IPKF) arrived in Sri Lanka in 1987, roads approaching these bases had been fitted with hidden

92 HRW 2004: 26; Balasingham 1993.

93 HRW 2004: 28.

94 Colombo Embassy Cable 1987: Para. 4; Samaranayaka 2008: 227.

95 Al Jazeera 2009; Colombo Embassy Cable 1987 Para. 2; Hussain 2010: 397.

96 Colombo Embassy Cable 1987: Para 5.

97 Sardeshpande 1992: 25. Sardeshpande was a divisional commander in the Indian Peace Keeping Force (IPKF) dispatched to Sri Lanka in 1987. For more on the IPKF, see section 6.1.

98 Ibid: 25.

99 Samaranayaka 2008: 226.

100 Sardeshpande 1992: 28; Samaranayaka 2008: 228.

fuse-wires and Improvised Explosive Devices (IEDs) developed by the LTTE inside Jaffna University.¹⁰¹

In 1987, Jaffna was under the control of the LTTE regional military commander, Sathasivam Krishnakumar (alias Kittu).¹⁰² Kittu was, like his childhood friend Prabhakaran, a Karaiyar from Velvetithurai and, during the mid to late 1980s, was generally recognized as Prabhakaran's "enforcer" and deputy.¹⁰³ Kittu's own deputy was the LTTE spokesman for the Jaffna region, Balasubramaniam Canagaratnam (alias Rahim).¹⁰⁴ Jaffna was the district in which the LTTE suffered its highest number of casualties among regional and area commanders in the late 1980s, leading a divisional commander of the IPKF to remark that "no area commander in Jaffna ... lasted more than a month."¹⁰⁵ Kittu also suffered this fate and was seriously injured in a grenade attack on 31 March 1987.¹⁰⁶ Following this attack he moved to Madras (India) to take charge of the LTTE's propaganda office and was replaced as Prabhakaran's deputy by Gopalaswamy Mahendrarajah, alias Mahattaya, who had previously served as the regional commander of Wannai before relocating to Jaffna.¹⁰⁷ Kittu later died in 1993 when travelling on an LTTE boat which was intercepted by the Indian navy.¹⁰⁸

In 1987, the LTTE restructured its organization of the Wannai military region, appointing separate military commanders to each of Wannai's three districts – Jeyam to Vavuniya, Suseelan to Kilinochchi, and Paseelan to Mullaitivu.¹⁰⁹ Suseelan was later replaced by Velayuthapillai Baheerathakumar (alias Theepan) and, when all three districts were reunified under one command in late 1988, Kandiah Balasegaran (alias "Brigadier Balraj") was made the regional commander of Wannai with Theepan as his deputy.¹¹⁰ The regional commander of Mannar (in the Northern Province) was also changed in October 1986 after the incumbent, Lt. Col Victor was killed. Anthony Kaththiar (alias Radha) assumed the Mannar regional command and served with his deputy Shahjahan.¹¹¹ Radha had previously trained LTTE recruits in Tamil Nadu. Finally, in the Eastern Province, Batticaloa was under the regional command of Kumaran (sometimes known as Kumarappan) and Trincomalee was under the regional command of Pulendran.¹¹² However, both Kumaran and Pulendran committed suicide after they were captured by the Sri Lankan Navy in October 1987.

Prior to Kumarappan's death, he briefly shared command of Batticaloa with Shanmuganathan Sivashankar (alias Pottu Amman).¹¹³ A year later, in 1988, Pottu took over from Vasanthan as head of the LTTE's intelligence wing, a position he held until his death in May 2009. The LTTE intelligence wing, known as the Tiger Organization Security

101 Sardeshpande 1992: 32.

102 Colombo Embassy Cable 1987: Para. 6.

103 Prior to his death in 1983, Lt. Col. Seelan (real name Charles Lucas Anthony) had been Prabhakaran's number two. The Charles Anthony Brigade discussed later in this section is named after Seelan. Prabhakaran also named his eldest son Charles Anthony in honour of his fallen comrade.

104 Colombo Embassy Cable 1987: Para. 10.

105 Sardeshpande 1992: 29.

106 Rajasingham 2002a.

107 Jeyaraj 23 May 2013.

108 Rajasingham 2002a.

109 Jeyaraj 15 April 2009.

110 Ibid.

111 Colombo Embassy Cable 1987: Para. 13.

112 Rajasingham 2002.

113 The information in this paragraph and the next is taken from Jeyaraj 11 September 2009 and a confidential source published in 2013.

Intelligence Service (TOSIS) was formed in December 1983 and was originally based in Chennai. At this point TOSIS members were provided with some elementary training by the Indian intelligence agency Research and Analysis Wing (RAW), but TOSIS was not yet the LTTE's sole intelligence bureau. The LTTE had another military office in Chennai which also dealt with intelligence and which was headed by Thalayasingham Sivakumar (alias Anton Master). Prabhakaran also set up another intelligence unit called BETA-2 in Jaffna (supervised by Gopalaswamy Mahendrarajah alias Mahattaya), and Jaffna commander Kittu set up a local intelligence unit headed by Vasu. When TOSIS was relocated to Wannai (in the Northern Province) in 1987 it replaced and absorbed all other LTTE intelligence units and offices. Following the departure of the Indian Peacekeeping Force in March 1990 the LTTE established control over the entire north-east and, using Jaffna as a base, Pottu began to expand TOSIS. He appointed Bosco (alias Potko) to deal with administrative functions while Shanmuganathan Ravichandran (alias Charles, and later, alias Arulventhan) was put in charge of "external operations," i.e. attacks outside of the Tamil Northern and Eastern Provinces of Sri Lanka. It should also be noted that between 1987 and 1990, the number of members comprising the entire LTTE organization had increased, reportedly to almost 10,000.¹¹⁴

In 1993, TOSIS was divided into two divisions – the national intelligence division and the military intelligence service. The national intelligence division had five known departments: 1) the intelligence gathering section headed by Kapil Ammam who was also the deputy chief of intelligence, 2) the research and publications department headed by Maathavan master, 3) the special operations department led by Janan master which included the Black Tigers suicide unit (the Black Tigers are discussed in section 5.3), 4) the training and technology department commanded by Aathavan master, and 5) the administrative department under Shankar. While Pottu remained in overall command, Sashikumar (alias Sashi master) was placed in charge of the military intelligence service. Sashi remained in this position until 2004 when Prabhakaran appointed Charles in his place, but was later reappointed when Charles was killed by the Sri Lankan Army in January 2008. Like the national intelligence division of TOSIS, the military intelligence division had five known departments: the special reconnaissance department initially headed by Charles and later by Irathinam Ammam, the administrative department supervised by Sashi master, and three military intelligence gathering units for the LTTE army, navy and air force.

In essence, the expansion of TOSIS mirrored the enlargement of the LTTE forces which continued to grow throughout the 1980s and early 1990s. Following the Black July riots of 1983, Prabhakaran allegedly asked Basheer Kaka, an LTTE commander from Trincomalee, to establish a training base in Pondicherry in Tamil Nadu for recruits aged 15 and under.¹¹⁵ According to one report, as soon as these youngsters turned 16 they were then subjected to the LTTE's standard training for adult combatants.¹¹⁶ Some members of this first Pondicherry batch went on to serve as bodyguards for Pottu Amman (the aforementioned TOSIS head) and Prabhakaran (the LTTE leader). One, known as Vinayagamoorthy Muraleetharan alias Karuna Ammaan went on to become the LTTE's longest serving regional commander, commanding Batticaloa (and later Amparai District) from 1987 until his defection to the Sri Lankan government in 2004 (for more on this latter point, see section 7).¹¹⁷ Karuna Ammaan was also instrumental in raising troops for the LTTE's second infantry brigade – known as

114 Hussain 2010: 403.

115 Gunaratna July 1998.

116 Ibid.

117 Sanjaya 15 March 2009.

the Jeyanthan brigade – which was reportedly created on 4 May 1993.¹¹⁸ The Jeyanthan brigade was made up of fighters from eastern Sri Lanka (notably from Karuna's home turf of Batticaloa-Amparai) and, at its inception, the brigade contained approximately 1,500 soldiers who were given massed infantry training at the Jeyanthan base in Eluthumadduvan.¹¹⁹

Unlike the Jeyanthan unit, the LTTE's first infantry brigade was created in 1991 and was comprised of troops from the north. Known as the Charles Anthony Brigade this infantry brigade participated in major combat operations and was also responsible for Prabhakaran's security.¹²⁰ The regional commander of Wannu, Kandiah Balasegaran alias "Brigadier Balraj" was appointed as commander of the Charles Anthony Brigade in 1992. Theepan, who had previously served as Balraj's deputy, subsequently took over the Wannu command. In 1993 Balraj left his position as Charles Anthony commander to replace Mahattaya and become deputy military commander of the LTTE, subordinate only to Prabhakaran.¹²¹ He retained this position until his death on 20 May 2008. After Balraj, Velayuthapillai Sivakumar (alias Kilman) was sent to Trincomalee to command the Charles Anthony Brigade, which was also later led by Sivaram, Vimal, and Amirthap (alias Amuthab).¹²²

Aside from the Charles Anthony and Jeyanthan infantry brigades the LTTE also developed artillery units at some point after 1995, just as the LTTE was increasingly improving and extending its conventional (rather than guerrilla) fighting capabilities.¹²³ Sivanadan Somasekaran (alias Colonel Banu or Bhanu), who would later become special commander for Batticaloa following Karuna's defection, was initially asked to set up regular LTTE artillery units by Prabhakaran.¹²⁴ Colonel Banu complied and these formations, which were first used during a period of heavy fighting in 1998-9, were named the Kittu Artillery Brigade, after the deceased former Jaffna commander, Sathasivam Krishnakumar (alias Kittu). The LTTE initially gained its artillery from raids on the Sri Lankan Army and from procurement on the black market, but some artillery was also 'home-made' in the LTTE's own ordnance factories.¹²⁵ This was also true for at least some of the mines and mortars used by the LTTE's Ponnammam Mining Unit and Kutti Sri Mortar brigade, and the latter brigade was named after Kutti Sri, the individual who invented the LTTE's 155mm mortar.¹²⁶ In contrast, Ponnammam (real name Kugan Yogaratnam) was an LTTE cadre killed on 14 February 1987, and the brother of Yogaratnam Narendran (alias Yogi) who was secretary general of the LTTE's first political party (see section 6).¹²⁷ In 2009, the Ponnammam Mining Unit was led by Asmi, whereas the Kutti Sri Mortar Brigade was led by Gopal (whose aliases were Dusiyanthan and Nadarasa).¹²⁸

Finally, in terms of ground forces, the LTTE army also included an elite "Leopard" brigade, otherwise known as *Chiruthaigal*, which had a reputation for being the fiercest fighting unit

118 Ibid.

119 TamilNet 5 May 2005.

120 Marsh 2006: 3-4 cited in Hussain 2010: 397.

121 Jeyaraj 23 May 2013.

122 Jeyaraj 15 April 2009; Sunday Times Situation Report 2004; Jeyaraj 29 November 2008; South Asia Terrorism Portal 2009.

123 Hashim 2013: 112-3.

124 Ibid.

125 Ibid; Transcurrents February 2008; Lindberg et al 2011: 52-59.

126 Gunaratna 1987: 47.

127 Transcurrents February 2008.

128 Jeyaraj 10 April 2009.

within the organization.¹²⁹ It included experienced fighters from other LTTE units and youth from LTTE-managed orphanages who were given extensive training. These orphanages included “San Cholai,” which housed female children and was established in March 1972, and “Kantha Ruban,” which housed male children.¹³⁰ San Cholai was at one point run by a female former LTTE cadre, Janani Akka, while Kantha Ruban was at one point run by a Black Tiger cadre, Puviarasan.¹³¹

5.2 The Naval Wing

In addition to the ground forces, the LTTE also possessed a naval wing known as the Sea Tigers. The LTTE's nascent navy emerged in 1984 because of the need to transport weapons, supplies, and fighters back and forth between southern Tamil Nadu and Northern Sri Lanka.¹³² Initially motorized fishing boats were used for this purpose and were manned by LTTE members who had long been part of fishing communities in the north, including in Velvetithurai and Vadamaratchy. In 1991 two events led to the drastic expansion of the LTTE navy and the formation of the “Sea Tigers” as a self-contained unit in July 1992.¹³³ Firstly, the LTTE assassinated Indian Prime Minister Rajiv Gandhi, an event which made it more difficult for the LTTE to rely on supplies from Tamil Nadu. Secondly, in 1991 the LTTE was forced to call off a siege on a Sri Lankan Army base in Elephant Pass (a strategically crucial, narrow causeway that links the Jaffna peninsula to the rest of Sri Lanka) largely because the Sri Lankan Navy ferried in army reinforcements. Following this latter defeat Prabhakaran expanded the Sea Tigers fleet to eventually include ocean-going cargo vessels, well-armed gunboats, fast attack crafts, oil tankers and troop carriers.¹³⁴ These vessels were used to carry supplies and weaponry, to transport LTTE cadres in and out of battle zones, and to prevent the Sri Lankan Navy from landing reinforcements. All in all, the Sea Tigers grew to possess somewhere between 2,000 and 4,000 members (many of whom were female) and had major bases in and around the Sri Lankan coasts of Mullaitivu and Mannar.¹³⁵ Initially Prabhakaran appointed Gangai Amaran as commander of the Sea Tigers and Thillaiambalam Sivanesan (alias Soosai) as special commander.¹³⁶ Soosai had previously served as the Vadamaratchy area commander under Kittu and, following Amaran's death in June 2001, he commanded the Sea Tigers until he was killed in Mullaitivu in May 2009.¹³⁷ Soosai's deputy was Cheliyan who was killed a year earlier, in 2008.¹³⁸

129 Ibid; Gunaratna July 1998.

130 Herath 2012: 106; LTTE Peace Secretariat 2006: 31.

131 Sunday Times Situation Report 2002; It should also be noted that the San Cholai orphanage was bombed by the Sri Lankan Air Force on 14 August 2006, despite the fact that the area had been designated a humanitarian zone by UNICEF and the ICRC. 53 school girls and 3 staff were killed. These humanitarian agencies claimed that the children were not LTTE cadres, however, the Sri Lankan government claimed that the area was a known LTTE training ground. See Tamil Guardian 14 August 2011.

132 Sridhar 2008: 185.

133 Mehta 2010: 56.

134 Sridhar 2008: 186.

135 Mehta 2010: 56-8; Sridhar 2008: 192; Some argue that the Sea Tigers were predominantly female, see Liyange 1999: 216 cited in Alison 2009: 127.

136 Sridhar 2008: 186.

137 Jeyaraj 30 January 2012.

138 Weerakoon 2008.

According to one source, the Sea Tigers were organized into at least 12 distinct sections: 1) the sea battle regiments, which were deployed for all surface battles requiring marine weapons, 2) underwater demolition teams, 3) Sea Tiger strike groups, 4) the marine engineering and boat building team, 5) the radar and telecommunications unit, 6) the marine weapons armoury and dump group, 7) the maritime school and academy - headed by Gangai Amaran and established in the early 1990s, this unit trained LTTE recruits joining the Sea Tigers, 8) the recruiting section, 9) the political, finance, and propaganda section, 10) the reconnaissance team and intelligence section, 11) the welfare and registry section (caring for the families of cadres), and 12) the Exclusive Economic Zone - Maritime Logistics Support Team (EEZ-MLST).¹³⁹ This last EEZ-MLST section also had ties to the LTTE's "KP branch," which was involved in weapons procurement and which is discussed in section 6.1.4.

5.3 The Black Tigers Suicide Commando Unit

Members of the Sea Tigers were also found within the LTTE's Black Tiger suicide commando unit. The emergence of the Black Tiger unit, which initially contained only ground troops, is typically associated with the death of Vasanthan Vallipuram (alias Captain Miller). On 5 July 1987 Captain Miller willingly killed himself by driving an explosives-laden truck into a Sri Lankan Army camp in Nelliady, in the north of the Jaffna peninsula.¹⁴⁰ This suicide mission left 55 dead and halted the SLA's planned capture of Jaffna, although it is unclear whether the Black Tigers unit was operational prior to this attack or was developed in its aftermath.¹⁴¹ As discussed in section 5.1, the Black Tiger unit was attached to the special operations department of the LTTE's intelligence wing, the Tiger Organization Security Intelligence Service (TOSIS). According to a former LTTE cadre, TOSIS provided the intelligence needed to conduct suicide attacks such as when the head of this special operations department, Janan Master, planned the assassination of Sri Lankan President Ranasinghe Premadasa.¹⁴² Premadasa was killed by a Black Tiger suicide bomber in 1993.¹⁴³

The creation of the Black Tigers has been attributed to the fact that, after 1983, the Sri Lankan government established an economic blockade which made it considerably harder for the LTTE to obtain the raw materials necessary to manufacture weapons.¹⁴⁴ In addition, in mid-1987 the Sri Lankan Army launched a major offensive, Operation Liberation, with increased troop numbers and air and naval power. This offensive involved the establishment of SLA camps, such as the one attacked by Captain Miller, which were difficult for the LTTE to access and take down in a more conventional manner, particularly given its lack of heavy weaponry.¹⁴⁵ Prabhakaran was also known to be influenced by the activities of the Indian National Army, led by Subash Chandra Bose, which organized suicide attacks against British rulers in India during the 1940s.¹⁴⁶ While the INA utilized suicide belts, the LTTE pioneered the use of the suicide jacket, which was a vest composed of several bombs which could be easily worn by a lone assassin.¹⁴⁷ In addition to targeted assassinations and bombings,

139 Jane's Intelligence Review 2001.

140 Mehta 2010: 75.

141 Perera 2006.

142 LTTE Insider 9 March 2009; Sources close to the Sri Lankan government also attribute the planning for the Premadasa assassination to Janan Master. See Current Affairs 9 March 2000.

143 Gunaratna 2000.

144 Hopgood 2006: 51.

145 Ibid: 46.

146 Herath 2012: 135.

147 Hussain 2010: 400.

the Black Tigers also engaged in conventional warfare (on land, and later at sea) and in guerrilla attacks.¹⁴⁸

The naval suicide contingent of the Black Tigers unit, known as the Black Sea Tigers, was established in 1990 and was thought to contain somewhere in the region of 100-200 fighters.¹⁴⁹ Much like the Black Tiger ground forces, the Black Sea Tigers were also established because the LTTE did not have sufficient heavy weaponry to counter the Sri Lankan Navy's heavily-armed, Israeli-built Dvoras and Super Dvoras.¹⁵⁰ As these vessels were able to absorb heavy punishment, the LTTE opted to destroy them by triggering massive explosions. To do this, the Black Sea Tigers used small boats packed with explosives to ram into their targets under the cover of fire from other boats.¹⁵¹ Sri Lankan supply vessels and troop carriers were also targeted in this manner. According to a number of sources, all Black Tigers (both land and sea cadres) were recruited in one of three ways.¹⁵² Existing LTTE members could volunteer by writing a letter to Prabhakaran, or alternatively, highly-motivated cadres could be selected by LTTE leaders. Non-LTTE members could also be recruited for specific missions. Once selected, Black Tigers reportedly underwent a six-month period of arduous and specialized training at a place known as "Red Garden" in the Mullaitivu forest.¹⁵³ This training was designed to instil discipline and build mental strength. One academic source also states that the identity of Black Tigers would be kept secret from other LTTE members and that, after training, Black Tigers would return to their regular units until called up for a particular mission.¹⁵⁴ At this point they would take regular leave and their identity would be revealed only after their death. Otherwise, if they survived, they would simply return to their unit. In 2003, a senior LTTE commander claimed that there were at least 500 Black Tigers ready to go into action and an additional estimate in 2004 put the numbers at 404 Black Tigers (312 men and 92 women) and 174 Black Sea Tigers (152 men and 22 women).¹⁵⁵

5.4 The Women's Wing

Women's involvement in the Black Tigers and Black Sea Tigers paralleled their involvement in all other areas of the LTTE military wing. Indeed, over time, the LTTE progressively divided its military units by gender, and separate women's units came to have their own female commanders such as those in charge of women's infantry brigades and the women's intelligence unit.¹⁵⁶ The gender separation between male and female LTTE cadres was necessary in order to uphold the cultural norm of pre-marital separation between the sexes in Tamil civilian life.¹⁵⁷

All fields of combat were eventually open to female LTTE combatants and in 1989 women were recruited into the LTTE naval unit which was later to become the Sea Tigers.¹⁵⁸

148 Hopgood 2006: 44.

149 Mehta 2010: 57.

150 Mehta 2010: 57.

151 Sridhar 2008: 187.

152 Stack-O'Connor 2007: 53; Hopgood 2006: 60; Pratap 2001: 137 cited in Herath 2012: 137.

153 Ambalavanar Sivarajah 1995 cited in Ramasubramanian 2004: 10.

154 Hopgood 2006: 64.

155 Perera 2006; Ramasubramanian 2004: 25.

156 Gunawardena 2006: 82; Balasingham 1993.

157 Balasingham 2003: 79 cited in Herath 2012: 99; Trawick 1997: 162.

158 Ramasubramanian 2004: 11; Jordan and Denov 2007: 46 cited in Wang 2011: 102.

According to Adele Balasingham, who was heavily involved in female LTTE participation, the women's wing - which was made up of various women's units - also expanded to include an anti-tank unit, a heavy weapons unit, and an anti-aircraft unit.¹⁵⁹ The LTTE was not the first Tamil militant group to recruit women into active combat roles. The aforementioned PLOTE and EPRLF (discussed in section 5) did so prior to the LTTE.¹⁶⁰ However the LTTE quickly came to realize that female cadres offered a tactical advantage, in that women often generated less suspicion and had greater freedom of movement than young Tamil men.¹⁶¹ This was especially useful for the suicide operations discussed in the previous section.

