



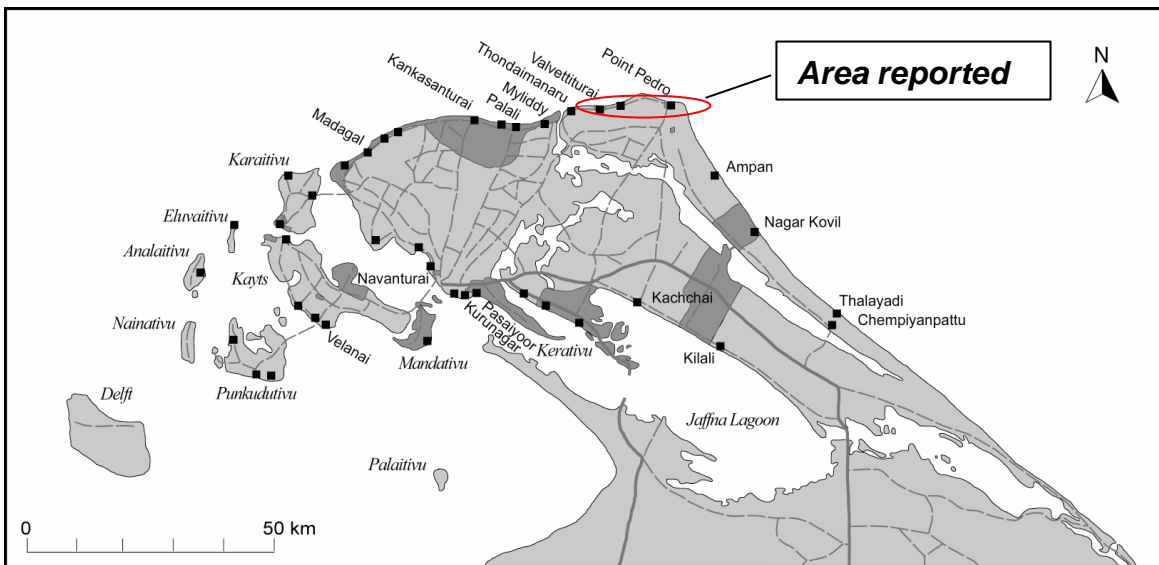
தெற்கிழக்கு மனித உரிமைகள் NORTH EAST SECRETARIAT ON HUMAN RIGHTS NESOHR

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The case of fishermen in Vadamaradchi in Jaffna



Vadamarachchi, Jaffna is a coastal fishing village. Since the early 1980s the village, like many others of its kind, has undergone many hardships both as a result of the armed conflict and the restrictions placed on their livelihoods. The CFA signed in 2002 outlined various provisions to bring back normalcy and reduced the hardships for fisher folk throughout the Northeast.

This report, along with the accounts from the fishermen themselves, illustrates this has been far from the case. During the period February 2006 and March 2006 we have attempted to detail the type and extent of harassment and violence the fisher folk have faced. It should be remembered that this report is for a short time period and therefore this report only illustrates a small part of the picture. It should also be remembered we have only examined incidents that occur at sea and that many others incidents occur on land.

The fishermen throughout Northeast have formed Fishermen Co-operatives. It is through these co-operatives that the information for this report has been gathered. Unfortunately, during the period of this report, the offices of one of the co ops were searched by heavily armed SLA soldiers. This happened during the February Geneva talks.

Existing and “Legal” Limitations

On the pretext of security, the SLN imposes various restrictions on the movement of fishermen in the sea. For generations, fishermen have known the best spots to fish off the coast of their village. Now there is an approximate 5km limit from the shore as well as further restrictions around naval bases. Furthermore, no one is allowed access to the shore between 6pm and 6am. Fishing at night is both more productive and pleasant due to the movements of the fish and heat of the sun. Traditionally, fishermen would often leave for work in the evening and return in the early hours of the morning. However, now fishermen must leave before 6pm and then spend more than 12 hours at sea. The result of these “security” restrictions has left the fishermen, and their families, poor and struggling to make a living. It is on this background that the fisher folk of Vaddamarachchi, Jaffna have faced the following harassment and violence.