Women first joined the LTTE following its emergence in 1976 but were initially restricted to the women's political wing.¹⁶² These early members collected funds for the LTTE, undertook secretarial duties, nursed injured cadres, and spread LTTE propaganda by going from house to house.¹⁶³ The women's political wing was named after one of these pieces of propaganda, a journal known as "*Suthanthirapparavaigal*" ("Freedom Birds") which was produced by female LTTE members.¹⁶⁴ According to testimonies from female ex-LTTE fighters, women initially began to demand more active combat roles in the LTTE in 1983, following the Black July riots and the associated violence (including rape) which was perpetrated against Tamil women.¹⁶⁵ Crucially these demands also came at a time (in the early 1980s) when the LTTE had just experienced a relatively large number of battle deaths among male combatants, and when the Sri Lankan government was simultaneously attempting to reduce the pool of young males available for LTTE armed service by arresting and detaining male Tamils between the ages of 14 and 40.¹⁶⁶ While women were initially put on a waiting list for military service, the LTTE soon allowed greater women's participation in combat roles in order to help fill its growing manpower deficits.¹⁶⁷ Two independent academic sources have also argued that competition between the many Tamil militant groups in existence at that time - and the commensurate need to take support away from rival groups - also encouraged the LTTE to permit the participation of female fighters.¹⁶⁸

In 1983, in response to these strategic needs and women's demands for more active participation, the LTTE founded its first combat unit for women known as the Women's Front of the Liberation Tigers (*Vituthalai Pulikal Munani*).¹⁶⁹ Subsequently, in 1984, a first batch of potential female combatants was selected and, during the following year, provided with six months of military training in Tamil Nadu.¹⁷⁰ This military training included three months of basic training followed by three additional months of advanced training. Although this military instruction was identical to the training provided to male LTTE combatants, the LTTE male leadership remained uncertain of the women's capabilities and did not use female fighters in active combat until October 1986. During this first operation against the Sri Lankan Army in Adampan, the first women's combat unit was placed under the control

159 Balasingham 1993; Adele Balasingham was also the wife of the LTTE's chief theoretician, Anton Balasingham.

160 Stack-O'Connor 2007: 46.

161 Ibid: 47; Wang 2011: 103.

162 Jeyaraj 29 June 2013.

163 Stack-O'Connor 2007: 44; Wang 2011: 101.

164 Jeyaraj 29 June 2013.

165 Alison 2003: 39-44; Stack-O'Connor 2007: 44, 55; Wang 2011: 103-4.

166 Stack-O'Connor 2007: 47; According to Wang 2011: 102 "the LTTE reported the organization lost 860 male soldiers (about 8 per cent [of its total membership]) between 1982 and 1987."

167 Jeyaraj 29 June 2013.

168 Stack-O'Connor 2007: 48; Wang 2011: 103.

169 Alison 2003: 38-9; Wang 2011: 102.

170 Balasingham 1993; Alison 2009: 127; Jayamaha 2004: 6.

of the male regional commander of Mannar, Lt. Col. Victor.¹⁷¹ As discussed in section 5.1, Victor was killed during the Adampan battle.

On 1 July 1987 a camp site was set up in the Jaffna peninsula and a second batch of female combatants received military training, notably this time from LTTE women rather than men.¹⁷² During this period, eastern Tamil women who wanted to participate in combat had to move to the northern training camps. For those women remaining in the east, the LTTE provided some basic weapons training and the first eastern military camp for women was eventually established in August 1990. In the mid-1980s and particularly during the period in which the IPKF was present in the north-east (1987-1990), eastern women also began to engage in intelligence gathering activities.

Subsequent increases in the numbers of female combatants, coupled with the success and self-reliance of female fighters in combat prompted a shift in which female LTTE commanders began to assume control over women's military units and training. The first all-women's military unit was inaugurated under the command of Maria Vasanthi Michael (alias Sothia) on 26 September 1989.¹⁷³ This Sothia brigade had its own female hierarchy which was separate, but parallel, to the male army hierarchy. Following Sothia's death from illness on 11 January 1990, the Sothia brigade was led by Akila Akka, and later by Kalaichelvi Ponnuthurai (alias Thurga) and her deputy Mohanaa.¹⁷⁴ The women's wing was also expanded to incorporate a second brigade - the Malathi brigade - which was named after the first female fighter killed in combat in 1991.¹⁷⁵ In the final days of the LTTE's military struggle this brigade was led by Kandiah Gnanapoorani (alias Vithusa) and her deputy, Kamalini.¹⁷⁶

5.5 The Air Force

One of the last additions to the LTTE military wing was an air force, known as the Air Tigers. This air division was founded and commanded by Vythialingam Sornalingam (alias Colonel Shankar), a former aeronautical engineer with Air Canada.¹⁷⁷ According to a journalist for the Indian daily newspaper, the *Hindustan Times*, Shankar led the Air Tigers until his death in 2001 when control was later passed to Achchuthan.¹⁷⁸ The LTTE formally established its air force in 1995 although preparations to develop Tiger air capabilities allegedly began as early as 1984 when guerrilla cadres began joining flying schools in the United Kingdom and France.¹⁷⁹ At this time (i.e., in the mid-1980s) the LTTE also acquired Microlights (i.e., ultra-lightweight aircraft) and at least two US-built Robinson R44 helicopters.¹⁸⁰ By 1996 reports on Tamil websites and from Sri Lankan Navy officials indicated that the LTTE had constructed an airstrip in a captured Sri Lankan Army base in Mullaitivu.¹⁸¹ The Sri Lankan government

171 Balasingham 1993.

172 This paragraph draws on Balasingham 1993.

173 Ibid.

174 Jeyaraj 4 June 2010; Jeyaraj 29 June 2013.

175 Balasingham 1993.

176 Jeyaraj 29 June 2013.

177 Roberts 2007: 28; Manoharan 28 April 2005.

178 Balachandran 21 August 2010.

179 Sunday Times Situation Report 8 April 2007.

180 Ibid.

181 TamilNet 28 November 1998; Eelam View 30 September 2012.

also accused the LTTE of maintaining a 1,250m airstrip in this area much later in 2005.¹⁸² Additional LTTE airstrips were also sighted by local media and Norwegian observers in 2005 in Iranamadu (south of the LTTE's base in Kilinochchi in northern Sri Lanka) and in 2007 in Puthukkudiyiruppu (northern Sri Lanka).¹⁸³ As aforementioned, LTTE pilots are thought to have trained at flying clubs in France and the United Kingdom, and Tamil expatriates associated with foreign airlines are believed to have provided additional assistance.¹⁸⁴ The Air Tigers also received support from the LTTE's naval wing which reportedly shipped propeller planes piece by piece from Indonesia.¹⁸⁵ Other aircraft were allegedly smuggled into LTTE territory from a flying club in South Africa.¹⁸⁶

5.6 Bodyguard Units and the Victor Anti-Tank and Armoured Unit

An even later addition to the LTTE military wing than the LTTE air force was the Radha regiment, which provided personal security to the LTTE leader Prabhakaran and which, for these purposes, engaged in intelligence gathering and aerial surveillance.¹⁸⁷ The Radha regiment was created in 2002, based in Visuvamadu, and named after Radha (real name Anthony Kaththiar, the aforementioned Mannar regional commander) who was killed in Navatkuli in May 1987.¹⁸⁸ The long-time head of this unit was Rathnam (Ratnam) Master, an LTTE intelligence officer.¹⁸⁹

Bodyguard services had been utilized in the LTTE since the 1980s and particularly during the IPKF period (1987-1990) when Prabhakaran instructed Soosapillai Joseph Anthonydas (alias Colonel Sornam, the later regional commander of Trincomalee) to train a protection unit.¹⁹⁰ This was followed, on 2 October 1992, by the establishment of the Imran Pandian regiment which was tasked with defending Prabhakaran and which, in common with the later Radha regiment, was also based in Visuvamadu.¹⁹¹ The Imran Pandian regiment was headed by one of Prabhakaran's former bodyguards, Gaddafi, whose aliases were Viduthalai and Amuthan.¹⁹² In 2006, the SLA identified Amirthap (alias Amuthab, the one-time head of the Charles Anthony Brigade) as "special leader" of the Imran Pandian regiment and, upon the deaths of both Gaddafi and Amirthap in Puthukkudiyiruppu in March 2009, the regiment was believed to be headed by Velavan (the Kilinochchi district military chief).¹⁹³ Prior to his death, Gaddafi had also reportedly been in charge of the LTTE's Victor Anti-Tank and Armoured Unit which was a sub-division of the Imran Pandian regiment until it became autonomous sometime during 1997-8.¹⁹⁴ When the Victor Unit began to function independently it was handed over to a new chief, a Batticaloa Tamil known as

182 Jane's Intelligence Watch 26 March 2007.

183 Agence France-Presse 27 May 2005; Eelam View 30 September 2012.

184 Hussain 2012.

185 Roul 2007.

186 Ibid.

187 Confidential source 2013; Fuard 8 February 2009.

188 Fuard 8 February 2009.

189 Confidential source 2013; Jeyaraj 10 April 2009.

190 Confidential source 2013.

191 Ibid.

192 Jeyaraj 10 April 2009; Sri Lankan Army 2009.

193 Confidential source 2013.

194 Jeyaraj 19 October 2006; Defense Wire 4 March 2009.

Colonel Akbar, who managed the unit until his death in October 2006.¹⁹⁵ According to one report, the Victor Anti-Tank and Armoured Unit was generally known among LTTE cadres as the “RPG Commando.”¹⁹⁶ This report also states that members of the Victor Unit wore horizontal (rather than vertical) stripes on their uniforms, and that these members included Colonel Manivannan, Lieutenant Colonel Chutta, and R. Pageerathan (alias Ilango).¹⁹⁷

5.7 Civilian Auxiliary Units

In addition to the aforementioned military units, it should also be noted that, from 1999, “civilian militias” also supported the LTTE’s regular military cadres.¹⁹⁸ Although little published information is available on these civilian auxiliary formations, they were reportedly made up of both male and female civilians who were given basic military training, physical training, and who were also sometimes trained in casualty evacuation techniques.¹⁹⁹ Three people’s militias (also sometimes known as “special task forces”) were formed at this time, including the Eela Padai (Eela Force), Grama Padai (Rural Force), and Thunai Padai (Support Force). When the LTTE overran the Elephant Pass military complex in early 2000, these militias were allegedly deployed to collect weapons left behind by the troops and to evacuate the LTTE’s injured cadres.²⁰⁰

The Eela Padai was composed of roughly 5,000 civilians who initially acted as home guards and who also sometimes ran various LTTE-owned commercial ventures.²⁰¹ Later these militia members, who are believed to have received a monthly salary of 2,500 Rupees from the LTTE, were reportedly used for both offensive and defensive operations in Wannai.²⁰² The Grama Padai was also made up of roughly 5,000 members and, in common with the Eela Padai, its members also allegedly fought alongside regular LTTE military units in order to help resist the SLA’s advances into LTTE dominated territory in the north.²⁰³ According to an independent analysis group made up of academics and analysts from the Sri Lankan diaspora, Grama Padai members were also involved in LTTE logistics.²⁰⁴ By 2005-6, several civilian militias had reportedly been established in Wannai and, on 30 June 2006, a “passing out parade” was conducted for 6,000 individuals who had completed their training under the LTTE’s “civilian volunteer force program.”²⁰⁵ These individuals were allegedly drawn from the peasantry of the Muttur-Ichchilampattu area.²⁰⁶

Prior to the use of formal civilian militias, the LTTE made use of “Podians” or civilian “helpers.”²⁰⁷ Podians were sometimes school children or older youth who were summoned by the LTTE, trained in the use of a pistol, and tasked to commit hit-and-run assassinations.

195 Jeyaraj 19 October 2006.

196 Ibid.

197 Ibid.

198 Sunday Times Situation Report 2002a.

199 Ibid.

200 Ibid.

201 Ibid; Independent Diaspora Analysis Group – Sri Lanka (IDAG-S) 2013: 7.

202 According to today’s currency conversions, 2,500 Rupees is roughly equivalent to 19 USD. However, this dollar amount was likely to have been much higher in 1999.

203 Independent Diaspora Analysis Group – Sri Lanka (IDAG-S) 2013: 7.

204 Ibid.

205 Peiris 2009: 216.

206 Ibid.

207 Sardeshpande 1992: 25-6.

Often the targets of these assassinations were fellow Tamils who were opposed to the LTTE's political work.²⁰⁸ Podians also helped in other, more mundane areas, including the dissemination of information, the collection of taxes, and the provision of supplies and shelter to LTTE cadres.²⁰⁹ While this help could be provided on a one-time basis, it could also be more regular and could be provided individually or in groups. The LTTE also eventually provided at least some regular salaried positions to civilians working to support the LTTE military. An example is provided by the roughly 100 paid members of the LTTE's research and development unit.²¹⁰ This unit reportedly operated out of Mangai Tikkam under Moorthy Master (alias Major Moorthy, who was later killed in Mullaitivu), and was particularly involved in maritime development including the construction and modification of boats, the maintenance and repair of boat engines, and the drawing up of blueprints for new vessels.²¹¹

5.8 Forced and Voluntary Recruitment (Adult and Child Soldiers)

During the early years of the LTTE it can be said that much recruitment into the group was voluntary. As described in section 5, thousands of young Tamils, both male and female, flocked to Tamil militant groups, including the LTTE, following the “Black July” anti-Tamil riots in 1983.²¹² While the Government of Sri Lanka (GoSL) portrayed the 1983 riots as a spontaneous response to the LTTE's killing of 13 Sri Lankan Army soldiers, most Tamils argued that the violence was state-sanctioned.²¹³ As a result, in the aftermath of the riots, many moderate Tamils came to believe that peaceful co-existence with the majority Sinhalese was no longer possible. Of these individuals, at least some opted to pick up arms and fight often motivated by Tamil nationalism and a desire to protect themselves against anti-Tamil violence. For the Tamil women who joined the LTTE at this time, and who often shared the motives of their male counterparts, the desire for protection also included the desire to be free from sexual violence. Indeed, throughout the 1980s and beyond, at least some women who feared rape, or who were victims of rape by members of the Sri Lankan military and the Indian Peacekeeping Force (IPKF), volunteered to join the LTTE.²¹⁴ The LTTE also encouraged this recruitment by taking a non-traditional view of women who had suffered sexual abuse. While the views held in traditional Tamil culture stipulate that raped women are “polluted” and are therefore to be socially ostracised by both village and family members, the LTTE accepted rape victims without stigma, offering protection, empowerment and the means to fight back.²¹⁵

As discussed in section 5.4, the LTTE's acceptance of women as combatants in the mid-1980s was partly attributable to battle deaths and manpower deficits, intra-Tamil competition among militant groups, and GoSL policy. Indeed, as the Sri Lankan government moved to reduce the LTTE's potential recruitment pool by detaining young Tamil men between the

208 Jayawardhana 30 August 2007.

209 Sardeshpande 1992: 25-6.

210 Steven and Gunaratna 2004: 201.

211 Ibid.

212 Swamy 1994: 96-7; Stack-O'Connor 2007: 45.

213 Jayamaha 2004: 4; See also Tambiah 1996: 95-100.

214 On women's motives see Gowrinathan 2013; Stack-O'Connor 2007: 56; Alison 2003: 39-44; Rajasingham-Senanayake 2000: 8.

215 Stack-O'Connor 2007: 56; Herath 2012: 129.

ages of 14 and 40, female recruits voluntarily came forward to fill the gaps.²¹⁶ It was also around this time, in October 1987, that the LTTE declared war against the 100,000 strong IPKF. To boost its numbers for the impending IPKF battle, the LTTE began to systematically recruit not only women, but also children, including both boys and girls.²¹⁷ Prior to this date the LTTE had trained only one “under 16s” brigade in Pondicherry, India, and these young recruits, who are sometimes referred to as “tiger cubs” in Sinhala nationalist propaganda, initially received primary education and took part in physical exercise classes.²¹⁸ When these ‘cadets’ turned 16, however, they were then subjected to the LTTE’s regular adult military training. In order to prepare for the IPKF war, the LTTE augmented its underage recruits by training one further children’s unit known as the “Batticaloa 13th Batch,” which was made up of children between the ages of nine and 15.²¹⁹ While all child fighters were initially placed into one brigade commanded by Justin, a Pondicherry trained fighter, these children were later dispersed throughout the LTTE’s adult units.²²⁰

The recruitment of children was partly voluntary but also partly forced. In the years following the IPKF’s withdrawal the LTTE gained territory and set up its nascent civilian administration, including its own education sector, throughout Jaffna and Kilinochchi (see section 6.1.3 below). Children attending schools in these areas participated in the LTTE’s Student Organization of Liberation Tigers (SOLT) and were taught a history of Sri Lanka which promoted the LTTE’s mandate and quest for separatism.²²¹ These initiatives were supported by the LTTE’s cultural section which was reportedly headed by Pudukai Ratnadurai.²²² LTTE members also regularly visited the schools in areas under LTTE control to screen videos of successful LTTE missions and atrocities perpetrated against Tamils.²²³ Teachers complied with the LTTE during these recruitment sessions or were forced out. In 1994, it was also reported that children in LTTE-run schools “spend one or two hours per day out of school digging bunkers as a form of militarized civic duty and are eventually asked to join the LTTE. Enlistment is supposedly voluntary, meaning that no one is physically threatened. However, families are menaced with property confiscation or physical violence if they appear unwilling to contribute their sons for the cause.”²²⁴

Not all LTTE recruitment was forced, however. Indeed, seeing that the LTTE gave preferential treatment to the family members of combatants, some parents of low income families felt compelled to let their children go to the LTTE “in order to be fed.”²²⁵ The LTTE’s “great hero families” (i.e., the families of fallen LTTE combatants, known as *Maaveerar*) paid no LTTE taxes (see section 6.1.4), received prestige and preferential treatment in job interviews, and were allocated special seats at all LTTE functions, including the annual “Heroes’ Day” held every 27 November.²²⁶ The immediate family members of Black Tigers also reportedly received financial assistance and employment opportunities in the LTTE, and, in addition, it has been alleged that the family members of LTTE child combatants

216 Stack-O’Connor 2007: 47.

217 Child Soldiers Global Report 2001; Gunaratna 1998.

218 The term “tiger cub” was reportedly not used by the LTTE.

219 Gunaratna 1998.

220 This underage brigade has been nicknamed the “Baby Brigade,” although this term was not used by LTTE members.

221 Gunaratna 1998.

222 Ibid.

223 Child Soldiers Global Report 2001.

224 Goodwin-Gill and Cohn 1994 cited in Gunaratna 1998.

225 Ostberg cited in Gunaratna 1998.

226 On Heroes’ Day, see Jeyaraj 28 November 2012.

could sometimes be granted LTTE tax exemptions.²²⁷ However, while it is true that some children were motivated by partly voluntary reasons, the LTTE also enforced an unwritten rule that each family within its territory must contribute one member, often a son or daughter.²²⁸ In 1998 Sri Lanka's Directorate of Military Intelligence estimated that 60 per cent of the LTTE's fighters were children, however this figure may have been inflated.²²⁹ Indeed, in the same year, an estimate of LTTE combatants killed in combat revealed that 40 per cent of the LTTE fighting force were males and females between nine and 18 years of age.²³⁰

Prior to 1998, the LTTE reportedly engaged in the forcible recruitment of children and adults on only two occasions – once before the arrival of the IPKF and once following its departure and the resumption of hostilities between the LTTE and the Sri Lankan military.²³¹ However, the LTTE's use of force increased markedly after the 2002 ceasefire, with Harendra de Silva, then chair of the Sri Lankan National Child Protection Authority stating that, "In 1994, I found that one in nineteen child recruits was abducted [i.e., forced]. Now in 2004, the reverse is true and only one in nineteen is a volunteer."²³² Although the 2002 ceasefire agreement explicitly prohibited the abduction, harassment, and intimidation of civilians, the agreement allowed the LTTE to open political offices in government-controlled areas.²³³ While the LTTE claimed that these offices were used to educate civilians, human rights activists countered that the offices were used for recruitment purposes, including the forced recruitment of children.²³⁴ In July 2004, the senior superintendent of police in Trincomalee also stated that four or five LTTE political offices in the district were being utilized for recruitment. During this period the LTTE also continued to use propaganda and the school system in order to attract voluntary recruits.

The post-ceasefire era (i.e., the era after February 2002) also saw the LTTE continue to demand that families hand over a son or daughter, although sometimes more than one child was taken.²³⁵ This quota system was implemented through the use of letters containing military conscription orders and instructions to report for duty.²³⁶ LTTE recruiters also went from house to house, made radio announcements, and conducted community meetings. If families refused to hand over a child, coercive measures including forcible recruitment and violence were the next steps and, after 2002, were often used in the eastern district of Batticaloa.²³⁷ In May 2002 for example, an LTTE political official called parents for a meeting at a temple near Batticaloa and demanded a child from each family.²³⁸ Twelve children were later forcibly taken. Furthermore, in a speech to the Tamil diaspora in Switzerland in December 2002, the LTTE's long-term eastern commander, Vinayagamoorthy Muralathan alias Karuna Ammaan, was quoted as saying "The Batticaloa people are giving their children,

227 Pape and Feldman 2010: 316; Hogg 2006 and Manoharan 2003 both cited in Flanigan 2008: 508.

228 Trawick 1997: 158; HRW 2004: 16; HRW 2008: 7.

229 It should be noted that, at this time, the LTTE's use of child soldiers was a major propaganda issue for the Government of Sri Lanka.

230 Gunaratna 1998.

231 Ibid.

232 De Silva cited in HRW 2004: 16.

233 HRW 2004: 15-16.

234 Ibid; UTHR 2003.

235 Child Soldiers Global Report 2004; HRW 2004: 19; UTHR 2003.

236 United States Embassy Cable 2007; HRW 2004: 16.

237 HRW 2004: 16-19; UTHR 2003.

238 Child Soldiers Global Report 2004.

you must give your money.”²³⁹ While children of twelve and thirteen years of age were sometimes taken directly to military training, other, younger children were either placed in a special “chicken” unit and made to attend daily classes, or were taken to LTTE-run orphanages.²⁴⁰ In these orphanages the children attended school and LTTE-run camps until they were deemed suitable to become full-time military cadres.²⁴¹ As noted in section 5.1, some of the children in these orphanages eventually served in the LTTE's Leopard brigade.