Vandalizing and Stealing

For the fishermen the destruction and stealing of fishing equipment and fish by the SLN is a daily occurrence.

Nylon nets are the fisher folk’s life line. As their main source of income, the loss of a net has a high financial cost and for most families it is a costly object to replace. Many of the fishermen who contributed to this report have had their nets destroyed or stolen on numerous occasions and it seems to be a common thread in most incidents of harassment. The fishermen are often forced to destroy their own nets under the gun of SLN personal. This is a simple and effortless task for the SLN yet has devastating effects on the fishermen and their families. Also having a huge impact is the destruction of other types of fishing equipment. Fishermen’s boats have been rammed causing extensive damage and endangering the lives of the fishermen. The SLN have also thrown oil, food supplies, and torches overboard. Stealing the fishermen’s catch has also become commonplace among this community.

Assault

For many years, fishermen have faced daily physical and verbal abuse at the hands of the SLN. Many have been beaten at sea and the only form of communication from the SLN is in the form of disrespectful and vulgar language. Physical violence can range from a slap across the face to being beaten with wire. Many have been thrown/pushed into the sea, and it is luck alone that they made it back to contribute to this report. All the fishermen in this report have had to face the barrel of a gun.

Fear and Humiliation

While the above descriptions, and the list that follows, may give some suggestion as to the level of harassment these fishermen have been subjected to, a greater and more pervasive violence has been imposed on the fisher community.

Having seen many of their family and friends severely injured or killed and having faced this level of violence themselves for many years, the community’s very existence is entrenched in fear. For anyone who has not experienced such an existence, having to live and work with this level of fear is hard to imagine. Perhaps the following may give some idea of how deep this fear goes. During the restricted hours of 6pm to 6am, in the face of

injury or illness at sea, most fishermen would rather take their chances with the sea than with the SLN personal by returning to shore.

On a daily basis, these men are subjected to physical and verbal abuse. Relief, in the form of nets donated by NGOs, is countered by the repeated destruction of nets by the SLN. The verbal abuse is not only in the form of threats against ones body or family. More often, the abuse is in the degrading and vulgar way they are spoken to by the SLN. Indeed, they are made to feel sub human every time they venture out to feed their families and each time this happens a piece of humanness is taken from them.

It is within this all-pervasive environment of fear and humiliation that the fisher folk are living. Below is a list of incidents reported by the fishermen to their co-operative during the two months under study.

Incidents of Harassment Against Fishermen in Vadamarachchi, Jaffna, between February 2006 to April 2006

1. On Feb 1 2006, **Somasundaram Thirumal**, of Katkovalam, Point Pedro, was assaulted by SLN while fishing and forced to cut his own net. He was then told to return to shore, however this was during the restricted hours and he feared the SLN on land therefore he chose to stay at sea.
2. On Feb 1 2006, **Rasaiya Sivanandan**, of Katkovalam, Point Pedro, reported that his small boat was circled several times by a large SLN boat at high speed. The resulting waves threw him into the sea and tipped his boat over.
3. On Feb 1 2006, **P Vigneswaran**, of Katkovalam, Point Pedro, was ordered by the SLN to cut his net and return to shore. After the SLN left he tried to find his nets. However, the SLN returned and opened fire so he was forced to returned to shore.
4. On Feb 1 2006, **Krishnapillai Shanmuganathan**, of Katkovalam, Point Pedro, reported that SLN ran over his nets with their boats and then stole the damaged nets. He is now struggling to earn a living.
5. On Feb 2 2006, **Vallipuram Thisaiveerasingam**, of Katkovalam, Point Pedro, reported that SLN boarded his boat and beat him, threw his things into the sea and then beat him again before leaving.
6. On Feb Mar 2006, **Y Anton Jesuthas**, of Point Pedro, was fishing when the SLN came and cut his net and then opened fire at him. He now struggles to earn a living.
7. On Feb Mar 2006, **Sothylingam Kunnan**, of Katkovalam, Point Pedro, reported that SLN opened fire on his boat. SLN then came and cut his net. He now struggles to earn a living.
8. On Feb April 2006, **R Krishnakumar**, of Sinnathoddum, Point Pedro, was returning to shore after fishing when SLN approached and took all of the big fish from his catch. He was warned not to go fishing anymore.
9. On Feb April 2006, **K Kathiravetpillai and I Kanthasamy**, of Supermadam, Point Pedro, was fishing when the SLN threatened them with guns and ordered them to cut their nets and go back to shore.