In response to the LTTE's more aggressive use of forced recruitment, the international community began to place increased pressure on the LTTE, and the United Nations Children's Fund (UNICEF) augmented its monitoring activities.²⁴² While the LTTE did pledge to cease underage recruitment and release child soldiers in early 2003, forcible recruitment continued at the same time as the LTTE began to comply with its pledge to release underage recruits.²⁴³ Indeed, between January 2002 and 1 November 2004, UNICEF documented a total of 4,600 cases of under-age recruitment while, during the same period, the LTTE released only 1,208 children from service.²⁴⁴ At the outset of the release process the LTTE handed over 49 child soldiers to UNICEF on 3 October 2003 and, by March 2004, a total of 649 child soldiers had been released from the LTTE.²⁴⁵

March 2004 is also notable as the date the LTTE experienced its first significant split, when Karuna Ammaan broke away from the LTTE with many of his eastern troops (for more on this, see section 7). During the subsequent factional fighting between the Karuna group and the remaining LTTE in Wannai, the parents of child combatants demanded the release of their sons and daughters with some travelling to Karuna's Santhanamgam and Vaharai camps, and others approaching the LTTE in the Veragul area.²⁴⁶ As one participant in the parental protests recalled, “[The civilians] were fighting with the Wannai LTTE. They said, ‘Why are you killing our children? Prabhakaran's and Karuna's problems are separate – why involve our children?’”²⁴⁷ These protests largely dissipated because fighters from both factions threatened violence against the parents, but also because Karuna temporarily disbanded his troops when his faction suffered defeat at the hands of the Wannai LTTE in April 2004. Adult troops and child soldiers who had previously served within the Karuna faction subsequently either walked out and found their own way home, or were released into the care of their families.²⁴⁸ By June 2004, however, these ex-combatants had been targeted for re-recruitment by the LTTE, in part so that the group could re-establish control over Karuna's former stronghold in the east, and in part to replenish the troops lost during Karuna's departure.²⁴⁹ In common with its previous recruitment tactics, the LTTE visited the homes of Karuna's former troops, sent letters of conscription, and organized village meetings. Children and adults who refused to take up arms again were sometimes forced to do so and, in order to avoid this fate, some individuals of recruitment age opted to get married in the belief that the LTTE would not attempt to forcibly (re-)recruit married

239 Ibid; UTHR 2003.

240 HRW 2004: 19.

241 Ibid.

242 HRW 2008: 5.

243 Child Soldiers Global Report 2004; UTHR 2003.

244 HRW 2004: 49.

245 Child Soldiers Global Report 2004.

246 HRW 2004: 33-6.

247 Ibid: 35.

248 Ibid: 30-32.

249 Ibid: 37.

civilians (including ex-cadres).²⁵⁰ This belief stemmed from the LTTE's practice of giving cadres who were married with children the option to opt out of combat.²⁵¹ Not all re-recruitment was forced outright however. Indeed, owing to the LTTE's one recruit per family policy, some individuals indicated that they would return 'voluntarily' so that siblings would not be targeted in their place.²⁵²

The manpower deficits created by the Karuna rebellion also prompted the LTTE to take a more unorthodox approach to recruitment and, in 2004, the LTTE placed advertisements in two Tamil newspapers – *Uthayan* and *Eelanathan* – calling for young men and women to join an LTTE auxiliary force.²⁵³ The advertisements stated that only citizens of Tamil Eelam in good health should apply, and that while there would be no upper age limit for those with military experience, preference would be given to recruits between 18 and 25 years old. Although the regular LTTE military forces were reportedly not paid for their services, the LTTE offered remuneration for these advertised auxiliary positions in the form of a salary of 8,500 Rupees (the highest of any civilian auxiliary force at that time) in addition to free meals, free medical care, and free transport.²⁵⁴ These advertisements attracted many voluntary applicants who had to pass through three interviews at the LTTE's police headquarters in Kilinochchi in order to prove their eligibility and loyalty. Successful candidates were then given six months of military training and reportedly placed in various LTTE projects (including road and building construction, forest conservation and agriculture) until they were called for military service.

Following this paid mobilization drive, the recruitment of children by the LTTE appeared to decline somewhat, from 1,494 cases of child recruitment reported to UNICEF in 2002, to 166 in 2007.²⁵⁵ During this time the LTTE also targeted progressively older children: in 2002 the average age of children reported recruited by the LTTE was 14, in 2007 this average age had risen to 16, and in 2008 the average age had risen again slightly to 17.²⁵⁶ This was not the case for the Karuna group however, which reportedly abducted over 100 boys from Batticaloa district between June and August 2006.²⁵⁷ The LTTE also aggressively resumed its forced recruitment of both children and adults after September 2008, just as the group began to find itself on the verge of military defeat. During this period, the LTTE altered its mandatory rule of one recruit per family to require two or more recruits per family, contingent on the size of the family.²⁵⁸ In November 2008, one individual in LTTE-controlled Wanni stated that: "The recruitment process of the LTTE is going on at high speed. The rule of one person per family ... [is now] more than one person per family. Every male from the age of 18 to 45 has to compulsorily go through a two week [military] training course for engagement in the battlefield and they are given an identity tag after such training. ... [When ordered] they have to leave for the battlefield, and many such people are brought back home dead. All the former cadres who had left the LTTE and had married and settled down with their families are all being re-recruited."²⁵⁹

250 Ibid: 44-6; United Nations Panel of Experts Report March 2011: Para 98.

251 Herath 2012: 115.

252 HRW 2004: 42-3.

253 The information in this paragraph is taken from Kamalendran 2004.

254 Ibid; Colombo Embassy Cable 2005 Para 3; According to today's currency conversions, 8,500 Rupees is roughly equivalent to 65 USD. However, this dollar amount was likely to have been higher in 2004.

255 HRW 2008: 5.

256 Ibid: 6.

257 HRW 2006a: 36.

258 HRW 2008: 3, 7; United Nations Panel of Experts Report March 2011: Para 68.

259 HRW 2008: 7-8.

In September 2008, the LTTE also publicly announced a stricter punitive policy for those trying to avoid recruitment. According to this policy if a civilian was found to have fled or gone into hiding after being called up for military service, the LTTE would arrest up to ten of the individual's relatives and sentence them to forced labour, including the digging of trenches at the battle front.²⁶⁰ The LTTE also enforced progressively tighter restrictions on the movement of civilians in order to prevent the escape of those conscripted. Initially begun sometime before 1995, the LTTE instituted a system of travel passes which obliged civilians of recruitment age (between 12 and 35, and later 45) who wanted to temporarily leave LTTE-controlled territory to make a request to the LTTE's Transport Monitoring Division (TMD) and leave behind a "guarantor."²⁶¹ Typically the guarantor would be a relative who would be arrested and subjected to forced labour if the travelling individual failed to return (on forced labour, see section 5.9). While these regulations were relaxed after the 2002 ceasefire they were re-imposed in August 2006 and made even stricter in September 2007. According to the September 2007 regulations, civilians wishing to travel had to apply to the Transport Monitoring Division with an application that included a letter from the LTTE recruitment office certifying that the family had complied with the one person per family recruitment policy. As the LTTE suffered further military defeats after September 2007, the organization "virtually stopped giving out passes, except for a few urgent medical cases."²⁶² Furthermore, as conflict worsened in early 2009, the LTTE continued to conduct more aggressive forcible recruitment campaigns. To give one example, in mid-April 2009 LTTE cadres led by Ezhilan, the former LTTE political leader for Trincomalee, forcibly recruited hundreds of young people from Valayanmadam Church and put them on buses to Mullivaikkal.²⁶³

5.9 Collateral Damage and the Treatment of Civilians

As described in the previous section, the LTTE forcibly recruited Tamil adults and children, a practice which violates international humanitarian law.²⁶⁴ In terms of the legal parameters governing the internal armed conflict between the LTTE and the Government of Sri Lanka, only the latter was party to the four Geneva Conventions of 1949. In its treatment of civilians and conduct of war against the LTTE, the GoSL was therefore obliged to follow Common Article 3, which stipulates that "persons taking no active part in the hostilities ... shall in all circumstances be treated humanely ... To this end, the following acts are and shall remain prohibited at any time and in any place ... (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity." Although not party to the Geneva Conventions, the LTTE was obliged to respect the fundamental human rights of civilians within its zones of territorial control under customary international law.²⁶⁵ Consequently, and as described below, the LTTE's actions when engaging in forced recruitment, when forcibly putting civilians to work, and when engaging in serious breaches of Article 3 were allegedly tantamount to war crimes.²⁶⁶ An investigative panel of United Nations experts also concluded that the LTTE's treatment of civilians in Wannai (during the final stages of the war in 2009) and the LTTE's use of suicide attacks were potentially sufficient to constitute crimes

260 Ibid: 9.

261 Ibid: 13-17.

262 Ibid: 15.

263 United Nations Panel of Experts Report March 2011: Para 113.

264 HRW 2006a: 4.

265 United Nations Panel of Experts Report March 2011: Para 188.

266 Ibid: Para 259.

against humanity.²⁶⁷ It should be noted that while this section deals with the evidence concerning war crimes allegedly committed by the LTTE, war crimes possibly committed by the Government of Sri Lanka are discussed in section 7.1.

In violation of international humanitarian law, which prohibits uncompensated or abusive forced labour, the LTTE compelled the civilian population under its control to build military defences, including the digging of trenches on the front-lines. According to a confidential report, civilians (including internally displaced persons) were “required to do forced labour for the LTTE for 10 days every three months.”²⁶⁸ While the LTTE referred to this as “voluntary service,” the practice was mandatory for everyone except those who were able to pay an exemption fee of 5000 Rupees (around USD38).²⁶⁹ In 2008 it was reported that the LTTE had begun to increase its forced labour demands, requiring each family to provide one member to work between five and seven days per month.²⁷⁰ At this time, the LTTE also reportedly began to refuse exemption payments.

In violation of Article 3, which prohibits murder, the LTTE also engaged in targeted killings and suicide attacks. The LTTE has a long history of attacks which have caused civilian injury and death. Between 1980 and 2000, the LTTE carried out 168 suicide attacks, many involving military and/or political targets, and others more specifically targeting civilians.²⁷¹ Examples of the latter include the LTTE's landmine attack on a bus in Anuradhapura on 15 June 2006 which killed 67 (mostly Sinhalese) civilians.²⁷² The LTTE also killed 91 civilians during the Central Bank bombing in 1996, and a further two civilians and seven security personnel during the 2001 attack on Colombo International Airport.²⁷³ During this 2001 attack, LTTE cadres first targeted the Katunayake military airbase terminal (home to Sri Lanka's air force) before moving on to Sri Lanka's only commercial international airport terminal.²⁷⁴ The attack on both airport terminals, which was designed to cripple Sri Lanka's economy by disrupting tourism and foreign investment, destroyed four empty wide-bodied airbuses (three A340s and one A330) and resulted in USD350 million in losses for Sri Lankan Airlines.²⁷⁵ Although no tourists were hurt, passengers in the commercial international airport terminal were caught up in the events.

In addition to suicide bombings the LTTE also has a long history of targeted assassinations. The LTTE began to kill political opponents in 1975 when it assassinated the Tamil mayor of Jaffna, Alfred Duriaappah. Between 1977 and 1983 a further 11 Tamil politicians were murdered by the LTTE, and between 2002 and September 2006, the LTTE was implicated in more than 200 political killings, mainly of Tamils viewed as political opponents and including supporters of the rival Karuna faction.²⁷⁶ The LTTE was also known to use violence against the Muslim community in Sri Lanka such as when, in August 2006, LTTE military cadres tied up 32 Muslim men who were intercepted while fleeing shelling in Mutur, in the

267 Ibid: Para 252.

268 Cited in HRW 2008: 11; As discussed in section 5.8, children in LTTE-run schools were also sometimes required to dig military trenches for one or two hours per day.

269 HRW 2008: 11.

270 Ibid.

271 Mehta 2010: 60.

272 HRW 2006a: 4, 28.

273 BBC 4 September 2000; HRW 2002: 253.

274 Brown 2001.

275 Ibid; Gunaratna 2001a.

276 Samaranayake 2007: 176; HRW 2006a: 39.

eastern district of Trincomalee.²⁷⁷ These men, whose fate is unknown, were separated from other civilians (both Tamil and Muslim), for being suspected members of Muslim armed groups. Although Muslim and Tamil communities in the north of Sri Lanka participated together in the earliest days of the Tamil militant movement, this relationship became increasingly contentious and the LTTE forcibly evicted Muslim civilians from its northern and eastern territories in 1990 and 1992 respectively, using violence against those who tried to stay.²⁷⁸ In 2002, the LTTE leader, Prabhakaran, admitted that this expulsion had been a mistake and asked Muslims to return to the north, however communal violence between the Tamil, Muslim, and Sinhalese communities gradually increased again.²⁷⁹ As a consequence of this violence, including targeted killings carried out by the LTTE (and also by the Karuna group and the GoSL), in March 2006 the United Nations Special Rapporteur stated that, "Today many people – most notably, Tamil and Muslim civilians – face a credible threat of death for exercising freedoms of expression, movement, association, and participation in public affairs."²⁸⁰

Also in violation of Article 3's prohibitions on murder and hostage taking, after February 2009, LTTE cadres sometimes killed or wounded Tamil civilians attempting to escape from LTTE territory, forcing them to stay in the conflict zone.²⁸¹ To accomplish this, LTTE cadres took up positions where they could easily spot civilians trying to break out.²⁸² As a slight caveat, reports from Vavuniya Hospital after 7 February 2009 indicate that many of those admitted had gunshot wounds to lower parts of the body, suggesting that the shots were fired to stop civilians from leaving rather than to kill.²⁸³ In regard to these actions, while the United Nations Panel of Experts found credible evidence to suggest that the LTTE violated Article 3, the Panel did not find sufficient evidence to suggest that the LTTE violated international humanitarian customary law on the use of "human shields." This was because there was insufficient evidence to suggest that the LTTE deliberately moved civilians towards military targets in order to protect these targets from attack. In a related vein, however, the Panel did find evidence to suggest that the LTTE breached international humanitarian law prohibiting the location of military objectives near densely populated civilian areas.²⁸⁴ To provide an example of this, in 2006 a relief worker explained how the LTTE "put their positions right in front of the IDP camps. I saw that in Chundikulam where I stayed in a camp. When they did this we obviously couldn't go and argue with them because they could just beat or even shoot us."²⁸⁵

277 HRW 2006a: 17.

278 Mehta 2010: 68.

279 HRW 2006a: 47.

280 Philip Alston, UN Special Rapporteur on Extrajudicial Executions cited in HRW 2006a: 39-40.

281 United Nations Panel of Experts Report March 2011: Paras 112, 237, 238, 242.

282 Ibid: Para 99.

283 HRW 2009: 8.

284 United Nations Panel of Experts March 2011: Para 239.

285 HRW 2009: 9.

6. The LTTE Political and International Wings

In addition to its military wing, the LTTE also possessed a political wing, initially in the form of a “political office” which, according to LTTE sources, consisted of a largely inactive “Planning Commission.”²⁸⁶ The political office was separate and subordinate to the LTTE’s central governing committee and its primary role was to assist the LTTE’s military efforts.²⁸⁷ While the political office and the military wing were technically distinct, there was a great deal of overlap between the two. During the early 1980s, when the LTTE was competing for dominance against rival Tamil militant groups, the LTTE’s political office personnel were drawn from the LTTE’s military forces. This was done in large part because the organization had little trust in civilians who had not proved their allegiance to the LTTE on the battlefield.²⁸⁸ This practice continued until the end of the war, and some “members of the political sections carried arms and were able to fight when they were called up to do so.”²⁸⁹ It should also be noted however that, as the LTTE developed a *de facto* state apparatus and accompanying civilian administration, particularly during the first half of the 1990s and after 2002, some individuals did serve solely in administrative units which were incorporated within the LTTE’s political wing and which were separate from the fighting units.²⁹⁰

To support both the political and military wings, the LTTE also established a sophisticated international network which was initially headed by Prabhakaran.²⁹¹ The LTTE began to develop its international connections in the mid-1970s at a time when the many Tamil militant groups in existence were allies and not yet rivals. For example, while resident in London, Eliyathamby Ratnasabapathy, the founder of the Tamil militant group EROS, forged connections with Fatah (the military wing of the Palestinian Liberation Organization).²⁹² Ratnasabapathy shared these connections with the LTTE and, as a result, in early 1977 Vichweshwaran alias Visu (a member of EROS and later the LTTE) and Uma Maheswaran (a member of the LTTE and later PLOTE), travelled to Lebanon and trained with Fatah.²⁹³ The LTTE’s international network was also aided by another London-based organization which emerged in the mid-1970s, the Tamil Liberation Organization (TLO). The TLO (which was formerly known as the Tamil Liberation Front) was absorbed into the LTTE in the late 1970s and began to function as the group’s international arm.²⁹⁴ The LTTE’s early ties with the Tamil political party TULF were also important as Appapillai Amirthalingam (who became TULF President in 1977) introduced Prabhakaran to N.S. Krishnan, the LTTE’s first European representative.²⁹⁵ In turn, Krishnan introduced Prabhakaran to another London-based Tamil activist, Anton Stanislaus Balasingham who, after the 1983 Black July riots, moved to Chennai to become the LTTE’s theoretician, chief propagandist and premier spokesperson.²⁹⁶

286 Mampilly 2007: 170.

287 Ibid; Chalk 2000.

288 Bose 1994: 125 in Mampilly 2007: 170.

289 Swamy cited in confidential source 2013.

290 On the LTTE state apparatus, see Stokke 2006.

291 Gunaratna 1998a.

292 Ibid; Swamy 2010: 21.

293 Gunaratna 1998a.

294 Ibid.

295 Chalk 2000 footnote 21.

296 Jeyaraj 16 December 2006; Balasingham 2004.

Balasingham was initially involved with EROS and EPRLF and, while in the LTTE, worked alongside another LTTE propagandist, Sivagnam Gopalarathinam (alias Karikalan).²⁹⁷

The LTTE's international network developed considerably in the 1980s largely because the Black July riots, and subsequent armed conflict between 1983 and 1987, prompted a mass Tamil exodus from Sri Lanka.²⁹⁸ As conflict intensified again between 1991 and 1994, and later between 1995 and 2001, the number of Tamils residing abroad increased to roughly 700,000.²⁹⁹ Initially some Sri Lankan Tamil emigrants moved to Tamil Nadu where many then sought political asylum in North America, Europe and Australia. Among these individuals were some who deeply resented what they regarded as mistreatment by the Sinhalese-dominated Sri Lankan government and who were willing to financially support the LTTE. This was helped by the fact that many of the first Tamil individuals to leave were professionals who became financially successful in their adopted countries.³⁰⁰ It should also be remarked however that others in the diaspora were coerced into making financial contributions, despite personal opposition or ambivalence towards the LTTE.³⁰¹

The LTTE's political wing, which includes its civilian administration, also developed considerably in the mid-to-late 1980s not least because the government of Sri Lanka changed policy and began to negotiate directly with the various Tamil militant groups. The first political negotiations between the GoSL and the LTTE, TELO, PLOTE, EPRLF, and EROS took place in July 1985 in Thimpu, Bhutan.³⁰² During these negotiations Anton Balasingham (who was not physically present at the talks) provided advice to the LTTE's two representatives - Anton Sivakumar and the future head of the LTTE's "international secretariat," John Christian Chrysosthom alias Lawrence Thilagar.³⁰³ In addition, in January 1987, the LTTE attempted to derail an agreement between the Indian and Sri Lankan governments (on the "Indo-Sri Lanka Accord, see section 6.1) by announcing that it would create a "Tamil Eelam Secretariat" and stating that it would take over the civilian administration (previously under government control) in Sri Lanka's north.³⁰⁴ Following this announcement, the Tamil Eelam Secretariat replaced the LTTE political office as the official political wing.³⁰⁵ Some two years later, during a temporary ceasefire and peace negotiations between the LTTE and Sri Lankan President Premadasa in 1989, the LTTE also announced that it was setting up a "democratic socialist" political party known as the People's Front of Liberation Tigers (PFLT).³⁰⁶ The PFLT was initially headed by the former regional military commander of Wannai, Gopalaswamy Mahendrarajah (alias Mahattaya) and Yogaratnam Narendran (alias Yogi) was made secretary general.³⁰⁷

297 Byman et al 2001: 43; Thompson and Turlej 2003: 44.

298 Tamil emigration had occurred earlier following the 1956 Sinhala Language Only Act, albeit on a smaller scale (see Tekwani 2003: 182). Organized Tamil emigration had also occurred during British colonial rule (see Valentine 1996).

299 Tekwani 2003: 183; Daniels 1997 cited in Mampilly 2007: 165.

300 Daniels 1997 cited in Mampilly 2007: 163-4.

301 HRW 2006.

302 De Silva 1995: 158, 162; Representatives from TULF also participated in these talks.

303 Jeyaraj 16 December 2006; It should also be noted that while some observers believed that Lawrence Thilagar was also known as Lawrence Christie, others argued that the two were separate people. Lawrence Christie was a one-time planning director of the Tamil Rehabilitation Organization (TRO) discussed in section 6.1.3, see Jeyaraj 30 January 2013.

304 Swamy 1994: 213; De Silva 1995: 205.

305 Mampilly 2007: 171.

306 Sri Lanka: Political Handbook of the World 2012: 1357.

307 Rajasingham 2002b.

6.1 The Tamil Eelam Secretariat

The LTTE's announcement, in 1987, that it was to create a Tamil Eelam Secretariat was followed shortly thereafter by the signing of a peace deal between the governments of India and Sri Lanka. For the LTTE one of the main ramifications of this Indo-Sri Lanka Accord was that it lost the support of the Indian government - its former external sponsor and one of its arms suppliers.³⁰⁸ Indeed, under the terms of the Accord, signed on 29 July 1987, both the Tamil militants and the Sri Lankan military were required to desist from military activities within 48 hours of the signing of the agreement.³⁰⁹ The armed Tamil militants, including the LTTE, were also obliged to hand over their weapons to the Sri Lankan authorities within 72 hours.³¹⁰ India's role was to underwrite the Indo-Sri Lanka Accord by disarming the Tamil militants if they refused to comply, and by jointly patrolling the Palk Strait with the Sri Lankan Navy in order to intercept the flow of weapons from India to the Jaffna Peninsula.³¹¹ In addition to these provisions, the Indo-Sri Lanka Accord also stipulated that the northern and eastern provinces of Sri Lanka were to be joined together and that an Indian Peacekeeping Force (IPKF) was to be deployed in this newly merged north-eastern territory.³¹² While both of these latter provisions were implemented, the LTTE was reluctant to disarm not least because it rejected the candidate (who belonged to the rival Tamil militant group, EPRLF) for the chief administrative officer of the newly merged northern and eastern provinces.³¹³ Instead the LTTE proposed three of its own candidates for the position, all of whom were subsequently rejected by India.³¹⁴ Thereafter the LTTE handed over only very few weapons (albeit after the 72 hour deadline) before openly breaching the Indo-Sri Lanka Accord and entering into armed conflict with the IPKF in early October 1987.

After being fought to a standstill by the LTTE, the IPKF, which suffered approximately 1,109 military deaths during its time in Sri Lanka, withdrew from the island on 20 March 1990.³¹⁵ Following the IPKF's exit, the LTTE, which had formerly controlled little territory, moved in to take over the now unoccupied north-eastern territories including Jaffna and parts of Wannai.³¹⁶ In order to fill the political vacuum in its new zones of control the LTTE dramatically restructured its Tamil Eelam Secretariat and asked the Government of Sri Lanka (GoSL) to resume service provision in the northeast.³¹⁷ The LTTE then began to design its own nascent civilian administration, modelled on the organization of the government's existing bureaucracy.³¹⁸ This was done purposely so that service provision by the LTTE and the GoSL (in the areas of health and education) existed side-by-side, and so that LTTE district chiefs could regulate and supplement government actions. To provide a clearer example, following the unification of the north-east province, Sri Lanka was divided into eight provinces, each of which was further divided into three or four districts. Traditionally, the government of Sri Lanka assigned a Government Agent (GA) to each district to implement directives promulgated by the central government. The LTTE followed this model, also creating district level chiefs ("political commissars") whose job was to implement directives

308 Chalk 2000.

309 Premdas and Samarasinghe 1988: 680.

310 Ibid.

311 Ibid: 680-682.

312 Ibid: 679; Furtado 2007: 99.

313 Mehta 2010: 52-3.

314 Ibid.

315 Chattopadhyaya 1994: 118.

316 Mampilly 2007: 170; Stokke 2006: 3.

317 Interview with Puleedevan cited in Mampilly 2007: 174.

318 The information in the remainder of this paragraph is taken from Mampilly 2007: 172-5.

given by the head of the Tamil Eelam Secretariat. Furthermore, as the LTTE civilian administration developed over time, LTTE political commissars came to exert considerable influence on GAs in the north-east in areas under both government and LTTE control.³¹⁹

Generally speaking, the restructuring of the Tamil Eelam Secretariat and the development of a civilian administration during the early 1990s allowed the LTTE to generate revenue following the loss of Indian support. Indeed, under this new arrangement, “hotels, transport, education, local bodies, cultural activities, media, and food distribution” came under LTTE control.³²⁰ As part of this restructuring the LTTE also opened its own development-related office known as the Tamil Eelam Economic Development Organization (TEEDO).³²¹ TEEDO was initially formed to assess the damage done to LTTE territory during the war and to coordinate efforts for developing these areas. To this end, in 1994 TEEDO established several commissions to evaluate and report on the development needs of the north-east, a process which led these committees to specialize in certain sectors (finance, justice, protection (police), economic development, health and education), and eventually form their own agencies.³²² Each of these sectoral agencies was headed by a secretary, who reported to their district-level chief who in turn reported to the head of TEEDO. The head of TEEDO was responsible to the head of the Tamil Eelam secretariat (who is discussed further below).