10. On Feb 6 2006, **Vellum Mylum**, of Supermadam, Point Pedro, reported that his boat was rammed by a SLN boat, tipping it over. SLN then cut his nets.
11. On Feb 7 2006, **S Kannan**, of Polikandi West, Valvettiturai, was returning from fishing when he was stopped by SLN who then took all his catch and oil. He was warned not to tell anyone about the incident.
12. On Feb 8 2006, **Muththulingam Santhiramohan and Inthiralingam Muththulingam**, of Aathikovil, Valvettiturai, was fired at by SLN, then SLN came and beat them. SLN asked why they had come to fish and told them to return to shore. SLN then cut the nets. They begged, telling the SLN that their family was in severe poverty. They were then slapped and thrown into the sea.
13. On Feb 8 2006, **Kanthasami Kannan**, of Polikandi West, Valvettiturai, was approached by SLN and ordered to cut his net. He cried and begged and told SLN he could not earn a living without it. It made no difference.
14. On Feb 8 2006, **Thirumal Vishnu**, of Polikandi West, Valvettiturai, was fishing when a SLN boat circled his boat at great speed causing his boat to fill with water. He was fearful that he would drown and it was not until 10 minutes after the SLN left that his boat steadied.
15. On Feb 8 2006, **Vijayarasa Uthayakumar**, of Polikandi West, Valvettiturai, was returning from fishing when the SLN boat approached and took all his big fish and warned him not to tell anyone.
16. On Feb 9 2006, **T Thangeswaran and T Nagularasa**, of Aathikovil, Valvettiturai, was approached by SLN and told to jump into the sea. Fearing the consequences of doing otherwise, they jumped and swam back to shore.
17. On Feb 11 2006, **P Thuraimani**, of Koriyadimunai, Point Pedro, reported that SLN boat circled his boat at high speeds and the boat filled with water. When he started to scream the SLN threatened to shoot him. He was then beaten with a baton and he fell to the floor of the boat. The SLN then threw him into the sea and he was forced to swim back to shore.
18. On Feb 12 2006, **Gunaratnam Gurukulasingam and Bathmanathan Vinoth**, of Imparutti, Point Pedro, were putting their nets out when SLN ordered them to cut the nets.
19. On Feb 12 2006, **K Thangeswaran**, of Imparutti, Point Pedro, was fishing when SLN approached and told him he could not fish anymore. He begged the SLN to let him fish saying that otherwise he cannot provide for his family. The SLN took all his fish and left.
20. On Feb 13 2006, **K Kantharubarasa and Rathinakumar**, of Polikandi West, Urani, were fishing when their boat was boarded by the SLN who accused them of being LTTE carders. Despite telling SLN they were not, SLN ordered them back to shore.
21. On Feb 13 2006, **Ponnuthurai Vijeyakumar**, of Valvettiturai, reported that SLN boat crashed into his boat and badly damaged it. SLN then cut his nets, threatened him with their guns and ordered back to shore.