In some ways, the organization of the LTTE's nascent civilian administration (which was consolidated over time, and particularly after the 2002 ceasefire) overlapped with the organization of the LTTE military wing. As will be recalled from the discussion of the LTTE's ground forces (section 5.1), at some point during the late 1970s/early 1980s the LTTE divided the north-east into five military regions, some of which corresponded to a single district: Jaffna, Mannar, Trincomalee, Batticaloa (comprised of Batticaloa and Amparai districts), and Wannai (comprised of Vavuniya, Kilinochchi, and Mullaitivu districts). This meant that regional military commanders and district-level political commissars sometimes worked at the same organizational echelon. While there is insufficient information to trace the appointments of different district political commissars over time (and particularly that of female political commissars – see below), it is known that, at one point in the Jaffna district/military region, the male political commissar was Ilamparithi while the women's political commissar was Thamilvily.³²³ Similarly at one point in Trincomalee the male political commissar was Sinnathurai Sasitharan (alias Major Ezhilan, or Elilan), while the female political commissar was Krishna.³²⁴ In Batticaloa-Amparai, Rasiah Ilanthiraiyan (alias Marshall) replaced Elayathamby Nagendran (alias Kausalyan) as political commissar following the latter's assassination on 8 February 2005.³²⁵ Banuka was also at one point, the women's political commissar for Batticaloa-Amparai.³²⁶

During the mid-1990s, the Tamil Eelam Secretariat again underwent change as a result of ongoing military developments. Indeed, around this time, the government of Sri Lanka launched a series of military offensives against the LTTE, including Operation Leap Forward (9 July 1995), Operation Thunder Strike (28 September 1995), and the three-pronged

319 Stokke 2006: 3.

320 Swamy 1994: 213.

321 Mampilly 2007: 171.

322 Neeran 1996 cited in Mampilly 2007: 173.

323 Alison 2003: 41 (Alison's work is based on interviews with female LTTE combatants and ex-combatants); Balachandran 2004.

324 Jeyaraj 18 January 2014; Alison 2003: 40.

325 Rajakarunanayake 12 February 2005; Outlook India 8 February 2005; Jeyaraj 20 February 2005.

326 Alison 2003: 40.

Operation Riviresa (17 October 1995).³²⁷ As a result of these offensives the LTTE lost control of Jaffna in December 1995 and moved its military and political headquarters to Mullaitivu and Kilinochchi in Wannai. In an attempt to weaken the government forces and regain its lost territory, the LTTE Black Tigers and Black Sea Tigers conducted an increasing number of suicide attacks, including the bombing of the Central Bank in Colombo (31 January 1996), the World Trade Centre (15 October 1997), and the Buddhist Temple of the Tooth in Kandy (25 January 1998).³²⁸ The LTTE also captured the strategic Elephant Pass in April 2000 and positioned itself to retake Jaffna.³²⁹

Following these military developments, the Sri Lankan parliamentary elections were held in December 2001 and won by Ranil Wickremesinghe who became Prime Minister. Wickremesinghe had held secret talks with the LTTE prior to his election and, once elected, a temporary ceasefire was put in place on 21 December 2001 and a full ceasefire agreement (CFA) was signed on 22 February 2002.³³⁰ Under the terms of this latter deal, existing frontlines were respected meaning that the government held Jaffna, Trincomalee, and Batticaloa, whereas most of Wannai (in the north) and large rural areas in the east were LTTE areas. The Tamil Eelam Secretariat became increasingly prominent in the wake of the CFA as the LTTE reopened its political offices in Jaffna and in other government controlled areas in the north and east. As aforementioned, both LTTE and government structures operated in these areas side-by-side, at least until 2006 when conflict resumed and LTTE offices in government-held areas were closed once more.³³¹

Prior to the 2002 ceasefire, many commentators argued that there was “no evidence” of women’s participation in the Tamil Eelam Secretariat, particularly in terms of “policy-making, decision-making or planning at the highest levels”³³² and that “no woman was allowed into the patriarchal male echelons of decision making of the LTTE.”³³³ However, in the post-ceasefire era, when the LTTE set up a permanent political secretariat in Kilinochchi, the women’s political wing - which had previously been a component of the men’s political wing - was turned into an independent unit.³³⁴ This change was spearheaded by Subramaniam Sivakamy (alias Col. Thamilini) who was named as head of the women’s political wing in June 2000.³³⁵ Thamilini had started out as an LTTE military cadre before being transferred into the women’s political wing. This transfer did not signal the end of Thamilini’s combat duties however, as she continued to sporadically cross back into the military wing and resume her former military role.³³⁶

Initially the men’s political wing was headed by Yogaratnam Narendran (alias Yogi) who was secretary general of the aforementioned LTTE political party, PFLT (see section 6). However in 1994, Yogi was expelled from the LTTE because of his association with Mahattaya, who was accused of treachery and executed.³³⁷ Yogi was replaced as the head of the Tamil Eelam

327 Hussain 2010: 406.

328 Ramasubramanian 2004: 20-5.

329 Hussain 2010: 406.

330 ICG 2006: 5.

331 Brun and Van Hear 2011: 244; Peiris 2009: 217.

332 De Silva 1999: 61-2 cited in Alison 2003: 47.

333 Samuel 2001: 195 cited in Alison 2003: 47.

334 Jeyaraj 29 June 2013.

335 Ibid; Alison 2003: 42.

336 Jeyaraj 29 June 2013; In the women’s political wing, Thamilini initially served on the editorial board of the LTTE’s “Birds of Freedom” journal.

337 Jeyaraj 30 July 2010.

Secretariat by Suppiah Paramu Thamichelvam (alias Dinesh) who had previously served as military commander of Jaffna (in 1991) and later, as special military commander of the same region (1993).³³⁸ Thamichelvan's wife, Sasirekha (alias Isaichelvi) was also a member of the LTTE, and his brother, Balasubramaniam (alias Moorthy) was an LTTE delegate who participated in discussions with the Government of Sri Lanka when Ranasinghe Premadasa was President. During his tenure as political chief, Thamichelvan crossed back to the LTTE military wing and served as a military commander in the Thenmaratchy sector in Jaffna during the mid-to-late 1990s.³³⁹ Following his death in 2007, Thamichelvan was replaced as the head of the Tamil Eelam Secretariat by the head of the LTTE police force, Balasingham Mahendran (alias Nadesan).³⁴⁰

6.1.1. Identity Cards and Identity Theft

It was also in 2007 that the LTTE civilian administration began to register individuals in territories under LTTE control and issue identity cards. The section of the Tamil Eelam Secretariat responsible for these activities was known as the Department for the Registration of Persons, and was headed by S. Jeyenthiran.³⁴¹ Identity cards, and the identifying numbers on these cards, were reportedly introduced in order to strengthen the computerized administration of the Tamil Eelam nation and were designed to provide a way to uniquely identify each individual on documents such as tax records, credit records, student records, and patient records. According to one report, the LTTE also introduced additional documentation including identity cards and driving licenses for LTTE cadres, vehicle registration passes, a special identity card for those living in LTTE-areas who had authorization to visit government-controlled areas, driving licenses for civilians, special passes for fishermen, identity cards for civilians trained to carry guns, and a special identity card for expatriate LTTE activists.³⁴² Little information is available on these specific cards, although it is known that they were sometimes needed to pass through LTTE checkpoints. In addition to these domestic registration activities, the LTTE also attempted to register members of the Tamil diaspora overseas, a topic which is discussed further in section 6.2.

Although the possession of a National Identity Card (NIC) has been a legal requirement in Sri Lanka since 1972 for citizens over the age of 16, the LTTE “did not insist on the NIC” and the card had no administrative importance in LTTE-controlled territory.³⁴³ Outside of LTTE areas however, NICs were required in order for individuals to open bank accounts and cash cheques, and those without NICs have sometimes been arrested because of suspected connections to the LTTE.³⁴⁴ For example, in a December 2005 door-to-door search for LTTE members in Colombo, Sri Lankan security forces detained over 900 Tamil individuals for failing to produce their NICs or for not having a valid reason for staying in the city.³⁴⁵ Of these 900 detainees, 867 were later released while others remained in custody for continued questioning.³⁴⁶

338 Jeyaraj 16 December 2006; Jeyaraj 2007.

339 Jeyaraj 2007.

340 Balachandran 3 November 2007; Jeyaraj 2007a.

341 TamilNet 1 January 2007.

342 Ferdinando 2011.

343 Manikavasagam 2012.

344 Ibid; Immigration and Refugee Board of Canada 2012: Part 3.

345 AP 31 December 2005 cited in Immigration and Refugee Board of Canada 2006.

346 Ibid.

While some Tamil civilians have found it difficult to obtain an NIC, due to not having a copy of their birth certificate, there have also been reported instances in which LTTE members have fraudulently obtained and used NICs to travel outside of the north-east.³⁴⁷ In December 2006 an official at the Canadian High Commission in Colombo indicated that there have been “high profile cases” of NIC fraud including “LTTE members, suicide bombers ... seeking to have multiple identities.”³⁴⁸ LTTE members are also known to have obtained NICs by fraudulently posing as individuals who have misplaced their original cards, and by submitting false documentation. Furthermore, and as discussed in section 6.2, during the late 1990s the identities of individuals in the Tamil diaspora were also sometimes stolen and used to produce NICs for LTTE cadres in Sri Lanka.³⁴⁹ Owing to the widespread abuse of the NIC system, in November 2013 the Sri Lankan government began a new initiative which involved registering individuals and collecting fingerprints. This initiative aims to deliver electronic NICs to all citizens by 2016.³⁵⁰

6.1.2 *The Judiciary and Police Sectors*

As discussed in the previous section, the LTTE's development organization TEEDO created committees in certain sectors (finance, justice, protection (police), economic development, health and education), which eventually formed their own agencies.³⁵¹ While the health and education sectors were administered by a dual LTTE and GoSL structure in the north-east, the security sector including the police and judiciary were under complete LTTE control.³⁵² It is important to note that, after the 2002 ceasefire until the resumption of conflict in 2006, the GoSL permitted the existence of the LTTE's civilian administrative apparatus, which, in its entirety, formed the LTTE's *de facto* state.³⁵³

The impetus for an LTTE judicial system came from the perceived failure of the Sri Lankan Constitution to provide protections for minority rights.³⁵⁴ Consequently, during the 1980s, the LTTE set up village mediation boards comprised of retired civil servants, school teachers, and other local intellectuals.³⁵⁵ These boards proved controversial because they lacked a legal code as a basis for adjudication, and also because board members lacked legal training. As a result, the LTTE dismantled the village boards and created its own judicial system headed by the LTTE's legal and administrative division chief, Illayathamby Pararajasingham (popularly known as Para).³⁵⁶ As part of this system the LTTE established a College of Law in Mullaitivu in 1992, which was initially open only to LTTE military cadres who had passed the “G.C.E/Advanced Level” exam.³⁵⁷

347 Manikavasagam 2012; Immigration and Refugee Board of Canada 2006a.

348 Canada 19 December 2006 cited in Immigration and Refugee Board of Canada 2006a. See for example, Mallawarachi 2006.

349 Nathaniel 2014a.

350 Dissanayake 2013; Fazlulhaq 2014.

351 Neeran 1996 cited in Mampilly 2007: 173.

352 Mampilly 2007: 174.

353 An external reviewer noted that the civilian administrative operations of the LTTE immediately after the 2002 peace process were accepted by the Government of Sri Lanka. Though their legality under Sri Lankan law might have technically been in question, with the 1979 Prevention of Terrorism Act (PTA) suspended, they were permitted by the relevant authorities.

354 Stokke 2006: 8.

355 Ibid; Mampilly 2007: 179.

356 Kamalendran 2008.

357 Ibid. The College of Law was also later opened to the wider population, see Sivakumaran 2009

For example, Thambirasa Varathishwaran, an LTTE cadre from Batticaloa joined the first batch of Law College students and later became a senior judge at the Kilinochchi District Court.³⁵⁸ A Tamil Eelam Penal Code and Civil Code were introduced in 1994, and the LTTE later developed district courts (both civil and criminal), two high courts (in Mullaitivu and Kilinochchi), a court of appeal (also in Kilinochchi), and a supreme court.³⁵⁹ S. Opilan was chief justice and, in Kilinochchi, Sugetharan was president of the court of appeals and Sentura was district court judge (for civil cases).³⁶⁰ By late 2004, LTTE courts had heard some 23,000 cases, many of which dealt with land disputes and financial matters.³⁶¹ Other hearings involved LTTE cadres, although military matters were also sometimes referred to specialist military courts. Despite the existence of this elaborate legal infrastructure, it has been observed that decisions on appeals were made by the LTTE leader, Prabhakaran, and that the LTTE's courts operated "essentially as agents of the LTTE rather than as an independent judiciary."³⁶² The judiciary was also used as a source of revenue as the LTTE set up a system of land courts that assessed the value of properties under their control in order to charge an annual property tax.³⁶³

At the same time as the LTTE was developing its judiciary, the group also formalized its police force. Although a nascent LTTE police force operated in LTTE territory prior to the arrival of the IPKF, this force was officially inaugurated in 1991 under the leadership of a former constable in the Sri Lankan Police, Balasingham Mahendran (alias Nadesan).³⁶⁴ The LTTE police force established an LTTE Criminal Procedure Code, and indictments were filed in the Tamil Eelam Magistrate's Courts.³⁶⁵ In addition, those convicted were sent to "Rehabilitation Centres" or sentenced to "hard labour" on LTTE-run farms. The first LTTE police station was established in Jaffna, and further stations followed in Chunnakam, Chankanai, Chaverkecheri, Point Pedro, Nagerkoil, Palai, and Valvettiturai.³⁶⁶ A further 14 stations were established in Wannai after the LTTE gained control of the area, and further police stations followed in Batticaloa and Trincomalee (see map 3).³⁶⁷ The LTTE also established its own police headquarters in Kilinochchi in September 2003 as well as a police academy where new recruits were trained for six months.³⁶⁸ During one interview conducted in 2002, Nadesan, then chief of the Tiger police, claimed that new recruits were provided with military (in addition to police) training and would take part in offensive LTTE military operations.³⁶⁹

358 Kamalendran 2008.

359 Stokke 2006: 9.

360 Tamil Centre for Human Rights 2003.

361 Sivakumaran 2009: 494.

362 Kamalendran 2008; Bergner 2008: 2453.

363 Mampilly 2007: 179.

364 Stokke 2006: 9.

365 Sunday Times Situation Report 2002b.

366 Tamil Centre for Human Rights 2003.

367 Sunday Times Situation Report 2002b.

368 TamilNet 7 September 2003.

369 Sunday Times Situation Report 2002b.

In common with the Sri Lankan police, the LTTE police force had a specialized commando arm known as the Special Task Force (STF).³⁷⁰ The STF was involved in “special investigations” including inquiries into the activities of Long Range Reconnaissance Patrols (LRRP) by the Sri Lankan Security Forces in the Wannai area. The LTTE police force also included a chief of staff (in charge of administration), and section leaders presiding over the crime prevention section, the traffic section, the personnel section, and the technical, communications, and camera/photography divisions.³⁷¹ At its peak, the LTTE police force contained approximately 3,000 members, and it has been claimed that roughly 40 per cent of its officers were women.³⁷² Nadesan presided over the LTTE police force until November 2007 when he was promoted to head of the Tamil Eelam Secretariat, replacing Thamichelvan.³⁷³ The vacant spot left behind was filled by Ramesh (alias Elangko), who became the new head of the LTTE police.³⁷⁴

6.1.3 Health, education, and economic development

Unlike the police and judiciary sectors of the Tamil Eelam Secretariat, responsibility for the health, education and economic development sectors was shared between the LTTE and the Government of Sri Lanka (GoSL). As aforementioned, LTTE district chiefs and Government Agents (GAs) worked side-by-side in areas under LTTE control, and LTTE district chiefs also held considerable sway over GAs in north-eastern areas technically under government control. Notably, in this situation of dual powers, the salaries of doctors, nurses, and teachers were paid for by the government of Sri Lanka.³⁷⁵

In terms of the health sector, the LTTE generally held a dual advisory and advocacy role. Indeed, because of an economic embargo which restricted the transport of goods to LTTE areas, members of the LTTE health sector often lobbied for greater access to medication and for greater numbers of doctors.³⁷⁶ In the early 1980s, LTTE health care provision was reportedly dealt with through an organization known as the “Medical Unit of Service of Tamils” (MUST) headed by LTTE representative, Dr. Jeyakularajah.³⁷⁷ This organization, which also worked with PLOTE, TELO, EPRLF, and EROS, provided medical assistance to Tamil refugees arriving in Tamil Nadu, India. During the mid-1980s, the LTTE began to disassociate itself from MUST and, from 1991, began to develop Field Medical Systems for injured combatants.³⁷⁸ Approximately 70 individuals were recruited into the LTTE’s nascent medical division in 1992, many of whom were reportedly students at the University of Jaffna.³⁷⁹ Of these recruits, one by the name of Ilama Puli went on to join the Black Tigers.³⁸⁰ The following year, in 1993, the LTTE inaugurated its first Medical College, which was again headed by Jeyakularajah, and later built hospitals in Mullaitivu (in the 1990s) and

370 Interview with Nadesan in Sunday Times Situation Report 2002b. It should be noted that this Special Task Force was separate and unrelated to the civilian militia “special task forces” discussed in section 5.7.

371 Interview with Nadesan in Sunday Times Situation Report 2002b; Confidential source 2013.

372 Mampilly 2007: 178-9; Tamil Centre for Human Rights 2003.

373 Balachandran 3 November 2007; Jeyaraj 2007a.

374 TamilNet 29 December 2007.

375 Mampilly 2007: 178.

376 Stokke 2006: 13-4.

377 Nagarajah 2005.

378 Confidential source 2014.

379 Confidential source 2013.

380 Ibid.

Puthukkudiyiruppu (in 1996).³⁸¹ A large government-run hospital also continued to function in Kilinochchi.³⁸²

To address deficiencies in the LTTE's health care sector the organization looked to international agencies and Non-Governmental Organizations (NGOs). While these actors typically did not enter the northeast until after the 2002 peace agreement, an exception was the Tamil Rehabilitation Organization (TRO) established in either 1985 or early 1986.³⁸³ The origins of the TRO are controversial, with some claiming that the organization was founded by Tamil refugees and members of the Tamil diaspora, and others alleging that the TRO was founded by the LTTE as its relief and rehabilitation wing, and as TEEDO's external arm.³⁸⁴ TRO established its first project implementation office in Jaffna in 1987, and later moved this office to Muzhangkavil in Wannai in 1995.³⁸⁵ Following the 2002 ceasefire, TRO established its headquarters in Kilinochchi, and opened branch offices in Colombo, Vavuniya, Jaffna, Batticaloa, Trincomalee, and Mannar. Outside of Sri Lanka, TRO also had branches in 16 countries, typically those with a large Tamil diaspora.³⁸⁶ TRO was reportedly headed by executive director, KP Regi (at least from 2006 onwards), and implemented projects not only in health, but also in education.³⁸⁷

In the education sector, a TRO branch known as the Rural Economic Education and Research Organization (REERO), constructed school buildings in Jaffna and Mannar in 2005.³⁸⁸ At this time, REERO was reportedly led by S. Selvaraj.³⁸⁹ More generally, and prior to the 2002 ceasefire, the LTTE established the Tamil Eelam Education Council (TEEC).³⁹⁰ This organization played a role which mimicked that of the Sri Lankan Ministry of Education and, in this regard, TEEC gave instructions and directives to provincial representatives within the LTTE's civilian administration. Headed by the LTTE Secretary of Education, Mr. Ilangkumar (also known as Ilankumaran), one of the TEEC's main roles was to encourage the establishment of "civil society based advisory committees" in every district in the north-east.³⁹¹ These committees were composed of parents and educators and were designed to regulate and supplement the education provided in government-run schools, particularly when shortages of teachers and/or materials occurred. Due to the overall shortage of qualified Tamil teachers, the TEEC also lobbied the Ministry of Education to give permanency to the large number of temporary teachers in the north-east.³⁹² According to GoSL figures, in 2002, a total of 1,994 primary and secondary schools operated throughout the northeast province with a total enrolment of 648,000.³⁹³ As discussed in section 5.8, children attending schools in areas under LTTE-control were taught a history of Sri Lanka which promoted the LTTE's mandate.³⁹⁴ Children in these schools raised the Tamil Eelam flag each morning, pledged allegiance to Tamil Eelam and Prabhakaran, and participated

381 Confidential sources 2013, 2014.

382 Mampilly 2007: 183; Confidential source 2014.

383 Nagarajah 2005.

384 Ibid; Sunday Times Situation Report 2002a; Sangam 2004.

385 Tamil Centre for Human Rights 2003.

386 Ibid.

387 TamilNet 5 January 2005; Sri Lanka Guardian 23 August 2009.

388 Confidential source 2013.

389 Ibid.

390 Mampilly 2007: 185; LTTE Peace Secretariat 2006: 35.

391 Mampilly 2007: 185.

392 Stokke 2006: 14; LTTE Peace Secretariat 2006: 35.

393 Ministry of Education 2002 cited in UN 2003 cited in Mampilly 2007: 186.

394 Ibid; They did however use the curricula of Sri Lanka and attend national examinations.

in the LTTE's Student Organization of Liberation Tigers (SOLT).³⁹⁵ Reportedly these school children were also made to dig military trenches and some were eventually made to enlist.³⁹⁶ LTTE members also regularly visited the schools in areas under LTTE control to show videos of successful LTTE missions and atrocities perpetrated against Tamils.³⁹⁷ Teachers reportedly complied with the LTTE during these recruitment sessions or were forced out.³⁹⁸

In addition to health and education, the Tamil Eelam Secretariat also had a sector for economic development. As discussed previously, although TEEDO was the first development office within the LTTE's nascent civilian administration, the LTTE subsequently developed its own Economic Development Department (EDD). The EDD was responsible for agriculture, fisheries, industry and environmental matters, and was allegedly headed by Ravi Champion at least for the period between 1990 and 1995.³⁹⁹ While this division worked with TRO (discussed above), it also worked with another NGO known as TECH – The Economic Consultancy House.⁴⁰⁰ Established in 1992, TECH aimed to implement “economically viable, technically feasible, and socially acceptable projects to enhance the quality of life of the people.”⁴⁰¹ TECH was funded by local and international Tamils, had international branches (including in Canada, the UK, Australia, Japan, and Norway), and collaborated with local and international NGOs, local government agencies and finally, the LTTE Planning and Development Secretariat (PDS).⁴⁰² Based in Kilinochchi and in several district branch offices, the LTTE's PDS was established in January 2004 and was at one time headed by S. Ranjan, and managed by Maran, a former LTTE fighter.⁴⁰³ The role of the PDS was to ensure that all NGOs operating in LTTE areas were registered, and that they also submitted their plans to PDS offices for approval before starting work. The PDS also required that these NGOs partner with local organizations to implement their projects. The role of the PDS in directing and coordinating NGO activity increased markedly following the influx of NGOs into north-east Sri Lanka following the 2002 ceasefire and the 2004 tsunami.

6.1.4 Finance and Transport (Including Tax Collection and the KP Branch)

The LTTE's finance sector, which was also responsible for transport and trade affairs, was headed by Brigadier Thamilendhi (Sabarathinam Sellathurai) from 1976 until his death in March 2009.⁴⁰⁴ This sector was in charge of collecting taxes and disbursing funds, domestic transport (including fuel distribution), and international shipping.

The LTTE first began to collect taxes from populations in LTTE-held territories when it assumed control of Jaffna in 1990.⁴⁰⁵ As the LTTE maintained control of the Jaffna peninsula between 1990 and 1995 the practice of taxing civilians and businesses in LTTE-areas became regular and systematized.⁴⁰⁶ Direct LTTE taxes were reportedly as high as 12 per cent for

395 Comments from external expert reviewer; LTTE Peace Secretariat 2006: 35.

396 Goodwin-Gill and Cohn 1994 cited in Gunaratna 1998.

397 Child Soldiers Global Report 2001.

398 Ibid.

399 Neeran 1996.

400 Stokke 2006: 17.

401 LTTE Peace Secretariat 2004 cited in Stokke 2006: 17-8.

402 Mampilly 2007: 189.

403 Ibid: 189-190; Stokke 2006: 27; Bose 2007: 6.

404 Neeran 1996; REACH 2012: 4.

405 Sarvananthan 2007: 44-5.

406 Ibid: 46.

those working in government professions such as doctors and teachers in the aforementioned health and education sectors.⁴⁰⁷ For others working in non-government professions, the LTTE-established control over local companies, plantations, and agricultural land, including in the eastern Amparai and Batticaloa districts where the LTTE forcibly appropriated fertile agricultural land which belonged to the Muslim community.⁴⁰⁸ According to one source, both bosses and employees within LTTE-run companies made mandatory contributions (in the form of a percentage deduction from their pay cheques) which were then sent to an “Employee Trust Fund” managed by the LTTE finance division.⁴⁰⁹ These companies included those in the transport industry (in LTTE-controlled Jaffna and Wannai), which was monopolized by the LTTE between 1990 and 1995.⁴¹⁰ To supplement its regular tax collections, the LTTE also launched fundraising initiatives in the run up to major military operations. During these initiatives, the LTTE would instruct each household in Jaffna to make donations of one or two gold sovereigns.⁴¹¹ To deal with this incoming revenue, in 1994 the LTTE finance sector established the Tamil Eelam Bank (TEB) in Jaffna.⁴¹² LTTE-run companies and their employees held accounts at the TEB which, after the Jaffna peninsula was retaken by the Sri Lankan Army, was moved to Kilinochchi in 1995. In 2003, the US Ambassador in Colombo stated that there were 5 TEB branches and the Sri Lankan Police later identified 10-11 TEB branches between 2009 and 2010, including five or six in the eastern province and five in Wannai.⁴¹³

When the Government of Sri Lanka (GoSL) regained control of Jaffna in late 1995, the LTTE was driven into the jungles of Wannai and its taxation system was severely compromised. The LTTE's reduced ability to collect taxes in the north was attributable to two main factors: firstly, there were simply fewer northern households under LTTE control and secondly, these households were increasingly impoverished.⁴¹⁴ Furthermore, although the LTTE continued to tax households in the eastern territories under its control these areas were typically sparsely populated jungle regions where the potential for taxation was also minimal.⁴¹⁵ In order to compensate for this drop in revenue, in the post-1995 period the LTTE continued to clandestinely tax some businesses in Jaffna (albeit on a limited scale) and resorted to the pillage of relief goods sent to the north-east by the GoSL and various international agencies.⁴¹⁶

This situation changed greatly, however, around the time of the Ceasefire Agreement of 22 February 2002. Just prior to this agreement, on 15 January 2002, the GoSL lifted an economic embargo on Sri Lanka's Northern Province.⁴¹⁷ This embargo, which had been in force since 1990, had included all military items and placed quantitative restrictions on the amount of consumer goods allowed into the north. The removal of this long-standing embargo was accompanied by the reopening of the A9 highway (which connects Jaffna in the north to Kandy in central Sri Lanka) and, in mid-2002, the lifting of a ban on the LTTE. With the removal of this ban, LTTE cadres and political representatives began to travel freely

407 Mampilly 2007: 178.

408 Sarvananthan 2007: 46.

409 De Clercq 2004.

410 Confidential source 2013.

411 UTHR 1998; Kamalendran 2002.

412 De Clercq 2004; Confidential source 2013.

413 Confidential source 2013.

414 Sarvananthan 2007: 46.

415 Ibid: 46.

416 Ibid: 46.

417 Ibid: 44; Hashim 2013: 115.

into government-controlled areas in the north-east. Commensurate with this movement the LTTE also began to expand its tax collection efforts to north-eastern areas under both LTTE and government control. Indeed, although in contravention of the Ceasefire Agreement, this new found freedom of movement meant that the LTTE was able to establish a taxation system which was much “more systematic” than the system it had previously implemented between 1990 and 1995.⁴¹⁸

As part of the LTTE's new taxation system in the post-ceasefire era, passenger vehicles leaving and entering Jaffna via the A9 highway were charged toll fees. Commercial goods and personal items entering LTTE-controlled areas in the north-east and government-controlled Jaffna were also subject to customs fees which could range between 10 and 25 per cent.⁴¹⁹ The LTTE also taxed passenger and cargo vehicles travelling within LTTE-controlled territory, making it mandatory for all drivers to purchase a “route pass” (with either single trip or one-year validity) and for vehicle owners in LTTE-controlled zones to pay vehicle registration taxes. In addition, in both LTTE-controlled zones and government-controlled Jaffna, the LTTE (re-)imposed taxes on property transactions, businesses, and on individuals working in government and non-government professions.⁴²⁰ While the LTTE finance division retained overall responsibility for tax collection, double or multiple taxation was reportedly common during this period, as different LTTE divisions began to establish their own tax systems.⁴²¹ It should also be noted that members of the Tamil diaspora were also not immune from the LTTE's demands and some made contributions in the form of taxes or donated proceeds from businesses run in their adopted countries.⁴²² These contributions were sometimes voluntary and sometimes involuntary (i.e., made under pressure from Tamil activists) and, at their peak, were in the region of USD2 million per month (see more on this in section 6.2 below).⁴²³

The LTTE finance, transport, and trade sector also included an international shipping arm known as the KP Branch which generated revenue through the transport of commercial goods, international arms smuggling, and which was also implicated in the trafficking of heroin and racketeering.⁴²⁴ Although initially founded by Vaithilingam Sornalingam (alias Colonel Shankar, who also founded the Air Tigers) the KP Branch was named after its head of shipping operations, Tharmalingam Shanmugam Kumaran (alias Selvarasa Pathmanathan or Kumaran Pathmanathan). Broadly speaking, Kumaran or “KP” was responsible for arms procurement, global fundraising, and the administration of overseas LTTE branches and front organizations (including but not limited to the TRO).⁴²⁵

The KP Branch was primarily developed in response to the loss of arms supplies and support from India in the wake of the Indo-Sri Lanka Accord (discussed in section 6.1). To address this loss, the LTTE stepped up its own domestic arms production program and carried out increasingly daring strikes against Sri Lankan Army military camps and weapons depots.⁴²⁶ The LTTE also reportedly expanded its international arms procurement network with the

418 Sarvananthan 2007: 48; Sunday Times Situation Report 2002a.

419 Sarvananthan 2007: 48; Stokke 2006: 19; Sunday Times Situation Report 2002a.

420 Stokke 2006: 19.

421 Sarvananthan 2007: 50.

422 Ibid; Chalk 2000.

423 Submaranian 2000 in Mampilly 2000: 164.

424 Chalk 2000; On the LTTE's involvement in the heroin trade see Mackenzie Institute 2000, and also Thompson and Turlej 2003.

425 Jeyaraj 14 April 2014.

426 Ibid.

assistance of a maritime magnate from Bombay, known by the pseudonym Pratima Das.⁴²⁷ The KP branch included a merchant fleet of deep-sea (“sea pigeon”) vessels which transported legitimate goods such as cement, flour, rice, and sugar “about 90 per cent of the time,” but which also covertly transported weapons, explosives, and dual-use technologies.⁴²⁸ These armaments were then handed over to the EEZ-MLST section of the LTTE’s naval branch, the Sea Tigers (see section 5.2).⁴²⁹ Although members of the KP Branch were not typically LTTE fighters, and did not typically receive military training, it has been alleged that members of the Sea Tigers were occasionally transferred to serve within the merchant fleet.⁴³⁰

Following the 2002 ceasefire, KP, who was now wanted by Interpol and accused of financial mismanagement, was relieved of his duties, although he continued to advise the LTTE on arms purchases.⁴³¹ He was replaced by Veerakulasingham Manivannan (alias Castro) who was also named as head of the LTTE’s International Secretariat (discussed immediately below in section 6.2). Castro had previously been the LTTE military commander in charge of the offshore islands and islets of Jaffna.⁴³² After sustaining serious injuries during the 1991 battle of Elephant Pass, he was removed from the military wing and subsequently made responsible for interacting with LTTE overseas branches and with Tamil expatriates visiting LTTE-controlled territory in Sri Lanka. Around this time a Kilinochchi office, known as “Nanthavanam” was set up with Castro at its head and with Subramaniam Kapilan (alias Nanthagopan) as his deputy.⁴³³ Additionally, a system of passes (akin to visas) was also created for diaspora members returning to visit LTTE-controlled territories, and was sometimes used as a way to demand financial contributions (see section 6.2). As the number of diaspora members making visits to LTTE territory increased after the 2002 ceasefire, Nanthagopan interrogated diaspora members at the Nanthavanam office.

6.2 The International Secretariat

The LTTE’s international secretariat was included within the LTTE’s central governing committee.⁴³⁴ Borrowing a tactic learned from the PLO, the LTTE began to forge extensive connections with the overseas Tamil diaspora after 1983, although it was not until 1990 that an LTTE international secretariat was set up in London.⁴³⁵ Sathasivam Krishnakumar (alias Kittu) was originally placed in charge of this secretariat, which was responsible for overseas propaganda and fundraising (including fundraising for arms purchases), and which often worked through various LTTE front organizations. In this way, the functions of the international secretariat overlapped somewhat with those of the KP Branch.

According to one source, the LTTE generally employed five different methods of raising funds from abroad.⁴³⁶ One method was the use of voluntary “standing orders” in which committed LTTE supporters made arrangements for their banks to debit a monthly sum.

427 Davis 1996; Confidential source 2007.

428 Sridhar 2008: 189; Thompson and Turlej 2003: 46.

429 Sridhar 2008: 189; Mehta 2010: 58; Povlock 2011: 19-20.

430 Sridhar 2008: 189.

431 Interview with KP in Jeyaraj 13 August 2010; Ramachandran 10 June 2009.

432 Jeyaraj 14 April 2014.

433 Ibid.

434 Chalk 2000.

435 Gunaratna 2001; Hussain 2010: 397.

436 The information in this paragraph is taken from Jeyaraj 28 January 2011.

This monthly sum would be sent directly to an LTTE front organization and used to keep the front organization running. Additionally, the LTTE also embarked on “annual general collections” which targeted Tamils regardless of whether or not they were pro-LTTE. Early LTTE collectors were volunteers but were later given a commission contingent on the amount they were able to raise. These contributions, which were sometimes provided voluntarily and sometimes coerced, were sent to the LTTE headquarters in northern Sri Lanka, or alternatively, were used to buy arms or to set up LTTE businesses. When necessary, the LTTE also used “special collections” specifically for arms procurement, in which LTTE supporters took out loans and then transferred the money to their local LTTE front organization. The aforementioned standing orders were also used to pay off the interest on these loans. Finally, the Tamil diaspora also raised money for the LTTE by staging performances, and by setting up businesses and paying a portion of the profits.

The LTTE also attempted to raise funds from the Tamil diaspora through the introduction of its “European initiative” in early 2006. As part of this initiative, the LTTE international secretariat attempted to register and assign a unique PIN number to all Tamil families overseas.⁴³⁷ The LTTE then required these families to contribute one unit of currency (i.e., one Euro, one Franc, one Pound) for each day they were outside Sri Lanka.⁴³⁸ Wealthy diaspora members were required to contribute more, and when members of the overseas Tamil diaspora returned to north-east Sri Lanka for temporary visits their PIN numbers were checked to ensure that their individual contributions were paid and up-to-date (see also section 6.1.4). Prior to this there had been a previous attempt to register members of the Tamil diaspora overseas, when, during the late 1990s overseas LTTE front organizations issued identity cards to diaspora members in order to ensure that every diaspora member contributed financially to the LTTE cause.⁴³⁹ This identity card initiative was reportedly first introduced in Switzerland and then later spread to other European countries.⁴⁴⁰ The LTTE also used the identities of diaspora members, collected during the identity card initiative, to conduct credit card fraud, money laundering, blackmail, and to produce fake National Identity Cards which were then used by LTTE cadres and, especially, LTTE suicide operatives (see also section 6.1.1.). Although this first identity card scheme was later halted, some diaspora members have reportedly struggled to prove that they did not engage in illegal activities, but that instead, their identities were stolen.⁴⁴¹

Used to channel the funds collected overseas, the LTTE's network of front organizations was extensive and, by May 1998, spanned 54 locations in 32 countries.⁴⁴² Of these 32 countries, 12 were considered as top-level contributors to the LTTE's cause including Switzerland which, despite having a relatively small Tamil diaspora (compared to Canada, the UK, the USA, France and Australia), contributed more per person to the LTTE than any other Tamil diaspora community between 1991 and 1997.⁴⁴³ The LTTE established a structured presence in each of these top twelve contributing countries which reportedly consisted of a political unit (responsible for propaganda and mobilizing fundraising activities), a finance unit (responsible for meeting collections targets), a procurement unit and an intelligence unit.⁴⁴⁴ The chiefs of each of these units were typically subordinate to a head LTTE country-

437 Ibid; HRW 2006: 2.

438 Balasuriya 2011; Jayasekara 2007; HRW 2006: 2.

439 Nathaniel 2014a.

440 Ibid.

441 Ibid.

442 Gunaratna 1998: 372 cited in Chalk 2000.

443 Jeyaraj 28 January 2011.

444 Balasuriya 2011.

representative who exercised authority and issued instructions through a front organization. An exception is provided by the procurement unit, which tended to operate outside the authority of the country representative.

The front organizations utilized by the LTTE's international network go by various names but have included the Tamil Rehabilitation Organization (discussed in section 6.1.3), the Tamil Coordinating Committee (in France, Germany, Norway, the Netherlands, Australia, South Africa, Sweden, Belgium, and New Zealand), the World Tamil Movement (in Canada), the World Tamil Coordinating Committee (in Switzerland and the USA), and the British Tamil Association (in the United Kingdom).⁴⁴⁵ According to one source, these front organizations were also utilized by the LTTE's "Aiyanna Group," which was a clandestine intelligence and operations body, "likely to be responsible for monitoring and ensuring the organization's financial support and revenue streams" and for monitoring the Tamil diaspora overseas.⁴⁴⁶ Although there is little available information on the Aiyanna Group, it was reportedly directed by Pottu Amman (the head of the LTTE's intelligence wing, TOSIS) and headed by Ponniah Anandaraja (alias Aiyanna).⁴⁴⁷

The LTTE's overseas front organizations were typically manned and overseen by radicalized elements in the Tamil diaspora. For example Kittu, who was based in London while serving as the first head of the LTTE's international secretariat, played a critical role in the assassination of Rajiv Gandhi, coordinating some of the logistics for Sivarajan (aliases Raghuvaram and Pakiachandran), the operations commander of the assassination team.⁴⁴⁸ Following Rajiv Gandhi's death on 21 May 1991, the London authorities served Kittu a quit notice on the grounds that he engaged in the extortion of funds from Tamil communities living in the United Kingdom (UK). Kittu subsequently moved to France and then to Switzerland for a year, and although the LTTE continued to headquarter its international secretariat in London, it ensured that the individual in charge of the network resided outside of the UK.⁴⁴⁹

In Switzerland, Kittu galvanized LTTE support to the benefit of Nadarajah Muraleetharan (alias Murali or Swiss Murali), who was then the head of the LTTE's Swiss network.⁴⁵⁰ Following Murali's arrest in 1996 and subsequent acquittal in 1997, the Swiss LTTE branch was initially put under collective leadership before Chelia Kulasekarasingham (alias Kulam or Avro Kulam) assumed the helm.⁴⁵¹ According to one source, as country representative Kulam presided over a political unit headed by Arulsothy and which reportedly also utilized three regional leaders, Anbalawannan in Bern, N. Kumar in Zurich, and Sivaneshan in Fribourg.⁴⁵² This source has also claimed that the LTTE presence in Switzerland was made up of a procurement unit, an intelligence unit, and a finance unit which was allegedly headed by Suda.⁴⁵³ This Swiss LTTE finance unit reportedly helped to run an informal remittance system, known as the Undi system (*Hawala*) in which a cartel of Tamil jewellery shop owners in Switzerland acted as human couriers, transporting funds to Singapore which would then be placed in LTTE holding accounts in south east Asia.⁴⁵⁴

445 Asian Tribune 14 December 2008; Aryasinha 2008.

446 Jane's Intelligence Review August 2007: 16.

447 Ibid.

448 Gunaratna 2001; Sri Kantha 2011.

449 Gunaratna 2001; Rajasingham 2002a.

450 Jeyaraj 28 January 2011; Gunaratna 1998a; Bell 2001.

451 Jeyaraj 28 January 2011.

452 Balasuriya 2011.

453 Ibid.

454 Ibid.

Following Kittu's death in 1993, the overall leadership of the International Secretariat changed hands, with John Christian Chrysosthom (alias Lawrence Thilagar) appointed as Kittu's successor.⁴⁵⁵ Lawrence, a military trained LTTE cadre based in Paris was also replaced, in late 1996 or early 1997, either by Velummylum Manoharan (alias Mano) or Sivagnam Gopalarathinam (alias Karikalan).⁴⁵⁶ As discussed in section 6.1.4, changes within the International Secretariat occurred once again following the 2002 ceasefire. At this point, the headquarters of the international secretariat were relocated from Europe to Wannu, and Veerakulasingham Manivannan (alias Castro) was named as the international secretariat's new chief. With this promotion, Castro gained dominance over Tharmalingam Shanmugam Kumaran ("KP") who was removed from his role as leader of the KP branch and demoted to an advisory position.⁴⁵⁷ It was also at this juncture that the LTTE intelligence division created a special unit to oversee intelligence operatives working outside of Wannu and in the international network. This special unit was headed by Segarampillai Vinayagamoorthy (alias Vinayagam) who became an important figure almost immediately after the LTTE's military defeat in 2009.⁴⁵⁸

The Sri Lankan government alleges that an additional overseas LTTE unit, the Tamil Youth Organization (TYO) was created by Castro, on 3 December 2003, during his time as head of the international secretariat.⁴⁵⁹ According to one government report, one of the TYO's activities included working with representatives of LTTE-run (i.e., *Thamilcholai*) schools in Europe to deliver LTTE training to young members of the Tamil diaspora abroad.⁴⁶⁰ This government report also states that the administrators of these European-based schools also sent "batches" of young Tamil students to Wannu (in northern Sri Lanka) between 2004 and 2007 to undergo military LTTE training.⁴⁶¹ While the involvement of the TYO in this latter student-targeted activity is independently unsubstantiated, other pro-government reports allege that, in separate incidents, older (and sometimes senior) TYO members between 18 and 30 years of age sometimes travelled to north-east Sri Lanka during the same period for military training with the LTTE.⁴⁶² This allegation has been challenged by outside observers who counter that, while the TYO did organize visits for diaspora youth to LTTE-held areas during the ceasefire (2002-2006), these visits did not involve military instruction.⁴⁶³

Aside from his alleged creation of the TYO, Castro, upon assuming his new position as head of the international secretariat, also took measures to remove individuals in the LTTE's international network who were loyal to KP. Castro and KP had a long-time rift dating back to 1991 when, following his battle injuries, Castro was assigned the task of interacting with the Tamil diaspora overseas. This role overlapped with the duties assigned to KP and, as a result, there had long been tension between the two men. During his administrative purge,

455 Gunaratna 2001.

456 Chalk 2000 states Mano (who was a Paris-based activist), whereas Thompson and Turlej 2003: 44 claim Karikalan.

457 Ramachandran 10 June 2009; Sri Lanka 2011.

458 Vinayagamoorthy had previously worked in TOSIS (from 1990-1993), and had also been responsible for intelligence activities in Vavuniya district (from 1991) and in the Sri Lankan provinces outside the north-east (from 1997). See Jeyaraj 26 November 2010; Jeyaraj 14 April 2014a; Fuard 2009; Indi.ca 2011.

459 Rajasingham 1 November 2011; Sri Lanka 2012a.

460 Sri Lanka 2012a.

461 Ibid.

462 Nathaniel 2014; Sriyananda 2012; Rajasingham 1 November 2011.

463 One external reviewer of this paper challenged the notion that TYO members received military training during visits to Sri Lanka. The other argued that while these practices were possible, there was not yet sufficient, unbiased evidence to substantiate the claim.