22. On Feb 14 2006, **A Amalarasa**, of Polikandi, reported that his fishing boat was rammed by an SLN boat. He was threatened with guns and his nets were cut. He was then ordered to go back to shore.
23. On Feb 14 2006, **R Amirthalingam and P Sekar**, of Imparutti, Point Pedro, was fishing when the SLN approached and cut his net. They searched for the nets after the SLN left but could not find them
24. On Feb 15 2006, **Kanthasami Thambirasa and Arumathurai Sivatheepan**, of Imparutti, Point Pedro, were fishing when the SLN approached, cut their nets and threw their oil cans into the sea.
25. On Feb 15 2006, **Anthonipillai Francis Ratnakumar**, of Munai, Point Pedro, reported that SLN opened fire on his boat and then cut his nets.
26. On Feb 16 2006, **Amirthalingam Krishnarubin and Visvaratnam Rahavan** of Koththiyai, Valvettiturai, were fishing when the SLN opened fire. SLN threw them both into the sea along with their belongings. Their nets were stolen.
27. On Feb 18 2006, **T Sivagnanasundaram Sivakumar**, of Polikandi West, Urani, was attacked by the SLN while fishing. He lost his net. He says this has happened to him on three other times. He is feeling exhausted and frustrated.
28. On Feb 18 2006, **Krishna, Rahavan and Rooban**, of Valvettiturai, were fishing when the SLN came and took all their nets, passes and torchlights. SLN then opened fire and were ordered back to shore.
29. On Feb 19 2006, **P Thevarasa and K Verapragasam**, of Sakkodai, Point Pedro, was fishing when the SLN approached and cut their nets and took all of their belonging. They returned to shore with nothing.
30. On Feb 20 2006, **Kanthapillai Masilamani and Ilayathambi Kumaragurusamy**, of Supermadam, Point Pedro, were fishing when the SLN approached and cut all of their nets. The SLN then beat them and ordered them to return to shore.
31. On Feb 20 2006, **Suntharalingam and Thirugnanamani**, of Polikandi, were fishing when their boat was boarded by the SLN who then cut their nets, poured their oil and threw all their food into the sea. They were then ordered to return to shore.
32. On Feb 25 2006, **V Sivasundaram and R Gnanasekaram**, of Sakkodai, Point Pedro, was fishing when their boat was boarded by the SLN, and asked if they had guns on board. They told the SLN they did not but they were searched anyway.
33. On Feb 27 2006, **Thangarasa Ravichandran and Thangalingam Chandramohan**, of Koththiyai, Valvettiturai, were fishing when their boat was rammed by the SLN boats and their engine was damaged. All their nets were taken.
34. On Mar 1 2006, **A Ketheeswaran and A Vignarasa**, of Koddadi, Point Pedro, reported that SLN approached them and then went away. Later they were again approached by SLN boat and this time their nets were cut.
35. On Mar 2 2006, **A Thuraisingam and T Nagarasa**, of Koddadi, Point Pedro, were fishing when they were approached by SLN who cut all their nets which cost Rs 75000.