Castro removed the LTTE's existing chiefs in France, Velummayilum Manoharan (alias Mano) and Nadarajah Illango, and replaced them with Nadarajah Matheenthiran (aliases Regan, Parithy) who became both the new LTTE head in France and head of the Paris-based LTTE front organization, the Tamil Coordinating Committee.⁴⁶⁴ Castro also regarded Kulam, leader of the Swiss LTTE branch, as a KP loyalist but was reportedly unable to remove him because of Kulam's close connections to Prabhakaran. According to one source, Castro therefore adopted a slightly different tactic, and he moved to side-line Kulam, reducing his role to that of a figurehead while giving real power to Chelliah Jeyapalan (alias Abdullah), who was made chief of the financial unit of the Swiss Tigers.⁴⁶⁵ By early 2009, following Kulam's refusal to implement a "special collection," Castro finally managed to remove Kulam with the help of his deputy in Europe, the Oslo-based Sivaparan Perinbananayagam (alias Nediyan).⁴⁶⁶ Abdullah then went ahead and conducted the controversial special collection resulting in a split in the Swiss LTTE branch with Kulam and his loyalists reportedly being estranged and alienated.

6.3 The Peace Secretariat

With the advent of the 2002 peace talks, the LTTE began a concerted effort to further delink its military from its civilian apparatus. To this end, on 14 January 2003, the LTTE set up a Peace Secretariat which was designed to support the LTTE political wing, and to disseminate information on the peace process to the outside world.⁴⁶⁷ The Peace Secretariat, which was partially funded by aid from Norway, had an office in Kilinochchi and acted as a counterpart to the government's Secretariat for Coordinating the Peace Process (SCOPP) which was established under the Prime Minister's Office in January 2002.⁴⁶⁸ Seevaratnam Puleedevan was appointed head of the LTTE Peace Secretariat, and participated in the LTTE's negotiating team which was often composed of Anton Balasingham (the LTTE's chief negotiator), Thamilchelvam (head of the LTTE's political wing), and Nadesan (head of the LTTE police, and later, head of the LTTE political wing).⁴⁶⁹

6.4 Communications Networks

The LTTE also possessed a communications network which grew in sophistication over time. The dissemination of LTTE-related information via the communications network had three main purposes.⁴⁷⁰ Firstly, it allowed the dispersed Tamil diaspora to access information about their homeland while simultaneously enticing diaspora members to contribute to the cause. Secondly, and relatedly, news and information produced by the LTTE allowed the group to report back on how diaspora funds had been utilized. Finally, LTTE propaganda was a means to present Tamil Eelam as its own nation-state, and to counter government-led campaigns portraying the LTTE as a terrorist organization.

Beginning in the mid-to-late 1980s, the LTTE compiled daily situation reports ("sitreps"), and published illustrated and multilingual booklets and pamphlets.⁴⁷¹ While these booklets and

464 Jeyaraj 14 April 2014; Jeyaraj 13 November 2012; Jeyaraj 7 April 2007.

465 Jeyaraj 28 January 2011.

466 Ibid.

467 Norad 2011: 42; Ferdinands et al. 2004.

468 Norad 2011: 112; Kelegama 2006: 52.

469 Reddy 2008; TamilNet 18 February 2006.

470 Jayasekara cited in Calvert 2008; Ranganathan 2002: 58.

471 Tekwani 2009.

pamphlets were distributed to select government organizations, and local and international media, the LTTE's "sitreps" were transmitted from its Jaffna office to front offices in Western capitals. From here, the "sitreps" would be passed on to the media and governments within these countries initially via telex machine, but later via fax machines and eventually email. Journals and newspapers were also published directly by the LTTE and by its front organizations. For example, three LTTE newspapers were published in Jaffna and, in 2002, over 40 Sri Lankan Tamil newspapers were published in North Atlantic nations.⁴⁷² Approximately eighty per cent of these 40 newspapers were controlled by the LTTE.⁴⁷³

The LTTE also spread information related to its activities through visual media. Initially Kittu came up with the idea of videoing battles, and sending the footage to Prabhakaran, during his tenure as the regional military commander of Jaffna.⁴⁷⁴ The rival Tamil militant group TELO also did this in 1984, recording a successful attack on Chavajachcheri police station and circulating the footage worldwide.⁴⁷⁵ In 1986, as more LTTE battle footage was recorded, the LTTE assumed control of Jaffna and the television "retransmitting towers" within the area.⁴⁷⁶ Shortly afterwards, the LTTE started its own terrestrial TV channel, *Nitharsanam* ("Reality"), which was used to broadcast battle footage and which was reportedly headed by Seralaathan.⁴⁷⁷

Nitharsanam continued its broadcasts throughout Jaffna until 14 February 1987 when its studios were destroyed by the Indian Peacekeeping Force.⁴⁷⁸ However, in 1990, after the LTTE gained control of much of Sri Lanka's north-eastern territory, *Nitharsanam* was resumed with Lt. Col. Thava (an LTTE military cadre) as its chief cinematographer.⁴⁷⁹ Thava (or "Thavam") filmed many battles, which were broadcast on *Nitharsanam* and distributed among the diaspora to inspire financial contributions. This footage was also used by LTTE military strategists to examine the military performance of their cadres and commanders, and to instruct new recruits during training. In addition to its terrestrial channel, in March 2005 the LTTE created its first satellite channel, the National Television of Tamil Eelam (NTT), which was directed by S. Karunakaran.⁴⁸⁰ NTT beamed LTTE programs to India, parts of Pakistan, Afghanistan, Bangladesh, Nepal, Myanmar and China.⁴⁸¹ The Paris-based Tamil Television Network (TTN) also relayed these broadcasts to audiences in Europe and the Middle East. When these broadcasts were shut down in May 2007 (because the LTTE had been illegally pirating a satellite transponder frequency), the distribution of LTTE programming was switched to the Tamil Nadu based "Makkal" TV network (owned by a pro-LTTE Indian Tamil political party, *Pattali Makkal Katchi*), and shown on the *Tharishanam* ("Revelation") channel.⁴⁸² These *Tharishanam* broadcasts, which were telecasted to London and other European countries via satellite, were also subsequently shut down, in June 2008.⁴⁸³

472 Gunaratna 1998a; Bandara 2002: 514-521.

473 Bandara 2002: 520.

474 Jeyaraj 23 February 2008.

475 Ibid.

476 De Soyza 2011: 87.

477 Jeyaraj 10 April 2009.

478 TamilNet 30 July 2005.

479 Jeyaraj 23 February 2008.

480 TamilNet 30 July 2005.

481 Daly 2007.

482 Ibid; Confidential Source 2013.

483 Confidential Source 2013; Asian Tribune 22 June 2008.

Aside from its television broadcasts, the LTTE also possessed a radio station, the Voice of Tigers (VoT) which, from March-May 2007, broadcast from Wannu to Europe and South Asia via the same satellite as NTT.⁴⁸⁴ Under this latter arrangement, Tamil radio stations overseas were able to rebroadcast VoT programs to the Tamil diaspora. VoT was originally a terrestrial clandestine radio station, which was launched in November 1990 under the supervision of the aforementioned *Nitharsanam* cinematographer, Thava. Although initially part of *Nitharsanam*, VoT was later made autonomous, with Thirukulasingham Thavabalan as chief editor, and Suresh Linbiyo and T. Tharmalingam as technicians.⁴⁸⁵ The chief of the LTTE's media unit, Naresh, and the LTTE's media spokesman, Velayutham Thayanithi (alias Daya Master) were also involved with both VoT and NTT.⁴⁸⁶ Following the 2002 ceasefire, the terrestrial VoT radio station was legalized when the Government of Sri Lanka granted the LTTE Peace Secretariat a license and an FM radio transmitter to broadcast, subject to certain restrictions on content.⁴⁸⁷

Alongside its print, radio, and televisual presence, in 1993, the LTTE set up its first website, in part to provide information to counter the backlash surrounding the assassination of Rajiv Gandhi.⁴⁸⁸ More generally, the LTTE used the internet so that members could communicate anonymously, but also to establish a virtual Eelam nation.⁴⁸⁹ This online Eelam network was made up of official LTTE sites maintained by group members, but also of unofficial pro-LTTE sites managed by diaspora members abroad.⁴⁹⁰ Examples of the former included the LTTE Peace Secretariat website, the TEEDO website, eelamweb.com, and infoeelam.com. Examples of the latter diaspora-run websites were tamilnet.com, tamilcanadian.com, eelam.dk (Denmark), and tamilnet.net.au (Australia). In 1997, the LTTE engaged in the first recorded use of internet terrorism when an LTTE unit calling itself the Internet Black Tigers bombarded Sri Lankan embassy and consulate networks with up to 800 junk emails per day over a period of two weeks.⁴⁹¹ In the same year, the LTTE also hacked into the computer system at Sheffield University in the United Kingdom, using the identities and email addresses of well-respected academics to ask individuals to donate money to a hospital in Colombo.⁴⁹²

484 Daily News 12 May 2007.

485 Confidential source 2013.

486 TamilNet 30 July 2005; Asian Tribune 16 July 2006.

487 Sambandan 17 January 2003; Kennedy 20 June 2003; Asian Tribune 5 March 2007.

488 Tekwani 2009.

489 Tekwani 2007: 178.

490 Ibid.

491 Ibid: 184.

492 Vatis 2001 cited in Tekwani 2007: 184.

7. The End of the LTTE

After building up a sophisticated international secretariat, military wing and supporting political wing, the LTTE began to crumble not long after the February 2002 ceasefire agreement. The beginning of the end came in April 2003 when the LTTE announced that it was suspending its participation in ongoing peace talks because of “the exclusion of the LTTE from [a] critical aid conference in Washington, the non-implementation of the terms and conditions enunciated in the [2002] truce document, the continuing suffering and hardship experienced by hundreds and thousands of internally displaced Tamils, the aggressive military occupation of Tamil cities and civilian settlements, [and] the distortion and marginalization of the extreme conditions of poverty and deprivation of the Tamils of the north-east in the macro-economic policies and strategies of the government.”⁴⁹³ The LTTE also reportedly suspended its participation in the ongoing peace talks due to fears that the peace process was creating dissension among the LTTE ranks.⁴⁹⁴ This fear was seemingly confirmed when, in March 2004, the LTTE's long-term regional commander of Batticaloa-Amparai, Vinayagamoorthy Muraleetharan (alias Karuna Ammaan), formed a breakaway military faction. This faction was initially known as the Karuna group, and later as *Tamil Eela Makkal Viduthalai Pulikal* (TMVP, Tamil People's Liberation Tigers). Just prior to Karuna's announcement both he and the Trincomalee regional commander, Sivasubramaniam Varathanathan (alias Colonel Pathuman), were summoned to a meeting with Prabhakaran in Wannai. At this meeting Pathuman (who was initially supportive of Karuna) was interrogated and replaced as the regional commander of Trincomalee by Soosapillai Joseph Anthonydas (alias Colonel Sornam).⁴⁹⁵ Sensing a trap, Karuna opted not to show up for the Wannai meeting and instead broke away from the LTTE with somewhere between 3,000 and 6,000 of his eastern-based cadres.⁴⁹⁶ At this point, the LTTE (including the Karuna group) possessed roughly 25,000 cadres overall.⁴⁹⁷ Of these, roughly 7,000 were injured and elderly combatants, and another 7,500 were from Karuna's strongholds of Batticaloa and Amparai.⁴⁹⁸ Approximately 2,000 of these eastern cadres had been recruited after the 2002 ceasefire.⁴⁹⁹

Karuna's grievances with Prabhakaran and the northern LTTE contingent stemmed from his long-time rift with Pottu Amman (the TOSIS intelligence chief) and from perceived northern bias in the LTTE leadership.⁵⁰⁰ Prior to the ceasefire, the difficulty of travel between the northern and eastern territories meant that Karuna (who had always deferred to Prabhakaran on military matters), exercised great autonomy in the east, particularly in the provision of public goods.⁵⁰¹ Karuna had also previously generated his own funds for Batticaloa and Amparai through the imposition of taxes.⁵⁰² With the introduction of the 2002 ceasefire and the new ability of LTTE members to travel freely between the north and east,

493 Balasingham 2004: 439 cited in Norad 2011: 44-45.

494 ICG 2006: 8.

495 Jeyaraj 28 May 2011; Sunday Times Situation Report 2004a.

496 Mukarji 2005: 40; Tamil Guardian 7 March 2007; The UN Panel of Experts Report March 2011 Para 43 puts the number at 5,000.

497 Jeyaraj 2004.

498 Ibid.

499 Ibid.

500 Mukarji 2005 Chapter 2; Jeyaraj 2004.

501 Mampilly 2007: 187.

502 Sunday Times Situation Report 2004.

the northern command attempted to take control over the eastern civilian administration away from eastern commanders such as Karuna.⁵⁰³ In addition, the eastern courts, police stations, and income tax offices were made to report directly to the north, bypassing the regional command and directly undermining Karuna's authority. Increasingly dissatisfied and side-lined, Karuna argued that the northern leadership monopolized financial contributions (from NGOs, the Tamil diaspora, and the international community) and that Tamil Eelam divisional heads were unanimously northern.⁵⁰⁴

Following Karuna's defection, some senior Batticaloa leaders opted not to follow Karuna, travelling to the LTTE's northern headquarters in Kilinochchi instead. Prabhakaran designated these individuals as the new legitimate LTTE leaders in the east, appointing T. Thurairajasingham (alias Colonel Ramesh) as special commander for Batticaloa-Amparai, Colonel Ram as the military commander, and Praba as the deputy military commander.⁵⁰⁵ Ramanan was made military intelligence chief while Kausalyan was appointed political commissar.⁵⁰⁶ In the north, Colonel Theepan remained as the northern regional commander, a position he had been awarded following the Second Battle of Elephant Pass in 2000.⁵⁰⁷ Theepan also became the *de facto* deputy military commander of the LTTE in 2008, after the incumbent, Balraj, died of a heart attack.⁵⁰⁸ Conversely, within the Karuna group, Rabert was appointed senior military commander for Batticaloa and Amparai, Thatha was the new deputy military commander, and Visu was political commissar.⁵⁰⁹ In addition, Thurai was Karuna's new administrative head, Nilavini the women's brigade commander, and Premini the leader of the women's political wing.⁵¹⁰ Bawa was also made the new Amparai district head.⁵¹¹ Two divisions of the Jeyanthan brigade reportedly also went over to Karuna's side.⁵¹²

Fighting broke out between the LTTE command in Wannai and the Karuna group on 9 April 2004 and, five days later, the LTTE regained control of Karuna's eastern territory.⁵¹³ Although the LTTE's Colonel Ramesh subsequently assumed his role of special commander for Batticaloa and Amparai, the LTTE restructured its military organization in 2005 and established separate command and administrative structures for each of these eastern districts.⁵¹⁴ Sivanadan Somasekaran (alias Colonel Banu) replaced Ramesh as Batticaloa special commander, with Lt. Colonel Nagesh as Batticaloa military commander, and Lt. Colonel Ramanan as deputy military commander.⁵¹⁵ Colonel Ram was appointed special commander for Amparai district.⁵¹⁶ Despite losing its eastern stronghold and many of its cadres, the Karuna group began to launch raids against the LTTE and, in particular, against LTTE members and sympathizers in the east. The LTTE's political leader in the east, E. Kaushalyan was killed by elements allegedly loyal to Karuna in February 2005.⁵¹⁷

503 Mampilly 2007: 187; Mukarji 2005 Chapter 2.

504 Mampilly 2007: 187; Mukarji 2005 Chapter 2; Jeyaraj 2004.

505 Jeyaraj 2004; Weiss 21 March 2012.

506 Jeyaraj 2004.

507 Jeyaraj 15 April 2009.

508 Jeyaraj 6 April 2009; Jeyaraj 20 May 2011.

509 Sunday Times Situation Report 2004; Jeyaraj 2004.

510 Jeyaraj 2004.

511 Ibid.

512 Ibid.

513 BBC 9 April 2004; Al Jazeera 13 April 2004.

514 Tamil Guardian 29 June 2005.

515 Ibid.

516 Ibid.

517 Hoglund 2005: 164.

Lt. Colonel Ramanan was also killed by the Karuna group on 21 May 2006.⁵¹⁸ This subsequently led to another shake-up of the LTTE's eastern command in which Colonel Banu was recalled to Wannai, and replaced by Colonel Jeyam.⁵¹⁹

The split within the LTTE military wing also coincided with a period of political change in which the Government of Sri Lanka began to adopt a more militaristic policy. In early 2003, the LTTE's chief theoretician and negotiator, Anton Balasingham, asked the Sri Lankan government to develop a temporary administrative structure for reconstruction of the north-east with "adequate powers" and a clear role for the LTTE.⁵²⁰ Shortly afterwards the government responded with a discussion document which proposed a "Provisional Administrative Structure for the Northern and Eastern Provinces." The LTTE rejected this plan and, in October 2003, countered with its own proposal for an "Interim Self-Governing Administration" (ISGA).⁵²¹ This far-reaching proposal outlined a plan "just short of secession" in which the LTTE would have de facto control over the Northern and Eastern Provinces.⁵²² Under pressure from nationalist elements within her party and political base to halt negotiations with the LTTE, President Kumaratunga intervened by declaring a state of emergency and used her executive power to dissolve parliament. The President then joined with the Sinhalese nationalist party, the Janatha Vimukya Peramuna (JVP), to form the United People's Freedom Alliance (UPFA) which promised a tough stance on future dealings with the LTTE.

The UPFA subsequently won the parliamentary elections of April 2004 meaning that the architect of the 2002 peace process, Prime Minister Ranil Wickremesinghe (of the United National Party), was replaced by the hawkish Mahinda Rajapaksa (of UPFA). Following subsequent presidential elections in November 2005, Rajapaksa won the presidency on a hard-line Sinhala-nationalist ticket, in part because the LTTE leader, Prabhakaran, called for a Tamil boycott which ultimately hurt Ranil Wickremesinghe, the more moderate UNP candidate.

Rajapaksa's new administration stepped up arms purchases and began planning for a resumption of war with a commitment to destroy the LTTE.⁵²³ Throughout the period of hostilities which followed between 2005 and 2009, the Sri Lankan government adopted both more aggressive military tactics and a tougher political line, including censorship of military and civilian casualties, and attacks on the critics of war.⁵²⁴ Disappearances soared, and individuals including journalists, politicians, and the staff of local non-governmental and international organizations were sometimes threatened or intimidated.⁵²⁵ As discussed in detail in section 7.1 below, throughout these final phases of the war, the LTTE's military wing was completely annihilated and the LTTE's political structures and institutions in the north-east were gradually closed down and abandoned as the insurgents lost territory that was incrementally won by the Sri Lankan Army. A rough approximation of the LTTE's territorial losses, for the pre-2005 period up to 2009, is provided on Map 1.⁵²⁶

518 Asian Tribune 5 July 2006.

519 Ibid; Asian Tribune 24 July 2006.

520 Norad 2011: 46.

521 Norad 2011: 47; Pape and Feldman 2010: 302.

522 Norad 2011: 47.

523 ICG 2010a: 3; UN Panel of Experts Report March 2011: Paras 57-8.

524 ICG 2010a: 4.

525 Ibid: 4; UN Panel of Experts Report March 2011: Paras 63-4. The Panel of Experts Report states that white vans were used to abduct and "disappear" critics of the government and those with suspected links to the LTTE.

526 Brun and Van Hear 2011: 250-1.

7.1 Final Battles

Following the breakdown of peace talks and the effective collapse of the 2002 ceasefire agreement, violence between the LTTE and the Sri Lankan Army (SLA) resumed following the election of President Rajapaksa in November 2005.⁵²⁷ During the period which followed tensions increased in the ethnically mixed agricultural areas south of Trincomalee town and harbour in Sri Lanka's Eastern Province. The Sri Lankan military also tightened its grip on this eastern area, by increasing its forces and cutting off roads and supplies to the LTTE-held areas of Muttur and Eechilampattu (both in Trincomalee district).⁵²⁸ To put pressure on the government, the LTTE - which was itself under pressure from hungry Tamil farmers - closed the sluice gates of the Mavil Aru anicut (dam) on 20 July 2006. Pro-government accounts state that the LTTE did this in preparation for an attack on the Mahaveli delta which, if captured, would have given the LTTE control over the entire coastal area south of Trincomalee Bay and over a corridor of access between Wannai and other LTTE localities in Batticaloa and Amparai.⁵²⁹ In contrast, however, other independent accounts claim that the Sri Lankan Army moved into the LTTE-controlled Eastern Province to forcibly reopen the sluice gates and evict the LTTE even after an agreement to settle the dispute had been reached between the LTTE and local Buddhist monks.⁵³⁰

Reluctant to attack the LTTE's centre of gravity in the north, the SLA opted to first secure the eastern and southern flanks. To secure the strategically important port city of Trincomalee, the SLA fought for and won control of the nearby territories of Muttur and Sampur in August and September 2006.⁵³¹ The LTTE, which unsuccessfully counterattacked was subsequently pushed south, as was the civilian population which was forcibly made to accompany the LTTE as it withdrew.⁵³² Large numbers of civilians were also used as LTTE "human shields" in these battle zones on the eastern front.⁵³³

Further SLA operations in the north and east began in October 2006. In the north, the SLA opened a large-scale attack across the Jaffna frontline on 11 October.⁵³⁴ However the LTTE put up stiff resistance and the SLA called off the attack within a day, after incurring heavy losses. In the east, and also in October 2006, the SLA attempted to dislodge the LTTE from their stronghold in the eastern coastal village of Vakarai, in Batticaloa. Vakarai was a strategically important area for the LTTE representing a key communication and transport artery between the east and the north (including Wannai).⁵³⁵ During these eastern operations, the LTTE suffered unprecedented losses in terms of both manpower and territory. Indeed, in the year following the Mavil Aru blockade, the LTTE lost thousands of its military cadres including 718 confirmed battle deaths, several hundred seriously injured, and approximately 700 who surrendered to the army.⁵³⁶ Losses of high-ranking LTTE cadres during the battle for Vakarai included the Vakarai district commander, Viduthalai, and Colonel Sornam's deputy,

527 ICG 2006: 10.

528 ICG 2010a: 25.

529 Sunday Times 2006.

530 Norad 2011: 61; ICG 2008: 24-25.

531 Norad 2011: 61; The LTTE had established bases in these areas immediately after the signing of the 2002 ceasefire agreement.

532 Norad 2011: 61; Peiris 2009: 211.

533 Norad 2011: 61.

534 Ibid.

535 Brun and Van Hear 2011: 245.

536 Peiris 2009: 227.

the second-in-command of Trincomalee, Arivu.⁵³⁷ These personnel losses were particularly difficult to redress in the wake of the Karuna split because the LTTE felt unable to trust potential recruits in the east, fearing that their loyalties lay with the breakaway Karuna faction. This meant that although the LTTE tried to increase its ground force numbers, in part by transferring individuals from its naval branch the Sea Tigers, recruitment markedly diminished and, after 2006, the LTTE's strength in the east did not regenerate to more than 4,000 cadres (this was down from the 7,500 cadres previously in Batticaloa and Amparai prior to Karuna's defection).⁵³⁸ Compounding these difficulties, by 2006, Karuna had also begun to provide the Sri Lankan government with military intelligence on the LTTE, in addition to the services of his eastern troops.⁵³⁹

By late March 2007 the LTTE base at Vakarai had been destroyed and by mid-July 2007 the SLA had seized control over both Batticaloa and Amparai districts.⁵⁴⁰ Also in March 2007, and at the same time as these eastern offensives, the SLA launched an operation against the LTTE in northern Wannai. This simultaneous assault, in which the 57th division of the SLA was deployed north-west of Vavuniya, meant that remaining LTTE cadres in the east either retreated to Wannai to fight on the northern front or were driven into the Toppigala jungles in the eastern province.⁵⁴¹ By August 2007, these jungles had been overrun by the SLA and the LTTE's ability to conduct conventional military operations in the east was destroyed.⁵⁴² The eastern province was subsequently held by the Sri Lankan Air Force, Navy, Police and Civil Defense Force Militia (formerly known as the Home Guard) in collaboration with the Karuna Group.

In common with the LTTE's ground forces, the LTTE's Sea Tigers also suffered considerable losses. These losses were particularly important because the LTTE resorted to conventional warfare upon the resumption of conflict in 2006 – a strategy which necessitated reliance on a constant supply of ammunition and other war supplies by sea.⁵⁴³ Between September 2006 and October 2007, and with the help of Indian and US intelligence, the Sri Lankan Navy (SLN) destroyed the LTTE's KP Branch by sinking eight of the LTTE's "sea-pigeon" merchant vessels.⁵⁴⁴ As discussed in section 6.1.4, the KP Branch was responsible for smuggling LTTE weapons and supplies. Furthermore, during direct naval engagements in September 2006, the Sri Lankan Navy destroyed 12 of the Sea Tigers' fast attack craft and killed 80 LTTE members to the north of the Jaffna peninsula.⁵⁴⁵ The Sea Tigers also sustained cumulatively devastating losses during 11 engagements with the Sri Lankan Navy in 2007, and a further 4 engagements in 2008.⁵⁴⁶ During this period, the Sri Lankan Navy reportedly killed almost 1,000 Sea Tigers, destroyed over 300 Sea Tiger vessels, and overran 20 Sea Tiger bases.⁵⁴⁷ The progressive destruction of the Sea Tigers meant that, as fighting continued in the north, the LTTE ground forces were unable to replenish the weapons stocks which were available to them on land, a factor which, according to Sri Lankan military officers, reportedly "turned

537 Reddy 2006.

538 DeSilva-Ranasinghe 2010: 3-6.

539 Tamil Guardian 7 March 2007.

540 Peiris 2009: 225-6.

541 DeSilva-Ranasinghe 2010: 3.

542 Ibid: 3

543 Povlock 2011: 35-6.

544 Ibid: 35-36; Norad 2011: 63.

545 Fish 2009: 24 cited in Povlock 2011: 38.

546 Povlock 2011: 38.

547 DeSilva-Ranasinghe 2010: 6.

the war” in the SLA’s favour.⁵⁴⁸ Additionally, as the Sea Tigers’ capabilities were gradually defeated, the Sri Lankan Navy became progressively better able to patrol the waters surrounding the LTTE’s remaining areas of territorial control.

The LTTE repelled five major assaults staged by the 57th SLA division north-west of Vavuniya throughout most of 2007. Furthermore, these attacks and counterattacks occurred while the 2002 ceasefire agreement (which was formally abrogated only on 2 January 2008) was technically still in force.⁵⁴⁹ The LTTE’s static defense of its northern territory against the SLA’s assaults allowed the latter to mass firepower and to inflict large numbers of casualties on the insurgent defenders.⁵⁵⁰ Increasingly confined to a diminishing territorial area, the LTTE was also vulnerable to attacks by the Sri Lankan Air Force. In one notable attack on 2 November 2007 the Sri Lankan Air Force bombed a target in a forested locality at Thiuvai Aru, south of the township of Kilinochchi.⁵⁵¹ Six LTTE cadres, including the leader of the LTTE’s political wing, S.P. Thamilchelvan were killed.⁵⁵² The remaining five casualties were Muthukkumar Soundarakrishnan (alias Lt Col Anpumani), Dharmarajah Vijayakumar (alias Major Mihuthan), Karunanidhi Vasanthakumar (alias Capt. Kalaiyarasan), Panchatcharam Sajeegan (alias Lt Aatchivel), and Muthukkumaarakkurukkal Srigayathrinatha Sarma (alias Lt Maavaikumar).⁵⁵³ Mihuthan and Anpumani (also known as Alex) were from the LTTE political wing whereas Aatchivel, Maavaikumar, and Kalaiyarasan (also known as Nethaji) were Thamilchelvan’s bodyguards.⁵⁵⁴ The LTTE responded to their increasingly vulnerable position, by deploying the LTTE Air Force, and by stepping up Black Tiger suicide attacks of which there were 6 in 2007, 13 in 2008, and 12 in early 2009.⁵⁵⁵

In these last years of the war, the SLA pursued a strategy of launching continuous offensive operations along multiple fronts to divide and destroy the LTTE piece by piece.⁵⁵⁶ In line with this strategy, and in late 2007, the deployment of the SLA 58th division to the north-east of Mannar, adjoining the north-west coast, forced the LTTE to redeploy its northern forces. This LTTE retreat meant that the SLA 57th division on the Vavuniya front was able to attack the LTTE from the west and make gradual inroads into LTTE territory.⁵⁵⁷ The 57th division aimed to capture Kilinochchi, the LTTE political, administrative and judicial capital, while the 58th division attacked from the north and successfully sealed the north-west coastline, blocking the LTTE’s supply line from Tamil Nadu. In January 2008, the SLA opened yet another front by deploying its 59th division north of Trincomalee, along Sri Lanka’s north-eastern seaboard. This division attacked the LTTE from the south, and set its sights on capturing the north-eastern coastline from Weiloia to Puthukkudiyiruppu. The LTTE responded with a wave of bombings and assassinations in the south.⁵⁵⁸

548 Karannagoda in Povlock 2011: 37.

549 Norad 2011: 64.

550 Povlock 2011: 39.

551 Peiris 2009: 228.

552 Jeyaraj 3 November 2007.

553 Ibid.

554 Ibid.

555 South Asia Terrorism Portal no date specified on source.

556 UN Panel of Experts Report March 2011: Para 59; DeSilva-Ranasinghe 2010: 5-6.

557 DeSilva-Ranasinghe 2010: 5-6.

558 Norad 2011: 64.

Beginning in May 2008, the 57th division captured Maddhu in southern Wannu.⁵⁵⁹ Also at this time, the 59th division succeeded in capturing the LTTE's Munagam base (six kilometres north of Weiloya) and scored a number of territorial victories before capturing the major Sea Tiger stronghold of Mullaitivu on 25 January 2009.⁵⁶⁰ Just prior to this, on 2 January 2009, the 58th division had threatened to encircle LTTE troops in Kilinochchi forcing the LTTE to withdraw to Puthukkudiyiruppu.⁵⁶¹ The fall of Kilinochchi - previously the LTTE's administrative centre - was both a military and psychological turning point and, afterwards, the LTTE's fighting capacity and morale declined rapidly before the larger and better equipped SLA.⁵⁶²

Following the SLA's territorial gains, on 21 January 2009 the Sri Lankan government unilaterally declared a "No Fire Zone" (NFZ) within an area of LTTE-held territory in Wannu. The government, which was preparing its next military offensive, also asked civilians within LTTE-held areas in Wannu (of which there were approximately 300,000), to move into this no fire zone.⁵⁶³ The NFZ covered an area several kilometres north of Mullaitivu including Suthanthirapuram, Udayaarkaddu North, Vallipunam, and Thevipuram (see Map 2), and was located approximately 7km from Puthukkudiyiruppu on the LTTE's southern and western lines of defense.⁵⁶⁴ While the government claimed that the security forces were "fully committed" to providing "maximum safety for civilians," the SLA subjected the NFZ to sustained heavy bombardment and the LTTE continued to fire from within the zone.⁵⁶⁵ The government's strategy to win the war (and indeed its strategy from mid-2008) was to corral the LTTE and the Tamil population of the north into an ever smaller area.⁵⁶⁶ As the LTTE's remaining territory around Mullaitivu and Puthukkudiyiruppu continued to shrink as a result of further SLA advances, the Sri Lankan government declared a limited ceasefire from 1 - 3 February 2009 to allow civilians to cross out of the war zone and into government-held territory. The LTTE ignored this declaration, however, using the pause to launch a counterattack and restricting the number of civilians allowed to leave its territory sometimes by shooting those who tried to escape (the LTTE's use of civilians as "human shields" is discussed in section 5.9). A number of motives underlay the desire of the LTTE to keep Tamil civilians in the conflict zone. Firstly, the LTTE wanted to maintain the outward appearance of a Tamil Eelam state with a territory and a population.⁵⁶⁷ Secondly, the presence of civilians in the conflict zone provided a buffer against the SLA.⁵⁶⁸ Thirdly, and relatedly, the LTTE calculated that the Sri Lankan military would continue to advance without regard for civilian casualties, and that this would prompt the international community to push for a ceasefire which would allow the LTTE time to regroup.⁵⁶⁹

559 Norad 2011: 64.

560 Ferdinando 4 December 2012; Hashim 2013: 160; UN Panel of Experts Report March 2011: Para 77

561 Norad 2011: 65; According to the UN Panel of Experts Report March 2011: Para 77, the 53rd and 55th Brigades also captured the strategically important Elephant Pass on 9 January 2009.

562 Hashim 2013: 8.

563 According to Norad 2011: 66 assessments at the time put the number of civilians trapped with the LTTE in Wannu at about 200,000 (see HRW 2009). However, the number later proved to have been as high as 365,000 (ICG 2010a).

564 ICG 2010a: 12; Norad 2011: 65; UN Panel of Experts Report March 2011: Para 80.

565 Independent observers have argued that the Sri Lankan military's shelling of NFZs in the final phases of the war may constitute war crimes in violation of international humanitarian law. UN Panel of Experts Report March 2011: Paras 80-95; ICG 2010a: 13, 21-22.

566 ICG 2010a: 4.

567 ICG 2010a: 25; UN Panel of Experts Report March 2011: Para 70.

568 UN Panel of Experts Report March 2011: Para 70.

569 ICG 2010a: 25.

As the SLA advanced, the remaining LTTE cadres and the civilians forced to accompany them were first pushed into the “Wanni pocket,” an area of 280 square kilometres in the Puthukkudiyiruppu and Visuamadu area. Furthermore, in early February 2009 the Sea Tigers lost their final base in Chelai (north of Mullaitivu) and the SLA captured the headquarters of Prabhakaran's bodyguard unit, the Radha regiment, in Visuamadu East.⁵⁷⁰ As the frontlines moved further east, the government abrogated the first no fire zone and, on 12 February 2009, created a second, smaller NFZ on a narrow strip of land on the east coast north of Mullaitivu (see map 2).⁵⁷¹ This action marked the beginning of a pattern in which the government declared ever smaller no fire zones and then continued on the offensive, pushing the LTTE's frontlines back into the newly declared NFZs.⁵⁷² During the month of February 2009, LTTE losses continued to mount as the LTTE Air Tigers lost their final two aircraft during suicide missions in Colombo and Katunayake, when both LTTE planes were shot down by the Sri Lankan Air Force.⁵⁷³ On 24 February 2009 the LTTE sent a letter to the EU, US, Japan and Norway requesting a ceasefire but offering no firm guarantees in return.⁵⁷⁴ The government however, sensing military victory and seeing less reason to negotiate, rejected the request.

Following the government's unilateral declaration of the second NFZ, the LTTE continued to resist and the Sri Lankan military continued to direct artillery towards the LTTE and towards civilian shelters, hospitals and bunkers in the second NFZ.⁵⁷⁵ Mounting their defense, the LTTE moved onto the coastal strip in the second NFZ where the LTTE leadership had a complex network of bunkers and fortifications.⁵⁷⁶ The LTTE also stepped up its forced recruitment of civilians and established defensive earth bunds often using forced civilian labour (see sections 5.8 and 5.9). For its part, the Sri Lankan Army continually adjusted its artillery barrages to target the newly established NFZ.⁵⁷⁷

In the last days of March 2009 the LTTE's Charles Anthony Brigade began to lead a counterattack against the SLA. This attack was met by stiff resistance from the SLA's 58th division and both the special commander and commander of the Charles Anthony Brigade (Gopith and Amuthaab respectively) were killed.⁵⁷⁸ In the first week of April more than 1,000 members of the best remaining LTTE infantry again attempted to cross the lines of the 58th division, this time from the Anandapuram pocket near Puthukkudiyiruppu.⁵⁷⁹ This Anandapuram battle proved disastrous for the already demoralized LTTE which, owing to shortages of ammunition, artillery, and mortar shells, was unable to ‘soften’ the SLA lines prior to the mass breakout.⁵⁸⁰ The LTTE infantry marched into fire from government units,

570 Ibid: 4.

571 UN Panel of Experts Report March 2011: Para 96.

572 ICG 2010a: 5.

573 Business Today 2011.

574 Norad 2011: 66.

575 ICG 2010a: 22; UN Panel of Experts Report March 2011: Paras 97-105.

576 UN Panel of Experts Report March 2011: Para 97.

577 Ibid: Para 101.

578 Jeyaraj 6 April 2009; Blacker 13 April 2009.

579 Hashim 2013: 161.

580 Ibid: 161.

were encircled, and reportedly lost over 600 cadres.⁵⁸¹ A further 116 also surrendered to the government.⁵⁸² Although the Sea Tigers commander Soosai attempted to send naval support, this was blocked by and ineffective against the Sri Lankan Navy.⁵⁸³

The LTTE lost many of its high-level commanders during the battle at Anandapuram. These losses included northern front commander and LTTE deputy military commander, Colonel Theepan, and all four senior women commanders: Vithusa and Kamalini (commander and deputy commander of the Malathi Brigade), and Durga and Mohanaa (commander and deputy commander of the Sothia Brigade).⁵⁸⁴ Colonel Theepan was subsequently replaced by Rathnam master, an LTTE intelligence officer and long-time head of the Radha Regiment (see section 5.6).⁵⁸⁵ Additional casualties from the Anandapuram battle included the special commander of the Jeyanthan infantry brigade (Manickapodi Maheswaran alias Keerthi), the commander of the Jeyanthan infantry brigade (Selvaratnam Sundaram alias Nagesh), Prabhakaran's former bodyguard and one-time commander of the Imran-Pandian Regiment (Gaddafi whose aliases were Viduthalai and Amuthan), the leader of the Kittu artillery unit (Manivannan), the chief of the Kutti Sri Mortar Unit (Gopal, who used the aliases Dusiyanthan and Nadarasa), the LTTE deputy political commissar (S. Thangan), and the LTTE cadre in charge of the Tiger TV channel "Nitharsanam" (Seralaathan).⁵⁸⁶ Individuals who survived the battle but were captured included the deputy commander of the Radha regiment (Maj. Anbu) and the commander of the Ponnammam mining unit (Lt. Col. Asmi).⁵⁸⁷

Following the substantial Anandapuram defeat, the LTTE was no longer capable of coordinated defensive warfare, and remaining units fought on without command or control.⁵⁸⁸ The remnants of the LTTE retreated to a small strip of coast between the Nandikadal Lagoon and the ocean, an area surrounding and including the second NFZ (see Map 2).⁵⁸⁹ Government shelling of the NFZ continued and, on 19 April 2009, the area between Putumattalan and Amparanpokkanai was shelled intensively. During this assault the SLA's 58th Brigade broke through the LTTE's defences and made its way onto the coastal strip for the first time. Inflicting heavy civilian casualties, this manoeuvre split the second NFZ into two, and approximately 100,000 civilians in the newly government-controlled zone in the north escaped the conflict zone, while approximately 130,000 remained trapped further south.⁵⁹⁰ Certain LTTE commanders also managed to escape and surrender to the SLA during these operations to remove civilians from the northern area, including the former Trincomalee regional commander, Sivasubramaniam Varathanathan (alias Colonel Pathuman) who escaped on 20 April 2009.⁵⁹¹ Pathuman was later arrested and charged with offences under the Sri Lankan 1979 Prevention of Terrorism Act.⁵⁹²

581 DeSilva-Ranasinghe 2010: 7.

582 Jeyaraj 10 April 2009.

583 Ibid.

584 Ibid.

585 Ibid.

586 Ibid.

587 Ibid; Blacker 13 April 2009.

588 Hashim 2013: 161.

589 Roberts 2011.

590 UN Panel of Experts Report March 2011: 109; ICG 2010a: 22.

591 Jeyaraj 28 May 2011.

592 Ibid.

The remaining LTTE and civilian population was now concentrated in the southern section of the coastal strip. On 26 April 2009 the LTTE declared a unilateral ceasefire which the government declined, referring to the suggestion as a “joke.”⁵⁹³ On or about 8 May 2009, the government also declared a third NFZ (which was a very small section in the southern portion of the second NFZ – see Map 2) which contained approximately 100,000 civilians and whatever LTTE cadres remained.⁵⁹⁴ Also on this day, the second-in-command of the LTTE's Sea Tigers, Cheliyan, was killed in Kariyamullivaikkal as the SLA advanced further into the third NFZ.⁵⁹⁵ While the SLA had already taken the western side of the Nandikadal lagoon, additional SLA infantry units were moving from the north and south in a pincer movement along the lagoon's eastern side.⁵⁹⁶ These 58th and 59th brigades eventually linked up on the 15th or 16th of May 2009, meaning that the LTTE was hemmed in, unable to escape to the north, to the south, or to the heavily patrolled eastern ocean. SLA shelling continued in the third NFZ, and assumed a new level of intensity as the SLA approached the hiding places of the senior LTTE leadership.⁵⁹⁷

As the SLA drew closer, the LTTE attempted to break out by crossing the 5km-wide Nandikadal lagoon, sending boats of Black Tigers followed by 120 LTTE cadres on 17 May 2009.⁵⁹⁸ Although the SLA lost two army bunkers and the infantry personnel inside, the LTTE cadres were subsequently caught and killed. During the final days of the encirclement, some of the remaining LTTE cadres fought on, while others surrendered or committed suicide. Indeed, according to one report, on 14 May 2009 the LTTE leadership began discussions of a possible surrender and, a day later, LTTE fighters reported that Prabhakaran sent a message to his cadres saying that they could, if desired, try to escape.⁵⁹⁹ Opting to continue the battle, the former commander of the Sea Tigers, Thillaiambalam Sivanesan (alias Soosai) was killed in combat in Mullivaaikkaal in Mullaitivu district on 17/18th May 2009.⁶⁰⁰ The head of the LTTE intelligence service TOSIS, Pottu Amman, was also killed in combat on 18 May as was Rathnam Master, the LTTE's recently appointed military number two.⁶⁰¹ Finally, on 19 May 2009, a day or two after the death of the LTTE leader, Prabhakaran and 30 of his bodyguards, the Sri Lankan President, Rajapaksa, addressed the nation and formally announced the military defeat of the LTTE.⁶⁰²

In contrast, the head of the LTTE political wing, Nadesan, and the head of the LTTE Peace Secretariat, Puleedevan attempted to surrender to the SLA at dawn on 18 May 2009.⁶⁰³ This surrender had reportedly been discussed by the LTTE leadership during their aforementioned talks on 14 May when it was decided that Puleedevan and Nadesan should negotiate a surrender taking the injured - and other cadres who wanted to lay down their arms - with them.⁶⁰⁴ According to various reports, both Nadesan and

593 United Nations Panel of Experts Report March 2011: Para 114.

594 Ibid; ICG 2010a: 23.

595 Rediff News 10 May 2009.

596 Moorcraft 2012.

597 UN Panel of Experts Report March 2011: Paras 117-8, 120.

598 Moorcraft 2012.

599 White Flag Report 2014.

600 Jeyaraj 30 January 2012.

601 Jeyaraj 11 September 2009.

602 Ibid; UN Panel of Experts Report March 2011: Para 121; It should be noted that the circumstances surrounding Prabhakaran's death have been dominated by government propaganda and LTTE silence. On this subject see UTHR 2009.

603 UN Panel of Experts Report March 2011: Paras 170-1; White Flag Report 2014; Buncombe 2009.

604 White Flag Report 2014.

Puleedevan contacted the United Nations, the International Committee of the Red Cross, Norway's Environment Minister Eric Solheim (who led efforts to broker the 2002 ceasefire), Rohan Chandra Nehru (a Tamil MP known to both the LTTE and the GoSL), and from the Sri Lankan government, President Rajapakse, his brothers Basil and Gotabaya, and Secretary to the Foreign Ministry, Dr. Palitha Kohona.⁶⁰⁵

In agreement with the three Rajapaksa brothers and Kohona it was decided that Nadesan, Puleedevan and any other accompanying LTTE members would surrender by walking across to an area held by the SLA's 58th brigade, unarmed and raising a white flag.⁶⁰⁶ The Sri Lankan government also provided assurances that the surrendees' security would be guaranteed, although the LTTE's requests for a third party presence at the surrender site were turned down.⁶⁰⁷ The LTTE surrenders began at around 6.30am on 18 May 2009 and occurred in small groups.⁶⁰⁸ The first group of twelve people contained Puleedevan, Nadesan, Nadesan's Sinhala wife Vineetha, and Kangan (Nadesan's head of security).⁶⁰⁹ Nadesan held the white flag and the group were received by two teams of soldiers (reportedly including the commander of the 58th brigade, Shavendra Silva) and escorted across the Wadduvakal Bridge.⁶¹⁰ The second group, which had been approximately 20 metres behind the first, followed behind and included Ramesh (alias Elangko, the head of the LTTE's police force).⁶¹¹ This group was also escorted across the bridge. Shortly afterwards, it was reported by various news agencies that Nadesan and Puleedevan had been shot dead.⁶¹² The government has since provided a number of contradictory explanations for the deaths, including allegations that no surrender deal had been in place and that the LTTE political leaders had been shot by their own men.⁶¹³ In December 2009 and July 2010, the former army commander General Sarath Fonseka implied that the Sri Lankan Army was responsible for the killings.⁶¹⁴ Although pro-government sources initially reported that Ramesh (alias Elangko) had also been killed, pro-Tamil sources state that the former police chief's fate remains unknown.⁶¹⁵

The last days of fighting in May 2009 resulted in the deaths of most of the LTTE senior leadership.⁶¹⁶ As the families of combat personnel had moved with the LTTE as territory was lost, some of these individuals were killed, including Prabhakaran's wife, daughter, and eldest son Charles Anthony.⁶¹⁷ Prabhakaran's youngest son, Balachandran who was twelve years old, was reportedly detained by the Sri Lankan security forces and summarily executed.⁶¹⁸ In an attempt to avoid this fate, some senior LTTE commanders made arrangements for their families to escape. These included, Thillaiambalam Sivanesan

605 UN Panel of Experts Report March 2011: Paras 170-1; UTHR 2009; Buncombe 2009.

606 White Flag Report 2014.

607 UN Panel of Experts Report March 2011: Para 171.

608 According to the White Flag Report 2014, three groups crossed over on the morning of 18 May 2009. The first two groups are discussed above, while little is known of the third group which was reportedly made up of 4 LTTE cadres.