36. On Mar 3 2006, **S Jeyagopal**, of Katkoyalam, Point Pedro, reported that SLN rammed his boat and his engine was damaged. He was yelled at for not avoiding the SLN boat. The SLN told him that they do not want to see fishermen and if they do they will be shot.
37. On Mar 3 2006, **S Robert Kennedy**, of Sakkoddai, Point Pedro, was fishing when the SLN approached and cut his nets. He reports that this is the second time this has happened to him. He feel he derserves compenstation for his loses.
38. On Mar April 2006, **S Thangarasa and K Jeyarubarasa**, of Thumpalai, Point Pedro, were fishing when SLN ordered them to go back to shore and threatened that they would shoot them.
39. On Mar 5 2006, **K Kulaveerasingam and Rasathurai**, of Thumpalai, Point Pedro, were threatened by SLN with guns and then ordered to jump overbaord. All their nets were cut.
40. On Mar 6 2006, **Edward Anthonipillai, A Juderinas, V Arulthas, N Jesu, Edward Selvarasa, T Selva, V Gnanamani, A Madutheen Nimalan and M Thayalan**, of Munai, Point Pedro, were in a fishing group. SLN approached and ordered them to cut their nets. They hesitated and were verbally abused by the SLN who also threatened to "chop" them if they refused. They then cut their own nets.
41. On Mar 8 2006, **Annarasa Murukavel**, of Aathikovil, Valvettiturai, was pulled out of his boat and into a SLN boat. He was beaten and then dropped back into his boat. With help from other fishermen he returned to shore.
42. On Mar 8 2006, **Nahamani Sathsivam**, of Aathikovil, Valvettiturai, was fishing in his Katamaran with an engine attached. A SLN boat crashed into him and he jumped into the sea. After the SLN left he searched for his boat, engine and nets. He found his boat but nothing else.
43. On Mar 12 2006, **A Anthires and P Jesurasa**, of Munai Point Pedro, reported that they had their nets cut and then were ordered to return to shore by the SLN
44. On Mar 13 2006, **T Jeyahan and E R Kannan**, of Imparutti, Point Pedro, was fishing when the SLN boats passed him. Later they returned and took all of their nets.
45. On Mar 16 2006, **Thevarasa and A Anantharaja**, of Supermadam, Point Pedro, had all their nets cut by the SLN while fishing .
46. On Mar 16 2006 **Thamithurai**, of Arthikoviladi, VVT, was fishing when an SLN boat ordered him to cut his nets. He was threatened with death if he did not comply.
47. On Mar 17 2006, **K Erlumalai andK Erlumalai**, of Supermadam, Point Pedro, were pulling their nets back into the boat when the SLN came and cut all the ir nets.
48. On Mar 18 2006, **Thevarasa Ravindrarasa and Jeyaraj**, of Arthikoviladi, VVT, were fishing early in the morning when SLN boarded their boat. They were told to kneel and raise his hands. All of their belongs were thrown into the sea and then they were both beaten.

49. On Mar 22 2006, **Kathirippillai Mahendram**, of Valvettiturai, was fishing when he was approached by the SLN who asked for his pass. The SLN confiscated his pass and left.
50. On Mar 25 2006, **Thangarasa Ravichandran**, of Arthikoviladi, VVT, was fishing when the SLN cut his nets, threatened him and also searched his boat.
51. On Mar 26 2006, **Ponnambalam Sakthivel**, of Supermadam, Point Pedro, reported that SLN came in the morning and cut his nets which are worth about Rs 22000.
52. On Mar 28 2006, **Alaharasa and K Kamalanathan**, of Supermadam, Point Pedro, were fishing when the SLN cut their nets and chased them back to shore. The nets were worth Rs 30000.
53. On Mar 30 2006, **Sakthivel Krishnathas and Sakthivel Vishnuthas**, of Thumpalai, Point Pedro, were fishing when they were stopped by the SLN. SLN smashed the engine, cut the nets and ordered them back to shore.
54. On Mar 30 2006, **K Arulamvalam and R Gopalasingam**, of Supermadam, Point Pedro, were fishing when the SLN approached and beat them, cut their nets and ordered them to return to shore. The nets were worth Rs 10 000.
55. On Mar 30 2006, **M Sivanthakumar and Y Yogaraja**, of Supermadam, Point Pedro, were fishing when the SLN boarded and searched his boat and threatened them.
56. On Mar 31 2006, **K Sabaratnam**, of Supermadam, Point Pedro, reported that he had been given nets by NGOs after the tsunami which were worth Rs 42000. The SLN destroyed these nets.
57. On Apr 6 2006, **S Soosaipillai**, of Sakkoddai, Point Pedro, was returning to shore when he was stopped and asked for his ID card then slapped and beaten.
58. On Apr 8 2006, **P Ramalingam and R Ajanthan** (father and son), of Imparutti, Point Pedro, were fishing in the morning when the SLN came and cut their nets and ordered them to shore. Fearing for his sons life the father complied and they both returned