609 UN Panel of Experts Report March 2011: Para 171; White Flag Report 2014.

610 White Flag Report 2014.

611 Ibid; UN Panel of Experts Report March 2011: Para 171.

612 UN Panel of Experts Report March 2011: Para 171; Buncombe 2009.

613 White Flag Report 2014.

614 Ibid.

615 TamilNet 27 April 2011; Asian Tribune 18 May 2009.

616 Hashim 2013: 1.

617 Ibid: 1, 162.

618 White Flag Report 2014; BBC 19 February 2013.

(alias Soosai), the chief of the Sea Tigers, who arranged for his wife, Satyadevi, their two children and some other relatives to escape by boat from the Karaithuraipattu coast on 12 May 2009.⁶¹⁹ This boat was intercepted by the Sri Lankan Navy and Satyadevi was identified, interrogated, and detained at a naval camp in Trincomalee. The widow and children of the deceased LTTE political chief, Suppiah Paramu Thamilchelvan, also escaped and were similarly detained at an army cantonment site in Panagoda.⁶²⁰ Both families were later given a restricted release, with Soosai's family residing in Trincomalee, and Thamilchelvan's family located in Colombo.

The United Nations has estimated that approximately 290,000 individuals crossed over to government-controlled areas from the conflict zone between 27 October 2008 and 1 June 2009.⁶²¹ As these individuals crossed they were met, at designated reception areas or "checkpoints" by the Sri Lankan Army who screened and registered the displaced before transporting them to detention camps in the north, the largest of which was the multi-camp Menik Farm in Vavuniya district.⁶²² Individuals in these Vavuniya detention camps were deprived of freedom of movement, and were not permitted to leave for work or to live elsewhere.⁶²³ As the Sri Lankan government did not begin to release detainees until November 2009, this meant that some displaced civilians had been confined to the camps since March 2008 (i.e., for over 18 months).

It is important to note that not all of the individuals screened and registered at the SLA checkpoints were sent to these detention camps. Indeed, those who were identified as having suspected ties to the LTTE were separated from those identified as civilians and taken to specially designated "Protective Accommodation and Rehabilitation Centres" (PARCs).⁶²⁴ Suspected LTTE members who had been missed at the checkpoint screenings were also sometimes later arrested in the northern detention camps as a result of additional screenings conducted by the Sri Lankan Army and by the police Terrorist Interrogation Division (TID) and Criminal Investigation Division (CID).⁶²⁵ Indeed such arrests continued in the Menik Farm camps until at least December 2009.⁶²⁶ To give one example, Subramaniam Sivakamy (alias Col. Thamilini), the head of the LTTE women's political wing, was arrested in the Vavuniya camps. Thamilini surrendered to government forces on 15 May 2009 and although she initially passed herself off as a civilian, she was later recognized, taken into custody and released in 2013 following three years of detention and one year of "rehabilitation."⁶²⁷ Urumaran, who worked as an arms smuggling agent for the LTTE's KP branch was also arrested in the same Vavuniya camps.⁶²⁸ Overall, of the roughly 290,000 individuals

619 Jeyaraj 30 January 2012.

620 Ibid.

621 Cited in HRW 2010: 2.

622 The main reception area was at Omanthai on the north/south axis cutting through Wannu. HRW 2010: 2; ICJ Briefing Note 2010: 8.

623 HRW 2010: 2.

624 HRW 2010: 1; ICJ Briefing Note 2010: 12.

625 ICJ Briefing Note 2010: 8; HRW 2010: 7.

626 ICG Briefing Note 2010: 8.

627 Jeyaraj 29 June 2013.

628 Fuard 31 May 2009.

who crossed into government-territory at the end of the war, somewhere between 11,000 and 13,000 (who were suspected by the SLA of having ties to the LTTE) were arrested in both the camps and at checkpoints, separated from their families, and taken to PARCs.⁶²⁹

In 2010 a number of independent observers noted that the fundamental human rights of detainees in “protective accommodation and rehabilitation centres” were often violated, including the right to be informed of specific reasons for arrest, the right to challenge the lawfulness of detention before an independent judicial authority, and the right of access to legal counsel and family members.⁶³⁰ In contrast, the government claimed that the detainees were “surrendeers” and, under Sri Lankan emergency laws, could be held without charge for up to two years.⁶³¹ This is despite the fact that, according to reports citing military officials, at least some of the 11-13,000 in PARCs did not surrender to the government, but were identified and taken into custody based on denunciations provided to the Sri Lankan security forces by suspected LTTE members already arrested and detained.⁶³² Research by Human Rights Watch also indicates that LTTE suspects were “frequently arrested” (both in the final days of the war and afterwards) by plain-clothed and unidentified members of the security forces “without regard to the requirements of domestic and international law.”⁶³³ This research also alleges that the security forces who arrested individuals at Menik Farm and other detention camps often refused to inform families and government representatives of the whereabouts of those arrested, and that the government’s treatment of security detainees fed fears among many Tamils that the government intended to disappear, persecute, and discriminate against members of the Tamil population.⁶³⁴

Independent reports also indicate that at least some of the individuals identified as having ties to the LTTE have not been seen again, including the LTTE’s Colonel Ramesh, former special commander of Batticaloa-Amparai and Colonel Ram’s superior. Colonel Ramesh (who is not to be confused with Ramesh alias Elangko) attempted to escape from the Nandikadal lagoon with his family and other civilians on 17 May 2009.⁶³⁵ However, once across the lagoon, Ramesh was recognized by the SLA, interrogated and reportedly executed by the Sri Lankan armed forces.⁶³⁶ Other “missing” individuals include Lawrence Thilagar (the one time head of the International Secretariat), Thangan alias Sutha Master (the deputy leader of the LTTE men’s political wing), Illamparithy (the LTTE political wing leader for Jaffna), Yogi (former secretary general of the LTTE political party, PFLT), Illayathamby Pararajasingham alias Para (the LTTE’s legal and administrative division chief), and Velavan (Kilinochchi district military chief and head of the Imran Pandian regiment).⁶³⁷ The White Flag Project also lists an additional 143 LTTE cadres who surrendered (or are believed to have surrendered) and who were reportedly killed in custody or remain missing.⁶³⁸

As a result of the government’s screening exercise to formally identify those with ties to the LTTE, at the end of July 2010 approximately 1,285 individuals were identified as “hard-core”

629 This number included individuals who had at most a tenuous link to the LTTE and others who had been forcibly conscripted during the late stages of the conflict. HRW 2010: 1; Jeyaraj 30 July 2010; ICJ Briefing Note 2010: 9.

630 HRW 2010: 3, 14; ICJ Briefing Note 2010.

631 HRW 2010: 4; ICJ Briefing Note 2010: 6.

632 This raises issues of credibility. See HRW 2010: 6; ICJ Briefing Note 2010: 8-9.

633 HRW 2010: 6.

634 HRW 2010: 4, 10, 11; ICJ Briefing Note 2010: 12.

635 Weiss 21 March 2012.

636 Ibid.

637 Ibid; Jeyaraj 15 May 2013.

638 White Flag Report 2014.

LTTE members (including 548 former Black Tigers) and another 11,696 “soft elements” were characterized as former forced recruits and members of non-military LTTE units.⁶³⁹ “Soft elements” were provided with a de facto blanket amnesty (although not a legal amnesty) and, according to an analyst from International Crisis Group “remain at risk of arrest and under regular surveillance.”⁶⁴⁰ More hard-line elements were subject to investigation, although as yet there have been no trials and few, if any, have been charged with a crime.⁶⁴¹

The remaining LTTE armed cadres who refused to lay down their weapons were dealt with swiftly, as only very small groups fought on in isolated areas of jungle for less than a month.⁶⁴² Surrendered LTTE cadres also provided military intelligence helping the Sri Lankan Army in these “mopping up” operations. Of these remaining groups, Colonel Ram (the former military commander of Amparai) was one of the few surviving LTTE senior cadres on Sri Lankan soil. Ram was thought to be operating with his deputy, Uma Ram with an additional 50 armed cadres.⁶⁴³ The former head of the LTTE's political wing in Batticaloa, Daya Mohan, was also known to have survived, and both Ram and Mohan reportedly later fled to Malaysia.⁶⁴⁴ In contrast, the founder of the breakaway Karuna group, Vinayagamorthy Muraleetharan (alias Karuna Ammaan) was made the Sri Lankan Minister of National Integration in March 2009.⁶⁴⁵

7.2 The Diaspora and the Surviving International Secretariat

While the LTTE military wing was almost totally annihilated during the last years and months of the war, the LTTE's international network remained largely intact. In January 2009, prior to LTTE's defeat, Prabhakaran appointed Salvarasa Pathmanathan (also known as “KP” and the former head of the KP branch) as the leader of the LTTE's newly established International Relations Department.⁶⁴⁶ In his new role, Pathmanathan, together with Nadesan (the head of the Tamil Eelam Secretariat), and Puleedevan (the head of the Peace Secretariat) unsuccessfully tried to gather momentum for a last minute negotiated settlement between the LTTE and the Government of Sri Lanka.⁶⁴⁷ The worldwide Tamil diaspora also reacted during these final months of the war by taking out loans and transferring large quantities of money to the LTTE between March and May 2009.⁶⁴⁸ These “special collections” were encouraged by members of the LTTE international secretariat who sometimes promised to pay the interest on these loans and who argued that arms purchases were urgently needed. Upon the LTTE's defeat, many of the contributors to these special collections realized that their money had not been used to buy weapons, but instead, had been misappropriated by surviving LTTE members.⁶⁴⁹ This generated much resentment in the diaspora, particularly among those sidled with debt and languishing without the LTTE's promised financial assistance.

639 Jeyaraj 30 July 2010; ICJ Briefing Note 2010: 10.

640 Comment from external reviewer.

641 Ibid.

642 Moorcraft 2012.

643 Fuard 31 May 2009.

644 Jayasena 13 July 2009.

645 Brun and Van Hear 2011: 252.

646 ICG 2010: 8; TamilNet 30 January 2009; Jeyaraj 13 August 2010.

647 ICG 2010: 8; Mehta 2010: 16-7.

648 Jeyaraj 28 January 2011.

649 Ibid; Jeyaraj 13 November 2010.

Although the LTTE's international secretariat remained functional, it also underwent much restructuring in the months immediately before and after the LTTE's military defeat. In particular, KP's promotion to the head of the international relations department meant that he was now Prabhakaran's deputy, and as such he assumed the LTTE leadership on 21 July 2009 following Prabhakaran's death.⁶⁵⁰ KP's ascendance sparked considerable in-fighting within the international secretariat not least because the new LTTE leader had previously been subordinate to Castro and his deputy Nediyan (see section 6.1.4). During the final months of the war, when communications between Castro (in Wanni) and Nediyan (in Norway) grew difficult, Nediyan had assumed greater autonomy over the international network, and took control when Castro was killed in May 2009.⁶⁵¹ Now technically subordinate to his former subordinate, Nediyan resisted KP's attempts to wrest back control of the international network, and the diaspora split into factions loyal to either KP or Nediyan. This internal wrangle was temporarily resolved by a compromise agreement brokered by overseas members of the LTTE intelligence division.⁶⁵² However, before this agreement could be implemented, KP was arrested in a hotel in Kuala Lumpur in August 2009 and taken into custody in Sri Lanka.⁶⁵³

With KP no longer able to operate, Nediyan again moved to reassert his control over the LTTE's international network creating a factional struggle. KP loyalists rallied around the former LTTE legal advisor and Nediyan opponent, Visvanathan Rudrakumaran.⁶⁵⁴ Rudrakumaran formed the Transnational Government of Tamil Eelam (TGTE), a body which began to lobby foreign governments for the establishment of a separate state of Tamil Eelam shortly after KP's arrest.⁶⁵⁵ In contrast, Subramaniam Kapilan (alias Nanthagopan) and Irumporai rallied around Nediyan and worked as his deputies administering LTTE overseas branches and front organizations in South East Asia and Europe.⁶⁵⁶ The heads of TRO and TEEDO, KP Regi and Root Ravi respectively, also remained loyal to Nediyan who struck up a short-lived alliance with the head of the LTTE's special unit for international intelligence, Segarampillai Vinayagamoorthy (aliases Vinayagam, Iyyanna, and Kathirgamathamby Arivazhaghan).⁶⁵⁷ Despite this brief period of cooperation, Nediyan and Vinayagam quickly became rivals, and this new factional struggle led to in-fighting which reportedly included the killing of Nadarajah Matheenthiran (aliases Regan, Parithy) in Paris on 8 November 2012.⁶⁵⁸ Parithy was allegedly a known Nediyan loyalist and, at the time of his death, was the unofficial head of the LTTE in France.⁶⁵⁹

650 LTTE 21 July 2009.

651 Jeyaraj 13 November 2010.

652 Jeyaraj 13 November 2012.

653 Jeyaraj 18 November 2012.

654 ICG 2010: 8.

655 The LTTE and the Tamil diaspora had also lobbied foreign governments for Tamil rights and a separate state throughout the war. New diaspora groups that have formed since the end of the LTTE have been careful to stress that they are continuing the Tamil struggle in a political and not a military way. These groups have also begun to focus more on accountability issues (in relation to war crimes) rather than lobbying for a separate state. Source: note from external reviewer.

656 Jeyaraj 14 April 2014.

657 Jayadevan 27 September 2010; Jeyaraj 13 November 2012.

658 Jeyaraj 13 November 2012.

659 Ibid.

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Annex 1

Brief Notes on Select Non-Independent Sources

Asian Tribune: An online publication focusing on South Asia. The editor of the Asian Tribune is reportedly very close to the Government of Sri Lanka (GoSL).

Defense Wire: Currently inactive blog and reportedly pro-GoSL.

Gunaratna, Rohan: Gunaratna has worked for the Government of Sri Lanka, has had very close ties with Sri Lanka's intelligence service, and has long-standing Sinhala nationalist leanings.

Jeyaraj, David Buell Sabapathy: A freelance Canadian journalist who, according to an external reviewer can be considered as a reliable source prior to 2012. This reviewer states that in the post-2012 era, Jeyaraj's writing has relied more heavily on anonymous Sri Lankan military officials and so may exhibit slight bias towards to the Sri Lankan government.

Nathaniel, Camelia: A Sri Lankan journalist whose recent work is reportedly very pro-GoSL.

Sabararatnam, T: A former senior deputy editor at the *Daily News*, a state-owned newspaper which reportedly follows the line of the political party in power.⁶⁶⁰

Sri Lankan Daily and Weekly Newspapers: According to Sunanda Deshapriya (2008) newspaper establishments with either Sinhalese or Tamil ownership exhibit bias towards their respective communities. As aforementioned, state-owned publications typically follow the line of the party in power.

Ownership of Sri Lankan Daily and Weekly Newspapers⁶⁶¹

Language/Frequency	Sinhalese Ownership	Tamil Ownership	State Ownership
Sinhala daily	Divaina Irudina Lakbima Lankadeepa	-	Dinamina
Sinhala weekly	-	-	Silumina
Tamil daily	-	Thinakkural Uthayan Virakesari	Dinakaran
Tamil weekly	-	-	-
English daily	Daily Mirror Morning Leader The Island	-	Daily News
English weekly	The Sunday Leader The Sunday Times	-	The Sunday Observer

⁶⁶⁰ Deshapriya 2008: 8.

⁶⁶¹ Ibid.

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The author would like to thank her colleagues at the CCDP and external peer reviewers for their comments, guidance and support.

CCDP Working Paper Number 10

Published by the
Centre on Conflict, Development and Peacebuilding (CCDP)
Graduate Institute of International and Development Studies
Maison de la Paix
Chemin Eugène-Rigot 2
PO Box 136
1211 Geneva 21
Switzerland
E-mail: ccd@graduateinstitute.ch
Website: <http://www.graduateinstitute.ch/ccdp>

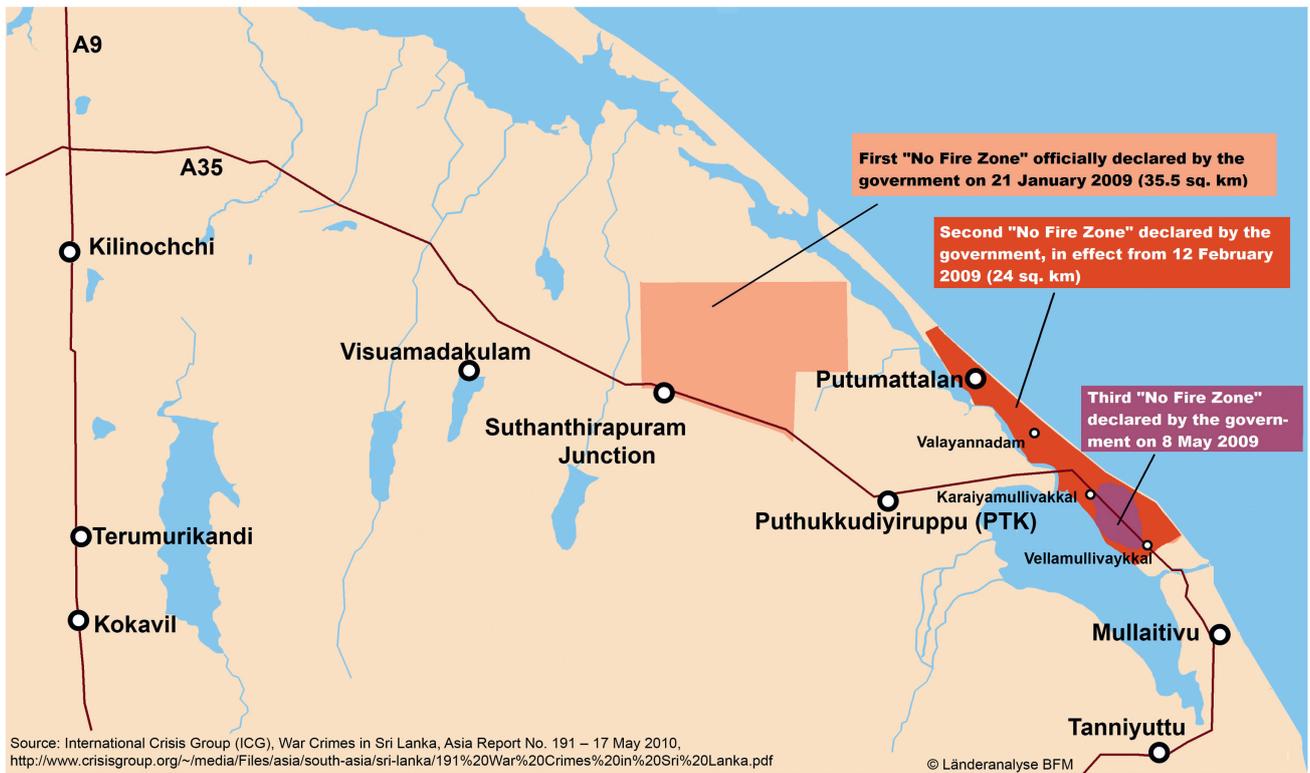
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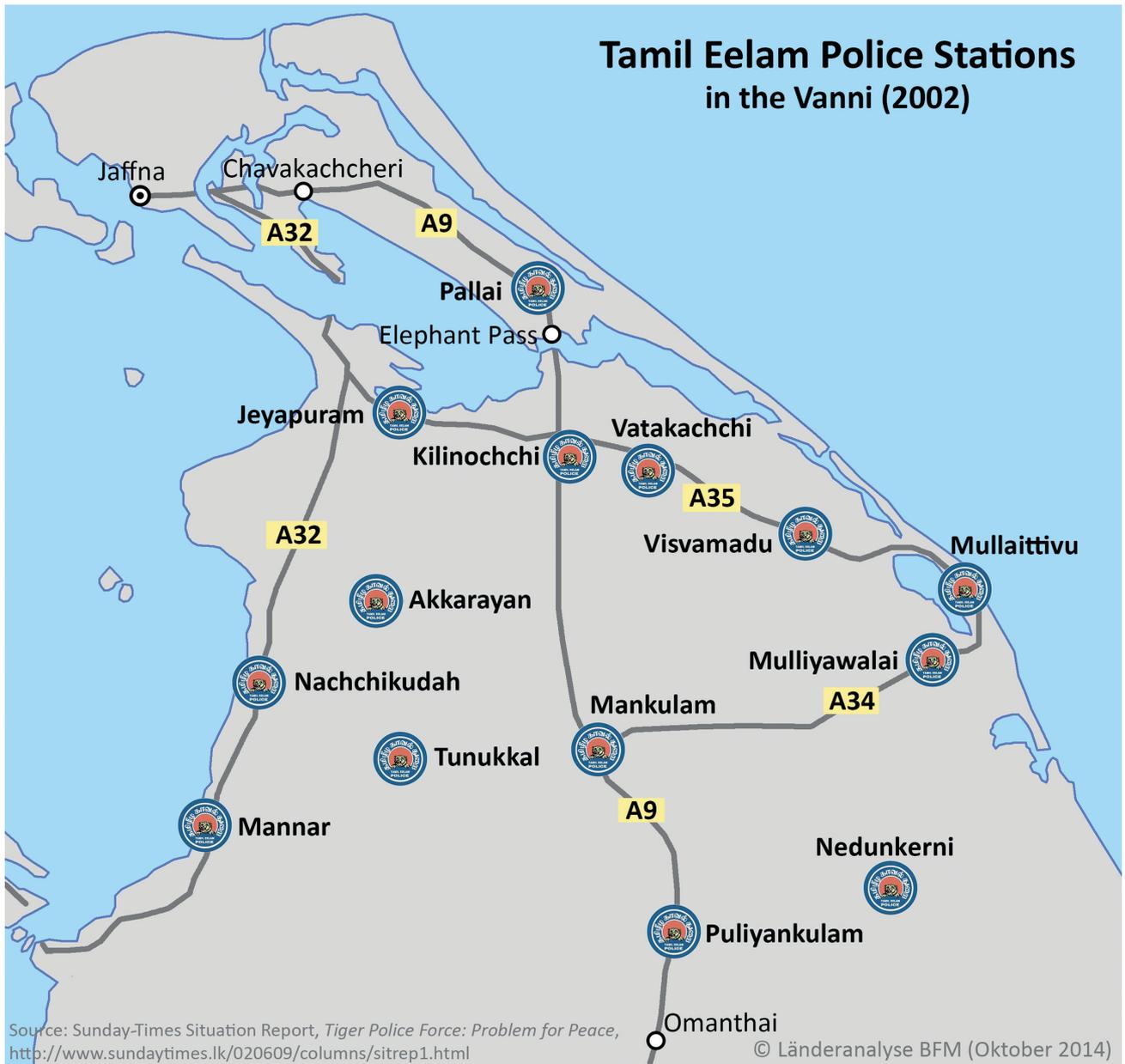
Design: [Latitudesign.com](http://latitudesign.com)

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Map 2: First, Second and Third No Fire Zones



Map 3: Map of LTTE Police Stations in Wann





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